

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

7/7/81

8:20 P.M.

Present: Supervisor Dusanenko
Councilmen Holbrook, Lettre, Longo, Maloney
Philip B. Fogel, Deputy Town Attorney
Patricia Sheridan, Town Clerk

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

Supervisor Dusanenko called for a moment of silence in memory of John A. Stefan, a former Town Justice and prominent businessman of our community who recently passed away.

Supervisor Dusanenko also called for a moment of silence in memory of Joseph DiBlasi, husband of Virginia DiBlasi, a member of the Town Clerk's staff. Mr. DiBlasi was killed in a tragic accident today.

RESOLUTION NO. (621-1981)

INCREASING FEES FOR
MARRIAGE LICENSE AND
CERTIFICATE OF MARRIAGE
REGISTRATION

Co. Longo offered the following resolution:

WHEREAS, the New York State Department of Health has increased the fees for marriage licenses, in the State of New York, to \$5.00, effective June 1, 1981, and

WHEREAS, the New York State Department of Health has advised the towns in the State that the fee for a certificate of marriage registration may be increased to a fee not to exceed \$5.00, and

WHEREAS, all the towns in the County of Rockland have agreed that a fee of \$2.00 is to be charged for the certificate of marriage registration,

NOW, THEREFORE, be it

RESOLVED, that the fee for a certificate of marriage registration remain at \$2.00, thereby bringing the total cost for a marriage license and certificate of marriage registration to \$7.00, retroactive to June 1, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (623-1981)

AUTHORIZING SUPERVISOR
TO EXECUTE AND ADMINISTER
SUMMER YOUTH EMPLOYMENT
PROGRAM

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to execute and administer Summer Youth Employment Program for 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

AAJ338

RESOLUTION NO. (624-1981)

BOND RESOLUTION AUTHORIZ-
ING PAYMENT OF JUDGMENT
AGAINST TOWN OF CLARKSTOWN
(ADLER-WALDRON ASSOCIATES,
SARAH S. PARKER AND
WILLIAM W. PARKER)

Co. Longo offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED JULY 7, 1981, AUTHORIZING
THE PAYMENT OF A JUDGMENT AGAINST SAID TOWN,
STATING THE ESTIMATED MAXIMUM COST THEREOF
IS \$500,000, APPROPRIATING SAID AMOUNT THERE-
FOR, AND AUTHORIZING THE ISSUANCE OF
\$500,000 SERIAL BONDS OF SAID TOWN TO FINANCE
SAID APPROPRIATION.RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE
COUNTY OF ROCKLAND, NEW YORK (by the favorable vote of not less than two-
thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, is hereby authorized to pay a judgment in a proceeding entitled Adler-Waldron Associates, Sarah S. Parker and William W. Parker, Plaintiffs vs. Town of Clarkstown, Defendant, Index No. 4833/75. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$500,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$500,000 serial bonds to finance said appropriation and the levy and collection of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon.

Section 2. Serial bonds of the Town in the principal amount of \$500,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of said specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00 a.33 of the Law, is five (5) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of Section 107.00 d. 5. of the Law.

(c) The proposed maturity of the bonds authorized by this resolution may not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged

RESOLUTION NO. (624-1981) Continued

to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Councilman Lettre and duly put to a vote on roll call, which resulted as follows:

AYES: Messrs. Dusanenko, Holbrook, Maloney,
Longo and Lettre

NOES: None

The resolution was declared adopted.

RESOLUTION NO. (625-1981)

DIRECTING TOWN CLERK
TO PUBLISH FOREGOING
BOND RESOLUTION IN
JOURNAL NEWS

Co. Longo offered the following resolution:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN
THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

AAJ338

RESOLUTION NO. (625-1981) Continued

Section 1. The Town Clerk of the Town of Clarkstown, in the County of Rockland, New York, is hereby directed to publish the foregoing bond resolution, in full, in "THE JOURNAL NEWS", a newspaper published in Nyack, New York, and having a general circulation therein, which newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Councilman Lettre and duly put to a vote on roll call, which resulted as follows:

AYES: Messrs. Dusanenko, Holbrook, Maloney,
Longo and Lettre

NOES: None

The resolution was declared adopted.

* * *

---PLEASE SEE COMMENTS REGARDING THIS RESOLUTION ON PAGE 29 ---

PLEASE NOTE THE FOLLOWING RESOLUTION APPEARS OUT OF SEQUENCE --

RESOLUTION NO. (622-1981)

REGARDING ROADS AND
RELATED IMPROVEMENTS
ACCEPTED BY THE TOWN
OF CLARKSTOWN

Co. Longo offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways and the Director of the Department of Environmental Control, deed(s) from: JHM Homes, Inc., dated July 22, 1980, April 29, 1981 conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "SASSON HOMES" filed in the Rockland County Clerk's Office on July 22, 1980, in Book 95 of Maps at page 68 as Map Number 5162, as follows:

FLOWER LANE

880 L.F.

are hereby accepted by the Town of Clarkstown, provided all requirements of the Town Attorney's Office have been met, and ordered filed in the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that Maintenance Bond No. 933692 dated the 20th day of May, 1981 JHM HOMES, INC., as Principal and Phillip Mann and Uri Sasson as Co-Principals and Republic Insurance Company as Surety, are hereby accepted.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (626-1981)

SETTING PUBLIC HEARING
ON PROPOSED AMENDMENTS TO
THE ZONING ORDINANCE OF
TOWN OF CLARKSTOWN (SEC.
106-20. EXCEPTIONS, SEC.
B - DELETION OF PARAGRAPH
(5) (FENCES AND WALLS)

Co. Longo offered the following resolution:

RESOLUTION NO. (626-1981) Continued

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

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 11th day of August, 1981 at 9:00 P.M., to consider the adoption of the following proposed amendments to the Zoning Ordinance of the Town of Clarkstown:

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

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

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

and be it

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

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

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (627-1981)

SETTING PUBLIC HEARING ON PROPOSED AMENDMENTS TO ZONING ORDINANCE OF TOWN OF CLARKSTOWN (SEC. 106-10A, TABLE OF GENERAL USE REGULATIONS, CS DISTRICT, COLUMN 3, SECTION B, DELETION OF PARAGRAPH 5 - SEC. 106-10A, TABLE OF GENERAL USE REGULATIONS, CS DISTRICT, COLUMN 2 - ADDITION OF NEW PARAGRAPH 10 - SEC. 106-10A, TABLE OF GENERAL USE REGULATIONS, RS DISTRICT, COLUMN 3, SECTION B - DELETION OF PARAGRAPH 6 AND SEC. 106-10A, TABLE OF GENERAL USE REGULATIONS, RS DISTRICT, COLUMN 2 - ADDITION OF NEW PARAGRAPH 10 - (THEATERS))

Co. Longo offered the following resolution:

AAJ338

RESOLUTION NO. (627-1981) Continued

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

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 11th day of August, 1981, at 9:15 P.M., to consider the adoption of the following proposed amendments to the Zoning Ordinance of the Town of Clarkstown:

Amend Section 106-10A, Table of General Use Regulations, CS District, Column 3, Section B, by deleting Paragraph 5.

Amend Section 106-10A, Table of General Use Regulations, CS District, Column 2, by adding a new Paragraph 10 to read as follows:

10. Theaters, except drive-in theaters.

Amend Section 106-10A, Table of General Use Regulations, RS District, Column 3, Section B, by deleting Paragraph 6.

Amend Section 106-10A, Table of General Use Regulations, RS District, Column 2, by adding a new Paragraph 10 to read as follows:

10. Theaters, except drive-in theaters.

and be it

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

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (628-1981)

AUTHORIZING THE ISSUANCE OF BUILDING PERMIT UNDER SECTION 280-A OF TOWN LAW (DENNIS L. COYLE)

Co. Longo offered the following resolution:

RESOLVED, that a Building Permit under provisions of Section 280-a of the Town Law may be issued to Dennis L. Coyle for property situate on the east side of Lamborn Avenue, 540 feet north of Southward Avenue, Congers, New York, more specifically designated on the Clarkstown Tax Map as Map 127, Block N, Lot 26.04, 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

RESOLUTION NO. (628-1981) Continued

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, and which shall contain the following covenants:

1. That the applicant extend the road pavement to the north property line in accordance with the Town of Clarkstown Street Specifications.

2. That the applicant submit a detailed plan for the proposed improvements on Lamborn Avenue for the review and approval of the Director of the Department of Environmental Control prior to the issuance of a building permit.

Seconded by Co. Maloney

All voted Aye.

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AAJ338

RESOLUTION NO. (629-1981)

SETTING PUBLIC HEARING FOR EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1 TO INCLUDE BROOKLINE MANOR

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

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 11th day of August, 1981, at 9:30 P.M. DST to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (630-1981)

AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH COUNTY OF ROCKLAND FOR STREAM MAINTENANCE INCREASE REVENUE ACCOUNT NO. 01-2300 AND APPROPRIATION ACCOUNT NO. A 8730-409

Co. Longo offered the following resolution:

WHEREAS, the Town of Clarkstown desires to enter into an agreement with the County of Rockland for stream maintenance;

NOW, THEREFORE, be it

RESOLUTION NO. (630-1981) Continued

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into an agreement with the County of Rockland in a form satisfactory to the Town Attorney and which shall provide that the Town of Clarkstown receive \$12,000.00, and be it

FURTHER RESOLVED, to increase Revenue Account No. 01-2300 and Appropriation Account No. A 8730-409 by \$12,000.00.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (631-1981)

INCREASING TOWN BOARD
RESOLUTION NO. 277-1981
RE: DRAINAGE PROJECT OF
STONEHEDGE DRIVE TO
ABERDEEN STREET

Co. Longo offered the following resolution:

WHEREAS, the Drainage Project of Stonehedge Drive to Aberdeen Street required additional material and labor at the direction of the Director of Environmental Control be it

RESOLVED, to increase Town Board Resolution No. 277 from \$58,547.50 to \$74,437.16.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (632-1981)

AUTHORIZING SUPERVISOR
TO ENTER INTO AGREEMENT
WITH TOWN OF HAVERSTRAW
(BICYCLE RACKS)

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown be authorized to enter into an agreement with the Town of Haverstraw for acquisition of bicycle racks.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (633-1981)

AWARDING BID FOR ONE (1)
VACU-SWEEP STREET SWEEPER
(GANNON MUNICIPAL EQUIP-
MENT, INC.) - CHARGE TO
CAPITAL II - HIGHWAY
EQUIPMENT ACCOUNT

Co. Longo offered the following resolution:

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

One Vacu-Sweep Street Sweeper

is hereby awarded to:

RESOLUTION NO. (633-1981) Continued

GANNON MUNICIPAL EQUIPMENT, INC.
333 East 23rd Street
New York, New York 10010

as per the lowest bid proposal meeting specification of \$67,450.00

for one Ecolotec Vacu-Sweep Mark 400 equipped with Ford C 7000 chassis, Caterpillar 3208 engine, and Allison At-545 automatic transmission, and be it

FURTHER RESOLVED, that funds for same are to be charged to Capital II- Highway Equipment Account.

Seconded by Co. Maloney

All voted Aye.

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AAJ338

There was a question from the audience regarding the low bid for the street sweeper other than the Gannon. Supervisor Dusanenko said that that bid did not meet the specifications as the Gannon did. Superintendent of Highways, Mr. Seeger, stated that his recommendation was to reject all bids since delivery would be about 150 days from now and would probably be delivered around Christmas time. We should wait and get the 1982 model.

Councilman Holbrook stated that he was reserving the right to reconsider this item.

Supervisor Dusanenko said that they would look into this further.

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RESOLUTION NO. (634-1981)

AWARDING BID FOR
REMOVAL OF ARCHITECTURAL
BARRIERS AT THE HIGHVIEW
ELEMENTARY SCHOOL
(AARK CONSTRUCTION CORP.)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing and the Project Architect the bid entitled:

REMOVAL OF ARCHITECTURAL BARRIERS
HIGHVIEW ELEMENTARY SCHOOL

is hereby awarded to

AARK CONSTRUCTION CORPORATION
P.O. Box 203
Spring Valley, New York 10977

at the low bid proposal of \$27,600.00 and be it

FURTHER RESOLVED, that funds for same be charged to REMOVAL OF ARCHITECTURAL BARRIERS ACCOUNT.

Seconded by Co. Maloney

All voted Aye.

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Supervisor Dusanenko wished it noted that the above amount will come from 1980 Community Development Funds.

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RESOLUTION NO. (635-1981)

AWARDING BID FOR TIRES
FOR POLICE DEPARTMENT
(DALEY TIRE SERVICE, INC.)

Co. Longo offered the following resolution:

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

TIRES FOR POLICE DEPARTMENT

is hereby awarded to

DALEY TIRE SERVICE, INC.
109 Route 59
Monsey, New York 10952

as per the following schedule of prices:

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PRICE</u>
1	PATROL PURSUIT RADIALS FLEXSTAN BELTED GOODYEAR BLUE STREAK # 110-691-042 SIZE GR 70 x 15	\$50.53
1A	AS ABOVE-TEXTILE BELTED GOODYEAR # 110-691-081	45.48
2	AS ABOVE-SNOW TREAD GOODYEAR # 787-733-615	39.77

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (636-1981)

ADJOURNING REGULAR
TOWN BOARD MEETING IN
ORDER TO HOLD SCHEDULED
PUBLIC HEARING RE:
EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT NO. 1 (WALTHAM
ESTATES)

Co. Longo offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned
in order to hold scheduled Public Hearing re: Extension of Clarkstown
Water Supply District No. 1 to include: Waltham Estates, time: 8:35 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (637-1981)

CLOSING PUBLIC HEARING
RE: EXTENSION OF CLARKS-
TOWN CONSOLIDATED WATER
SUPPLY DISTRICT NO. 1
(WALTHAM ESTATES)

Co. Longo offered the following resolution:

RESOLUTION NO. (637-1981) Continued

RESOLVED, that Public Hearing re: Extension of Clarkstown Consolidated Water Supply District No. 1 to include: Waltham Estates be closed, ORDER SIGNED, time: 8:37 P.M.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (638-1981) OPENING SCHEDULED PUBLIC HEARING RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1 (DORCHESTER ESTATES)

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Extension of Clarkstown Consolidated Water Supply District No. 1 to include: Dorchester Estates be opened, time: 8:38 P.M.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (639-1981) CLOSING PUBLIC HEARING RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1 (DORCHESTER ESTATES) AND RETURNING TO REGULAR TOWN BOARD MEETING

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Extension of Clarkstown Consolidated Water Supply District No. 1 to include: Dorchester Estates be closed, ORDER SIGNED, time: 8:40 P.M. and return to regular Town Board Meeting.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (640-1981) SETTING PUBLIC HEARING RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1 TO INCLUDE CLOVERDALE 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

AAJ338

RESOLUTION NO. (640-1981) 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 11th day of August, 1981, at 9:35 P.M. DST to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (641-1981)

MEMORIALIZING RESOLUTION
RE: INCREASE IN JUSTICE
COURT FEES (ADDITIONAL
REQUEST FOR SAME)

Co. Longo offered the following resolution:

WHEREAS, the reimbursement portion from the State of New York for traffic violations for the last ten years has been set at \$5.00, and

WHEREAS, the cost of operating the Justice Courts has increased ten-fold for this operation, and

WHEREAS, in 1980 a bill was introduced to increase these fees to \$15, which was adopted by both houses and subsequently vetoed by the Governor,

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown again respectfully requests our elected State Officials to re-introduce legislation to increase the current \$5 fee to offset the increased burden in the operation of Justice Courts, and be it

FURTHER RESOLVED, that we ask the Governor's consideration in recognizing the problem of administering the Vehicle and Traffic Law and the State Penal Codes and urge that this fee be increased.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (642-1981)

GRANTING APPROVAL FOR
POLLING PLACES FOR
REGISTRATION DAY (OCTOBER
10, 1981)

Co. Longo offered the following resolution:

RESOLVED, by the Town Board of Clarkstown that the following date and time for Registration for the November Election be hereby adopted and approved: Saturday, October 10, 1981 from 12:00 P.M. to 9:00 P.M., and be it

FURTHER RESOLVED, that approval be hereby granted for the following polling places to hold Registration for the November 3, 1981 Elections:

RESOLUTION NO. (642-1981) Continued

CONSOLIDATION
of
DISTRICTS FOR THE PURPOSE OF REGISTRATION
CLARKSTOWN
POLLING PLACES

Central Nyack Community Center West Broadway & Waldron Ave., C.Nyack
E.D. 4 6 20 23 49 54 58 73

West Nyack Elementary School Route 59A, West Nyack
E.D. 3 15 28 34

Clarkstown Town Hall 10 Maple Avenue, New City
E.D. 1 13 16 19 24 27 29 30 36 39 46 52 55 59 67

Highview School 24 Highview Road, Nanuet
E.D. 5 12 18 33 35 44 47 50 70

Street School Elementary School Zucker Road, New City
E.D. 9 22 25 37 40 53 56 60 68 69 72

Congers Elementary School Lake Road, Congers
E.D. 2 7 14 38 42 61 63

Lake View Senior Citizens Housing Memorial Park Dr., Spring Valley
E.D. 10 21 41

Valley Cottage Elementary School Lake Road, Valley Cottage
E.D. 8 17 43 51 62 64

Bardonia Elementary School Route #304, Bardonia
E.D. 11 26 31 32 45 48 57 65 66 71

Seconded by Co. Maloney

All voted Aye.

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The foregoing resolution is subject to a change in the hours from 12:00 P.M. to 9:00 P.M. to possibly 6:00 A.M. to 9:00 P.M. pending passage of Home Rule Legislation which is before the Governor at the present time.

CONTINUED ON NEXT PAGE

AAJ338

RESOLUTION NO. (643-1981)

DESIGNATING POLLING
PLACES FOR THE YEAR 1981

Co. Longo offered the following resolution:

RESOLVED, that the following Polling Places for the year
1981 are hereby designated:

TOWN OF CLARKSTOWN

1981

POLLING PLACES

DIST.#	LOCATION	POLLING PLACE
1.	New City	Town Hall Lobby 10 Maple Ave. New City, New York 10956
2.	Congers	Veteran's Memorial Building Lake Road, Congers, New York 10920
3.	West Nyack	West Nyack Fire House Strawtown Rd. West Nyack, New York 10994
4.	Upper Nyack	Upper Nyack School North Broadway, Upper Nyack, New York 10960
5.	Nanuet	Nanuet Fire House Prospect St. Nanuet, New York 10954
6.	Central Nyack	Central Nyack Community Center West Broadway & Waldron Ave., Central Nyack, New York 10960
7.	Congers	First Presbyterian Church Highway Ave., Congers, New York 10920
8.	Valley Cottage	Valley Cottage Elementary School Lake Road, Valley Cottage, New York 10989
9.	New City	Street Elementary School Zukor Rd., New City, New York 10956
10.	Spring Valley	Lake View Village Senior Citizens Project Memorial Park Dr., Spring Valley, New York 10977
11.	Bardonia	Bardonia Elementary School Route 304, Bardonia, New York 10964
12.	Nanuet	Highview School 24 Highview Ave. Nanuet, New York 10954
13.	New City	Park Evangelical Free Church Little Top Rd., New City, New York 10956
14.	Congers	Congers Methodist Church Lake Rd., Congers, New York 10920
15.	West Nyack	West Nyack Elementary School Route 69A, West Nyack, New York 10994
16.	New City	St. Augustine's School Main St., New City, New York 10956
17.	Valley Cottage	Lake Road Elementary School Lake Rd., Valley Cottage, New York 10989

CONTINUED ON NEXT PAGE

RESOLUTION NO. (643-1981) Continued

<u>DIST.#</u>	<u>LOCATION</u>	<u>POLLING PLACE</u>
18.	Nanuet	Trinity Presbyterian Church Main St., Nanuet, New York 10964
19.	New City	Germonds Presbyterian Church Germonds Rd., New City, New York 10956
20.	Central Nyack	Nyack Housing Authority Waldron Ave., Central Nyack, New York 10960
21.	Spring Valley	Lake View Village Senior Citizens Project Memorial Park Dr., Spring Valley, New York 10977
22.	New City	New City Condominium Clubhouse Heritage Dr., New City, New York 10956
23.	Upper Nyack	Upper Nyack School North Broadway, Upper Nyack, New York 10960
24.	New City	Link Elementary School Red Hill Rd., New City, New York 10956
25.	New City	Little Ton Elementary School Gregory St., New City, New York 10956
26.	New City	Laurel Plains Elementary School Teakwood Lane, New City, New York 10956
27.	New City	St. Augustine's School Main St., New City, New York 10956
28.	West Nyack	Birchwood Elementary School (Rise West) Sickletown Rd., West Nyack, New York 10994
29.	New City	Link Elementary School Red Hill Rd., New City, New York 10956
30.	New City	New City Park Clubhouse Collier Ave., New City, New York 10956
31.	West Nyack	West Nyack Library Strawtown Rd., West Nyack, New York 10994
32.	New City	Chestnut Grove School Old Middletown Rd., New City, New York 10956
33.	Nanuet	Miller Elementary School 50 Blaubeit Rd., Nanuet, New York 10964
34.	West Nyack	West Nyack Elementary School Route 894, West Nyack, New York 10994
35.	Nanuet	Middlewood Senior Citizen Complex 80 N. Middletown Rd., Nanuet, New York 10964
36.	New City	St. John's Episcopal Church Strawtown Rd., New City, New York 10956
37.	New City	Street Elementary School Zukor Rd., New City, New York 10956
38.	Valley Cottage	St. Paul's School Kings Highway, Valley Cottage, New York 10989

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RESOLUTION NO. (643-1981) Continued

DIST.#	LOCATION	POLLING PLACE
39.	New City & Spring Valley	Hillcrest School Addison Boyce Rd., Spring Valley, New York 10977
40.	New City	Woodglen Elementary School Phillips Hill Rd., New City, New York 10956
41.	Spring Valley	Lake View Village Senior Citizens Memorial Park Dr., Spring Valley, New York 10977
42.	Congers	Congers Elementary School Lake Rd., Congers, New York 10920
43.	Valley Cottage	Lake Road Elementary School Lake Rd., Valley Cottage, New York 10989
44.	Nanuet	Trinity Presbyterian Church Main St., Nanuet, New York 10954
45.	Bardonia	Bardonia Elementary School Route 304, Bardonia, New York 10954
46.	New City	Little Tor Elementary School Gregory St., New City, New York 10956
47.	Nanuet	Nanuet Fire House Prospect St., Nanuet, New York 10954
48.	New City	Laurel Plains Elementary School Teakwood Lane, New City, New York 10956
49.	Central Nyack	Central Nyack Community Center West Broadway & Waldron Ave., Central Nyack, New York 10960
50.	West Nyack	Birchwood Elementary School (Rise West) Sickletown Rd., West Nyack, New York 10994
51.	Valley Cottage	Valley Cottage Elementary School Lake Rd., Valley Cottage, New York 10989
52.	New City	Clarkstown Senior High School North Congers Rd., New City, New York 10956
53.	New City	Woodglen Elementary School Phillips Hill Rd., New City, New York 10956
54.	Upper Nyack	Upper Nyack School North Broadway, Upper Nyack, New York 10960
55.	New City	New City Elementary School Elmwood Dr., New City, New York 10956
56.	New City	Street Elementary School Zucker Rd., New City, New York 10956
57.	Bardonia	Monterey Senior Citizen Housing 1 Monterey Gardens, Bardonia, New York 10954
58.	Valley Cottage	Mountain View East Clubhouse Sierra Vista Lane, Valley Cottage, New York 10989
59.	New City	St., Augustine's School Main St., New City, New York 10956

RESOLUTION NO. (643-1981) Continued

AAJ338

<u>DIST. #</u>	<u>LOCATION</u>	<u>POLLING PLACE</u>
60.	New City	Woodglen Elementary School Phillips Hill Rd., New City, New York 10956
61.	Congers	Congers Ambulance Corps. Kings Highway, Congers, New York 10920
62.	Valley Cottage	Lake Road Elementary School Lake Rd., Valley Cottage, New York 10989
63.	Congers	First Presbyterian Church Highway Ave., Congers, New York 10920
64.	Valley Cottage	Valley Cottage Elementary School Lake Rd., Valley Cottage, New York 10989
65.	New City	Germonds Presbyterian Church Germonds Rd., New City, New York 10956
66.	New City	Chestnut Grove School Old Middletown Rd., New City, New York 10956
67.	New City	St. John's Episcopal Church Strawtown Rd., New City, New York 10956
68.	New City	Street Elementary School Zukor Rd., New City, New York 10956
69.	New City	Woodglen Elementary School Phillips Hill Rd., New City, New York 10956
70.	West Nyack	Birchwood Elementary School Sickletown Rd., West Nyack, New York 10994
71.	New City	Laurel Plains Elementary School Teakwood Lane, New City, New York 10956
72.	New City	Little Ton Elementary School Gregory St., New City, New York 10956
73.	Valley Cottage	Mountain View East Clubhouse Sienna Vista Lane, Valley Cottage, New York 10

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (644-1981)

SETTING PUBLIC HEARING
FOR EXTENSION OF CLARKS-
TOWN CONSOLIDATED WATER
SUPPLY DISTRICT NO. 1
(SAYMOUR ESTATES)

Co. Longo offered the following resolution:

WHEREAS, a written Petition dated June 24, 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)

RESOLUTION NO. (644-1981) Continued

NOW, THEREFORE, be it

ORDERED that 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 11th day of August, 1981, at 9:40 P.M. DST 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. (645-1981)

AUTHORIZING THE ISSUANCE OF BUILDING PERMIT UNDER SECTION 280-A OF TOWN LAW (GERALD KEOUGH)

Co. Longo offered the following resolution:

RESOLVED, that a Building Permit under provisions of Section 280-a of the Town Law may be issued to GERALD KEOUGH, Contract Purchaser for property situate on the south side of Brook Lane, 131.70 feet west of Zukor Road, New City, New York, more specifically designated on the Clarkstown Tax Map as Map 43, Block F, Lots 27 and 28 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, and which shall contain the following covenant:

1. All the pot holes on Brook Lane from Zukor Road to the westerly property line should be filled in subject to the approval of the Director of the Department of Environmental Control with material that is similar to that which is currently utilized on the existing road.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (646-1981)

TRANSFER OF FUNDS FROM APPROPRIATION ACCOUNT NO. A 1355-463 TO APPROPRIATION ACCOUNT NO. A 1355-366

Co. Longo offered the following resolution:

RESOLVED, to transfer \$500.00 from Appropriation Account No. A 1355-463 to Appropriation Account No. A 1355-366.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (647-1981)

INCREASE ESTIMATED REVENUE NO. 01-2401 AND APPROPRIATION ACCOUNT NO. A 9513-900 - TRANSFER FROM GENERAL FUND TO TRUST AND AGENCY, GUARANTY DEPOSIT ACCOUNT

Co. Longo offered the following resolution:

RESOLUTION NO. (647-1981) Continued

WHEREAS, \$6,000.00 was inadvertently deposited into the General Fund instead of Trust & Agency, Guaranty Deposit in 1968 from Pascack Realty, be it therefore

RESOLVED, to increase Estimated Revenue No. 01-2401 and Appropriation Account No. A 9513-900 by \$6,000.00, and be it further

RESOLVED, to transfer said funds from the General Fund to Trust & Agency, Guaranty Deposit Account.

Seconded by Co. Maloney

All voted Aye.

* * * * *

AAJ338

RESOLUTION NO. (648-1981)

AUTHORIZING TOWN ATTORNEY TO DEFEND PROCEEDING (PATRICIA ENDY V. ZONING BOARD OF APPEALS)

Co. Longo offered the following resolution:

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

In the Matter of the Application of
PATRICIA ENDY,

Petitioner,

-against-

THE ZONING BOARD OF APPEALS FOR THE
TOWN OF CLARKSTOWN,

Respondent,

for a Judgment pursuant to Section 267(7)
of the Town Law and Article 78 of the
Civil Practice Law and Rules

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.

* * * * *

RESOLUTION NO. (649-1981)

AUTHORIZING ATTENDANCE AT DRUG SEMINAR AT MONROE-WOODBURY SCHOOL (JOSEPH MIELE) APPROPRIATION ACCOUNT NO. A 4210-414 - TRANSFER OF FUNDS FROM APPROPRIATION ACCOUNT NO. A 1010-414 TO APPROPRIATION ACCOUNT NO. 4210-414

Co. Longo offered the following resolution:

RESOLUTION NO. (649-1981) Continued

RESOLVED, that Joseph Miele, Chairman, Clarkstown Drug Abuse Prevention Council is hereby authorized to attend a Drug Seminar at Monroe-Woodbury School at Monroe, N.Y. retroactive to June 6, 1981, and be it

RESOLVED, that mileage and tolls for said seminar shall be a proper town charge, not to exceed \$15.00, paid from Appropriation Account No. A 4210-414 and be it

FURTHER RESOLVED, to transfer \$15.00 from Appropriation Account No. A 1010-414 to Appropriation Account No. 4210-414.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (650-1981)

AUTHORIZING SUPERVISOR TO EXECUTE CONTRACT WITH COUNTY OF ROCKLAND TO CONTINUE MANPOWER PROGRAM UNTIL TITLE IID (CETA)

Co. Longo offered the following resolution:

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

NOW, THEREFORE, be it

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

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (651-1981)

AUTHORIZING THE INSTALLATION OF HYDRANTS BY SPRING VALLEY WATER COMPANY TWO (2) HYDRANTS - ONE NORTH SIDE APRIL LANE EAST OF E. ALLISON AVENUE AND ONE WEST SIDE APRIL LANE EAST AND NORTH OF APRIL COURT, NANUET (PELHAM MANOR-TOO)

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 two (2) fire hydrants, one on the north side of April Lane, approximately 170 feet east of the center line of E. Allison Avenue, and one on the west side of April Lane, approximately 400 feet east and north from the center line of April Court, Nanuet (Pelham Manor-Too)

Investigation No. 9127.

Seconded by Co. Maloney

All voted Aye.

* * * * *

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RESOLUTION NO. (652-1981)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR STREAM
IMPROVEMENT PROJECT
(NJ1-13-1A VALLEY COTTAGE)

Co. Longo offered the following resolution:

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

BID # 45-1981
STREAM IMPROVEMENT PROJECT
FOR NJ1-13-1A VALLEY COTTAGE, NY

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 Thursday,
August 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.

* * * * *

RESOLUTION NO. (653-1981)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR DRAINAGE
IMPROVEMENT PROJECT
(EAST AVENUE, WEST NYACK)

Co. Longo offered the following resolution:

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

BID #46-1981
DRAINAGE IMPROVEMENT PROJECT
EAST AVENUE, WEST NYACK, NY

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 Thursday, August 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.

* * * * *

RESOLUTION NO. (654-1981)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BID FOR DRAINAGE
IMPROVEMENT PROJECT
(DEMAREST MILL STREAM -
NJ1-10 - STRAWTOWN ROAD
TO HACKENSACK RIVER)

Co. Longo offered the following resolution:

AAJ338

RESOLUTION NO. (654-1981) Continued

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

BID #44-1981
DRAINAGE IMPROVEMENT PROJECT
DEMAREST MILL STREAM - NJ1-10
STRAWTOWN ROAD TO HACKENSACK RIVER

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 Thursday, August 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.

* * * * *

RESOLUTION NO. (655-1981)

APPOINTING POSITION OF
PART-TIME COUNSELING
ASSISTANT (TEMPORARY)-
COUNSELING CENTER
(JOSEPH HAZUCHA)

Co. Longo offered the following resolution:

RESOLVED, that Joseph Hazucha, 413 Cedar Avenue, Upper Nyack, New York, is hereby appointed to the position of part-time Counseling Assistant (Temporary) - Counseling Center - to cover the leave of absence of Iris Koonin - at the hourly rate of \$6.00 - effective July 8, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (656-1981)

APPOINTING POSITION OF
GROUNDWORKER (CONTINGENT)
PARKS & RECREATION
(ANGELO PADOVANI)

Co. Longo offered the following resolution:

RESOLVED, that Angelo Padovani, 1 Rone Court, New City, New York is hereby appointed to the position of Groundswoker (Contingent) Parks & Recreation - pending approval of his physical examination - at the annual 1981 salary of \$10,729.00 effective July 13, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (657-1981)

APPOINTING POSITION OF
BUS DRIVER -PART-TIME -
MINI TRANS (ZELDA H.
MARKOWITZ)

Co. Longo offered the following resolution:

RESOLUTION NO. (657-1981) Continued

RESOLVED, that Zelda H. Markowitz, 421 Storms Road, Valley Cottage, New York is hereby appointed to the position of Bus Driver, part-time - Mini Trans - at the hourly rate of \$5.12, effective and retroactive to June 26, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (658-1981)

ACCEPTING RESIGNATION
(BY RETIREMENT) SENIOR
TYPIST - DEPARTMENT OF
ENVIRONMENTAL CONTROL
(PAULINE CHASAR)

Co. Longo offered the following resolution:

RESOLVED, that the resignation (by retirement) of Pauline Chasar, 17 Jolen Drive, New City, New York - Senior Typist, Department of Environmental Control - is hereby accepted, with regret, effective August 8, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (659-1981)

ACCEPTING RESIGNATION
OF REAL PROPERTY DATA
COLLECTOR (TEMPORARY)
ASSESSOR'S OFFICE
(WILLIAM BOWLER)

Co. Longo offered the following resolution:

RESOLVED, that the resignation of William Bowler, 13 Pigeon Hill Road, Nanuet, New York, as (Temporary) Real Property Data Collector - Assessor's Office - is hereby accepted - effective and retroactive to June 29, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (660-1981)

ACCEPTING RESIGNATION
OF OFFICE WORKER-STUDENT-
SUPERVISOR'S OFFICE
(JEAN M. BOYLAN)

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Jean M. Boylan, 28 Poplar Street, Nanuet, New York as Office Worker-Student - Supervisor's Office - is hereby accepted, effective and retroactive to June 17, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (661-1981)

ACCEPTING RESIGNATION
OF MEMBER - FIRE BOARD
OF APPEALS (HAROLD HYDE)

Co. Longo offered the following resolution:

AAJ338

RESOLUTION NO. (661-1981) Continued

RESOLVED, that the resignation of Harold Hyde, 55 Ridge Road, Valley Cottage, New York as a member - Fire Board of Appeals is hereby accepted, with regret, effective and retroactive to June 18, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (662-1981)

APPOINTING POSITION OF MEMBER - HISTORICAL REVIEW BOARD (ALICE CARBONE)

Co. Longo offered the following resolution:

RESOLVED, that Alice Carbone, 334 Germonds Road, West Nyack, New York, is hereby appointed to the position of Member - Historical Review Board - to fill the unexpired term of Daniel Broun - at the annual 1981 salary of \$100.00, effective July 8, 1981, with a term to expire on December 31, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (663-1981)

ADJOURNING REGULAR TOWN BOARD MEETING IN ORDER TO HOLD SCHEDULED PUBLIC HEARING (DePAULIS ZONE CHANGE)

Co. Longo offered the following resolution:

RESOLVED, that Regular Town Board Meeting be adjourned in order to hold schedule Public Hearing re: DePaulis Zone Change, time: 9:00 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (664-1981)

CLOSING PUBLIC HEARING RE: DePAULIS ZONE CHANGE AND RETURNING TO REGULAR TOWN BOARD MEETING

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: DePaulis Zone Change be closed, ADOPTED, and regular Town Board Meeting be resumed, time: 9:30 P.M.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (665-1981)

AMENDING ZONING ORDINANCE OF TOWN OF CLARKSTOWN (DePAULIS)

Co. Longo offered the following resolution:

RESOLUTION NO. (665-1981) Continued

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 23rd day of June, 1981, provided for a public hearing on the 7th day of July, 1981, at 9:00 P.M., to consider the application of GIUSEPPE DePAULIS to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the petitioner from LO & LS Districts to an RS District, and

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

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from LO and LS Districts to an RS District, the following described property in the Hamlet of Congers, New York, in said Town; said amendment conditioned upon the execution and recording of a Declaration of Restrictive Covenant running with the land in a form satisfactory to the Town Attorney's Office made by the certified record owner containing the following conditions:

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1. The premises shall be restricted to the following uses:

- a. Professional offices
- b. Retail sales of
 - (1) building materials
 - (2) hardware
 - (3) home appliances
 - (4) energy saving and solar energy devices
 - (5) firewood and bagged coal

2. All accessory uses and open storage shall be no closer than 25 feet to any property line. Said 25 foot buffer area shall be provided with evergreen screening.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (666-1981)

RECONSIDERING BID FOR STREET SWEEPER

Co. Longo offered the following resolution:

RESOLVED, that the acceptance of the bid for street sweeper be reconsidered.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (667-1981)

TABLING BID AWARD FOR STREET SWEEPER

Co. Longo offered the following resolution:

RESOLUTION NO. (667-1981)

RESOLVED, that the bid award for street sweeper is hereby tabled.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (668-1981)

ACCEPTING RESIGNATION OF BINGO INSPECTOR (RICHARD GARDNER)

Co. Lettre offered the following resolution:

RESOLVED, that the resignation of Richard Gardner, 34 Freedman Avenue, Nanuet, New York as Bingo Inspector - is hereby accepted effective July 7, 1981.

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (669-1981)

APPOINTING POSITION OF BINGO INSPECTOR (DONNA CEFOLA)

Co. Longo offered the following resolution:

RESOLVED, that Donna Cefola, 6 John Street, New City, New York is hereby appointed to the position of Bingo Inspector - to fill the unexpired term of Richard Gardner - at the 1981 salary if \$15.00 per occasion, effective July 8, 1981, with a term to expire on December 31, 1981.

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

* * * * *

RESOLUTION NO. (670-1981)

APPOINTING POSITION OF MEMBER OF ZONING BOARD OF APPEALS (RICHARD GARDNER)

Co. Lettre offered the following resolution:

RESOLVED, that Richard Gardner, 34 Freedman Avenue, Nanuet, New York is hereby appointed to the position of Member - Zoning Board of Appeals - at the annual 1981 salary of \$1,000., effective July 8, 1981, with a term to expire on July 8, 1986.

Seconded by Co. Longo

On roll call the vote was as follows:

RESOLUTION NO. (670-1981) Continued

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

* * * * *

Councilman Holbrook inquired as to the reason, if any, that Rodman Herbert was not being reappointed and why he had no previous knowledge that this was coming up at this meeting.

Councilman Longo explained that since Richard Gardner was a former member and Chairman of the Zoning Board of Appeals and had been replaced by the then Democratic Town Board what was happening in effect was that Richard Gardner was being reappointed to the Zoning Board of Appeals.

Councilman Lettre said that this is the same person who was removed as a member and Chairman of the Zoning Board of Appeals and it was with great pleasure that he was voting to put Mr. Gardner back in.

Councilman Maloney said he was voting "No" not because he had anything against Mr. Gardner but because Central Nyack had such little representation on any board in the Town and Rodman Herbert was doing such a fine job.

* * * * *

RESOLUTION NO. (671-1981)

TRANSFERRING BUS DRIVER
(PART-TIME) TO BUS DRIVER
(FULL-TIME) - MINI-TRANS
(KLAUS BURMEISTER)

Co. Longo offered the following resolution:

RESOLVED, that Klaus Burmeister, 3 Leonia Avenue, New City, New York is hereby transferred from Bus Driver (part-time) to Bus Driver (full-time) - Mini-Trans Department - at the hourly rate of \$5.12, effective and retroactive to June 8, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (672-1981)

APPOINTING POSITION OF
CHAIRMAN - ZONING BOARD
OF APPEALS (RICHARD
GARDNER)

Co. Lettre offered the following resolution:

RESOLVED, that Richard Gardner, 34 Freedman Avenue, Nanuet, New York is hereby appointed to the position of Chairman, Zoning Board of Appeals, at the annual 1981 salary of \$500.00, effective July 8, 1981, with a term to expire on July 8, 1982.

Seconded by Co. Longo

On roll call the vote was as follows:

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RESOLUTION NO. (672-1981) Continued

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

* * * * *

Councilman Holbrook said this is total absurdity. You are replacing Mr. Carey - one of the sane members of the Republican Party. This is undeniably his punishment for winning at the Republican Convention.

Councilman Lettre said that Richard Gardner was not re-appointed to the Zoning Board of Appeals and that Mr. Lettre's mother was not reappointed as Bingo Inspector by the last Democratic Town Board but instead the Democratic Party Chairwoman was appointed as Bingo Inspector. Mr. Carey is a candidate for political office and will have to spend a great deal of time campaigning.

Councilman Maloney said that it was appropriate that the lights had gone out as this was being done under cover of darkness. (Councilman Maloney was referring to a power failure which had plunged the Town Hall into darkness at tonight's meeting.) Councilman Maloney stated that Mr. Carey was performing admirably as Chairman of the Zoning Board of Appeals and was a credit to the Town.

Supervisor Dusanenko said that since Mr. Carey may be a candidate for political office and if elected would not be able to fill his term he would have to be replaced. Since Mr. Gardner was replaced without comment by the Democrats what we have done here tonight is return Mr. Gardner to the Zoning Board.

* * * * *

Supervisor Dusanenko asked if there was anyone wishing to address the Town Board.

APPEARANCE: Mrs. Harriet Dusanenko
New City, New York

Mrs. Dusanenko spoke regarding the hours on Primary Day.

Supervisor Dusanenko explained that a bill extending the hours had been passed by the Assembly and the Senate and was awaiting the Governor's signature. If the Governor did sign it, it would become a fact and if not it would be vetoed.

Mrs. Dusanenko inquired as to whether the Inspectors were to be compensated for the additional hours and by whom.

Supervisor Dusanenko said it was his understanding that it was the County of Rockland that was to supply the monies for the additional hours.

There being no one else wishing to speak and no further business to come before the Town Board, the Town Board Meeting was declared closed, time: 9:55 P.M.

Respectfully submitted,
Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

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COMMENTS WITH REGARD TO RESOLUTION NO. (625-1981)

Supervisor Dusanenko asked Mrs. Erard, Town Comptroller, to give an explanation and she explained that this bond was an authorization to issue up to \$500,000.00 after twenty days of publication, if needed, to release accounts that are attached. This would require four votes of the Town Board. This resolution was approved unanimously with Councilman Holbrook stating that he was voting "Yes" on advice of the Town Attorney.

* * * * *

Patricia Sheridan

AAJ338

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

7/7/81

8:35 P.M.

Present: Supervisor Dusanenko
 Councilmen Holbrook, Lettre, Longo, Maloney
 Philip Fogel, Deputy Town Attorney
 Patricia Sheridan, Town Clerk

RE: PETITION FOR THE EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER
 SUPPLY DISTRICT NO. 1 - WALTHAM ESTATES

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

Town Attorney stated that he had no correspondence.

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

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

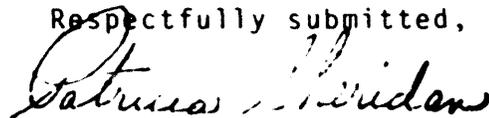
IN FAVOR: No one appeared.

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

IN OPPOSITION: No one appeared.

There being no one wishing to be heard in favor of or in opposition to the proposed water extension, on motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, ORDER SIGNED, time: 8:37 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
 Town Clerk

AAJ338

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

7/7/81

8:38 P.M.

Present: Supervisor Dusanenko
Councilmen Holbrook, Lettre, Longo, Maloney
Philip Fogel, Deputy Town Attorney
Patricia Sheridan, Town Clerk

RE: PETITION FOR THE EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER
SUPPLY DISTRICT NO. 1 - DORCHESTER ESTATES

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

Town Attorney stated that he had no correspondence.

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

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

IN FAVOR: No one appeared.

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

IN OPPOSITION: No one appeared.

There being no one wishing to be heard in favor of or in opposition to the proposed water extension, on motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, ORDER SIGNED, time: 8:40 P.M.

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

AAJ338

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

7/7/81

9:00 P.M.

Present: Supervisor Dusanenko
Councilmen Holbrook, Lettre, Longo, Maloney
Philip Fogel, Deputy Town Attorney
Patricia Sheridan, Town Clerk

RE: PETITION FOR CHANGE OF ZONE APPLICATION - LO & LS DISTRICT,
TO RS DISTRICT - GIUSEPPE DePAULIS, CONGERS, NEW YORK

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

Philip Fogel, Deputy Town Attorney, read the following correspondence:

(Letterhead of Town of Clarkstown Planning Board)

"June 3, 1981

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

Gentlemen: TOWN BOARD REFERRAL: ZONE CHANGE
REQUEST LO/LS TO RS, DEPAULIS 129A9.01
CONGERS (Approx. 4 acres to S. corner
Route 9W and W. side Rt. 303).

The Planning Board discussed the above matter at great length at several meetings. The Board did not object to Mr. DePaulis extending his existing business but expressed great concern that granting a change to RS would allow for more intensive retail and commercial uses.

At the Planning Board meeting of May 20, 1981 the following evolved.

Motion of Thormann, second of Nowicki, carried 6:0 with Ayes of Cunningham, Fallon, Yacyshyn and Paris, approving the following...

RECOMMENDATION TO THE HONORABLE TOWN BOARD: The Planning Board has examined the petition for change of zone from LO/LS to RS for DePaulis 129A.01 Congers, in relation to the surrounding area, the topography and the statutory requirements and finds that the zone change to RS should be Denied, but wishes to point out that the Planning Board does not object to Mr. DePaulis extending his business use provided adequate safeguards or mechanism can be imposed other than a zone change. The concern is that the RS zone permits a wide range of retail and service uses. Rt. 59 is zoned RS and the kinds of activities located there could be established on this parcel. Permitting those kinds of intensive uses on this parcel is not desirable nor needed in this area. The intersection of Routes 303 and 9W is dangerous, and the site slopes, creating potential problems for access as well as on site circulation.

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

- (a) The uses permitted by the proposed zone change would not be appropriate in the area,
- (b) not applicable,

CONTINUED ON NEXT PAGE

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- (c) public water supply and supply of sanitary sewers can be provided in the area,
- (d) there are lands zoned RS along Route 9W that lie southeasterly of the property,
- (e) there is some development planned for the RS zoned lands along Route 9W,
- (f) the comprehensive plan, as recently proposed by the Planning Board indicates this area for industrial uses,
- (g) not applicable.

We attach copy of Planning Consultant report for your guidance.

Very truly yours,

/s/ Richard J. Paris

Richard J. Paris
Chairman

att:

cc: Town Attorney
Town Clerk"

(Letterhead of County of Rockland Planning Board)

"April 7, 1981

Clarkstown Town Board
Town Hall
New City, New York 10956

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

Map Dated: 2/5/81
Item:
Zone Change: LO/LS to RS
Intersection of Rts. 9W & 303
Giuseppe DePaulis (C-556)

The Rockland County Planning Board reviewed the above item at its meeting of March 31, 1981 and

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

REASONS: The Board found that the proposed zoning district would be in conflict with the Rockland County Land Use Plan and would adversely affect the viability of the older established commercial areas to the south (Congers) and to the north (Village of Haverstraw). The Board also found that the proposed location adjoins a dangerous intersection and would not lend itself to safe and easy access to the site.

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

Very truly yours

ROCKLAND COUNTY PLANNING BOARD

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

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

Supervisor Dusanenko called upon Mr. Donald Tracy, attorney for the petitioner for his presentation.

Mr. Tracy stated that he was aware that all of the Town Board members were familiar with the petition and that he had attended four Planning Board meetings regarding the same. The members of the Planning Board were not adverse to the DePaulis business and its expansion but they did object to the granting of an RS zone. Mr. Tracy explained that his client was applying for the RS zoning because it was the only zone in which he could conduct his business.

Mr. Tracy further explained that Mr. DePaulis wishes to expand his present operation and had purchased the land next to him. While the Planning Board's concern was understandable it was imperative that the Town Board understand the problem since, in order for Mr. DePaulis to operate, he must have the RS zoning.

The Planning Board had made it very clear that they were not opposed to the DePaulis application or operation but that their concern was that under RS zoning large stores such as Altmans or Bambergers could operate. They also recognized that this was not the case with Mr. DePaulis.

The DePaulis business generates a relatively small amount of traffic coming and going throughout the day and causes no traffic congestion or tie-ups in the immediate or surrounding areas, as opposed to offices which would have a large amount of traffic coming and going at once, mornings and evenings, thus creating more of a traffic problem than what is being requested here.

Mr. Tracy urged the Board to grant this petition and further stated that it would in no way change the operation which presently exists and which operation has caused no problems to the Town.

Supervisor Dusanenko stated that the original petition was for an RS and that the Board now has before it an RS with restrictions and the proposal states those restrictions.

Councilman Holbrook stated that the Town Board had had a similar application before them and they had a problem with that and he asked Mr. Tracy if the Town Board denied the RS would there be any other way that Mr. DePaulis could expand.

Mr. Tracy said not in his legal opinion was there any other way that presently existed in which Mr. DePaulis could expand. He had suggested to the Planning Board that every so often the Board should review the uses granted in the various zones and if possible to switch some of the uses around.

Councilman Holbrook asked what the Master Plan proposed? Mr. Tracy said it was for industrial use and that that would provide a traffic problem since in industrial all the traffic would come and go at one time. Mr. Tracy further explained that his client could have applied for a variance. However, the application would have had to show a hardship and it would be difficult to prove such hardship.

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

IN FAVOR: No one appeared.

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

IN OPPOSITION: No one appeared.

The Deputy Town Attorney then read the restrictive uses that were being placed on the granting of the RS zone and it was further explained that the restrictions are in regard to retail sales only and not the masonry and supply business.

There being no one further wishing to be heard, Public Hearing was closed on motion of Councilman Longo, seconded by Councilman Lettre and unanimously adopted, GRANTED, time: 9:30 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk