

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

6/23/81

8:50 P.M.

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

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

RESOLUTION NO. (577-1981)

MEMORIALIZING RESOLUTION  
REGARDING PENDING TAX  
LEGISLATION

Co. Longo offered the following resolution:

WHEREAS, nearly 44% of the earnings of the American people  
go to meet their tax obligations, and

WHEREAS, the majority of Americans pay more in taxes than  
they spend on any other item including food, housing and education,  
and

WHEREAS, the amount of money raised by federal income taxes  
has risen dramatically faster than the Consumer Price Index and  
inflation, and

WHEREAS, the American taxpayer is faced with increased social  
security taxes, and

WHEREAS, it has been shown by economists that a long-term  
permanent tax cut is necessary to stimulate our economy with needed  
capital to provide growth in industry and employment,

NOW, THEREFORE, be it

RESOLVED, that on behalf of the over 77,000 taxpayers of the  
Town of Clarkstown, we urge the enactment of the permanent tax cuts as  
proposed by President Reagan, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded  
to President Reagan, Senator Moynihan, Senator D'Amato and Congressman  
Gilman.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

\* \* \* \* \*

RESOLUTION NO. (578-1981)

AWARDING BID TO SUPPLY  
CLARKSTOWN POLICE  
DEPARTMENT WITH UNIFORMS  
(BEST UNIFORM CO., INC.)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director  
of Purchasing that the bid to supply the Clarkstown Police Department  
with uniforms is hereby awarded to:

AAJ381

RESOLUTION NO. (578-1981) Continued

BEST UNIFORM CO., INC.  
18 West 18th Street  
New York, New York 10011

As per the following schedule of prices:

SHIRTS:

Winter - Long Sleeve	\$24.25
Summer - Short Sleeve	23.00
Summer/Winter Trousers	42.00
Caps: Winter	13.25
Summer	13.25
Leather Jacket	220.00
Nylon Reefer	84.00
Wave Hat	11.50
Chevrons - Sargeant	2.00
Shirt Buttons (N.Y. State Seal)	
Silver	.35
Gold	.35
Service Stripes (each)	1.00

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (579-1981)

AWARDING BID FOR  
UNIFORM MAINTENANCE  
FOR CLARKSTOWN POLICE  
AND PARKS DEPARTMENTS  
(ARTISTIC DRY CLEANERS)

Co. Longo offered the following resolution:

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

UNIFORM MAINTENANCE SERVICE FOR THE  
CLARKSTOWN POLICE AND PARKS DEPARTMENTS

is hereby awarded to:

ARTISTIC DRY CLEANERS  
89 North Main Street  
Spring Valley, New York 10977

as per the following schedule of prices:

TROUSERS	per unit	-	\$ 0.50
SHIRTS	" "	-	0.50
LEATHER JACKETS	" "	-	No Charge
POPLIN JACKETS	" "	-	0.30
WHITE DRESS SHIRTS	" "	-	No Charge
BLANKETS	" "	-	No Charge

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (580-1981)

AWARDING BID TO FURNISH  
AND INSTALL CHAIN LINK  
FENCING AT CONGERS LAKE  
MEMORIAL PARK (CREST-  
WOOD FENCE CO., INC.)

Co. Longo offered the following resolution:

RESOLUTION NO. (580-1981) Continued

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

CHAIN LINK FENCING AT CONGERS LAKE  
MEMORIAL PARK

is hereby awarded to:

CRESTWOOD FENCE CO., INC.  
275 Route 59  
MONSEY, NEW YORK 10952

at the lowest bid meeting specifications of \$4,539.00, and be it

FURTHER RESOLVED, that the Comptroller is hereby authorized to transfer funds from MONEY-IN-LIEU-OF-LANDS ACCOUNT INTO PARKLANDS AND IMPROVEMENTS ACCOUNT.

Seconded by Co. Lettre

All voted Aye.

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AAJ381

RESOLUTION NO. (581-1981)

AUTHORIZING SPRING VALLEY  
WATER COMPANY TO INSTALL  
ONE (1) HYDRANT WEST SIDE  
ROCHELLE DRIVE NORTH OF  
CENTER LINE OF ROCHELLE  
DRIVE (FRENCHMEN'S CREEK)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Company is hereby authorized to install one (1) fire hydrant on the west side of Rochelle Drive, approximately 240 feet north of the center line of Rochelle Drive, New City (Frenchman's Creek).

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (582-1981)

AUTHORIZING SPRING VALLEY  
WATER COMPANY TO INSTALL  
FOUR (4) HYDRANTS (VICINITY  
GOEBEL ROAD AND COSMOS LANE  
SNOWDROP DRIVE (CLOVERDALE  
ESTATES)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Co. is hereby authorized to install four (4) fire hydrants:

LOCATION OF FIRE HYDRANTS

- (1) North side of Snowdrop Drive, approximately 365 feet west of the center line of Goebel Road;
- (2) North side of Snowdrop Drive, approximately 905 feet west of the center line of Goebel Road;

RESOLUTION NO. (582-1981) Continued

- (3) North side of Snowdrop Drive, approximately 140 feet east of the center line of Cosmos Lane;
  - (4) North side of Snowdrop Drive, approximately 520 feet west of the center line of Cosmos Lane;
- NEW CITY, TOWN OF CLARKSTOWN

Hydrant Investigation No. 9129.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (583-1981)

SETTING PUBLIC HEARING WITH REGARD TO ZONE CHANGE APPLICATION (GIUSEPPE DE PAULIS)

Co. Longo offered the following resolution:

WHEREAS, GIUSEPPE DE PAULIS has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described from LO & LS district to RS district;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 7th day of July, 1981 at 9:00 P.M., relative to the proposed amendment; and it is

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (584-1981)

GRANTING CERTIFICATE OF REGISTRATION PURSUANT TO SEC. 83-65 (CHIEF PLUMBING AND HEATING INC. - RICHARD GARRISON)

Co. Maloney offered the following resolution:

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

CHIEF PLUMBING AND HEATING, INC.  
RICHARD GARRISON  
26-28 New Street  
Nyack, New York 10960

NOW, THEREFORE, be it

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RESOLUTION NO. (584-1981) Continued

RESOLVED, that the following Certificate of Registration be issued:

No. 81-8 issued to Chief Plumbing and Heating, Inc.  
(Richard Garrison)

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (585-1981)

AUTHORIZING SUPERVISOR  
TO EXECUTE LEASE FOR  
LAKEVIEW SENIOR CITIZEN  
COMPLEX COMMUNITY BUILDING  
(ARCO MANAGEMENT CORP.)

AAJ381

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown is presently leasing the Community Building in the Lakeview Senior Citizen Complex for the use of the senior citizen clubs sponsored by the Clarkstown Department of Recreation and Parks, and

WHEREAS, the Town of Clarkstown desires to renew said lease commencing September 1, 1981 and terminating August 31, 1982;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to renew said lease with Spring Valley Homes Associates through their managing agents, Arco Management Corp., for the continued use of the Community Building, at a rental fee of \$16,000.00 per annum, which renewal shall be in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the sum of \$16,000.00 per annum be taken from Account No. 8840-505.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (586-1981)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE  
FOR BIDS FOR WORK  
UNIFORMS

Co. Longo offered the following resolution:

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

BID # 42-1981  
WORK UNIFORMS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on: Tuesday, July 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. (587-1981)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE  
FOR BIDS FOR TIRES FOR  
POLICE VEHICLES

Co. Longo offered the following resolution:

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

BID # 43-1981  
TIRES FOR POLICE VEHICLES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 10:00 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. Maloney

All voted Aye.

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RESOLUTION NO. (588-1981)

REGARDING MAINTENANCE OF  
SIDEWALKS ON ROUTE 59  
BETWEEN ERIE RAILROAD  
BRIDGE AND ROUTE 304

Co. Longo offered the following resolution:

WHEREAS, the New York State Department of Transportation proposes the widening and resurfacing of Route 59 between the Erie Railroad Bridge and Route 304 in the Town of Clarkstown under Project Identification Number 8075.00(03) and

WHEREAS, the State can include as part of the project the construction of sidewalk pursuant to Section 10, subdivision 22 of the Highway Law, as shown on the contract plans for the project,

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown requests and approves the construction of the sidewalk on the project and that the Town of Clarkstown will maintain the sidewalks upon completion, including control of snow and ice, and be it

FURTHER RESOLVED, that the Clerk of this Town Board is hereby directed to transmit five (5) certified copies of this resolution to the New York State Department of Transportation.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (589-1981)

AUTHORIZING MARK PAPAN-  
MEYER TO ATTEND NYS  
ASSOCIATION OF FIRE CHIEFS

Co. Maloney offered the following resolution:

RESOLVED, that Mark Papanmeyer, Assistant Fire Inspector of the Town of Clarkstown, is hereby authorized to attend the NYS Association of Fire Chiefs, at the Concord Hotel, Lake Kiamasha, New York from June 21, 1981 - June 25, 1981, at no cost to the Town.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (590-1981)

DIRECTING BONDING COUNSEL  
TO PREPARE DOCUMENTS FOR  
BORROWING NECESSARY FUNDS  
FOR PAYMENT OF JUDGMENT

Co. Longo offered the following resolution:

WHEREAS, a Judgment was entered on June 5, 1981, against the Town of Clarkstown in the sum of \$180,000.00, together with interest in the sum of \$25,230.00, and

WHEREAS, the Town of Clarkstown has sought permission to appeal and in the event of denial thereof, the Town desires to borrow the necessary funds for said Judgment;

NOW, THEREOFRE, be it

RESOLVED, that the firm of Hawkins, Delafield & Wood, Esqs., bonding counsel, be and hereby is directed to prepare the necessary documents for borrowing up to but not exceeding \$500,000.00.

Seconded by Co. Lettre

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

Councilman Lettre stated that they wanted to do this in case an appeal is not successful they would have the money ready to pay the judgment and a lien would not be placed on monies necessary to pay payroll and other town expenses.

Supervisor Dusanenko noted that the Town is being sued in litigation entitled "Adler-Waldron." The Supervisor has attempted to negotiate. The Town Board, exactly one month ago, recommended that we not negotiate but appeal. Last week five of the depositories of the Town of Clarkstown, capital accounts, payroll accounts, etc., were attached by person and persons by their attorney suing the Town of Clarkstown. I find it totally irresponsible when politics - to allow the Town to function to meet both payroll, interest payments and other necessary emergency supplies blocked by Democrat councilmen so that the Town of Clarkstown cannot function. With all of the fiscal dilemmas imposed upon this Town Board, both individually and collectively, this Town has been able to remain fiscally solvent in spite of the political innuendos and the attempts not to borrow funds at the proper time to meet the necessary and in some cases mandatory requirements of the law. It is the responsibility of this municipality to make timely payments to its employees and its vendors. Anything less than that is fiscal insanity.

This is not defeated. Only three votes are necessary to direct bonding counsel to draw - I would request that at the time a bonding resolution is prepared that my democrat colleagues on this Town Board speak with counsel of their political party, if necessary, and bond counsel, if necessary, so that they will provide a fourth vote so that this Town can function.

Town Attorney concurred that only three votes were necessary for this resolution to pass.

Supervisor Dusanenko reiterated that on the request to prepare a bonding resolution only three votes are necessary. On the actual bonding resolution a minimum of four votes would be necessary. Town Attorney stated that this was so.

AAJ381

RESOLUTION NO. (590-1981) Continued

Councilman Lettre stated that he wished to raise a point. At our Workshop Meeting last Thursday when this topic of discussion was raised it was unanimous, I repeat, unanimous, that all five members of this Town Board said to go ahead and draw up the bonding papers and to go out to bond for \$500,000.00. And Mr. Holbrook, I repeat your exact words "That this is merely to cover the expenses of the Town if the parties suing the Town of Clarkstown were going to put liens on our accounts and we could not make our necessary payments." You were going to be in favor of it. I am surprised and I am shocked that you would allow politics to interfere with the proper running of the Town of Clarkstown.

Councilman Holbrook stated he would respectfully disagree. That those were not his words but be that as it may I still vote "No." I think this is premature.

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RESOLUTION NO. (591-1981)

TRANSFER OF FUNDS FROM  
APPROPRIATION ACCOUNT  
NO. A 1430-313 TO  
APPROPRIATION ACCOUNT NO.  
A 1430-438

Co. Longo offered the following resolution:

RESOLVED, to transfer \$8.00 from Appropriation Account No. A 1430-313 to Appropriation Account No. A 1430-438.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (592-1981)

INCREASE ESTIMATED  
REVENUE ACCOUNT NO.  
01-1570 AND APPROPRIATION  
ACCOUNT NO. A 3650-409

Co. Longo offered the following resolution:

RESOLVED, to increase Estimated Revenue Account No. 01-1570 and Appropriation Account No. A 3650-409 by \$4,000.00.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (593-1981)

CORRECTING ERROR IN  
ESTIMATED REVENUE ACCOUNT  
NO. 01-2999 - DECREASE  
ESTIMATED REVENUE ACCOUNT  
NO. 01-2999 AND INCREASE  
ESTIMATED REVENUE ACCOUNT  
NO. 01-2401

Co. Longo offered the following resolution:

WHEREAS, Town Board Resolution No. 309 Estimated Revenue Account No. 01-2999 was in error, BE IT THEREFORE,

RESOLVED, to decrease Estimated Revenue Account No. 01-2999 by \$3,000.00 and increase Estimated Revenue Account No. 01-2401 by \$3,000.00.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (594-1981)

INCREASE ESTIMATED REVENUE  
ACCOUNT NO. 01-1255 AND  
APPROPRIATION ACCOUNT NO.  
A 1410-313

Co. Longo offered the following resolution:

RESOLVED, to increase Estimated Revenue Account No. 01-1255  
and Appropriation Account No. A 1410-313 by \$350.00.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (595-1981)

TRANSFER FROM APPROPRIATION  
ACCOUNT NO. A 5630-406 TO  
APPROPRIATION ACCOUNT NO.  
A 5630-203

Co. Longo offered the following resolution:

RESOLVED, to transfer \$1,616.00 from Appropriation Account  
No. A 5630-406 to Appropriation Account No. A 5630-203.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (596-1981)

TRANSFER FROM APPROPRIATION  
ACCOUNT NO. A 1110-459 TO  
APPROPRIATION ACCOUNT NO.  
A 1110-327 AND TRANSFER FROM  
APPROPRIATION ACCOUNT NO.  
A 1110-313 TO APPROPRIATION  
ACCOUNT NO. A 1110-438

Co. Longo offered the following resolution:

RESOLVED, to transfer \$461.00 from Appropriation Account No.  
A 1110-459 to Appropriation Account No. A 1110-327 and be it

FURTHER RESOLVED, to transfer \$114.00 from Appropriation  
Account No. A 1110-313 to Appropriation Account No. A 1110-438.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (597-1981)

ACCEPTING PROPOSALS FROM  
ORANGE & ROCKLAND UTILITIES,  
INC. FOR STREET LIGHTING  
(CLOVERDALE SUBDIVISION)

Co. Lettre offered the following resolution:

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

Cloverdale Subdivision

New City

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

AAJ381

RESOLUTION NO. (598-1981)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO REPLACE  
YIELD SIGN WITH STOP SIGN  
(SMITH ROAD AT PASCACK  
ROAD, SPRING VALLEY)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic  
and Traffic Fire Safety Advisory Board, the Superintendent of Highways  
is hereby authorized to replace the Yield sign located on Smith Road  
at Pascack Road, spring Valley, with a Stop sign.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (599-1981)

ADOPTING AND ACCEPTING  
MINUTES OF JUNE 9, 1981  
TOWN BOARD MEETING

Co. Longo offered the following resolution:

RESOLVED, that the Minutes of the Town Board Meeting held on  
June 9, 1981, are hereby adopted and accepted as submitted by the Town  
Clerk.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (600-1981)

ISSUING PERMIT TO  
ORANGE & ROCKLAND  
UTILITIES, INC. EXEMPT-  
ING ALL VEHICLES IN  
EXCESS OF FOUR TONS ON  
HIGHWAYS OF THE TOWN OF  
CLARKSTOWN

Co. Longo offered the following resolution:

WHEREAS, Orange and Rockland Utilities, Inc., is the  
exclusive utility supplying gas and electric and servicing thereof  
to its customers in the Town of Clarkstown, and

WHEREAS, it is necessary for the construction of new facilities  
and repair of existing facilities to use trucks in excess of four or  
more tons owned and operated by Orange & Rockland Utilities, Inc., on  
all of the highways in the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 102-6 subparagraph 8 of  
the Town Code of the Town of Clarkstown the Town Board does hereby  
issue a permit to Orange and Rockland Utilities, Inc., exempting all  
of its vehicles in excess of four tons, and be it

FURTHER RESOLVED, that a copy of this resolution shall be  
considered a permit under Section 102-6 subparagraph 8 of the Town  
Code of the Town of Clarkstown and shall be carried on all vehicles  
of Orange and Rockland Utilities, Inc., while traversing the highways  
of the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (601-1981)

TRANSFER OF FUNDS FROM  
APPROPRIATION ACCOUNT  
NO. A 5630-110 TO  
APPROPRIATION ACCOUNT NO.  
A 5630-414 (BEHIND THE  
WHEEL ROAD TEST)

Co. Longo offered the following resolution:

WHEREAS, it is required by the State of New York Department of Transportation for all the Mini-Trans Drivers to take a 30 hour course at the Westchester Community College titled "Behind the Wheel Road Test",

NOW, THEREFORE, be it

RESOLVED, that \$119.00 be transferred from Appropriation Account No. A 5630-110 to Appropriation Account No. A 5630-414.

Seconded by Co. Lettre

All voted Aye.

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AAJ381

RESOLUTION NO. (602-1981)

AUTHORIZING SUPERVISOR  
TO IMPLEMENT EMPLOYEES  
SAVINGS PLAN

Co. Longo offered the following resolution:

WHEREAS, Citibank, N.A. has proposed to the Town of Clarkstown a Payroll Savings Plan wherein the employees may benefit from a high yield interest rate,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to implement said Employees Savings Plan, and be it

FURTHER RESOLVED, all full time employees, appointed officials, and elected officials are eligible to partake of this plan.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (603-1981)

AUTHORIZING ATTENDANCE  
AT WORKSHOPS ON USE AND  
MANAGEMENT OF DEBT AND  
CONSTRUCTION OF PROGRAM  
BUDGETS (DUSANENKO, ERARD,  
McLAUGHLIN)

Co. Longo offered the following resolution:

WHEREAS, the New York State Association of Counties is sponsoring workshops on The Use & Management of Debt and Construction of Program Budgets at the Holidome in Sufferen, N.Y. on July 14, 1981,

NOW, THEREFORE, be it

RESOLVED, that Supervisor Theodore R. Dusanenko, Dorothy Erard, Comptroller/Budget Officer and John McLaughlin, Director of finance attend these workshops and the registration fee of \$15.00 per person be charged to Appropriation Account No. A 1010-414.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (604-1981)

MEMORIALIZING RESOLUTION  
REGARDING ENACTMENT OF  
CAPITAL PUNISHMENT

Co. Longo offered the following resolution:

WHEREAS, almost 1 of every 3 families in the United States will be affected by crime in 1981, and

WHEREAS, many of these persons will be the victims of violent crimes such as murder, rape and assault, and

WHEREAS, even though we now have stricter penalties and sentences for many violent crimes, we are placing an undue burden upon all our taxpayers by necessitating the construction of more jails for our "revolving door" criminal punishment system, and

WHEREAS, the punishment of jail sentences can never equal the suffering of the victim of many violent crimes,

NOW, THEREFORE, be it

RESOLVED, that on behalf of the over 77,000 residents of the Town of Clarkstown who are all potential prey for criminal violence, we urge the enactment of legislation for capital punishment for crimes of rape and murder, and be it

FURTHER RESOLVED, that a copy of this resolution supporting the re-enactment of the death penalty be forwarded to Governor Carey, State Senator Schermerhorn and State Senator Winikow and Assemblymen Levy and Morahan.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

Supervisor Dusanenko noted that statistics recently released on a national level indicate that one of every three families in the United States were affected by crime or will be affected by crime in 1981. All prison cells in the State of New York are filled to capacity. The Town of Clarkstown because of the irresponsibility of some County Legislators to either pay adequate amounts of salary for jail guards or to build new facilities, the Town of Clarkstown has happened to be called in on numerous occasions to assist at the jail and assist the Sheriff's Patrol at the Rockland County Jail, leaving other citizens at the mercy of criminals on occasion - when unscheduled riots or uprisings are encountered. We still have those who, would like to not build facilities, not increase the strength of the laws and for violent crimes, like murder, rape, arson - would still like to award life sentences rather than expunging those lives so that these crimes cannot be repeated, and repeated, and repeated.

The probable cost of housing someone at a facility in most instances in New York State is probably in excess of \$30,000.00 per inmate per year. Under the criminal law they are entitled to education, free dental, free medical, more so than the average taxpayer can acquire, while in the custody of the correctional departments. We do not have those funds for highways, hospitals and other human needs. There are

RESOLUTION NO. (604-1981) Continued

those who, regardless, would like to spend those funds - or not have those funds available for other uses. I vote "Yes."

Councilman Holbrook stated that these resolutions are getting to be an absurdity. What you are arguing in effect is that it would be economical to kill the people in jail so we could have more room. I have to object to this. After awhile all these crazy resolutions memorializing Sumatra and everything else - it gets to be a joke. This is ridiculous.

Councilman Maloney stated that this was something which was not discussed at a workshop. He said if this was that important that it required a memorializing resolution then it was something that should have been discussed. I might be in favor of this if we were talking about a crime against a law enforcement officer or a murder committed on a hostage but lumping everything together surprises me. I try to be consistent. If I have been labelled as being pro-life I certainly am not going to come around now and try to take a life because of an assault or because of a rape. I believe this is something that should be discussed and not brought up at the last moment.

Councilman Longo stated that he thought that a little old lady's life was just as valuable as a policeman's or a fireman's life. A rape victim's life is just as valuable as anyone else's life. I think if we try to separate that it's wrong. Capital punishment is a deterrent to murder. I'm proud to vote "Yes."

Councilman Lettre stated that he thought these issues were pertinent. He stated he did not think that his commitment or his convictions would change anyone else's thoughts on this. He stated that the people have a right to know how we stand on all issues. He did not feel that it was right to equate the life of an unborn to a proven criminal who could walk the streets of this country and fire bullets into the heads of innocent people.

Councilman Maloney stated that it was not proper for this resolution to be put forth at a Town Board Meeting and it should have been discussed at Workshop meeting. He felt it should have been more carefully worded. To put forth capital punishment for those types of crimes is going beyond what we are empowered to do. To say we must take a life everytime a crime is committed is almost like saying we should do away with trial by jury.

Supervisor Dusanenko stated that it comes down to not whether or not it should be discussed at a workshop - because he had made attempts to pass this at the County Legislature. The Legislature which is Democrat controlled refused to waive the rules so that this could be considered before the State Legislature which does have that responsibility and does have that authority to take action during this Legislative season. I would have preferred to bring this up for all of Rockland County at the Legislature but I was deprived by my Democrat colleagues to do such. This is why it is appearing on the Town Board Agenda at this late date. He felt that our voices should be heard on many issues which affect the quality of our life and the health, safety and welfare of the people who live within the Town of Clarkstown. What we are saying is that people who are murderers, rapists, arsonists, etc. should not be citizens of the state anymore.

\* \* \* \* \*

AAJ381

RESOLUTION NO. (605-1981)

GRANTING PERMISSION FOR  
FIREWORKS DISPLAY TO BE  
HELD AT NANUET HIGH  
SCHOOL (RECREATION AND  
PARKS DEPARTMENT)

Co. Longo offered the following resolution:

RESOLVED, that permission is hereby granted for a fireworks display to be held by the Recreation and Parks Department at the Nanuet High School at approximately 8:30 P.M., on Thursday, July 2, 1981, pursuant to Section 405 of the Penal Law.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (606-1981)

SETTING PUBLIC HEARING  
RE EXTENSION OF CLARKSTOWN  
CONSOLIDATED WATER SUPPLY  
DISTRICT NO. 1 TO INCLUDE  
WALTHAM ESTATES

Co. Longo offered the following resolution:

WHEREAS, a written Petition dated June 17, 1981 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

(Description on file in Town Clerk's Office)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 7th day of July, 1981, at 8:30 P.M. EST time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (607-1981)

SETTING PUBLIC HEARING  
RE EXTENSION OF CLARKSTOWN  
CONSOLIDATED WATER SUPPLY  
DISTRICT NO. 1 TO INCLUDE  
DORCHESTER ESTATES

Co. Longo offered the following resolution:

WHEREAS, a written Petition dated June 15, 1981 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

(Description on file in Town Clerk's Office)

NOW, THEREFORE, be it

RESOLUTION NO. (607-1981) Continued

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 7th day of July, 1981, at 8:35 P.M. EST time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (608-1981)

ACCEPTING RESIGNATION OF  
GROUNDWORKER - PARKS &  
RECREATION (FREDERICK J.  
HENSEY)

Co. Longo offered the following resolution:

RESOLVED, that the resignation (by retirement) of Frederick J. Hensey, 24 North Conger Avenue, Congers, New York - Groundworker - Parks & Recreation - is hereby accepted, with regret, effective July 1, 1981.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (609-1981)

APPOINTING POSITION OF  
GROUNDWORKER - PARKS &  
RECREATION (ROCCO FLAMINO)

Co. Longo offered the following resolution:

RESOLVED, that Rocco Flamino, 4 Bellwood Drive, New City, New York, is hereby appointed to the position of Groundworker - Parks & Recreation Department - at the annual 1981 salary of \$10,729.00, effective June 29, 1981.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (610-1981)

APPOINTING POSITION OF  
TRANSIT OPERATIONS  
SUPERVISOR - MINI TRANS -  
(JOSEPH F. LEWIS)

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Transit Operations Supervisor #81009 which contains the name of Joseph F. Lewis,

NOW, THEREFORE, be it

RESOLVED, that Joseph F. Lewis, 11 Donna Street, New City, New York, is hereby appointed to the position of Transit Operations Supervisor - Mini-Trans - at the annual salary of \$14,174.00, effective June 24, 1981.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

AAJ381

RESOLUTION NO. (611-1981)

CREATING TWO (2) PART-TIME RADIO OPERATOR POSITIONS - POLICE DEPARTMENT

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on June 15, 1981 that two (2) part-time Radio Operator positions, Police Department can be created,

NOW, THEREFORE, be it

RESOLVED, that two (2) part-time Radio Operator positions - Police Department - are hereby created effective and retroactive to June 15, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (612-1981)

APPOINTING POSITION OF PART-TIME RADIO OPERATOR - POLICE DEPARTMENT (DAVID POOLE)

Co. Longo offered the following resolution:

RESOLVED, that David Poole, 294 Old Haverstraw Road, Congers, New York, is hereby appointed to the position of part-time Radio Operator - Police Department at the hourly rate of \$5.14, effective and retroactive to June 15, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (613-1981)

APPOINTING POSITION OF COURT ATTENDANT - TOWN JUSTICE DEPARTMENT - TEMPORARY (JOSEPHINA POUGET)

Co. Longo offered the following resolution:

RESOLVED, that Josephina Pouget, 48 Poplar Street, Nanuet, New York, is hereby appointed to the position of Court Attendant - Town Justice Department - temporary not to exceed 30 days - at the annual salary of \$8,912.00., effective and retroactive to June 16, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (614-1981)

ACCEPTING RESIGNATION OF CLERK - ASSESSOR'S OFFICE (NANCY MECHELLA)

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Nancy Mecchella, 26 Crestwood Drive, New City, New York - Clerk - Assessor's Office - is hereby accepted, with regret, effective and retroactive to June 8, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (615-1981)

ACCEPTING RESIGNATION  
OF MEMBER - HISTORICAL  
REVIEW BOARD - (DANIEL  
BROUN)

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Daniel Broun, 160 Sickletown Road, West Nyack, New York - Member - Historical Review Board - is hereby accepted, with regret, effective and retroactive to June 1, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (616-1981)

APPOINTING (CONTINGENT  
PERMANENT) POSITION OF  
GROUNDSKEEPER - PARKS &  
RECREATION (RICHARD TIGUE)

Co. Longo offered the following resolution:

RESOLVED, that Richard Tigue, 58 Parker Avenue, New City, New York is hereby appointed Contingent Permanent to the position of Groundskeeper - Parks & Recreation - at the annual salary of \$17,802.00, effective and retroactive to June 9, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (617-1981)

ACCEPTING RESIGNATION OF  
RADIO OPERATOR - POLICE  
DEPARTMENT (LAURETTA  
SANSONE)

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Laurretta Sansone, The Manors, Apt. 6-N, Pomona, New York as Radio Operator - Police Department - is hereby accepted, effective and retroactive to June 13, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (618-1981)

APPOINTING SECRETARY -  
PART-TIME - ZONING BOARD  
OF APPEALS (KATHRYN KOLKA)  
(TEMPORARY BASIS)

Co. Longo offered the following resolution:

WHEREAS, Margaretann Ries, Secretary Part-time to the Z.B.A. is presently out on sick leave and not able to perform the duties of her part-time Secretarial position,

NOW, THEREFORE, be it

RESOLVED, that Margaretann Ries, is hereby relieved of her duties as Secretary part-time to the Z.B.A. during her incapacity, and be it

FURTHER RESOLVED, that Kathryn Kolka, 265 Strawtown Road, New City, New York, is hereby appointed, on a temporary basis, to the position of Secretary, part-time to the Z.B.A. effective June 24, 1981, to cover the leave of Mrs. Ries, at the same compensation.

Seconded by Co. Lettre

AAJ381

RESOLUTION NO. (618-1981) Continued

On roll call the vote was as follows:

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

In connection with the above resolution Supervisor Dusanenko read the following letter:

"WILLIAM J. CAREY  
142 PINE VIEW AVENUE  
BARDONIA, NEW YORK 10954

June 22, 1981

Hon. Theodore Dusanenko, Supervisor  
Members of the Town Board

Gentlemen:

Mrs. Peggy Ries, Secretary of the Zoning Board of Appeals, is presently in Nyack Hospital recovering from emergency surgery. Because of the nature of her illness it is not expected that she will return to her duties for possibly three to four months.

Due to the highly technical knowlege required, it would not be possible to attempt to train a temporary replacement, therefore it is the recommendation of the Zoning Board of Appeals, that one of its own members, Elizabeth Squillace be appointed, on an interim basis, to handle the duties of the secretary to the Zoning Board of Appeals during Mrs. Reis' illness. Further, it is respectfully requested that Mrs. Squillace be given suitable compensation for her time and expenses.

The Zoning Board of Appeals is proud of the job it is doing in Clarkstown. On numerous occasions in the past the ZBA has been praised by the Town Board for its work. It is in the best interests of the people of Clarkstown and the Town Board, that the ZBA continuity of a high level of service be maintained and sincerely request the Town Board take the necessary action to make this appointment a reality.

Sincerely,

/s/ William J. Carey

William J. Carey  
Chairman, ZBA

WJC:mtc"

Supervisor Dusanenko also read the following memo from Mr. Colucci, Acting Building Inspector:

"From: Gerald D. Colucci, Acting Building Inspector 6/22/81  
To: Theodore Dusanenko, Supervisor  
Subject: Office help, request for.

In view of the anticipated absence of Mrs. Ries for a 2 to 3 month period and upcoming summer vacation schedule it is requested that additional help be assigned to this office immediately.

RESOLUTION NO. (618-1981) Continued

There would be a need for someone to be able to answer the phone, take messages, filing and miscellaneous tasks.

In addition, it is requested that the Board consider allowing additional hours for our part-time account clerk, Mrs. Barone.

I trust that the Board will give the above matters its immediate attention.

/s/ Gerald D. Colucci  
GDC:k"

AAJ381

Supervisor Dusanenko stated that at the end of this month there should be summer help available from ROCAC. If that does not suffice we will be able to possibly appropriate additional funds for a part-time Town person but we would like to take every avenue to utilize these youngsters from ROCAC, who last summer performed admirably in many offices, including my own.

Councilman Holbrook stated that due to the recommendation of Mr. Carey, who is the Chairman of the Zoning Board of Appeals, he would vote "No" on this request.

Councilman Lettre stated that based on the request of the Acting Building Inspector and also based upon the fact that Mr. Carey's recommendation was for a member of the Z.B.A. there might be a possibility of a conflict there in carrying on both duties effectively and efficiently and he would vote "Yes."

Councilman Maloney stated that he was voting "No" based on the recommendation of Mr. Carey, the Chairman, who probably knows better than anyone else how this Board of Appeals operates and what their particular needs are. If someone is attending the meetings they certainly should be able to take the minutes and keep the Board operating on a high level of efficiency.

Supervisor Dusanenko stated that he makes suggestions continually and has the responsibility of the administration of the Town. Unfortunately my suggestions are not followed too often. Then when we are sued people say too bad but expect me to solve the problems. I ask that you act responsibly here. I listened to the requests of Mr. Colucci and Mr. Carey and am acting within one day from the date of their requests for assistance. The same person who acts for the ZBA should, for reasons of continuity, work in the office. I need to have someone handle this full-time during the day for continuity. Mrs. Kolka will be able to provide that continuity. Mr. Anderson of the Rockland County Personnel Department stated that he felt that this was the best way to handle this in the best interests of the Town of Clarkstown.

\* \* \* \* \*

At this point a brief recess was declared.

\* \* \* \* \*

RESOLUTION NO. (619-1981)

AUTHORIZING ISSUANCE OF  
BUILDING PERMIT UNDER  
SECTION 280-a OF TOWN  
LAW (WAYNE KLINGMAN-  
EAST SIDE STONEWALL LANE  
SOUTH OF SNEDECKER AVENUE,  
CONGERS, NEW YORK)

Co. Longo offered the following resolution:

RESOLUTION NO. (619-1981) Continued

RESOLVED, that a Building Permit under provisions of Section 280-a of the Town Law may be issued to Wayne Klingman for property situate on the east side of Stonewall Lane, 102.72 feet south from the intersection of Snedecker Avenue, Congers, New York, more specifically designated on the Clarkstown Tax Map as Map 113, Block A, Lots 23.07 and 23.08 upon compliance with the requirements of the Director of Environmental Control and the Building Inspector and the filing of the Restrictive Covenant pursuant to Section 280-a of the Town Law upon the condition that the applicant agrees to participate in a road improvement district when and if required by the Town Board of the Town of Clarkstown, which Covenant shall be binding on all future owners and run with the land, subject to drainage installation along the easterly lot line of such lot and paving with macadam from the paved portion in front of property belonging to Joseph and Ann Luongo and Alessandro and Lorraine Londino to Snedecker Avenue, which installation of drainage and paving shall be subject to the approval of the Director of Environmental Control of the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

Supervisor Dusanenko noted that with regard to the following resolution there were still some unanswered questions in the minds of members of the Town Board, including himself. Supervisor Dusanenko stated that he would like some additional quotations from Bower, Crowley, Inc. and also from Mr. Liebert. He added that this would be a binder only so that we do not lose our present carrier. If the quotes come in there will be no change. If not, I will request, on the record, an emergency Town Board Meeting without any waiver and I would like to go on public notice that if there is a change to Bower, Crowley that we have that in the resolution also that if it does not meet with the satisfaction of the Supervisor that we be called into a special meeting on the last day of the month.

RESOLUTION NO. (620-1981)

AUTHORIZING SUPERVISOR  
TO BIND TOWN OF CLARKSTOWN  
FOR LIABILITY INSURANCE  
COVERAGE

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to bind the Town of Clarkstown with Don Liebert, Inc. for liability insurance coverage, effective July 1, 1981, and be it

FURTHER RESOLVED, that the Town Board further authorizes the Supervisor to initiate any changes within the program during the insurance term to effect greater savings for the Town of Clarkstown, and be it

FURTHER RESOLVED, that in the event the Supervisor recommends change of carrier on or before June 30, 1981, that there be a special Town Board meeting in the Andrew Jackson Room at 7:30 P.M., June 30, 1981, to vote on these recommendations, and that notification and waiver of meeting notices are hereby granted.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

Supervisor Dusanenko asked if there was any other business to come before the Town Board meeting.

Councilman Longo wished it noted that on June 19, 1981 tragedy befell the Maraia family and the Rockland County District Attorney's office in the loss of a bright, young attorney, Jerry Maraia. I ask for your prayers for the recovery of Jerry's brother who was injured in the same automobile accident and I ask for a moment of silence in Jerry's memory.

Supervisor Dusanenko asked if there was anyone wishing to be heard.

APPEARANCE: Mr. Arthur Landau  
Strawtown Road  
New City, New York

Mr. Landau read the following statement:

"Strawtown Road  
New City, N.Y. 10956  
June 23, 1981

AAJ381

Town Board  
Town of Clarkstown  
10 Maple Avenue  
New City, N.Y. 10956

Gentlemen:

Re: Petition for Appointment of Gerald Colucci  
as Building Inspector

The petitions from the residents of the Town of Clarkstown here submitted were obtained within a few weeks and had time permitted could have been multiplied several fold over. All the residents who signed did so with firm conviction that the appointment of Mr. Colucci, on the basis of his record, should be promptly made.

They have indicated their continuing interest in the action that will be taken by this Board in response to the petition

Very truly yours,

Arthur Landau"

Mr. Landau stated that he was not a builder or contractor of any sort. He wanted to submit 1,670 signatures to the Town Clerk on behalf of the residents of Clarkstown.

\* \* \* \* \*

APPEARANCE: Mr. Ed Palmenberg  
Briar Road  
Nanuet, New York

Mr. Palmenberg stated that he was a former Town Engineer of the Town of Clarkstown and has been a Clarkstown resident for many years. He has been a practicing engineer in the Town and has had many occasions to work with the Building Department. He stated that he had seen Mr. Colucci rise from an up and coming Building Inspector to become a person whom I now believe justifies your prompt action in appointing him Building Inspector for the Town. He has integrity, experience and his ability to interpret the Town Building Code and the State Building Code is very commendable. He urged his appointment.

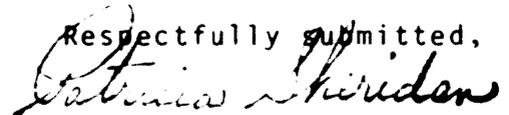
Councilman Holbrook wanted to state for the record that though the Town Board had created a committee to look into the feasibility the searching for a Building Inspector that the whole episode had gone on far too long and he would concur with the wishes of Mr. Landau and the people represented by the signatures presented here tonight. It's almost a year now and it's time the Town Board took some action on this. I would be willing to entertain a motion, if not tonight, then at the next Town Board Meeting that Mr. Colucci be appointed.

Councilman Holbrook attempted to make a resolution appointing Mr. Colucci but deferred to Councilman Maloney in that it should be presented next week. He withdrew his resolution.

Councilman Longo noted that we had said earlier that a public hearing would be set for the 7th day of July at 9:00 P.M. The question on that was that when it was discussed we had discussed that I believe certain covenants would be put in. Must that be stated in the notice of public hearing? Town Attorney said that that would not be necessary.

There being no further business to come before the Town Board Meeting and no one further wishing to be heard, the Town Board Meeting was adjourned, time: 10:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk