

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

10/13/81

8:05 P.M.

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

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

Supervisor Dusanenko asked for a moment of silence for Anwar Sadat, a man of peace, who was unfortunately assassinated last week.

Supervisor Dusanenko presented the following proclamation:

"SENIOR CITIZENS DAY IN NANUET"  
October 15, 1981

WHEREAS, in celebration of the fifteenth year of the Nanuet Senior Citizens Club, October 15, 1981 has been declared "Senior Citizens Day in Nanuet," and

WHEREAS, in honor of this occasion, the Rotary Club of Nanuet is sponsoring a luncheon to celebrate this day, together with more than one hundred members of the Nanuet Senior Citizens Club, and

WHEREAS, the Nanuet Senior Citizens Club was founded and sponsored by the Nanuet Rotary Club on May 19, 1966, to encourage senior citizens to meet and participate in various programs, activities and trips, thereby enhancing their social lives,

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, together with the members of the Nanuet Rotary Club of Nanuet, do hereby proclaim October 15, 1981 as "Senior Citizen Day in Nanuet" and urge all our citizens to join with us in recognizing our senior citizens and in reaffirming the respect, affection and concern we feel for them."

\* \* \* \* \*

Supervisor Dusanenko presented the following proclamation:

"NATIONAL BUSINESS WOMEN'S WEEK"  
October 18-24, 1981

WHEREAS, working women constitute 43 million of the nation's work force, and are constantly striving to serve their communities, their states and their nation in civic and cultural programs; and

WHEREAS, major goals of business and professional women are to help create better conditions for business women through the study of social, educational, economic and political problems; to help them be of greater service to their community; to further friendship with women throughout the world; and

WHEREAS, all of us are proud of their leadership in these many fields of endeavor,

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, do hereby proclaim the week of October 18-24, 1981 as National Business Women's Week in the Town of Clarkstown."

\* \* \* \* \*

AAJ338

Supervisor Dusanenko presented the following proclamation:

"CARPENTER'S CENTENNIAL WEEK

WHEREAS, the United Brotherhood of Carpenters & Joiners of America was founded August 8, 1881 which was one of the significant events in the birth of the modern American trade union movement; and

WHEREAS, the United Brotherhood of Carpenters & Joiners of America has been a bulwark of the rights of working people, of democracy, of the advancement of society and of the strength of our nation; and

WHEREAS, in our own county local affiliates of the UBC faithfully adhere to the guiding principle of cooperative effort, responsible leadership and community service which the founding fathers espoused under the leadership of President Gabriel Edmonston and Secretary-Treasurer Peter J. McGuire; and

WHEREAS, the efforts of the Union through the years to advance the dignity and well-being of its members have benefited all of us,

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, on behalf of the Town Board of the Town of Clarkstown, do hereby proclaim the week of October 12th, 1981 as Carpenter's Centennial Week throughout the Town of Clarkstown and urge all citizens to give due honor and respect to the members of the United Brotherhood of Carpenters & Joiners of America in recognition of the many contributions of its members to the betterment of the Town of Clarkstown and the County of Rockland."

\* \* \* \* \*

RESOLUTION NO. (891-1981)

ADJOURNING REGULAR TOWN BOARD MEETING IN ORDER TO HOLD SCHEDULED PUBLIC HEARING (COMMUNITY DEVELOPMENT)

Co. Longo offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing re: Community Development, time: 8:15 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (892-1981)

RESUMING REGULAR TOWN BOARD MEETING, SCHEDULED PUBLIC HEARING HAVING BEEN HELD (COMMUNITY DEVELOPMENT)

Co. Longo offered the following resolution:

RESOLVED, that regular Town Board Meeting be resumed, scheduled Public Hearing re: Community Development, having been held, time: 8:35 P.M.

Seconded by Co. Maloney

All voted Aye.

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AAJ338

RESOLUTION NO. (893-1981)

AUTHORIZING SUPERVISOR TO  
ENTER INTO AGREEMENT WITH  
VARIOUS VILLAGES (CLARKSTOWN  
SANITARY LANDFILL)

Co. Longo offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with the following villages for use by them of the Clarkstown Sanitary Landfill for the sum of \$15.00 per ton deposited in the Clarkstown Sanitary Landfill:

- Village of Elmsford
- Village of Dobbs Ferry
- Village of Tarrytown
- Village of Arasley
- Village of Hastings-on-Hudson
- Village of Irvington

Seconded by Co. Lettre

All voted Aye.

Mr. John Lodico, 2 Birch Drive. New City. New York stated that the money accrued from this agreement should be used to upgrade the landfill by buying needed equipment.

Supervisor Dusanenko said "Yes" that funds were earmarked for that purpose.

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RESOLUTION NO. (894-1981)

AUTHORIZING SUPERVISOR  
TO ENTER INTO AGREEMENT  
WITH LEDERLE LABORATORIES -  
DRAINAGE WORK IN VICINITY  
OF JERRY'S AVENUE, NANUET

Co. Maloney offered the following resolution:

WHEREAS, it is necessary to alleviate certain drainage conditions in the vicinity of Jerry's Avenue, Nanuet, New York;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Lederle Laboratories Division of American Cyanamid Company in order to alleviate certain drainage conditions in the vicinity of Jerry's Avenue, Nanuet, New York.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (895-1981)

BOND RESOLUTION AUTHORIZING  
PURCHASE OF LANDFILL COMPACTOR  
AND DOZER - ISSUANCE OF  
\$600,000.00 SERIAL BONDS

Co. Longo offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED OCTOBER 13, 1981, AUTHORIZING THE PURCHASE OF (1) A LANDFILL COMPACTOR AT AN ESTIMATED MAXIMUM COST OF \$300,000 AND (2) A DOZER AT AN ESTIMATED MAXIMUM COST OF \$300,000 FOR USE BY THE TOWN, STATING THE ESTIMATED TOTAL COST OF SAID EQUIPMENT IS \$600,000, APPROPRIATING SAID AMOUNT THEREOF, AND AUTHORIZING THE ISSUANCE OF \$600,000 SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION.

## RESOLUTION NO. (895-1981) Continued

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, is hereby authorized to purchase (1) a landfill compactor at an estimated maximum cost of \$300,000 and (2) a Dozer at an estimated cost of \$300,000 for use by the Town, at the sanitary landfill area. The estimated total cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$600,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$600,000 serial bonds of the Town to finance said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$600,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Laws, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

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

(a) The period of probable usefulness of said specific objects or purposes for which the bonds authorized by this resolution are to be issued, within the limitation of Sec. 11.00 a. 28 of the Law, is fifteen (15) years, but the maturity of the bonds shall not exceed five (5) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of Sec. 107.00 d.4 of the Law.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said serial bonds shall contain the recital of validity prescribed by Sec. 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said serial bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation on rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

RESOLUTION NO. (895-1981) Continued

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

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

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

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

Section 7. This resolution shall take effect immediately.

\* \* \*

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

AYES: Supervisor Dusanenko, Councilmen Holbrook  
Lettre, Longo and Maloney

NOES: NONE

The resolution was declared adopted.

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RESOLUTION NO. (896-1981)

DIRECTING TOWN CLERK  
TO PUBLISH FOREGOING BOND  
RESOLUTION IN THE JOURNAL  
NEWS

Co. Longo offered the following resolution:

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

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

Section 2. This resolution shall take effect immediately.

\* \* \*

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

AYES: Supervisor Dusanenko, Councilmen Holbrook,  
Lettre, Longo and Maloney

NOES: None.

This resolution was declared adopted.

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AAJ338

RESOLUTION NO. (897-1981)

RECOMMENDATION OF SUPERINTENDENT OF HIGHWAYS OF THE TOWN OF CLARKSTOWN THAT A PORTION OF A HIGHWAY BE ABANDONED (IRON GUILD REALTY & DEVELOPMENT CORP. - THIRD STREET BETWEEN SOUTH MIDDLETOWN ROAD (MAIN STREET) ON WEST AND COLLEGE AVENUE EAST FOR DISTANCE OF APPROXIMATELY 1,187.66 FEET)

Co. Longo offered the following resolution:

The undersigned, Fred J. Seeger, Town Superintendent of Highways of the Town of Clarkstown, County of Rockland and State of New York, hereby certified:

That the portion of a highway in the Hamlet of Nanuet, Town of Clarkstown, County of Rockland and State of New York known as a portion of Third Street located and running between South Middletown Road (Main Street) on the west and College Avenue on the east for a distance of approximately 1, 187.66 feet, said street being situate in and affecting Lot Numbers 10.01 and 10.00, Block B, as shown on Tax Map 14.

That the said portion of Third Street has not been opened or worked within six (6) or more years from its dedication to the use of the public, or from the time it was laid out, and has not been travelled or used as a highway for six (6) or more years prior to the date hereof of this Certificate and that said highway is hereby declared abandoned pursuant to Section 205 of the Highway Law of the State of New York, as a highway and a public right-of-way.

IN WITNESS WHEREOF, the undersigned Superintendent of Highways of the Town of Clarkstown has executed and the undersigned members of the Town Board of the said Town have consented to this Certificate and the filing and recording thereof.

Dated: New City, New York  
October 13, 1981

/s/ Fred J. Seeger  
FRED J. SEEGER, Superintendent  
of Highways of the Town of Clarkstown,  
Rockland County, New York.

/s/ Theodore R. Dusanenko  
Theodore R. Dusanenko, Supervisor

/s/ Nicholas A. Longo  
Nicholas A. Longo, Councilman

/s/ Edward J. Lettre  
Edward J. Lettre, Councilman

/s/ John R. Maloney  
John R. Maloney, Councilman

/s/ Charles E. Holbrook  
Charles E. Holbrook, Councilman

MEMBERS OF THE TOWN BOARD OF THE TOWN  
OF CLARKSTOWN, ROCKLAND COUNTY, NEW YORK

Filed and recorded in the Office of the Town Clerk of the Town of Clarkstown, Rockland County, New York, this 13th day of October, 1981.

/s/ Patricia Sheridan  
Patricia Sheridan, Town Clerk  
Town of Clarkstown

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (898-1981)

AUTHORIZING ATTENDANCE  
AT NEW YORK FEDERATIONS  
43RD ANNUAL PLANNING AND  
ZONING INSTITUTE (JOHN  
MARAIA, BUILDING INSPECTOR  
KATHY KOLKA, SEC. TO ZBA)  
CHARGE 1010-414

Co. Longo offered the following resolution:

RESOLVED, that John Maraia, Building Inspector and Kathy Kolka, Secretary to the Board of Appeals of the Town of Clarkstown, are hereby authorized to attend the New York Federations 43rd Annual Planning and Zoning Institute to be held in Ellenville, New York, and be it

FURTHER RESOLVED, that all proper charges not to exceed \$300.00 to be charged against 1010-414.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (899-1981)

TRANSFER OF FUNDS FROM  
APPROPRIATION ACCOUNT  
NO. B 3620-409 TO APPROPRIA-  
TION ACCOUNT NO. B 3620-201  
(BUILDING INSPECTOR)

Co. Longo offered the following resolution:

RESOLVED, to transfer \$311.00 from Appropriation Account No. B 3620-409 to Appropriation Account No. B 3620-201.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (900-1981)

TRANSFER OF FUNDS FROM  
APPROPRIATION ACCOUNT NO.  
A 1410-211 TO APPROPRIATION  
ACCOUNT NO. A 1410-438  
(TOWN CLERK)

Co. Longo offered the following resolution:

RESOLVED, to transfer \$56.00 from Appropriation Account No. A 1410-211 to Appropriation No. A 1410-438.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (901-1981)

TRANSFER OF FUNDS FROM  
APPROPRIATION ACCOUNT NO.  
A 1330-313 TO APPROPRIATION  
ACCOUNT NO. A 1330-404  
(RECEIVER OF TAXES)

Co. Longo offered the following resolution:

RESOLVED, to transfer \$119.00 from Appropriation Account No. A 1330-313 to Appropriation Account No. A 1330-404.

Seconded by Co. Maloney

All voted Aye.

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AAJ338

TBM - 10/13/81  
Page 7

RESOLUTION NO. (902-1981)

TRANSFER OF FUNDS FROM  
APPROPRIATION ACCOUNT NO.  
A 1355-409 TO APPROPRIATION  
ACCOUNT NO. A 1355-366  
(ASSESSOR)

Co. Longo offered the following resolution:

RESOLVED, to transfer \$1,000 from Appropriation Account No. A 1355-409 to Appropriation Account No. A 1355-366.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (903-1981)

ACCEPTING PROPOSAL FOR  
INSTALLATION OF 52  
AUTOMATIC HEAT DETECTORS  
(POLICE AND COURTROOM  
AREAS) CHARGE CAPITAL  
ACCOUNT NO. 2 - REMOVAL  
OF ARCHITECTURAL BARRIERS

Co. Longo offered the following resolution:

RESOLVED, that the proposal dated September 25, 1981 from Signal Electronic Co., Inc., P.O. Box 551, New City, New York, for the installation of 52 Automatic Heat Detectors in the Police and Courtroom areas of the Clarkstown Town Hall in the amount of \$1,770.00 is hereby accepted, said sum to be charged against Capital Account No. 2, Removal of Architectural Barriers.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (904-1981)

GRANTING PERMISSION TO  
ARTS COUNCIL OF ROCKLAND  
TO USE SHOWMOBILE ON  
ARTS DAY

Co. Longo offered the following resolution:

WHEREAS, the Arts Council of Rockland has requested use of the Town of Clarkstown showmobile on Sunday, November 15, 1981 for the 8th Annual Rockland Arts Day Festival to be held at the Rockland Community College Field House, Suffern, New York,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby grants permission to the Arts Council of Rockland to use the Town of Clarkstown showmobile on Sunday, November 15, 1981 for the above purposes subject to the provisions of the necessary insurance policies.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (905-1981)

GRANTING PERMISSION TO  
VETERANS OF FOREIGN WARS  
WILLIS POLHEMUS POST TO  
HOLD TURKEY SHOOT

Co. Longo offered the following resolution:

RESOLUTION NO. (905-1981) Continued

RESOLVED, that the Veterans of Foreign Wars - Willis Polhemus Post 9215 is hereby given permission to hold turkey shoots on Sundays, October 25, November 1, November 8 and November 15, with November 22nd as a rain date, if needed, between the hours of 10:00 a.m. and 4:00 p.m. These turkey shoots will be held on a vacant parcel of land on the west side of Route 9W, north of the boundary line of the Village of Upper Nyack, and be it

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

Seconded by Co. Maloney All voted Aye.

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AAJ338

RESOLUTION NO. (906-1981) REFUNDING PART OF CERTIFICATE OF OCCUPANCY FEE (PORCELLI)

Co. Longo offered the following resolution:

RESOLVED, that the amount of Twenty-Five (\$25.00) Dollars is hereby refunded to Mrs. Jennie Procelli of 10 Glen Drive, Bardonia, New York as a partial refund of a Certificate of Occupancy fee.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (907-1981) AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL FLASHING SIGNAL (NEW HEMPSTEAD ROAD AT PHILLIPS HILL ROAD) - AMBER FLASHING FOR EAST/WEST TRAFFIC AND RED FLASHING ON PHILLIPS HILL 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 a flashing signal on New Hempstead Road at Phillips Hill Road, New City: an amber (flashing) signal on New Hempstead Road for the East/West traffic and a red (flashing) signal on Phillips Hill Road.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (908-1981) AUTHORIZING ATTENDANCE AT BASIC SUPERVISION SEMINAR (DOLORES LODICO)

Co. Longo offered the following resolution:

WHEREAS, there is a seminar on "Basic Supervision" given at the Dorset Hotel, New York City on October 15, 1981, BE IT THEREFORE

RESOLVED, that Dolores Lodico, Comptroller's Office is authorized to attend said seminar, BE IT FURTHER

RESOLVED, for said charges to be charged to Appropriation Account No. A 1010-414, not to exceed \$130.00.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (909-1981)

WAIVING STREET SPECIFICATIONS WITH REGARD TO CUL-DE-SAC IN FRENCHMAN'S CREEK SECTION III

Co. Longo offered the following resolution:

WHEREAS, the Clarkstown Street Specifications provide on Page 26 under the paragraph entitled, Cul-de-Sacs, that the circular shaped turnaround shall be completely paved with no center island, and

WHEREAS, in the Frenchman's Creek Subdivision, Section III, it has been proposed that an island be planted and landscaped in a cul-de-sac;

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Department of Environmental Control and the Clarkstown Planning Board, the Town Board hereby waives the provision of the Street Specifications above described in relation to such cul-de-sacs and agrees to the planting and landscaping of the island in that cul-de-sac.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (910-1981)

AMENDING ZONING ORDINANCE OF TOWN OF CLARKSTOWN (NORMANDY VILLAGE COMPANY)

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 11th day of August, 1981, provided for a public hearing on the 8th day of September, 1981, at 9:00 P.M., to consider the application of Normandy Village company to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the petitioner from R-10 district to an RG-2 district, and

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

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an R-10 district to an RG-2 district, the following described property in the hamlet of Nanuet, New York, described further on the attached Schedule "A"; said amendment conditioned upon the execution and recording of a Declaration of Restrictive Covenants in a form and manner satisfactory to the Office of the Town Attorney made by the certified record owner containing the following covenants:

1. Applicant shall construct 60% of the total units as one bedroom units and 40% of the total units as two bedroom units.
2. These Restrictive Covenants shall be binding upon the successors and assigns of the current certified record owner and shall run with the land.

Seconded by Co. Maloney

All voted Aye.

(Schedule A is on file in Town Clerk's Office.)

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Councilman Holbrook wanted it noted for the record that he is in no way connected with Germonds Village.

RESOLUTION NO. (911-1981)

AMENDING ZONING ORDINANCE  
OF TOWN OF CLARKSTOWN  
BANKERS TRUST COMPANY OF  
HUDSON VALLEY, N.A. AND  
OMNI COURT, LTD.

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 11th day of August, 1981, provided for a public hearing on the 22nd day of September, 1981, at 9:00 P.M., to consider the application of Bankers Trust Company of Hudson Valley, N.A. and Omni Court, Ltd., to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the petitioner from a PO district to an RG-1 district, and

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

RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from a PO district to a RG-1 district the following described property in the hamlet of New City, New York, in said Town; described further on the attached Schedule "A"; said amendment conditioned upon the execution and recording of a Declaration of Restrictive Covenants in a form satisfactory to the Office of the Town Attorney made by the certified record owner containing the following covenants:

1. That the building permits or certificates of occupancy will be limited to no more than 45 single family units with two bedrooms per unit, to be sold as condominiums, and not rentals.

2. Prior to the issuance of certificates of occupancy, the certified record owner shall at its own cost and expense erect, install and maintain subject to the approval of the Clarkstown Planning Board and the Department of Environmental:

A. Bus stop shelter on Petitioner's property.

B. Actuated traffic light or contribution to the Town of the cost of such signal for future needs, the amount to be determined by the Rockland County Superintendent of Highways and placed in an escrow account with the Town of Clarkstown. If the escrow deposit is not used within a five year period from the date of completion of the project, (issuance of the last certificate of occupancy) the escrow deposit shall revert to the Town of Clarkstown.

C. Totally opaque privacy fence no less than 10 feet from property boundary along adjacent parcels residentially zoned, the height of said privacy fence to be the maximum permitted by law.

D. Donation of land and construction of a third lane with curbs and sidewalks as required by the Rockland County Highway Department and pursuant to Rockland County Highway Department specifications.

3. Provide, create and maintain a 50 foot buffer area along the entire westerly property line, said buffer to remain as an undisturbed area containing no permanent fixtures or encroachments of any kind and along said westerly line an additional 15 foot building set-back, said 15 foot being measured from the easterly line of the 50 foot buffer area and a further planting of evergreens between the 15 foot set-back and the easterly line of the 50 foot buffer area, said



(RESOLUTION NO. (911-1981) Continued

An additional Petition containing one signature was filed on September 22, 1981. This additional signature, plus the remaining signers from the August 4, 1981, Petition, still do not meet the requirements of Section 265 of the Town Law as it does not constitute 20 percent of the land immediately adjacent to the applicant's property extending 100 ft. from it.

RJV:1b

/s/ Ross J. Valenza  
Ross J. Valenza"

Councilman Holbrook asked if it was proper to vote on this resolution since decision was not reserved at the last Town Board Meeting?

Town Attorney said that it was implied that decision was reserved if there is no decision made.

Councilman Holbrook spoke to activating the blinking light near Bradley's (now an A & P Supermarket.) He also stated that this was some way to conduct planning in the Town. This issue never seems to die. It keeps coming back and back and each time it is being whittled down. He stated that he thought that last week this petition had been withdrawn. He voted "No."

Councilman Lettre voted "Yes." He stated that his comments were on record. He did not want to make a political issue of this.

Councilman Longo said he was voting "Yes" because this was a better project than PO in that area. The people that abut the property would rather have residential development than PO and he believed in local neighborhood control.

Councilman Maloney said that the "dynamic trio" now had their way. This vote makes a mockery out of the Master Plan. The Supervisor got his bus shelter and some trees. He said that since last April he and Councilman Holbrook had been fighting against this. It has been whittled down from 80 units to at present 45. In April it was 80; in May it was 70; in August it was 50; and now it is 45. At least by holding out we were able to see that the number of units was reduced.

Supervisor Dusanenko said that the proposed Master Plan suggest a change from PO to residential. The Town Planner recommends it and it will cause far less of a traffic problem than PO would. More important is that the people in the surrounding area want to maintain the character of the residential zoning. The people directly abutting this area are tired of being badgered and harassed by individuals and people in political parties. They want this issue resolved and he votes "Yes."

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RESOLUTION NO. (912-1911)

ADJOURNING REGULAR TOWN  
BOARD MEETING IN ORDER  
TO HOLD SCHEDULED PUBLIC  
HEARING (THEATERS)

Co. Longo offered the following resolution:

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

Seconded by Co. Maloney

All voted Aye.

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AAJ338

RESOLUTION NO. (913-1981)

RESUMING REGULAR TOWN  
BOARD MEETING, SCHEDULED  
PUBLIC HEARING (THEATERS)  
HAVING BEEN HELD

Co. Longo offered the following resolution:

RESOLVED, that regular Town Board Meeting be resumed, scheduled  
Public Hearing re: Theaters having been held, DECISION RESERVED, time:  
9:12 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (914-1981)

MEMORIALIZING PRESIDENT  
AND CONGRESS NOT TO REDUCE  
PRESENT FEDERAL REVENUE  
SHARING PROGRAM

Co. Longo offered the following resolution:

WHEREAS, the recent Federal budget cuts and the proposed  
budget cuts for major services are shifting the responsibility from the  
Federal Government to the State and Local Governments, and

WHEREAS, President Reagan, in October, 1980, through his new  
Federalism Program, pledged to continue the Federal Revenue Sharing  
Program intact, and

WHEREAS, President Reagan is now proposing a 12% cutback and  
the eventual phase-out of the Federal Revenue Sharing Program, and

WHEREAS, the decrease in Federal Revenue Sharing monies would  
place a tremendous hardship on local governments and force them to in-  
crease their already overburdened real property tax for the continuation  
of basic services, or curtail services,

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Clarkstown that the  
Board does hereby urge the President and the Congress not to reduce the  
present Federal Revenue Sharing Program, but rather this Town Board would  
like to see the Federal Revenue Sharing Program expanded to provide  
greater return of tax dollars with minimal administration and bureau-  
cratic costs for effective local services, and be it

FURTHER RESOLVED, that copies of this resolution be hereby  
sent to the President of the United States, Senator Patrick Moynihan,  
Senator Alfonse D'Amato, Congressman Benjamin Gilman, Speaker of the  
House, Majority Leader of the Senate, Chairman of the Rockland County  
Legislature, Rockland County Association of Supervisors, New York State  
Association of Towns, and the New York State Suburban Coalition of Urban  
Towns.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (915-1981)

GRANTING PERMISSION TO  
DISPENSE ALCOHOLIC BEVERAGES  
(NEW CITY VOLUNTEER AMBULANCE  
CORPS./RESCUE SQUAD, INC.)

Co. Longo offered the following resolution:

RESOLUTION NO. (915-1981) Continued

WHEREAS, Section 22-A of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown, and

WHEREAS, the New City Volunteer Ambulance Corps./Rescue Squad, Inc., has requested permission to dispense alcoholic beverages;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the New City Volunteer Ambulance Corps./Rescue Squad, Inc., to dispense alcoholic beverages on October 24, 1981 in the vicinity of the New City Volunteer Ambulance Corps./Rescue Squad, Inc., 200 Congers Road, New City, New York, in accordance with the provisions of Local Law No. 6-1977 which includes the securing of a proper license from the appropriate Alcoholic Beverage Control Board.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

AAJ338

RESOLUTION NO. (916-1981)

AUTHORIZING ENTERING INTO AFFILIATION WITH SHOWTIME CHILDREN'S THEATER (RECREATION AND PARKS DEPARTMENT)

Co. Longo offered the following resolution:

WHEREAS, Showtime Children's Theater, 72 South Main Street, New City, a non-profit, tax exempt, insured corporation, has requested affiliation with the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown, through the Recreation and Parks Department, is hereby authorized to enter into said affiliation with Showtime Children's Theater.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (917-1981)

REFUNDING ZONING BOARD OF APPEALS FEE (SPACE CADETTES)

Co. Longo offered the following resolution:

RESOLVED, that the Seventy-Five (\$75.00) fee paid to the Zoning Board of Appeals which the Space Cadettes submitted be refunded as the application has been withdrawn.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (918-1981)

AWARDED BID FOR SEWER CONSTRUCTION PROJECT NORTH LITTLE TOR ROAD, NEW CITY (CAL MART CONSTRUCTION CORP.) (CHARGE M.B.S.I.A.#2)

Co. Longo offered the following resolution:

RESOLUTION NO. (918-1981) Continued

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

BID #58-1981 entitled  
"Sewer Construction Project North  
Little Tor Road, New City"

is hereby awarded to

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

at the low bid proposal of \$69,761.36, and be it

FURTHER RESOLVED, that funds for same be charged to M.B.S.I.A.  
#2.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (919-1981)

AWARDING BID FOR KINGS PARK  
IMPROVEMENT PROJECT  
(SEASONAL GARDEN & LAND-  
SCAPE SERVICE INC.) TRANSFER  
OF FUNDS FROM MONEY-IN-  
LIEU-OF-LAND ACCOUNT TO  
PARKLANDS & IMPROVEMENTS  
ACCOUNT

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing and the Superintendent of Recreation & Parks that

Bid #51-1981  
KINGS PARK IMPROVEMENT PROJECT

is hereby awarded to:

Seasonal Garden & Landscape Service Inc.  
55 Union Road  
Spring Valley, N.Y. 10977

as lowest responsible bidder at the proposed total alternate bid of  
\$103,769.50, and be it

FURTHER RESOLVED, that the Town Comptroller is hereby  
authorized to transfer the above amount from Money-in-Lieu-of-Land  
Account to Parklands & Improvements Account.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

\* \* \* \* \*

RESOLUTION NO. (920-1981)

AWARDING BID FOR ONE HIGH  
VOLUME COPIER DUPLICATOR  
(EASTMAN KODAK COMPANY)  
CHARGE ACCOUNT A 1670-402

Co. Longo offered the following resolution:

\* \* \* \* \*

RESOLUTION NO. (920-1981) Continued

RESOLVED, that based upon the recommendation of the Director of Purchasing that

Bid # 47-1981 for  
One High Volume Copier Duplicator

is hereby awarded to

Eastman Kodak Company  
Route 130  
Dayton, New Jersey 08810

for one Kodak Ektaprint 150F Copier-Duplicator as per following,

Total Installment Purchase Cost	\$65,280.00
Monthly Financed Machine Cost	1,088.00
Plus: Maintenance Contract	625.00
Total Monthly Cost	1,713.00

AAJ338

and be it

FURTHER RESOLVED, that funds for same be charged to Account A 1670-402.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

At this point Town Attorney read Notice of Proposed Public Hearing re: Amendment to Zoning Ordinance of Town of Clarkstown in connection with Solar Energy. The following resolution was then read.

RESOLUTION NO. (921-1981)

CANCELLING PUBLIC HEARING  
RE: SOLAR ENERGY

Co. Longo offered the following resolution:

RESOLVED, that the public hearing scheduled for October 13, 1981, at 9:15 P.M. to consider the adoption of amendments to the Zoning Ordinance of the Town of Clarkstown in connection with solar energy is hereby CANCELLED.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (922-1981)

AWARDING BID FOR CHAIN  
LINK FENCING - SOUTH  
ROCKLAND AVENUE, CONGERS  
(YABOO FENCE CO., INC.)  
CHARGE TO ACCOUNT A 3010-209

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that

Bid # 59-1981 for  
Chain Link Fencing - South Rockland Avenue, Congers

is hereby awarded to:

RESOLUTION NO. (922-1981) Continued

Yaboo Fence Co., Inc.  
10 High Street  
West Nyack, New York 10994

as per proposal per specifications for complete project including materials, and installation of \$9,180.00, and be it

FURTHER RESOLVED, that funds for same be charged to Account A 3010-209.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

Mr. Kohler gave an explanation as to why Yaboo Fence Co. received the bid stating they were the only ones who met the specifications as stated in the contract.

\* \* \* \* \*

RESOLUTION NO. (923-1981)

SETTING PUBLIC HEARING  
WITH REGARD TO ASSESSMENT  
FOR ROAD IMPROVEMENTS  
(SOUTH GRANT AVENUE,  
CONGERS)

Co. Longo offered the following resolution:

WHEREAS, the assessment roll with respect to road improvement of South Grant Avenue, Congers, New York, in the Town of Clarkstown, having been completed and filed in the office of the Town Clerk on October 13, 1981;

NOW, THEREFORE, be it

RESOLVED, that a meeting be held at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on the 27th day of October, 1981, at 8:30 P.M., to hear and consider any objections which may be made to said assessment roll, and be it

FURTHER RESOLVED, that the Town Attorney prepare Notice of Filing of said assessment roll and Notice of Meeting, and be it

FURTHER RESOLVED, that the Town Clerk give notice of such public hearing in the manner provided in Section 239 of the Town Law, and that such notice be published at least once in the official newspaper of the Town as required by law, the first publication shall be no less than ten days nor more than twenty days before the time specified for the public hearing and such notice to be substantially in the following form:

NOTICE OF MEETING TO HEAR  
OBJECTIONS TO ASSESSMENT  
FOR ROAD IMPROVEMENT

PLEASE TAKE NOTICE that the Town Board of the Town of Clarkstown, Rockland County, New York, has completed its assessment roll for and in connection with the special improvement of South Grant Avenue, Congers, New York, a public highway in the Town of Clarkstown; that the same was filed in the Town Clerk's Office of the Town of Clarkstown on the 13th day of October, 1981, and that the Town Board will meet at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 27th day of October, 1981, at 8:30 P.M. for the purpose of hearing and considering any objections which may be made to the said assessment roll.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

There was discussion regarding the above resolution. Councilman Holbrook asked if this was a public hearing to determine if they were going to have a road improvement district. Town Attorney said "No." He said this was required under Town Law to set the assessment rolls. We already have established the district.

Supervisor Dusanenko clarified by saying that this public hearing was necessary in order that the persons living along the road improvement district be apprised that they will start paying for their fair share of the road improvement district.

Town Attorney said that that was correct. They will have an opportunity to pay it off in full in the first year or they may pay it off in installments.

\* \* \* \* \*

AAJ338

RESOLUTION NO. (924-1981)

MEMORIALIZING RESOLUTION REGARDING NEW LOCATION OF POST OFFICE FOR NEW CITY AND IMPROVED SERVICES FOR AREA

Co. Longo offered the following resolution:

WHEREAS, the Hamlet of New City is the County Seat and center of Government of Rockland County, and

WHEREAS, the Hamlet of New City is a major commercial and residential area within Rockland County, and

WHEREAS, the Hamlet of New City is the largest hamlet in the State and continues to be one of the fastest growing areas within the State of New York, and,

WHEREAS, due to increases in population, government services and commercial development, the needs of the Hamlet have increased, and

WHEREAS, due to lack of available expansion space the Post Office has been unable to continue to provide the level of service required by the residents of the Hamlet of New City, and,

WHEREAS, the current location of the Post Office fails to provide adequate parking for its employees and patrons, and contributes to the traffic congestion within the hamlet center, and

WHEREAS, the lease on the current facility will be expiring shortly, and

WHEREAS, the Clarkstown Supervisor, Theodore R. Dusanenko has initiated a request for expanded and relocated postal facilities, and

WHEREAS, the New City Chamber of Commerce is in support of a relocated and expanded post office facility, and,

WHEREAS, the Supervisor of the Town of Clarkstown, Theodore R. Dusanenko, is actively engaged in a program to upgrade the New City central business district,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown urges the United States Postal Service to expand its facilities in New City, and be it

RESOLUTION NO. (924-1981) Continued

FURTHER RESOLVED, that in order to obtain a new location the United States Postal Service not exercise its option to renew the lease at the current South Main Street location, and be it

FURTHER RESOLVED, that the new location be located within the business center of the hamlet of New City, and be it

FURTHER RESOLVED, that the new location provide adequate off-street parking for both postal employees and patrons, and that the new location be located in such an area as to help ease the existing traffic congestion being experienced in the central business district, and be it

FURTHER RESOLVED, that the Post Office expand the available services to the residents of New City to include additional service windows, additional post office boxes, the implementation of Express Mail to the County Seat, a philatelic window, postal vending machines, and any other services that may be required to improve postal services to said residents, and be it

FURTHER RESOLVED, that the Postal Service also begin a study relating to the New City service area and modify such service area to be more reflective of the existing hamlet's geographical boundaries, and be it

FURTHER RESOLVED, that the Town Clerk forward copies of this resolution to U.S. Senators Patrick Moynihan and Alfonse D'Amato, Representative Benjamin Gilman, the Postmaster General of the United States, and any other individual or organization that she feels may help in the immediate implementation of this resolution.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (925-1981)

ADJOURNING REGULAR TOWN BOARD MEETING IN ORDER TO HOLD SCHEDULED PUBLIC HEARING RE: BARRY HOPPER

Co. Longo offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing re: Barry Hopper, time: 9:30 P.M.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (926-1981)

RESUMING REGULAR TOWN BOARD MEETING, SCHEDULED PUBLIC HEARING HAVING BEEN HELD RE: BARRY HOPPER

Co. Longo offered the following resolution:

RESOLVED, that regular Town Board Meeting be resumed, scheduled Public Hearing re: Barry Hopper having been held, time: 9:40 P.M.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (927-1981)

AMENDING RESTRICTIVE  
COVENANT RE: BARRY  
HOPPER

Co. Longo offered the following resolution:

WHEREAS, by Resolution No. 736 of 1978 the Town Board of the Town of Clarkstown required a restrictive covenant in connection with the zone change application of Andrew Sabo and Barry Hopper to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the petitioners from a PO district to an L10 district, which restrictive covenant provided as follows:

2. That one one and one-half story building situated on the property shall be removed prior to any construction for the erection of a gasoline filling station being commenced.

WHEREAS, an application has been made to the Town Board to amend such restrictive covenant to allow the one and one-half story building to remain on the property;

NOW, THEREFORE, be it

RESOLVED, that the restrictive covenant shall be amended to read as follows:

2. The one and one-half story building situate on the property shall remain.

7. Applicant shall comply with the drainage requirements of the Rockland County Highway Department.

FURTHER RESOLVED, that an amended restrictive covenant in a form satisfactory to the Town Attorney shall be prepared and recorded in the Rockland County Clerk's Office.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (928-1981)

AMENDING SPECIAL FINDINGS  
AND RESOLUTION GRANTING  
SPECIAL PERMIT DATED  
NOVEMBER 15, 1978 (BARRY  
HOPPER)

Co. Longo offered the following resolution:

WHEREAS, on November 15, 1978, the Town Board of the Town of Clarkstown 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 Hemenway 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,

WHEREAS, a public hearing pursuant to said Zoning Ordinance was 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,

AAJ338

RESOLUTION NO. (928-1981) continued

at 9:30 P.M., to consider the above amendment to the Special Findings and Resolution Granting Special Permit as above:

NOW, THEREFORE, be it

RESOLVED, that the Special Findings and Resolution Granting Special Permit dated November 15, 1978, is hereby amended 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.

10. Applicant shall comply with the drainage requirements of the Rockland County Highway Department.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (929-1981)

ACCEPTING ROADS AND RELATED IMPROVEMENTS (TURNPIKE WOODS, INC. - OLD MILL ACRES SEC. II-A)

Co. Longo offered the following resolution:

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, deed from Turnpike Woods, Inc., dated September 18, 1981, conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of Old Mill Acres Sec. II-A, dated June 12, 1979, which map was filed in the Rockland County Clerk's Office on July 10, 1980, in Book 95 of Maps at Page 59 as Map No. 5153, as follows:

Tamar Drive	1,165 L.F.
Barry Court	750 L.F.
Melanie Court	625 L.F.
Joseph Drive	700 L.F.
Thomas Court	200 L.F.

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 guaranty(s) with security posted by the developer are hereby accepted.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (930-1981)

APPROVING REDUCTION IN AMOUNT OF PERFORMANCE BOND (MANN AND SASSON - GATEWAY) (J.H.M.HOMES, INC)

Co. Longo offered the following resolution:

WHEREAS, a Performance Bond No. 931698, J.H.M. Homes, Inc. as Principal, and Phillip Mann and Uri Sasson as Co-principals, and Republic Insurance Company as Surety, dated October 16, 1980, in the

RESOLUTION NO. (930-1981) Continued

amount of \$73,600.00 covering the improvements and other facilities as shown on the Final Plat of Gateway dated July 12, 1979 was furnished to the Town of Clarkstown, and

WHEREAS, the Department of Environmental Control of the Town of Clarkstown has recommended that said Bond No. 931698 be reduced to \$11,000.00 as much of the work has been completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that Performance Bond No. 931698 be reduced to \$11,000.00.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

AAJ338

RESOLUTION NO. (931-1981)

MEMORIALIZING RESOLUTION  
RE: ANWAR SADAT

Co. Longo offered the following resolution:

WHEREAS, President Anwar Sadat was senselessly assassinated this past Tuesday, and

WHEREAS, President Sadat had lived his life as a man of vision and peace, being a man of his word and a reliable ally and friend to both the United States of America and Israel,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown, does publicly express its shock and distress over the loss of President Sadat, a world leader dedicated to the cause of peace, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to Jihan Sadat, wife of President Sadat, Hosni Mubarak, Prime Minister of Egypt, and the Egyptian Consulate.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (932-1981)

SETTING PUBLIC HEARING  
RE: ALLOCATION OF FEDERAL  
REVENUE FUNDS FOR 1982

Co. Longo offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown will hold a public hearing concerning the allocation of Federal Revenue Funds for 1982, on November 4, 1981, at 8:00 P.M. at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (933-1981)

SETTING PUBLIC HEARING  
FOR 1982 PRELIMINARY BUDGET

Co. Longo offered the following resolution:

RESOLUTION NO. (933-1981) Continued

RESOLVED, that the annual tentative budget of the Town of Clarkstown for the year 1982 was filed in the Office of the Clerk of the Town of Clarkstown on September 30, 1981, where it will be available during office hours for inspection and that the Board shall hold a public hearing thereon at a meeting to be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 4th day of November, 1981, at 8:15 P.M., and that notice of said hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown, at least five (5) days prior to said hearing at which time and place the Town Board will meet and review said preliminary budget, and any persons interested may be heard in favor of or against all or any of the items of said preliminary budget.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (934-1981)

APPOINTING UNITED NATIONS DAY CHAIRMAN (ARNOLD BOTWINICK)

Co. Longo offered the following resolution:

WHEREAS, Saturday, October 24th has been designated as United Nations Day and carries the theme "The United Nations: Improving the Quality of Life", and

WHEREAS, the Town of Clarkstown would like to be a part of this worldwide event where over 600 mayors and governors across the country have appointed distinguished citizens to lead observances on United Nations Day,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown does hereby appoint Mr. Arnold Botwinick, 5 Teakwood Lane, New City, New York, United Nations Day Chairman, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown does further designate all local celebrations and observances of this day to focus on the theme "1981: The International Year of Disabled Persons", and be it

FURTHER RESOLVED, that copies of this resolution be forwarded to Mr. Robert Anderson, National Chairman, United Nations Day, 1981, and United States Congressman Benjamin A. Gilman.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (935-1981)

ACCEPTING BEQUEST ON BEHALF OF CLARKSTOWN POLICE DEPARTMENT - OPENING ESCROW ACCOUNT FOR CLARKSTOWN POLICE DEPARTMENT (FRED SCHELHAS)

Co. Longo offered the following resolution:

WHEREAS, Fred Schelhas died a resident of New City in the Town of Clarkstown on March 30, 1980, leaving a last will and testament bequeathing a certain sum of money to the Town of Clarkstown for the benefit of the Clarkstown Police Department;

RESOLUTION NO. (935-1981) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown agrees to accept this bequest on behalf of the Clarkstown Police Department and hereby opens an escrow account for the benefit of the Clarkstown Police Department.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (936-1981)

AMENDING BID RE:  
OPERATION OF TOWN MINI  
TRANS SYSTEM (#867-1981)

Co. Longo offered the following resolution:

RESOLVED, that resolution #867-1981 authorizing the Director of Purchasing to advertise for bids for

Bid # 60-1981  
Operation of Town Mini Trans System

is hereby amended to read

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, November 9, 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. (937-1981)

AMENDING BID RE:  
MAINTENANCE OF TOWN  
MINI BUSES (#868-1981)

Co. Longo offered the following resolution:

RESOLVED, that resolution #868-1981 authorizing the Director of Purchasing to advertise for bids for

Bid #61-1981  
Maintenance of Town Mini Buses

is hereby amended to read

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, November 9, 1981 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

AAJ338

RESOLUTION NO. (938-1981)

CREATING (TEMPORARY)  
TYPIST POSITION -  
PURCHASING DEPARTMENT

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on September 30, 1981 that the (temporary) Typist position - Purchasing Department can be created,

NOW, THEREFORE, be it

RESOLVED, that the (temporary) Typist position - Purchasing Department is hereby created for a period not to exceed 90 days - effective and retroactive to October 1, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (939-1981)

APPOINTING POSITION  
OF (TEMPORARY) TYPIST -  
PURCHASING DEPARTMENT  
(PATRICIA O'BRIEN)

Co. Longo offered the following resolution:

RESOLVED, that Patricia O'Brien, 19B Red Hill Road, New City, New York, is hereby appointed to the position of (temporary) Typist - Purchasing Department - for a period not to exceed 90 days - at the annual 1981 salary of \$8,123.00, effective and retroactive to October 1, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (940-1981)

APPOINTING POSITION OF  
SECURITY AIDE - GRADE  
16 - PARKS & RECREATION  
(RICHARD MEEHAN)

Co. Longo offered the following resolution:

RESOLVED, that Richard Meehan, 126 Saw Mill Road, New City, New York, is hereby appointed to the position of Security Aide - Grade 16 - Parks & Recreation - at the annual 1981 salary of \$10,959.00, effective and retroactive to October 1, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (941-1981)

APPOINTING (PROVISIONALLY)  
POSITION OF COUNSELING  
ASSISTANT - COUNSELING  
CENTER (JOSEPH LANZONE)

Co. Longo offered the following resolution:

RESOLVED, that Joseph Lanzone, 99 Union Road, L70 Spring Valley, New York, is hereby appointed (provisionally) to the position of Counseling Assistant - Counseling Center - at the annual 1981 salary of \$12,000.00, effective and retroactive to October 8, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

AAJ338

RESOLUTION NO. (942-1981)

CREATING POSITION OF  
TYPIST - POLICE  
DEPARTMENT (YOUTH  
COURT)

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on September 23, 1981 that the Typist position - Police Department (Youth Court) - can be created,

NOW, THEREFORE, be it

RESOLVED, that the Typist position - Police Department (Youth Court) is hereby created, effective and retroactive to September 23, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (943-1981)

APPOINTING SPECIAL  
STUDIES INTERN -  
COMPTROLLER'S DEPARTMENT  
(KELLYANNE BART)

Co. Longo offered the following resolution:

RESOLVED, that Kellyanne Bart, 2 Roland Court, Nanuet, New York, is hereby appointed to serve in a training program (without compensation) as a Special Studies Intern - Comptroller's Office - effective and retroactive to September 23, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (944-1981)

ACCEPTING RESIGNATION  
OF COUNSELING ASSISTANT -  
(DRUG ABUSE) - COUNSELING  
CENTER (IRIS KOONIN)

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Iris Koonin, 144-76th Avenue, Kew Garden Hills, New York - Counseling Assistant (Drug Abuse) - Counseling Center - is hereby accepted - effective and retroactive to June 13, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (945-1981)

APPOINTING POSITION OF  
SUBSTITUTE CROSSING  
GUARD - POLICE DEPARTMENT  
(MARY E. AMBROSE)

Co. Longo offered the following resolution:

RESOLVED, that Mary E. Ambrose, 31 Highview Court, Nyack, New York is hereby appointed to the position of Substitute Crossing Guard - Police Department - at the rate of \$5.00 per Crossing, effective and retroactive to October 5, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (946-1981)

APPOINTING POSITION OF  
BUS DRIVER - MINI TRANS  
(JOHN MULLEN)

Co. Longo offered the following resolution:

RESOLVED, that John Mullen, A-14 Hi Tor Apartments, Haverstraw, New York is hereby appointed to the position of Bus Driver - Mini Trans - at the annual salary for 1981 of \$10,729.00, effective and retroactive to September 28, 1981.

Seconded By Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (947-1981)

GRANTING SICK LEAVE  
OF ABSENCE AT HALF-  
PAY FOR THIRTY DAYS -  
HIGHWAY DEPARTMENT  
(FRANK KRASINSKI)

Co. Longo offered the following resolution:

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the CSEA, Frank Krasinski, 25A Lake Road, Valley Cottage, New York is hereby granted a thirty day sick leave of absence at one-half pay, effective and retroactive to October 9, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (948-1981)

TABLING RESOLUTION WITH  
REGARD TO ACCEPTANCE OF  
ROADS AND RELATED IMPROVE-  
MENTS (J.M.K. BUILDERS  
CORP. - BUENA VISTA WEST)

Co. Longo offered the following resolution:

RESOLVED, that proposed resolution Accepting Roads and Related Improvements in the Town of Clarkstown with regard to JMK Builders Corp. - Subdivision Plat Buena Vista West is hereby tabled.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (949-1981)

AWARDING BID FOR  
MICROCOMPUTER SYSTEM  
FOR CLARKSTOWN POLICE  
DEPARTMENT (THE TANDY  
CORPORATION)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing and the Chief of Police that

Bid # 56-1981 for a  
Microcomputer System for the Clarkstown  
Police Department

is hereby awarded to:

RESOLUTION NO. (949-1981) Continued

The Tandy Corporation  
D.B.A. Radio Shack  
400 Atrium  
One Tandy Center  
Fort Worth, Texas 76102

at the proposed costs as follows:

<u>Quantity</u>	<u>Description</u>	<u>Cat. #</u>	<u>Unit Price</u>	<u>Total</u>
1 ea.	48K Ram Dual Disk TRS-80 Model III	26-1066		2,495.00
1 "	Line Printer Model VI	26-1166		1,160.00
1 "	Set of Connecting Cables	26-1401		39.00
6 "	Replacement Ribbon for Line Printer	26-1418	11.35	68.10
5 "	Pkg. of Diskettes 10 disks/pkg.	26-406	34.95	174.75

FURTHER RESOLVED, that funds for same be charged to account A 3120-209.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (950-1980)

AWARDING BID FOR FUEL  
CONTROL RECORDER  
(BLUE RIDGE OIL &  
CHEMICAL CORP.)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that,

Bid No. 53-1981 for a  
Fuel Control Recorder

is hereby awarded to:

Blue Ridge Oil & Chemical Corp.  
163 Belmont Avenue  
Garfield, New Jersey 07026

for One Springfield Controls Corp. "B Series" Fuel Recorder with provision to operate three pumps with 250 Key capacity, remote printer module, and time and totalizer module at the proposed cost of \$7,901.00, and be it

FURTHER RESOLVED, that \$8,000.00 be transferred from Account No. A 3010-209 into Account No. A 1640-209 to cover the above expense, and be it

FURTHER RESOLVED, that the guaranty and return of such equipment be pursuant to terms and conditions of the contract.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

AAJ338

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

Mr. Lodico inquired of the Supervisor when he could meet with him regarding the matter in litigation and inquired as to why a bond anticipation note was used instead of a revenue bond for the landfill. Mr. Lodico also recommended the conversion to gas for heating purposes down at the landfill.

APPEARANCE: Mr. William Stein  
31 Concord Drive  
New City, New York 10956

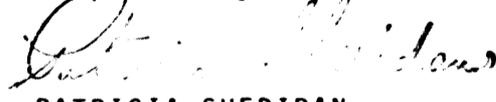
Mr. Stein spoke regarding Item 16 (Omni Court). He said that the Master Plan called for four to eight units per acre. If they come up with an average of six units to the acre that would allow only thirty units and the Town Board, by granting forty-five units, was allowing a 50% increase in the area.

Mr. Stein then spoke regarding the East Avenue Drainage Project. This is labelled as a 2,050 foot storm sewer. The Director of Environmental Control was authorized to enter into negotiations for a change order. The estimated cost was then \$20,000.00. The alleged basis for this change order was a discovery of rock. The contract calls for, among other things, a unit price to be supplied for rock excavation, unclassified excavation, back-filling and the installation of various diameter pipes from 15" through 42". The pipe items are bid substantially high but the excavation items are bid at 1¢ per cubic yard. The back-filling is also bid at 1¢ per cubic yard. The lot excavation item is left blank or bid -0-. Therefore, any rock which is discovered would be paid for at the bid item which is nothing. I would request that you avoid an Article 78 proceeding and please do not award \$20,000.00 or thereabouts in Town funds.

Supervisor Dusanenko directed Comptroller to hold up any payment until the question on this matter is resolved.

There being no one further wishing to be heard and no further business to come before the Town Board, Town Board Meeting was declared adjourned by Supervisor Dusanenko, time: 10:12 P.M.

Respectfully submitted,

  
PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

10/13/81

8:15 P.M.

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

RE: ASSESSMENT OF PAST AND PRESENT COMMUNITY DEVELOPMENT PROJECTS

On motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared open. Town Clerk read notice which appeared in the Rockland Journal News.

Supervisor Dusanenko stated that he would share with the residents the performance of the Town of Clarkstown in the Consortium and the use of Community Development Funds. He stated that after that any comments would be in order either regarding past performance or for future use.

Supervisor Dusanenko said that Community Development Funds started in the Town of Clarkstown in 1976. Project C-12 at the New Hempstead Intersection. There were zero funds allocated but we learned later that there was a \$100,000.00 State project (in conjunction with the County) which took care of that project. It is still not working unfortunately. There was zero allocated and zero vouchered.

There was a C-16 project in Central Nyack for \$39,045.00 which funds were expended for the Nyack Community Center and the acquisition of the lot next to it.

Project C-30 - Household Barriers - There was \$24,250.00 allocated and \$24,250.00 vouchered. This money was spent on either installation of rails, ramps, etc. for easy entry for the handicapped into their own homes or for the removal of barriers (such as stoops so that ramps could be installed.)

Project C-32 was for an Arson Vehicle which was actually a County project rather than a Town project.

Project C-33 - Valley Cottage Library had \$19,211.00 allocated for it but unfortunately that project did not follow Federal guidelines and their budget was adjusted. Of that amount we reallocated \$19,200.00 this year for Project C-33 (a) for the paving of streets in Central Nyack. We were able to successfully spend that amount in 1981 even though they should have been spent in 1976.

In 1977 Project C-32 - Justice Court Barriers - for which we will have a dedication ceremony on October 26, 1981 at 4:00 P.M. These facilities will be dedicated and a tree planted in memory of Rebecca Holbrook on the Town Hall property. That project had allocated to it \$145,711.00 and \$145,711.00 was vouchered.

In 1978 and 1979 the Town of Clarkstown chose not to enter the Consortium or to participate in any programs so no funds were allocated in 1978 or 1979.

In 1980 - Project 801 - Justice Court Barrier Removal had allocated to it \$36,500.00. That amount was vouchered.

Also in 1980 - Project 802 - Nanuet Senior Center Improvements/Barrier Removal had \$30,000.00 allocated to it. When this report was being prepared \$2,208.00 had been vouchered. The remainder is being vouchered at present and most, if not all, of that amount will be successfully spent. Supervisor Dusanenko invited all residents to inspect the facilities at the Highview School to see how the money was spent.

In 1979 we had two other County-wide programs in which we participated. Those programs consist of the Housing Rehabilitation where persons within certain income limits are able to apply to the Community Development Office and receive grants for fixing up portions of their homes to eliminate the possibility of urban blight. In 1979 16 homes in the Town of Clarkstown utilized \$58,778.00. In 1980 the very same program allowed 12 persons to secure such grants in an amount of \$36,020.00 total.

In 1979 there was a Barrier Removal in Private Homes project and one Clarkstown resident took advantage of this for a total of \$1,323.00. In 1982 two homeowners took advantage of this program for a total of \$1,150.00.

In 1981 the Town of Clarkstown was awarded a total of \$66,500.00. Originally we had intended to spend the funds in the following way. We planned a Project 901 - Justice Court Barrier Removal to spend an additional \$4,500.00 for removal of architectural barriers between the Town Hall and the Justice Court. Project 902 - Central Nyack Center Improvements where changing Federal and State regulations and building codes necessitated spending an additional \$4,500.00 to make that building service its programs. Originally Project 903 called for \$45,500.00 in drainage projects in the Hamlet of Central Nyack and for \$9,500.00 for streets and \$2,500.00 for sidewalks. Since then those funds have been reallocated because there is not \$45,500.00 worth of drainage projects within the Hamlet of Central Nyack. Mr. Seeger and Mr. Geneslaw have worked with my office and of the \$57,500.00 approximately \$10,000.00 will be used for drainage and the remainder will be used for repair and replacement of streets and sidewalks within the Hamlet of Central Nyack. Those funds will be spent either during this calendar year or next calendar year.

Supervisor Dusanenko wanted to note that it is not imperative that a Community spend funds within a given year. It is suggested but not imperative. If a community does fall behind in spending its allocated funds it is possible that the community could lose those funds. They could then go to HUD or to other members of the Consortium. I am proud of Clarkstown's participation in the program and the complete cooperation I have had from all members of the Town Board. We have been able to use some of our funds for the Association for Retarded Children, Camp Venture and other county-wide community programs. Meals on Wheels also received our unanimous support in the County Consortium.

Supervisor Dusanenko asked if there was anyone wishing to speak.

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

Mr. Lodico said that they should review the Community Development Funds carefully. Three of the present members of the Town Board have not been here for more than two years. I doubt if you would know what your county budget was for the last three years nor what share Town of Clarkstown paid towards the County operation so I will give you the statistics. In 1979 the County budget was \$133,171,436.00. In 1980 the County budget was \$150,500,585.00. In 1981 the County budget was \$175,950,957.00. In all of these three years the Town of Clarkstown has paid in excess of 30% of the County budget. After discussion Mr. Lodico stated that instead of going along and accepting \$66,500.00 which has been par for the course for the last three years except 1979 when the money went to all of the villages - you do have a village in the Town of Clarkstown which I don't think has been taken care of and if a village in Rockland County gets funds make

PH - 10/13/81  
Page 3

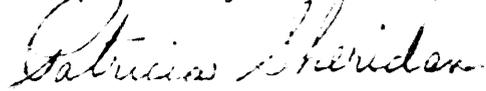
sure your own village is taken care of. The Village of Upper Nyack should get its fair share of this County arrangement.

Since the Town of Clarkstown is paying in excess of 30% of the County share we want more than \$66,500.00 which is a token of the percentage we pay for County government. Please don't just pass it because it is a good thing to do.

Supervisor Dusanenko stated that the Town of Clarkstown pays approximately 31% which is the highest percentage.

There being no one further wishing to be heard, on motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, time: 8:35 P.M.

Respectfully submitted,



PATRICIA SHERIDAN  
Town Clerk

AAJ338

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

10/13/81

9:05 P.M.

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

RE: AMENDING ZONING ORDINANCE REGARDING THEATERS

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 noted that in a communication received from the Rockland County Planning Board they had agreed that this was a matter for local determination. This was dated September 25, 1981.

He added that by way of explanation our Planning Consultant Mr. Geneslaw explaining to the Town Planning Board said that the proposal is if you don't have any theaters now you would only be able to have two. If you have an existing theater you can expand to more than two. That is the subject of the proposed amendment. It is a grandfathering clause protecting those in existence where they can have more than two but anybody coming into Town would be limited to two.

Town Attorney stated that in a communication received from the Town Planning Board dated September 25, 1981 their recommendation was as follows: "The Planning Board does not see any planning justification for the addition of item C as proposed and respectfully recommends that the section remain as presently in the Zoning Ordinance.

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

IN FAVOR: No one appeared.

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

IN OPPOSITION: No one appeared.

There being no one wishing to be heard, on motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was closed, DECISION RESERVED, time: 9:12 P.M.

Respectfully submitted,  
*Patricia Sheridan*

PATRICIA SHERIDAN,  
Town Clerk

AAJ338

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

10/13/81

9:30 P.M.

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

RE: AMENDING SPECIAL PERMIT - BARRY HOPPER

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

Supervisor Dusanenko asked if there was any correspondence. Town Attorney read the following:

(Letterhead of Rockland County Planning Board)

"Date Sept. 25, 1981

Agency

Clarkstown -- Town Board  
Town Hall  
New City, New York 10956

Re: GENERAL MUNICIPAL LAW (GML) REVIEW: 239(k)\_\_\_)239(1&m)XX 239(n)\_\_\_

Map Dated: 4/21/81

Item:

Amended special Permit, W/S Rt. 303, Congers  
Barry Hopper (C-805)

The Rockland County Planning Board reviewed the above item at its meeting of September 22, 1981 and

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

CONDITIONS: That the proposed drainage along and under Lake Road be reviewed and approved by the Rockland County Highway Department.

cc: Supervisor Dusanenko  
Mr. Lombardi, member, RCPB  
Mr. Hornik, Supt., RCHD

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."

AAJ338

Mr. Barry Hopper was sworn in by the Town Attorney.

Mr. Barry Hopper  
12 Mallard Drive  
West Nyack, New York 10994

Mr. Hopper said that when they had applied for the zone change originally they were fighting time in order to qualify for the gasoline allocation. Therefore, they went along with taking down the house but the only reason that the house has to come down is because it is in the buffer zone.

Councilman Longo inquired if anyone was living in the house. Mr. Hopper replied "Yes." The same resident has been there for seven or eight years and has put considerable monies into renovations in the house and is attempting to maintain the property.

Supervisor Dusanenko inquired as to what improvements Mr. Hopper would make to the house if it was allowed to remain standing. Mr. Hopper replied that he would put siding on and a new roof.

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

IN FAVOR:

Appearance: Ms. Dorothy Martin  
5 Heminway Avenue  
Congers, New York 10920

She stated that she was the resident of the house and that she had upgraded the premises by putting in a new bathroom, new windows and a new kitchen floor at her own expense and she urged the Board to vote in favor of it as she would like to stay in the house.

Appearance: Mr. Harold Franklin  
Heminway Avenue  
Congers, New York 10920

Mr. Franklin stated that he lives next door to Ms. Martin and he felt that the house should remain standing because she takes care of the house very nicely and it would never hurt the Town to have this house remain standing.

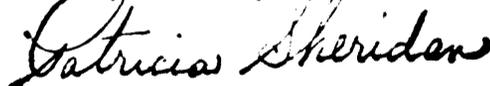
Supervisor Dusanenko asked if there was anyone wishing to be heard in opposition to the proposed special permit.

IN OPPOSITION: No one appeared.

Mr. Hopper said the house is worth \$40,000.00 and he certainly would appreciate the Town Board's allowing the house to remain standing.

There being no one further wishing to be heard, on motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, time: 9:40 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk