

RESOLUTION NO. (271-1981) Continued

RESOLVED, that based upon the recommendations of Joseph Miele, Chairman of the Clarkstown Drug Abuse Prevention Council, that the Supervisor is hereby authorized to sign and submit a grant application entitled, "Clarkstown Drug Abuse Prevention Council, to the New York State Office of Alcoholism and Substance Abuse.

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (272-1981)

AWARDING BID TO SELL TWO SURPLUS DUMP TRUCKS (GREGORY P. GREER)

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing and the Superintendent of Highways that the bid to sell two surplus dump trucks is hereby awarded as follows:

ITEM #1 - 1964 INTERNATIONAL 4 cubic yard Dump Truck
Vin # FD53116F (truck #58)

Awarded to: Mr. Gregory P. Greer
Bulsontown Road
Stony Point, New York 10980

at the high bid proposal of \$1,075.00

ITEM #2 - 1968 G.M.C. 4 cubic yard Dump Truck
Vin #EM60VCo41456 (truck #90)

Awarded to: Mr. Gregory P. Greer
Bulsontown Road
Stony Point, New York 10980

at the high bid proposal of \$1,175.00

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (273-1981)

AWARDING BID TO SUPPLY TOWN WITH WASHED SAND AND GRAVEL (MC KEE BROS, INC.: SOIL CRAFT SALES & SVC. CORP.D/B/A H. BITTLE & SON., TOP SOIL)

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid to supply the Town with

WASHED SAND AND GRAVEL

is hereby awarded to:

(1) McKee Bros., Inc.
Route 17
Ramsey, N.J. 07446

(2) Soil Craft Sales & SVC. Corp.
d/b/a H. Bittle & Son, Top Soil
1230 Station Road
Medford, New York 11763

as per the following price schedule:

RESOLUTION NO. (273-1981) . Continued

(A) F.O.B. Delivered to Town drop-off point-unloaded

<u>ITEM</u>	<u>PRICE</u>	<u>VENDOR</u>
Tailings	NO AWARD	
3/4" Gravel	\$ 8.75 Ton	McKee
3/8" Gravel	8.75 Ton	McKee
Bank Run	8.50 Yard	McKee
Mortor Sand	7.74 Ton	Bittle
Filter Sand	13.20 Ton	Bittle
Concrete Sand	7.25 Ton	McKee

(B) F.O.B. Vendor Yard, Loaded
McKee - Ramsey, M.J.
Bittle - Medford, N.Y.

<u>ITEM</u>	<u>PRICE</u>	<u>VENDOR</u>
TAILINGS	NO AWARD	
3/4" GRAVEL	\$ 7.25 Ton	McKee
3/8" Gravel	7.25 Ton	McKee
BANK RUN	6.00 Yard	McKee
MORTAR SAND	7.25 Ton	McKee
FILTER SAND	7.00 Ton	McKee
CONCRETE SNAD	6.75 Ton	McKee

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (274-1981)

AWARDING BID TO SUPPLY
BITUMINOUS CONCRETE (COUNTY
ASPHALT, WARD PAVEMENTS, INC.
AND PLAZA MATERIALS CO.

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid to supply

BITUMINOUS CONCRETE

to the Town is hereby awarded to:

- (1) County Asphalt
Crusher Hill Road
West Nyack, New York 10994
- (2) Ward Pavements, Inc.
Riverside Avenue
Haverstraw, New York 10927
- (3) Plaza Materials Co.
969 Midland Avenue
Yonkers, New York 10704

As per the following price schedule:

<u>ITEM</u>	<u>COUNTY ASPHALT</u>	<u>WARD PAVEMENT</u>	<u>PLAZA MATERIALS</u>
Base Course-1A	\$ 25.00 Ton	\$ 25.08 Ton	\$ 25.45 Ton
Binder Course-1A	25.70 Tone	25.80 Ton	25.95 Ton
Top Course-1A	27.50 Ton	27.55 Ton	27.80 Ton
Top Course-1AC	28.50 Ton	28.48 Ton	28.80 Ton
Winter Mix	33.00 Ton	No Bid	29.50
F.O.B. Plant (Location)	West Nyack	Haverstraw	Suffern

Seconded by Co. Longo

All voted Aye.

* * * * *

AAJ381

RESOLUTION NO. (275-1981)

AWARDING BID TO PURCHASE ONE
(1) PORTA PATCH ASPHALT RE-
CLAIMER (TRIUS, INC.)
CAPITOL II HIGHWAY ACCOUNT

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing and the Superintendent of Highways that the bid to purchase one (1)

PORTA PATCH ASPHALT RECLAIMER

is hereby awarded to:

Trius, Inc.
369 Duffy Avenue
Hicksville, New York 11802

the low bidder meeting specifications, and be it

FURTHER RESOLVED, that funds for same shall be charged to Capitol II Highway Account.

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (276-1981)

AWARDING BIDS TO PROVIDE BUS
TRANSPORTATION (HARRAN
TRANSPORTATION CO., INC.;
PETER BREGA, INC., HUDSON TRANSIT
LINES, INC. (SHORT LINE) AND
PARKER TOURS, INC. (RED & TAN)

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid to provide bus transportation is hereby awarded as follows:

Part A - Youth Bus Transportation

Item 1 - Summer Day Camp Swim Routes

Awarded to: Harran Transportation Co., Inc.
16 Hoffman Street
Spring Valley, N.Y. 10977

Item 2 - One Day Trips - Local

Awarded to: Peter Brega, Inc.
Kings Highway
Valley Cottage, N.Y. 10989

Item 3 - One Day Trips - Long Distance

Awarded to: Harran Transportation Co., Inc.
16 Hoffman Street
Spring Valley, N.Y. 10977

RESOLUTION NO. (276-1981) Continued

Part B - Senior Citizens Bus Transportation

Item 1 - Daily To and From Meeting Places

Awarded to: Peter Brega, Inc.
Kings Highway
Valley Cottage, N.Y. 10989

Item 2 - One Day Trips - Local

Awarded to: Peter Brega, Inc.
Kings Highway
Valley Cottage, N.Y. 10989

Item 3 - One Day Trips - Long Distance

A - Lavatory equipped coaches

Awarded to: Hudson Transit Lines, Inc. (Short Line)
17 Franklin Tpke.
Mahwah, New Jersey 07430

B - Non-Lavatory Equipped Coaches

Awarded to: Parker Tours, Inc. (Red & Tan)
126 North Washington Avenue
Bergenfield, New Jersey 07621

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (277-1981)

ACCEPTING BID FOR DRAINAGE
IMPROVEMENT AND AUTHORIZING
SUPERVISOR TO EXECUTE CONTRACT
WITH CAL-MART CONSTRUCTION
CORPORATION (STREAM NJ1 -
STONEHEDGE DRIVE TO ABERDEEN
STREET)

Co. Lettre offered the following resolution:

WHEREAS, CAL MART CONSTRUCTION CORPORATION has submitted a bid for drainage improvement of Stream NJ1 from Stonehedge Drive to Aberdeen Street for the sum of \$58,547.50, and

WHEREAS, the Town Board of the Town of Clarkstown desires to accept this bid upon the recommendation of Leslie F. Bollman, Director of Environmental Control,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does accept the bid proposal for Cal Mart Construction Corporation for drainage improvement of Stream NJ1 from Stonehedge Drive to Aberdeen Street for the sum of \$58,547.50, and be it

FURTHER RESOLVED, that the Supervisor is authorized to execute a contract with Cal Mart Construction Corporation for the performance of such drainage work as specified in the contract documents for the total sum of \$58,547.50 subject to approval of Leslie F. Bollman, Director of Environmental Control, and the submission of materials and performance bonds subject to the approval of the Town Attorney's Office.

Seconded by Co. Longo

All voted Aye.

AAJ381

RESOLUTION NO. (280-1981) Continued

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

BID # 28-1981
SOFT DRINKS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday, May 6, 1981 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. Longo All voted Aye.

* * * * *

RESOLUTION NO. (281-1981) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR ICE CREAM

Co. Lettre offered the following resolution:

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

BID # 27-1981
ICE CREAM

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday, May 5, 1981 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. Longo All voted Aye.

* * * * *

RESOLUTION NO. (282-1981) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR REFUSE PICK-UP SERVICE

Co. Lettre offered the following resolution:

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

BID # 22-1981
REFUSE PICK-UP SERVICE

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 10:30 A.M. on Monday, April 27, 1981 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. Longo All voted Aye.

* * * * *

AAJ381

RESOLUTION NO. (283-1981)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR HIGHWAY AND ROAD
SUPPLIES

Co. Lettre offered the following resolution:

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

BID # 23-1981
HIGHWAY AND ROAD SUPPLIES

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, April
27, 1981 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. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (284-1981)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR CHAIN LINK FENCING
AT CONGERS LAKE PARK

Co. Lettre offered the following resolution:

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

BID # 33-1981
CHAIN LINK FENCING - CONGERS LAKE PARK

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, May 4,
1981 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. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (285-1981)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR XEROGRAPHIC BOND PAPER

Co. Lettre offered the following resolution:

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

BID # 24-1981
XEROGRAPHIC BOND PAPER

bids to be returnable to the Office of the Director of Purchasing, 10
Maple Avenue, New City, New York by 11:00 A.M. on Tuesday, April 28,
1981 at which time bids will be opened and read, and be it

RESOLUTION NO. (285-1981) Continued

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

Seconded by Co. Longo All voted Aye.

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RESOLUTION NO. (286-1981) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR CHEMICALS FOR SEWER AND RECREATION DEPARTMENTS

Co. Lettre offered the following resolution:

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

BID # 25 - 1981
CHEMICALS FOR SEWER AND RECREATION DEPARTMENTS

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 Tuesday, April 28, 1981 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. Longo All voted Aye.

* * * * *

RESOLUTION NO. (287-1981) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR FIRST AID SUPPLIES

Co. Lettre offered the following resolution:

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

BID # 26 - 1981
FIRST AID SUPPLIES

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 Wednesday, April 29, 1981 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. Longo All voted Aye.

* * * * *

RESOLUTION NO. (288-1981) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR TWO (2) FORD 1981 F250 PICK-UP TRUCKS

Co. Lettre offered the following resolution:

AAJ381

RESOLUTION NO. (288-1981) Continued

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

BID # 30- 1981
TWO (2) 1981 FORD F250 PICK-UP TRUCKS

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 Tuesday, May 5, 1981 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. Longo All voted Aye.

* * * * *

RESOLUTION NO. (289-1981) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR SALE OF TWO SURPLUS DUMP TRUCKS

Co. Lettre offered the following resolution:

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

BID # 31 - 1981
SALE OF TWO SURPLUS DUMP TRUCKS

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, May 18, 1981 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. Longo All voted Aye.

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RESOLUTION NO. (290-1981) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR ONE (1) VACU-SWEEP STREET SWEEPER

Co. Lettre offered the following resolution:

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

BID # 32-1981
ONE VACU-SWEEP STREET SWEEPER

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday, May 19, 1981 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. Longo All voted Aye.

* * * * *

RESOLUTION NO. (291-1981)

GRANTING APPROVAL TO VETERANS
OF FOREIGN WARS POST # 9215
WILLIS POLHEMUS POST TO HOLD
TURKEY SHOOT

Co. Longo offered the following resolution:

WHEREAS, the Veterans of Foreign Wars Post #9215 - Willis Polhemus Post, Upper Nyack, New York has requested the consideration of the Town Board of the Town of Clarkstown to hold a Turkey Shoot as a fund raiser for their department, and

WHEREAS, the proposed Turkey Shoot is to be held on May 3rd and May 10th, 1981;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby grants approval to the Veterans of Foreign Wars Post #9215 - Willis Polhemus Post, Upper Nyack, New York to hold a Turkey Shoot on the dates specified, and be it

FURTHER RESOLVED, that the Chief of Police of the Town of Clarkstown shall be notified of the time and place of each Turkey Shoot.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (292-1981)

AMENDING RESOLUTION NO.
1025-1980 (HYDRANT AT
BONNIE BURN LANE AND TARRY
HILL DRIVE) (TARRY HILL NOW CALLED
CRUM CREEK ROAD)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, Resolution No. 1025-1980 be amended to read as follows:

"(1) 80 feet east of the intersection of Bonnie Burn Lane and Tarry Hill Drive."

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (293-1981)

AUTHORIZING ATTENDANCE AT
COURSE ON ENVIRONMENTAL LAW
(JOHNS, MacCARTNEY, BOLLMAN
AND KALARICKAL)

Co. Longo offered the following resolution:

RESOLVED, that the following are hereby authorized to attend a course on Environmental Law sponsored by the New York State Bar Association on May 15, 1981. The registration fee of \$260.00 shall be a proper charge against account number 1010-414:

- Everett J. Johns, Town Attorney
- Harold Y. MacCartney, Jr., Deputy Town Attorney
- Leslie F. Bollman, Director of Environmental Control
- Kurian Kalarickal, Deputy Director of Environmental Control

Seconded by Co. Maloney

All voted Aye.

* * * * *

AAJ381

RESOLUTION NO. (294-1981)

SETTING PUBLIC HEARING ON
PROPOSED LOCAL LAW RE:
AMUSEMENT DEVICES IN TOWN OF
CLARKSTOWN

Co. Longo offered the following resolution:

WHEREAS, Councilman Longo, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF CLARKSTOWN BY DELETING AND REPLACING PARAGRAPH 4, AMUSEMENT DEVICES, OF CHAPTER 74 ENTITLED PEACE AND GOOD ORDER AND REPLACING IT WITH A NEW CHAPTER TO BE ENTITLED 'A LOCAL LAW CONCERNING AMUSEMENT DEVICES IN THE TOWN OF CLARKSTOWN.'"

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the best interest that said local law be adopted;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 28th day of April, 1981, at 9:15 P.M., relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

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

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (295-1981)

SETTING PUBLIC HEARING ON
PROPOSED LOCAL LAW RE:
HANDICAPPED PARKING AT PUBLIC
AND PRIVATE AREAS

Co. Longo offered the following resolution:

WHEREAS, Councilman Longo, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled, "AMENDMENT TO LOCAL LAW NO. 9-1971, AS AMENDED, ENTITLED, 'A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)'"

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the best interest that said local law be adopted;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on the 28th day of April, 1981, at 9:00 P.M., relative to such proposed local law, and be it

RESOLUTION NO. (295-1981) Continued

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

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

Seconded by Co. Maloney All voted Aye.

* * * * *

AAJ381

RESOLUTION NO. (296-1981) REGARDING RECEIPT AND FILING OF ANNUAL REPORTS FOR VARIOUS TOWN DEPARTMENTS

Co. Longo offered the following resolution:

RESOLVED, that the following annual reports are received and will be filed in the office of the Town Clerk:

- | | |
|--------------------------------|--------------------|
| Assessor's Office | Planning Board |
| Board of Appeals | Police Department |
| Building Inspector | Recreation |
| Dept. of Environmental Control | Safety Coordinator |
| Historical Review Board | Town Clerk |
| Justice Court | Town Historian |
| Mini-Trans | |

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (297-1981) SETTING PUBLIC HEARING RE EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1 TO INCLUDE ALBERT LAMBORN - PROJECT # 7137-A

Co. Longo offered the following resolution:

WHEREAS, a written petition dated November 24, 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 of property on file in Town Clerk's Office)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the 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 28th day of April, 1981, at 8:45 P.M. 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.

* * * * *

RESOLUTION NO. (298-1981)

SETTING PUBLIC HEARING RE
EXTENSION OF CLARKSTOWN
CONSOLIDATED LIGHT DISTRICT
NO. 1

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, State of New York, has received a petition from the Village of Upper Nyack, Town of Clarkstown, for the extension of the lighting district of the Town of Clarkstown and providing for the installation and maintenance of light fixtures in the Town of Clarkstown, and

WHEREAS, said Town Board has determined to proceed with the extension of said Clarkstown Consolidated Light District No. 1, and

WHEREAS, said proposed extension of said light district is more particularly bounded and described as follows:

All that certain lot, piece or parcel of land situate, lying and being in the County of Rockland, State of New York, more particularly bounded and described as follows:

All the premises within the boundaries of the incorporated Village of Upper Nyack.

WHEREAS, the proposed improvement in said proposed extension is the maintenance of lighting fixtures along streets and avenues and the maximum amount for the supply of services is an annual average charge which is the same charge as set forth in the Clarkstown Consolidated Light District No. 1, and

WHEREAS, the cost of said service shall be paid by annual taxes;

NOW, THEREFORE, be it

ORDERED, that a Meeting of the Town Board of the said Town of Clarkstown be held at the Town Hall, 10 Maple Avenue, New City, New York, in said Town, on the 28th day of April, 1981, at 9:30 P.M., to consider the proposed extension of said Clarkstown Consolidated Light District No. 1, and the service to be provided as herein referred to, and to hear all persons interested in the subject thereof, concerning the same, and for such other action on the part of said Town Board with relation thereto as may be required by law, and be it therefore

ORDERED, that the Town Clerk publish at least once in the Journal News, the official newspaper of the said Town, and post on the signboard of said Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and conspicuously in at least five public places within said proposed extension a copy of this Order certified by said Town Clerk, the first publication thereof and said posting to be not less than 10 days before the date designated herein for said public hearing as aforesaid.

Seconded by Co. Maloney

All voted Aye.

* * * * *

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/10/81

11:45 P.M.

Please note this Public Hearing was opened at 11:45 at which time the Clerk read the notice and then was recessed in order to return to previous Public Hearing. This Public Hearing was then resumed upon completion of previous one at 12:28 A.M.

Present: Supervisor Dusanenko
Councilmen Holbrook, Lettre, Longo and Maloney
Everett J. Johns, Town Attorney
Patricia Sheridan, Town Clerk

RE: AMENDMENT TO ZONING ORDINANCE REGARDING THEATRES

On motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, Public Hearing was declared open. Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Town Attorney read the following correspondence:

(Letterhead of Rockland County Planning Board)

"March 5, 1981

Clarkstown Town Hall
Town Hall
New City, New York 10956

Re: GENERAL MUNICIPAL LAW (GML) REVIEW: 239(k)___239(1&m)XXX239(n)___

Map Dated: _____

Item:

Zoning Amendment: Theaters (Special Permit)
Within all CS and RS zones (R-969)

The Rockland County Planning Board reviewed the above item at its meeting of March 3, 1981 and

*approves _____
**approves subject to conditions below _____
**disapproves _____
requests extension of time _____

cc: Supervisor Dusanenko
Mr. Lombardi, member, RCPB
Clarkstown Planning Board

Very truly yours,
ROCKLAND COUNTY PLANNING BOARD

By /S/ Aaron D. Fried

Aaron D. Fried, Planning Director

*The proposed action is deemed by the Board to have no significant negative impact on nearby municipalities, County or State roads or facilities and, therefore, the ACTION IS FOR LOCAL DETERMINATION. Approval does not necessarily mean the Board endorses the subject action as desirable from the viewpoint of your municipality.

**The GML requires a vote of "two-thirds of all the members" or "majority plus one" of your agency to act contrary to the above findings."

AAJ381

PH - 3/10/81
Page 2

Town Attorney then read from a draft - not regular minutes - of the Clarkstown Planning Board.

"
RECOMMENDATION TO THE HONORABLE TOWN BOARD: The Planning Board fully supports the proposed amendment to the Zoning Ordinance relating to theatres and further recommends that consideration be given to moving the additional conditions relating to distance and number to Section 106-16."

(Letterhead of St. Anthony's Rectory, Nanuet, New York)

"March 10, 1981

Members of Town Board
Clarkstown, New York

Dear Friends,

The Parish Council of St. Anthony's Parish representing 3,200 families voted unanimously in favor of the Amendment to the Zoning Law concerning extension of movie houses. We definitely feel especially in the Nanuet Area there are too many.

We want to go on record on favoring the amendment.

Fraternally,

/s/ Fr. Ed Netter

Fr. Ed Netter
Pastor

EN/me"

In answer to a question from Councilman Holbrook the Supervisor stated that they wanted no more than two (2) theatres on any parcel of land.

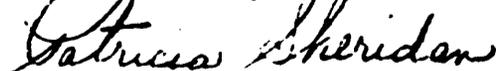
Councilman Maloney said that the point was to try to limit the number of movie houses or mini-movies that could come into a shopping center so that the shopping centers, as such, would become amusement areas rather than the movie become part of the shopping area and this was my concern. In the Hamlet of Nanuet we already have seven movie houses and two being proposed and I think there is a time when you have a limit on how many movie houses there might be. This is an attempt to change the ordinance to place limitations as to how many movie houses we have.

Supervisor Dusanenko asked if there was any one wishing to be heard in favor of or in opposition to the proposed amendment.

No one appeared.

On motion of Councilman Maloney, seconded by Councilman Longo and unanimously adopted, the Public Hearing was closed, ADOPTED, time: 12:28 A.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

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RESOLUTION NO. (299-1981)

GRANTING CERTIFICATE
OF REGISTRATION PURSUANT
TO SEC. 83-65 OF THE CODE
OF THE TOWN OF CLARKSTOWN

Co. Longo 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:

Peter J. Mayer
27 Old Hempstead Road
New City, New York 10956

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued to:

81-13 issued to Peter J. Mayer

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (300-1981)

AMENDING RESOLUTION NO.208:
DENYING OLD COLONY SHOPPING
CENTER FOR INGRESS AND
EGRESS FROM PROPOSED
SHOPPING CENTER TO COLLEGE RD.

Co. Longo offered the following resolution:

RESOLVED, that Resolution No. 208 adopted on March 10, 1981, is hereby amended to read as follows:

WHEREAS, Old Colony Shopping Center has applied for approval for ingress and egress from a proposed shopping center to College Road, Nanuet, New York, pursuant to Section 106-25D of the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, the Town Board determines that ingress and egress from Old Colony Shopping Center to College Road, a collector road, would create a serious traffic hazard adversely affecting the safety of pedestrian and vehicular traffic;

NOW, THEREFORE, be it

RESOLVED, that the request of Old Colony Shopping Center for ingress and egress from the proposed shopping center to College Road, Nanuet, New York, be and the same is hereby DENIED.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (301-1981)

AUTHORIZING THE TOWN
ATTORNEY TO DEFEND A
PROCEEDING AGAINST THE
TOWN OF CLARKSTOWN

Co. Longo offered the following resolution:

AAJ381

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RESOLUTION NO. (301-1981) Continued

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled as follows:

In the Matter of the Application of
OLD COLONY COMPANY (a Connecticut corporation)
Petitioner,

For an Order Pursuant to Article 78 CPLR
-against-

THE TOWN OF CLARKSTOWN (a municipal corporation
of the State of New York),
Respondent.

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to defend said action.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (302-1981)

REFERRING PETITION
FOR CHANGE OF ZONE
FROM PO DISTRICT TO
RG-1 DISTRICT LOCATED
WESTERLY SIDE NORTH
MAIN STREET BETWEEN
NEW HEMPSTEAD ROAD
AND CONCORD DRIVE,
NEW CITY

Co. Longo offered the following resolution:

RESOLVED, that the application of OMNI COURT LTD. for BANKERS TRUST CO. OF N.A. for a change of zoning from PO District to RG-1 District, on property located on westerly side of North Main Street, between New Hempstead Road and Concord Drive, New City, New York, be referred to the Town Planning Board for report within 45 days pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board pursuant to Secs. 239-1 and 239-m of the General Municipal Law.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (303-1981)

TRANSFERRING \$500.
FROM APPROPRIATION
ACCOUNT NO. A 1110-313
TO APPROPRIATION ACCOUNT
NO. A 1110-211

Co. Longo offered the following resolution:

RESOLVED, that \$500.00 be transferred from Appropriation Account No. A 1110-313 to Appropriation Account No. A 1110-211.

Seconded by Co. Maloney

All voted Aye.

* * * * *

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RESOLUTION NO. (304-1981)

TRANSFERRING \$100.
FROM APPROPRIATION
ACCOUNT NO. A 1345-407
TO APPROPRIATION ACCOUNT
NO. A 1345-328

Co. Longo offered the following resolution:

RESOLVED, that \$100.00 be transferred from Appropriation
Account No. A 1345-407 to Appropriation Account No. A 1345-328.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (305-1981)

TRANSFERRING \$1,600.
FROM CONTINGENCY ACCOUNT
NO. 1990-505 TO APPRO-
PRIATION ACCOUNT NO.
A 1620-412.

Co. Longo offered the following resolution:

RESOLVED, that \$1,600.00 be transferred from contingency
Account No. 1990-505 to Appropriation Account No. A 1620-412.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (306-1981)

TRANSFERRING \$200.
FROM APPROPRIATION
ACCOUNT NO. A 7310-329
TO APPROPRIATION ACCOUNT
NO. A 7310-424

Co. Longo offered the following resolution:

RESOLVED, that \$200.00 be transferred from Appropriation
Account No. A 7310-329 to Appropriation Account No. A 7310-424.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (307-1981)

TRANSFERRING \$1,200.
FROM APPROPRIATION
ACCOUNT NO. A 1355-463
TO APPROPRIATION ACCOUNT
NO. A 1355-313

Co. Longo offered the following resolution:

RESOLVED, that \$1,200.00 be transferred from Appropriation
Account No. A 1355-463 to Appropriation Account No. A 1355-313.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (308-1981)

INCREASING ESTIMATED
REVENUE ACCOUNT NO.
04-2999 - \$70,000.
FOLLOWING AMOUNTS:
D 5110-381 \$50,000.
D 5110-382 \$20,000.

Co. Longo offered the following resolution:

AAJ381

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RESOLUTION NO. (308-1981) Continued

RESOLVED, to increase Estimated Revenue Account No. 04-2999 in, the amount of \$70,000.00 and the following Appropriation Account Nos. in the following amounts:

D 5110-381 \$50,000.00
D 5110-382 \$20,000.00

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (309-1981)

INCREASING ESTIMATED REVENUE ACCOUNT NO. 01-2999 AND APPROPRIATION ACCOUNT NO. A 8840-424 by \$3,000.

Co. Longo offered the following resolution:

RESOLVED, to increase Estimated Revenue Account No. 01-2999 and Appropriation Account No. A 8840-424 by \$3,000.00.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (310-1981)

TRANSFERRING \$9,000. FROM CONTINGENCY ACCOUNT NO. A 1990-505 TO APPROPRIATION ACCOUNT NO. A 1330-114.

Co. Longo offered the following resolution:

RESOLVED, to transfer \$9,000.00 from Contingency Account No. A 1990-505 to Appropriation Account No. A 1330-114.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (311-1981)

TRANSFERRING \$1,457. FROM CONTINGENCY ACCOUNT NO. A 1990-505 TO APPROPRIATION ACCOUNT NO. A 9554-910 AND DECREASE ESTIMATED REVENUE ACCOUNT NO. 07-101040 BY \$1,762.; INCREASE ESTIMATED REVENUE ACCOUNT NO. 07-102810 BY \$1,457.; ESTIMATED REVENUE ACCOUNT NO. 07-102999 BY \$3,304.; APPROPRIATION ACCOUNT NO. P 3410-1040 BY \$2,999.

Co. Longo offered the following resolution:

WHEREAS, there were no provisions in the 1981 budget for the Town's contribution for Special Assessments (Central Ave.);

BE IT THEREFORE RESOLVED that \$1,457.00 be transferred from Contingency Account No. A 1990-505 to Appropriation Account No. A 9554-910 and;

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RESOLUTION NO.(311-1981) continued

BE IT FURTHER RESOLVED to decrease Estimated Revenue Account No. 07-101040 by \$1,762.00 and increase Estimated Revenue Account No. 07-102810 by \$1,457.00 and Estimated Revenue Account No. 07-102999 by \$3,304.00 along with increasing Appropriation Account No. P 3410-1040 by \$2,999.00

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (312-1981)

TRANSFERRING \$1,175.
FROM APPROPRIATION
ACCOUNT NO. A 1410-114
TO APPROPRIATION ACCOUNT
NO. A 1220-114

Co. Longo offered the following resolution:

RESOLVED, that \$1,175. be transferred from Appropriation Account No. A 1410-114 to Appropriation Account No. A 1220-114.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (313-1981)

REFERRING PETITION FOR
CHANGE OF ZONE -
TRAM QUILL ASSOCIATES, INC.

Co. Longo offered the following resolution:

RESOLVED, that the application of TRAM QUILL ASSOCIATES, INC. for a change of zoning from L10 District to R-15 District, on property located on the westerly and easterly side of the presently unimproved northerly end and extension of Green Avenue, Valley Cottage, New York, designated on the Clarkstown tax Map as Map 124, Block C, Lot 23.03 & be referred to the Town Planning Board for report within Map 109.B]ock A, Lot 1.02 45 days pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (314-1981)

AUTHORIZING SUPERVISOR
EXECUTE AGREEMENT WITH
SEYMOUR GURLITZ FOR PAY-
MENT OF ARCHITECTURAL
SERVICES.

Co. Longo offered the following resolution:

WHEREAS, the project entitled, "Removal of Architectural Barriers" has been substantially completed, and

WHEREAS, the Town is desirous of finalizing payment of the architectural fees due Seymour D. Gurlitz for the preparation of plans and specifications and inspection of the construction, and

WHEREAS, Seymour D. Gurlitz has submitted a proposed agreement regarding payment at the rate of nine (9%) percent of the total construction costs of \$298,432.00, which is equivalent to \$26,858.88, less the sum of \$25,137.66 which has already been paid to the architect, leaving a balance of \$1,721.22 due and owing to the architect;

AAJ381

RESOLUTION NO. (314-1981) Continued

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute and agreement with Seymour D. Gurlitz for the payment of architectural services.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (315-1981)

AUTHORIZING SUPERVISOR TO ENTER INTO AN AGREEMENT WITH COUNTY RE OPERATION OF PUBLIC TRANSPORTATION ROUTES WITHIN THE TOWN.

Co. Longo offered the following resolution:

WHEREAS, Section 18 (b) of the Transportation Law provides for the appropriation of funds for the operation of bus transportation systems, and

WHEREAS, pursuant to Section 119-r of the General Municipal Law and Local Law No. 9-1974, the County of Rockland is authorized to contract for mass transportation services to be rendered to the people of the County of Rockland by a municipality for a fair and reasonable consideration;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into an agreement with the County of Rockland, in a form satisfactory to the Town Attorney, to provide for the operation of public transportation routes within the Town of Clarkstown.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (316-1981)

AUTHORIZING TOWN ATTORNEY TO DEFEND AN ACTION - RONALD SEVY

Co. Longo offered the following resolution:

WHEREAS, an action has been instituted against the Town of Clarkstown entitled as follows:

RONALD SEVY,
Plaintiff,
-against-
TOWN OF CLARKSTOWN
Defendant

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to defend said action.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

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RESOLUTION NO. (317-1981)

MEMORIALIZING STATE
LEGISLATURE TO ALLOW
A MUNICIPALITY TO PAINT
ALL PAVEMENTS INDICATING
FIRE HYDRANTS.

Co. Longo offered the following resolution:

WHEREAS, municipalities throughout the State of New York have various pavement and other markings to indicate the location of fire hydrants, and

WHEREAS, the fire departments in the Town of Clarkstown have requested the Town Board of the Town of Clarkstown to designate the location of fire hydrants, and

WHEREAS, the Town of Clarkstown is desirous of facilitating the fire departments in marking the location of fire hydrants by a standard procedure to be adopted by all municipalities of the State of New York;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby requests our New York State representatives prepare and submit appropriate legislation to allow municipalities to mark the location of fire hydrants by a standard procedure, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to our New York State representatives.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (318-1981)

AUTHORIZING SUPERVISOR
EXECUTE EASEMENT WITH
SPRING VALLEY WATER
COMPANY - JOSEPHINE
STARKE SUBDIVISION

Co. Longo offered the following resolution:

WHEREAS, the Spring Valley Water Company is desirous of granting an easement to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an easement agreement with the Spring Valley Water Company in connection with the Josephine Starke Subdivision without cost to the Twon of Clarkstown.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (319-1981)

AUTHORIZING SUPERVISOR
TO EXPEND THE COMMUNITY
DEVELOPMENT FUNDS FOR
1980.

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to expend the Community Deveioption Funds for 1980.

Seconded by Co. Maloney

All voted Aye.

* * * * *

AAJ381

RESOLUTION NO. (320-1981)

AUTHORIZING ATTENDANCE
AT NEW YORK STATE
CONFERENCE OF YOUTH
COURTS - CHARGED TO
APPROPRIATION ACCOUNT
NO. A 1010-414

Co. Longo offered the following resolution:

WHEREAS, Detective Curtis Settle has attended the New York State Conference of Youth Courts in Oneida, N.Y. on March 21, 22, 1981, be it therefore;

RESOLVED, that all charges to attend the conference be charged to Appropriation Account No. A 1010-414.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (321-1981)

AUTHORIZING GYPSY MOTH
CONTROL PROGRAM - PARKS
& RECREATION

Co. Longo offered the following resolution:

Authorizing Ed Ghiazza to engage a Gypsy Moth Control Program in conjunction with the County of Rockland and outside contractors, if necessary.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (322-1981)

MEMORIALIZING STATE
LEGISLATURE RE CON-
SOLIDATED FINANCE PLAN
FOR LOCAL STREETS AND
HIGHWAYS

Co. Lettre offered the following resolution:

WHEREAS, the New York State Department of Transportation has proposed a Consolidated Finance Plan for Local Streets and Highways, and

WHEREAS, the Highway Superintendents Association of Rockland County has voted not to support the New York State Department of Transportation plan;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby urges all local New York State representatives not to support the New York State Department of Transportation Consolidated Finance Plan for Local Streets and Highways, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to our local New York State representatives.

Seconded by Co. Longo

All voted Aye

* * * * *

RESOLUTION NO. (323-1981)

DECISION RE CAL-MART
CONSTRUCTION PERMIT,
WEST NYACK - SPECIAL
FINDINGS AND RESOLUTION
GRANTING SPECIAL PERMIT
TO CONDUCT A LANDFILL

Co.Lettre offered the following resolution:

WHEREAS, CAL MART CONSTRUCTION CORP., has petitioned the Town Board of the Town of Clarkstown for a Special Permit for the operation of a landfill pursuant to Section 106.10A, Table 14, Column 13, Item B-3 of the Zoning Ordinance of the Town of Clarkstown for property located on Route 59, West Nyack, New York, more particularly described on the Clarkstown Tax Map as Map 106, Block A, Lot 21.01, and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board on the 10th day of March, 1981, at 8:20 P.M., to consider such application;

NOW, THEREFORE, the Town Board makes the following Special Findings pursuant to Section 106-14 B of the Zoning Ordinance of the Town of Clarkstown:

THAT, the proposed use as described and represented by the applicants:

1. Will be properly located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities;
2. Will not cause undue traffic congestion or create a traffic hazard;
3. Will not create at any point of determination any more dangerous and objectionable elements than is characteristic of the uses permitted as of right in the same district;
4. Will not adversely affect the character of our property values in the area;
5. Will not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town;
6. Will comply with all other regulations applicable to such use;

NOW, THEREFORE, be it

RESOLVED, that a Special Permit to conduct a landfill on Route 59, West Nyack, New York, is hereby GRANTED to the petitioner subject to the following conditions:

1. Petitioner must comply with Section 106-16 L of the Zoning Ordinance of the Town of Clarkstown annexed hereto;
2. All fill material shall be clean, non-flammable and non-toxic fill as determined and approved by the Town of Clarkstown Department of Environmental Control. Applicant shall keep a daily written log as to the contents and the source of the fill material, which log shall be open for inspection at all times to the Town of Clarkstown Department of Environmental Control.
3. Petitioner shall take all necessary steps to preserve and protect adjacent public water supply and the Hackensack River as determined by the Clarkstown Department of Environmental Control.
4. All necessary engineering design and construction improvements that affect drainage and adjoining properties will be first submitted to the Town of Clarkstown Department of Environmental Control

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RESOLUTION NO. (323-1981) Continued

for determination and approval.

5. In the event that the Town Board requires retention of and outside consulting engineering firm, at any time during the landfill operations, applicant agrees to pay the costs of such consultant.

6. In the event that the Town Board or any of its agencies is named as a party defendant in a lawsuit as a result of the landfill operations of the applicant pursuant to the Special Permit, applicant agrees to save harmless the Town from any costs of the unsuccessful defense and any damages which may result in a judgment against the Town of Clarkstown.

7. Pursuant to recommendation of Leslie F. Bollman, Director of Environmental Control, the applicant shall adhere to the following:

- (1) Fills the property to an elevation in excess of the base flood elevation as set forth in Section 60.3 of the National Flood Insurance Program.
- (2) Fills the property in phases to the elevations shown on the proposed site grading plan prepared by Atzl & Scatassa Associated dated April 2, 1981.
- (3) Upon completion of each phase the area must be permanently stabilized by the application of topsoil, seed, lime and fertilizer.
- (4) Protects the surrounding properties from sediment by the installation of hay bales at the tow of slope of the fill area.
- (5) Executes a \$5,000.00 performance bond to insure the rehabilitation of the site in accordance with the above comments.

and be it

FURTHER RESOLVED, that the within Special Findings and Resolution setting forth the reasons for granting such Special Permit shall constitute a written report to be filed with the Town Clerk.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (324-1981

ADJOURNING REGULAR TOWN BOARD MEETING IN ORDER TO HOLD PUBLIC HEARING RE LOCAL LAW - INGRESS, EGRESS & SAFETY IN UPKEEP OF PUBLIC PLACES

Co. Holbrook offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned in order to hold Public Hearing re: Local Law regarding ingress, egress and safety in upkeep of public places accessible to the public, time: 8:32 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

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RESOLUTION NO. (325-1981)

CLOSING PUBLIC HEARING
(UPKEEP PUBLIC PLACES
ACCESSIBLE TO PUBLIC)
ADOPTED AND RESUMED
REGULAR MEETING

Co.Longo offered the following resolution:

RESOLVED, that Public Hearing re: Local Law regarding ingress, egress and safety in upkeep of public places accessible to the public be closed, ADOPTED, time: 8:35 P.M.

Seconded by Co.

All voted Aye.

* * * * *

RESOLUTION NO. (326-1981)

ADOPTING LOCAL LAW
NO. 4-1981

Offered by Co. Longo:

WHEREAS, a proposed local law entitled, "AMENDMENT TO LOCAL LAW NO. 9-1971, AS AMENDED, ENTITLED, "A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)" was introduced by Councilman Longo at a Town Board meeting held on March 10, 1981, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 10th day of March, 1981 directed that a public hearing be held on the 14th day of April, 1981, at 8:30 P.M., and,

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on April 1, 1981, 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 February 27, 1981, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on April 14, 1981

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 4-1981, entitled, "AMENDMENT TO LOCAL LAW NO. 9-1971, as AMENDED, ENTITLED, 'A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)" is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown. 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. Maloney

On roll call the vote was as follows:

Supervisor Dusanenko	Yes
Councilman Longo.....	Yes
Councilman Lettre	Yes
Councilman Maloney.....	Yes
Councilman Holbrook	Yes

* * * * *

AAJ381

RESOLUTION NO. (327-1981)

AUTHORIZING SUPERVISOR
TO EXECUTE CONTRACT
FOR BUS STOP SHELTERS
WITH BUS STOP SHELTERS
OF MIAMI

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Bus Stop Shelters of Miami, 9 North Middletown Road, New City, New York, for the installation of bus stop shelters in the Town of Clarkstown at no cost to the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (328-1981)

AUTHORIZING ATTENDANCE
AT NATIONAL RECREATION
AND PARKS ASSOC. MID-
YEAR BOARD OF TRUSTEES
MEETING - ED GHIAZZA

Co. Holbrook offered the following resolution:

RESOLVED, that Edward J. Ghiazza, Superintendent of Recreation and Parks, is hereby authorized to attend the 1981 National Recreation and Parks Association Mid-Year Board of Trustees Meeting, May 21st through May 23, 1981 to be held in Oklahoma City.

FURTHER RESOLVED, that all necessary and actual expenses not to exceed \$600. be allocated against account 7310-414.

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (329-1981)

AUTHORIZING TO FILE
FOR STATE AID - RECRE-
ATION PROGRAM FOR THE
ELDERLY

Co. Longo offered the following resolution:

RESOLVED, based upon the recommendation of Edward J. Ghiazza, Superintendent of Recreation and Parks, the Supervisor is hereby authorized to file a Recreation Program for the Elderly Application with the New York State Office for the Aging for the period commencing April 1, 1981 to March 31, 1982.

FURTHER RESOLVED, that the total aid for this period will be \$2,575.50.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (330-1981)

AUTHORIZATION TO
ATTEND PARKS & REC-
REATION ANNUAL CONFERENCE-
RECREATION STAFF

Co. Longo offered the following resolution:

RESOLVED, based upon the recommendation of the Parks Board and Recreation Advisory Committee that the following staff and committee

RESOLUTION NO. (330-1981) Continued

members be authorized to attend the 1981 New York State Recreation and Park 41st Annual Conference from April 27th through April 30, 1981 at Monticello, New York:

Edward J. Ghiazza, Charles Conninton, Alex Gromack, Joy Emanuele, Bruce D. Knarich

FURTHER RESOLVED, that registration of \$40.00 per person and mileage are a proper town charge, to be allocated against account #7310-414.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (331-1981) Continued

AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT WITH SQUADRON GARDENS ASSO. FOR PAYMENT FOR FIRE HYDRANTS

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with Squadron Gardens Associates whereby Squadron Gardens Associates shall pay the water service charges of Spring Valley Water Company, Inc., rendered yearly to the Town of Clarkstown on a per hydrant basis in connection with Squadron Gardens Senior Citizen Housing Complex.

Seconded by Co.Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (332-1981)

AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT WITH BARDONIA ASSOCIATES FOR FIRE HYDRANTS

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with Bardonia Associates Co., whereby Bardonia Associates Co. shall pay the water service charges of Spring Valley Water Company, Inc., rendered yearly to the Town of Clarkstown on a per hydrant basis.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (333-1981)

AUTHORIZING TEMPORARY BEER AND ALCOHOL PERMIT - NANUET FIRE DEPARTMENT

Co. Longo offered the following resolution:

WHEREAS, on May 16, 1981, the Nanuet Fire Department will be holding a "wetdown" for their newly acquired fire truck at the Nanuet Fire House, Prospect Street, Nanuet, New York, and

WHEREAS, the Nanuet Fire Department has requested permission to dispense alcoholic beverages;

NOW, THEREFORE, be it

AAJ381

RESOLUTION NO. (333-1981) Continued

RESOLVED, that the Town Board hereby grants permission to the Nanuet Fire Department to dispense alcoholic beverages, as aforesaid, in accordance with the provisions of Local Law No. 6-1977, which includes the securing of a proper license from the appropriate Alcoholic Beverage Control Board.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (334-1981)

AUTHORIZING SUPERVISOR TO REMOVE SPRING VALLEY FIRE HYDRANTS AND REPLACE WITH NYACK FIRE HYDRANTS ROUTE 303, WEST NYACK

Co. Longo offered the following resolution:

RESOLVED, the Supervisor is authorized to remove fire hydrants and replace with Nyack fire hydrants and be it

FURTHER RESOLVED, that the costs be proper charges to the Consolidated Water District.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (335-1981)

AUTHORIZING PURCHASE OF IBM COPIER II

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendations of the Director of Finance, the Supervisor is hereby authorized to sign a contract on behalf of the Town of Clarkstown for the purchase of the IBM Copier II, presently rented by the Town.

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (336-1981)

AUTHORIZING EXPENSE FOR THE PARTIAL DEMOLITION OF BUILDING - TOWNLINE ROAD, WEST NYACK MAP 69, BLOCK A, LOT 9

Co. Longo offered the following resolution:

WHEREAS, a condition dangerous to life and health existed at the premises situated at 232 TOWNLINE ROAD, WEST NYACK, NEW YORK, and more particularly described on the Clarkstown Tax Map as Map: 69; Block: A; Lot: 9 being a building destroyed by fire, and

WHEREAS, imminent danger to the public health, safety and welfare necessitated the immediate demolition of said building and in conjunction with the Fire Inspector of the Town of Clarkstown, the Acting Building Inspector of the Town of Clarkstown and the Fire Chief of the West Nyack Fire Department;

NOW, THEREFORE, be it

RESOLVED, that the expense for the demolition of said building be a charge against the land on which it is located and shall be levied and collected in the same manner as provided in Article Fifteen of the Town Law for the levy and collection of a special ad valorem levy.

Seconded by Co. Maloney

All voted Aye.

* * * * *

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RESOLUTION NO. (337-1981)

AUTHORIZING SETTLEMENT OF
CLAIM, H. RITA AMATULLI -
SUM OF \$4,342.: TRANSFERRED
FROM A1990-505 to APPROPRIATION
A-1930-505

Co.Lettre offered the following resolution:

WHEREAS, H. Rita Amatulli, filed a claim dated July 31, 1980 and received by the Town Clerk on August 1, 1980 against the Town of Clarkstown, relative to alleged damage to a swimming pool and erosion of land at 34 Burda Avenue, New City, New York, and

WHEREAS, the Town's insurance carrier has refused to accept and defend the claim on the basis that the Town of Clarkstown had knowledge of a continuing occurrence;

NOW THEREFORE, be it

RESOLVED, that the claim of H. RITA AMATULLI be and hereby is settled in the sum of \$4,343.00 provided H. RITA AMATULLI executes a General Release in favor of the Town of Clarkstown and be it

FURTHER RESOLVED, that \$4,342.00 be transferred from A1990-505 to appropriation A-1930-505.

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (338-1981)

AUTHORIZING EXECUTION OF
HOME RULE REQUEST

Co. Longo offered the following resolution:

WHEREAS, it is desirable to have introduced into the State Legislature AN ACT to amend Section 20 of the Town Law to provide a fourth town justice for the Town of Clarkstown subject to permissive referendum and providing for an interim appointment of such justice pending the holding of the biennial town election, and

WHEREAS, the Town Board of the Town of Clarkstown wishes to authorize a Home Rule request in regard to such a Bill;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the execution of a Home Rule request concerning such a Bill, and be it

FURTHER RESOLVED, that such Home Rule request shall be forwarded to the Assembly.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (339-1981)

ADJOURNING REGULAR
TOWN BOARD MEETING
IN ORDER TO HOLD
SCHEDULED PUBLIC HEARING
RE: PETITION FOR EXTEN-
TION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT #1

Co. Longo offered the following resolution:

AAJ381

RESOLUTION NO.(339-1981) Continued

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing re: Petition for Extension of Clarkstown Consolidated Water Supply District #1 - Various Areas- time: 8:45 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (340-1981)

CLOSING PUBLIC HEARING
(PETITION FOR EXTENSION
OF CLARKSTOWN CONSOLIDATED
WATER SUPPLY DISTRICT #1)
ADOPTED AND RESUMED
REGULAR MEETING

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Petition for Extension of Clarkstown Consolidated Water Supply District #1 - Various Areas be closed, ADOPTED, time: 8:50 P.M. - ORDER SIGNED.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (341-1981)

AUTHORIZATION FOR
LIGHT ON ORANGE AND
ROCKLAND POLE
#60771;40666

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation 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 location: Valley Cottage Library. Pole #60771;40666.

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (342-1981)

AUTHORIZING SUPERVISOR
TO EXECUTE A LEASE WITH
MANUET SCHOOL DISTRICT -
FOR SENIOR CITIZENS

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to execute a lease with Union Free School District No. 8 for the use of a building located at 24 Highview Avenue, Nanuet, New York, by senior citizens.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (343-1981)

AUTHORIZING MUNISTAT
SERVICES INC. TO PREPARE
LONG TERM SEWER SERIAL
BONDS

Co. Longo offered the following resolution:

RESOLVED, that the Town Board authorize Munistat Services, Inc. of Coram, N.Y. to engage in the preparation of the proposed long term Sewer Serial Bonds.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (344-1981)

AUTHORIZING ATTENDANCE
AT NYS DEC RESOURCE
RECOVERY PROCUREMENT
AND FINANCING SEMINAR.
CHARGED TO ACCOUNT
NO. A 1010-414

Co. Longo offered the following resolution:

RESOLVED, that the Environmental Control Supervisor (Operations) and the Director of Finance are hereby authorized to attend the New York State DEC Resource Recovery Procurement and Finance Workshop on May 1, 1981 in Rye, New York on behalf of the Town, and be it

FURTHER RESOLVED, that charges not to exceed \$60.00 each for registration, tolls and mileage be charged to account No. A 1010-414.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (345-1981)

MEMORIALIZING GOVERNOR
AND STATE LEGISLATURE
TO MAINTAIN STATE
REVENUE SHARING PROGRAM

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown received cuts of \$76,792 or 9% in State Revenue Sharing in 1980, and

WHEREAS, the loss of this revenue can only be made up by cutting local services or increasing local property taxes, now therefore

BE IT RESOLVED, that Governor Hugh Carey and the State Legislature are hereby implored not to "freeze" or further reduce State Revenue Sharing.

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (346-1981)

AUTHORIZING SUPERVISOR
TO ENGAGE DM JM ROTFELD
TO UPDATE PLANS AND
ESTIMATES FOR ADDITIONAL
FACILITIES AT GERMONDS
PARK

Co. Lettre offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to execute an agreement with DM JM Rotfeld of 65 West Red Oak Lane, White Plains, New York, to update plans and estimates for additional facilities at Germonds Park.

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (347-1981)

AUTHORIZING TOWN ATTORNEY
TO DEFEND AN ACTION -
BARBARA AND DONALD
TIRSCHWELL: Map 39,
Block C, Lot 14

Co. Longo offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to take appropriate action to abate the zoning violation on property owned by Barbara and Donald Tirschwell, which is designated on the Clarkstown Tax

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RESOLUTION NO. (347-1981) Continued

Map 39, Block C, Lot 14.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (348-1981)

AUTHORIZING SPRING VALLEY WATER CO. TO INSTALL 2 HYDRANTS INVESTIGATION #9024, SQUADRON GARDENS, N.C.

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, and after the execution of an agreement with Squadron Gardens Associates, the Spring Valley Water Company is hereby authorized to install two (2) hydrants, one on the north side of proposed road, approximately 110' east of center line of proposed road, and one on the north side of proposed road, approximately 175' west of center line of proposed road. Investigation number 9024. Squadron Gardens, New City.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (349-1981)

AUTHORIZING SPRING VALLEY WATER CO. TO INSTALL 1 HYDRANT RED HILL ROAD AND 2 HYDRANTS WHITE BIRCH COURT, NEW CITY INVESTIGATION NO 9113.

Co. Longo 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 one (1) hydrant on the south side of Red Hill Road, approximately 440 feet west of the center line of Birch Lane and two (2) hydrants on the west side of White Birch Court, approximately 820 feet south of the center line of Red Hill Road, New City. Investigation No. 9113.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (350-1981)

CREATING POSITION - SECRETARY (PART-TIME) TOWN BOARD WORKSHOP MEETINGS

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 20, 1981 that the position of Secretary (part-time) - Town Board Workshop - can be created,

Now, therefore, be it

RESOLUTION NO. (350-1981) Continued

RESOLVED, that the position of Secretary (part-time) Town Board Workshop - is hereby created effective and retroactive to April 6, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (351-1981)

APPOINTING CORNELIA ALEMI, SECRETARY TO TOWN BOARD WORKSHOP MEETINGS. (Part-time)

Co. Longo offered the following resolution:

RESOLVED, that Cornelia Alemi, 160 North Main Street, New City, New York is hereby appointed to the position of Secretary (part-time) - Town Board Workshop - at the annual salary for the year 1981 of \$1,000., effective and retroactive to April 9, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (352-1981)

APPOINTING STUART MONTAL, COUNSELING AIDE (PART-TIME) COUNSELING CENTER

Co. Longo offered the following resolution:

RESOLVED, that Stuart Montal, 160 Lake Nanuet Drive, Nanuet, New York is hereby appointed to the position of Counseling Aide (part-time) - Counseling Center - at the hourly rate of \$5.50 - effective and retroactive to April 10, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (353-1981)

APPOINTING CAROL LANTON, BUS DRIVER (FULL-TIME) MINI TRANS DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that Carol Lanton, 113 North Middletown Road, Nanuet, New York is hereby appointed to the position of Bus Driver (full-time) - Mini Trans Department - at the annual salary for 1981 of \$10,729., effective April 14, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (354-1981)

APPOINTING TIMOTHY J. O'BRIEN, TEMPORARY CLEANER, NIGHTS - MAINTENANCE DEPARTMENT

Co. Longo offered the following resolution:

AAJ381

RESOLUTION NO. (354-1981) Continued

RESOLVED, that Timothy J. O'Brien, 27 Bluebird Drive, Congers, New York is hereby appointed to the position of Cleaner (Nights) Maintenance Department - temporary not to exceed 60 days - at the hourly rate of \$4.47, effective and retroactive to March 17, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (355-1981)

ACCEPTING RESIGNATION
ROBERT DILLON - TOWN
HISTORIAN

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Robert Dillon, 18 North Greenbush Road, West Nyack, New York - Town Historian - is hereby accepted effective and retroactive to January 27, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (356-1981)

AMENDING RESOLUTION
NO. 244-1981

Co. Longo offered the following resolution:

RESOLVED, that Resolution No. 244-1981 adopted at the Town Board Meeting of March 10, 1981 is hereby amended to read "effective April 13, 1981."

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (357-1981)

APPOINTING JOAN M.
WINKLER TYPIST -
TOWN JUSTICE DEPARTMENT

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles CR-1 81-9 which contains the name of Joan M. Winkler,

NOW, THEREFORE, BE IT

RESOLVED, that Joan M. Winkler, 34 Radcliff Drive, New City, New York is hereby appointed to the position of Typist - Town Justice - at the annual salary for 1981 of \$8,123., effective and retroactive to March 23, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (358-1981)

APPOINTING FRANK
FUCHS, TEMPORARY CLERK,
NOT TO EXCEED 30 DAYS-
MINI TRANS DEPARTMENT

Co. Longo offered the following resolution:

RESOLUTION NO. (358-1981) Continued

RESOLVED, that Frank Fuchs, 344 West Clarkstown Road, Spring Valley, New York is hereby appointed to the position of Clerk - Mini Trans Department - pending classification of position by the Rockland County Personnel Office - temporary not to exceed 30 days, at the annual salary for 1981 of \$8,508., effective and retroactive to March 30, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (359-1981)

APPOINTING DEAN PRETI
TEMPORARY LABORER,
SANITARY LANDFILL -
NOT TO EXCEED 60 DAYS

Co. Longo offered the following resolution:

RESOLVED, that Dean Preti, 17 Chestnut Street, Central Nyack, New York is hereby appointed to the position of Laborer - Sanitary Landfill - pending classification of position by the Rockland County Personnel Office - temporary not to exceed 60 days, at the annual salary for 1981 of \$10,242., effective and retroactive to March 30, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (360-1981)

CREATING LABORER POSITION
SANITARY LANDFILL

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 31, 1981 that the Laborer position - Sanitary Landfill - can be created,

NOW, therefore, be it

RESOLVED, that the position of Laborer - Sanitary Landfill - is hereby created effective and retroactive to March 31, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (361-1981)

ACCEPTING RESIGNATION
MARY ANN DE JULIUS,
CLERK, PERSONNEL OFFICE

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Mary Ann De Julius, 314-F Fulle Drive, Valley Cottage, New York, Clerk - Personnel Office - is hereby accepted, effective and retroactive to March 25, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (362-1981)

APPOINTING JAMES SUMMERS,
PART-TIME CUSTODIAN,
WELLS PARK, CONGERS

Co. Longo offered the following resolution:

AAJ381

RESOLUTION NO. (362-1981) Continued

RESOLVED, that James Summers, 16 Highway Avenue, Congers, New York is hereby reappointed to the position of Custodian (part-time) of Wells Park, Congers, New York, term to commence on May 1, 1981 and to terminate on October 31, 1981, at the salary of \$3.35 per hr.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (363-1981)

APPOINTMENT CAM GROMACK,
MEMBER - CONSUMER AFFAIRS
COMMISSION

Co. Longo offered the following resolution:

RESOLVED, that Cam Gromack, 60 Collyer Avenue, New City, New York - is hereby reappointed to the position of Member - Consumer Affairs Commission - to serve without compensation, effective and retroactive to April 4, 1981 - with a term to expire on April 4, 1984.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (364-1981)

APPOINTMENT ROBERT
KONIAK, MEMBER -
CONSUMER AFFAIRS
COMMISSION

Co. Longo offered the following resolution:

RESOLVED, that Robert Koniak, 16 Ferndale Road, New City, New York is hereby re-appointed to the position of Member - Consumer Affairs Commission - to serve without compensation - effective and retroactive to April 4, 1981 - with a term to expire on April 4, 1984.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (365-1981)

APPOINTING RICHARD W.
ANDERSON, TEENAGE
RESIDENT MEMBER -
CLARKSTOWN YOUTH COM-
MISSION

Co. Longo offered the following resolution:

RESOLVED, that Richard W. Anderson, 76 South Congers Avenue, Congers, New York is hereby reappointed as the teenage resident member of the Town of Clarkstown's Youth Commission - to serve without compensation - effective and retroactive to April 7, 1981, with a term to expire on April 7, 1982.

Seconded by Co. Maloney

All voted Aye.

* * * * *

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RESOLUTION NO. (366-1981)

APPOINTING HILTON
KAUFMAN, CHAIRMAN,
CLARKSTOWN'S YOUTH
COMMISSION

Co. Longo offered the following resolution:

RESOLVED, that Hilton Kaufman, 3 Lisa Court, New City, New York is hereby reappointed Chairman of the Town of Clarkstown's Youth Commission - to serve without compensation- effective and retroactive to April 7, 1981, with a term to expire on April 7, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (367-1981)

APPOINTING WILLIAM
GRUFFI, MEMBER -
SHADE TREE COMMISSION

Co. Longo offered the following resolution:

RESOLVED, that William Gruffi, 12 Cairngorm Road, New City, New York, is hereby appointed to the position of Member - Shade Tree Commission - at the annual salary for 1981 of \$100., term commencing April 20, 1981 and to expire on April 20, 1988.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (368-1981)

APPOINTING JAMES
PURDUM, DETECTIVE
LIEUTENANT - POLICE
DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Lieut. James Purdum, 396 Little Tor Road, New City, New York is hereby appointed to the position of Detective Lieutenant with the Clarkstown Police Department, effective and retroactive to April 6, 1981, at the annual salary for 1981 of \$33,334.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (369-1981)

CREATING POSITION
TYPIST - PURCHASING
DEPARTMENT

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on April 10, 1981 that the position of Typist - Purchasing Department - can be created,

Now, therefore, be it

RESOLVED, that the position of Typist - Purchasing Department - is hereby created effective April 15, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

AAJ381

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RESOLUTION NO (370-1981)

APPOINTING ROSEANNA T.
PETRUZZELLI, TYPIST
(TEMPORARY) PURCHASING
DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that Roseanna T. Petruzzelli, 17 Forest Brook,
Spring Valley, New York is hereby appointed to the position of
Typist - Purchasing Department - temporary not to exceed 60 days -
effective April 20, 1981, at the annual salary for 1981 of \$8,508.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (371-1981)

APPOINTING THEODORE
VON ZWEHL, MEMBER -
CONSUMER AFFAIRS
COMMISSION

Co. Longo offered the following resolution:

RESOLVED, that Theodore Von Zwehl, 13 Inwood Drive, Bardonia,
New York is hereby appointed to the position of Member - Consumer
Affairs Commission - to serve without compensation - effective April 15,
1981, with a term to expire on April 15, 1984.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (372-1981)

ADJOURNING REGULAR
TOWN BOARD MEETING
IN ORDER TO HOLD
SCHEDULED PUBLIC
HEARING RE: PETITION
FOR EXTENSION OF CLARKS-
TOWN CONSOLIDATED WATER
SUPPLY DISTRICT #1
TO INCLUDE LAMBORN
PROJECT #8005

Co.

RESOLVED, that regular Town Board Meeting be adjourned in
order to hold Scheduled Public Hearing re: Petition for Extension of
Clarkstown Consolidated Water Supply District #1 to include Lamborn -
Project #8005, time: 9:30 P.M.

Seconded by Co.

All voted Aye.

* * * * *

RESOLUTION NO. (373-1981)

CLOSING PUBLIC HEARING
CLARKSTOWN CONSOLIDATED
WATER SUPPLY DISTRICT
#1 TO INCLUDE LAMBORN
PROJECT #8005

Co.

RESOLVED, that Public Hearing re: Petition for Extension
of Clarkstown Consolidated Water Supply District #1 to include Lamborn -
Project #8005, be closed, time: 9:34 P.M., ORDER SIGNED.

Seconded by Co.

All voted Aye.

* * * * *

RESOLUTION NO. (374-1981)

OPENING PUBLIC HEARING
RE: LOCAL LAW AMENDING
LOCAL LAW ESTABLISHING
A BOARD OF ARCHITECTURAL
REVIEW

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Amendment to Local Law No. 1 -1965 - Local Law relating to the Establishment of a Board of Architectural Review be opened, time: 9:35 P.M.

Seconded by Co. Maloney All Voted Aye.

* * * * *

RESOLUTION NO. (375-1981)

CLOSING PUBLIC HEARING
RE: LOCAL LAW AMENDING
LOCAL LAW RELATING TO
ESTABLISHING A BOARD
OF ARCHITECTURAL REVIEW

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Amendment to Local Law No. 1 -1969 - Local Law relating to the Establishment of a Board of Architectural Review be closed, ADOPTED, time: 9:37 P.M.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (376-1981)

ADOPTING LOCAL LAW
NO. 5-1981

Co. Longo offered the following resolution:

WHEREAS, a proposed local law entitled, "AMENDMENT TO LOCAL LAW NO. 1-1965, AS AMENDED, ENTITLED, 'A LOCAL LAW RELATING TO THE ESTABLISHMENT OF A BOARD OF ARCHITECTURAL REVIEW'" was introduced by Councilman Longo, at a Town Board meeting held on March 10, 1981, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 10th day of March, 1981, directed that a public hearing be held on the 14th day of April, 1981, at 9:05 P.M., and,

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on April 1, 1981, 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 March 2, 1981, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on April 14, 1981;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 5-1981, entitled, "AMENDMENT TO LOCAL LAW NO. 1-1965, AS AMENDED, ENTITLED, 'A LOCAL LAW RELATING TO THE ESTABLISHMENT OF A BOARD OF ARCHITECTURAL REVIEW'" is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown. 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. Lettre

On roll call the vote was as follows:

AAJ381

RESOLUTION NO. (376-1981) Continued

Supervisor DusanenkoYes
Councilman Longo.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilman Holbrook.....Yes

* * * * *

RESOLUTION NO. (377-1981)

OPENING PUBLIC
HEARING RE: CHANGE
OF ZONE APPLICATION-
LS AND R-15 TO RS -
4M CHEVRON STATION,
NEW CITY

Co. Lettre offered the following resolution:

RESOLVED, that Public Hearing re: Petition for Change of
Zone Application - LS and R-15 to RS - 4M Chevron Station, New City, be
opened, time: 9:37 P.M.

Seconded by Co. Longo

All voted Aye

* * * * *

RESOLUTION NO. (378-1981)

CLOSING PUBLIC HEARING
RE: CHANGE OF ZONE
APPLICATION - LS and
R-15 to RS - 4M
CHEVRON STATION,
NEW CITY

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Petition for Change of
Zone Application - LS and R-15 to RS - 4M Chevron Station, New City
be closed, DECISION RESERVED, time: 10:20 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (379-1981)

AUTHORIZING SUPERVISOR
TO OBTAIN ADDITIONAL
ATHLETIC FIELDS

Co. Longo offered the following resolution:

WHEREAS, it has been determined that the request for athletic
fields for softball use has been over-subscribed, and

WHEREAS, the Town of Clarkstown has not been able to acquire
additional playing fields for the current season, and

WHEREAS, the Parks Board and Recreation Advisory Committee,
by a 4 to 1 vote, recommended to the Town Board to have built addition-
al playing fields for this playing season, and

WHEREAS, the restraints for the construction of the additional
playing fields do not allow for the normal competitive bidding procedures;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized and directed to
implement and have constructed immediately additional playing fields,
and be it

FURTHER RESOLVED, that Atzl & Scatassa are hereby authorized
to prepare the necessary survey and engineering design layout, and be it

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RESOLUTION NO. (379-1981) Continued

FURTHER RESOLVED, that informal bids be accepted, and
be it

FURTHER RESOLVED, that all proper charges shall be made
from the money-in-lieu-of-land account.

Seconded by Co. Lettre All voted aye

Supervisor Dusanenko explained that one field will be north of
Gilchrest Road immediately north of the A parking area. Two will
be along Kings Hwy. Not across the street from the ambulance
headquarters but across the street from councilman Longo's house.

* * * * *

RESOLUTION NO. (380-1981)

AUTHORIZING SUPERVISOR
TO EXECUTE LEASE WITH
VALLEY COTTAGE INDIANS-
BUNGALOW AT CONGERS
LAKE

Co. Lettre offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown
is hereby authorized to enter into an agreement with the Valley
Cottage Indians, Inc., for the use of a bungalow located within
the Congers Lake Memorial Park.

Seconded by Co. Longo All voted Aye.

* * * * *

RESOLUTION NO. (381-1981)

DISPOSITION OF SURPLUS
PROPERTY - MR. ISER,
NEW CITY

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown obtained
title by deed on May 16, 1967, to a parcel of land indicated as
Clarkstown Tax parcel 21-A-Lot 15.14 on Sub-division Map of Rolling
Hedge, Section II, dated June 15, 1967 and filed in the Rockland County
Clerk's office in Map Book 73, Page 25, as Map No. 3579 pursuant to
Town Law, Section 281, and

WHEREAS, due to a large pond on the subject site, it has not
been developed for any Town park purposes and is and has been inactive
since 1967, and

WHEREAS, the subject parcel is no longer necessary or useable
for any Town, public or park purposes, and

WHEREAS, the adjoining property owner, WILLIAM ISER, (Tax
Map 21A-15.13) has offered to purchase the said tax lot known as Map 21,
Block A, Lot 15.14 for the sum of \$4,000.00 subject to certain conditions,
reservations and restrictions hereinafter set forth;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute
a deed to WILLIAM ISER upon receipt of a certified check in the sum of

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RESOLUTION NO. (381-1981) Continued

\$4,000.00 made payable to the Town of Clarkstown, which deed shall also be executed by WILLIAM ISER agreeing to the following conditions, reservations and restrictions:

1. That this resolution be subject to permissive referendum.
2. Excepting therefrom an 8-1/2 foot widening strip measured along the entire length of Phillips Hill Road for Town road widening purposes.
3. Accepting a drainage easement of 25 ft. measured 12-1/2 feet from the center of the stream channel running through the subject site.
4. Land area cannot be added to adjoining bulk area of property now owned by William Iser.
5. The following conservation restrictions:
Shall not perform or permit to be performed, on the herein designated portion of real property any of the following acts by way of example, but not limitation without the express prior written approval of the Director of Environmental Control or a successor Town Office;
 - (a) No building, outdoor advertising display, swimming pool, tennis court, mobile home, storage shed, utility or other temporary or permanent structure, wheeled vehicle with or without a motor, or boat will be constructed, placed or permitted to remain on said parcel.
 - (b) No soil, sand, gravel, rock or mineral substance, refuse, trash, rubbish, debris, junk, waste or offensive or unsightly material will be placed, stored or dumped.
 - (c) No soil, sand, gravel, rock or other mineral resources or natural deposits shall be excavated or removed. No trees or shrubs shall be removed except when diseased or dead.

The within conservation restriction does not grant any right to the Town of Clarkstown, its officers, agents, or employees, except to enter upon said parcel for the purpose of inspecting the premises and enforcing the foregoing restrictions. The rights hereby granted shall be in addition to any other remedies to the Town of Clarkstown for the enforcement of the foregoing restriction. The foregoing restriction shall run with the land and bind all grantors, successors, heirs, assigns, grantees and shall inure to the benefit of the Town of Clarkstown.

On roll call, the vote was as follows:

Supervisor Dusanenko	Yes
Councilman Longo.....	Yes
Councilman Lettre.....	Yes
Councilman Holbrook.....	No
Councilman Maloney	Yes

Supervisor Dusanenko said this was not parkland - it was municipal land. It was never authorized as parkland. Councilman Holbrook said he understood that this property was park land. Town Attorney stated that this property was taken under section 281 of the Town Law and was originally designated by the Planning Board as land set for parks. The deed

RESOLUTION NO. (381-1981) Continued

does not restrict it to parkland and therefore under the opinion of audit and control, it has never been used for parkland and cannot be used for parkland now in the determination of the Town Board and is not restricted in the deed. It can be sold.

Co. Holbrook asked is there an opinion on that?

Town Attorney said, yes. Councilman Holbrook said it was his understanding that if it were designated as parkland we would need the approval of the State Legislature.

Supervisor Dusanenko said not only the State Legislature but also a referendum.

Co. Longo asked what he could do with this property once he has obtained ownership?

Town Attorney replied, very little except pay taxes. The restrictions are set forth in the resolution that it is subject to permissive referendum and there will be no structure permitted whatsoever.

* * * * *

RESOLUTION NO. (382-1981)

AMENDING ZONING
ORDINANCE OF THE
TOWN OF CLARKSTOWN
DECISION RE: CLARKS-
VILLE CONSTRUCTION,
NEW CITY

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 23rd day of December, 1980, provided for a public hearing on the 27th day of January, 1981, at 8:45 P.M., to consider the application of CLARKSVILLE CONSTRUCTION CORP., to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the petitioner from PO district to RG-2 district, and

WHEREAS, notice of public hearing was duly published as required by law and the public hearing was duly held at the time and place specified in the notice;

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from PO district to RG-2 district the following described property in the Hamlet of New City, New York, in said Town; described further on the attached Schedule "A"; said amendment conditioned upon the execution and recording of a Declaration of Restrictive Covenants in a form and manner satisfactory to the Office of the Town Attorney made by the certified record owner containing the following covenants:

1. The buildings on the proposed site should be built at right angles to Route 304 to minimize the impact of Route 304 on the residents.
2. The roof lines, building configurations and exterior materials should be sympathetic to the single-family residential building type.
3. Adequate plantings to be provided to protect neighbors to the west and north, as determined by the Shade Tree Commission.

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RESOLUTION NO. (382-1981) Continued

4. The petitioner shall provide egress only through a private street within the development to North Main Street, New City, New York.

5. Recreation facilities as determined by the Planning Board for varied ages should be provided on site and located in a way that will not disturb the adjoining residential area, including the construction of a building containing a meeting room adequate for the residents of the site.

6. Applicant should be required to provide money-in-lieu-of-land for recreation.

7. Significant landscaping and screening should be provided to reduce the impact of Route 304 on residents of the proposed development.

8. Applicant should provide a sidewalk along Virginia Street and Route 304 the full length of the property if feasible and with the consent of the New York State Department of Transportation.

9. To the maximum extent possible, trees on the site should be retained.

10. Certificates of Occupancy shall be limited to no more than 50 units.

11. Ownership will be by means of Town House Fee Simple ownership with streets and common areas maintained by property Owners Association.

12. Private internal streets and common areas shall be maintained by the property owners at their sole cost and expense and shall be included in each of the individual deeds to the property owners. Membership in the Home Owners Association shall be mandatory and the streets and common areas shall be taxable.

13. Provide access by way of easement to premises adjoining on the south as determined by the Planning Board on the condition that the owner to the south consents to a joint maintenance agreement.

14. These Restrictive Covenants shall be binding upon the successors and assigns of the current certified record owner.

On roll call the vote was as follows:

- Supervisor DusanenkoYes
- Councilman Longo.....Yes
- Councilman Lettre.....Yes
- Councilman Holbrook.....Abstained
- Councilman Maloney.....Abstained

Councilman Holbrook made the following comments:
Objected to adoption at this time. Would prefer to wait. The plan essentially conforms with the Master Plan except for the concept of the density which is very important. They are recommending 4 to 8 units where this is 11 to 6. That plus 2 and 3 bedroom Townhouses. Object to the fact that they have to rush to make this decision. Not opposed to the concept but I have questions of the density. Therefore, voting to abstain.

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RESOLUTION NO. (382-1981) Continued

Councilman Lettre commented: It seems that on most zone changes that have come before this Board in the last few months, I've heard the same cry from Councilman Holbrook. "I'm in favor of the concept." Puts the burden of responsibility on the majority of the Town Board and Councilman Holbrook is able to go on record that when something comes out in the positive that he was in favor of this concept and if something doesn't work out well..... to go on the record as saying that he abstained or voted no. As far as the issue of density, RG1 is lower than RG2 which was originally come in for. This Board does not determine the density. The Planning Board does. The applicant has changed from the original concept of Condominium to Town Houses. This concept will benefit the Town by bringing in more tax dollars for the community. The builder is cooperating with the community and this Town Board in doing almost anything this Town Board has asked him to do. One of the main concerns of the residents in the area was drainage. In speaking to the residents and the developer, the developer has given me assurances that his plans for drainage will help the residents rather than hinder them. I vote yes.

Councilman Longo said he is in favor of the concept.

Councilman Maloney said he had questions and that he has not had enough time to discuss these questions with Mr. Geneslaw and so he would have to abstain.

The following are Mr. Geneslaw's comments:

April 13, 1981

We have reviewed the preliminary Site Development Plan dated 1-15-81, and received 4-10-81. The unit layout is similar to the earlier site plan that we reviewed, and road access is also similar. The number of units has been decreased from 60 to 50, with a proposed density of about 11.6 units to the acre instead of the original proposed density of 13.9 units to the acre. This could allow better protection along adjoining properties to the west.

We understand that the developer proposes to set up a fee ownership arrangement for the lots, and buildings, with a homeowners association for the common area. This could be a suitable arrangement, if membership in the association is mandatory.

The Preliminary Update of the Master Plan recommends a multiple dwelling category for this property, and the proposal is consistent. The Preliminary Update of the Master Plan recommends a density of 4-8 units to the acre.

Except for the density, the proposal is generally consistent with the previous recommendations made by our office and the Planning Board. We suggest that, if the Town Board is favorably disposed towards the application, that it include the conditions recommended by the Planning Board, (copy attached) as well as any others that may be appropriate.

RG

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RESOLUTION NO. (382-1981) Continued

The Supervisor requested that the following reports be put in the record:

January 8, 1981

Gentlemen: TOWN BOARD REFERRAL; ZONE CHANGE REQUEST PO
TO RG-2, CLARKSVILLE CONST. 56B15 NEW CITY
(Approx. 3.7 acres PO land to W. side Rt.
304, to N and S side Virginia Street).

At the Planning Board meeting of December 17, 1980 motion of Howell, second of Nowicki, carried 4:2 with Ayes of Fallon and Thormann, Nays of Yacyshyn and Paris, to approve the following...

RECOMMENDATION TO THE HONORABLE TOWN BOARD: The Planning Board has examined the petition of Clarksville Construction Corp. 56B15 New City, in relation to the surrounding neighborhood, the topography, the Master Plan, and finds that the petition should be granted with the following conditions:

1. The buildings on the proposed site should be built at right angles to Route 304 to minimize the impact of Route 304 on the residents.
2. The roof lines, building configurations and exterior materials should be sympathetic to the single-family residential building type,
3. Adequate plantings to be provided to protect neighbors to the west and north,
4. Primary access should be from Virginia Street, with circulation to be substantially as shown on site plan dated 12/12/80 ,
5. Recreation facilities for varied ages should be provided on site, located in a way that will not disturb the adjoining residential area,
6. Applicant should be required to provide money-in-lieu-of-land for recreation,
7. Significant landscaping and screening should be provided to reduce the impact of Route 304 on the residents of the proposed development,
8. Applicant should provide a sidewalk along Virginia Street and Route 304 the full length of the property, if feasible and with consent of NYSDT,
9. To the maximum extent possible, trees on site should be retained.

In response to the statutory requirements, the Planning Board has made the following determinations:

- a) The uses proposed and permitted by the proposed change would be appropriate in the area,
- b) Adequate public school facilities and other public services exist or can be created to serve the needs of any additional residences likely to be constructed as a result of such change,
- c) The proposed change is in accord with any existing or proposed plans for providing public water supply and supply of sanitary sewers in the vicinity,

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RESOLUTION NO. (382-1981) Continued

- d) The amount of vacant land which is currently zoned for similar development in the Town and particularly in the vicinity of this area is minimal,
- e) The only land presently being developed in the proposed district in the Town is Treetops, there being none in the vicinity of the area included in the proposed amendment,
- f) We do not see this having any major effect on the growth of the existing community as envisaged by the comprehensive plan,
- g) The proposed amendment is not likely to result in substantial increase or decrease in total zoned residential capacity of the Town,
- h) Although other areas may request similar changes, we do not see this as having substantial effect.

Very truly yours,

Richard J. Paris
Chairman

* * * * *

RESOLUTION NO. (383-1981)

AUTHORIZING SUPERVISOR
TO ENTER INTO CONTRACT
WITH VILLAGE OF
HASTINGS-ON-HUDSON
EXTENSION OF SANITARY
LANDFILL SERVICE

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into a contract with the Village of Hastings-On-Hudson, subject to the consent of the New York State Department of Environmental Conservation, conditions of the Consent Order executed by the Town of Clarkstown and the New York State Department of Environmental Conservation and the approval of the Town of Clarkstown Department of Environmental Control.

(There is a second paragraph to this resolution - please see below)
Seconded by Co. Maloney * * * * * All voted Aye.

John Lodico spoke regarding Sanitary Landfill in Clarkstown and Supervisor enjoined him to come to a workshop meeting to discuss the landfill and his suggestions.

* * * * *

There being no further business to come before the meeting and no one further wishing to be heard, Town Board Meeting was declared closed, time: 11:07.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

(Second paragraph to Resolution No. 383-1981)

BE IT FURTHER RESOLVED, that if approved and implemented that such revenue be used exclusively for additional labor, machinery and improvements to the Clarkstown Sanitary Landfill.

Patricia Sheridan

Please note comment on other side relating to Resolution No. 382 of April 14, 1981 meeting. (Clarksville Construction)

AAJ381

Councilman Holbrook wished it noted that Resolution 382-1981 needed a majority vote of four and it had only received a majority vote of three. Therefore, that particular resolution is invalid.
Clarksville Construction

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

4/14/81

8:32 P.M.

Present: Theodore R. Dusanenko, Supervisor
Councilmen Holbrook, Lettre, Longo, Maloney
Everett J. Johns, Town Attorney
Patricia Sheridan, Town Clerk

RE: PROPOSED LOCAL LAW ENTITLED, "AMENDMENT TO LOCAL LAW NO. 9-1971,
AS AMENDED"... CONCERNING HANDICAPPED PARKING

On motion of Councilman Holbrook, seconded by Councilman Longo and unanimously adopted, the Public Hearing was declared open. Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Town Attorney stated that he had no correspondence relating to the Public Hearing but gave a brief explanation of the proposed Local Law.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of the proposed local law.

IN FAVOR: No one appeared.

Supervisor Dusanenko asked if there was anyone wishing to be heard in opposition to the proposed local law.

IN OPPOSITION: No one appeared.

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

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Respectfully submitted,
Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

4/14/81

8:45 P.M.

Present: Theodore R. Dusanenko, Supervisor
Councilmen Holbrook, Lettre, Longo, Maloney
Everett J. Johns, Town Attorney
Patricia Sheridan, Town Clerk

RE: PETITION FOR THE EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER
DISTRICT #1 TO INCLUDE - VARIOUS AREAS

On motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared open. Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Town Attorney stated that he had no correspondence.

Town Attorney then swore in Mr. Les Bollman, Department of Environmental Control. Mr. Bollman stated that he is the Director of the Department of Environmental Control. Mr. Bollman stated that all the persons involved in the extended area would benefit therefrom.

Town Attorney asked Mr. Bollman if there had been any correspondence directed to the Town from the fire insurance carrier. Mr. Bollman read the following:

(Letterhead of Don Liebert Insurance Co.)

"April 3, 1981

Town of Clarkstown
10 Maple Avenue
New City, New York 10956

ATTN: Mr. Mils Eckhart
Safety Coordinator

RE: Fire Districts and Hydrants

Dear Nils,

This is relative to our telephone conversation concerning the captioned. The following hamlets in the Town of Clarkstown are considered "BB" or "C" territories for fire rating purposes: Nanuet, Bardonia, West Nyack, Central Nyack, Valley Cottage, Congers, Rockland Lake and New City.

A residence listed in Class "BB" must be within 1000 feet of a public hydrant accessible for use at that distance and within five miles (measured by most direct route over public highways) of an available fire department station thereof.

A residence listed in Class "C" must be within five miles (measured by most direct route over public highways) of an available fire department station thereof.

There is no way for us to ascertain whether a portion of the Town of Clarkstown is considered Class "BB" or Class "C". Please note, however, that there is a benefit to the homeowners by reduction in insurance premiums for having their dwelling located in a Class "BB" territory as compared to a Class "C" territory.

CONTINUED ON NEXT PAGE

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Trust you will find the aforementioned information of some assistance to you. If you should have any further questions with this regards, please feel free to give me a call.

Sincerely,

LIEBERT COMMERCIAL, INC.

/s/ Billee
(Mrs) Billee Culin
Customer Service Representative
/bc"

Town Attorney stated that the final question is whether it is in the public interest to grant in whole or in part the relief sought by resolution of this Town Board.

Mr. Bollman stated that he believed it was in the public interest to provide fire protection for the health, safety and welfare plus bring about a reduction in fire insurance.

Supervisor Dusanenko noted that this does not mean that anyone would have to get rid of their wells in those areas and they do not have to hook up for domestic water useage. This is only for fire protection.

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

IN FAVOR: No one appeared.

Supervisor Dusanenko asked if there was anyone wishing to be heard in opposition to this proposed water extension.

IN OPPOSITION: No one appeared.

There being no one wishing to be heard in favor of or in opposition to the proposed water extension, the public hearing was closed on motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, ORDER SIGNED, time: 8:50 P.M.

Respectfully submitted,
Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

4/14/81

9:30 P.M.

Present: Theodore R. Dusanenko, Supervisor
Councilmen Holbrook, Lettre, Longo, Maloney
Everett J. Johns, Town Attorney
Patricia Sheridan, Town Clerk

RE: PETITION FOR THE EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER
DISTRICT # 1 TO INCLUDE - ALBERT LAMBORN, CONGERS - PROJECT 8005

On motion of Councilman Maloney, seconded by Councilman Longo and unanimously adopted, the Public Hearing was declared open. Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Town Attorney stated that he had no correspondence.

Town Clerk presented Mr. Bollman's affidavit that Town Law Section 194 had been complied with.

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

IN FAVOR: No one appeared.

Supervisor Dusanenko asked if there was anyone wishing to be heard against the proposed water extension.

IN OPPOSITION: No one appeared.

There being no one wishing to be heard in favor of or in opposition to the proposed water extension on motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, the public hearing was closed, ORDER SIGNED, time: 9:34 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

AAJ381

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

4/14/81

9:35 P.M.

Present: Theodore R. Dusanenko, Supervisor
Councilmen Holbrook, Lettre, Longo, Maloney
Everett J. Johns, Town Attorney
Patricia Sheridan, Town Clerk

RE: PROPOSED LOCAL LAW ENTITLED, "AMENDMENT TO LOCAL LAW NO. 1-1965,
AS AMENDED, ENTITLED, 'A LOCAL LAW RELATING TO THE ESTABLISHMENT
OF A BOARD OF ARCHITECTURAL REVIEW'"

On motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared open. Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Town Attorney stated that he had no correspondence with regard to this proposed local law. He gave a brief description of the proposal.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of the proposed local law.

IN FAVOR: No one appeared.

Supervisor Dusanenko asked if there was anyone wishing to be heard in opposition to the proposed local law.

IN OPPOSITION: No one appeared.

There being no one wishing to be heard in favor of or in opposition to the proposed local law, the Public Hearing was declared closed on motion of Councilman Longo, seconded by Councilman Lettre and unanimously adopted, LOCAL LAW ADOPTED, time: 9:37 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

AAJ381

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

4/14/81

9:37 P.M.

Present: Theodore R. Dusanenko, Supervisor
Councilmen Holbrook, Lettre, Longo, Maloney
Everett J. Johns, Town Attorney
Patricia Sheridan, Town Clerk

RE: PETITION FOR CHANGE OF ZONE APPLICATION - LS AND R-15 TO RS -
4M CHEVRON, NEW CITY

On motion of Councilman Lettre, seconded by Councilman Longo and unanimously adopted, Public Hearing was declared open. Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Town Attorney read the following correspondence:

(Letterhead of Rockland County Planning Board)

"January 16, 1981

Clarkstown Town Board
Town Hall
New City, New York 10956

Re: GENERAL MUNICIPAL LAW (GML) REVIEW: 239(k) ___ 239(l&m)XX 239(n) ___

Map Dated: _____

Item:

4 M Chevron Station, Inc.
N. Middletown Rd., New City (C-963)

The Rockland County Planning Board reviewed the above item at its meeting of January 7, 1981 and

- * approves XXX
- ** approves subject to conditions below _____
- ** disapproves _____
- requests extension of time _____

cc: Supervisor Dusanenko
Mr. Lombardi, member, RCPB
Clarkstown Planning Board

Very truly yours,
ROCKLAND COUNTY PLANNING BOARD

By /s/ Aaron D. Fried
Aaron D. Fried, Planning Dir.

*The proposed action is deemed by the Board to have no significant negative impact on nearby municipalities, County or State roads or facilities and, therefore, the ACTION IS FOR LOCAL DETERMINATION. Approval does not necessarily mean the Board endorses the subject action as desirable from the viewpoint of your municipality.
 **The GML requires a vote of "two-thirds of all the members" or "majority plus one" of your agency to act contrary to the above findings."

* * * * *

CONTINUED ON NEXT PAGE

AAJ381

(Letterhead of Town of Clarkstown Planning Board)

"March 9, 1981

The Honorable Town Board
Town of Clarkstown
10 Maple Avenue
New City, New York 10956

TOWN BOARD REFERRAL: ZONE CHANGE
REQUEST LS/R-15 TO RS, 4M CHEVRON
STATION, NEW CITY

Gentlemen:

The above matter was discussed at length at the Planning Board meeting February 4, 1981. It was pointed out that the Town Building Department is preparing an analysis of gas stations throughout the Town to determine their zoning status and the Planning Board feels it should have the benefit of the results of that study to establish a policy for orderly development of future gas stations. There was concern for this area being changed to RS which is a more intensive zoning district.

Motion of Fallon, second of Thromann, carried 5:0 with Ayes of Cunningham, Howell and Paris, approving the following ...

RECOMMENDATION TO THE HONORABLE TOWN BOARD: In examining the Master Plan, the review for the Master Plan Update, as well as the surrounding area, the topography, and the statutory requirements, the Planning Board finds that the requested zone change would not be in the best interests of the Town for the RS zoning district would not fit in or be compatible with the surrounding area which is zoned LS. Allowing an RS on this parcel is a spot zone, and should not be introduced into the neighborhood.

In response to the statutory requirements, the Planning Board has made the following determinations, as applicable:

- a) The uses permitted by the proposed change would not be appropriate in the area concerned for the RS zone allows for a wider range of uses than LS, i.e. auto sales, auto supply stores, theaters, animal hospitals, commercial recreation, auto and machinery repair shops, open auto and trailer sales lots, etc.
- b) not applicable,
- c) not applicable,
- d) There is no RS zoning in the area, and no vacant land in that zone available for development.
- e) since there is no RS zoning in the vicinity, this is not applicable,
- f) not applicable,
- g) not applicable.

Very truly yours,

/s/ Richard J. Paris (TMS)

Richard J. Paris,
Chairman

cc: Town Attorney
Town Clerk"

* * * * *

Councilman Holbrook said he did not understand the rationale of requesting RS zoning. Supervisor Dusanenko said that many people come before the Town Board asking for zone changes which are not granted. Many go away sad.

Supervisor Dusanenko then asked if there was anyone wishing to be heard in favor of the proposed zone change.

IN FAVOR: No one appeared.

Supervisor Dusanenko then asked if there was anyone wishing to be heard in opposition to the proposed zone change or if anyone had any questions.

IN OPPOSITION

Appearance: Mr. Don Sansone
9 Deerwood Drive
New City, New York 10956

Mr. Sansone spoke regarding the esthetics of the area. He stated that the Planning Board and the Town Board should have the best interest of the people at heart. This is a good area and to try to put an auto laundry or used car lot in here would be detrimental to the area.

Appearance: Mr. Gino Silvestri
25 Kent Street
New City, New York 10956

Mr. Silvestri was not in favor of a zone change for this area.

Appearance: Mr. James Deering
22 Deerwood Drive
New City, New York 10956

Mr. Deering was concerned that if the change were granted they would go to major repairs which would require power tools.

Supervisor Dusanenko explained that over the past twenty years there have been parcels put into zones where they did not belong. As an example he gave Dustman Lane where they built an R-15 area but they were in an L10 zoning. The Town Board rectified this. Also a shopping center in Valley Cottage was incorrectly zoned and the Town Board effected a change here also. He explained the problems of non-conforming use. One of them being that if you should have a fire you would have to rebuild the same size structure within a year or lose your special permit. Supervisor Dusanenko then asked the Town Attorney what other uses were there by right under RS. Town Attorney gave an explanation of the uses permitted under RS zoning.

Mr. Vingiello said that they were here asking for this zone change so that his client would be able to obtain financing to improve the station. The station is independently owned by Mr. Marino and not a major oil company. Mr. Marino is the owner of record of this property and a documented survey will show that this station has existed in this area since 1962. He mentioned items 14 through 17 under RS zoning.

Supervisor Dusanenko inquired of Town Attorney what minimum side lot requirements are on three quarters of an acre in RS zoning.

AAJ381

Town Attorney explained minimum lot requirements and said that under RS zoning numbers 1 through 17 would be by right except for a circus.

Mr. Vingiello said that the applicant was present and Mr. Marino would be glad to explain his request. He said that it might not be his only reason but the principal reason was for financing. He is not asking for any changes; he is only asking to conform to what presently exists. Each case should be judged on its own merits and he has seen nothing to lead him to believe that any major repair work would be done such as transmission work or rear end work. He asked for the RS zoning because he did not believe the Town Board would entertain a request for Industrial Zoning.

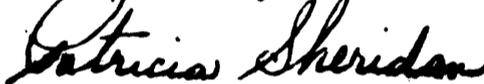
Councilman Holbrook stated, however, that if this zone change is granted we are expanding the uses which could be utilized there and this will increase the value of the property.

Mr. Vingiello stated that Mr. Marino had no plans to use this property for other than a gas station.

Supervisor Dusanenko requested that the Public Hearing be closed and they pursue this issue at the workshop meeting.

There being no one further wishing to be heard, on motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, DECISION RESERVED, time: 10:20 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

AAJ381

Attorney Richard Vingiello appeared, representing the petitioner. He stated the petition they were presenting was pursuant to the zoning law. They were requesting a change from LS to RS. The station has existed for many years, since 1962 in fact and has been used as a gas station and for repairs. That is the business which is presently being conducted there. The property is three quarters of an acre in size and triangular in shape. They have inquired as to and responded to all the requirements requested. The Department of Environmental Control requested more landscaping and this will be done. With regard to soil conservation there is no problem in that area and the Rockland County Planning Board approves.

Mr. Vingiello stated that they went for RS zoning as it is the least complicated way to arrive at the desired zoning. He then read the following memo from Robert Geneslaw to the Clarkstown Planning Board:

"January 30, 1981

TO: Clarkstown Planning Board

FROM: Robert Geneslaw

SUBJECT: ZONE CHANGE REQUEST, 4M CHEVRON STATION, INC.,
NEW CITY, LS/R-15 TO RS, 36G1.

The RS (Regional Shopping) zoning district in the Town of Clarkstown provides for a wide range of commercial uses, by right including:

- Offices for professional, governmental and business uses.
- A wide range of retail stores and service establishments, auto sales, auto-supply stores, theaters, animal hospitals, commercial recreation, auto and machinery repair shops, open auto and trailer sales lots.
- Various public uses.

The uses listed above include several that could be undesirable esthetically, and could create problems relating to pedestrian and traffic safety, on this site, because of its location between two streets and the proximity of an elementary school. The size of the parcel might effectively eliminate some of these uses, or make site development difficult.

The Building Inspector is currently preparing an analysis of gas stations throughout the Town, to determine their zoning status. After the study is complete, a comprehensive policy can, hopefully, be established.

The RS district is presently mapped along Route 59 between the Thruway near Spring Valley and Route 304; along Route 59 roughly from Pathmark to Route 303; and in Congers along Route 303 from Lake Road to the area near the Lakewood Elementary School. Although these areas are relatively intensively developed, they are limited in extent.

For all the reasons stated above, we recommend against the granting of the zone change at this time. After the completion of the study of gas stations and the establishment of a comprehensive policy, the status of this property can be reevaluated.

RG:lw

/s/ RG"

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At the time the Planning Board held public hearing with regard to master plan we asked how long the study was to go on but we received no answer as to when it would be completed. We are here before the Town Board because the Town Board has the authority to grant this request. What the petitioner is asking for is to legitimize the use of his property. The property presently belongs to Rocky Marino, who operates the station. He purchased it one year ago. Mr. Marino has made application to various banks for financing to improve the station. His applications have been denied because the zoning does not conform with the use.

This is a problem site, part of it being in LS and part in R-15 with the dividing line going through the rear of the property. Mr. Vingiello stated that the zoning, at best, is indefinite which is why we have a Zoning Board of Appeals and why amendments are made to the zoning ordinances. What the applicant is requesting here is a zoning change to bring this parcel in line and harmony with the surrounding area.

Mr. Vingiello asked the Board to recognize the reality of what presently exists at this site. The shape of the property (triangular) ideally lends itself to being a gas station. There is another station across the street. Mr. Marino has been dealing with local business and has been of service to the community for a number of years.

Councilman Holbrook asked why the petitioner was requesting RS and stated that he was concerned that an auto laundry could be put in under RS.

Mr. Vingiello said he had no knowledge of any request for an auto laundry. The only request he is aware of is the one that the petitioner is making to legitimize the zoning so that he could obtain proper financing. Mr. Marino has already been denied by three banks.

Councilman Holbrook asked about other gas stations - if the Town Board would be starting a precedent?

Mr. Vingiello said that he is requesting the change of zoning to RS because that would permit the gas station and the repair shop.

Councilman Holbrook inquired as to why they did not petition for LIO or one of the other zones.

Mr. Vingiello said he chose RS because it was the first category in which the change would be permitted and seemed to be the simplest and most direct way to apply.

Councilman Holbrook said he was just expressing his concern about the change to RS since it allows other uses and increases the number of other uses.

Supervisor Dusanenko asked the Town Attorney if an auto laundry could be built on three quarters of an acre by right and the Town Attorney said "No" - an auto laundry would have to be granted by special permit. However, the size would allow an auto laundry to be built.

Supervisor Dusanenko then said that in order to grant a special permit by the Town Board, since it was not granted by right of the zoning, residents would have to be notified if they were within 1000 feet of the property and there would have to be another Public Hearing.