

TOWN BOARD MEETING
TOWN OF CLARKSTOWN

Town Hall

5/12/81

8:00 P.M.

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

Supervisor Dusanenko declared the Town Board Meeting open; assemblage saluted the Flag.

Supervisor Dusanenko read the following proclamation:

Rockland County Association
For Children With Learning Disabilities Week
May 10-17, 1981

WHEREAS, the Rockland County Association for Children with Learning Disabilities, a chapter unit of the New York Association for the Learning Disabled and its associations for brain injured children, was created as a non-profit corporation for education, medical, social and research needs, and

WHEREAS, the Rockland County Association, consisting of parents, professionals and friends of learning disabled children has successfully labored for over five years on behalf of all learning disabled children in Rockland County, regardless of race, creed, religion, ethnic or handicapping conditions, and

WHEREAS, the Government of the County of Rockland acknowledges, appreciates and applauds the people and efforts of the Association.

NOW, THEREFORE, be it
RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown. in recognition, appreciation and admiration for the successful efforts of the Association, especially its Saturday Recreation Program and Summer Day Camp, do hereby proclaim the week of May 10th to May 17th, 1981 as Rockland County Association For Children With Learning Disabilities Week.

Supervisor Dusanenko then read the following proclamation:

SENIOR CITIZEN MONTH
MAY, 1981

WHEREAS, the Town of Clarkstown is privileged to number among its residents over five thousand senior citizens, a group which have proven to be vital to the growth and prosperity of our community, and

WHEREAS, these citizens can be considered a great asset to the Town of Clarkstown, and

WHEREAS, these men and women provide humor, zest and the wisdom of their years to enrich all our daily lives, and

WHEREAS, our indebtedness to our senior citizens is impossible to repay, and the Clarkstown Town Board is cognizant of the inherent socio-economic problems of our senior citizens and will continue to pursue new and innovative ways to help alleviate these burdens, and through our senior citizen groups will solidify our social bond between ourselves and our elderly persons, and

WHEREAS, we now wish to reaffirm the affection, concern and profound respect we feel for this group of individuals;

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NOW THEREFORE, BE IT

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, on this 12th day of May, nineteen hundred and eighty-one, do hereby proclaim the month of May as "SENIOR CITIZENS' MONTH" in the Town of Clarkstown, and urge all our residents to join with us in recognizing all our Senior Citizens in our appropriate fashion.

The president of each club accepted the proclamation on behalf of their individual club.

RESOLUTION NO. (434-1981)

MEMORIALIZING RESOLUTION
CONDEMNING BRITISH IN-
CARCERATION OF BOBBY SANDS

CONDEMNING BRITISH INCARCERATION AND TREATMENT OF POLITICAL PRISONERS AND REQUESTING THE PRESIDENT OF THE UNITED STATES OF AMERICA TO EXPEL THE BRITISH AMBASSADOR UNTIL HUMAN RIGHTS ARE RESTORED TO THE OPPRESSED MINORITY IN NORTHERN IRELAND.

MOTION INTRODUCED BY NICHOLAS A. LONGO, COUNCILMAN AND DEPUTY SUPERVISOR - SECONDS BY EDWARD LETTRE, JOHN MALONEY, CHARLES HOLBROOK, COUNCILMEN AND THEODORE R. DUSANENKO, SUPERVISOR AND ROCKLAND COUNTY LEGISLATOR.

WHEREAS, Bobby Sands - Irishman and political prisoner was engaged in a hunger strike, the time honored method of peaceful protest against oppression, and

WHEREAS, Bobby Sands - Native of the British occupied six counties of Ireland was duly elected to represent his constituents in the British Parliament, and

WHEREAS, Bobby Sands was convicted and sentenced under special laws and a Diplock Court, and

WHEREAS, Bobby Sands, under American jurisprudence was illegally incarcerated, and

WHEREAS, we Americans, ever proud of the American Revolution of 1776 when our youth, like Bobby Sands, had to resort to armed insurrection to free us from the shackles of British oppression, and

WHEREAS, Britain was content to see Bobby Sands die in his quest for the same freedom now, therefore, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby condemns the British incarceration of all political prisoners in Northern Ireland, and be it further

RESOLVED, that the Town Board of the Town of Clarkstown hereby request the President of the United States of America to expel the British Ambassador to the United States, and be it further

RESOLVED, that the Town Clerk of the Town of Clarkstown is hereby directed to send a certified copy of this resolution to Hon. Ronald Reagan, President of the United States of America, and to United States Senators Moynihan and D'Amato, Congressman Gilman and Biaggi, British Prime Minister Margaret Thatcher, and the British Ambassador to the United States of America.

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RESOLUTION NO. (435-1981)

AUTHORIZING ATTENDANCE
AT NY STATE ASSO-
CIATION OF CHIEFS OF
POLICE ANNUAL CONFER-
ENCE - CHARGED AGAINST
ACCOUNT A1010-414

Co. Lettre offered the following resolution:

RESOLVED, that George R. Schnakenberg, Chief of Police, Town of Clarkstown, is hereby authorized to attend the New York State Association of Chiefs of Police Annual Conference from July 19th through July 23rd, 1981, in Buffalo, New York, and be it

FURTHER RESOLVED, that all proper charges not to exceed \$350. be charged against Account A1010-414.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (436-1981)

AUTHORIZING TOWN ATTOR-
NEY TO EXECUTE A VOUCHER
FOR PAYMENT FOR CONTIN-
UED USE OF THE CLARKS-
TOWN SANITARY LANDFILL.

Co. Longo offered the following resolution:

WHEREAS, the New York State Thruway Authority is desirous of continuing its use of the Clarkstown Sanitary Landfill, and

WHEREAS, the Town of Clarkstown is agreeable to permitting the continued use of the Clarkstown Sanitary Landfill for the sum of \$3,600.;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney of the Town of Clarkstown is hereby authorized to execute a voucher for the payment of \$3,600. to the Town of Clarkstown for the continued use of the Clarkstown Sanitary Landfill by the New York State Thruway Authority for the period from May 18, 1981 to May 17, 1982.

Seconded by Co. Maloney

All voted aye.

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(Please note the next resolution out of sequence)

RESOLUTION NO. (438-1981)

AWARDING BID FOR
TWO 1981 FORD F-250
4 x 4 PICK-UP TRUCKS
DAN BUCKEY FORD, INC.

Co. Longo offered the following resolution:

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

TWO 1981 FORD F-250 4 x 4 PICK-UP TRUCKS
LESS TRADE INS

is hereby awarded to DAN BUCKEY FORD, INC., 540 So. Main Street (Rt.45) Spring Valley, NY 10977 as per the following breakdown:

GROSS UNIT COST \$8,775.34
GROSS TOTAL COST (2 vehicles) 17,550.68

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RESOLUTION NO. (438-1981) CONTINUED

LESS: TRADE IN ALLOWANCES

(A) 1973 DODGE PICK-UP - VIND14AB35183207 - \$400.00

(B) 1973 DODGE PICK-UP - VIND14AB35181798 - \$400.00

TOTAL TRADE-IN ALLOWANCE	-	<u>\$ 800.00</u>
TOTAL NET BID		\$16,750.68

and be it

FURTHER RESOLVED, that funds for same be changed to Capital 2 - Highway Account.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (437-1981)

AWARDED BID FOR
FIRST AID SUPPLIES
PATCHOGUE SURGICAL CO.
ZEE MEDICAL SERVICE
MICRO BIO-MEDICS, INC.
DRUG WORLD

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid to supply the Town with First Aid Supplies is hereby awarded to the following vendors as per the attached price schedule:

PATCHOGUE SURGICAL CO. INC.
199 MAIN STREET
SAYVILLE, NY 11782

ZEE MEDICAL SERVICE
200 SAW MILL RIVER ROAD
HAWTHORNE, NY 10532

MICRO BIO-MEDICS, INC.
50 WEBSTER AVENUE
NEW ROCHELLE, NY 10801

DRUG WORLD
182 SOUTH MAIN STREET
NEW CITY, NY 10956

Seconded by Co. Maloney

All voted Aye.

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Please note: Reversed order of above Resolutibn numbers.

RESOLUTION NO. (439-1981)

AWARDED BID FOR
XEROGRAPHIC BOND
PAPER: ANDREWS/
NELSON/WHITEHEAD
PATERSON CARD &
PAPER CO.
A. B. DICK COMPANY

Co. Longo offered the following resolution:

RESOLUTION NO. (439-1981) Continued

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid to supply the Town with XEROGRAPHIC BOND PAPER is hereby awarded to the following suppliers:

ANDREWS/NELSON/WHITEHEAD
31-10 48th AVENUE
LONG ISLAND CITY, NY 11101

PATERSON CARD & PAPER CO.
730 MADISON AVENUE
PATERSON, NJ 07509

A.B. DICK COMPANY
505 WHITE PLAINS ROAD
TARRYTOWN, NY 10591

as per the attached schedule of prices.

Seconded by Co. Maloney

All voted Aye

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RESOLUTION NO. (440-1981)

AWARDED BID FOR
HIGHWAY SIGNING AND
ROAD SUPPLIES TO
BRIGHTON STEEL CO.
CHEMUNG SUPPLY CORP.
CAPITOL HGWY. MATERIALS
INC., TRAFFIC CONTROL
MATERIALS DIV.

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid to supply the Town with HIGHWAY SIGNING AND ROAD SUPPLIES is hereby awarded to the following suppliers:

BRIGHTON STEEL COMPANY, INC.
ROUTE 52
HOPEWELL JUNCTION, NY 12533

CHEMUNG SUPPLY CORP.
P.O. BOX 527
ELMIRA, NY 14902

CAPITOL HIGHWAY MATERIALS, INC.
ROUTE 6
BALDWIN PLACE, NY 10505

3M COMPANY
TRAFFIC CONTROL MATERIALS DIV.
3M CENTER-BUILDING 223-3N
ST. PAUL, MINN. 55144

as per the attached schedule of prices.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (441-1981)

AWARDED BID FOR TWO
1981 TWO DOOR HATCHBACK
SEDANS TO TED SCHULTZ
FORD, INC. CHARGED TO
CAPITAL 2 ACCOUNT-
HIGHWAY

Co. Longo offered the following resolution:

AAJ381

RESOLUTION NO. (441-1981) Continued

RESOLVED, that based upon the recommendation of the Director of Purchasing and the Superintendent of Highways that the bid to purchase Two (2) 1981 Two Door Hatchback Sedans is hereby awarded to

TED SCHULTZ FORD, INC.
80 Route 304
Nanuet, NY 10954

for two 1981 Ford Escort Sedans as per the following:

GROSS BID (Two Vehicles)		\$11,426.00
Less Trade-in allowances		
1976 Ford LTD-VIN 6B63H1934081	-	\$ 200.00
1974 Plymouth Valiant-VIN VL 41C4F199294	-	250.00
Total Trade-in Allowance		<u>\$ 450.00</u>
Total Net Bid		\$10,976.00

and be it

FURTHER RESOLVED, that funds for same be charged to Capital 2 Account - Highway.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (442-1981)

AWARDED BID FOR
ICE CREAM TO
MCDERMOTT BROTHERS
CO. INC.

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing and the Superintendent of Recreation and Parks that the bid to furnish Ice Cream for the Town operated concession stands is hereby awarded to

MCDERMOTT BROTHERS CO. INC.
ROUTE 59
WEST NYACK, NY 10994

as per the following schedule of prices:

Ice cream sandwich - 3 oz. -	\$3.75/pk.24
Strawberry or chocolate crunch bar - 3 oz.	4.00/pk.24
Twin ice pop - 3 oz.	2.40/pk.24
Italian ice cup (asst. flavors) 6 oz.	2.50/pk.12
Ice cream cup (van/choc) 3 oz.	6.00/pk.36
Snow cones - 7 oz.	3.00/pk.12
Vanilla pops - 3oz.	3.75/pk.24

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (443-1981)

AWARDED BID FOR
CHEMICALS FOR RECREATION
AND SEWER DEPARTMENTS
TO: DUSO CHEMICAL CO. INC
BEL-AQUA POOL SUPPLY, INC
JONES CHEMICALS, INC.
QUICK CHEMICAL COMPANY
UTILITY CHEMICAL COMPANY
WESTROCK INDUSTRIES, INC.

Co. Longo offered the following resolution:

RESOLUTION NO. (443-1981) Continued

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid to supply Chemicals for Recreation and Sewer Departments is hereby awarded to the following vendors:

DUSO CHEMICAL CO., INC.
173 SMITH STREET
POUGHKEEPSIE, NY 12602

BEL-AQUA POOL SUPPLY INC.
750 MAIN STREET
NEW ROCHELLE, NY 10805

JONES CHEMICALS, INC.
P.O. BOX 280
WARWICK, NY 10990

QUICK CHEMICAL COMPANY
3 ELLEN STREET
SPRING VALLEY, NY 10977

UTILITY CHEMICAL COMPANY
SIXTH AVENUE & WAIT STREET
PATERSON, NJ 07524

WESTROCK INDUSTRIES, INC.
121 WEST ROUTE 59
NANUET, NY 10954

as per the attached schedule of prices.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (444-1981)

AUTHORIZING PLANNING
BOARD OF THE TOWN OF
CLARKSTOWN TO APPLY
TOWN LAW, SEC. 281.
FRANK T. HURLEY
SUBDIVISION

Co. Lettre offered the following resolution:

WHEREAS, William Youngblood Associates, engineers for the applicant have made written application for the use of Town Law, Sec. 281 in connection with subdivision known as Frank T. Hurley Subdivision, and

WHEREAS, the Planning Board of the Town of Clarkstown recommends the approval of the use of Town Law 281 in connection with this subdivision, and

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law 281 is used in this subdivision in order to provide for a more efficient and desirable development than could be accomplished by use of the standard method of development;

NOW THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law, Sec. 281 in connection with this subdivision.

Seconded by Co. Maloney

All voted Aye

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RESOLUTION NO. (445-1981)

AUTHORIZING TOWN
ATTORNEY TO DEFEND
A PROCEEDING - LAKE
LUCILLE COMMUNITY
ASSOCIATION, INC.

Co. Longo

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

LAKE LUCILLE COMMUNITY ASSOCIATION, INC.
STEVEN L. ABEL AND SUSAN JOY ABEL
Petitioners,

-against-

BOARD OF ZONING APPEALS OF THE TOWN OF
CLARKSTOWN IN THE MATTER OF JAMES FARKAS,
Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (446-1981)

AUTHORIZING SUPERVISOR
TO ENTER INTO AN EASE-
MENT AGREEMENT -
SPRING VALLEY WATER
COMPANY

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 is hereby authorized to enter into an easement agreement with Spring Valley Water Company for property described on the Tax Map of the Town of Clarkstown as Map 97, Block A, Lot 19, more particularly described in said easement agreement without cost to the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (447-1981)

DECLARING ESCROWS IN
DEFAULT - KING
SUBDIVISION

Co. Longo offered the following resolution:

WHEREAS, the public improvements in a subdivision known as KING SUBDIVISION have not been completed, and

WHEREAS, the Town of Clarkstown is holding \$1,600 in escrow to guaranty the completion of said public improvements;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Department of Environmental Control of the Town of Clarkstown, the sum of \$1,600 is hereby defaulted to the Town of Clarkstown, and be it

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RESOLUTION NO. (447-1981) Continued

FURTHER RESOLVED, that the Town of Clarkstown will use the aforesaid escrow funds to complete the public improvements in said subdivision and the funds be transferred to the Highway Fund for that purpose.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (448-1981)

INSTITUTING PROCEEDINGS FOR UNSAFE STRUCTURES ON PREMISES AT LAKE LUCILLE, NEW CITY

Co. Longo offered the following resolution:

WHEREAS, pursuant to Section 31-4 of the Town Code of the Town of Clarkstown and based upon the report of the Fire Inspector, the structure located on property designated on the Clarkstown Tax Map as Map 43 Block F, Lot 12, is unsafe and dangerous and should be demolished and removed;

NOW, THEREFORE, be it

RESOLVED, that Estate of Erich Gniel - Elias Mestel, Executor be served with the annexed Notice of unsafe structures pursuant to Section 31-5 of the Code of the Town of Clarkstown, and be it

FURTHER RESOLVED, that a hearing be held by the Town Board of the Town of Clarkstown at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on May 26, 1981 at 9:00 P.M.

Seconded by Co. Maloney

All Voted Aye.

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RESOLUTION NO. (449-1981)

AMENDING RESOLUTION NO. 92-1981 RE. REPAIR TO TRASHMASTER-SANITARY LANDFILL CHARGED TO APPROPRIATION ACCOUNT NO. A 8160-447

Co. Longo offered the following resolution:

WHEREAS, it was necessary to perform immediate repairs to the trashmaster, not to exceed \$6,202.71, as per Town Board Resolution No. 92 dated January 27, 1981; and

WHEREAS, the cost of repair to said trashmaster was \$6,353.84; BE IT THEREFORE

AMENDED, to increase said amount of \$6,202.71 by \$151.13, not to exceed \$6,353.84 and to be charged to Appropriation Account No. A 8160-447.

Seconded by Co. Lettre

All voted Aye

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AAJ381

RESOLUTION NO. (450-1981)

AUTHORIZING REMEDIAL
WORK AT DAVENPORT
PRESERVE DWELLING AND
CHARGED TO PARKLANDS
AND IMPROVEMENT ACCT.

Co. Longo offered the following resolution:

WHEREAS, \$2,000 was authorized for the repair of the residence owned by the Town of Clarkstown in the Davenport Preserve, as per Town Board Resolution No. 175 dated February 10, 1981 and;

WHEREAS, there will be a need for an additional \$1,000 for said repairs, BE IT THEREFORE;

AMENDED, that repairs for this residence are authorized in the amount not to exceed \$3,000 and to be charged to the Parklands and Improvement Account.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (451-1981)

AUTHORIZING STORAGE
FOR NEW CITY BABE
RUTH BASEBALL LEAGUE

Co. Longo offered the following resolution:

RESOLVED, based upon the recommendation of the Parks Board and Recreation Advisory Committee and the Superintendent of Recreation and Parks, the New City Babe Ruth Baseball Organization is hereby permitted to store league equipment at the Town of Clarkstown Central Warehouse, 46C Route 303, Valley Cottage, annually from August through April with the provision that the New City Babe Ruth Baseball Organization save harmless the Town of Clarkstown for the loss or damage of any equipment while stored at the Central Warehouse.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (452-1981)

AUTHORIZING ATTENDANCE
AT FIRST ANNUAL YOUTH
FORUM AND AWARD DINNER
TRANSFER OF FUNDS FROM
APPROPRIATION ACCOUNT
NO. A 1010-414 to
APPROPRIATION ACCOUNT
NO. 4210-414 AND
CHARGED TO APPROPRIA-
TION ACCOUNT NO.
A 1010-414

Co. Maloney offered the following resolution:

WHEREAS, the following people are authorized to attend the First Annual Youth Forum and Awards Dinner of the County of Rockland Youth Bureau to be held on May 20, 1981 at the Tappan Zee Towne House, Nyack, New York:

RESOLUTION NO. (452-1981) Continued

- Theodore R. Dusanenko, Supervisor
 - Charles Holbrook, Councilman
 - Nicholas Longo, Councilman
 - Edward Lettre, Councilman
 - John Maloney, Councilman
 - Edward Ghiazza, Supt. of Parks & Recreation
 - Charles Connington, Recreation Supervisor
 - Wilbur T. Oswald, Chairman of Parks & Recreation Advisory Comm.
 - George R. Schnakenberg, Chief of Police, CPD
 - Curtis Settle, Juvenile Aid Bureau
 - James Peloso, Juvenile Aid Bureau
 - John Kubran, Juvenile Aid Bureau
 - Richard Anderson, Youth Commission
 - John McLaughlin, Director of Finance
 - Hilton Kaufman, Chairman Youth Commission
 - Ellen Cohen, Director of Counseling Center
 - Patricia Mortiz, Asst. Director, Counseling Center
 - Grant Konno, Youth Employment Worker
 - Corrinne Aaron, Youth Booth Worker
 - Jack Rogers, Volunteer, Counseling
 - Jeanette Newman, Research Asst. - Youth Commission
- (Possibly six members of Recreation Advisory Committee at \$15.00 per person.

NOW, THEREFORE, be it

RESOLVED, that \$75.00 be transferred from Appropriation Account No. A 1010-414 to Appropriation Account No. 4210-414 Counseling Center Staff charges and the balance of \$330.00 be charged to Appropriation Account No. A 1010-414.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO.(453-1981)

AUTHORIZING LEASE
BETWEEN THE TOWN
OF CLARKSTOWN AND
CLARKSTOWN CENTRAL
SCHOOL DISTRICT

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute a lease agreement with the Clarkstown Central School District for the rental of school buses for the transporting of senior citizens for the sum of \$1.00, providing there is no liability to the Town of Clarkstown and subject to the approval of the Town Attorney.

On roll call the vote was as follows:

- Supervisor Dusanenko.....Yes
- Councilman HolbrookAbstained
- Councilman LettreYes
- Councilman LongoYes
- Councilman Maloney.....Yes

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RESOLUTION NO. (454-1981)

AUTHORIZING DISPENSING
OF ALCOHOLIC BEVER-
AGES - SENIOR CITIZENS
ANNUAL SHOW

Co. Lettre offered the following resolution:

AAJ381

RESOLUTION NO. (454-1981) Continued

WHEREAS, Section 22-2A of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown, and

WHEREAS, the Superintendent of Recreation and Parks has requested that they be granted permission to dispense alcoholic beverages;

NOW THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the Superintendent of Recreation and Parks to dispense alcoholic beverages at the following events:

1. Seventh Annual Senior Citizen Show
Saturday, May 30, 1981
Congers Community Center
Gilchrest Road
Congers, New York
2. Fourteenth Annual Senior Citizens' Picnic
Tuesday, June 9, 1981 (Raindate: Wednesday, June 10, 1981)
Congers Lake Memorial Park
Gilchrest Road
Congers, New York

Seconded by Co. Maloney

All voted Aye

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RESOLUTION NO. (455-1981)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR OFFICE FURNITURE

Co. Longo offered the following resolution:

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

BID #35-1981
OFFICE FURNITURE

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 Thursday, May 21st, 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. Maloney

All voted Aye.

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RESOLUTION NO. (456-1981)

AUTHORIZING DIRECTOR OF PURCHASING TO READVERTISE FOR BIDS FOR #33A-1981 FOR CHAIN LINK FENCING

Co. Longo offered the following resolution:

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RESOLUTION NO. (456-1981) Continued

RESOLVED, that all bids received for

BID #33-1981
CHAIN LINK FENCING

are hereby rejected, and be it

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

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

with revised specifications, bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York, 10956 by 11:00 A.M. on MONDAY JUNE 1, 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. Maloney

All voted Aye.

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RESOLUTION NO. (457-1981)

AUTHORIZING DIRECTOR OF PURCHASING TO READVERTISE FOR BID #28A-1981 FOR SOFT DRINKS FOR TOWN CONCESSION STANDS

Co. Longo offered the following resolution:

RESOLVED, that whereas there was no response to the solicitation for bids for

BID #28-1981
SOFT DRINKS FOR TOWN CONCESSION STANDS

now therefore be it

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

BID #28A-1981
SOFT DRINKS FOR TOWN CONCESSION STANDS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York, 10956 by 2:00 P.M. on: Monday June 1st, 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. Maloney

All voted Aye.

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RESOLUTION NO. (458-1981)

AUTHORIZING SUPERVISOR
TO EXECUTE CETA
CONTRACT

Co. Maloney offered the following resolution:

WHEREAS, the County of Rockland has submitted a proposed Contract between the Town of Clarkstown and the County of Rockland to continue the Manpower Program under Title VI of the Comprehensive Employment and Training Act of 1973;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute said contract for the period effective October 1, 1980 through September 30, 1981.

Seconded by Co.Longo

All voted Aye.

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RESOLUTION NO. (459-1981)

TRANSFERRING FUNDS-
LANDFILL, PARKS &
RECREATION

Co. Longo offered the following resolution:

RESOLVED, to transfer \$2,000.00 from Appropriation Account No. A 8160-114 to Appropriation Account No. A 8160-409. (Security at landfill)

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (460-1981)

INCREASING ESTIMATED
REVENUE NO. 01-2001
AND APPROPRIATION
ACCOUNT NO. A 7140-
111

Co. Longo offered the following resolution:

RESOLVED, to increase Estimated Revenue No. 01-2001 and Appropriation Account No. A 7140-111 by \$385.00.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (461-1981)

AUTHORIZING TOWN
ATTORNEY'S STAFF TO
ATTEND CONFERENCE ON
CRISIS IN MUNICIPAL
LIABILITY

Co. Longo offered the following resolution:

RESOLVED, that the following are hereby authorized to attend a law forum entitled, "Crisis in Municipal Liability" sponsored by the Pace University Institute for Sub/urban Governance scheduled for May 28, 1981. The registration fee of \$20.00, tolls and mileage shall be proper town charges against Account No. 1010-414.

Everett J. Johns, Town Attorney
Harold Y. MacCartney, Jr., Deputy Town Attorney

Seconded by Co. Maloney

All voted Aye

* * * * *

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RESOLUTION NO. (462-1981)

AUTHORIZING SUPER-
INTENDENT OF HIGHWAYS
TO PERFORM RESTORATION
WORK- HAVERMILL
ESTATES DRAINAGE
PROJECT

Co. Longo offered the following resolution:

RESOLVED, that the Superintendent of Highways is authorized to purchase and perform necessary work for the completion of Havermill Estates Drainage Project at a cost not to exceed \$3,000.

Seconded by Co. Maloney

All voted Aye.

* * * * *

AAJ381

RESOLUTION NO. (463-1981)

RESCINDING RESOLUTION
NO. 322/1981 AND
SUPPORTING IN CONCEPT
THE NEW YORK STATE
DEPARTMENT OF TRANS-
PORTATION'S CONSOLI-
DATED FINANCE PLAN
FOR LOCAL STREETS
AND HIGHWAYS

Co. Lettre offered the following resolution:

RESOLVED, that Resolution No. 322 of 1981 is hereby rescinded, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby supports in concept the New York State Department of Transportation's Consolidated Finance Plan for Local Streets and Highways, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby urges the New York State Legislature to incorporate the following two amendments into the Plan:

1. Data concerning the estimated revenues that the individual towns and villages in Rockland County would receive from the program should be made available by the Department of Transportation.

2. The formula for distributing the revenues to the individual municipalities within each jurisdiction is heavily weighted toward miles of road regardless of the volumes of traffic carried which works to the disadvantage of Rockland County's municipalities. The formula should be revised to provide for a population related factor (at least in part) for distribution within each jurisdictional category.

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. (464-1981)

GRANTING CERTIFICATES
OF REGISTRATION
JAMISON ASSOCIATES, INC.
KEVIN STOKES

Co. Longo offered the following resolution:

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RESOLUTION NO. (464-1981) Continued

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

JAMISONS ASSOCIATES, INC.
JAMES SAPPAH
7 Kinderkamack Road
Montvale, New Jersey 07645

KEVIN STOKES
52 Grotke Road
Spring Valley, New York 10977

NOW, THEREFORE, be it
RESOLVED, that the following Certificates of Registration
be issued:

No. 81-17 issued to Jamisons Associates, Inc.
(James Sappah)

No. 81-18 issued to Kevin Stokes

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (465-1981)

AUTHORIZING TOWN
ATTORNEY TO DEFEND
A PROCEEDING -
LYNN F. PARROTT
AND HOWARD BROWN

Co. Longo offered the following resolution:

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

LYNN F. PARROTT AND HOWARD BROWN,
Plaintiffs,
-against-

THEODORE R. DUSANENKO, Supervisor,
NICHOLAS LONGO, CHARLES HOLBROOK,
JOHN MALONEY, EDWARD LETTRE, Councilman, as
members of and being the Town Board of
the Town of Clarkstown, New York, and
the Town of Clarkstown, NEW YORK, and
J.J. SCHWEIZER CO., INC.,
Defendants.

NOW THEREFORE, be it

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

Seconded by Co.Lettre

All voted Aye

* * * * *

RESOLUTION NO. (466-1981)

AUTHORIZING CHARLES
R. VELZY ASSOCIATES,
INC. TO PREPARE PLANS
AND SPECIFICATIONS -
SEWER PUMP STATION -
ROCKLAND LAKE

Co. Longo offered the following resolution:

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RESOLUTION (466-1981) Continued

RESOLVED, that Charles R. Velzy Associates, Inc., 355 Main Street Armonk, New York, is hereby authorized under the existing contract between the Town of Clarkstown and Charles R. Velzy Associates, Inc., to prepare plans and specifications for the Hamlet of Rockland Lake for Sewer Pump Station and a Forced Main and to include necessary acquisition.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (467-1981)

AMENDING RESOLUTION NO. 409 RE: PASSIVE PARK - BLUEBIRD DRIVE AND KINGS HIGHWAY, CONGERS

Co. Longo offered the following resolution:

RESOLVED, that Resolution No. 409 adopted by the Town Board of the Town of Clarkstown on April 28, 1981, is hereby amended to read as follows:

"RESOLVED, that Edward J. Ghiazza, Director of Parks & Recreation is hereby authorized and directed to establish the north-west corner of Bluebird Drive and Kings Highway, Congers, New York, as a passive park and take all necessary steps to prevent its use as a ball field or for athletic purposes up to the existing tree line, and be it also

FURTHER RESOLVED, that the following persons meet with Mr. Ghiazza to suggest improvements and report back to the Town Board after the conclusion of the lawsuit entitled, 'LYNN F. PARROTT and HOWARD BROWN, v. THEODORE R. DUSANENKO, Supervisor, et al':

Mr. Lynn Parrott Mrs. Marie Geronimo
Mrs. Lynne Brown Mr. Carmine Lisella"

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (468-1981)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR COMPLETION OF BALL FIELDS AT KINGS PARK, CONGERS

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown did enter into a contract with J. J. Schweizer, Co., Inc., for the construction of two ball fields at Kings Park, Congers, New York, pursuant to certain specifications attached to the contract, and

WHEREAS, adjoining residents have filed a lawsuit attempting to prevent the construction of said ball fields, and

WHEREAS, the contractor has performed certain construction work on the site and has suspended all further construction as of May 8, 1981, and

AAJ381

RESOLUTION NO. (468-1981) Continued

WHEREAS, the construction remains in an unfinished condition and could increase the exposure to liability to the Town of Clarkstown, and

WHEREAS, it is necessary to complete the construction of two ball fields as soon as possible in order to prevent further additional construction costs which may be incurred;

NOW, THEREFORE, be it

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for the completion of the construction of two ball fields at Kings Park, Congers, New York, bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York, by 4:00 P.M. on May 21, 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. Maloney

All voted Aye.

* * * * *

Councilman Holbrook asked the Town Attorney if this was the appropriate action to be taken at this time. Town Attorney said "Yes."

* * * * *

RESOLUTION NO. (469-1981)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF BALL FIELD AT CONGERS LAKE MEMORIAL PARK

Co. Longo offered the following resolution:

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

Bid # 37-1981

Construction of a Ball Field at Congers Lake Memorial 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 Tuesday, June 2, 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. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (470-1981)

AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH KARL HESS FOR REMOVAL OF ARCHITECTURAL BARRIERS (HIGHVIEW ELEMENTARY SCHOOL)

Co. Longo offered the following resolution:

RESOLUTION NO. (470-1981) Continued

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Mr. Karl Hess, Architect, for the removal of architectural barriers at the Highview Elementary School to permit the use of the building by senior citizens.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (471-1981) AUTHORIZING TOWN ATTORNEY TO DEFEND PROCEEDING (KUYKENDALL, MOLOF AND BUTLIEN V. DUSANENKO, TOWN OF CLARKSTOWN AND ISER)

Co. Longo offered the following resolution:

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

EUGENE L. KUYKENDALL, ALAN MOLOF and SHELDON BUTLIEN,

Petitioners,

-against-

THEODORE R. DUSANENKO, as Supervisor of the Town of Clarkstown, The TOWN OF CLARKSTOWN, New York and WILLIAM ISER,

Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (472-1981) APPOINTING POSITION OF LABORER - SANITARY LAND-FILL (DEAN PRETI)

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 - at the annual salary for 1981 of \$10,242.00, effective May 18, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (473-1981) CREATING POSITION OF SENIOR TRANSIT CLERK & BUS DRIVER (MINI-TRANS)

Co. Longo offered the following resolution:

AAJ381

RESOLUTION NO. (473-1981) Continued

WHEREAS, the Rockland County Personnel Office has certified on May 6, 1981 that the position of Senior Transit Clerk & Bus Driver can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Senior Transit Clerk & Bus Driver - Mini-Trans - is hereby created effective and retroactive to May 6, 1981.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (474-1981)

APPOINTING (PROVISIONAL)
SENIOR TRANSIT CLERK &
BUS DRIVER - MINI-TRANS
(FRANK FUCHS)

Co. Longo offered the following resolution:

RESOLVED, that Frank Fuchs, 344 West Clarkstown Road, Spring Valley, New York, is hereby appointed (Provisional) to the position of Senior Transit Clerk & Bus Driver - Mini-Trans - at the annual salary for 1981 of \$8,508.00, effective and retroactive to May 6, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (475-1981)

APPOINTING POSITION OF
TYPIST (CONTINGENT-
PERMANENT) - PURCHASING
DEPARTMENT (MARY JANE
O'BRIEN)

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Typist CR-1 81-26 which contains the name of Mary Jane O'Brien,

NOW, THEREFORE, be it

RESOLVED, that Mary Jane O'Brien, 59 Carolina Drive, New City, New York, is hereby appointed to the position of Typist (contingent - Permanent) - Purchasing Department - at the annual 1981 salary of \$8,123.00, effective May 14, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (476-1981)

CREATING SIX BUS DRIVER
POSITIONS (MINI-TRANS)

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on April 24, 1981 that six (6) Bus Driver positions Mini-Trans - can be created,

NOW, THEREFORE, be it

RESOLVED, that six (6) Bus Driver positions are hereby created, effective and retroactive to April 27, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (477-1981)

CREATING POSITION OF
TYPIST - PERSONNEL
OFFICE

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on May 6, 1981 that the position of Typist can be created due to a reclassification of an existing position,

NOW, THEREFORE, be it

RESOLVED, that the position of Typist - Personnel Office - is hereby created, effective May 13, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (478-1981)

APPOINTING POSITION OF
CLERK (CONTINGENT-
PERMANENT) - ASSESSOR'S
OFFICE (PATRICIA BERTRAND)

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Clerk #79060 which contains the name of Patricia Bertrand,

NOW, THEREFORE, be it

RESOLVED, that Patricia Bertrand, 37 Twin Elms Lane, New City, New York, is hereby appointed to the position of Clerk (contingent-permanent) - Assessor's Office - at the annual 1981 salary of \$8,123.00, effective May 26, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (479-1981)

APPOINTING POSITION OF
MEMBER - CONSUMER AFFAIRS
COMMISSION - TO SERVE
WITHOUT COMPENSATION -
TERM TO COMMENCE MAY 18,
1981, AND TO EXPIRE ON
MAY 17, 1984.

Co. Longo offered the following resolution:

RESOLVED, that Susan Stanley, Mitchell Drive, Valley Cottage, New York, is hereby appointed to the position of Member - Consumer Affairs Commission - to serve without compensation - term to commence May 18, 1981, and to expire on May 17, 1984.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (480-1981)

APPOINTING POSITION OF
BUS DRIVER - PART-TIME -
MINI-TRANS (RAYMOND E.
WOLICKI)

Co. Longo offered the following resolution:

AAJ381

RESOLUTION NO. (480-1981) Continued

RESOLVED, that Raymond E. Wolicki, 110 Demarest Mill Road, West Nyack, New York is hereby appointed to the position of Bus Driver, part-time - Mini-Trans - at the hourly wage of \$5.12, effective and retroactive to May 4, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (481-1981)

ACCEPTING RESIGNATION OF
PETER G. CAMIZZI - CLEANER -
MAINTENANCE DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Peter G. Camizzi, 15 Bradley Drive, New City, New York - Cleaner - Maintenance Department - is hereby accepted, with regret, effective May 22, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (482-1981)

ACCEPTING RESIGNATION OF
MEMBER OF FIRE BOARD OF
APPEALS (JOSEPH J. NATALE)

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Joseph J. Natale, 19 Torview Avenue, New City, New York - member Fire Board of Appeals - is hereby accepted effective and retroactive to May 8, 1981.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (483-1981)

ACCEPTING RESIGNATION OF
BUS DRIVER - PART-TIME -
MINI-TRANS (MICHAEL
MC TERNAN)

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Michael McTernan, 1 Marycrest Road, West Nyack, New York as Bus Driver, part-time - Mini-Trans - is hereby accepted, effective and retroactive to May 1, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (484-1981)

APPOINTING POSITION OF
BUS DRIVER - MINI-TRANS -
(PAUL SCHWARTZ)

Co. Longo offered the following resolution:

RESOLVED, that Paul Schwartz, 95 North Route 9-W, Congers, New York is hereby appointed to the position of Bus Driver - Mini-Trans at the annual salary for 1981 of \$10, 729.00, effective and retroactive to April 28, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

AAJ381

RESOLUTION NO. (485-1981)

APPOINTING POSITION OF
MEMBER - ARCHITECTURAL
REVIEW BOARD (JOHN
HARTNETT)

Co. Longo offered the following resolution:

RESOLVED, that John Hartnett, 49 Carolina Drive, New City -
New York is hereby appointed to the position of Member - Architectural
Review Board - term to commence on May 25, 1981, and to expire on
May 24, 1986, at the annual 1981 salary of \$750.00.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

* * * * *

RESOLUTION NO. (486-1981)

COMMENDING JOHN DIANIS
FOR HIS SERVICE AS MEMBER
AND CHAIRMAN OF THE
ARCHITECTURAL REVIEW BOARD

Co. Holbrook offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown hereby
commends Mr. John Dianis for his past service to the Town as a member
of the Architectural Review Board and for his performance as Chairman
of the Architectural Review Board for the past year.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (487-1981)

ADJOURNING REGULAR TOWN
BOARD MEETING IN ORDER TO
HOLD SCHEDULED PUBLIC
HEARING RE: PROPOSED LOCAL
LAW WITH REGARD TO SHOPPING
CARTS

Co. Longo offered the following resolution:

RESOLVED, that regular Town Board meeting be adjourned in order
to hold scheduled Public Hearing re: Proposed Local Law to Amend Code
of the Town of Clarkstown re: "Shopping Carts", time: 9:10 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (488-1981)

CLOSING PUBLIC HEARING RE:
PROPOSED LOCAL LAW WITH
REGARD TO SHOPPING CARTS

Co. Longo offered the following resolution:

RESOLVED, that the Public Hearing re: Proposed Local Law to
Amend Code of the Town of Clarkstown re: "Shopping Carts" be closed,
DECISION RESERVED, time: 9:43 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (489-1981)

OPENING PUBLIC HEARING RE:
UNSAFE STRUCTURES - PINE-
LAND REALTY

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Unsafe Structures - Pine-
land Realty, be opened, time: 9:46 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (490-1981)

CLOSING PUBLIC HEARING RE:
UNSAFE STRUCTURES -
PINELAND REALTY, REGULAR
MEETING RESUMED

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Unsafe Structures -
Pineland Realty, be closed, ACTION APPROVED, and return to the
regular meeting, time: 9:55 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (491-1981)

SETTING PUBLIC HEARING
RE AMENDMENTS TO ZONING
ORDINANCE WITH REGARD
TO FENCES AND WALLS -
SECTION 106-20

Co. Longo offered the following resolution:

WHEREAS, a comprehensive amendment to the Zoning Ordinance of
the Town of Clarkstown was adopted on June 30, 1967, and further
amended, and

WHEREAS, the Town Board of the Town of Clarkstown desires to
further amend the said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the
Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue,
New City, New York, on the 26th day of May, 1981, at 9:15 P.M., to
consider the adoption of the following proposed amendments to the
Zoning Ordinance of the Town of Clarkstown:

Amend Section 106-20. Exceptions, Section A by deleting
Paragraph (5).

Amend Section 106-20. Exceptions, Section A by adding a
new Paragraph (5) to read as follows:

(5) Fences and walls. A solid fence or freestanding wall
not more than four and one-half (4-1/2) feet in height is permitted
along any lot line. Any such solid fence or wall over such heights
is permitted, provided that it is set back from the lot line a distance
equal to two-thirds (2/3) its height. However, where screening is
required by town agencies or provisions hereof, such height limitation
shall be six (6) feet without setback: A nonsolid fence not more than
six (6) feet in height is permitted along any lot.

and be it

RESOLUTION NO. (491-1981) Continued

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

FURTHER RESOLVED, that the above proposed amendments be referred to the Clarkstown Planning Board and Rockland County Planning Board for their recommendations and report.

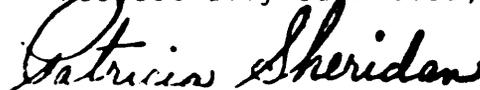
Seconded by Co. Maloney

All voted Aye.

* * * * *

There being no further business to come before the Town Board Meeting and no one wishing to be heard, on motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, the Town Board Meeting was declared closed, time: 10:20 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

AAJ381

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

5/12/81

9:10 P.M.

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

RE: LOCAL LAW TO AMEND CODE OF THE TOWN OF CLARKSTOWN RE:
'SHOPPING CARTS'

Supervisor Dusanenko explained the necessity for changing the local law regarding shopping carts.

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 gave an explanation of the proposed local law. He stated that this law had originally been passed in 1973 with the Building Inspector as the enforcer. The proposed law has the Superintendent of Highways named as the enforcer. He also stated that the fee upon picking up the carts would be increased from \$5.00 to \$10.00 and for storage from \$1.00 per day to \$2.00 per day. There is also provision for bid sales when notices to pick up the carts go unheeded.

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 against the proposed local law or if there was anyone with any questions regarding the same.

IN OPPOSITION:

Appearance: John C. Lopes
369 South Main Street
New City, New York 10956

Mr. Lopes stated that he represented Stop & Shop Companies, Inc. He mentioned that he was with the company when they had received a summons for violation of this ordinance five times or so. He did recognize the littering problem and even allowed as how these carts might cause pollution if left in streams - or flooding problems. He stated that despite vigilance people still took carts and left them on surrounding streets. He asked about the possibility of a corral type enclosure at the front of the shopping center so that carts could not be removed.

Supervisor Dusanenko stated that such a corral might be at conflict with other town ordinances; that groceries could be stolen while people went to bring their cars up to the area and that fire lanes might be blocked while people loaded their groceries into their cars. There might also be a problem with handicapped people having access to the store, etc. He felt this could not be implemented at this time.

Town Attorney stated that there might be a way for part of the front section of the stores to be set aside and not designated as fire lanes but installation of such a corral would have to be in the province of the Building Inspector and Fire Inspector.

Mr. Lopes felt that the victim of the crime was being penalized by this proposed action.

Appearance: Mr. Richard Kahn
193 Colonial Court
Teaneck, New Jersey

He stated he represented the Shop-Rite operator of the New City store. He said the carts run anywhere from \$65.00 to \$85.00 per cart. He said the Board had a cavalier attitude toward people taking expensive property and throwing it out because they were not in business. There is a tape in the store constantly reminding shoppers not to remove carts from the parking area. There are signs posted not to remove carts as they would face prosecution. There are young people whose sole job is to police the shopping area and try to collect carts. By doubling the fee the problem will not be solved but the cost of business will be more expensive for the merchants which in the end will be passed on to customers.

Mr. Kahn stated that he had tried to arrange a meeting so that this problem could be worked out. I tried for six weeks to have such a meeting. This never occurred. He stated that his client never received notice of this special hearing. He said they should have been notified as this affects them as they are part of the problem and part of the solution. He called for a meeting between all the supermarket operators and the Town personnel involved to work out a program. He said they want the carts kept on their property as much as the Town wants them kept off the Town's property.

Councilman Holbrook asked the Superintendent of Highways if he had carts down at the Highway Department offices. Superintendent of Highways Fred Seeger answered that he has anywhere from 100 to 200 carts belonging to supermarkets in the area.

Mr. Kahn said if the Town wants to put those carts out on bid his clients would make an offer because they are so expensive. He said there should be a meeting open to all supermarket operators. They would attend. If they did not then that would be their problem. This ordinance will increase Town revenues but it will not solve the problem.

Supervisor Dusanenko stated that he did not know that a meeting had been delayed until a few weeks ago when he had discussed this by phone with some of the supermarket managers. He said that it may still be possible to have a meeting and this ordinance could be held in abeyance until that time. He stated the Superintendent of Highways has a program whereby the carts picked up are tagged as to when and where they are picked up and who the owner is. Supervisor Dusanenko said it would benefit the owners to go to the area where they know carts are being dumped and pick them up before the Highway Department does so.

Supervisor Dusanenko made some comments with regard to blacktopping of the parking areas of the supermarkets.

Mr. Kahn said where it is the supermarket operator's responsibility it should be done. When it is the landlord's responsibility he has sent default notices to the landlord hoping that it will be taken care of. He again asked for a chance to meet with the Town officials before this ordinance takes effect.

Councilman Maloney asked, as the Supervisor had previously, that this ordinance be held in abeyance until a meeting with the supermarket operators could be arranged.

Supervisor Dusanenko made the suggestion that the supermarkets stock two-wheeled carts on an experimental basis so that people who have trouble carrying parcels and do not own a car would be able to utilize these two-wheeled carts. They could be taken into a bus or easily transported up to a second floor residence. These carts could be sold at cost or below cost to see if it would ease the problem of the larger carts being taken from the area and dropped.

Councilman Maloney asked if this meeting could be arranged within a thirty (30) day period and arrangements were made to have the supermarket operators contacted with a view to such a meeting.

Supervisor Dusanenko called for cooperation between the supermarket operators and the Town so that the number of violations issued could be lessened. He requested they be in contact with the Building Inspector for ideas as to how best they could police the areas for the Town's purposes and the supermarket operators' purposes.

There was some dialogue with respect to taking an evening inventory of the carts. An unidentified speaker stated that perhaps the store did not prosecute the people taking the carts for fear they would lose those people as customers.

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 closed, DECISION RESERVED FOR THIRTY DAYS, time: 9:43 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

AAJ381

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

5/12/81

9:46 P.M.

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

RE: NOTICE OF UNSAFE STRUCTURES - PINELAND REALTY CORPORATION

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 swore in Mark Papenmeyer, Assistant Fire Inspector, Town of Clarkstown. He stated that he had caused an inspection to be made of Pineland Realty Corporation property - Map 6-2 Block C Lot 3 on April 8, 1981. He stated there had been a fire on April 7, 1981 on a parcel which had had three buildings on it originally - a house, garage and barn. The garage was completely destroyed by fire, the house was 95% consumed and the barn was open and not secured.

Town Attorney asked if an order of violation was served. Mr. Papenmeyer stated that an order (81-31) was issued to the Pineland Realty Corp., P.O. Box 209, Kim Drive, Pomona, New York. It was sent certified mail, return receipt requested. Mr. Papenmeyer presented a copy of the returned receipt. There was also presented a copy of the order.

Town Attorney asked if an inspection had been made of the premises since then. Mr. Papenmeyer stated that on April 17, 1981 a reinspection was made. At that time it was determined that no appropriate action had been taken by the party served. On April 21, 1981 a letter was sent to the Town Board requesting that they stipulate the requirements under Chapter 31.

Town Attorney asked if there were any photographs taken either on April 8, 1981 or April 17, 1981. Photos were presented. Town Attorney asked Mr. Papenmeyer if he felt the buildings were unsafe and should be repaired or if they should be removed.

Mr. Papenmeyer stated that the barn was unaffected by the fire but that it is open. Vandals have been attracted to the building; it is full of debris - auto parts, etc. The house, as the pictures will show, is just about completely destroyed by fire although there are some members still standing which makes the building unsafe, unattractive and a nuisance. In the remaining portion of the garage there are also numerous automobiles which have been burned.

Town Attorney asked Mr. Papenmeyer if he were stating that both structures were fire hazards and unsafe. Mr. Papenmeyer answered in the affirmative.

Town Attorney stated that he had no further questions or comments and had no further witnesses to call.

Supervisor Dusanenko asked if the owner of the property was present. There was no response and no witnesses appeared on behalf of the owner.

Mr. Papenmeyer's recommendations, as ascertained by Supervisor Dusanenko, were to remove the collapsed structure damaged by fire and to secure the remaining building.

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On motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted the Public Hearing was closed, ADOPTING recommendations of the Assistant Fire Inspector with respect to the appropriate provisions of the Building Code of the Town of Clarkstown, time: 9:55 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk