

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

9/9/80

8:03 P.M.

Present: Supervisor Dusanenko
Councilmen Holbrook and Maloney
(Councilmen Lettre and Longo absent)
Everett Johns, Town Attorney
Sheila Reiter, Deputy Town Clerk

Supervisor Dusanenko declared the Town Board Meeting open. Assemblage saluted the Flag.

RESOLUTION NO. (673-1980)

ADOPTION AND ACCEPTANCE
OF MINUTES OF SPECIAL
TOWN BOARD MEETINGS OF
JULY 21, 1980 and
JULY 28, 1980

Co. Maloney offered the following resolution:

RESOLVED, that the Minutes of the Special Town Board meetings of July 21, and July 28, 1980, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (674-1980)

ORDER CALLING PUBLIC
HEARING FOR EXTENSION
OF CLARKSTOWN CONSOLI-
DATED WATER SUPPLY
DISTRICT NO. 1
(WHISPERING PINES)

Co. Holbrook offered the following resolution:

WHEREAS, a written Petition dated July 25, 1980 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows: (Description on file in the Town Clerk's Office).

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 23rd day of September 1980, at 8:30 P. M. DST time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (675-1980)

ORDER CALLING PUBLIC
HEARING FOR EXTENSION
OF CLARKSTOWN CONSOLI-
DATED WATER SUPPLY
DISTRICT NO. 1
(PHILIP ACRES)

Co. Holbrook offered the following resolution:

AAJ375

WHEREAS, a written Petition dated August 12, 1980, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows: (Description on file in the Town Clerk's Office).

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 23rd day of September 1980, at 8:32 P. M. DST time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Maloney

All voted Aye

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RESOLUTION NO. (676-1980)

ORDER CALLING PUBLIC HEARING FOR EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1 (PHILIP WOLIKOW & GRANDSONS, INC.)

Co. Holbrook offered the following resolution:

WHEREAS, a written Petition dated August 14, 1980 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York, for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows: (Description on file in the Town Clerk's Office).

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 23rd day of September 1980, at 8:34 P. M. DST time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (677-1980)

ACCEPTANCE OF PROPOSALS FROM ORANGE & ROCKLAND UTILITIES, INC. FOR STREET LIGHTING

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendations of the Director of the Department of Environmental Control, the Town Board of the Town of Clarkstown hereby accepts proposals from Orange & Rockland Utilities, Inc. for street lighting at the following locations:

- John L. DeBevoise Section II New City
- Windsor Estates West Nyack
- No. Cairngorm Road New City
- Little Tor Road & Little Brook Lane New City
- Commuter Parking Lot (railroad station) Nanuet

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (678-1980)

RESOLUTION GRANTING
CERTIFICATE OF REGIS-
TRATION PURSUANT TO
SEC. 83-65 OF THE CODE
OF THE TOWN OF CLARKSTOWN

Co. Holbrook offered the following resolution:

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 83-65 of the Code of the Town of Clarkstown:

EDWARD DE LEONARDIS
EDWARD DE LEONARDIS EXCAVATING INC.
519 FULLE DRIVE
VALLEY COTTAGE, NEW YORK

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 80-21 issued to Edward DeLeonardis
(Edward DeLeonardis Excavating, Inc.)

Seconded by Co. Maloney

All voted Aye

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AAJ375

RESOLUTION NO. (679-1980)

MEMORIAL LEGISLATION
AGAINST THE NEW SUMMER
WATER RATE SCHEDULE

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Supervisor's Association has already gone on record against the new water rate schedule which is costing some of our residents two or three times their usual water expenses, and

WHEREAS, the Spring Valley Water Company opposed this "guinea pig" treatment by the Public Service Commission and was not in favor of the new summer water rate schedule, and

WHEREAS, water is of vital importance to every American and plays a role in our lives for which there can be no substitute, and

WHEREAS, water should be available to each person at the lowest cost possible for their daily needs of drinking, bathing and many other sanitary needs, and

WHEREAS, the new water rate schedule that has been forced upon the customers of the Spring Valley Water Company by New York's Public Service Commission is of the most regressive nature which penalizes those who have the most need for water resources,

NOW THEREFORE, BE IT RESOLVED, that the Town Board of Clarkstown adamantly requests that the Public Service Commission abolish its summer rates and return to a more sane and equitable rate schedule, and be it

FURTHER RESOLVED, that copy of this resolution be forwarded to:

N.Y.S. Public Service Commission
Governor Hugh Carey
State Senator Warren Anderson
Assemblyman Stanley Fink
State Senator Richard Schermerhorn
State Senator Linda Winikow
Assemblyman Robert Connor
Spring Valley Water Company
Assemblyman Eugene Levy

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (680-1980)

AUTHORIZING SUPERVISOR TO PLACE ADVERTISEMENT (FALL LEAF PICK-UP)

Co. Holbrook offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to place an advertisement in the official newspaper of the Town of Clarkstown informing the residents of the Fall Leaf Pick-up by the Clarkstown Superintendent of Highways, and be it

FURTHER RESOLVED, that the charges for said advertisement shall be a charge to Account No. 6410-405.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (681-1980)

RESOLUTION AUTHORIZING SUPERVISOR TO SUBMIT GRANT APPLICATION - YOUTH BUREAU FEASIBILITY STUDY

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown wishes to make application to the State of New York Executive Department, Division for Youth, for Grant funds for which it is eligible,

NOW THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to submit application, Youth Bureau - Feasibility Study, dated October 15, 1980 through December 31, 1980, to the N.Y.S. Division for Youth for approval, and

BE IT FURTHER RESOLVED, that application for Youth Bureau-Feasibility Study dated January 1, 1980 to December 31, 1981 be submitted by the Supervisor to the N.Y.S. Division for Youth for approval.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (682-1980)

RESOLUTION AUTHORIZING SUPERVISOR TO SUBMIT GRANT APPLICATION - YOUTH COURT

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown wishes to make application to the State of New York Executive Department, Division for Youth, for Grant funds for which it is eligible,

NOW THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to submit application entitled Youth Court, dated January 1, 1981 to December 31, 1981 to the New York State Division for Youth for approval.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (683-1980)

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AGREEMENTS

Co. Maloney offered the following resolution:

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RESOLUTION NO. (683-1980) Continued

WHEREAS, St. Regis Paper Company is constructing their executive offices on Route 59-A, West Nyack, New York, and desires to obtain ingress and egress over the lands of the Palisades Interstate Park Commission for construction and maintenance of a roadway at its own cost and expense, and

WHEREAS, in order to construct such roadway, it is necessary that the Town of Clarkstown enter into an agreement with the Palisades Interstate Park Commission to acquire the necessary easement;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with the Palisades Interstate Park Commission whereby an easement will be granted to the Town of Clarkstown for the purpose of construction of a public roadway over the lands described in such easement, which easement shall be for a term of fifty years, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the St. Regis Paper Company for the construction and maintenance of a public roadway for fifty years pursuant to the plans and specifications as approved by the Palisades Interstate Park Commission.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (684-1980) INCREASING FUNDS
(ESTIMATED REVENUE
ACCOUNTS AND APPROPRIATION ACCOUNTS)

Co. Holbrook offered the following resolution:

RESOLVED, that the budget be amended by increasing the following Estimated Revenue Account Nos.:

1-002999-----	\$113,664.00
2-00299-----	1,071.00
4-102999-----	67,114.00

and the following Appropriation Account Nos. be increased by:

A 1910-504-----	\$113,664.00
B 1910-504-----	1,071.00
D 1910-504-----	67,114.00

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (685-1980) AUTHORIZING DIRECTOR
OF PURCHASING TO ATTEND
N. Y. STATE CONFERENCE
OF MAYORS

Co. Holbrook offered the following resolution:

WHEREAS, the Director of Purchasing of the Town of Clarkstown is to attend the 25th Annual New York State Conference of Mayor's Conference and Training School at Grossinger's Hotel from September 30 through October 3, 1980;

NOW, THEREFORE, be it

RESOLVED, that the Director of Purchasing is authorized to attend said conference and the sum, not to exceed \$200.00, to be charged to Appropriation Account No. A 1010-414.

Seconded by Co. Maloney All voted Aye.

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AAJ375

RESOLUTION NO. (686-1980)

AUTHORIZING COMPTROLLER/
BUDGET OFFICER TO ATTEND
N. Y. STATE CONFERENCE
OF MAYORS

Co. Holbrook offered the following resolution:

WHEREAS, the Comptroller/Budget Officer of the Town of Clarkstown is to attend the 25th Annual New York State Conference of Mayor's Conference and Training School at Grossinger's Hotel from September 30 through October 3, 1980;

NOW, THEREFORE, be it

RESOLVED, that the Comptroller/Budget Officer is authorized to attend said Conference and the sum, not to exceed \$200.00, be charged to Appropriation Account No. A 1010-414.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (687-1980)

AUTHORIZING ASSESSOR
TO ATTEND CONFERENCE
ON ASSESSMENT ADMINI-
STRATION

Co. Maloney offered the following resolution:

RESOLVED, that Ross Valenza, Assessor of the Town of Clarkstown, is hereby authorized to attend a conference on Assessment Administration to be held at Kutsher's Country Club in Monticello from October 7th to October 10th, 1980, and

RESOLVED, that three members of the Assessor's staff, Frances Heinisch, Robert Davies and Mary Cestaro, are authorized to participate in a one-day workshop on October 9, 1980, and be it,

FURTHER RESOLVED, that all proper charges not to exceed \$275.00 be charged against Account #A-1010-414.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (688-1980)

AUTHORIZING TOWN ATTORNEY
TO ATTEND SEMINAR

Co. Holbrook offered the following resolution:

RESOLVED, that Everett J. Johns, Town Attorney of the Town of Clarkstown is hereby authorized to attend an Administrative Law Practice seminar on October 31, 1980, at Westbury, Long Island, New York, and be it

FURTHER RESOLVED, that the registration fee, and incidental expenses incurred shall not exceed \$150.00 and shall be charged against Account No. A-1010-414.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (689-1980)

RESOLUTION AUTHORIZING
SUPERVISOR TO EXECUTE
AN AGREEMENT

Co. Holbrook offered the following resolution:

WHEREAS, Charles R. Velzy Associates, Inc. have agreed to perform certain engineering services at the Clarkstown Sanitary Landfill pursuant to the Consent Order of the Department of Environmental Conservation;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor be and he hereby is authorized to execute said agreement.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (690-1980) AWARDING BIDS
(C. E. BRADLEY LABORATORIES, INC.)

AAJ375

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the County Supt. of Highways, the Town Supt. of Highways and the Clarkstown Director of Purchasing that the bid to purchase Yellow and White Pavement Marking Paint is hereby awarded to:

C. E. Bradley Laboratories, Inc.
Putney Road
Brattleboro, Vt. 05301

at the low bid cost as follows:

Rapid Dry White Pavement Marking Paint in 55 gallon drums-----@ \$4.45 gal.

Rapid Dry Yellow Pavement Marking Paint in 55 gallon drums-----@ \$4.80 gal.

Additional cost of Packaging in 5 gallon containers -----@ \$.20 gal.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (691-1980) AWARDING BIDS
(THE BRANDERLY CORPORATION D/B/A THE JENNITE COMPANY OF NEW YORK)

Co. Maloney offered the following resolution:

RESOLVED, that based upon recommendation of the Director of Purchasing and the Supt. of Recreation & Parks that the bid to resurface, colorcoat and restrripe three (3) tennis/basketball courts is hereby awarded to:

The Branderly Corporation d/b/a
The Jennite Company of New York
Commerce Street
Poughkeepsie, New York 12603

for the low bid cost of \$4,995.00 complete (labor and materials) and be it

FURTHER RESOLVED, that funds for same be charged to Parklands & Improvement Account Resolution #1980-163, 2/26/80.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (692-1980)

RESOLUTION AUTHORIZING
PARTICIPATION IN ROCKLAND
COUNTY WORKER'S SELF-
INSURANCE PLAN

Co. Maloney offered the following resolution:

WHEREAS, the County of Rockland has adopted Local Law No. 7-1980 on August 18, 1980 providing for a worker's compensation self-insurance plan, and

WHEREAS, the Town of Clarkstown did by resolution signify its intent to participate in the plan;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown is hereby authorized to participate in the Rockland County worker's self-insurance plan as provided by Local Law No. 7-1980 of the County of Rockland.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (693-1980)

RESOLUTION AUTHORIZING
SUPERVISOR TO ENTER
INTO AGREEMENT (LOVELL
SAFETY MANAGEMENT CO.,
INC.)

Co. Maloney offered the following resolution:

WHEREAS, Lovell Safety Management Co., Inc., Lovell and Lovell, P. C., has proposed to act as administrator of interim self-insurance worker's compensation program;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute an agreement with Lovell Safety Management Co., Inc., Lovell and Lovell, P. C., for one year retroactive to June 1, 1980, and be it

FURTHER RESOLVED, that this is contingent upon the retention of the same firm by the County of Rockland.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (694-1980)

RESOLUTION AUTHORIZING
THE SUPERINTENDENT OF HIGH-
WAYS TO PERFORM DRAINAGE
WORK

Co. Maloney offered the following resolution:

WHEREAS, a drainage condition exists at Tioga Court, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways is hereby authorized to perform corrective drainage work on the above property,

RESOLUTION NO. (694-1980) Continued

including the installation of a catch basin, 24 feet of corrugated metal pipe and reprofiling the pavement at the turnaround, in a sum not to exceed \$2,000.00, and be it

FURTHER RESOLVED, that the sum of \$2,000.00 shall be taken from Capital Account Drainage.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (695-1980)

RESOLUTION AUTHORIZING THE SUPERINTENDENT OF HIGHWAYS TO PERFORM DRAINAGE WORK

Co. Maloney offered the following resolution:

WHEREAS, a drainage condition exists at Marcia Lane, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways is hereby authorized to perform corrective drainage work on the above property, including the replacement of a damaged section of pipe and the installation of a catch basin, in a sum not to exceed \$1,000.00, and be it

FURTHER RESOLVED, that the sum of \$1,000.00 shall be taken from Capital Account Drainage.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (696-1980)

ADJOURNING REGULAR TOWN BOARD MEETING TO HOLD SCHEDULED PUBLIC HEARINGS (SABO AND HOPPER)

Co. Maloney offered the following resolution:

RESOLVED. that the regular Town Board Meeting be adjourned in order to hold scheduled Public Hearings, time: 8:20 P.M.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (697-1980)

* CLOSING PUBLIC HEARING RE: EXTENSION OF SPECIAL PERMIT (SABO AND HOPPER)

Co. Maloney offered the following resolution:

RESOLVED, that the Public Hearing re: Extension of Special Permit for Andrew Sabo and Barry Hopper be closed, ADOPTED, time 8:23 P.M.

Seconded by Co. Holbrook All voted Aye.

(Please see last page of minutes for adopting resolution)

RESOLUTION NO. (698-1980)

OPENING PUBLIC HEARING RE: WATER DISTRICT (MOUACDIE)

Co. Maloney offered the following resolution:

RESOLVED, that the Public Hearing re: Extension of Clarkstown Consolidated Water Supply District No. 1 - Michael Mouacdie, West Nyack, be opened, time: 8:25 P. M.

Seconded by Co. Holbrook All voted Aye.

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AAJ375

RESOLUTION NO. (699-1980)

CLOSING PUBLIC HEARING RE:
WATER DISTRICT (MOUACDIE)

RESOLVED, that the Public Hearing re: Extension of
Clarkstown Consolidated Water Supply District No. 1 - Michael Mouacdie,
West Nyack, be closed, time: 8:27 P. M.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (700-1980)

OPENING PUBLIC HEARING RE:
WATER DISTRICT (DEMAR
DEVELOPMENT CORPORATION)

Co. Holbrook offered the following resolution:

RESOLVED, that the Public Hearing re: Extension of
Clarkstown Consolidated Water Supply District No. 1 - Demar Development
Corporation, be opened, time: 8:27 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (701-1980)

CLOSING PUBLIC HEARING RE:
WATER DISTRICT (DEMAR
DEVELOPMENT CORPORATION)

Co. Holbrook offered the following resolution:

RESOLVED, that the Public Hearing re: Extension of
Clarkstown Consolidated Water Supply District No. 1 - Demar Development
Corporation, be closed: time: 8:29 P. M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (702-1980)

OPENING PUBLIC HEARING
RE: WATER DISTRICT
(SASSON HOMES)

Co. Maloney offered the following resolution:

RESOLVED, that the Public Hearing re: Extension of
Clarkstown Consolidated Water Supply District No. 1 - Sasson Homes,
Valley Cottage, be opened, time: 8:29 P. M.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (703-1980)

CLOSING PUBLIC HEARING
RE: WATER DISTRICT
(SASSON HOMES)

Co. Maloney offered the following resolution:

RESOLVED, that the Public Hearing re: Extension of
Clarkstown Consolidated Water Supply District No. 1 - Sasson Homes,
Valley Cottage, be closed, time: 8:31 P. M.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (704-1980)

OPENING PUBLIC HEARING
RE: WATER DISTRICT
(DEMAREST HEIGHTS)

Co. Maloney offered the following resolution:

RESOLVED, that the Public Hearing re: Extension of
Clarkstown Consolidated Water Supply District No. 1 - Demarest Heights,
West Nyack, be opened, time: 8:31 P. M.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (705-1980)

CLOSING PUBLIC HEARING
RE: WATER DISTRICT
(DEMAREST HEIGHTS)

Co. Maloney offered the following resolution:

RESOLVED, that the Public Hearing re: Extension of Clarkstown Consolidated Water Supply District No. 1 - Demarest Heights, West Nyack, be closed, time: 8:33 P. M.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (706-1980)

OPENING PUBLIC HEARING
RE: LOCAL LAW NO. 6-1980
HAZARDOUS FIRE CONDITIONS

Co. Maloney offered the following resolution:

RESOLVED, that the Public Hearing re: Proposed New Local Law "Local Law Providing for Regulations Governing Conditions Hazardous to Life and Property from Fire or Explosion", be opened, time: 8:33 P.M.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (707-1980)

CLOSING PUBLIC HEARING
RE: LOCAL LAW NO. 6-1980
HAZARDOUS FIRE CONDITIONS
AND RESUMING REGULAR MEETING

Co. Maloney offered the following resolution:

RESOLVED, that the Public Hearing re: Proposed New Local Law "Local Law Providing for Regulations Governing Conditions Hazardous to Life and Property from Fire or Explosion", be closed and regular Town Board Meeting be resumed, time: 8:35 P. M.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (708-1980)

ADOPTING LOCAL LAW NO. 6-1980

Co. Maloney offered the following resolution:

WHEREAS, a proposed local law entitled, "AMENDMENT TO LOCAL LAW NO. 2-1964, AS AMENDED, ENTITLED, 'LOCAL LAW PROVIDING FOR REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION'", was introduced by Councilman Longo, at a Town Board meeting held on August 12, 1980, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 12th day of August, 1980, directed that a public hearing be held on the 9th day of September, 1980, at 8:30 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on August 25, 1980, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and Councilmen at their office at 10 Maple Avenue, New City, New York, on August 7, 1980, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on September 9, 1980;

AAJ375

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RESOLUTION NO. (708-1980) Continued

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 6-1980 entitled, "AMEND-
MENT TO LOCAL LAW NO. 2-1964, AS AMENDED, ENTITLED 'LOCAL LAW PROVIDING
FOR REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY
FROM FIRE OR EXPLOSION'" is hereby ADOPTED and passed by an affirmative
vote of the Town Board of the Town of Clarkstown, the vote for adoption
being as follows:

Hon. Theodore R. Dusanenko, Supervisor-----Aye
Councilman Nicholas A. Longo-----Absent
Councilman Edward Lettre-----Absent
Councilman John R. Maloney-----Aye
Councilman Charles E. Holbrook-----Aye

The Clerk of the Town of Clarkstown was directed to file the local law
pursuant to Section 27 of the Municipal Home Rule Law.

Seconded by Co. Holbrook

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RESOLUTION NO. (709-1989)

RESOLUTION AUTHORIZING
THE SUPERVISOR TO ENTER
INTO AN AGREEMENT

Co. Holbrook offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to
enter into an agreement with Kozma Associates, in a form satisfactory
to the Town Attorney, for engineering services as outlined in their
proposal dated August 20, 1980, not to exceed the sum of \$16,700.00.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (710-1980)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BID RE: DEMEREST KILL
IMPROVEMENT PROJECT

Co. Holbrook offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby
authorized to advertise for bid for:

BID # 36-1980 Demerest Kill Improvement Project

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 2:00 (P.M.) on: Monday,
September 29, 1980, at which time bids will be opened and read, and
be it

FURTHER RESOLVED, that bid specifications and proposal
documents can be obtained at the Office of the Clarkstown Director of
Purchasing.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (711-1980)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL
NO PARKING SIGNS

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the
Traffic and Traffic Fire Safety Advisory Board, the Superintendent of

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RESOLUTION NO. (711-1980) Continued

Highways is hereby authorized to install signs to read, "No Parking Anytime" on the west side of the residence on Old Middletown Road from Convent Road South to Middletown Road, Nanuet.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (712-1980) ACCEPTING A SEWER EASEMENT TO THE TOWN OF CLARKSTOWN (JAKLA)

Co. Holbrook offered the following resolution:

WHEREAS, Jakla Construction Corp., is desirous of granting a sewer easement to the Town of Clarkstown located on property designated on the Clarkstown Tax Map as Map 169, Block A, Lots 4.22 and 4.23;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby accepts a sewer easement from Jakla Construction Corp., located on property designated on the Clarkstown Tax Map as Map 169, Block A, Lots 4.22 and 4.23, more particularly described in said easement agreement dated February 4, 1980, at no cost to the Town of Clarkstown.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (713-1980) ACCEPTING A SEWER EASEMENT TO THE TOWN OF CLARKSTOWN (MCLEOD)

Co. Holbrook offered the following resolution:

WHEREAS, John W. and Marguerite McLeod are desirous of granting a sewer easement to the Town of Clarkstown located on property designated on the Clarkstown Tax Map as Map 169, Block A, Lot 2;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby accepts a sewer easement from John W. and Marguerite McLeod located on property designated on the Clarkstown Tax Map as Map 169, Block A, Lot 2, more particularly described in said easement agreement dated January 25, 1980, at no cost to the Town of Clarkstown.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (714-1980) ACCEPTING A SEWER EASEMENT TO THE TOWN OF CLARKSTOWN (EINHORN)

Co. Holbrook offered the following resolution:

WHEREAS, Shimon and Barbara Einhorn are desirous of granting a sewer easement to the Town of Clarkstown located on property designated on the Clarkstown Tax Map as Map 170, Block A, Lot 3.07;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby accepts a sewer easement from Shimon and Barbara Einhorn located on property designated on the Clarkstown Tax Map as Map 170, Block A, Lot 3.07, more particularly described in said easement agreement dated February 27, 1980, at no cost to the Town of Clarkstown.

Seconded by Co. Maloney All voted Aye.

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AAJ375

RESOLUTION NO. (715-1980)

REFERRING ZONE CHANGE
PETITION TO THE CLARKS-
TOWN PLANNING BOARD AND
SETTING A PUBLIC HEARING

Co. Maloney offered the following resolution:

WHEREAS, Nyack Rural Cemetery, Inc., has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described from an R-15 District to a CS District;

NOW, THEREFORE, be it

RESOLVED, that the application of Nyack Rural Cemetery, Inc., for a change of zoning from an R-15 District to a CS District on property located on Route 59, Central Nyack, New York, be referred to the Town Planning Board for report within 45 days pursuant to the Zoning Ordinance of the Town of Clarkstown, Section 106-32, and be it

FURTHER RESOLVED, that a public hearing pursuant to Section 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown on the 11th day of November, 1980, at 8:45 P. M., relative to the proposed amendment, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the official newspaper of the Town as aforesaid and file proof thereof in the office of the Town Clerk.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (716-1980)

RATES FOR TOWN OF
CLARKSTOWN MINI TRANS
SYSTEM

Co. Holbrook offered the following resolution:

RESOLVED, that the Town of Clarkstown shall charge the following rates for its Mini Trans System effective October 15, 1980:

Regular One-Way Fare	-	\$0.40 (Exact Change)
Senior Citizens and Handicapped	-	No Charge

Before the vote, Supervisor Dusanenko stated that there will be two new buses in operation which will extend the lengths of time for round trips to the back of Nanuet Mall and will also include Monterey Senior Citizens as well as Central Nyack.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (717-1980)

AUTHORIZING SUPERVISOR
TO ENTER INTO AN AGREE-
MENT

Co. Holbrook offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Jack D. Boswell & Associates, in a form satisfactory to the Town Attorney, for engineering service in connection with Stream No. NJ1-10, West Nyack, as outlined in their proposal dated September 3, 1980, not to exceed the sum of \$4,620.00 and individual survey easements at \$400.00 each as required.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (718-1980)

AUTHORIZING SUPERVISOR
ENTER INTO A COOPERATION
AGREEMENT WITH THE COUNTY
OF ROCKLAND (COMMUNITY
DEVELOPMENT PROGRAM)

Co. Maloney offered the following resolution:

WHEREAS, it is recognized that participation by the County of Rockland in the Community Development Program requires the cooperation of various municipalities in order to meet the requisite population level, and

WHEREAS, the Town of Clarkstown has been requested to enter into a Cooperation Agreement with the County of Rockland in order to ensure the County's and Town's eligibility for Community Development Block Grant funds as an urban county;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into a Cooperation Agreement with the County of Rockland in a form satisfactory to the Town Attorney for the years 1981 and 1982.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (719-1980)

ACCEPTANCE OF AUDIT
REPORT

Co. Maloney offered the following resolution:

RESOLVED, that the Town of Clarkstown hereby accepts the Audit Report of the firm of Korn, Rosenbaum, Phillips & Jauntig, CPA, for the period ending December 31, 1979.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (720-1980)

VIOLATIONS OF SANITARY
LANDFILL RULES AND REGU-
LATIONS HEARING (GRAZIANO)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown held a hearing on June 12, 1980 on violations of the Sanitary Landfill Rules and Regulations by Peter Graziano;

NOW, THEREFORE, be it

RESOLVED, that Peter Graziano is guilty as charged of violations of the Sanitary Landfill Rules and Regulations and is, therefore, suspended from the Clarkstown Sanitary Landfill for thirty (30) days, commencing five (5) days from the receipt of this decision and fined the sum of \$100.00.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (721-1980)

AUTHORIZATION TO INSTALL
TWO HYDRANTS

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Co. is hereby authorized to install two (2) hydrants,
(1) North side of Smith Road approximately 600 feet east from the center line of Executive Drive;
(2) North side of Smith Road approximately 1,230 feet east from the

CONTINUED ON NEXT PAGE

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RESOLUTION NO. (721-1980) Continued

center line of Executive Drive, Spring Valley, Town of Clarkstown.
Investigation No. 8874.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (722-1980) AUTHORIZATION TO
INSTALL THREE HYDRANTS
(BARDONIA)

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the
Director of Environmental Control, the Spring Valley Water Company is
hereby authorized to install three (3) hydrants

- (1) West side of Arbor Lane, approximately 150 feet north from the
center line of Arbor Lane;
- (2) West side of Saymor Drive, approximately 50 feet south from the
center line of Arbor Lane;
- (3) West side of Saymor Drive, approximately 655 feet south, east,
and north from the center line of Arbor Lane;

all in Bardonia.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (723-1980) AUTHORIZATION TO
INSTALL ONE HYDRANT
(VALLEY COTTAGE)

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the
Director of Environmental Control, the Spring Valley Water Co. is
hereby authorized to install one (1) hydrant on the north side of
Daken Court, approximately 50 feet east of the center line of Bell-
ville Drive, Valley Cottage, New York.

Investigation No. 9005.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (724-1980) AUTHORIZATION TO
INSTALL TWO HYDRANTS
(VALLEY COTTAGE)

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the
Director of Environmental Control, the Spring Valley Water Co. is
hereby authorized to install two (2) hydrants,
(1) Northwest corner of Florence Court and Tamar Drive;
(2) Southwest corner of Hannah Lane and Tamar Drive, Valley Cottage

Investigation No. 8848.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (725-1980)

LEAVE OF ABSENCE
(RITA SAKOWITZ)

Co. Maloney offered the following resolution:

WHEREAS, Rita Sakowitz has requested a leave of absence without pay, and

WHEREAS, Article XIX, Section I of the Town of Clarkstown Labor Agreement of January 1, 1978 provides for a leave of absence without pay,

NOW, THEREFORE, be it

RESOLVED, that Rita Sakowitz, 2 Teakwood Lane, New City, New York - Typist - Town Justice Office - is hereby granted a six-month leave of absence, effective and retroactive to August 22, 1980.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (726-1980)

APPOINTMENT OF ENVIRONMENTAL CONTROL INSPECTOR II (SAL PAGLIUCA)

Co. Holbrook offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Environmental Control Inspector II #80046 which contains the name of Sal Pagliuca,

NOW, THEREFORE, be it

RESOLVED, that Sal Pagliuca, 120 West Nyack Road, West Nyack, New York, is hereby appointed to the position of Environmental Control Inspector II - Environmental Department - at the annual salary for 1980 of \$12,917.00, effective September 22, 1980.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (727-1980)

APPOINTMENT TO POSITION OF TYPIST-TOWN JUSTICE OFFICE (DOLORES AVARAS)

Co. Maloney offered the following resolution:

RESOLVED, that Dolores Avaras, 145 South Little Tor Road, New City, New York, is hereby appointed to the position of Typist, part-time, Town Justice Office, at the hourly wage of \$4.43, effective and retroactive to August 25, 1980.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (728-1980)

APPOINTMENT TO POSITION OF TYPIST-TOWN JUSTICE OFFICE (LUCILLE ROCCO)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Typist CR 1 80-62 which contains the name of Lucille Rocco,

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NOW, THEREFORE, be it

RESOLVED, that Lucille Rocco, 160 North Main Street, New City, New York, is hereby appointed to the position of Typist-Town Justice Office-at the annual salary for 1980 of \$8,508.00, effective and retroactive to September 2, 1980.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (729-1980)

APPOINTMENT TO POSITION OF DOG CONTROL OFFICER (TRAINEE-GREGORY TOBIN)

Co. Maloney offered the following resolution:

RESOLVED, that Gregory Tobin, 131 West Nyack Road, West Nyack, New York, is hereby appointed to the position of Dog Control Officer (Trainee) - Police Department - at the annual salary for 1980 of \$10,729.00, effective and retroactive to August 14, 1980.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (730-1980)

APPOINTMENT TO POSITION OF STENOGRAPHER-TOWN CLERK'S OFFICE (LILA HOLBACK)

Co. Holbrook offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Stenographer CR-2 80-22 which contains the name of Lila Holback,

NOW, THEREFORE, be it

RESOLVED, that Lila Holback, 21 Elyse Drive, New City, New York, is hereby appointed to the position of Stenographer - Town Clerk's Office - at the annual salary for 1980 of \$8,508.00, for a period not to exceed 60 days, effective and retroactive to September 2, 1980.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (731-1980)

ACCEPTANCE OF RESIGNATION (JAN DEGENSHEIN)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Jan Degenshein, 2 Balter Road, New City, New York, as a member of the Shade Tree Commission is hereby accepted, with regret, effective September 30, 1980.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (732-1980)

APPOINTMENT TO POSITION OF CLEANER (TEMPORARY-JAMES ANTONIOU)

Co. Holbrook offered the following resolution:

RESOLVED, that James Antoniou, 185 Main Street, New City, New York, is hereby appointed to the position of Cleaner (Tem-

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RESOLUTION NO. (732-1980) Continued

porary) - Maintenance Department - at the hourly rate of \$4.45, not to exceed 90 days, effective and retroactive to September 2, 1980.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (733-1980) APPOINTMENT POSITION
OF BUS DRIVER (ARTHUR
BARRUS, EUGENE FOLEY, GARY PESKIN)

Co. Maloney offered the following resolution:

RESOLVED, that the following are hereby appointed to the position of Bus Driver (part-time) at the hourly wage of \$5.12:

Arthur Barrus, 31 James Street, New City, New York, effective and retroactive to August 25, 1980;

Eugene Foley, 23 Freund Drive, Nanuet, New York, effective and retroactive to August 26, 1980;

Gary Peskin, 20 Strathmore Drive, Spring Valley, New York, effective September 9, 1980.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (734-1980) APPOINTMENT OF SENIOR
RECREATION LEADER
(ALEXANDER J. GROMACK)

Co. Holbrook offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Senior Recreation Leader #80057 which contains the name of Alexander J. Gromack,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Parks Board & Recreation Commission, Alexander J. Gromack, 60 Collyer Avenue, New City, New York, is hereby appointed to the position of Senior Recreation Leader - Parks Board & Recreation - at the annual salary for 1980 of \$13,531.00, effective and retroactive to September 4, 1980.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (735-1980) APPOINTMENT OF SENIOR
RECREATION LEADER
(KEVIN KING)

Co. Holbrook offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Senior Recreation Leader #80057 which contains the name of Kevin King,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Parks Board & Recreation Commission, Kevin King, 2 Shelley Avenue, Valhalla, New York, is hereby appointed to the position of Senior

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RESOLUTION NO. (735-1980) Continued

Recreation Leader - Parks Board & Recreation - at the annual salary for 1980 of \$12,332.00, effective and retroactive to September 4, 1980.

Seconded by Co. Maloney All voted Aye

* * * * *

RESOLUTION NO. (736-1980) APPOINTMENT OF DEPUTY DIRECTOR OF EMERGENCY SERVICES (GERALD COLUCCI)

Co. Maloney offered the following resolution:

RESOLVED, that Gerald Colucci, Lake Road, Valley Cottage, New York, is hereby appointed Deputy Director of Emergency Services, effective September 10, 1980, to serve without compensation, at the pleasure of the Town Board.

Seconded by Co. Holbrook All voted Aye.

* * * * *

RESOLUTION NO. (737-1980) APPOINTMENT OF CROSSING GUARD (EILEEN HALLINAN)

Co. Maloney offered the following resolution:

RESOLVED, that Eileen Hallinan, 25 Newport Drive, Nanuet, New York, is hereby appointed to the position of temporary Crossing Guard - Police Department - at the rate of \$12.00 per day, effective September 9, 1980.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (738-1980) APPOINTMENT OF CROSSING GUARDS (LILLIAN N. DOBSON, JOAN E. LAUDER, ROBERTA FIOLA)

Co. Maloney offered the following resolution:

RESOLVED, that the following are hereby appointed to the position of Crossing Guard - Police Department - effective and retroactive to September 3, 1980:

Lillian N. Dobson, 2 Hunter Place, West Nyack, New York - at the rate of \$12.00 per day;

Joan E. Lauder, 341 Phillips Hill Road, New City, New York - at the rate of \$8.00 per day;

Roberta Fiola, 411 Centre Avenue, Upper Nyack, New York - at the rate of \$8.00 per day.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (739-1980) APPOINTMENT OF SUBSTITUTE CROSSING GUARDS (MARY R. COSTELLO, ELIZABETH KRASINSKI)

Co. Maloney offered the following resolution:

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RESOLUTION NO. (739-1980) Continued

RESOLVED, that the following are hereby appointed to the position of Substitute Crossing Guard - Police Department - at the prevailing rate for the post covered:

Mary R. Costello, 282 Brewery Road, New City, New York, effective and retroactive to September 3, 1980;

Elizabeth Krasinski, 25A Lake Road, Valley Cottage, New York, effective and retroactive to September 8, 1980;

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (740-1980) ACCEPTANCE OF RESIGNATIONS OF CROSSING GUARDS

Co. Holbrook offered the following resolution:

RESOLVED, that the resignation of the following Crossing Guards - Police Department - are hereby accepted, effective and retroactive to June 22, 1980:

Margaret Harkin, 16 Birch Lane, New City, New York

Mary McDermott, 18 Remmler Lane, Bardonia, New York

Mary McSherry, 14 Colonial Drive, New City, New York

Lorraine Poleway, 95 Strawtown Road, West Nyack, New York

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (741-1980) PROVISIONAL APPOINTMENT OF REAL PROPERTY DATA COLLECTOR (HAYDEN ROLAND)

Co. Holbrook offered the following resolution:

RESOLVED, that Hayden Roland, 349 North Middletown Road, Nanuet, New York, is hereby appointed to a second provisional appointment - Real Property Data Collector - at the annual salary for 1980 of \$8,508.00, effective September 9, 1980.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (742-1980) PROVISIONAL APPOINTMENT OF DIRECTOR OF MUNICIPAL COUNSELING SERVICES (ELLEN COHEN)

Co. Maloney offered the following resolution:

RESOLVED, that Ellen Cohen, 80 Kings Highway, New City, New York, is hereby appointed to a second provisional appointment - Director of Municipal Counseling Services - at the annual salary for 1980 of \$19,781.00, effective September 9, 1980.

Seconded by Co. Holbrook All voted Aye.

* * * * *

RESOLUTION NO. (743-1980) ACCEPTANCE OF RESIGNATION (PAUL A. PIETROPAOLO)

Co. Maloney offered the following resolution:

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RESOLUTION NO. (743-1980) Continued

RESOLVED, that the resignation of Paul A. Pietropaolo, 4 Beech Street, Nanuet, New York, as Shade Tree Inspector (Seasonal) - Environmental Office - is hereby accepted effective September 9, 1980.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (744-1980)

APPOINTMENT OF COUNSELOR AIDE (PHYLLIS WEISMAN)

Co. Maloney offered the following resolution:

RESOLVED, that Phyllis Weisman, 3 Hedgerow Lane, Spring Valley, New York, is hereby appointed to the position of Counselor Aide - Counseling Center - at the annual salary for 1980 of \$11,663.00, effective and retroactive to August 25, 1980.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (745-1980)

ACCEPTANCE OF RESIGNATION (HERMAN SHOCKLEY)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Herman Shockley, 73 Herrick Avenue, Spring Valley, New York as Cleaner - Maintenance Department - is hereby accepted, effective and retroactive to September 8, 1980.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (746-1980)

APPOINTMENT OF REAL PROPERTY DATA COLLECTOR (ROSE ROMEO)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Real Property Data Collector #80092, which contains the name of Rose Romeo,

NOW, THEREFORE, be it

RESOLVED, that Rose Romeo, 2 Rone Court, New City, New York, is hereby appointed to the position of Real Property Data Collector-Assessor's Office - at the annual salary for 1980 of \$8,508.00, effective September 9, 1980.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (747-1980)

GRANTING OF LEAVE OF ABSENCE (JAMES FERGUSON)

Co. Maloney offered the following resolution:

WHEREAS, James Ferguson has requested a leave of absence without pay, and

WHEREAS, Article XIX, Section 1 of the Town of Clarkstown Labor Agreement of January 1, 1978 provides for a leave of absence without pay,

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RESOLUTION NO. (747-1980) Continued

NOW, THEREFORE, be it

RESOLVED, that James Ferguson, 6 Queens Road, New City, New York - Custodian - Maintenance Department - is hereby granted a three-month leave of absence, without compensation, effective and retro-active to August 18, 1980.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (748-1980) APPOINTMENT TO POSITION OF POLICE OFFICER (JOSEPH N. NEU)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #76102 Police Officer which contains the name of Joseph N. Neu,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Policy Commission and Chief Schnakenberg, Joseph N. Neu, 156 South Pascack Road, Spring Valley, New York, is hereby appointed to the position of Police Officer - Police Department - at the annual salary for 1980 of \$14,666.00, effective September 29, 1980.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (749-1980) APPOINTMENT TO POSITION OF POLICE OFFICER (KEVIN M. MACKEN)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #76102 Police Officer which contains the name of Kevin M. Macken,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Kevin M. Macken, 33 Whitman Street, Congers, New York, is hereby appointed to the position of Police Officer - Police Department - at the annual salary for 1980 of \$14,666.00, effective September 29, 1980.

Seconded by Co. Holbrook All voted Aye.

* * * * *

RESOLUTION NO. (750-1980) APPOINTMENT TO POSITION OF CLERK (MARIE GERONIMO)

Co. Holbrook offered the following resolution:

WHEREAS, there is a vacancy in the position of Clerk (Seasonal),

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Receiver of Taxes, Marie Geronimo, 55 Bluebird Drive, Congers, New York,

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RESOLUTION NO. (750-1980) Continued

is hereby appointed to the position of Clerk (Seasonal) - Receiver of Taxes Office - at the hourly wage of \$4.88., effective and retroactive to September 8, 1980.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (751-1980) REQUESTING AMENDMENT
TO HOME RULE, SECTION
271 OF THE HIGHWAY LAW

Co. Maloney offered the following resolution:

WHEREAS, the cost of the purchase of certain highway equipment has risen rapidly in recent years, and

WHEREAS, the previous administration was forced to borrow moneys to buy highway equipment to deliver basic services because of Section 271 of the Highway Law, and

WHEREAS, the payment of this past debt has made it impossible for the Highway Superintendent of the Town of Clarkstown to buy new equipment and remain within the regulation of Section 271 of the Highway Law, and

WHEREAS, the Town of Clarkstown will be unable to purchase any vitally needed highway equipment to serve the residents of the Town of Clarkstown, particularly in emergency conditions during 1980, or through 1983, and

WHEREAS, Section 271 of the Highway Law, as amended, other as excepted from said law, provides in subdivision 3a(4) that a limitation of \$60,000.00 only may be raised by taxes for highway equipment, and

WHEREAS, the immediate emergency needs of the Town of Clarkstown require the amendment of Section 271 of the Highway Law from the present limit of \$60,000 to \$400,000.00, and

WHEREAS, Section 271 of the Highway Law provides for \$400,000.00 limit for certain towns in Suffolk County, and

WHEREAS, the Town Board is desirous of increasing the limits in the Town of Clarkstown to \$400,000.00 for the purchase of the highway equipment enumerated in Section 271 of the Highway Law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown does hereby request a Home Rule Amendment to Section 271 of the Highway Law to provide that Section 271 of the Highway Law, subdivision 3a(1-a) should read as follows:

"(1-a) Four hundred thousand dollars in the towns of Babylon, Brookhaven, Huntington, Islip and Smithtown in Suffolk County and the Town of Clarkstown in Rockland County."

FURTHER RESOLVED, that this resolution be and the same is hereby deemed as a request for a Home Rule Amendment and that the same be duly introduced into the Assembly and the Senate of the State of New York for appropriate action thereon, and be it

FURTHER RESOLVED, that due to the emergency conditions of the Highway Department of the Town of Clarkstown, this proposed

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RESOLUTION NO. (751-1980) Continued

amendment be included in any Special Session of the 1980 Legislative Session.

(Underscoring denotes new material)

Seconded by Councilman Holbrook All voted Aye.

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RESOLUTION NO. (752-1980) OPENING PUBLIC HEARING ON AMENDING THE ZONING ORDINANCE FOR LIO AND M DISTRICTS

Co. Maloney offered the following resolution:

RESOLVED, that the regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing on Amending the Zoning Ordinance for LIO and M Districts, time: 9:35 P. M.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (753-1980) CLOSING PUBLIC HEARING ON AMENDING THE ZONING ORDINANCE FOR LIO AND M DISTRICTS.

Co. Maloney offered the following resolution:

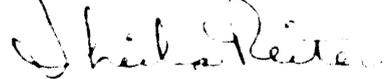
RESOLVED, that the Public Hearing on Amending the Zoning Ordinance for LIO and M Districts be closed, DECISION RESERVED, time: 10:02 P. M.

Seconded by Co. Holbrook All voted Aye.

* * * * *

There being no further business to come before the Town Board and no one further wishing to be heard, the Town Board Meeting was declared closed; time: 10:03 P. M.

Respectfully submitted,



SHEILA REITER
Deputy Town Clerk

Notation: The public hearing with regard to the extension of the permit for Sabo and Hopper was closed at 8:23 P.M. and the following resolution was adopted, the regular meeting was then adjourned again in order to go on with the next scheduled Public Hearing.

RESOLUTION NO. (697-A - 1980) GRANTING AN EXTENSION OF SPECIAL PERMIT (SABO & HOPPER)

Co. Maloney offered the following resolution:

WHEREAS, ANDREW SABO AND BARRY HOPPER have made an application for an extension of a special permit to conduct a gasoline filling station

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RESOLUTION NO. (697-A-1980) Continued

pursuant to Section 106-16G of the Zoning Ordinance of the Town of Clarkstown at the corner of Hemenway Avenue and Route 303, Congers, New York, more particularly described on the attached Schedule "A", and

WHEREAS, after due notice published and posted a public hearing was held before the Town Board of the Town of Clarkstown on the 9th day of September, 1980, at 8:15 P.M., at the Town Hall, 10 Maple Avenue, New City, New York, to consider such application;

NOW, THEREFORE, be it

RESOLVED, that the special permit granted to ANDREW SABO and BARRY HOPPER on November 15, 1978 by Resolution No. 737 be and hereby is extended for 12 months subject to the terms and conditions stated in the special permit.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9/9/80

8:20 P. M.

Present: Supervisor Dusanenko
Councilmen Holbrook and Maloney
(Councilmen Lettre and Longo absent)
Everett J. Johns, Town Attorney
Sheila Reiter, Deputy Town Clerk

RE: APPLICATION FOR EXTENSION OF A SPECIAL PERMIT TO CONDUCT A
GASOLINE FILLING STATION - ANDREW SABO AND BARRY HOPPER.

Supervisor Dusanenko declared the Public Hearing open; Deputy Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Supervisor Dusanenko asked Mr. Johns if he had any correspondence relating to the extension of the special permit.

Mr. Johns stated he had a letter to read, as follows:

"Lake Road
Congers, NY 10920
September 4, 1980

Town Board
Town of Clarkstown
10 Maple Avenue
New City, NY 10956

Re: Application of ANDREW SABO and BARRY HOPPER

Gentlemen:

My wife and I own property near the property which is the subject of the above matter relative to an extension of a special permit to conduct a gasoline filling station. As an adjoining property owner, we do not feel the application should be granted.

Approximately 10 years ago a similar application was made on my behalf and denied. The application was denied at that time because my property was 25 ft. to close to a church.

During the 10 year interim period, the surrounding area has not materially changed. The property presently the subject of this application is in fact closer to the church than my property, and in addition, since the time of my application a gasoline filling station has been built across the street from my property and within 1,000 ft. of the property which is the subject of this application.

Since the property in question is closer to the church than my own and since it is within 1,000 ft. of a gasoline filling station and because the area has not materially changed since the former application for a gasoline filling station was denied, I believe it would be unfair and inappropriate to grant the application presently before the Board.

Very truly yours,

Arsenio Caramatti"

Donald S. Tracy, Esq., appeared for the applicants, Andrew Sabo and Barry Hopper. He explained that this is a request for renewal of a special permit which expired. In 1978, the applicants obtained a zone change from P0 to L10 and were granted a special permit. The applicants were unable to build a station due to a new gasoline

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allocation program. In 1980 they obtained a new gas allocation from the U. S. Department of Energy, permitting the site to function as a gasoline filling station. The same findings in 1978 are appropriate now, and this request is that the special permit be extended due to extenuating circumstances of the time lag required to obtain an allocation from the Department of Energy.

Supervisor Dusanenko asked if there was anyone wishing to speak in favor of the renewal of the special permit.

IN FAVOR:

Appearance: Mr. Harold Franklin
25 North Route 303
Congers, New York 10920

Mr. Franklin stated that he has the adjoining property and has no objections. He thinks the filling station would not hurt Congers, but would improve it.

Supervisor Dusanenko asked if there was anyone wishing to speak in opposition.

IN OPPOSITION: No one appeared.

There being no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing was closed, adopted, time: 8:23 P. M.

Respectfully submitted,



SHEILA REITER
Deputy Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9/9/80

8:25 P.M.

Present: Supervisor Dusanenko
Councilmen Holbrook and Maloney
(Councilmen Lettre and Longo absent)
Everett J. Johns, Town Attorney
Sheila Reiter, Deputy Town Clerk

RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1
TO INCLUDE - MICHAEL MOUACDIE

Supervisor Dusanenko declared the Public Hearing open; Deputy Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Deputy Clerk presented a signed affidavit of Mr. Leslie F. Bollman, Director of Environmental Control, stating that the proposed extension meets the requirements of all regulations of the Town.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of or in opposition to the proposed extension.

IN FAVOR: No one appeared.

IN OPPOSITION: No one appeared.

There being no one wishing to be heard and on motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing was declared closed, time: 8:27 P. M.

Respectfully submitted,

Sheila Reiter
SHEILA REITER
Deputy Town Clerk

AAJ375

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9/9/80

8:27 P.M.

Present: Supervisor Dusanenko
Councilmen Holbrook and Maloney
(Councilmen Lettre and Longo absent)
Everett J. Johns, Town Attorney
Sheila Reiter, Deputy Town Clerk

RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1
TO INCLUDE - DEMAR DEVELOPMENT CORP.

Supervisor Dusanenko declared the Public Hearing open; Deputy Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Deputy Clerk presented a signed affidavit of Mr. Leslie F. Bollman, Director of Environmental Control, stating that the proposed extension meets the requirements of all regulations of the Town.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of or in opposition to the proposed extension.

IN FAVOR: No one appeared.

IN OPPOSITION: No one appeared.

There being no one wishing to be heard and on motion of Councilman Holbrook, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, time: 8:29 P. M.

Respectfully submitted,



SHEILA REITER
Deputy Town Clerk

AAJ375

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9/9/80

8:29 P.M.

Present: Supervisor Dusanenko
Councilmen Holbrook and Maloney
(Councilmen Lettre and Longo absent)
Everett J. Johns, Town Attorney
Sheila Reiter, Deputy Town Clerk

RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1
TO INCLUDE - JHM HOMES, INC.

Supervisor Dusanenko declared the Public Hearing open; Deputy Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Deputy Clerk presented a signed affidavit of Mr. Leslie F. Bollman, Director of Environmental Control, stating that the proposed extension meets the requirements of all regulations of the Town.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of or in opposition to the proposed extension.

IN FAVOR: No one appeared.

IN OPPOSITION: No one appeared.

There being no one wishing to be heard and on motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing was declared closed, time: 8:31 P. M.

Respectfully submitted,

Sheila Reiter

SHEILA REITER
Deputy Town Clerk

AAJ375

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9/9/80

8:31 P.M.

Present: Supervisor Dusanenko
Councilmen Holbrook and Maloney
(Councilmen Lettre and Longo absent)
Everett J. Johns, Town Attorney
Sheila Reiter, Deputy Town Clerk

RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1
TO INCLUDE - DEMAREST HEIGHTS

Supervisor Dusanenko declared the Public Hearing open; Deputy Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Deputy Clerk presented a signed affidavit of Mr. Leslie F. Bollman, Director of Environmental Control, stating that the proposed extension meets the requirements of all regulations of the Town.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of or in opposition to the proposed extension.

IN FAVOR: No one appeared.

IN OPPOSITION: No one appeared.

There being no one wishing to be heard and on motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing was declared closed, time: 8:33 P. M.

Respectfully submitted,



SHEILA REITER
Deputy Town Clerk

AAJ375

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9/9/80

8:33 P.M.

Present: Supervisor Dusanenko
Councilmen Holbrook and Maloney
(Councilmen Lettre and Longo absent)
Everett J. Johns, Town Attorney
Sheila Reiter, Deputy Town Clerk

RE: PROPOSED LOCAL LAW ENTITLED, "LOCAL LAW PROVIDING FOR REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION" - Chapter 47.

Supervisor Dusanenko declared the Public Hearing open; Deputy Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Supervisor Dusanenko asked if Mr. Johns had any correspondence.

Mr. Johns stated he had no correspondence and went on to explain the proposed amendment which has to do with the definition of the code for automatic fire alarm systems. He said he had difficulty with the code's interpretation of this particular provision in denying what the Town sought for protection in hooking up automatic controls. The amendment is to clarify that particular definition which now states that the operation would hook up to 44 control.

Supervisor Dusanenko stated that this is a request by other firemen. There are alarms that people have and their homes are towering infernos by the time the delayed alarm from other systems go off.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of or in opposition to such amendment.

IN FAVOR: No one appeared.

IN OPPOSITION: No one appeared.

There being no one wishing to be heard and on motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing was declared closed, time: 8:35 P.M.

Respectfully submitted,



SHEILA REITER
Deputy Town Clerk

AAJ375

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9/9/80

9:35 P. M.

Present: Supervisor Dusanenko
Councilmen Holbrook and Maloney
(Councilmen Lettre and Longo absent)
Everett J. Johns, Town Attorney
Sheila Reiter, Deputy Town Clerk

RE: AMENDING THE ZONING ORDINANCE - L10 and M DISTRICTS

Supervisor Dusanenko declared the Public Hearing open; Deputy Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Supervisor Dusanenko asked if Mr. Johns had any correspondence and to please explain in layman's terms the exact changes.

AAJ375 Mr. Johns stated that the present zoning, L10 and M, requires that there be no trucking and deliveries between the hours of 11:00 P.M. and 7:00 A.M. It also provides that there be no retail sales in those particular districts. It was originally proposed at the last Public Hearing that this be without necessary approvals of any agency departments except the Building Department. The County disagreed and recommended that the Town do it by special permit, requiring a hearing before the Town Board. The Town Planning Board also stated that they were not in favor of the original proposal and that each one should be handled on its own merits. The proposal now before the Town Board allows by special permit for trucking and delivery between those hours where they would have to apply for a special permit, with one difference. This is before the Town Board. The conditions were that the applicant would come in and prove compliance with the Town Board's conditions and the Board would have to grant the special permit. Each application would be treated on its own, wherever located, and the Town Board could impose any conditions or restrictions it so desired. The County Board saw fit to recommend approval. The Town Planning Board didn't do anything, even after explanation. Mr. Johns has not heard from the Town Planning Board. If the Town Board seeks to entertain for special permit, the applicant would submit, pay its fee, comply with the standards, file with the Town Clerk and send notices. The ultimate decision would rest with the Town Board.

Councilman Holbrook questioned the wording of the amendment, which was explained by Mr. Johns.

Supervisor Dusanenko stated that a special permit would be necessary, and that we should accept companies coming in because they would create employment with salaries in the vicinity of \$30,000/\$40,000.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of or in opposition to such amendment.

IN FAVOR: No one appeared.

Mrs. Barbara Dardzinski
70 North Conger Avenue
Congers, New York 10920

Mrs. Dardzinski stated that she wanted to be sure that each individual firm applied for a special permit and that a decision was made on their merits, not just come in and get what they wanted without a hearing. Her home abuts the L10 district, and there is a lot of trucking in the area and she doesn't want to be disturbed during the night. She then asked if the residents would be notified when an industry comes into the area and wants to get a special permit.

Mr. Dusanenko said the residents will be notified before a Public Hearing so that the residents can voice their opinion before the granting of a special permit.

CONTINUED ON NEXT PAGE

IN OPPOSITION:

Mrs. Mary Romaine
243 West Nyack Road
West Nyack, New York 10994

Mrs. Romaine said she lives in a LIO district, on the corner of Rose Road and West Nyack Road. She said she wishes to have the area remain with no trucking after 11:00 P.M. through 7:00 A.M. She stated that during the summer months, when the windows are open, the noise of the trucks is very disturbing, and when the attic fan is on, it pulls in the exhaust fumes from the trucks. There are older people who have difficulty breathing, but do not complain and take whatever comes into the area.

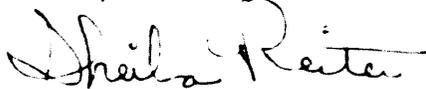
Mrs. Romaine said she does not wish the Town Board to have the right to waive this law or to give special permits. Many times we do not realize the consequences until it is too late. In theory, the idea sounds great, but it is not practical for the home owner.

In conclusion, Mrs. Romaine said the character of the community and people who live in it is clearly expressed by the approaches that the Town Board takes. If the approach is good, we expect to find substantial self-respecting people in residence, but if the approach is bad, we don't know what to expect.

Supervisor Dusanenko asked if there was anyone else wishing to be heard in opposition to the amendment.

There being no one wishing to be heard, and on motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing was closed, decision reserved, time: 10:02 P.M.

Respectfully submitted,

SHEILA REITER
Deputy Town Clerk