

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

9/8/81

8:18 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.

RESOLUTION NO. (754-1981)

ACCEPTING REPORT RE:
ASSESSMENT COLLINGSWOOD
ROAD/SUSAN DRIVE, NEW CITY

Co. Holbrook offered the following resolution:

RESOLVED, that the Town of Clarkstown has accepted the report
regarding the assessment - Collingswood Road/Susan Drive, New City and
filed said report in the office of the Town Clerk's Office.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (755-1981)

MEMORIALIZING THE ESTAB-
LISHMENT OF THE RESIDENTIAL
AND RURAL ENERGY AUTHORITY.

Co. Longo offered the following resolution:

WHEREAS, the Act establishing the Power Authority of the State
of New York provides that in the development of hydro-electric power
from the Authority's Niagara and St. Lawrence projects such projects shall
be considered primarily as for the benefit of the people of the State as
a whole and particularly the domestic and rural consumers to whom the
power can economically be made available; and

WHEREAS, by virtue of provisions of federal law, up to 50%
of the output of the Authority's Niagara project may be restricted for
distribution solely to public electric and rural electric cooperative
systems; and

WHEREAS, the distribution of hydro-electric power to such systems
in New York State will deprive more than 95% of the people of the State
of any significant benefit from the Authority's hydro-electric facilities,
in direct contravention of the legislative objectives expressed in the
Power Authority Act; and

WHEREAS, the creation by the State Legislature of a Residential
and Rural Energy Authority to qualify as a preference public customer for
Niagara power, and with the responsibility to distribute hydro-electric
power to all the people of the State not served by municipal and coop-
erative systems, will assure that each residential electric consumer
in the state receives a fair share of the output of the State's valuable
hydro-electric resources;

NOW, THEREFORE, BE IT RESOLVED, that this legislative body
strongly urges the prompt adoption by the State Legislature of legislation
establishing the Residential and Rural Energy Authority for the purpose
of assuring that all of the residential consumers of electricity in the
Town of Clarkstown receive a uniformly fair and equitable share of the
power made available by the Power Authority of the State of New York for
residential and rural use from its Niagara and St. Lawrence projects.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (756-1981)

AUTHORIZING ACCEPTANCE
OF STATE AID TO ASSIST IN
PROVIDING RECREATION FOR
THE ELDERLY PROGRAMS AND
SERVICES

Co. Longo offered the following resolution:

WHEREAS, the Town of Clarkstown wishes to accept State Aid
for Recreation for the Elderly Programs and services,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to accept State
aid for the program entitled "Recreation for the Elderly Programs and
services for the period April 1, 1981 to March 31, 1982 in the amount
of \$2,575.50.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (757-1981)

AUTHORIZING TO INSTALL
SNOW FENCE - SOUTH
ROCKLAND AVE., CONGERS

Co. Longo offered the following resolution:

RESOLVED, that the Superintendent of Highways is hereby
authorized to install a snow fence on the Town right-of-way along
South Rockland Avenue, Congers, New York.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (758-1981)

REFERRING PETITION
FOR CHANGE OF ZONE -
LIO District to R-15
District - Woodfern
Construction Co., Congers

Co. Longo offered the following resolution:

RESOLVED, that the application of DENNIS COYLE and ROBERT A.
RIES, d/b/a WOODFERN CONSTRUCTION CO. for a change of zoning from
LIO District to R-15 District, on property located on the west side of
Lamborn Avenue, Congers, 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.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (759-1981)

AUTHORIZATION FOR
SUPERVISOR TO AMEND AND
SUBMIT REIMBURSEMENT
VOUCHER FOR GRANTS.

Co. Longo offered the following resolution:

RESOLUTION NO. (759-1981) Continued

RESOLVED, that the Supervisor is hereby authorized to amend the budgets for all approved 1980 Youth Grants to equal the actual expenditure for the 1980 program year, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to submit vouchers for reimbursement to the New York State Division for Youth for all approved 1980 Youth grants.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (760-1981)

AUTHORIZING APPROVAL
OF SPRING VALLEY DOG
LICENSING FEES.

AAJ338

Co. Longo offered the following resolution:

WHEREAS, Section 109 of the Agriculture and Markets Law was amended by recent enactment of law of the State Legislature and approved by the Governor in relation to fees for licensing of dogs in Rockland County, and

WHEREAS, the Village of Spring Valley having a population of more than 15,000 has complied with the provisions of said law by adopting a resolution on September 1, 1981, which would allow the Village of Spring Valley to receive applications for licensing of dogs within the Village of Spring Valley, and

WHEREAS, said law requires the town in which the village is situate to approve such resolution;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown does hereby approve the annexed resolution of the Village of Spring Valley to authorize the Village Clerk of the Village of Spring Valley to receive applications for licensing of dogs within the Village of Spring Valley, and be it

FURTHER RESOLVED, that a certified copy of this resolution be filed with the Commissioner of Agriculture and Markets.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (761-1981)

AUTHORIZING BIDS FOR
CONTROL FUEL RECORDER

Co. Longo offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for: BID #53-1981 Control Fuel Recorder. 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, October 2, 1981 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (762-1981)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR TOWN COMPUTER

Co. Longo offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for - Town Computer. 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 September 30, 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. (763-1981)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR MICROCOMPUTER
SYSTEM FOR POLICE DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for: Bid #56-1981 Microcomputer System for Police Department. Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday, October 13, 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. (764-1981)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR CLOSED CIRCUIT
TV EQUIPMENT FOR POLICE
DEPARTMENT.

Co. Longo offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for: BID #57-1981, Closed Circuit TV equipment for Police Department. Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 2:00 P.M. on Tuesday, October 13, 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.

* * * * *

TBM - 9/8/81
PAGE 5

RESOLUTION NO. (765-1981)

SETTING PUBLIC HEARING
ON AMENDMENT TO ZONING
ORDINANCE - SOLAR ENERGY

Co. Longo offered the following resolution:

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

WHEREAS, the Town Board of the Town of Clarkstown desires to further amend 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 13th day of October, 1981 at 9:15 P.M. to consider the adoption of the following proposed amendments to the Zoning Ordinance:

SEE ATTACHED SCHEDULE "A"

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 attached proposed amendments be referred to the Clarkstown Planning Board and the Rockland County Planning Board for their recommendations and report. Schedule "A" on file in the Town Clerk's Office.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (766-1981)

AUTHORIZING INSTALLATION
OF FIRE HYDRANT -
MAPLEWOOD GARDENS APT.
PROJECT SPRING VALLEY

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Co. is hereby authorized to install on (1) hydrant on the north side of private road, approximately 465 feet east of the center line of South Central Avenue, Spring Valley, NY. Investigation No. 8893.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (767-1981)

ACCEPTING DEED -
Elizabeth McGuy

Co. Longo offered the following resolution:

RESOLVED, that deed dated March 28, 1978, between Elizabeth McGuy and the Town of Clarkstown for road widening purposes be and hereby is accepted and said deed to be recorded in the Rockland County Clerk's office.

Seconded by Co. Maloney

All voted Aye.

* * * * *

AAJ338

RESOLUTION NO.(768-1981)

ACCEPTING DEED -
ELLWOOD DEVELOPMENT CO.

Co. Longo offered the following resolution:

RESOLVED, that deed dated November 28, 1978, between ELLWOOD DEVELOPMENT CO. and Town of Clarkstown for road widening purposes be and hereby is accepted and said deed to be recorded in the Rockland County Clerk's Office.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (769-1981)

ACCEPTING DEED-
BRIAR HOMES (FIVE OAKS
SUBDIVISION

Co. Longo offered the following resolution:

RESOLVED, that deed dated August 12, 1981, from the County of Rockland for two parcels of land designated on the Clarkstown Tax Map as Map 111, Block A, Lots 28.47 and 28.48 is hereby accepted by the Town of Clarkstown and ordered filed in the Rockland County Clerk's Office.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO.(770-1981)

MEMORIALIZING NEW
YORK STATE TO PROVIDE
TURNING AND SAFETY
LANES ALONG NYS RT. 304
NEW CITY

Co. Lettre offered the following resolution:

WHEREAS, the New York State Rt. 304, which extends from the New Jersey border north to an intersection with NYS Rt. 9W, presently serves as a major north-south highway in Rockland County, and

WHEREAS, Route 304 is used by many Rockland residents and visitors to pass through the hamlets of New City, Bardonia, West Nyack and Nanuet, and

WHEREAS, traffic flow on Rt. 304 has increased significantly since the time of its original construction, creating heavily traversed intersections with Rt. 304 at the following locations in New City: Laurel Road, Third Street, Second Street, Demarest Avenue, Congers Road and

WHEREAS, the shoulders at these intersections have been reconstructed at the request of the Clarkstown Supervisor to provide for temporary relief and to improve the past condition, and

WHEREAS, the Town Board of the Town of Clarkstown wishes to provide for the safety of its residents by working cooperatively with the State of New York for sound traffic planning,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Clarkstown does hereby support the request of the Supervisor of the Town of Clarkstown for the creation of a special improvement capital project to provide for left-turn stacking lanes and a safety zone to act as a median at the intersections of Rt. 304 with Laurel Road, Third Street, Second Street, Demarest Avenue and Congers Road, New City, and be it

TBM - 9/8/81
PAGE 7

RESOLUTION NO. (770-1981) Continued

FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Carey, Senator Winikow, Assemblyman Morahan and Al Dickson, NYSDOT.

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (771-1981)

TRANSFERRING \$342. FROM APPROPRIATION ACCOUNT NO. A 1220-313 TO APPROPRIATION ACCOUNT NO. A 1220-201.

Co. Longo offered the following resolution:

RESOLVED, to transfer \$342.00 from Appropriation Account No. A 1220-313 to Appropriation Account No. A 1220-201.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (772-1981)

TRANSFERRING \$135,000 FROM THE FOLLOWING APPROPRIATION ACCOUNT NOS.
A 9000-802 \$75,000
A 9000-806 30,000
A 3010-209 30,000

Co. Longo offered the following resolution:

RESOLVED, to transfer \$135,000 from the following Appropriation Account Numbers:
A 9000-802....\$75,000 - A 9000-806....\$30,000
A 3010-209....\$30,000
to Appropriation Account No. A 3120-110.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (773-1981)

AUTHORIZING SUPERVISOR TO EXECUTE A RIDER AGREEMENT WITH BAUER INVESTIGATIONS, INC.

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute a rider agreement with Bauer Investigations, Inc., increasing the payment of \$3, 400.00 to include the additional sum of \$1,182.00 at the same pro-rated basis as stated in the original agreement to cover the additional cost of liability coverage provided for in such agreement.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

* * * * *

AAJ338

RESOLUTION NO.(774-1981)

VACATION OF MORITORIUM
UNTIL DECEMBER 31, 1981
ON INSTALLATION OF
STREET LIGHTING

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown did on October 28, 1980, declare a moratorium on the installation of street lighting;

NOW, THEREFORE, be it

RESOLVED, that the moratorium is hereby vacated until December 31, 1981.

Seconded by Co. Lettre

All voted Aye

* * * * *

RESOLUTION NO. (775-1981)

AUTHORIZING AMENDMENT
TO COOPERATION AGREE-
MENT TO EXTEND TERM
FOR PROGRAM YEARS
1983-84 - HUD

Co. Longo offered the following resolution:

WHEREAS, under Title I of the Housing and Community Development Act of 1974, the Secretary of Housing and Urban Development is authorized to make grants to states and units of local government to help finance Community Development Programs; and

WHEREAS, the County of Rockland executed Cooperation Agreements with various Towns and Villages within Rockland County to cooperate in undertaking or assisting in undertaking Community Development and/or Housing Assistance activities for Community Development Program years 1981 and 1982; and

WHEREAS, the Housing and Community Development Act of 1980 provides that all municipalities that participate as an "Urban County" for Program Year 1982 cannot opt-out of the Program for 1983 and 1984; and

WHEREAS, the federal regulations require that all Cooperation Agreements for Community Development Program year 1982 include participation for 1983 and 1984.

NOW, THEREFORE, be it

RESOLVED, as follows:

1. That paragraph 3 of the Cooperation Agreement executed by the County of Rockland and the Town of Clarkstown on the 18th day of September 1980 is hereby amended to read as follows:

"3. This Agreement shall remain in full force and effect for the 1981, 1982, 1983 and 1984 Program Years.

2. All of the rights and obligations set forth in the aforesaid Agreement shall continue for the full term of the Agreement.

3. That the Supervisor of the Town of Clarkstown is hereby authorized to execute this amendment to the Cooperation Agreement dated September 18, 1980.

Seconded by Co. Maloney

All voted Aye.

* * * * *

AAJ338

RESOLUTION NO. (776-1981)

RESOLUTION OF INTENT
TO PURCHASE HIGHWAY
EQUIPMENT FOR 1982
AND AUTHORIZATION OF
BIDS

Co. Longo offered the following resolution:

RESOLVED, that the Town of Clarkstown intends to appropriate \$200,000.00 in the 1982 Annual Budget for the purchase of new highway equipment for the Clarkstown Highway Department, and be it

FURTHER RESOLVED, that the Director of Purchasing and the Superintendent of Highways are hereby directed to prepare specifications for the purchase of highway equipment in an amount not to exceed \$200,000.00 in order to replace highway equipment in 1982, which specifications shall be completed by September 22, 1981.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (777-1981)

AUTHORIZATION TO GO
OUT TO BID FOR SEWERS
ON NORTH LITTLE TOR
ROAD, NEW CITY

Co. Longo offered the following resolution:

RESOLVED, that the DIRECTOR OF PURCHASING is hereby authorized to advertise for bids for: BID #58-1981, SEWER CONSTRUCTION PROJECT, NORTH LITTLE TOR ROAD 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 Monday, October 5, 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. (778-1981)

AMENDING RESOLUTION
#722-81 RE. ADVERTISING FOR BIDS TO IMPLEMENT RESIDENTS PLAN FOR DEVELOPMENT OF KINGS PARK, CONGERS

Co. Longo offered the following resolution:

RESOLVED, that Resolution No. 722 of 1981 adopted by the Town Board of the Town of Clarkstown on August 11, 1981, is hereby amended to read as follows:

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

RESOLUTION NO. (778-1981) Continued

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 north 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 for a sum not to exceed \$7,950.00, which sum shall be a charge against the money in lieu of land account, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with Atzl & Scatassa Associates as outlined above.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

* * * * *

RESOLUTION NO. (779-1981)

AUTHORIZING TOWN
ATTORNEY TO ATTEND
ZONING CODE WORKSHOP

Co. Longo offered the following resolution:

RESOLVED, that Everett J. Johns, Town Attorney, is hereby authorized to attend a Zoning Code Workshop sponsored by New York University on November 9, 1981. The registration fee of \$170.00 shall be a proper charge against account number 1010-414.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (780-1981)

AUTHORIZING BID FOR
MAINTENANCE OF
CUL-DE-SACS

Co. Longo offered the following resolution:

TBM - 9/8/81
PAGE 11

RESOLUTION NO. (780-1981) Continued

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for: Bid #54-1981, MAINTENANCE OF CUL-DE-SACS-bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on: Monday, October 5, 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. (781-1981)

AUTHORIZING BID FOR IMPROVEMENT OF CUL-DE-SACS

Co. Longo offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for: Bid #55-1981, Improvement of Cul-De-Sacs. Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, October 5, 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.Lettre All voted Aye.

* * * * *

RESOLUTION NO. (782-1981)

AUTHORIZING INSTALLATION OF STREET LIGHTING - BROOKLINE MANOR SUBDIVISION

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 location: Brookline Manor, New City.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (783-1981)

AUTHORIZATION FOR BID FOR NEW AND/OR USED TRASHMASTER

Co. Longo offered the following resolution:

WHEREAS, a vital piece of Sanitary Landfill equipment, a Trashmaster, is failing to perform the necessary functions at the Sanitary Landfill area and is now costing more to repair than its current value, and

AAJ338

RESOLUTION NO. (783-1981) Continued

WHEREAS, it is necessary and required to replace this necessary piece of equipment by purchasing a compactor;

NOW, THEREFORE, be it

RESOLVED, that it is the intent of the Town of Clarkstown to replace this necessary piece of equipment by purchasing a compactor, payment to be authorized by bonding counsel, not to exceed \$300,000.

Seconded by Co. Maloney

All voted Aye

* * * * *

RESOLUTION NO.(784-1981)

AUTHORIZATION FOR
PURCHASING A D-8
DOZER OR EQUIVALENT
NOT TO EXCEED
\$300,000.

Co. Longo offered the following resolution:

WHEREAS, a vital piece of Sanitary Landfill equipment, a D-8 Dozer, is failing to perform the necessary functions at the Sanitary Landfill area and is now costing more to repair than its current value, and

WHEREAS, it is necessary and required to replace this necessary piece of equipment by purchasing a D-8 Dozer, or equivalent;

NOW, THEREFORE, be it

RESOLVED, that it is the intent of the Town of Clarkstown to replace this necessary piece of equipment by purchasing a D-8 Dozer, or equivalent, payment to be authorized by bonding counsel, not to exceed the sum of \$300,000.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLTUION NO. (785-1981)

AUTHORIZATION TO
SUBMIT YOUTH GRANT
RENEWALS: COUNSELING
CENTER INFORMATION
REFERRAL

Co. Longo offered the following resolution:

WHEREAS, the Town of Clarkstown wishes to make re-application to the New York State Executive Department Division for Youth for grant funds,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to submit a renewal application entitled "Counseling Center Information Referral" dated January 1, 1982 through December 31, 1982.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (786-1981)

AUTHORIZATION TO
SUBMIT YOUTH GRANT
RENEWALS: JUVENILE
AID BUREAU

RESOLUTION NO. (786-1981) Continued

Co. Longo offered the following resolution:

WHEREAS, the Town of Clarkstown wishes to make re-application to the New York State Executive Department Division for Youth for grant funds,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to submit a renewal application entitled "Juvenile Aid Bureau" dated January 1, 1982 through December 31, 1982.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (787-1981)

AUTHORIZATION TO
SUBMIT YOUTH GRANT
RENEWALS: YOUTH
COURT

Co. Longo offered the following resolution:

WHEREAS, the Town of Clarkstown wishes to make re-application to the New York State Executive Department Division for Youth for grant funds,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to submit a renewal application entitled "Youth Court" dated January 1, 1982 through December 31, 1982.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (788-1981)

AUTHORIZATION TO
SUBMIT YOUTH GRANT
RENEWALS: COMMUNITY
RECREATION PROGRAM
ADMINISTRATION AND
SPECIAL PROGRAMS

Co. Longo offered the following resolution:

WHEREAS, the Town of Clarkstown wishes to make re-application to the New York State Executive Department Division for Youth for grant funds,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to submit a renewal application entitled "Community Recreation Program Administration and Special Programs" dated January 1, 1982 through December 31, 1982.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (789-1981)

AUTHORIZATION TO
SUBMIT YOUTH GRANT
RENEWALS: COMMUNITY
CENTER PROGRAMS

Co. Longo offered the following resolution:

AAJ338

RESOLUTION NO.(789-1981) Continued

WHEREAS, the Town of Clarkstown wishes to make re-application to the New York State Executive Department, Division for Youth for grant funds,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to submit a renewal application entitled, "Community Center Programs" dated January 1, 1982 through December 31, 1982.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (790-1981)

GRANTING OF TOWN
LAW 281 ORIGINAL
DENSITY PLAN -
KOHLER PROPERTY,
CONGERS

Co. Longo offered the following resolution:

WHEREAS, A.R. Sparaco, Jr., PLS has made written application for the use of Town Law, Sec. 281 in connection with subdivision known as Kohler Property, 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 as the density design will allow for a more appropriate layout in that the proposed dwellings will be located on higher ground and this will eliminate the use of an ejector station.

NOW THEREFORE, be it

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

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO.(791-1981)

REFERRING PETITION
FOR CHANGE OF ZONE-
RS DISTRICT TO RG-2
DISTRICT-RUMFORD
REALTY

Co. Maloney offered the following resolution:

RESOLVED, that the application of RUMFORD REALTY CORP. for a change of zoning from RS District to RG-2 District on property located off Pascack Road in vicinity of Old Nyack Turnpike, Nanuet, NY 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

TBM - 9/8/81
PAGE - 15

RESOLUTION NO. (791-1981) Continued

Clarkstown and to the Rockland County Planning Board pursuant to Secs. 239-1 and 239-m of the General Municipal Law.

Seconded by Co. Longo All voted Aye.

* * * * *

RESOLUTION NO. (792-1981)

AUTHORIZING LES BOLLMAN TO ATTEND PLANNING AND ZONING INSTITUTE MEETING

Co. Longo offered the following resolution:

RESOLVED, that Leslie Bollman, Director, Environmental Control of the Town of Clarkstown, is hereby authorized to attend the Annual Planning and Zoning Institute meeting at Ellenville, New York from October 25 - 27, 1981, and be it

FURTHER RESOLVED, that all proper charges not to exceed \$45.00 be charged against account no. A1010-414.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (793-1981)

AUTHORIZING THE SUPT. OF HIGHWAYS TO ERECT SIGNS ON THE EAST SIDE OF NORTH HARRISON AVE., NORTH AND SOUTH OF CONGERS FIRE DEPT. DRIVEWAY PARKING LOT

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 erect signs to read, "No Parking Between Signs" on the East side of North Harrison Avenue, North and South of the Congers Fire Department driveway and parking lot.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (794-1981)

AUTHORIZING THE SUPT. OF HIGHWAYS TO ERECT A SIGN ON WEST SIDE OF PARK TERRACE

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 erect a Curve sign on the West Side of Park Terrace (area vicinity, #9 Park Terrace). Also a supplementary sign to read, "20 MPH" (a W-2-L-sign per Manual of Uniform Traffic Control Devices.)

Seconded by Co. Maloney All voted Aye.

* * * * *

AAJ338

RESOLUTION NO. (795-1981)

AUTHORIZING SUPT.
OF HIGHWAYS TO INSTALL
INTERSECTION SIGNS
ON SOUTH MOUNTAIN RD.
AT ZUKOR RD. ALSO
TRIM WEEDS ON
NORTH SIDE SO.
MOUNTAIN ROAD AT
ZUKOR ROAD

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 "Intersection" signs (WH-11 per Manual of Uniform Traffic Control Devices) on South Mountain Rd. at Zukor Rd. One sign to be erected East side and the second on the West side. The Stop Sign and the Stop line located on Zukor Road be moved toward South Mountain Rd. Its present location is North of the driveway (residence). Also, the Highway crew are to trim overgrown weeds on the North side of South Mountain Road at Zukor Rd. This will improve sight distance for the motorist.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (796-1981)

SETTING PUBLIC
HEARING ON PROPOSED
AMENDMENTS TO ZONING
ORDINANCE -
THEATRES.

Co. Longo offered the following resolution:

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

WHEREAS, the Town Board of the Town of Clarkstown desires to further amend 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 13th day of October, 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 106-10A, Table of General Use Regulations, RS Zone, Column 3, Item 6, Section B, by adding a new Paragraph (c) to read as follows:

(c) Neither Paragraphs (a) or (b) above shall apply to a site on which there is a movie theatre existing on the effective date of this amendment, October 13, 1981.

Amend Section 106-10A, Table of General Use Regulations, CS District, Column 3, Item 5, Section B, by adding a new Paragraph (c) to read as follows:

(c) Neither Paragraphs (a) or (b) above shall apply to a site on which there is a movie theatre existing on the effective date of this amendment, October 13, 1981, and be it

TBM - 9/8/81
PAGE 17

RESOLUTION NO.(796-1981) Continued

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

FURTHER RESOLVED, that a copy of this resolution be referred to the Clarkstown Planning Board for report and also to the Rockland County Planning Board pursuant to Sections 239-1 and 239-m of the General Municipal Law.

Seconded by Co. Maloney

All voted Aye.

* * * * *

AAJ338

RESOLUTION NO. (797-1981)

SETTING DATE FOR
PUBLIC HEARING ON
REQUEST TO AMEND
SPECIAL PERMIT -
HOPPER

Co. Longo offered the following resolution:

WHEREAS, on November 15, 1978, the Town Board granted a special Permit to Andrew Sabo and Barry Hopper to conduct a gasoline filling station pursuant to the requirements of Section 106-16G of the Zoning Ordinance of the Town of Clarkstown for property located at the corner of Hemmenway Avenue and Route 303, Congers, New York, and

WHEREAS, Barry Hopper has petitioned the Town Board of the Town of Clarkstown to amend the Special Findings and Resolution Granting Special Permit to read as follows:

8. There shall be a 30 foot buffer zone along the westerly side of the property where no pumping of gas or servicing of automobiles shall take place except the existing residence shall remain, subject to obtaining Zoning Board of Appeals approval of the Development Plan dated December 19, 1980, as amended.

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to said Zoning Ordinance be had at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 13th day of October, 1981, at 9:30 P.M., to consider the above amendment to the Special Findings and Resolution Granting Special Permit as above, and be it

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 Journal News, the official newspaper of the Town of Clarkstown, as aforesaid, and file proof thereof in the office of the said Clerk, and be it

FURTHER RESOLVED, that a copy of this resolution be referred to the Clarkstown Planning Board for report and also to the Rockland County Planning Board pursuant to Sections 239-1 and 239-m of the General Municipal Law.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (798-1981)

AUTHORIZING SUPER-
VISOR TO EXECUTE
AN AMENDMENT TO
AGREEMENT-LEAHY
CONSULTING CO.

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an amendment to agreement with Leahy Consulting Company extending the expiration date of the original agreement to December 31, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (799-1981)

DEDICATION OF
ROADS- GREENVIEW
PARK (LOCHNESS LANE,
SHAGBARK COURT,
EASEMENT BURDA LANE)

Co. Longo offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways and the Director of Environmental Control, deed(s) from: Red Hill Park, Inc. dated August 25, 1981, conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of Greenview Park filed in the Rockland County Clerk's Office in Book 93 of Maps at Page 5 as Map No. 4949, as follows: Lochness Lane 925 L.F., Shagbark Court 750 L.F. together with a 20 ft wide drainage easement and road widening strip of Burda Lane; is 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 the written quaranty with security posted by the developer is hereby accepted.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (800-1981)

AUTHORIZING
SUPERVISOR TO
EXECUTE AGREEMENT
WITH RED HILL
PARK, INC.

Co. Longo offered the following resolution:

WHEREAS, the Town of Clarkstown is desirous of entering into an agreement with Red Hill Park, Inc. in connection with the dedication of roads and other public improvements in a subdivision known as Greenview Park

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute an agreement with Red Hill Park, Inc. providing for the deposit of \$1,000 to be held by the Town, pursuant to the terms of said agreement, pending final and complete improvement

TBM - 9/8/81
PAGE 19

RESOLUTION NO. (800-1981) Continued

of the roads and other public improvements in said development by the developer, subject to final approval of the Department of Environmental Control and/or Superintendent of Highways of the Town of Clarkstown and provided that the requirements of the Town Attorney, if any, are complied with.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (801-1981)

AUTHORIZING SUPERVISOR TO CONTRACT WITH FRANCIS X. MASCOLA, LABOR RELATIONS CONSULTANT TO CONTRACT LABOR-MANAGEMENT RELATIONS & PERSONNEL

AAJ338

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to contract with Francis X. Mascola, Labor Relations Consultant, to provide labor-management relations and personnel administration services for the Town of Clarkstown, and be it

FURTHER RESOLVED, that the terms of said agreement shall be such that said agreement will be for a two year term for which compensation for all services and expenses shall not exceed \$14,000 for the first year, and shall remain negotiable for the second year, requiring further approval of the Town Board. Payments for these services shall be pro-rated over the term of the agreement and reimbursement for services shall be made in equal quarterly installments, subject to the approval of the Supervisor and be it,

FURTHER RESOLVED, that contract for said services shall commence on Wednesday, September 10, 1981 upon the receipt of the resignation of Frances X. Mascola as a part-time employee.

Seconded by Co. Maloney

On roll call the vote was as follows:

Supervisor Dusanenko Yes
Councilman Maloney Yes
Councilman Longo Yes
Councilman Lettre Yes
Councilman Holbrook Abstained

* * * * *

RESOLUTION NO. (802-1981)

INSTITUTING PROCEEDING - MIELE SANITATION

Co. Holbrook offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to commence any and all legal proceedings against Miele Sanitation Co. to revoke and/or suspend its license and/or impose such penalties as permitted by ordinance or law for illegal dumping at the Clarkstown Sanitary Landfill.

Seconded by Co. Longo

All voted Aye.

* * * * *

TBM - 9/8/81
PAGE 20

RESOLUTION NO. (803-1981)

GRANTING PERMISSION
TO LAMBORN FOR
ACCESS TO OLD LAKE
ROAD, CONGERS

Co. Longo offered the following resolution:

WHEREAS, Albert Lamborn, owner of property situate on the south side of Old Lake Road, Congers, New York, has requested permission of the Town Board pursuant to Section 106-25D of the Zoning Ordinance of the Town of Clarkstown, for access to Old Lake Road a non-major road;

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby grant access to Albert Lamborn pursuant to Section 106-25D of the Zoning Ordinance of the Town of Clarkstown to Old Lake Road, subject to the owner widening the shoulders with black topping on both sides of Old Lake Road from the subject premises to Route 9W, Congers, New York.

The above resolution failed to obtain a second.

RESOLUTION NO. (803a-1981)

RESOLUTION TABLING
RESOLUTION 803

Co. Longo offered the following resolution:

RESOLVED, that foregoing resolution (803-1981) be tabled.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (804-1981)

DELETION OF PHILLIPS
HILL ROAD EXTENSION-
SALE OF PROPERTY

Co. Longo offered the following resolution:

WHEREAS, the Town Board did by Resolution No. 359-1976 amend the Town of Clarkstown Official Map to delete that portion of Phillips Hill Road, a former County road, running easterly from Route 304 to New City-Congers Road, New City, New York, and

WHEREAS, the Clarkstown Tax Map indicates that portion of said road as Map 78, Block A, Lots 20.90 and 20.91, and

WHEREAS, said Lots 20.90 and 20.91 are no longer required for public use, and

WHEREAS, the Town of Clarkstown has prepared a map entitled, "Abandonment of a Portion of the Extension of Phillips Hill Road" which has been filed in the Town Clerk's Office and which subdivides Lots 20.90 and 20.91 into the following lots:

<u>MAP</u>	<u>BLOCK</u>	<u>LOT</u>
78	A	20.13//A
78	A	20.14//A
78	A	20.15//A
78	A	20.41//A
78	A	20.42//A
78	A	20.43//A
78	A	20.44//A
78	A	20.45//A
78	A	20.46//A
78	A	20.47//A
78	A	20.48//A
78	A	20.49//A

RESOLUTION NO. (804-1981) Continued

<u>MAP</u>	<u>BLOCK</u>	<u>LOT</u>
78	A	20.50//A
78	A	20.51//A
78	A	20.52//A

NOW, THEREFORE, be it

RESOLVED, that the portion of extension of Phillips Hill Road running easterly from Route 304 to New City-Congers Road, described on the Clarkstown Tax Map as Map 78, Block A, Lots 20.90 and 20.91, and further described on the map entitled, "Abandonment of a Portion of Extension of Phillips Hill Road" as Map 78, Block A, Lots 20.13//A-20.15//A and 20.41//A-20.52//A, is hereby declared surplus land, and be it

FURTHER RESOLVED, that the Town Board be and hereby is authorized to offer for sale to each immediately contiguous land owner the portion or parcel immediately abutting his property, as a right of first refusal; after such refusal, then to offer said parcel to other contiguous property owners; then to offer to the general public subject to the following:

A. Easements, covenants and restrictions of record, including a future easement to the Spring Valley Water Company, Inc., affecting Lots 78 A 20.14//A and 78 A 20.15//A.

B. Zoning Ordinance of the Town of Clarkstown.

C. Such state of facts as an accurate survey or personal inspection may reveal.

D. There shall be no subdivision of any lot enlarged by the abandonment of the Phillips Hill Road Extension.

E. All of the parcels must be purchased prior to the deeding of any one parcel by the Town of Clarkstown. Minimum bids shall be as follows:

1. \$25.00 on all parcels up to 9,999 square feet.
2. \$50.00 on all parcels of 10,000 square feet or more.

G. Said parcels shall not be used in computing bulk regulations for any purchasing home owner.

and be it

FURTHER RESOLVED, that contiguous home owners be notified of the Town's conditional offer of sale such land by certified mail and be given 15 days in which to respond to the Town's offer, and be it

FURTHER RESOLVED, that this resolution shall be subject to permissive referendum.

Seconded by Co. Lettre

On roll call the vote was as follows:

Supervisor DusanenkoYes
 Councilman Longo.....Yes
 Councilman Lettre.....Yes
 Councilman Maloney.....Abstained
 Councilman Holbrook.....Abstained

* * * * *

AAJ338

RESOLUTION NO.(805-1981)

OVERRIDING
RESOLUTION -
(JOHN LODICO
TO SPEAK)

Co. Holbrook offered the following resolution:

RESOLVED, to override the chair for the purpose of
allowing John Lodico to speak.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

* * * * *

RESOLUTION NO. (806-1981)

CLOSING REGULAR
TOWN BOARD MEETING
OPENING PUBLIC
HEARING (NORMANDY VIL-
LAGE)

Co.Longo offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned in
order to hold scheduled Public Hearing re: Zone Change Request
R-10/RG-2 To All RG-2, Normandy Village 13A16+ Nanuet: 9:05 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (807-1981)

CLOSING PUBLIC
HEARING (NORMANDY
VILLAGE)

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Zone Change Request
R-10/RG-2 to All RG-2, Normandy Village 12A16+ Nanuet, be closed,
DECISION RESERVED, Time: 9:35 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (808-1981)

CLOSING REGULAR
TOWN BOARD MEETING
OPENING PUBLIC
HEARING (TRAMQUILL
ASSOCIATION)

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Zone Change Request
L10/R-15 To All R-15 Tramquill Assoc., 109A1.02 Valley Cottage
(Approx. 3.9 acres to E & W side Green Avenue be opened, time: 9:36 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

TBM - 9/8/81
PAGE 23

RESOLUTION NO. (809-1981)

CLOSING PUBLIC
HEARING (TRAMQUILL
ASSOC.)

Co. Longo offered the following resolution:

RESOLVED, that Public Hearing re: Zone Change Request
L10/R-15 To All R-15 Tramquill Assoc., 109A1.02 Valley Cottage
(Approx. 3.9 acres to E & W side Green Avenue be closed and DECISION
RESERVED, Time: 11:00 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (810-1981)

INCREASING
ELECTION INSPECTORS
COMPENSATION FOR
EXTENDED PRIMARY
DAY

Co. Longo offered the following resolution:

WHEREAS, by resolution No. 29-1981 the rate of pay for
Election Inspectors on Primary Day was established for the year 1981
at \$35.00 each and an additional \$10.00 for each District Chairman, and

WHEREAS, the hours for Primary Day have been extended from
6:00 A.M. to 9:00 P.M. instead of 12:00 P.M. to 9:00 P.M.,

NOW, THEREFORE, be it

RESOLVED, that the rate of pay for Election Inspectors is
hereby increased from \$35.00 to \$45.00 for Primary Day with an addi-
tional \$10.00 for each District Chairman, and be it

FURTHER RESOLVED, that the Estimated Revenue Account No.
01-2401 and Appropriation Account No. A1415-114 are hereby increased
by \$3,000.00 each.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (811-1981)

INCREASING PRIMARY
AND ELECTION DAY
COMPENSATION FOR
INSPECTORS

Co. Longo offered the following resolution:

RESOLVED, that the rate of pay for Election Inspectors is
hereby increased from \$45.00 to \$55.00 for both primary day and
election day with an additional \$10.00 for each District Chairman, and
be it

FURTHER RESOLVED, that the Estimated Revenue Account No.
01-2401 and Appropriation Account No. A1415-114 are hereby increased by
\$6,000.00 each.

Seconded by Co. Maloney

All voted Aye.

* * * * *

AAJ338

RESOLUTION NO. (812-1981)

AUTHORIZING
HANDICAPPED PARKING
SPACES - NANUET
MALL

Co. Longo offered the following resolution:

WHEREAS, the Acting Building Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 9-1971, as amended by Local Law No. 4-1978, as amended, known as the Vehicle and Traffic Local Law, more particularly designated as Chapters 102-12 D & E of the Code of the Town of Clarkstown at the Nanuet Mall, Nanuet, New York, by the installation of 26 handicapped parking spaces, and

WHEREAS, Daniel Palmieri, 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 26 handicapped parking spaces;

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended by Local Law No. 4-1978, as amended, the Town Board hereby directs that 26 handicapped parking spaces 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, and be it

FURTHER RESOLVED, that a map showing the location of the 26 handicapped parking spaces shall be submitted to the Office of the Town Attorney for referral and approval by the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown prior to implementation of this resolution.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (813-1981)

GRANTING INGRESS
AND EGRESS TO OLD
COLONY SUBJECT TO
CONDITIONS

Co. Maloney offered the following resolution:

WHEREAS, Old Colony Company did request access to College Road pursuant to Section 106-10A, and

WHEREAS, the Town Board did on April 14, 1981 deny such request on the grounds that to grant ingress and egress from Old Colony Shopping Center would create a serious traffic hazard adversely affecting the safety of pedestrian and vehicular traffic, and

WHEREAS, Old Colony Company instituted an Article 78 Proceeding against the Town Board of the Town of Clarkstown to review the decision of the Town Board denying access, and

WHEREAS, on the 22nd day of July, 1981, the Honorable Robert J. Stolarik did set aside the decision of the Town Board of the Town of Clarkstown and remand the matter to the Town Board for the purposes of granting access to Old Colony Company through College Road;

NOW, THEREFORE, be it

RESOLVED, that pursuant to the court order to remand to grant access to College Road, the Town Board does hereby consent to access to

RESOLUTION NO.(813-1981) Continued

College Road pursuant to Section 106-25D of the Zoning Ordinance of the Town of Clarkstown upon the following stated conditions:

(1) Applicant shall provide a road widening strip along its premises on College Road as approved by the Clarkstown Planning Board.

(2) Applicant shall provide sidewalks and curbs in front of its premises as approved by the Planning Board of the Town of Clarkstown.

(3) Applicant shall provide "No Right Turn" sign at the egress point to College Road and "No Left Turn" sign on Old Route 59A.

(4) Applicant shall comply with all the site plan conditions of the Planning Board.

and be it

FURTHER RESOLVED, that the restrictive covenant requiring egress only to the subject premises on Old Route 59A be and hereby is rescinded and cancelled of record, and be it

FURTHER RESOLVED, that the Town Attorney's Office prepare a document in sufficient form to be recorded in the Rockland County Clerk's Office cancelling restrictive covenant.

Seconded by Co. Holbrook

On roll call the vote was as follows:

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

AAJ338

RESOLUTION NO. (814-1981)

GRANTING PLANNING BOARD EXTENSION OF TIME TO REVIEW ZONE CHANGE APPLICATION OF J.H.M. HOMES, INC.

Co. Longo offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown hereby grants the Clarkstown Planning Board a 30 day extension of time to review the Zone Change Application of J.H.M. Homes, Inc., from an R-15 District to a PO District for 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.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (815-1981)

OPPOSING RELOCATION OF BUS STOPS AT THE NANUET MALL

Co.Longo offered the following resolution:

TBM - 9/8/81
PAGE 26

RESOLUTION NO. (815-1981) Continued

WHEREAS, many senior citizens, handicapped persons and youngsters utilize TOR buses and Clarkstown Mini Trans buses in going to the Nanuet Mall, and

WHEREAS, Pembroke Management, Inc., has unilaterally decided to relocate the bus stops at the Nanuet Mall to remote areas of their property, and

WHEREAS, this relocation will provide a great inconvenience and increase exposure to personal safety;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown is unequivocally opposed to any bus stop relocation within the Nanuet Mall, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to cooperate with the County of Rockland in supporting any action authorized by the Legislature of the County of Rockland against Pembroke Management, Inc., managers of the Nanuet Mall, Nanuet, New York.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (816-1981)

CREATING POSITION
HISTORIAN
(PART-TIME)

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 11, 1981, that the (part-time) Town Historian position can be created,

NOW THEREFORE, be it

RESOLVED, that the (part-time) Historian position is hereby created effective and retroactive to August 11, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (817-1981)

CREATING (PART-TIME) CLEANER
POSITION -
MAINTENANCE DEPT.

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 26, 1981 that the (part-time) Cleaner position - Maintenance Department - can be created,

Now, therefore, be it

RESOLVED, that the (part-time) Cleaner position - Maintenance Department - is hereby created, effective September 9, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

TBM - 9/8/81
PAGE 27

RESOLUTION NO. (818-1981)

CREATING SECURITY
AIDE POSITION -
PARKS & RECREATION

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 26, 1981 that the Security Aide position - Parks & Recreation, can be created,

NOW, THEREFORE, be it

RESOLVED, that the Security Aide position - Parks & Recreation - is hereby created effective September 9, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (819-1981)

RECLASSIFICATION OF
POSITION - COUNSELING
CENTER

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 12, 1981 that the Counseling Assistant position - Counseling Center - can be created due to a reclassification of an existing position,

NOW, THEREFORE, be it

RESOLVED, that the position of Counseling Assistant - Counseling Center - is hereby created effective September 8, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (820-1981)

RESIGNATION - REAL
PROPERTY DATA COLLEC-
TOR - ASSESSOR'S
OFFICE

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Deborah Hall, P. O. Box 18, Congers, New York - Real Property Data Collector - Assessor's Office - is hereby accepted, effective and retroactive to August 18, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (821-1981)

RESIGNATION LABORER
(STUDENT) MAINTENANCE
DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that the resignation of John W. Coyle, 112 Red Hill Road, New City, New York - Laborer-Student-Maintenance Department - is hereby accepted, effective and retroactive to August 21, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

AAJ338

TBM - 9/8/81
PAGE 28

RESOLUTION NO. (822-1981)

APPOINTING (PART-
TIME) RADIO OPER-
ATOR - POLICE
DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that Gregory Tobin, 34A Convent Road, Nanuet,
New York is hereby appointed to the position of Radio Operator,
part-time - Police Department - at the hourly wage of \$5.14, effective
and retroactive to August 10, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (823-1981)

ACCEPTING RESIGNA-
TIONS OF CROSSING
GUARDS - POLICE
DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that the resignations of the following Crossing
Guards - Police Department - are hereby accepted, effective and retro-
active to September 3, 1981:

Marion E. Egan, 2 DeForest Avenue, New City, New York
Margaret M. Walsh, 14 Jolen Drive, New City, New York

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (824-1981)

APPOINTING CROSSING
GUARDS - POLICE
DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that the following are hereby appointed to the
position of Substitute Crossing Guard -Police Department - at the
prevailing salary for the post covered, effective September 9, 1981:

Patricia McGrogan, 15 Lyncrest Avenue, New City, NY
Joan Dillon, 39 Lyncrest Avenue, New City, NY
Mary McDermott, 18 Rammler Lane, Bardonia, NY

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (825-1981)

ACCEPTING RESIGNATION
CROSSING GUARD -
POLICE DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Anne T. Twohig, 1 Elks
Drive, Nanuet, New York as Crossing Guard - Police Department - is
hereby accepted, effective and retroactive to July 1, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

TBM - 9/8/81
PAGE 29

RESOLUTION NO. (826-1981)

ACCEPTING RESIGNATION
POLICE MATRON -
POLICE DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Joan Tapp, 6 Tor View Avenue, New City, New York as Police Matron - Police Department - is hereby accepted, effective and retroactive to August 19, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (827-1981)

APPOINTING POLICE
MATRON - POLICE
DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that Nancy R. Fuchs, 40 Barry Lane, Bardonia, New York is hereby appointed to the position of Police Matron - Police Department - at the hourly wage of \$4.50, effective and retroactive to August 10, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (828-1981)

ACCEPTING RESIGNATION
(PART-TIME) COUNSEL-
ING AIDE - COUNSELING
CENTER

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Stuart Montal, 160 Lake Nanuet Drive, Nanuet, New York (part-time) Counseling Aide - Counseling Center - is hereby accepted effective September 11, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (829-1981)

ACCEPTING RESIGNATION
BUS DRIVER - MINI
TRANS

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Paul Reimer, 362 South Middletown Road, Nanuet, New York as Bus Driver - Mini Trans - is hereby accepted, effective September 11, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (830-1981)

APPOINTING BUS
DRIVER TO MINI TRANS

Co. Longo offered the following resolution:

RESOLVED, that Raymundo M. Samalo, 7 South Delaware Drive, Central Nyack, New York - is hereby appointed to the position of Bus Driver (full-time) - Mini Trans - at the annual 1981 salary of 12,026., effective and retroactive to August 20, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

AAJ338

RESOLUTION NO. (831-1981)

APPOINTING POLICE
OFFICER - POLICE
DEPARTMENT

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Officer #80150 which contains the name of Andrew Grosso,

now, therefore, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Andrew Grosso, 168 Sickletown Road, West Nyack, New York is hereby appointed to the position of Police Officer - Police Department - at the annual salary for 1981 of \$15,913., effective September 14, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (832-1981)

APPOINTING POLICE
OFFICER - POLICE
DEPARTMENT

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Officer #80150 which contains the name of Robert Donaldson,

now, therefore, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Robert Donaldson, 51 Southward Avenue, Congers, New York is hereby appointed to the position of Police Officer - Police Department - at the annual salary for 1981 of \$15,913., effective September 14, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (833-1981)

APPOINTING LIFEGUARDS
PARKS & RECREATION

Co. Longo offered the following resolution:

RESOLVED, that the following are hereby appointed to the position of Lifeguard - Parks & Recreation - at the hourly wage of \$3.50, effective and retroactive to August 10, 1981:

Jeffrey Baer, 28 Kendall Drive, New City, NY
Glenn M. Dietrich, 4 Lorraine Court, New City, NY
Nadine G. Reis, 50 Parker Avenue, New City, NY

Seconded by Co. Maloney

All voted Aye.

* * * * *

TBM - 9/8/81
PAGE 31

RESOLUTION NO. (834-1981)

APPOINTING POLICE
CHAPLAIN - POLICE
DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that Father Patrick McGill (All Saints Episcopal Church, Valley Cottage, New York) - is hereby appointed Police Chaplain - effective September 9, 1981.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (835-1981)

CHANGING GRADES

Co. Longo offered the following resolution:

RESOLVED, that the following Grade changes are hereby effective January 1, 1982:

- Maintenance Supervisor (Sewers) - Grade 24 to 27.
- Maintenance Mechanics (Sewers) - Grade 21 to 22.
- Assistant Maintenance Mechanics (Sewers) Grade 18 to 19.
- Maintenance Helper (Sewers) - Grade 17 to Grade 18.
- Assistant Maintenance Mechanic (Bldg.) - Grade 20 to 22.
- Fire Inspector (Building) - Grade 23 to 24.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (836-1981)

APPOINTING BUILDING
INSPECTOR II
(PROVISIONAL)

Co. Longo offered the following resolution:

RESOLVED, that John Maraia, 12 Randy Lane, New City, New York, is hereby appointed provisionally to the position of Building Inspector II - Building Department - at the annual salary for 1981 of \$29,489., effective September 9, 1981.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

Councilman Maloney was concerned about getting someone who could meet all the qualifications that this job entailed. A panel was set up in the spring that screened applicants and worked diligently to find the right person. The panel advertised in professional journals and elsewhere for applicants. About forty candidates were interviewed. Before Councilman Maloney made up his mind, he as well as the Town Board, asked questions of the four finalists. He wanted to know if they had been treated fairly and they had. Although he has the utmost respect for the person who had been filling the job, he also felt that you need a man who can take hold and take command and therefore, he was going for John Maraia.

AAJ338

RESOLUTION NO. (836-1981) Continued

Supervisor Dusanenko said he hoped that the Town of Clarkstown would go forth with respect to the Building Department and its functions and serve all of the people in the Town of Clarkstown, all of the builders in Clarkstown whether they maintain union shops or non-union shops whatever their affiliations and that we work to maintain a better built and cleaner community during our lifetime.

Councilman Longo thanked the members of the Board for the excellent job they had done.

* * * * *

RESOLUTION NO. (837-1981)

AUTHORIZING SUPERVISOR
TO ENGAGE ROBERT L.
HUNT AS A CONSULTANT
TO THE CLARKSTOWN
ZONING BOARD OF APPEALS

Co. Longo offered the following resolution:

WHEREAS, Robert L. Hunt has submitted a proposal to the Town of Clarkstown concerning consultation service to the Town of Clarkstown Zoning Board of Appeals at a fee of \$100. per week,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to enter into a Consent Agreement to engage Robert L. Hunt to render consulting services to the Clarkstown Zoning Board of Appeals at a fee of \$100. per week, such sum to be charged to account #B 8010-409, and be it

FURTHER RESOLVED, that such agreement is terminable at will by either party, and be it

FURTHER RESOLVED, to increase appropriations account #B8010-409 by \$1500 and Revenue #2-2401 by \$1500.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

Councilman Holbrook said he was voting no because he believed the backlog of the ZBA was because of the removal of the chairman and interference with the due process of the Board and it was ridiculous to spend the tax payers money to straighten out a condition which would not have existed if the ZBA had been left alone.

Councilman Lettre said that the backlog work was due to the unfortunate illness of Mrs. Ries and that regardless of who was chairman, there would be problems.

Councilman Longo said Mr. Gardner had previously served on the ZBA for 15 years and that the problem resulting in the ZBA was due to Mrs. Ries' unfortunate illness and that the party appointed to fill the vacancy for Mrs. Ries received no help. It was for this reason that we brought in an expert to streamline the the way matters were processed in the ZBA.

TBM - 9/8/81
Page 33

RESOLUTION NO. (837-1981) Continued

Councilman Maloney said it was better to appoint a member to take the minutes than to try to have someone new with no background.

Supervisor Dusanenko, in his comments said that it is his goal to have employees cross-trained in their duties in such a way that, in the absence of any employee, Town government can still function. To help reach this goal, Supervisor Dusanenko wishes to eliminate all unnecessary paper work and streamline the ZBA application process similar to procedures used in Orangetown. A streamlined ZBA process will reduce any backlog of applications while saving money for applicants and the taxpayers.

* * * * *

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

APPEARANCE: Mr. William Carey
Pine View Avenue, Bardonia, NY

Mr. William Carey, former chairman of the ZBA, said that if his resolution had been followed and Betty Squillace had been appointed to act as secretary in Mrs. Ries' absence, none of these problems would have developed. He said he found it sad to watch the ZBA disintegrate. It was like watching an old friend die.

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

Mr. Lodico spoke regarding the sale of surplus property on Phillips Hill Road. He questioned whether the Town had the right to delete this property from the map and whether it was legal to specify who had first right to buy. He felt that this was a bad move for the Town and certainly to do it without a public hearing. He asked the Board to review their decision and not put the property up for sale. The Town Board should act as politicians and not as Town Planners. He also said that he believed that by their appointment of an outsider as Building Inspector, they dashed the hope of any person in Civil Service that starts at the bottom to grab a star.

APPEARANCE: Mr. William Stein
31 Concord Drive, New City, NY

Mr. Stein spoke on the contract and bidding for Congers Park Ball Fields and questioned the legality of the contract and bidding procedures.

APPEARANCE: Ms. Betty Squillace
Glen Drive, Bardonia, NY

Ms. Squillace said when Mrs. Ries was taken sick she went right in and looked in the files to see what could be done until she returned. Everything was in proper order and she decided to proceed with the hearings as advertised and she went in the next day and left notes to be followed. She told her replacement how to proceed and since she was told that her services were not required or desired she had no more input and it certainly was not her job to train her replacement. She had always helped anyone who requested her assistance such as Mr. Carey and Mr. Gardner. She stated that she wanted to see the ZBA function without politics as it always has done in the past. She further stated that if the Board would check out the Attorney General's Office, they would find out that the Building Department has nothing to do with the ZBA. She concluded her statement that she would no longer be stepped on by anyone of any political persuasion.

CONTINUED ON NEXT PAGE

118

TBM - 9/8/81
PAGE 34

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: 12:00 P.M. midnight.

Respectfully submitted.

A handwritten signature in cursive script that reads "Patricia Sheridan".

PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9/8/81

9:00 P.M.

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

RE: PETITION FOR CHANGE OF ZONE APPLICATION - R-10/RG-2 TO ALL
RG-2, NORMANDY VILLAGE 13A16+ NANUET.

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.

Everett Johns, Town Attorney, read the following correspondence:

(Letterhead of Town of Clarkstown Planning Board)

"July 16, 1981

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

Gentlemen: TOWN BOARD REFERRAL: ZONE CHANGE
REQUEST R-10/RG-2 TO ALL RG-2, NORMANDY VILLAGE
13A16+ NANUET

The above matter was discussed at the Planning Board meeting of July 8, 1981. After considerable discussion Member Nowicki made a motion which was seconded by Fallon,** carried 5:0 with Ayes of Howell, Cunningham** and Paris,** approving the following...

RECOMMENDATION TO THE HONORABLE TOWN BOARD: For some time the PB has been addressing the issue of supplying affordable housing, in particular as it has been updating the Master Plan-1981. The Town Board has also been most concerned with this issue and in 1977 established a Citizens Housing Task Force, which made a study of the housing needs in the Town. This PB met several times with that body. Results indicated that affordable housing must be provided for the young marrieds, young adults, older residents who cannot afford to maintain their homes or are unable to maintain their homes, and to those people whose lifestyles have changed, children moving away, no longer requiring a large home.

The nation and the Town have been concerned with the energy question, energy conservation, transportation or lack of transportation, water supply or insufficient amount of water and other critical issues.

The Planning Board has examined the petition of Normandy Village in relation to the aforementioned factors. Normandy Village is in an area of Town with easy accessibility to shopping and mass transportation, and it is for these reasons that the PB recommends in favor of the requested zone change (see several members comments on next page).

In accordance with the statutory requirements the following has been determined...

- a) the use permitted by the proposed change would be appropriate in the area,
- b) adequate public school facilities and other public services exist or can be created to serve the needs of any additional residences likely to be constructed as a result of such change,

CONTINUED ON NEXT PAGE

AAJ338

PH - 9/8/81
PAGE 2

ZONE CHANGE - NORMANDY VILLAGE

- (c) the proposed change is in accord with any existing or proposed plans for providing public water supply and supply of sanitary sewers in the vicinity.
- (d) the amount of vacant land which is currently zoned for similar development in the Town is ample: in the vicinity of the area there are some 6 vacant acres, recently approved by TB, for multi-family use, but this area is suitable for the proposed use.
- (e) there is little land being developed in the proposed district in the immediate vicinity of the area,
- (f) We do not see this as having adverse effect upon the growth of the existing community as envisaged by the Comprehensive Plan, if the number is slightly reduced to 9-13 units per acre,
- (g) the proposed amendment is likely to result in slight increase the total residential capacity of the Town,
- (h) although other areas may request similar changes if such change is granted, each one must be judged on its own merits.

(**Members Cunningham and Fallon and Chairman Paris advised they agreed with the proposed use to multi-family, but only on condition that it be limited to the number of units as indicated by the Preliminary Master Plan Update, 9-13 units per acre).

Very truly yours,

/s/ Richard J. Paris

Richard J. Paris
Chairman

att:

cc: Town Attorney
Town Clerk

(Letterhead of County of Rockland Planning Board)

"July 3, 1981

Clarkstown Town Board
Town Hall
New City, New York 10956

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

Map Dated: 5/22/81

Item:

Zone Change: R-10 to RG-2
East of Middletown Rd., South of First St., Nanuet
Normandy Village, Sec. 5 (C-988)

The Rockland County Planning Board reviewed the above item at its meeting of June 30, 1981 and

- *approves ___
- **approves subject to conditions belowxxx
- **disapproves ___
- requests extension of time ___

PH - 9/8/81
PAGE 3

GENERAL MUNICIPAL LAW (GML) REVIEW - Continued

1. That a permit to develop within the 100 year floodline be obtained from the Rockland County Drainage Agency.
2. That both College Avenue and First Street be used to provide access to this parcel.

cc: Supervisor Dusanenko
Mr. Lombardi, member, RCPB
Dr. Wikstrom, RDCA
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 Henry Horowitz who made a presentation for the applicant.

Mr. Horowitz said the Parcel in question consists of 3.77 acres. Torso Development Corp. owns part and is under contract to purchase the balance. Torso Development has acquired the full 3.77 acres and is no longer the contract purchaser but has the title. The parcel itself sits on the east side of Middletown Road and is bounded on the North and on the East by existing Normandy Village. We have been calling Normandy Village Section 5. The same organization that built homes and operate Sections 1, 2, 3 and 4 of Normandy Village except that portion that has been converted into condominiums. Torso Development will build along same motif as existing four sections. Sewer line is on the existing 3.77 acres. So far as drainage is concerned a portion of the Naurashaun runs through the property. They have been in touch with the Rockland County Drainage Agency with regard to obtaining a permit with them. As far as access is concerned, the Rockland County Planning Board has requested that we use access from both College and First Street. Exact method will be determined when we process for siteplan before the Planning Board.

The Master Plan 1971 called for the extension of the multi-family density of Normandy Village South to the abandoned railroad right of way in western Middletown Road. No new zones are being introduced to the area but they are requesting an extension of the RG-2 Zones which already exist. The Hamlet Plan which was prepared by the Town in 1979 contains the same wording that this particular parcel again should be an extension of Normandy Village.

Because of the favorable comments of the County Planning Board as well as the Town Planning Board also recommended by the Town Planner for approval. I don't think at this time, it is too necessary to go into the wisdom of having this re-zoned as RG-2. The Planning Board approved this requested zone change by a unanimous vote. Three of the five members of the Planning Board coupled their recommendation that the density be limited to 9-13 units together. Requested that they process it in accordance with the zoning which exists today - which is the RG-2 Zone. The breakdown they have in mind would be 60% ones and 40% two. This could give them approximately 16 units to an acre. The existing Normandy Village consists of 300 units. The 300 units sit on some 17+ acres and the existing density of Normandy Village is 17 units to the acre. If we are able to achieve the 60% ones and 40% twos, we will be achieving a density of 16 units to the acre which is within the limits of the RG-2 as it

CONTINUED ON EXT PAGE

AAJ338

HENRY HOROWITZ - Continued

stands today. What the Planning Board was really after was a limit on density. At 9 units to the acre, if they were all three bedroom units, we would have a total of 102 bedrooms. At the present time, our 60%/40% ones and twos would yield about 84 bedrooms. The same is true on 13 units. If they were all two bedroom units, we would have a greater bedroom count than we are proposing. We are looking for a joint venture between the applicant and the Planning Board. To ask us to limit our unit count before we have approached the Planning Board puts a burden on us. If there is satisfaction with the RG-2 the way it stands, then the zone should be changed. The Zoning Ordinance which has been adopted by Town Board is what we are subject to - not the Master Plan, which has not yet been adopted.

Councilman Holbrook asked for Robert Geneslaw's report and Mr. Horowitz was requested to read it.

Raymond, Parish, Pine & Winer, Inc.
555 White Plains Road
Tarrytown, NY 10591

MEMORANDUM

July 8, 1981

TO: Clarkstown Planning Board

FROM: Robert Geneslaw

SUBJECT: TOWN BOARD REFERRAL: ZONE CHANGE REQUEST R-10/RG-2/CS
TO RG-2, NORMANDY VILLAGE, 13A16+ NANUET.

The existing land use and zoning pattern in the surrounding area is described in the petition and in the Preliminary Hamlet Plans volume of the Master Plan series, and is therefore not repeated here.

The 1971 Master Plan and the 1981 Plan (finalized but not adopted as of this writing) both call for multi-family residential development here. The 1981 Plan recommends a density of 9-13 dwelling units per acre, while the RG-2 district allows a range of 10-21 units per acre.

We recommend in favor of the requested change.

RG:lw

/s/ R. Geneslaw

Supervisor Dusanenko asked if there was anyone wishing to speak in favor of such petition or application.

IN FAVOR: No one appeared.

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

At this point, John Lodico said he wanted to speak IN FAVOR.

APPEARANCE: John Lodico
2 Birch Lane, New City, NY

John Lodico said that he felt Normandy Village was a model for our community. It was definitely an asset to the Town and he was most definitely in favor of it.

There now appeared the following people in opposition:

APPEARANCE: Kenneth Hart, President of Normandy Village
Nanuet, New York

Mr. Hart was concerned about the access to First Street and stated that 100 families would be an additional burden. He

CONTINUED ON NEXT PAGE

APPEARANCE: Mr. Hart - Continued

was adamant that the Town do something about the traffic problem and believed that there should be direct access from Middletown Road. He stated that First Street was not meant to be a major thoroughfare and that the problem of the traffic is aggravated by junk and debris thrown on the street and the Town does not clean First Street.

APPEARANCE: Terrance and Joan Donohue
251 Crooked Hill Road, Pearl River, NY

They wanted to know what type of pedestrian easement there would be? They wanted clarification of the easement on the property leading to Middletown Road.

APPEARANCE: Al Coatti
Orchard Street, Nanuet, NY

He inquired as to what property changes were being made south of this area. The Supervisor said that was not so. The property is south of the abandoned railroad tracks.

Henry Horowitz then spoke in rebuttal. He responded to the inquiry about access from this parcel onto First Street and stated that this was a suggestion of the Rockland County Planning Board but the final determination would be made by the Town Planning Board. He said there would not be 100 families. It would be 60 families and this is based on 60 units with 40 one bedroom and 20 two bedroom. There is an easement onto Middletown Road which used to be an old oxen and carriage trail that they used as a pedestrian way. The zone change requested is for 3.77 acres more or less and it is not within 500 feet of Orchard Street. He asked the Town Board for their consideration and approval for this petition

There being no one further wishing to be heard, Public Hearing was closed on motion of Councilman Longo, seconded by Councilman Maloney, RESERVED DECISION, time: 9:35 P.M.

Respectfully Submitted,
Patricia Sheridan

PATRICIA SHERIDAN
Town Clerk

AAJ338

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9/8/81

9:36

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

RE: TRAM QUILL ASSO., INC.

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)

"April 20, 1981

MEMO

TO: Patricia Sheridan, Town Clerk
Clarkstown Planning Board

From: Jim Cymore, Planner

RE: TRAM QUILL ASSOCIATES, VALLEY COTTAGE

We are returning the above review request as it is not in our jurisdiction to review.

* * * * *

(Letterhead of Town of Clarkstown Planning Board)

"August 6, 1981

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

Gentlemen: TOWN BOARD REFERRAL: ZONE CHANGE REQUEST
L10/R-15 TO ALL R-15 TRAM QUILL ASSOC.
109A1.02 VALLEY COTTAGE (Approx. 3.9 acres
to E & W side Green Avenue).

At the Planning Board meeting of July 29, 1981 Member Fallon made a motion which was seconded by Yacyshyn, motion NOT CARRIED, vote 3:2, Aye of Nowicki, Nays of Paris* and Cunningham, to approve the following ...

RECOMMENDATION TO THE HONORABLE TOWN BOARD: The Planning Board has examined the above petition in relation to the surrounding area, the topography, the Master Plan Update and the statutory requirements, and finds that the petition should be granted with the following modification: a) the principal development problem on this parcel concerns the closeness to the water table, increased runoff and possible disturbance of the stream; all drainage problems to be resolved in accordance with recommendations of the Department of E.C. and b) the Town Board has approved an industrial road to the 100+ acres of property to the north: some provision is to be made to allow for this proposed road, in that the property be set aside for such use by offer of conveyance, in the understanding that it will be built by others.

It is further recommended that in the event the Town Board determines that zone change should be granted that consideration be given to Green Avenue being a cul-de-sac with no possible future access to Rt. 303.

AAJ338

PH - 9/8/81
PAGE 2

TRAM QUILL ASSOC. - Continued

Very truly yours,

/s/ Richard J. Paris
Richard J. Paris
Chairman

RJP:lw

cc: Town Attorney
Town Clerk

(*Paris: concerned for the health, safety and welfare of all residents: approx. 50 homes on a permanent dead-end exist now: adding 10 additional homes would enlarge number of homes on a permanent dead-end to 60 homes which is far in excess of that allowed in the SD Regulations.)

Councilman Holbrook stated that the Planning Board did not approve this request and the Town Attorney said that was correct.

Supervisor Dusanenko called upon Mr. Michael Reeder, attorney for the petitioner for his presentation.

Mr. Reeder stated that the subject premises are now zoned L10 and R15 and they are requesting it changed to R-15 zone. At this point he asked to call a witness, Theodore Atzl and he was sworn in and gave his credentials: Atzl and Scatassa Asso., 248C North Main Street, New City, NY. He said he had been in the land surveying and planning for twenty-five years. In the existing zone of the L10 portion of this property would require a special permit by the Town Board and ZBA dispensations. In the L10, the property is under the minimum 100,000 sq. ft. bulk area required. Minimum set back from the street line is 80 and the rear yard is 50 and no parking is allowed in the front yard or within 20 ft. of any proposed building and this would necessitate appeal before the Zoning Board of Appeals for parking within the front yard area. (These were some of the problems in the L10 Zoning stated by Mr. Atzl.)

Mr. Reeder asked would there be space on the site for any on site parking other than that.

Mr. Atzl replied, no there would not.

Mr. Reeder asked would the parcel have required major access to a secondary road.

Mr. Atzl replied, no it does not.

Mr. Reeder asked if Mr. Atzl had examined the vicinity around the subject premises.

Mr. Atzl replied he had.

Mr. Reeder asked how many houses are there now that use Green Avenue as their main and sole access.

Mr. Atzl replied, approximately sixty.

Mr. Reeder asked how many of those houses have been approved for the development within the last year or year and a half.

Mr. Atzl replied, twenty-six.

PH - 9/8/81
PAGE 3

TRAM QUILL -Continued

Mr. Reeder asked if that meant that the 36 houses were there for more than two years.

Mr. Atzl replied, yes.

Mr. Reeder asked, if this application were approved by this Board, how many additional houses could there be on this property?

Mr. Atzl said, approximately ten to eleven.

Mr. Reeder said that would mean that Green Avenue would be their sole access as well.

Mr. Atzl said that's correct.

Mr. Reeder asked if Green Avenue is a through street.

Mr. Atzl said No.. Green Avenue is a through street in the sense that it is on the official map .. yes it is a through street.

Mr. Reeder asked if it now connects with any other exit other than the one that comes into Lake Road.

Mr. Atzl said no, that's the only exit.

Mr. Reeder asked, what is the nature of Green Avenue now insofar as it is within the subject premises? Is Green Avenue now improved within the subject premises?

Mr. Atzl said no.

Mr. Reeder asked what kind of a road is it.

Mr. Atzl said as Green Ave. exists right now, there is no road. There is a lane which goes into a dirt access road which goes into Mr. Brega's property.

Mr. Reeder asked if Green Avenue is presently an official Town Street.

Mr. Atzl said it is on the official Town Map as a street.

Mr. Reeder asked if Mr. Atzl was familiar with the two homes at the north end of Green Avenue that are now there.

Mr. Atzl said he was.

Mr. Reeder asked if they were part of a subdivision.

Mr. Atzl said they were part of Green Acres subdivision.

Mr. Reeder asked if Mr. Atzl had reviewed that sub-division map.

Mr. Atzl said he had.

Mr. Reeder asked what the subdivision map showed with regard to Green Avenue in relationship to the two homes at the north end of Green Avenue.

Mr. Atzl said the two homes at the north end of Green Avenue, which is a cul-de-sac and the one lot in the northwest corner, has an easement on it for the extension of Green Avenue. The house is set back from the edge of the easement, the required front yard depth is as required in R-15 Zone.

CONTINUED ON NEXT PAGE

AAJ338

PH - 9/8/81
PAGE 4

Mr. Reeder asked if Mr. Atzl could identify a copy of a sub-division map.

Mr. Atzl said it was the Green Acres sub-division map. A copy of the filed map.

Mr. Reeder showed the Town Board the map with the easement for the road extension - lots A-1 and B-1 of Green Acres.

Mr. Reeder asked if Green Ave. is a major or secondary road.

Mr. Atzl said that Green Ave. is a sub-division street - neither major or secondary.

Mr. Reeder asked how wide it is.

Mr. Atzl said it is 50 foot up on the end of the Green Acres sub-division. Further down it's 40 in some cases and 45 in other cases. The new subdivision which is called Milba Homes - a dedication of 5 foot on that side was given to the Town.

Mr. Reeder asked if Green Ave. can be used for commercial traffic.

Mr. Atzl said no.

Mr. Reeder asked what would be the best possible use of the subject premises .

Mr. Atzl said R-15 residential zone.

Supervisor Dusanenko asked Mr. Reeder if he had any other witnesses and Mr. Reeder said he did. Supervisor asked if anyone on the Town Board had any further questions to ask Mr. Atzl. Mr. Johns wanted some clarification on how you propose to use the extension of Green Ave. by any proposed dedication to the Town when you only have an easement.

Mr. Reeder asked to hold that question and he would address that before they're finished.

Mr. Holbrook asked what the difference was between a major, secondary and sub-division street.

Mr. Atzl said that the major would be like a state highway 80 ft. wide; secondary is 60; normal subdivision street is 50. Classifications as to pavement width, etc.

Town Attorney, Everett Johns, swore in Jeffery McCall, 56 Maple Avenue, New City, NY. (Of McCall Abstract Co.)

Mr. McCall said for the last 11 years we searched the records of the Rockland County Clerk's Office to issue title reports to insure land titles.

Mr. Reeder asked if Mr. McCall had examined titles of the subject premises.

Mr. McCall said yes.

Mr. Reeder asked if he had examined titles of the subject premises abutting subject premises on the south, two lots north end of Green Ave.

CONTINUED ON NEXT PAGE

PH - 9/8/81
PAGE 5

TRAM QUILL - Mr. McCall - Continued

Mr. McCall said yes.

Mr. Reeder asked if Mr. McCall had examined the titles looking for any easements that might effect that property.

Mr. McCall said yes.

Mr. Reeder asked if the two parcels that are abutting the subject premises at the north end of Green Ave. part of the subdivision map.

Mr. McCall said yes.

Mr. Reeder asked if they were subject to any easement.

Mr. McCall said the file map shows an easement of 50 feet wide going through the two lots as mentioned.

Mr. Reeder asked if Mr. McCall examined the deeds to those parcels.

Mr. McCall said yes.

Mr. Reeder asked if there was any title insurance to those parcels.

Mr. McCall said yes there was title insurance issued at the time of purchase from the builder

Mr. Reeder asked if the title insurance indicate that these parcels were subject to the easement for the continuation of Green Ave.

Mr. McCall said yes they were stated in the policies.

Mr. Reeder asked if Mr. McCall examined any surveys of those parcels.

Mr. McCall said he obtained surveys from the company that insured those titles.

Mr. Reeder showed Mr. McCall the two surveys and asked if he could identify them.

Mr. McCall said yes. The two surveys he received from the State Abstract which was made a part of the title insurance at the time of the purchase of the current owners.

Mr. Reeder submitted the surveys to the Town Board.

Mr. Reeder said, these two parcels at the north end of Green Ave. you say from your examination they are subject to the continuation of Green Ave.

Mr. McCall said there is an easement set forth on the map for the extension of Green Ave.

Mr. Reeder asked if there are other documents of record that would indicate that Green Ave. is to be extended.

Mr. McCall said there are surveys that he has seen that have shown Green Ave. being continued straight forward against the subject property on both sides. Northerly.

Mr. Reeder asked how far north those extensions go.

Mr. McCall said it runs to the southerly line of what is formerly the Huffman piece which is north of the property before the board now.

AAJ338

PH - 9/8/81
PAGE 6

TRAM QUILL - Mr. McCall - Continued

Mr. Reeder asked if it was possible to obtain additional copies of those documents that show the extension of Green Avenue to the north.

Mr. McCall said yes.

Mr. Reeder asked the Board if they could have the right to submit those documents.

Mr. Reeder said he had no further questions of Mr. McCall.

Supervisor Dusanenko asked if the Town Board had any questions for Mr. McCall.

Mr. Johns, Town Attorney, said his question was still unresolved.

Mr. Reeder to address Mr. Johns question - the easements we have shown you on the sub-division surveys are part of the deeds to these people and are part of their title policies, were reserved expressly for the continuation of Green Ave. and for its dedication. There is a reservation in the chain of title. Reserving to the developer at that time, the right to improve and dedicate those roads. We maintain that gives us the right to do exactly what that reservation is for and that these properties are subject to that reservation.

Mr. Johns said that did not answer his question and that they would have to dedicate the fee, not an easement.

Mr. Reeder said the reservation of the fee was reserved for the purposes of the dedication.

Mr. Johns said that was what he wanted to see.

Mr. Reeder said those were the documents which he had asked to allow them to obtain from the search room and submit those copies.

Mr. Reeder said there were other factors that the Board should consider in this application. One is traffic. If this application is approved the properties would hold anywhere from 10 to 11 maximum houses. We concur with the Planning Board that the north end of Green Ave. should be made into a cul-de-sac. In regard to traffic: The question: to put a commercial access road coming from the shopping center which is now on 303 to the property north of the subject premises. The access road is being talked about as being east of the subject premises and on the northeast corner it might go over a part of this parcel. The Planning Board has asked to make that road possible and the applicant is agreeable to this. In the question of emergency access to Green Ave. will provide a 15 ft. emergency access easement to that road when it's built. The question has been raised about water: The letter from the Department Environmental Control indicates that this development in an R-15 Zone will aide in reducing the water problem because of the funneling of water into the stream and because the houses would not have basements. The problem of Mr. Brega dumping, filling and parking of busses, is something that if it is illegal, the Town has to get after him and is not the subject of this application. The cul-de-sacing of the end of Green Ave. would stop any traffic from going through and stop commercial traffic from going through. The vote that the Planning Board took even though it was not an officical determination was 3-2 in favor and the other votes were absent. All the things that the Planning Board has asked for were consented to by the applicant. The Planning Consultant did not think this would have a domino effect.

CONTINUED ON NEXT PAGE

PH - 9/8/81
PAGE 7

Mr. Johns requested that Mr. Geneslaw's letter be submitted as part of the record and Mr. Reeder said he would comply.

Mr. Reeder explained that the triangle outlined in red on the surveys of the two parcels, is part of the 50 ft. easement.

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

IN FAVOR: Jack Hecker is the attorney for the adjacent property owners, Associates of Rockland. He said he was in favor, however, he requested the opportunity to review the exhibits before making a final determination.

IN OPPOSITION: Ted Tastner, 757 Green Ave., Valley Cottage inquired as to what was to be done with Tram Quill Ave? Requested that the Town Board not grant piecemeal zoning of this parcel but wait for the Master Plan and look at the comprehensive over-all study of the entire land parcel.

Mr. Jonah Jacobson, 60 S. Main Street, New City, NY speaking for his client Betty Bertoldi, 657 Green Ave., Valley Cottage, NY.

Mr. Jacobson's client purchased the property and has fee title to the whole of lot one which includes the 50 ft. easement. There is an easement for people to go in and out. He questioned the existence of any other deed that would give anybody rights to his clients property. The rights that people have are to go in and out; not to bring in water or utilities. Believes that Mr. McCall was in error when he stated that there was mention of Green Ave. in the title policy. Mr. Jacobson stated that he represented Mr. Ramano when he came in for the original sub-division. At that time the Planning Board requested that we cul-de-sac the end of Green Ave. But the Town Board was not in favor of such a proposal. The Town did not want the property and deeded it to our client. Mr. Jacobson stated the original 50 ft. easement no longer existed but had been cut down to 30 ft. and his client owned the balance of the easement by adverse possession.

Mr. Jack Hecker the attorney for Associates of Rockland said his client owns 100 acres of adjacent property and that he was opposed to any decision that the Town Board would make creating a cul-de-sac on Green Ave. It is within the province of the Planning Board to decide if this will be a through street or not. Mr. Hecker stated that he wanted to go on record as being opposed to a cul-de-sac at the end of Green Ave. Mr. Hecker said that he believed that only 35 homes were allowed on a dead end street and requested that Mr. Johns look into this.

Peter Brega, Kings Highway, Valley Cottage, is the owner of the property adjacent to the parcel in question. He said he has owned the property since 1955 and that the property was a flood plain.

Mr. Ted Tastner said that when he bought his house he needed 15,000 square ft. He had to use a triangular piece in order to comply with the land regulations. He said there is a very bad water problem in the area and he said that the new homes being built on Green Ave. do not have basements because of the existing water problem and pilings had to be sunk in order to build the last two houses in this new development.

CONTINUED ON NEXT PAGE

AAJ338

Mr. Jack Schmidt, Birchwood Court, Valley Cottage. His question was - what constitutes an easement?

Mr. Johns stated that there were easements for various purposes. Some are for all purposes with egress and all public utilities and some times they are limited to width, to use and the question of the form type of easement that we are discussing here tonight could not be resolved here. It would take a great deal of examination.

Marie Algore, Green Ave., Valley Cottage said she had lived here all of her life and she used to go fishing where they are now proposing to build these houses. She was concerned as to where the emergency road would come out if they were to develop that parcel.

Mr. John Lodico, 2 Birch Lane, New City said this land should not be removed from the LIO designation. The Town needs all the industrial development and this is one of the last large remaining tracts of LIO.

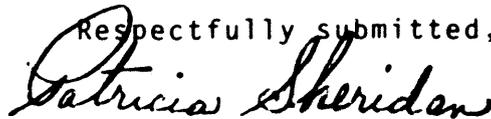
Charles McEnroe, 754 Green Ave., Valley Cottage said that he was opposed to this development and that Green Road was not 42 ft. wide and if this road were to be extended, who would have to pay for the extension.

Barbara Testner, 757 Green Ave., Valley Cottage said that she had come here to object to the Tram Quill development. However, after hearing Mr. Hecker speak about Rockland Asso. she was even more concerned about them.

Michael Reeder asked that the application be granted with or without a cul-de-sac because that issue can be decided by the Planning Board. He said that he would obtain the documentation that was discussed by Mr. Johns and Mr. Jacobson regarding the easement. This parcel is 12ft. higher than Peter Brega's property and that the water problem would be controlled and corrected by being channelled into the stream. Green Ave. is a straight road that extends to 150 acres. There would be a safety problem which would be worse with LIO zone than with residential property. The present number of existing homes on Green Ave. is not the creation of our development.

There being no one further wishing to be heard, Public Hearing was closed on motion of Councilman Longo, seconded by Councilman Maloney, RESERVED DECISION, time: 11:00 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk