

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

8/11/81

8:10 P.M.

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

Supervisor Dusanenko declared the Town Board meeting open; Assemblage saluted the Flag.

Supervisor Dusanenko asked for a moment of silence in memory of Felicia Levy, daughter of Assemblyman Eugene Levy. Miss Levy was killed in a car accident recently.

AAJ338

RESOLUTION NO. (673-1981)

AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH SPRING VALLEY WATER COMPANY (PASCACK ROAD AND PIPETOWN HILL ROAD, SPRING VALLEY, NEW YORK)

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to enter into an easement agreement with Spring Valley Water Company in order to convey an easement to Spring Valley Water Company for the relocation of a water main at Pascack Road and Pipetown Hill Road, Spring Valley, New York.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (674-1981)

AUTHORIZING THE ISSUANCE OF A BUILDING PERMIT UNDER SECTION 280-a OF THE TOWN LAW (GRANDO AS AGENT FOR LORRAINE SCHMADER - PROSPECT STREET AND FAIRVIEW AVENUE, NANUET)

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 Bob Grando as agent for Lorraine Schmader for property situate 650 feet north of the intersection of Prospect Street and Fairview Avenue, Nanuet, New York, more specifically designated on the Clarkstown Tax Map as Map 162, Block A, Lot 15.14, 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 which shall contain the following covenants:

1. The sewer connection should be at no cost to the Town of Clarkstown.
2. Applicant shall extend the gravel roadway to the north property line. The road grade and width shall be subject to the approval of the Department of Environmental Control of the Town of Clarkstown.
3. Any adjustment of the catch basin grate to match with the proposed road grade should be at the owner's expense.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (675-1981)

AUTHORIZING THE ISSUANCE  
OF A BUILDING PERMIT UNDER  
SECTION 280-a OF THE TOWN  
LAW (LEIF BERGSTOL -  
MILSOM DRIVE 100 FEET WEST  
OF WYNDHAM LANE, NEW CITY)

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 Leif Bergstol for property situate on the north side of Milsom Drive and 100 feet west of Wyndham Lane, New City, New York, more specifically designated on the Clarkstown Tax Map as Map 43, Block A, Lot 9, 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 which shall contain the following covenants:

- 1. Applicant shall construct a headwall at the end of the existing 36" pipe.
- 2. Applicant shall provide a curb type grate over the existing catch basin.
- 3. The roadway in front of the lot should be improved by the applicant as required by the Department of Environmental Control of the Town of Clarkstown.
- 4. Applicant shall obtain a sewer permit.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (676-1981)

SETTING PUBLIC HEARING  
WITH REGARD TO ZONING  
PETITION (NORMANDY VILLAGE  
COMPANY)

Co. Maloney offered the following resolution:

WHEREAS, Normandy Village Company 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 R-10 district to RG-2 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 8th day of September, 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. Longo

All voted Aye.

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RESOLUTION NO. (677-1981)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO PERFORM  
DRAINAGE WORK ON HELENE  
ROAD AND MARY LANE,  
VALLEY COTTAGE

Co. Longo offered the following resolution:

WHEREAS, a drainage condition exists on a town easement in the vicinity of Helene Road and Mary Lane, Valley Cottage, New York;

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways is hereby authorized to repair and/or replace pipe and clean the easement at a cost not to exceed \$2,950.00, and be it

FURTHER RESOLVED, that the sum of \$2,950.00 shall be charged against the drainage bond.

Seconded by Co. Maloney

All voted Aye.

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AAJ338

RESOLUTION NO. (678-1981)

AUTHORIZING PLANNING  
BOARD OF TOWN OF  
CLARKSTOWN TO APPLY TOWN  
LAW, SECTION 281  
(IONIA ACRES - BARDONIA)

Co. Maloney offered the following resolution:

WHEREAS, Henry Horowitz, Inc., engineer for the applicant has made written application for the use of Town Law, Sec. 281 in connection with subdivision known as Ionia Acres, and

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

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law 281 is used in this subdivision for the following reasons:

1. The proposed layout will allow for better design and safer design as there will be only one entrance/exit onto Bardonia Road in lieu of three separate driveways.
2. Lot layout will be more desirable.
3. Density layout will also allow for tree preservation.

NOW, THEREFORE, be it

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

Seconded by Co. Holbrook

On roll call the vote was as follows:

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

\* \* \* \* \*

RESOLUTION NO. (679-1981)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO ALLEVIATE  
DRAINAGE CONDITION (614  
SOUTH MOUNTAIN ROAD, NEW  
CITY)

Co. Longo offered the following resolution:

WHEREAS, a drainage condition exists on premises located at  
614 South Mountain Road, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways is hereby  
authorized to alleviate said drainage condition as outlined in  
memorandum dated July 17, 1981, from Leslie F. Bollman to Theodore R.  
Dusanenko, at a cost not to exceed \$4,000.00, and be it

FURTHER RESOLVED, that the sum of \$4,000.00 shall be charged  
against the Drainage Bond.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (680-1981)

AUTHORIZING ATTENDANCE  
AT 1981 NATIONAL  
RECREATION AND PARKS  
ASSOCIATION CONGRESS  
(EDWARD J. GHIAZZA) FROM  
7620-409 TO 7020-414

Co. Longo offered the following resolution:

RESOLVED, that Edward J. Ghiazza, Superintendent of  
Recreation and Parks, is hereby authorized to attend the 1981 National  
Recreation and Parks Association Congress, October 25, 1981 through  
October 29, 1981 to be held in Minneapolis, Minnesota.

FURTHER RESOLVED, that the Comptroller is hereby authorized  
to transfer \$750.00 for the necessary and actual expenses from  
7620-409 to 7020-414.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (681-1981)

GRANTING PERMISSION  
TO GROUND ROUND RESTAURANT  
FOR ACCESS TO DYKES PARK  
ROAD, NANUET

Co. Longo offered the following resolution:

WHEREAS, Ground Round Restaurant is the owner/contract  
purchaser of premises situate on the northeast corner of Route 59 and  
Dykes Park Road, Nanuet, New York, and has requested the Town Board  
for use of Dykes Park Road, a road maintained by the Town of Clarkstown  
and not being a major road, for access to Dykes Park Road;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown  
hereby consents, pursuant to Section 106-25D of the Zoning Ordinance  
of the Town of Clarkstown, and grants permission to Ground Round  
Restaurant for access to Dykes Park Road subject to the following  
conditions:

RESOLUTION NO. (681-1981) Continued

1. Meet and fulfill all the requirements of the New York State Department of Transportation now or in the future.

2. Subject to the recommendations of the Director of Environmental Control of the Town of Clarkstown as to the road improvements to a portion of Dykes Park Road.

3. Subject to approval of required variances by the Zoning Board of Appeals.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

\* \* \* \* \*

AAJ338

RESOLUTION NO. (682-1981)

AUTHORIZING FIRE LANE DESIGNATIONS AT MOUNTAINVIEW CONDOMINIUMS (PRINCESS ANNA)

Co. Longo offered the following resolution:

WHEREAS, the Building Inspector and the Fire Inspector of the Town of Clarkstown recommend implementing certain provisions of Local Law No. 9-1971, as amended, known as the Vehicle and Traffic Local Law, more particularly designated as Chapter 102 Sec. 14, of the Code of the Town of Clarkstown, at Mountainview Condominiums (Princess Anna), Valley Cottage, N.Y. (135-G-1-201) by the installation of fire lane designations, and

WHEREAS, Eleanor E. Berk, the owner and/or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said fire lane designations;

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector and the Fire Inspector with regard to the installation of certain fire lane designations shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (683-1981)

AUTHORIZING ATTENDANCE AT CONFERENCE ON ASSESSMENT ADMINISTRATION (ROSS J. VALENZA) CHARGE TO A1010-414

Co. Longo offered the following resolution:

RESOLUTION NO. (683-1981) Continued

RESOLVED, that Ross J. Valenza, Assessor, Town of Clarkstown, is hereby authorized to attend a conference on Assessment Administration in Syracuse, New York, from September 13 thru 16, 1981, and be it

FURTHER RESOLVED, that all proper charges not to exceed \$300.00 be charged against A1010-414.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (684-1981)

AUTHORIZING SUPERVISOR TO EXECUTE LEASE FOR CLARKSTOWN COUNSELING CENTER WITH ARTHUR MOSKOFF (FROM 4201-201)

Co. Longo offered the following resolution:

WHEREAS, the Town of Clarkstown is presently renting space at 44 South Main Street, New City, New York, for the use of the Clarkstown Counseling Center, and

WHEREAS, the Town of Clarkstown desires to continue the use of said premises;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute a lease with Arthur Moskoff, Esq., for premises located at 44 South Main Street, New City, New York, to be used by the Clarkstown Counseling Center to continue its counseling program at a rental of \$600.00 per month, which lease shall run from September 1, 1981, to August 31, 1982, and be it

FURTHER RESOLVED, that the annual rent of \$7,200.00 be taken from Line No. 4201-401.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (685-1981)

REFERRING PETITION FOR ZONE CHANGE TO TOWN PLANNING BOARD AND COUNTY PLANNING BOARD (JHM HOMES, INC. - ELINOR PLACE AND FAY ROAD, NEW CITY)

Co. Longo offered the following resolution:

RESOLVED, that the application of JHM HOMES, INC., for a change of zoning from R-15 and PO District to RG-1 District on property located along the southerly line of Elinor Place approximately 200 feet from South Main Street, partially along Fay Road, and at the present northerly terminus of Esquire Road, New City, New York, be referred to the Town Planning Board for report within 45 days pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board pursuant to Secs. 239-1 and 239-m of the General Municipal Law.

Seconded by Co. Maloney

On roll call the vote was as follows:

RESOLUTION NO. (685-1981) Continued

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

\* \* \* \* \*

RESOLUTION NO. (686-1981)

APPROVING REDUCTION IN  
AMOUNT OF PERFORMANCE  
BOND (PHILIP WOLIKOW  
AND GRANDSONS, INC. -  
WINDSOR ESTATES)

Co. Longo offered the following resolution:

WHEREAS, a Performance Bond No. 931674, Philip Wolikow and Grandsons, Inc., as Principal, and Philip Wolikow and Sonia Wolikow, as Co-Principals; and Republic Insurance Company as Surety, dated October 14, 1980, in the amount of \$63,300 covering the improvements and other facilities as shown on the Final Plat of "Windor Estates" dated August 20, 1980, was furnished to the Town of Clarkstown, and

WHEREAS, the Department of Environmental Control of the Town of Clarkstown has recommended that Bond No. 931674 be reduced to \$5,625.00 as much of the work has been completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that the reduction of Performance Bond No. 931674 be reduced to \$5,625.00.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (687-1981)

REJECTION OF ALL BIDS  
AND READVERTISING FOR  
NEW BIDS ON ONE MULTI-  
PURPOSE VACUUM TYPE  
STREET SWEEPER

Co. Longo offered the following resolution:

WHEREAS, bid specifications for the purchase of one vacuum type Street Sweeper were found not to be adequate for the Town's purposes,

NOW, THEREFORE, be it

RESOLVED, that all bid proposals received for Bid #32-1981 are hereby rejected, and be it

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

BID #32A-1981  
ONE MULTIPURPOSE VACUUM TYPE STREET SWEEPER

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, September 11, 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.

\* \* \* \* \*

AAJ338

RESOLUTION NO. (688-1981)

TRANSFER OF FUNDS  
FROM APPROPRIATION  
ACCOUNTS NOS. A 1345-  
407, A 1345-423 AND  
A 1345-438 TO A 1345-  
313 AND A 1345-319  
(PURCHASING DEPT.)

Co. Longo offered the following resolution:

RESOLVED, to transfer \$248.00 from the following Appropriation  
Account Nos.:

A 1345-407.....\$100.00  
A 1345-423..... 80.00  
A 1345-438..... 68.00

to the following Appropriation Account Nos.:

A 1345-313..... \$100.00  
A 1345-319..... 148.00

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (689-1981)

AMENDING RESOLUTION NO.  
601 "BEHIND THE WHEEL  
ROAD TEST" - TRANSFER  
FROM ACCOUNT NO. A 5630-  
110 TO ACCOUNT NO.  
5630-414

Co. Longo offered the following resolution:

WHEREAS, there is a need for an additional \$7.00 for the  
30 hour course at the Westchester Community College titled "Behind  
the Wheel Road Test"

BE IT THEREFORE

RESOLVED, to amend Town Board Resolution No. 601 dated  
June 23, 1981 to transfer \$7.00 from Appropriation Account No. A  
5630-110 to Appropriation Account No. A 5630-414 as well as the  
\$119.00.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (690-1981)

ACCEPTANCE OF TWO HYDRANTS  
(INDEPENDENCE MEWS) BY  
BOARD OF WATER COMMISSIONERS  
OF VILLAGE OF NYACK

Co. Longo offered the following resolution:

WHEREAS, two fire hydrants have been installed in the  
Independence Mews Subdivision at Phillips Lane, West Nyack, New York,  
by the Board of Water Commissioners of the Village of Nyack, and

WHEREAS, the Board of Water Commissioners of the Village of  
Nyack have requested the Town Board of the Town of Clarkstown to accept  
said installation;

NOW, THEREFORE, be it

RESOLUTION NO. (690-1981) Continued

RESOLVED, that the two fire hydrants located at Phillips Lane, West Nyack, New York, in the Independence Mews Subdivision be and hereby are accepted by the Town Board of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (691-1981)

GRANTING PERMISSION TO DISPENSE ALCOHOLIC BEVERAGES (NEW CITY FIRE ENGINE COMPANY #1)

Co. Longo offered the following resolution:

WHEREAS, on September 26, 1981, the New City Fire Company #1 will host an Inspection Parade at the conclusion of which there will be a social time, and

WHEREAS, the New City Fire Engine Company #1 has requested permission to dispense alcoholic beverages;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the New City Fire Engine Company #1 to dispense alcoholic beverages, as aforesaid, in accordance with the provisions of Local Law No. 6-1977 which includes the securing of a proper license from the appropriate Alcoholic Beverage Control Board.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (692-1981)

ACCEPTING DEED (FOREST BROOK ESTATES SUBDIVISION)

Co. Longo offered the following resolution:

RESOLVED, that deed dated July 20, 1981, from the County of Rockland for Map 8, Block A, Lots 4.145 and 25.20 located in the Forest Brook Estates Subdivision is hereby accepted by the Town of Clarkstown and ordered filed in the Rockland County Clerk's Office.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (693-1981)

ACCEPTING DEED (MAP 33, BLOCK B, LOT 23.27)

Co. Longo offered the following resolution:

RESOLVED, that deed dated June 15, 1981, from the County of Rockland for lot designated on the Clarkstown Tax Map as Map 33, Block B, Lot 23.27 is hereby accepted by the Town of Clarkstown and ordered filed in the Rockland County Clerk's Office.

Seconded by Co. Maloney

All voted Aye.

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Supervisor Dusanenko wished it noted that the foregoing property was located in the vicinity of Jean Marie Gardens.

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AAJ338

RESOLUTION NO. (694-1981)

AWARDING BID FOR EAST AVENUE DRAINAGE IMPROVEMENT PROJECT (CAL MART CONSTRUCTION CORP.) CHARGE TO CAPITAL #2 DRAINAGE ACCT.

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, the Director of Environmental Control and the Project Engineer that

Bid #46-1981 entitled East Avenue, West Nyack Drainage Improvement Project

is hereby awarded to

Cal Mart Construction Corp.  
11 Seeger Drive  
Nanuet, New York 10954

at the low bid proposal of \$141,106.25, and be it

FURTHER RESOLVED, that funds for same be charged to Capital #2 Drainage Account.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (695-1981)

AWARDING BID FOR WORK CLOTHES (EAGLE WORK CLOTHES, INC.)

Co. Longo offered the following resolution:

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

WORK CLOTHES

is hereby awarded to:

Eagle Work Clothes  
1433 Springfield Avenue  
Irvington, New Jersey 07111

as per the following price schedule

	<u>65% Polyester 35% Cotton</u>	<u>100% Cotton</u>
Summer Pants	\$10.10	\$10.75
Winter Pants	15.90	10.75
Summer Sht. Slv. Shirts	6.35	6.65
Winter Lg. Slv. Shirts	7.30	7.85
Winter Jacket		\$17.20
Sleeveless Vest		9.10

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (698-1981) Continued

N.Y., Tax Map 59, <sup>Block A</sup> Lot 20.39, .40, .41, .42, .43 by the installation of fire lane designations, and

WHEREAS, Leonard Kohl, the owner and/or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said fire lane designations;

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector and the Fire Inspector with regard to the installation of certain fire lane designations shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (699-1981)

AUTHORIZING HANDICAPPED  
PARKING SPACES AT  
SQUADRON GARDENS, NEW  
CITY

Co. Longo offered the following resolution:

WHEREAS, the Building Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 9-1971, as amended by Local Law #4, 1978, known as the Vehicle and Traffic Local Law, more particularly designated as Chapter 102-12D of the Code of the Town of Clarkstown, at Squadron Gardens, Squadron Blvd., New City, N.Y., Tax Map 59, Block A, lot 20.39, .40, .41, .42, .43 by the installation of handicapped parking spaces, and

WHEREAS, Leonard Kohl, the owner and/or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said handicapped parking spaces;

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended by Local Law #4, 1978, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector with regard to the installation of certain handicapped parking sapces shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (700-1981)

APPROVING FURTHER  
REDUCTION IN AMOUNT OF  
PERFORMANCE BOND  
(TURNPIKE WOODS, INC. -  
OLD MILL ACRES II)

Co. Longo offered the following resolution:

RESOLUTION NO. (700-1981) Continued

WHEREAS, a Performance Bond No. 931287, Turnpike Woods, Inc. as Principal, Israel Herskowitz and Judy Herskowitz, as Co-principals; and Republic Insurance Co. as surety, dated September 5, 1980, in the amount of \$126,000.00 covering the improvements and other facilities as shown on the Final Plat of Old Mill Acres II, Sections B and C was furnished to the Town of Clarkstown, and

WHEREAS, on November 25, 1980 pursuant to resolution No. 987 said bond was reduced to \$63,000.00, and

WHEREAS, the Department of Environmental Control of the Town of Clarkstown has recommended that Bond No. 931287 be further reduced to \$23,000 as much of the work has been completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that Performance Bond No. 931287 be further reduced to \$23,000.

Seconded by Co. Maloney

All voted Aye.

AAJ338

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RESOLUTION NO. (701-1981)

AUTHORIZING DIRECTOR  
OF PURCHASING TO ADVERTISE  
FOR BIDS FOR ONE (1) NEW  
FORD F-250 PICK-UP TRUCK

Co. Longo offered the following resolution:

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

Bid #48-1981  
One New Ford F-250 Pick-Up Truck

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday, September 16, 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. (702-1981)

AUTHORIZING DIRECTOR  
OF PURCHASING TO ADVERTISE  
FOR BIDS FOR ONE (1) SELF  
CONTAINED MATERIAL SPREADER

Co. Longo offered the following resolution:

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

Bid #49-1981  
One Self Contained Material Spreader

RESOLUTION NO. (702-1981) Continued

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday, September 16, 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. (703-1981)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR ONE (1) SNOW PLOW

Co. Longo offered the following resolution:

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

Bid #50-1981  
One Snow Plow

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday, September 16, 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. (704-1981)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR ONE (1) HIGH VOLUME COPIER DUPLICATOR

Co. Longo offered the following resolution:

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

Bid #47-1981  
One High Volume Copier Duplicator

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 Friday, September 18, 1981 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (705-1981)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO CHANGE  
FLASHING SIGNAL ON OLD  
MILL ROAD, VALLEY COTTAGE

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 change flashing signal on Old Mill Road, Valley Cottage to flash amber in both directions and the red flashing signal remain (toward Railroad tunnel). Reinstall the Stop sign entering Old Mill Road from the railroad tunnel. The amber flashing signal should flash both directions on Crusher Road, red flashing facing railroad tunnel. The Stop sign on Crusher Road should be moved to where the railroad tunnel traffic enters Crusher Road.

Seconded by Co. Maloney

All voted Aye.

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AAJ338

RESOLUTION NO. (706-1981)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO INSTALL  
"NO PARKING, ANYTIME"  
SIGNS ON NORTH SIDE  
WILLIAMS STREET FROM  
DEMAREST STREET TO MAIN  
STREET, NANUET - REPAINT  
FIRE ZONE STRIPES IN  
FRONT OF FIREHOUSE AND  
REPLACE SIGNS ON ROCKLAND  
PAPER COMPANY BUILDING

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 install signs to read, "No Parking, Anytime" on the north side of Williams Street from Demarest Street to Main Street, Nanuet. Also, the faded fire zone stripes in front of the firehouse are to be repainted and the signs on the Rockland Paper Company building are to be replaced.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (707-1981)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO INSTALL STOP  
SIGN ON ALICIA COURT AT  
WEST CLARKSTOWN ROAD,  
WEST NYACK

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 install a Stop sign to be erected on Alicia Court at West Clarkstown Road, West Nyack.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (708-1981)

CREATING OFFICE OF DEPUTY  
RECEIVER OF TAXES

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Receiver of Taxes and the authority contained in Town Law Section 20(3)(c) that the office of Deputy Receiver of Taxes be and the same hereby is created.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (709-1981)

APPOINTING DEPUTY RECEIVER  
OF TAXES FOR YEAR ENDING  
DECEMBER 31, 1981 (JOHN  
ADAMI, MANAGER, CHEMICAL  
BANK, N.A., NANUET, NEW YORK

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Receiver of Taxes John Adami, Manager of Chemical Bank, N.A., Route 59 - Smith Street, Nanuet, New York, be and the same hereby is appointed Deputy Receiver of Taxes to serve without compensation for the year ending December 31, 1981, upon filing an oath of office.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (710-1981)

ESTABLISHING SENIOR  
CITIZEN CLUB IN SQUADRON  
GARDENS SENIOR CITIZEN  
COMPLEX - INCREASE REVENUE  
ACCOUNT 1-2401 AND INCREASE  
APPROPRIATION ACCOUNTS  
7610-114, 7610-222, 7610-  
329 AND 7610-404

Co. Longo offered the following resolution:

RESOLVED, that \$3,000.00 be appropriated for the purposes of establishing a senior citizen club in the Squadron Gardens Senior Citizen Complex.

FURTHER RESOLVED, that revenue account 1-2401 be increased by \$3,000.00 and the following appropriations accounts be increased:

7610-114	\$ 500.00
7610-222	600.00
7610-329	1,000.00
7610-404	900.00

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

Supervisor Dusanenko stated that this was the second senior citizen club organized under the present administration and the eleventh club now in existence in Clarkstown.

\* \* \* \* \*

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RESOLUTION NO. (711-1981)

SETTING PUBLIC HEARING  
WITH REGARD TO ZONE  
CHANGE PETITION (TRAM  
QUILL ASSOCIATES, INC.)

Co. Longo offered the following resolution:

WHEREAS, Tram Quill Associates, Inc., 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 L10 district to R-15 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 8th day of September, 1981 at 9:15 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.

\* \* \* \* \*

AAJ338

RESOLUTION NO. (712-1981)

AUTHORIZING SUPERVISOR  
OF CLARKSTOWN MINI TRANSIT  
OPERATIONS TO ATTEND  
WORKSHOP IN LOWELL,  
MASSACHUSETTS (JOSEPH  
LEWIS) - CHARGE TO  
APPROPRIATIONS ACCOUNT  
1010-414

Co. Longo offered the following resolution:

WHEREAS, most transit conferences concern themselves with the large operator, and

and WHEREAS, Clarkstown Mini Trans is considered a small operator,

WHEREAS, the American Public Transit Association is sponsoring a series of workshops around the country for the small operator, the nearest of which will be held in Lowell, Massachusetts August 21 and 22, 1981,

NOW, THEREFORE, be it

RESOLVED, that the Clarkstown Mini Transit Operations Supervisor be authorized to attend to find what cost savings and increase in efficiencies might be incorporated by our local operations, total cost including two tanks of gas, not to exceed \$200.00 to be charged to appropriations account 1010-414.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (713-1981)

ADOPTING AND ACCEPTING  
TOWN BOARD MINUTES OF  
JUNE 23, 1981 AND JULY  
7, 1981

Co. Longo offered the following resolution:

RESOLVED, that the regular Minutes of the Town Board Meetings held on June 23, 1981 and July 7, 1981, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (714-1981)

ACCEPTING MODIFICATIONS  
TO ACCEPT 10% BID BOND  
WITHHOLDING TOTAL PAYMENT  
FOR ENTIRE PROJECT AND  
AGREEMENT TO HOLD TOWN  
HARMLESS IN SUBSTITUTION  
OF 100% PERFORMANCE BOND  
(HIGHVIEW ELEMENTARY  
SCHOOL - AARK CONSTRUCTION  
CORP.)

Co. Longo offered the following resolution:

WHEREAS, AARK CONSTRUCTION CORP., is the contractor for the Removal of Architectural Barriers at the Highview Elementary School and has proposed that the Town of Clarkstown withhold both the 10% bid bond as well as the total payment for the entire project in the sum of \$27,600.00 in substitution of a full performance bond, and

WHEREAS, AARK CONSTRUCTION CORP., has further agreed to hold the Town of Clarkstown harmless from any claim arising out of this project;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown does hereby accept the modifications to accept the 10% bid bond and withhold the total payment for the entire project, as well as AARK CONSTRUCTION CORP.'s agreement to hold the Town of Clarkstown harmless from any and all claims arising out of this project in substitution of a 100% performance bond.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (715-1981)

AUTHORIZING SUPERVISOR  
TO SIGN AND SUBMIT  
APPLICATION FOR CLARKSTOWN  
YOUTH BUREAU TO NEW YORK  
STATE DIVISION OF YOUTH

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Clarkstown Youth Commission, that the Supervisor is hereby authorized to sign and submit an application for the Town of Clarkstown Youth Bureau to the New York State Division of Youth.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (716-1981)

AUTHORIZING SUPERVISOR  
TO EXECUTE AGREEMENT WITH  
JACK D. BOSWELL &  
ASSOCIATES FOR ENGINEERING  
AND SURVEYING SERVICES  
FOR STREAM NJ1-10 WEST  
NYACK, N.Y. FROM STRAWTOWN  
ROAD TO HACKENSACK RIVER-  
CHARGE TO CAPITAL ACCOUNT  
DRAINAGE BOND

Co. Longo offered the following resolution:

WHEREAS, Jack D. Boswell & Associates has submitted a proposal for engineering and surveying services in connection with Stream NJ1-10 from Strawtown Road to the Hackensack River for the sum of \$2,100.00;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute an agreement with Jack D. Boswell & Associates for engineering and surveying services in connection with Stream NJ1-10 West Nyack, New York, from Strawtown Road to the Hackensack River in the sum of \$2,100.00 to be completed within 30 days, and be it

FURTHER RESOLVED, that said final plans and specifications be subject to the approval of the Director of Environmental Control of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the sum of \$2,100.00 shall be charged to Capital Account Drainage Bond.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (717-1981)

SUPPORTING SUPERVISOR'S  
OBJECTIONS TO THE RE-  
LOCATION OF BUS STOPS  
AT NANUET MALL

Co. Longo offered the following resolution:

WHEREAS, the management of the Nanuet Mall did decide to relocate present bus stops from its present site at the upper level Mall entrance to a more remote area in the parking lot, and

WHEREAS, the proposed new location would place undue hardship to users of bus transportation, particularly the handicapped and senior citizens, and

WHEREAS, the proposed new location presents a potential safety problem to bus riders who would be forced to walk through the parking lot between the Mall and the new bus stops, and

WHEREAS, the Nanuet Mall at the request of Theodore R. Dusanenko, Clarkstown Supervisor and Rockland County Legislator, did postpone their decision to relocate these bus stops, but has yet to come to a final resolution of the problem pending meetings with representatives of Transportation of Rockland and Clarkstown Mini-Trans,

NOW, THEREFORE, be it

AAJ338

RESOLUTION NO. (717-1981) Continued

RESOLVED, that the Town Board of the Town of Clarkstown supports the objections raised by the Supervisor relevant to the proposed change of location for the bus stops at the Nanuet Mall, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to the management of the Nanuet Mall, Office of Transit Coordinator, County of Rockland, Red and Tan Bus Lines, and the Transportation Advisory Council.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (718-1981)

REQUESTING NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO GIVE HIGH PRIORITY TO STUDY AND IMPROVEMENT OF SIX CORNER INTERSECTION (ROUTE 303, LAKE ROAD, RIDGE ROAD, CHRISTIAN HERALD ROAD, VALLEY COTTAGE, NEW YORK)

Co. Longo offered the following resolution:

WHEREAS, the Planning Board of the Town of Clarkstown has become increasingly concerned with the traffic problems at the intersection of Route 303, Lake Road, Ridge Road, and Christian Herald Road, Valley Cottage, New York, due to the development of the Lake Ridge Shopping Center and the anticipated construction of two office buildings at Route 303 which has intensified traffic volume, and

WHEREAS, the Town Board of the Town of Clarkstown is in agreement with the concerns of the Planning Board in its concern for traffic safety at the six corner intersection;

NOW, THEREFORE, be it

RESOLVED, that the Department of Transportation of the State of New York is requested to give high priority to a study and improvement of this six corner intersection, and be it

FURTHER RESOLVED, that the Department of Transportation notify the Town Board of the Town of Clarkstown when such improvements can be implemented.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (719-1981)

REFERRING PETITION FOR CHANGE OF ZONE TO COUNTY AND TOWN PLANNING BOARDS (ASSOCIATES OF ROCKLAND COUNTY)

Co. Longo offered the following resolution:

RESOLUTION NO. (719-1981) Continued

RESOLVED, that the application of Associates of Rockland County for a change of zoning from L10 District to R-15 and PEO District on property located partially along and between the West Shore Railroad right-of-way, Gilchrist Road, Tilton Road, Green Avenue (unimproved) and Route 303, Valley Cottage, New York, be referred to the Town Planning Board for report within 45 days pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board pursuant to Secs. 239-1 and 239-m of the General Municipal Law.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

AAJ338

RESOLUTION NO. (720-1981)

AWARDING BID FOR  
CONSTRUCTION OF ONE (1)  
SOFTBALL FIELD AT CONGERS  
LAKE MEMORIAL PARK  
(PINEBROOK LANDSCAPING  
AND PAVING COMPANY) -  
TRANSFER OF FUNDS FROM  
MONEY-IN-LIEU-OF-LANDS  
TO PARKLANDS AND IMPROVE-  
MENT ACCOUNT

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendations of the Director of Purchasing and the Superintendent of Recreation and Parks that the bid for the construction of one (1) softball field at Congers Lake Memorial Park is hereby awarded to:

Pinebrook Landscaping and Paving Company  
49 Rolling Ridge Road  
New City, New York 10956

at the low bid of \$12,350.00 plus \$15.00 per yard for additional topsoil - if needed, and be it

FURTHER RESOLVED, that the comptroller is hereby authorized to transfer said funds from Money-in-lieu-of-lands to the Parklands and Improvement Account.

Seconded by Co. Longo

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. (721-1981)

REJECTING BIDS FOR  
COMPLETION OF CONSTRUCTION  
OF TWO (2) BALLFIELDS AT  
KINGS PARK, CONGERS, N.Y.  
(J.J. SCHWEITZER CO., INC.)

Co. Longo offered the following resolution:

RESOLUTION NO. (721-1981) Continued

WHEREAS, this project is not desired by members of the immediate community, be it

RESOLVED, that the bid for the completion of the construction of two (2) ballfields at Kings Park, Congers, is hereby rejected:

J. J. Schweitzer Co., Inc.  
1 Eldor Avenue  
New City, New York 10956

at the proposed bid cost of \$28,000.00 plus \$6.90 per yard for additional topsoil.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (722-1981)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS TO IMPLEMENT RESIDENTS' PLAN FOR DEVELOPMENT OF KINGS PARK, CONGERS, NEW YORK - ATZL & SCATASSA ASSOCIATES BE RETAINED TO DRAW UP PLANS AND SPECIFICATIONS

Co. Longo offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids to implement the residents' plan for the development of Kings Park, Congers, with the exception of the shuffle board pad. Bids to include construction of a fitness trail; construction of two (2) bocci courts; construction of two (2) concrete tables suitable for checkers and other table games; furnish and install playground equipment; upgrading of existing basketball courts and parking lot; restoration of disturbed area adjacent to basketball courts; construction of a small multi-purpose field (baseball/softball) on the south side of Pitkin Lane and construction of a parking lot on the north side of Pitkin Lane.

Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 2:00 P.M. on Wednesday, September 16, 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, and be it

FURTHER RESOLVED, that the firm of Atzl & Scatassa Associates of 248C North Main Street, New City, be retained to draw up the necessary plans and specifications for this project.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

Supervisor Dusanenko gave an explanation of the following resolution with regard to arbitration award PERB Case No. 1A-80-22; M80-327. Under binding arbitration the Labor Unit appoints an arbitrator, the Management Group appoints an arbitrator and both the labor group and the management group agree to a third arbitrator. To the best of our

knowledge the decision has been accepted by the third arbitrator who was chosen by both the Town and the Clarkstown PBA. We also believe that the Clarkstown PBA has agreed to the agreement and since it is necessary in the law that only two of the parties agree this Town Board is suggesting that we not agree to the proposal but will have to live with it.

A resolution was proposed at this time but Councilman Holbrook had questions with regard to it.

Supervisor Dusanenko stated that they were directing Mr. Mascola to prepare a statement of dissent regarding the arbitration award so that the areas of objection would be available in the form of this statement for future administrators to review when they were negotiating a contract.

Councilman Holbrook asked it was legally required to prepare a letter of dissent.

Town Attorney stated that it was required that the Town Board acknowledge the fact of the statement.

Councilman Holbrook again asked if a letter of dissent was a legal requirement.

Town Attorney said it was up to the Town Board.

Supervisor Dusanenko stated that Councilman Holbrook would like to divide the question and therefore there would be two separate resolutions. Let the record show that Councilman Holbrook requested a division of the resolution.

RESOLUTION NO. (723-1981)

ACKNOWLEDGING RECEIPT  
OF ARBITRATION AWARD  
PERB CASE NO. 1A-80-22;  
M80-327

Co. Lettre offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown hereby acknowledges receipt of an arbitration award bearing PERB Case No. 1A-80-22; M80-327, duly acknowledged by Joan Weitzman, Chairperson of Arbitration Panel, on June 19, 1981.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (724-1981)

DIRECTING FRANCIS X.  
MASCOLA, LABOR RELATIONS  
SPECIALIST TO PREPARE A  
DISSENT TO ARBITRATION  
AWARD PERB CASE NO. 1A-  
80-22; M80-327

Co. Lettre offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown directs that Francis X. Mascola, Labor Relations Specialist, prepare a dissent to the arbitration award bearing PERB Case No. 1A-80-22; M80-327, in a form satisfactory to the Town Board of the Town of Clarkstown.

Seconded by Co. Longo

AAJ338

RESOLUTION NO. (724-1981) Continued

On roll call the vote was as follows:

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

Supervisor Dusanenko wished it noted for the record that this was the only official action directing our Town Arbitrator to either accept or reject the PBA Agreement in its convoluted form or convoluted logic form as Councilman Holbrook suggests or not - either we are going to accept the Police binding arbitration or not. This is the only resolution that will appear before this Town Board on the PBA and therefore in order for the Town to follow the direction which it stated it wanted to which was not to accept the Police binding arbitration award the Supervisor casts a "Yes" vote.

\* \* \* \* \*

RESOLUTION NO. (725-1981)

AUTHORIZING TOWN ATTORNEY  
TO APPEAL DECISION OF  
SUPREME COURT (OLD COLONY  
COMPANY)

Co. Longo offered the following resolution:

WHEREAS, the Supreme Court of Rockland County has rendered a decision in the matter of Old Colony Company (a Connecticut corporation) against Town of Clarkstown, and

WHEREAS, it is deemed appropriate that the decision be appealed;

NOW, THEREFORE, be it

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

Seconded by Supv. Dusanenko

On roll call the vote was as follows:

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

\* \* \* \* \*

Councilman Longo wished to make a statement regarding the foregoing resolution. If there is an opening up of an ingress and egress road on College Avenue it will be detrimental to the senior citizens who walk to church. I can't in good conscience vote to allow ingress and egress on to College Avenue so I vote "Yes" for this resolution.

Councilman Maloney stated that he was voting "No" because the decision was that the builder has the right to ingress and egress but the judge has told him that he must come back to the Town Board for further discussion.

AAJ338

Supervisor Dusanenko said that regardless of the difference of opinion with this resolution what Deputy Supervisor Longo and myself are attempting to do is to appeal this case to a higher court. Without an appeal the Town must provide ingress and egress from the shopping center to College Road, Nanuet, which is a very congested area.

Councilman Lettre stated that after reading the decision it did not state that this Town Board must give an ingress and egress but what the judge said was that he as a judge could not make a decision whether an ingress or egress should be given. That could only be given by a legislative body which is this Town Board and that he remanded that it come back to this Town Board for a decision on this matter. He did not state in that decision that there must be an ingress and egress given. That is an interpretation that you are making.

Councilman Longo said that he was led to believe that if we vote "No" on the ingress and egress again it gets ponged back to court and pinged back to us. We could play this game all the time. I think we should go to a higher tribunal to find out exactly where we stand.

Councilman Lettre stated that we are remanding it back to this Town Board so that the developer must come to the Town Board for a decision on this matter. That is not granting him arbitrarily an ingress and egress if we do not appeal as you have stated.

Town Attorney stated that the court awarded access which in his opinion meant ingress and egress.

\* \* \* \* \*

RESOLUTION NO. (726-1981)

SETTING PUBLIC HEARING  
WITH REGARD TO ZONE CHANGE  
PETITION (OMNI COURT LTD.  
AND BANKERS TRUST COMPANY  
OF HUDSON VALLEY, N.A.)

Co. Lettre offered the following resolution:

WHEREAS, Bankers Trust Company of Hudson Valley, N.A. and Omni Court, Ltd., 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 PO district to RG-1 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, 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 22nd day of September, 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. Longo

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 wished it noted that with regard to the foregoing resolution another 265 petition had been filed with regard to this zone change.

\* \* \* \* \*

RESOLUTION NO. (727-1981)

APPOINTING POSITION OF  
TEMPORARY DOG CONTROL  
OFFICER TRAINEE (KENNETH  
GALANTER)

Co. Longo offered the following resolution:

RESOLVED, that Kenneth Galanter, 5C Jeanne Marie Gardens, Nanuet, New York is hereby appointed to the position of Temporary Dog Control Officer Trainee, for a period not to exceed 90 days, at the hourly rate of \$3.75, effective and retroactive to July 9, 1981.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (728-1981)

APPOINTING POSITION OF  
DOG CONTROL OFFICER  
TRAINEE - POLICE  
DEPARTMENT (GREGORY J.  
TOBIN)

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Dog Control Officer Trainee #81021 which contains the name of Gregory J. Tobin,

NOW, THEREFORE, be it

RESOLVED, that Gregory J. Tobin, 33 Benson Avenue, West Nyack, New York, is hereby appointed to the position of Dog Control Officer Trainee - Police Department - at the annual 1981 salary of \$12,026.00, effective August 12, 1981.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (729-1981)

APPOINTING POSITION OF  
(TEMPORARY) SENIOR TYPIST  
DEPARTMENT OF ENVIRONMENTAL  
CONTROL (GERALDINE KELLY)

Co. Longo offered the following resolution:

WHEREAS, there is a vacancy in the position of Senior Typist - Department of Environmental Control due to the retirement of Pauline Chasar,

NOW, THEREFORE, be it

RESOLVED, that Geraldine Kelly, 39 Twin Elms Lane, New City, New York, is hereby appointed to the position of (Temporary) Senior Typist - Department of Environmental Control - for a period not to exceed 30 days - at the annual salary for 1981 of \$10,959.00, effective and retroactive to August 10, 1981.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (730-1981)

GRANTING LEAVE OF  
ABSENCE TO SENIOR  
RECREATION LEADER - PARKS  
& RECREATION (ALEXANDER  
GROMACK)

Co. Longo offered the following resolution:

WHEREAS, Alexander Gromack has requested a Leave of Absence without pay,

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

NOW, THEREFORE, be it

RESOLVED, that Alexander Gromack, 60 Collyer Avenue, New City, New York - Senior Recreation Leader - Parks & Recreation - is hereby granted a leave of absence for the period September 8, 1981 through November 6, 1981.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (731-1981)

ACCEPTING RESIGNATION  
OF (TEMPORARY) TYPIST  
PURCHASING DEPARTMENT  
(MARY JANE O'BRIEN)

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Mary Jane O'Brien, 59 Carolina Drive, New City, New York, (temporary) Typist, Purchasing Department, is hereby accepted, effective and retroactive to August 7, 1981.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (732-1981)

APPOINTING RECREATION  
AIDES, RECREATION ASSISTANTS,  
RECREATION SPECIALISTS AND  
LIFEGUARDS - PARKS &  
RECREATION FOR SUMMER OF  
1981

Co. Longo offered the following resolution:

RESOLVED, that the attached lists of Recreation Aides, Recreation Assistants, Recreation Specialists and Lifeguards - Parks & Recreation - are hereby appointed for the Summer of 1981.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

(List of personnel appointed in the foregoing resolution on file in Parks & Recreation Office.)

\* \* \* \* \*

AAJ338

RESOLUTION NO. (733-1981)

APPOINTING POSITION OF  
BUS DRIVER (PART-TIME)-  
MINI-TRANS DEPARTMENT -  
(GEORGE JACOBSON)

Co. Longo offered the following resolution:

RESOLVED, that George Jacobson, 16 Prides Crossing, New City, New York is hereby appointed to the position of Bus Driver (part-time) - Mini-Trans Department - at the hourly rate of \$5.14, effective and retroactive to June 11, 1981.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (734-1981)

APPOINTING OFFICE WORKER  
STUDENT - TOWN CLERK'S  
OFFICE (DEBRA BERNIS)

Co. Longo offered the following resolution:

RESOLVED, that Debra Bernis, 22 Durant Road, New City, New York is hereby appointed to the position of Office Worker Student - Town Clerk's Office - for a period from August 24, 1981 to and including August 28, 1981, at the hourly rate of \$3.35, and be it

FURTHER RESOLVED, that \$117.25 be transferred from Line 1410-0111 to 1410-0114 to cover said temporary appointment.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (735-1981)

APPOINTING POSITION OF  
OFFICE WORKER STUDENT -  
COMPTROLLER'S OFFICE  
(LENORA CACIOPPO)

Co. Longo offered the following resolution:

WHEREAS, there is a need to complete the Fixed Assets Inventory and,

WHEREAS, Lenora Cacioppo has assisted in this endeavor for the past two months as an Intern from St. Thomas Aquinas College at no cost to the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that Lenora Cacioppo, 10 Burnside Avenue, Congers, New York is hereby appointed to the position of Office Worker Student - Comptroller's Office - at the hourly rate of \$3.35, effective and retroactive to July 16, 1981.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (736-1981)

APPOINTING MEMBERS OF  
PARKS & RECREATION ADVISORY  
BOARD (DR. DAVID KELLY AND  
WILBER OSWALD)

Co. Longo offered the following resolution:

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RESOLUTION NO. (736-1981) Continued

RESOLVED, that the following are hereby reappointed to the position of Member - Parks & Recreation Advisory Board - to serve without compensation - effective August 15, 1981, with a term to expire on August 15, 1986:

Dr. David Kelly  
735 Jacqueline Drive  
Valley Cottage, New York

Wilber Oswald  
56 Poplar Street  
Nanuet, New York

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (737-1981)

ESTABLISHING SENIOR  
TRANSIT CLERK & BUS  
DRIVER - MINI TRANS  
DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that the position of Senior Transit Clerk & Bus Driver - Mini Trans Department - created at the Town Board Meeting of May 5, 1981 is hereby established at Grade 16, effective August 17, 1981.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (738-1981)

RESCINDING RESOLUTION  
NO. 669-1981

Co. Longo offered the following resolution:

RESOLVED, that Resolution No. 669-1981 adopted at the Town Board Meeting of July 7, 1981 is hereby rescinded.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (739-1981)

APPOINTING POSITION OF  
BINGO INSPECTOR (JOAN  
FITZGERALD)

Co. Longo offered the following resolution:

RESOLVED, that Joan Fitzgerald, 9 Third Street, Congers, New York, is hereby appointed to the position of Bingo Inspector effective August 12, 1981, with a term to expire on December 31, 1981, at a salary of \$15.00 per occasion, said charges to be made against the Bingo Account.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (740-1981)

RESCINDING RESOLUTION  
NO. 509-1981 (DRAINAGE  
PROBLEM - 5 TONI COURT,  
VALLEY COTTAGE

Co. Longo offered the following resolution:

AAJ338

RESOLUTION NO. (740-1981) Continued

RESOLVED, that resolution No. 509-1981, pertaining to a drainage problem at 5 Toni Court, Valley Cottage is hereby rescinded.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

Supervisor Dusanenko declared a recess at this point which ran from 8:59 P.M. to 9:15 P.M.

\* \* \* \* \*

RESOLUTION NO. (741-1981)

ACCEPTING PROPOSALS FROM ORANGE & ROCKLAND UTILITIES, INC. FOR STREET LIGHTING (CONGERS MEMORIAL PARK)

Co. Longo offered the following resolution:

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

Congers Memorial Park, Tennis Court Area Congers  
Congers Lake Memorial Park, Basketball Court Area Congers

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (742-1981)

AUTHORIZING CHANGE OF NAMES OF STREETS IN TARRY HILL SUBDIVISION AND BROOKLINE MANOR SUBDIVISION (CRUM CREEK ROAD TO TARRY HILL DRIVE; THE ROOKERY TO ROOKERY CIRCLE; AND BONNIEBURN LANE TO CRUM CREEK ROAD)

Co. Longo offered the following resolution:

WHEREAS, a map entitled "Subdivision Plat of Tarry Hill" was filed in the Rockland County Clerk's Office with streets entitled, Tarry Hill Drive, Demar Court and Bonnieburn Lane, and

WHEREAS, a request was made that the street name be changed from Tarry Hill Drive to Crum Creek Road and Demar Court to The Rookery, respectively, and the street names were changed by Resolution No. 124 by the Town Board of the Town of Clarkstown on February 10, 1981, and

WHEREAS, a further request has been made by the residents of these streets that the names of Crum Creek Road, The Rookery and Bonnieburn Lane be changed, and

WHEREAS, Bonnieburn Lane is also shown on a filed map entitled "Brookline Manor",

NOW, THEREFORE, be it

RESOLUTION NO. (742-1981) Continued

RESOLVED, that Crum Creek Road is hereby changed to Tarry Hill Drive, the Rookery is changed to Rookery Circle and Bonnieburn Lane is changed to Crum Creek Road, and be it

FURTHER RESOLVED, that the Highway Superintendent take notice of this resolution and make appropriate changes in the street signs as may be necessary and that a copy of this resolution be forwarded to the residents of the aforementioned Crum Creek Road, The Rookery and Bonnieburn Lane, the Clarkstown School District, New City Post Office, New City Fire Department, New City Ambulance Corps, the Clarkstown Police Department, Bard Rock Corp., and a certified copy of this resolution be filed with the Rockland County Clerk with the subdivision maps entitled "Tarry Hill" and "Brookline Manor", and be it

FURTHER RESOLVED, that this resolution take effect immediately.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

Supervisor Dusanenko noted that Eleanor Fitch had recommended these changes and the Town Board had agreed.

\* \* \* \* \*

RESOLUTION NO. (742-A-1981)

GRANTING PERMISSION  
TO NYACK LIONS CLUB  
FOR TURKEY SHOOT

Co. Longo offered the following resolution:

RESOLVED, that the Nyack Lions Club is hereby given permission to hold turkey shoots on Sunday, September 20 and 27 and October 4 and 11, 1981, with October 18th as a rain date, if needed, between the hours of 10:00 A.M. and 4:00 P.M. These turkey shoots are being held on a vacant parcel of land on the west side of Route 9W north of the boundary line of the Village of Upper Nyack, and be it

FURTHER RESOLVED, that the Chief of Police be notified of the time and place of said turkey shoots.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (743-1981)

ADJOURNING REGULAR TOWN  
BOARD MEETING IN ORDER  
TO HOLD SCHEDULED PUBLIC  
HEARING RE: AMENDMENT  
TO ZONING ORDINANCE RE-  
GARDING FENCES AND WALLS

Co. Longo offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing re: Amendment to Zoning Ordinance Regarding Fences and Walls, time: 9:17 P.M.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

AAJ338

RESOLUTION NO. (744-1981)

CLOSING SCHEDULED PUBLIC HEARING RE: AMENDMENT TO ZONING ORDINANCE REGARDING FENCES AND WALLS AND REOPENING REGULAR TOWN BOARD MEETING

Co. Longo offered the following resolution:

RESOLVED, that scheduled Public Hearing re: Amendment to Zoning Ordinance Regarding Fences and Walls be closed, time: 9:27 P.M., ADOPTED, and return to regular Town Board Meeting.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (745-1981)

ADOPTING AMENDMENT TO ZONING ORDINANCE OF TOWN OF CLARKSTOWN RE: SECTION 106-20 - FENCES AND WALLS

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 7th day of July, 1981, provided for a public hearing on August 11, 1981, at 9:00 P.M., to consider the adoption of the following proposed amendments to the Zoning Ordinance of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

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 of free-standing 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.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (746-1981)

ADJOURNING REGULAR TOWN BOARD MEETING IN ORDER TO HOLD SCHEDULED PUBLIC HEARING RE: AMENDMENT TO ZONING ORDINANCE REGARDING THEATRES

Co. Longo offered the following resolution:

RESOLUTION NO. (746-1981) Continued

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing re: Amendment to Zoning Ordinance regarding Theatres, time: 9:27 P.M.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (747-1981)

CLOSING SCHEDULED PUBLIC HEARING RE: AMENDMENT TO ZONING ORDINANCE REGARDING THEATRES AND RETURN TO REGULAR MEETING

Co. Longo offered the following resolution:

RESOLVED, that scheduled Public Hearing re: Amendment to Zoning Ordinance regarding Theatres be closed, DECISION RESERVED, time: 9:31 P.M. - return to regular Town Board Meeting.

Seconded by Co. Lettre All voted Aye.

\* \* \* \* \*

Supervisor Dusanenko said that he had a request from the residents of the Kings Park area for someone from the Town Board to work along with them and he was appointing Councilman Longo, Deputy Supervisor to work with them.

\* \* \* \* \*

RESOLUTION NO. (748-1981)

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

Co. Longo offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing re: Petition for Extension of Clarkstown Consolidated Water Supply District No. 1 to include Brookline Manor, time: 9:32 P.M.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (749-1981)

CLOSING PUBLIC HEARING RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1 (BROOKLINE MANOR)

Co. Maloney offered the following resolution:

RESOLVED, that Public Hearing re: Petition for Extension of Clarkstown Consolidated Water Supply District No. 1 to include Brookline Manor be closed, ORDER SIGNED, time: 9:34 P.M.

Seconded by Co. Longo All voted Aye.

\* \* \* \* \*

AAJ338

RESOLUTION NO. (750-1981)

OPENING SCHEDULED PUBLIC  
HEARING RE: EXTENSION  
OF CLARKSTOWN CONSOLIDATED  
WATER SUPPLY DISTRICT NO.  
1 (CLOVERDALE ESTATES)

Co. Maloney offered the following resolution:

RESOLVED, that Public Hearing re: Petition for Extension of  
Clarkstown Consolidated Water Supply District No. 1 to include  
Cloverdale Estates be opened, time: 9:38 P.M.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (751-1981)

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

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Petition for Extension  
of Clarkstown Consolidated Water Supply District No. 1 to include  
Cloverdale Estates be closed, ORDER SIGNED, time: 9:40 P.M.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (752-1981)

OPENING SCHEDULED PUBLIC  
HEARING RE: EXTENSION  
OF CLARKSTOWN CONSOLIDATED  
WATER SUPPLY DISTRICT NO.  
1 (SAYMOUR ESTATES)

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Petition for Extension  
of Clarkstown Consolidated Water Supply District No. 1 to include  
Saymour Estates be opened, time: 9:40 P.M.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (753-1981)

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

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Petition for Extension  
of Clarkstown Consolidated Water Supply District No. 1 to include:  
Saymour Estates be closed, ORDER SIGNED, time: 9:42 P.M.

Seconded by Co. Maloney

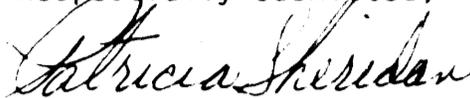
All voted Aye.

\* \* \* \* \*

Supervisor Dusanenko stated that the Town of Clarkstown Audit Report ending December 31, 1980 was filed in the Town Clerk's Office by Dorothy Erard on August 11, 1981 and is available for public inspection.

There being no one wishing to be heard and no further business to come before the Town Board Meeting, Town Board Meeting was adjourned, time: 9:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

AAJ338

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

8/11/81

9:17 P.M.

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

RE: AMENDMENT TO ZONING ORDINANCE REGARDING FENCES AND WALLS

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 assemblage saluted the flag.

Supervisor Dusanenko asked who was the author of this ordinance. Town Attorney stated that he was in conjunction with the Building Department and the Town Board at workshop. He went on to explain the change in the law.

Town Attorney read the following correspondence:

(Letterhead of County of Rockland Planning Board)

June 4, 1981

Clarkstown Town Board  
Town Hall  
New City, New York 10956

Re: General Municipal Law (GML) Review: 239(k)\_\_\_239(l&m)XXX239(n)\_\_\_

Map Dated: \_\_\_\_\_  
Item:  
Zoning Amendment: Section 106-20B  
Orientation of fences (C-978)

The Rockland County Planning Board reviewed the above item at its meeting of June 2, 1981 and

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

cc: Supervisor Dusanenko  
Mr. Lombardi, member, RCPB

Very truly yours,  
ROCKLAND COUNTY PLANNING BOARD

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

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

\* \* \* \* \*

AAJ338

(Letter head of Town of Clarkstown Planning Board)

"August 5, 1981

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

Gentlemen: Town Board Referral: Proposed Amendment  
to Zoning Ordinance re Fences

At the Planning Board meeting of July 29, 1981 Member Nowicki made a motion which was seconded by Fallon, carried 5:0 with Ayes of Cunningham, Yacyshyn and Paris, to approve the following...

RECOMMENDATION TO THE HONORABLE TOWN BOARD: The Planning Board reaffirms the original recommendation in that the words "for aesthetic reasons" should be deleted but the balance of the sentence remain.

Very truly yours,

/s/ Richard J. Paris,  
Chairman

RJP:w

cc: Town Attorney  
Town Clerk"

\* \* \* \* \*

Councilman Longo asked if paragraph 5 in this new ordinance is verbatim as it appears in our present code and if a two-thirds set back is required by our existing ordinance.

Town Attorney answered "Yes."

Supervisor Dusanenko asked if there was anyone wishing to speak in favor of the proposed amendment to the zoning ordinance.

IN FAVOR: No one appeared.

Supervisor Dusanenko asked if there was anyone wishing to speak in opposition to the proposed amendment.

IN OPPOSITION: No one appeared.

Supervisor Dusanenko then asked for a clarification from the Building Inspector and the Town Attorney. He went on to say that since a judge had ruled our law unenforceable that the time of the Building Inspector could be better spent on other more pressing matters in the Town. We wished to eliminate the good side - bad side of the fence controversy. He asked if someone could have a chain link fence or a non-solid fence right on their property line. The Building Inspector said "Yes."

Councilman Longo asked the Building Inspector for his interpretation of what a basket weave fence is. The Building Inspector said that was considered an open fence also. He inquired as to a concrete fence or a stockade fence. All of these are not considered to be solid fences so they can be set on the property line.

There being no one further wishing to be heard, on motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, ADOPTED, time: 9:27 P.M.

Respectfully submitted,  
*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

8/11/81

9:27 P.M.

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

RE: AMENDMENT TO ZONING ORDINANCE REGARDING THEATRES

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

Town Attorney read the following correspondence:

(Letterhead of Rockland County Planning Board)

"July 27, 1981

Clarkstown Town Board  
Town Hall  
New City, New York 10956

Re: General Municipal Law (GML) Review: 239(k)\_\_\_239(l&m)XXX239(n)\_\_\_

Map Dated:  
Item:

Zoning Amendment: movie theaters  
Townwide in CS & RS Districts (C-969)

The Rockland County Planning Board reviewed the above item at its meeting of July 21, 1981 and

- \*approvesXXX
- \*\*approves subject to conditions below\_\_\_
- \*\*disapproves\_\_\_
- requests extension of time\_\_\_

NOTE: The Board found that this was a matter for local determination.

cc: Supervisor Dusanenko  
Mr. Lombardi, member, RCPB

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."

\* \* \* \* \*

(Letterhead of Town of Clarkstown Planning Board)

"August 5, 1981

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

AAJ338

"Gentlemen:                   Town Board Referral: Proposed Amendment  
                                  to Zoning Ordinance re Theaters

At the Planning Board meeting of July 29, 1981 Member Yacyshyn made a motion which was seconded by Nowicki, carried 5:0 with Ayes of Cunningham, Fallon and Paris, to approve the following...

RECOMMENDATION TO THE HONORABLE TOWN BOARD: The Planning Board fully supports the proposed amendment as written.

Very truly yours,

/s/ Richard J. Paris

Richard J. Paris,  
Chairman

RJP:lw

cc: Town Attorney  
Town Clerk"

\* \* \* \* \*

Town Attorney gave an explanation of the proposed amendment.

Supervisor Dusanenko asked if there was anyone wishing to speak in favor of the proposed amendment.

IN FAVOR:                   No one appeared.

Supervisor Dusanenko asked if there was anyone wishing to speak in opposition to the proposed amendment.

IN OPPOSITION:            No one appeared.

There being no one wishing to be heard on motion of Councilman Longo, seconded by Councilman Lettre and unanimously adopted, the Public Hearing was declared closed, DECISION RESERVED, time: 9:31 P.M.

Respectfully submitted,  
*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

8/11/81

9:31 P.M.

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

RE: PETITION FOR THE EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER  
SUPPLY DISTRICT NO. 1 TO INCLUDE - BROOKLINE MANOR

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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 proposed water extension.

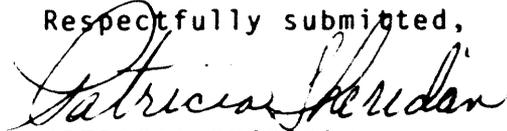
IN FAVOR: No one appeared.

Supervisor Dusanenko asked if there was anyone wishing to be heard in opposition to 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 Maloney, seconded by Co. Longo and unanimously adopted the Public Hearing was declared closed, ORDER SIGNED, time: 9:34 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

AAJ338

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

8/11/81

9:38 P.M.

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

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

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

Town Attorney stated that he had no correspondence.

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

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

IN FAVOR: No one appeared.

Supervisor Dusanenko asked if there was anyone wishing to be heard in opposition to 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: 9:40 P.M.

Respectfully submitted,

*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk

AAJ338

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

8/11/81

9:40 P.M.

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

RE: PETITION FOR THE EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER  
SUPPLY DISTRICT NO. 1 TO INCLUDE - SAYMOUR 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 proposed water extension.

IN FAVOR: No one appeared.

Supervisor Dusanenko asked if there was anyone wishing to be heard in opposition to 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: 9:42 P.M.

Respectfully submitted,

*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk

AAJ338