

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

6/9/81

8:38 P.M.

Present: Supervisor Dusanenko
Councilmen 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 then noted that Saturday, June 13, 1981 is Serendipity Saturday in Clarkstown and presented the following proclamation to Mr. Edward Ghiazza, Superintendent of Parks and Recreation:

"RECREATION AND PARKS MONTH

JUNE, 1981

WHEREAS, the Town of Clarkstown has numerous programs and facilities which its residents may take advantage of, and

WHEREAS, suitable and positive leisure experiences are vital to good physical and mental health and enhances the quality of life for all peoples; and

WHEREAS, all citizens can enjoy self-renewal in the out-of-doors, through green spaces and facilities in parks; and

WHEREAS, all citizens can fulfill their potential in the use of their leisure time through the varied individual and group opportunities provided by recreation; and

WHEREAS, the Town of Clarkstown recognizes that the efforts of both professional and volunteer recreation and park workers who have enhanced the services available to Clarkstown residents;

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, on this 9th day of June, 1981, do hereby proclaim the month of June nineteen hundred and eighty-one as "Recreation and Parks Month" in the Town of Clarkstown, and urge all our residents to join with us in participating in the special events scheduled for June."

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Supervisor Dusanenko announced that he was removing scheduled Agenda Item No. 9 which had to do with the awarding of bids for completion of construction of softball fields - Kings Park, as there was more information needed. He invited all those interested to attend a Workshop Meeting next Thursday, June 18, 1981 from 5:00 P.M. to 8:00 P.M.

Councilman Holbrook mentioned that there was to be discussion with counsel.

Supervisor Dusanenko stated that hopefully the four people from the area, named to a special committee, and the litigants, will meet with the Town Board sometime prior to the Workshop Meeting so that provision for off street parking and for other items which have been a concern to the residents of the neighborhood will be discussed, agreed upon and then we can go out to public bid.

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RESOLUTION NO. (534-1981)

AUTHORIZING SUPERVISOR
TO ENTER INTO AN EASEMENT
AGREEMENT (SPRING VALLEY
WATER COMPANY - MAP 91,
BLOCK A, LOT 12)

Co. Longo offered the following resolution:

WHEREAS, Spring Valley Water Company, Inc., 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, Inc., for
property designated on the Tax Map of the Town of Clarkstown as Map 91,
Block A, Lot 12, 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. (535-1981)

ACCEPTING ROAD WIDENING
STRIP - PHILLIPS HILL
ROAD, NEW CITY (GRIFFIN,
JOSEPH E. AND ANNA L.)

Co. Longo offered the following resolution:

RESOLVED, that the deed from Joseph E. Griffin and Anna L.
Griffin, dated May 22, 1981, conveying a road widening strip along
Phillips Hill Road, New City, New York, is hereby accepted by the Town
of Clarkstown and ordered filed in the Rockland County Clerk's Office.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (536-1981)

REFERRING PETITION FOR
CHANGE OF ZONE TO ROCKLAND
COUNTY PLANNING BOARD AND
CLARKSTOWN PLANNING BOARD
(NORMANDY VILLAGE COMPANY)

Supervisor Dusanenko offered the following resolution:

RESOLVED, that the application of Normandy Village Company
for a change of zoning from R-10 District to RG-2 District, on property
located at existing Normandy Village, Nanuet, 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. (537-1981)

AWARDING BID FOR SOFT
DRINKS FOR TOWN REFRESH-
MENT STANDS (COCA-COLA
COMPANY)

Co. Longo offered the following resolution:

RESOLUTION NO. (537-1981) Continued

RESOLVED, that based upon the recommendation of the Director of Purchasing and the Superintendent of Recreation and Parks that the bid to provide

SOFT DRINKS FOR TOWN REFRESHMENT STANDS

is hereby awarded to:

Coca-Cola Company, USA
4 Nevada Drive
Lake Success, N.Y. 11042

as per the following price schedule:

| | |
|---------------------|----------------------|
| Coca-Cola | \$26.00/5 gal. syrup |
| Diet Cola | 15.50/5 gal. syrup |
| Lemon | 26.00/5 gal. syrup |
| Orange | 26.00/5 gal. syrup |
| CO ₂ Gas | 7.50/20 lb. cyl. |
| Hook-up Charge | N/C |

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (538-1981)

AWARDING BID TO FURNISH
TOWN CONCESSION STANDS
WITH FOOD PRODUCTS
(S. SCHAFFER GROCERY CORP.
AND F. WILSON SMITH, INC.)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid to furnish the Town Concession stands with

FOOD PRODUCTS (Bid 34A-1981)

is hereby awarded to

S. Schaffer Grocery Corp.
Weyman Ave. and Industrial Pl.
New Rochelle, N.Y. 10805

F. Wilson Smith, Inc.
22 Hudson Drive
Stony Point, N.Y. 10980

as per the attached schedule of prices.

Seconded by Co. Maloney

All voted Aye.

(Price schedule on file in Town Clerk's Office)

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RESOLUTION NO. (539-1981)

MEMORIALIZING RESOLUTION
RE: LIMITING OF BIDDING
SPECIFICATIONS TO U.S.
MADE PRODUCTS DURING TIMES
OF TRADE SANCTIONS OR
EMBARGOES)

Co. Longo offered the following resolution:

AAJ381

RESOLUTION NO. (539-1981) Continued

WHEREAS, the decisional law of the State of New York interprets Section 103 of the General Municipal Law to prohibit bidding specifications that grant priority or limits products made in the United States of America, and

WHEREAS, during periods of time when there are economic, military or trade sanctions or embargoes concerning the United States of America and other foreign nationalities it may be difficult and impossible for municipalities to replace certain products made in such countries;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown does request that our local state representative prepare amendments to Section 103 of the General Municipal Law and present them to the Legislature of the State of New York, authorizing municipalities to limit bidding specifications to those products made in the United States of America during those periods of time when there are economic, military or trade sanctions or embargoes concerning the United States of America and other foreign nationalities which could seriously impair the obtaining of replacement parts and necessary products from such foreign nationalities, and be it

FURTHER RESOLVED, that a certified copy of this resolution be forwarded to our local federal and state representatives.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (540-1981)

REQUESTING NEW YORK STATE COMMISSION ON CABLE TELEVISION TO GRANT THIRTY DAY EXTENSION OF TIME TO DOCUMENT COMPLAINTS (GOOD-VUE CATV, INC.)

Co. Longo offered the following resolution:

WHEREAS, the Town of Clarkstown did grant a franchise agreement to Good-Vue CATV, Inc., until June 26, 1984, with an option to renew for an additional 5 years; and

WHEREAS, the Town Board of the Town of Clarkstown has received numerous complaints as to lack of service, delay of installation and unauthorized increases in charges, and

WHEREAS, documentation of these and other complaints would require no less than thirty days to complete an investigation, and

WHEREAS, the Town of Clarkstown was notified on May 26, 1981, that an application has been filed with the New York State Commission on Cable Television for approval of the proposed transfer of control of Good-Vue CATV, Inc., and Orangetown Cablevision, Inc., to TCI Development Corporation, a wholly-owned subsidiary of Tele-Communications Corporation, and

WHEREAS, the Town was given only fifteen days from the date of such notification to file objections or raise comments to the proposed sale;

RESOLUTION NO. (540-1981) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown does object to the transfer or sale of the control of Good-Vue CATV, Inc., and the franchise granted by the Town of Clarkstown without stipulated conditions adopted and enforced by the New York State Commission on Cable Television which would guarantee efficient and responsive service and installation to subscribers within the Town of Clarkstown and fines for the failure of timely compliance, and be it

FURTHER RESOLVED, that the Town of Clarkstown requests of the New York State Commission on Cable Television a thirty day extension of time to appear and document complaints herein stated and any other complaints that may be developed after a more detailed investigation, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to the New York State Commission on Cable Television and to the attorneys for the applicant.

Seconded by Co. Maloney

All voted Aye.

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AAJ381

RESOLUTION NO. (541-1981)

TRANSFER OF FUNDS FROM
APPROPRIATION ACCOUNT
A 8730-407 TO APPROPRIA-
TION ACCOUNT NO. A
8730-204 AND FROM
APPROPRIATION ACCOUNT
NO. A 8730 TO APPROPRIA-
TION ACCOUNT NO. A 8730-
204

Co. Longo offered the following resolution:

RESOLVED, to transfer \$100.00 from Appropriation Account No. A 8730-407 to Appropriation Account No. A 8730-204, and be it

FURTHER RESOLVED, to transfer \$10.00 from Appropriation Account No. A 8730-438 to Appropriation Account No. A 8730-204.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (542-1981)

TRANSFER OF FUNDS FROM
APPROPRIATION ACCOUNT
NO. A 9710-720 TO APPROPRIA-
TION ACCOUNT NO. A 9710-620

Co. Longo offered the following resolution:

RESOLVED, to transfer \$8,500.00 from Appropriation Account No. A 9710-720 to Appropriation Account No. A 9710-620.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (543-1981)

TRANSFER OF FUNDS FROM
APPROPRIATION ACCOUNT
NO. D 5142-386 TO VARIOUS
APPROPRIATION ACCOUNTS

Co. Longo offered the following resolution:

RESOLUTION NO. (543-1981) Continued

RESOLVED, to transfer \$34,713.00 to Appropriation Account No. D 5142-386 from the following Appropriation Account Nos.:

| | |
|------------|-------------|
| D 5142-443 | \$15,000.00 |
| D 5142-111 | \$19,713.00 |

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (544-1981)

INCREASING ESTIMATED
REVENUE ACCOUNT NO.
01-2401 AND APPROPRIATION
ACCOUNT NO. A 3120-203

Co. Longo offered the following resolution:

RESOLVED, to increase Estimated Revenue No. 01-2401 and Appropriation Account No. A 3120-203 by \$1,850.00.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (545-1981)

INCREASING ESTIMATED
REVENUE ACCOUNT NO.
01-2401 AND APPROPRIATION
ACCOUNT NO. 9710-610
BY \$2,500.00

Co. Longo offered the following resolution:

RESOLVED, to increase Estimated Revenue No. 01-2401 and Appropriation Account No. 9710-610 by \$2,500.00.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (546-1981)

INCREASING ESTIMATED
REVENUE ACCOUNT NO.
01-2401 AND APPROPRIATION
ACCOUNT NO. A 1990-505

Co. Longo offered the following resolution:

RESOLVED, to increase Estimated Revenue No. 01-2401 and Appropriation Account No. A 1990-505 by \$1,000.00.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (547-1981)

AMENDING RESOLUTION
512-1981 RE: ADLER-
WALDRON ASSOCIATES, INC.
(USE OF CLARKSTOWN
SANITARY LAND FILL) -
RECORD FEE OWNERS - PARKERS

Co. Maloney offered the following resolution:

RESOLUTION NO. (547-1981) Continued

RESOLVED, that Resolution No. 512 of 1981 adopted by the Town Board at their Town Board meeting of May 26, 1981, is hereby amended to read as follows:

WHEREAS, the Appellate Division, Second Department of the State of New York, did on March 30, 1981, unanimously affirm the decision of the Rockland County Supreme Court in the matter of "Adler-Waldron Associates, Inc., et al v. Town of Clarkstown", in which Adler-Waldron Associates, Inc., obtained a judgment in the sum of \$180,000.00 plus interest which now amounts to approximately \$30,000.00, and temporarily restraining the Town of Clarkstown from using the Clarkstown Sanitary Landfill until an acceptable plan is submitted to the Court to prevent further damages, and

WHEREAS, the Parkers, record fee owners of the property, were to receive an assessment of the damages upon further Court hearings, and

WHEREAS, it is in the best interest of the Town of Clarkstown that the Town seek permission to appeal from the decision of the Appellate Division to the Court of Appeals of the State of New York;

NOW, THEREFORE, be it

RESOLVED, that in place of Hurly, Fox & Freeman, Esqs., Ralph Joseph, Esq., 82 Maple Avenue, New City, New York, is hereby retained as Special Counsel to the Town of Clarkstown in seeking to obtain permission to appeal from the decision of the Appellate Division and further represent the Town of Clarkstown in the appeal before the Court of Appeals if such permission is granted, at a fee of \$85.00 an hour.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (548-1981)

AUTHORIZING TOWN ATTORNEY TO DEFEND PROCEEDING (CENTRAL NYACK FIRE DISTRICT AGAINST VALLEY COTTAGE FIRE DISTRICT)

Co. Longo offered the following resolution:

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

In the Matter of

CENTRAL NYACK FIRE DISTRICT OF THE TOWN OF CLARKSTOWN,

Petitioner,

-against-

VALLEY COTTAGE FIRE DISTRICT OF THE TOWN OF CLARKSTOWN AND THE TOWN OF CLARKSTOWN,

Respondents.

For a Judgment under Article 78 of the Civil Practice Law and Rules reversing, annulling and setting aside a resolution of the Town of Clarkstown dated February 10, 1981 adopting a report of a Hearing Officer and affirming a report of a Hearing Officer and affirming a prior resolution dated July 2, 1971, approving a fire district map.

AAJ381

RESOLUTION NO. (548-1981) Continued

NOW, THEREFORE, be it

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

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (549-1981)

ACCEPTING PROPOSALS FROM
ORANGE & ROCKLAND UTILITIES
INC. FOR STREET LIGHTING
(FRENCHMEN'S CREEK III)

Co. Longo 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 locations:

Frenchmen's Creek III

New City

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (550-1981)

ADOPTING AND ACCEPTING
MINUTES OF TOWN BOARD
MEETING OF MAY 26, 1981
AND SPECIAL TOWN BOARD
MEETING OF JUNE 2, 1981

Co. Longo offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board Meeting held on May 26, 1981 and the Special Town Board Meeting held on June 2, 1981, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Maloney

All voted Aye.

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Co. Lettre wished it noted that there was an error made in the minutes of June 2, 1981 with regard to a statement attributed to Ms. Sakowitz, which statement actually had been made by Ms. Reiss. The correction was noted and the original minutes corrected to reflect the remark by Ms. Reiss.

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RESOLUTION NO. (551-1981)

MEMORIALIZING THE GOVERNOR
AND STATE LEGISLATORS TO
ENACT SENATE BILL 1211
AND ASSEMBLY BILL 1644
(RE POOLING OF INSURANCE)

Co. Longo offered the following resolution:

WHEREAS, many municipalities wish to replace the costs of commercial insurance for liability and health needs, and

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RESOLUTION NO. (551-1981) Continued

WHEREAS, present State law does not allow insurance pooling by municipalities for liability and casualty needs,

NOW, THEREFORE, be it

RESOLVED, that on behalf of the taxpayers of the Town of Clarkstown, we respectfully request that Senate Bill - 1211 and Assembly Bill - 1644 be enacted to allow local municipalities the option of pooling for insurance needs, and be it

FURTHER RESOLVED, that a copy of this memorializing resolution will be sent to Governor Hugh Carey, State Senator Linda Winikow, and Assemblyman Thomas P. Morahan.

Seconded By Co. Maloney

All voted Aye.

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AAJ381

RESOLUTION NO. (552-1981)

MEMORIALIZING THE GOVERNOR AND STATE LEGISLATORS TO DEFEAT SENATE BILL - 6634 AND ASSEMBLY BILL - 7121 (RE HEALTH INSURANCE PREMIUMS FOR EMPLOYEES)

Co. Longo offered the following resolution:

WHEREAS, the New York State Health Insurance Program, in which our municipality participates, has within a six month period increased health insurance premiums for employee health benefits 25% last January and 35% effective July 1, 1981 for a total premium increase of 62% in just six months, and

WHEREAS, the State of New York Civil Service Commission has now proposed legislation to separate the State Health Insurance Program into various regions, without specifically outlining these regions, for the purpose of charging separate rates for respective regions, and

WHEREAS, we believe this plan will further increase health insurance premiums for employee benefits,

NOW, THEREFORE, be it

RESOLVED, that on behalf of the taxpayers and civil servants of the Town of Clarkstown, we respectfully request that Senate Bill - 6634 and Assembly Bill - 7121 are NOT allowed to become law, and be it

FURTHER RESOLVED, that a copy of this Memorializing resolution will be sent to Governor Hugh Carey, State Senator Linda Winikow, and Assemblyman Thomas P. Morahan.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (553-1981)

MEMORIALIZING PALISADES INTERSTATE PARK COMMISSION, NEW YORK STATE, STATE OF NEW JERSEY AGAINST CONSTRUCTION OF TOLL BOOTHS ON PALISADES INTERSTATE PARKWAY

Co. Longo offered the following resolution:

RESOLUTION NO. (553-1981) Continued

WHEREAS, the Palisades Interstate Park Commission has proposed installing toll booths on the New Jersey section of the Palisades Interstate Parkway, and

WHEREAS, the collection of tolls will place an unfair and additional financial burden on automobile users who are already hard-pressed by the high cost of gasoline and other inflationary costs, and

WHEREAS, the collection of such tolls would increase traffic congestion, air pollution and endanger the safety of the travelling motorists along the Palisades Parkway which is presently a heavily travelled highway;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown does hereby request on behalf of its over 77,000 residents and taxpayers that the proposed collection of tolls on the Palisades Parkway NOT be implemented on either the New York or New Jersey sections of the Palisades Parkway, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to the Palisades Interstate Park Commission, Governor Hugh Carey of the State of New York, Governor Brendan Byrne of the State of New Jersey, State Senator Linda Winkow and Assemblyman Thomas P. Morahan.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (554-1981)

MEMORIALIZING GOVERNOR
AND STATE LEGISLATURE
REGARDING STATE BUDGET

Co. Longo offered the following resolution:

WHEREAS, Governor Carey's budget proposals have called for a State takeover of medicaid expenses, while freezing State revenue sharing to municipalities, and

WHEREAS, it has been estimated that the Governor's Medicaid plan would assure a shortfall in State revenues (assuming that the State begins no other new programs) growing to a minimum State deficit of \$2.8 billion by 1988-9, and

WHEREAS, it has been demonstrated that a lifting of the Governor's revenue-sharing "cap" would add an additional \$225 million to aid New York City, \$16 million for Long Island communities and \$130 million for other local governments which would include the Town of Clarkstown, and

WHEREAS, the Town of Clarkstown would like to restore the \$76,792 cut from State revenue sharing as well as maintain an annual increase equivalent to the rate of inflation,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown on behalf of its over 77,000 residents and taxpayers does hereby request that Governor Hugh Carey reconsider his proposed Medicaid Plan takeover

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RESOLUTION NO. (554-1981) Continued

as well as the proposed limit on State revenue sharing to local communities until a complete and thorough report has been submitted outlining all fiscal ramifications for impact on state and local taxes, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Hugh Carey, State Senator Warren Anderson, State Senator Manfred Ohrenstein, State Senator Linda Winikow, Assembly Minority Leader, James Emery and Assemblyman Thomas P. Morahan.

Seconded by Co. Maloney

All voted Aye.

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AAJ381

RESOLUTION NO. (555-1981)

ADJOURNING REGULAR TOWN BOARD MEETING IN ORDER TO HOLD SCHEDULED PUBLIC HEARING RE: FEDERAL REVENUE SHARING

Co. Longo offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing re: Federal Revenue Sharing, time: 9:05 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (556-1981)

CLOSING SCHEDULED PUBLIC HEARING RE: FEDERAL REVENUE SHARING AND RETURNING TO REGULAR MEETING

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Federal Revenue Sharing be closed and regular Town Board Meeting be resumed, time: 9:15 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (557-1981)

ADOPTING LOCAL LAW NO. 8-1981 RE: SHOPPING CARTS (CHAPTER 84)

Co. Longo offered the following resolution:

WHEREAS, a proposed local law entitled, "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF CLARKSTOWN BY DELETING AND REPEALING CHAPTER 84 THEREOF ENTITLED, 'SHOPPING CARTS' AND REPLACING IT WITH A NEW CHAPTER 84, ENTITLED, 'SHOPPING CARTS'" was introduced by Councilman Longo, at a Town Board meeting held on April 28, 1981, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 28th day of April, 1981, directed that a public hearing be held on the 12th day of May, 1981, at 9:00 P.M., and

RESOLUTION NO. (557-1981) Continued

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on May 5, 1981, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on May 12, 1981, and

WHEREAS, a copy of the proposed local law, in final form, was placed on the desks of the Town Board members on June 9, 1981, and

WHEREAS, the Supervisor of the Town of Clarkstown has certified as to the necessity of the immediate passage of this local law;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 8-1981, entitled, "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF CLARKSTOWN BY DELETING AND REPEALING CHAPTER 84 THEREOF ENTITLED, 'SHOPPING CARTS' AND REPLACING IT WITH A NEW CHAPTER 84, ENTITLED, 'SHOPPING CARTS'" is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

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

All voted Aye.

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RESOLUTION NO. (558-1981)

ACCEPTING RESIGNATION OF CLEANER (NIGHTS) MAINTENANCE DEPARTMENT (JAMES FERGUSON)

Co. Longo offered the following resolution:

RESOLVED, that the resignation of James Ferguson, 12 Old Middletown Road, New City, New York - Cleaner (Nights) Maintenance Department, is hereby accepted effective and retroactive to June 4, 1981.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (559-1981)

APPOINTING POSITION OF LABORER (STUDENT-SUMMER) (NIGHTS) - MAINTENANCE DEPARTMENT (JOHN W. COYLE)

Co. Longo offered the following resolution:

RESOLVED, that John W. Coyle, 112 Red Hill Road, New City, New York, is hereby appointed to the position of Laborer (Student-Summer) (Nights) - Maintenance Department at the hourly rate of \$3.35, effective and retroactive to June 8, 1981.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (560-1981)

APPOINTING (PROVISIONALLY)
MAINTENANCE SUPERVISOR
(GROUNDS) - PARKS AND
RECREATION (BRUCE KNARICH)

Co. Longo offered the following resolution:

RESOLVED, that Bruce Knarich, 916 Ashland Street, Valley Cottage, New York, is hereby appointed (provisionally) to the position of Maintenance Supervisor (Grounds) - Parks and Recreation - at the annual salary of \$16,291.00, effective June 9, 1981.

Seconded by Co. Maloney

All voted Aye.

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AAJ381

RESOLUTION NO. (561-1981)

APPOINTING POSITION OF
TYPIST - PERSONAL OFFICE -
(JULIA MALIHA)

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Typiest CR-1 81-33 which contains the name of Julia Maliha,

NOW, THEREFORE, be it

RESOLVED, that Julia Maliha, 71 Hall Avenue, New City, New York, is hereby appointed to the position of Typist - Personnel Office - at the annual 1981 salary of \$8,123.00, effective and retroactive to June 2, 1981.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (562-1981)

APPOINTING SPECIAL STUDIES
INTERN - COMPTROLLER'S
OFFICE (LEE CACIOPPO)

Co. Longo offered the following resolution:

RESOLVED, that Lee Cacioppo, 10 Burnside Avenue, Congers, New York is hereby appointed to serve in a training program as a Special Studies Intern - Comptroller's Office - without compensation - effective and retroactive to June 8, 1981.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (563-1981)

APPOINTING SPECIAL STUDIES
INTERN - COMPTROLLER'S
OFFICE (LISA PARLANTE)

Co. Longo offered the following resolution:

RESOLVED, that Lisa Parlante, 14 Eisenhower Road, Closter, New Jersey is hereby appointed to serve in a training program as a Special Studies Intern - Comptroller's Office - without compensation - effective and retroactive to June 8, 1981.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (564-1981)

ACCEPTING RESIGNATION OF
BUS DRIVER - (PART-TIME)
MINI-TRANS (DENNIS J.
McCORMACK)

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Dennis J. McCormack,
95 Ridge Road, New City, New York - Bus Driver (part-time) - Mini
Trans - is hereby accepted effective and retroactive to June 6, 1981.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (565-1981)

APPOINTING POSITION OF
BUS DRIVER (FULL TIME)
MINI-TRANS (GEORGE
MALECOT)

Co. Longo offered the following resolution:

RESOLVED, that George Malecot, 47 South Harrison Avenue,
Congers, New York, is hereby appointed to the position of Bus Driver
(full-time) - Mini Trans - at the annual 1981 salary of \$10,729.00,
effective and retroactive to June 1, 1981.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (566-1981)

TRANSFERRING BUS DRIVER
(FULL-TIME) TO BUS DRIVER
(PART-TIME) - MINI TRANS
(CAROL LANTON)

Co. Longo offered the following resolution:

RESOLVED, that Carol Lanton, 113 North Middletown Road,
Nanuet, New York is hereby transferred from Bus Driver (full-time) to
Bus Driver (Part-time) - Mini Trans - effective and retroactive to
June 5, 1981, at the annual 1981 salary of \$5.12 per hour.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (567-1981)

TRANSFERRING BUS DRIVER
(PART-TIME) TO BUS DRIVER
(FULL-TIME) - MINI TRANS -
(RAYMOND WOLICKI)

Co. Longo offered the following resolution:

RESOLVED, that Raymond Wolicki, 110 Demarest Mill Road,
West Nyack, New York, is hereby transferred from Bus Driver (part-
time) to Bus Driver (full-time) - Mini Trans - at the annual 1981
salary of \$10,729.00, effective and retroactive to May 18, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (568-1981)

APPOINTING POSITION OF
CHAIRMAN - ARCHITECTURAL
REVIEW BOARD - (ARNOLD
AMSTER)

Co. Longo offered the following resolution:

RESOLUTION NO. (568-1981) Continued

RESOLVED, that Arnold Amster, 4 Cygnet Lane, Valley Cottage, New York, is hereby appointed to the position of Chairman - Architectural Review Board - at the annual 1981 salary of \$350.00, effective and retroactive to May 25, 1981, with a term to expire on May 24, 1982.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (569-1981)

ACCEPTING RESIGNATION OF
MEMBER - FIRE BOARD OF
APPEALS - (JOSEPH EGAN)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Joseph Egan, 7 Hobe Street, West Nyack, New York - Member - Fire Board of Appeals, is hereby accepted with regret, effective and retroactive to June 5, 1981.

Seconded by Co. Longo All voted Aye.

* * * * *

RESOLUTION NO. (570-1981)

GRANTING LEAVE OF ABSENCE
(SIX MONTHS) - COUNSELING
ASSISTANT - COUNSELING
CENTER (IRIS KOONIN)

Co. Longo offered the following resolution:

WHEREAS, Iris Koonin has requested a Leave of Absence without pay,

WHEREAS, Article XIX, Section 2 of the Town of Clarkstown Labor Agreement of January 1, 1981 provides for a Leave of Absence without pay,

NOW, THEREFORE, be it

RESOLVED, that Iris Koonin, 60 Haven Avenue, 15F, New York, New York - Counseling Assistant - Counseling Center, is hereby granted a six month leave of absence effective June 13, 1981, through December 13, 1981.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (571-1981)

APPOINTING POSITION OF
CLERICAL (SUMMER STUDENT)
OFFICE OF TOWN CLERK -
(DEBRA BERNIS)

Co. Longo offered the following resolution:

RESOLVED, that Debra Bernis, 22 Durant Road, New City, New York is hereby appointed to the position of Clerical (Summer Student) in the office of the Town Clerk for a period from June 15, 1981 to and including July 2, 1981, and be it

FURTHER RESOLVED, that \$351.75 be transferred from line 1410-0111 to 1410-0114 to cover said temporary appointment.

Seconded by Co. Maloney All voted Aye.

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AAJ381

RESOLUTION NO. (572-1981)

APPOINTING POSITION OF
MEMBER - FIRE BOARD OF
APPEALS (JOSEPH W. SORCE)

Co. Longo offered the following resolution:

RESOLVED, that Joseph W. Sorce, 108 West Nyack Road, West Nyack, New York, is hereby appointed to the position of Member - Fire Board of Appeals - to fill the unexpired term of Joseph Egan - to serve without compensation - effective June 9, 1981, with a term to expire on February 27, 1983.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

Councilman Holbrook had stated prior to this resolution being voted on that if it were to fail he should like to put forward the name of Joseph Cetrone of Bardonia.

Councilman Lettre requested Councilman Holbrook to forward the letter and resume of Mr. Joseph Centrone to the Fire Board of Appeals and to the Chiefs of the Fire Departments for further consideration when future positions become available.

Councilman Longo stated that they were making this appointment from a list supplied by the Fire Chiefs.

Councilman Maloney said that as of now he has not seen the list and he has no knowledge of Joseph Sorce or his qualifications. He stated that he would be happy to forward the letter and resume of Mr. Joseph Cetrone to the proper authorities.

Supervisor Dusanenko referred to the discussion that the Board members had on other preferences and as to how these appointments to the Fire Board of Appeals were to be handled. Whether we were to accept the recommendations of the Fire Chiefs of Clarkstown or to exercise their prerogative of making a political appointment. He did not want to be embroiled in a political controversy and he would like this to be put to rest once and for all. It is important to fill the vacancies on the Board of Appeals because there are new business which must obtain Board approval before beginning operations.

Councilman Holbrook then stated that the vacancies existed in the Fire Board of Appeals because the members objected to political interference, which is why members have resigned.

Supervisor Dusanenko said that Mr. Cottle, Fire Inspector of Clarkstown has the list and since Mr. Egan was from West Nyack he is being replaced by Mr. Sorce who is a member of the West Nyack Fire Department.

Councilman Maloney said that he had no objection to the Fire Chiefs making recommendations. However, he did not want to use a list that was exclusive. He felt that anyone with the proper qualifications could be considered whether they are from local fire departments or from the New York City Fire Department.

Councilman Longo said that political appointments were made to fill the vacancies and that Councilman Maloney had put forth the name of a retired New York City fire lieutenant and that I put forth a New York City battalion leader. While the Board is willing to accept recommendations from the local fire fighters they are not excluding others and someone from New York City, Orange County or elsewhere could be recommended as long as they reside in Clarkstown and are qualified. Since our local volunteer firemen fight our fires and save lives at the expense of their own he felt they should be given consideration and be consulted.

Councilman Lettre said that this came up almost five months ago and he would hope that this would be put to rest once and for all. When the first proposal by the fire chiefs came up, when they wanted carte blanche approval, we rejected that and they put forth another proposal where they requested review of who was to be appointed. No one would be excluded. The Town Board is not mandated to accept their suggestions just to pass on the names to the members of the Board to review. He stated that he hoped that this would not come up every time there is an appointment to the Fire Board of Appeals.

Supervisor Dusanenko said he was on the County Legislature and had been for twelve years and the Legislature has always taken recommendations from the members.

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RESOLUTION NO. (573-1981)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR PROJECT ENTITLED HIGHVIEW ELEMENTARY SCHOOL REMOVAL OF ARCHITECTURAL BARRIERS

Co. Lettre offered the following resolution:

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

BID #41-1981
PROJECT ENTITLED
HIGHVIEW ELEMENTARY SCHOOL
REMOVAL OF ARCHITECTURAL BARRIERS

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, July 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.

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Supervisor Dusanenko requested that this project be expedited since there is a time factor involved and if it cannot be completed on schedule he would have to substitute another project.

* * * * *

RESOLUTION NO. (574-1981)

REGARDING THRU TRUCKING STRAWTOWN ROAD FROM OLD MILL ROAD SOUTHERLY TO RT. 59A (WEST NYACK RD.)

Co. Lettre offered the following resolution:

AAJ381

RESOLUTION NO. (574-1981) Continued

RESOLVED, that Resolution No. 143 of 1968 is hereby amended to read as follows:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution at a Town Board meeting of December 20, 1967, adopted the following resolution:

"RESOLVED, that THRU TRUCKING by vehicles of 3 tons or more be prohibited on Strawtown Rd. from Old Mill Rd. southerly to Rt. 59A (W. Nyack Rd.) and be it further

RESOLVED, THRU TRUCKING by vehicles of 3 tons or more be prohibited on Old Mill Rd. from Strawtown Rd. to Kings Highway, and be it

FURTHER RESOLVED, that the Supt. of Highways be instructed to install the appropriate signs."

WHEREAS, Section 1660(11) of the Vehicle and Traffic Law indicates that the Town may temporarily exclude from any portion of any Town highway any vehicle with a gross weight of over four or more tons, or any vehicle with a gross weight in excess of any designated weight on any wheel, axle, etc., and

WHEREAS, the aforesaid section further provides that notice that such vehicle shall be excluded shall be published in a newspaper in the County where the highway is situated;

NOW, THEREFORE, be it

RESOLVED, that the above-referenced resolution adopted by the Town Board on December 20, 1967 is hereby rescinded, and be it

FURTHER RESOLVED, that on a temporary basis and until the completion of a study to be conducted, thru trucking by vehicles of four tons or more is prohibited on Strawtown Road from Old Mill Road southerly to Rt. 59A (W. Nyack Rd.) and be it

FURTHER RESOLVED, that on a temporary basis and until the completion of a study to be conducted, thru trucking by vehicles of four tons or more is prohibited on Old Mill Road from Strawtown Road to Kings Highway, and be it

FURTHER RESOLVED, that any municipal owned vehicles or those contractors employed by the Town of Clarkstown or Superintendent of Highways are exempted from this resolution and prohibition on thru trucking, and be it

FURTHER RESOLVED, that the Supt. of Highways is hereby instructed to install the appropriate signs, and be it

FURTHER RESOLVED, that the Town Clerk be directed to publish notice of this resolution in the County newspaper as prescribed by law.

Seconded by Co. Longo

* * * * * * * * * * All voted Aye.

RESOLUTION NO. (575-1981)

AUTHORIZING SUPERVISOR
TO EXPEND 1976 COMMUNITY
DEVELOPMENT FUNDS (VALLEY
COTTAGE LIBRARY)

Co. Longo offered the following resolution:

RESOLUTION NO. (575-1981) Continued

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to Reprogram, Administer and Execute all necessary documents regarding the utilization of the unexpended balance of 1976 Community Development Funds.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (576-1981)

APPOINTING COMMITTEE TO INVESTIGATE CONFLICTING REPORTS OF MR. COLUCCI AND MR. MILICH DATED JANUARY 19, 1978 AND JOHN TOSI DATED MAY 1, 1979 (RE: COLLINGSWOOD DRIVE, NEW CITY)

Co. Longo offered the following resolution:

RESOLVED, that John R. Maloney and Charles E. Holbrook and three additional residents, not residing in the immediate area of Collingswood Drive, New City, New York, are hereby appointed to investigate the conflicting reports of Gerald D. Colucci and Adolph Milich dated January 19, 1978, and John Tosi dated May 1, 1976 and report back to the Town Board by July 15, 1981.

Seconded by Co. Maloney

All voted Aye.

Supervisor Dusanenko asked if there was anyone wishing to be heard or if there was any further business to discuss.

APPEARANCE:

Mr. Walter Siemens
New City, New York

Mr. Siemens appeared regarding petition for zone change that had been referred to the Planning Board re: Omni Court. Supervisor Dusanenko requested Mr. Siemens to put his complaint in writing and Mr. Siemens agreed.

APPEARANCE:

Mr. Sol Koblick
41 Susan Drive
New City, New York 10956

He spoke regarding Town Board resolution passed on March 10, 1981 the subject of which was the discrepancies between reports of two Town departments - one the Assessor's Office and the other the Building Inspector's Office.

There being no further business to come before the Town Board and no one further wishing to be heard, Town Board Meeting was declared closed at 10:35 P.M.

Respectfully submitted,
Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

AAJ381

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

6/9/81

9:05 P.M.

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

RE: 1982 REVENUE SHARING FUNDS

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.

Supervisor Dusanenko asked if there was anyone interested in speaking on this subject.

APPEARANCE: Mr. John Lodico
2 Birch Lane
New City, New York 10956

He stated that it was his understanding that revenue sharing funds are not to be used to balance the budget or to offset deficit spending but for a basic solution only for a one shot program which would not result in producing a project that would need fringe benefits to keep it alive. He had the following recommendations for the expenditure of \$425,000.00. He recommended that the Police Department have a motorola unit with eight zones with the central station being in New City. The present police bands are available to criminals who are receiving the police calls at the same time as the police. This would not be possible with the teletype units and he requested allocation of \$50,000.00 to buy this.

He recommended that \$150,000.00 be expended for a bucket loader at the landfill.

For the Highway Department he recommended the purchase of an \$80,000.00 solid waste compactor truck which could handle ten times more than the present equipment and need less personnel. An additional \$20,000.00 for Highway to buy the Superintendent and his assistant two Ford Escort cars which would be economical to run as opposed to the large gas guzzlers now in use was also suggested.

Mr. Lodico suggested that \$100,000.00 for Parks and Recreation be used to provide parking lots in recreational areas and also to provide rest rooms which could also be used as dressing rooms. He also suggested the modernization of the old landfill building for use by our youth and not rent it again. He felt with adequate plumbing and repair work it could be made useful again.

Mr. Lodico further suggested that \$125,000.00 go for Casablanca fans for our senior citizens buildings and various other Town owned buildings.

Supervisor Dusanenko said that the appropriation of \$20,000.00 to buy the Ford Escort cars would not be necessary as the Town had already done that for \$12,000.00. He also stated that the building at the Landfill would not be leased to any outside agency.

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, time: 9:15 P.M.

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

AAJ381