

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

1/26/82

8:00 P.M.

Present: Supervisor Dusanenko
Councilmen Carey, Holbrook, Lettre, Maloney
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

Supervisor Dusanenko declared Town Board Meeting open.

Supervisor Dusanenko presented the following proclamation:

"JERZY MOHL

Honorary Citizen - Town of Clarkstown
January 26, 1982

WHEREAS, Mr. Jerzy Mohl, a national citizen of the country of Poland, has sought refuge in the United States, and

WHEREAS, Mr. Mohl is representative of the millions of Polish people struggling for national freedom, and

WHEREAS, Jerzy Mohl has distinguished himself as a fighter against oppression who was jailed between 1949 and 1955 during the soviet regime of Joseph Stalin and who has since carried on the struggle for freedom as a ranking member of the Revision Commission of the Polish Solidarity Union,

NOW, THEREFORE, be it

RESOLVED, that Mr. JERZY MOHL is proclaimed an honorary citizen of the TOWN OF CLARKSTOWN and invited to share in the privilege of freedom, which benefits all Americans and be it

FURTHER RESOLVED, that the undersigned members of the Town Board of the Town of Clarkstown call upon the President of the United States and the Members of the Congress of the United States and the Secretary of State to grant Mr. JERZY MOHL permanent political asylum in the United States, and be it

FURTHER RESOLVED, that we recommend our government extend the same privilege of any citizen of Poland who has been forced to seek refuge in the United States and this action symbolizes the support of Solidarity by the people of Clarkstown and the United States with the struggle of the Polish people for freedom.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR
HANDS AND CAUSED THE SEAL OF THE TOWN OF
CLARKSTOWN TO BE AFFIXED, THIS 26th DAY OF
JANUARY, 1982.

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

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

/s/ William J. Carey
William J. Carey, Councilman

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

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

(S E A L)

* * * * *

Mr. Mohl accepted the proclamation with deep appreciation not only for himself for all the members of the Polish Solidarity Movement. He stated the reasons for the establishment of the movement and explained some of the differences between themselves and the Russian Government.

* * * * *

Supervisor Dusanenko offered the following proclamation:

"BOY SCOUTS OF AMERICA

Scouting Anniversary Week
February 7-13, 1982

- WHEREAS, the Boy Scouts of America has been in the forefront of instilling the principles of conservation in its youth members since its founding in 1910; and
- WHEREAS, this national youth movement has made conservation a program emphasis for an entire year with the theme, "Save Our American Resources (SOAR)...for the Better Life," and
- WHEREAS, the Rockland County Council of the Boy Scouts of America and its 123 Cub Scout packs, Boy Scout troops, and Explorer posts are celebrating their 72nd Anniversary with the theme, "The Better Life...Through Conservation." and
- WHEREAS, there are more than 80 community organizations that make scouting available for more than 4,000 youth members in our area who participate in the Scouting program as means for character building, citizenship training and personal fitness;

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 designate the week of February 7-13, 1982 as Scouting Anniversary Week and express the appreciation of our citizens to the Rockland County Council and the Boy Scouts of America for their interest in and dedication to conservation.

IN WITNESS WHEREOF, I HAVE HEREUNTO
SET MY HAND AND CAUSED THE SEAL OF
THE TOWN OF CLARKSTOWN TO BE AFFIXED
THIS 26TH DAY OF FEBRUARY, 1982.

/s/ Theodore R. Dusanenko

(S E A L)

THEODORE R. DUSANENKO, Supervisor
TOWN OF CLARKSTOWN"

* * * * *

Supervisor Dusanenko offered the following proclamation:

"AMERICAN ASSOCIATION OF UNIVERSITY WOMEN
NEW CITY BRANCH
20TH ANNIVERSARY - JANUARY 29, 1982

Continued on Next Page

WHEREAS, the NEW CITY BRANCH of the American Association of University Women was chartered in 1962 and, on January 29, 1982, is celebrating its 20th Anniversary, and

WHEREAS, the American Association of University Women is a nationwide association of women who have in common a baccalaureate degree and a desire to think and act upon issues and needs facing the community, the nation and the world, and

WHEREAS, the women of the NEW CITY BRANCH of the American Association of University Women, ever since its founding, have strived to accomplish those goals by recognizing its responsibility to women everywhere and in our community; working together for the advancement of women, education, the community, international relations and legislation;

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, do hereby congratulate the NEW CITY BRANCH OF THE AMERICAN ASSOCIATION OF UNIVERSITY WOMEN on their 20TH ANNIVERSARY and call upon all the citizens of the Town of Clarkstown to join with me in recognition of women helping women achieve excellence and continuing to try to improve themselves and their community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Clarkstown to be affixed this 27th day of January, 1982.

(S E A L)

/s/ Theodore R. Dusanenko
THEODORE R. DUSANENKO, Supervisor
Town of Clarkstown

* * * * *

Supervisor Dusanenko then introduced Chief of Police George Schnakenberg and Detective Curt Settle of the Juvenile Aid Bureau. Detective Settle thanked the Town Board for allowing them to have the graduation of the second training class of the Clarkstown Youth Court at such a distinguished place as the Clarkstown Town Board Meeting. Detective Settle introduced Michael Reeder, Training Officer, who assisted in the handing out of the diplomas.

Detective Settle said that the graduation comes after 11 weeks of training. He mentioned that the standard of excellence of the second class was equal to that of the first. Diplomas were distributed.

* * * * *

APPEARANCE: Mr. Armand Miele
Nanuet, New York

Mr. Miele spoke in protest against the removal of 12 parking spaces from Main Street in Nanuet. He said that this had hurt all of the merchants in the area and it was a dangerous situation because it had created another lane of traffic. He asked that the Town Board rescind the resolution deleting the parking spaces. Supervisor Dusanenko stated that this situation would be taken up at the Workshop on February 4, 1982.

* * * * *

APPEARANCE: Mr. James Hershberger
Valley Cottage, New York

Mr. Hershberger spoke regarding Associates of Rockland zone change. He did not feel that the public notice which was published and mailed to the surrounding residents actually described the zone change borders since it appeared that the parcel for the zone change was L10 and this was not the case. Some of the parcel was, in fact, already R-15. The signatures for the 265 petition were obtained on the basis of the entire parcel being L10 and therefore it was invalid. The residents had used the metes and bounds published in the public notice to obtain the signatures on the 265. He felt that the 265 petition should stand and that would require that four votes were necessary to approve the zone change rather than a simple majority. Mr. Hershberger stated that it was only after the public hearing that the applicants revealed that the northwest corner was R-15 not L10. He requested the Town Board to rescind the approval of the zone change.

* * * * *

APPEARANCE: Mr. John Hekker
Attorney for Associates of Rockland

Mr. Hekker presented the Town Board with the map which had accompanied the petition for the zone change and pointed out that the R-15 is clearly marked on the map. The extended zone line was to mark the entire parcel. The zone change was always one petition. Mr. Johns, as a courtesy to the people separated it into two parcels to see if the 265 petition would apply to the 28 acres but the request was always one petition for the 100 acres. He presented to the Town Board a copy of the 265 Changes which had been underlined in red and he asked that it be read as a single sentence. He gave John Costa a ruling regarding a similar situation which had occurred in Westchester and which had been handed down by Judge Egger.

* * * * *

APPEARANCE: Mr. Martus Granirer
New City, New York

Mr. Granirer said that the public notice should be relied upon and that that notice established the metes and bounds and that the people relied upon the notice in order to prepare their 265 petition. It was in fact two zone changes on one petition.

Mr. Hekker then challenged the power of attorney for Sylvia Stern. He did not feel that it was valid on a petition.

* * * * *

A letter to the Town Board was presented by Mr. Hershberger and Mr. Granirer as follows:

"January 26, 1982

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

Gentlemen:

There is a serious difficulty with the resolution granting Associates of Rockland County a zone change voted upon by the Town Board on December 29, 1981.

1. On August 10, 1981, the Associates of Rockland County petitioned the Town of Clarkstown for the following zone changes:

- a. Parcel #1 consisting of 28.396 acres from L.I.O. to R-15.
- b. Parcel #2 consisting of 72.915 acres from L.I.O. to P.E.D.

The petition also contained a metes and bounds description of each parcel.

2. A notice of public hearing, dated November 24, 1981, was published advising that there would be a public hearing on December 17, 1981 to consider the zone change requests. The descriptions of the parcels and of the metes and bounds were the same as in the applicant's petition.

3. Relying on the descriptions in the application and the notice of public hearing, owners of over 20% of the land immediately adjacent to Parcel #1 and extending 100 feet from it, submitted a notice pursuant to Section 265 of the Town Law of the State of New York protesting the requested zone change for Parcel #1. According to that law, when such a notice of protest is submitted, at least 4 affirmative votes by the Town Board are required in order to approve a zone change. The notice of protest was submitted to the Town Board during the public hearing on December 17, 1981.

4. On December 29, 1981, the Town Board voted 3 - 2 in favor of the zone changes from L.I.O. to R - 15 for Parcel #1 and from L.I.O. to P.E.D. for Parcel #2.

5. However, it was subsequently learned that the Associates of Rockland County had challenged the notice of protest on the basis that some of the northwest part of Parcel #1 was then already zoned R - 15, not L.I.O. as in their application. The Associates of Rockland County therefore maintained that land owned by signers adjoining the existing R - 15 portion be disallowed in the computation. Agreeing with this, the Town Attorney ruled that the remaining signatures represented ownership of insufficient area for the protest to stand.

6. The true facts about the existing R - 15 zone boundaries were not represented in the Associates of Rockland County application or in the notice of public hearing. That is, the application and the notice of public hearing stated that all of Parcel #1 is in an L.I.O. district, concealing the existence of the R - 15 portion of the parcel.

7. It was only on December 29, 1981, twelve days after the public hearing had closed, that the applicant asserted that part of Parcel #1 is zoned R - 15 and therefore, that the notice of protest was inadequate. The published misinformation in the application and notice misled the adjacent landowners and prevented them from taking the necessary action to protect their interests through Section 265 of the Town Law.

8. A computation of the area immediately adjacent to Parcel #1 as described in the application and notice of public hearing, extending 100 feet from it owned by signers of the protest amounts to 24.41% of the possible total. Please see the enclosure.

The following is recommended:

That the Town Board resolve that the notice of protest submitted by owners of over 20% of the land immediately adjacent to Parcel #1 extending 100 feet from it be allowed to stand as valid; that computation of the protest area should be based on the information in the petitioner's application and on information published in the notice of public hearing; and further that the resolution adopting the zone change be deemed to have failed because the vote in favor of the zone change was 3 - 2, when the valid notice of protest required 4 affirmative votes.

Sincerely,

James E. Hershberger
43 Sedge Road
Valley Cottage, N.Y. 10989

Martus Granirer
100 S. Mountain Road
New City, N.Y. 10956

Enclosures

cc: Martin Cornell, Esq."

"REQUESTED ZONE CHANGE
ASSOCIATES OF ROCKLAND COUNTY
PARCEL #1, 28.396 ACRES, LIO TO R-15

1. Total land area west of Route 303 and immediately adjacent extending from the periphery of Parcel # 1 equals 386,910 square feet as follows:

Clarkstown Estates, Hung, Gillan, Santos, Curro, Wylie	=	106,940
Sylvia Stern*	=	22,521
Assoc. of Rockland property to west of Parcel #1.	=	112,036
Assoc. of Rockland property to south of Parcel #1, Appel, DeStefano, Lee Milts	=	150,413
Less: Tilton Road	=	(5,000)
		<hr/>
Total land area		386,910

2. Area of land of the property owners who signed a notice of protest under Section 265 of the Town Law equals 94,461 square feet as follows:

Hung, Gillan, Santos, Curro, Wylie	=	76,940
Sylvia Stern*	=	22,521
Less: Tilton Road	=	(5,000)
		<hr/>
Total land area of signers		94,461

3. The percentage of area of qualified petitioners' property (94,461 square feet) to the total area (386,910 square feet) is 24.41%.

*Note: Only the portion of Sylvia Stern's property immediately adjacent to Parcel #1 was included in the above calculations."

* * * * *

RESOLUTION NO. (71-1982)

ADJOURNING REGULAR TOWN
BOARD MEETING IN ORDER
TO HOLD SCHEDULED PUBLIC
HEARING RE: SALE AND
DISPLAY OF DRUG ACCESSORIES

Co. Maloney offered the following resolution:

RESOLUTION NO. (71-1982) Continued

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing re: Sale and Display of Drug Accessories, time: 8:50 P.M.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (72-1982)

CLOSING SCHEDULED PUBLIC HEARING RE: SALE AND DISPLAY OF DRUG ACCESSORIES AND RESUMING REGULAR TOWN BOARD MEETING

Co. Maloney offered the following resolution:

RESOLVED, that scheduled Public Hearing re: Sale and Display of Drug Accessories be closed, ADOPTED, and return to regular Town Board Meeting.

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (73-1982)

ADOPTING LOCAL LAW NO. 1-1982 RE: SALE AND DISPLAY OF DRUG ACCESSORIES

Co. Lettre offered the following resolution:

WHEREAS, a proposed local law entitled, "A LOCAL LAW CONCERNING THE SALE AND DISPLAY OF DRUG ACCESSORIES" was introduced by Councilman Lettre, at a Town Board meeting held on January 4, 1982, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 4th day of January, 1982, directed that a public hearing be held on the 26th day of January, 1982, at 8:30 P.M., and,

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on January 19, 1982, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and Councilmen at their office at 10 Maple Avenue, New City, New York, on December 23, 1981, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on January 26, 1982;

NOW, THEREFORE, be it

RESOLVED, that Local Law No.1-1982, entitled, "A LOCAL LAW CONCERNING THE SALE AND DISPLAY OF DRUG ACCESSORIES" is hereby ADOPTED and passed by an affirmative vote for adoption being as follows:

- Hon. Theodore R. Dusanenko, Supervisor.....Yes
- Councilman William J. Carey.....Yes
- Councilman Edward Lettre.....Yes
- Councilman John R. Maloney.....Yes
- Councilman Charles E. Holbrook.....Yes

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

RESOLUTION NO. (74-1982)

ADJOURNING REGULAR TOWN BOARD MEETING IN ORDER TO HOLD SCHEDULED PUBLIC HEARING RE: LOCAL LAW REGULATING FIRE ALARMS IN THE TOWN OF CLARKSTOWN

Co. Maloney offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing re: Local Law Regulating Fire Alarms in the Town of Clarkstown", time: 9:20 P.M.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (75-1982)

CLOSING SCHEDULED PUBLIC HEARING RE: LOCAL LAW REGULATING FIRE ALARMS IN THE TOWN OF CLARKSTOWN

Co. Maloney offered the following resolution:

RESOLVED, that scheduled Public Hearing re: Local Law Regulating Fire Alarms in the Town of Clarkstown be closed, ADOPTED, and return to regular meeting, time: 9:23 P.M.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (76-1982)

ADOPTING LOCAL LAW NO. 2 RE: A LOCAL LAW REGULATING FIRE ALARMS IN THE TOWN OF CLARKSTOWN

Co. Maloney offered the following resolution:

WHEREAS, a proposed local law entitled, "A LOCAL LAW REGULATING FIRE ALARMS IN THE TOWN OF CLARKSTOWN" was introduced by Councilman Maloney, at a Town Board meeting held on January 4, 1982, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 4th day of January, 1982, directed that a public hearing be held on the 26th day of January, 1982 at 8:40 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on January 16, 1982, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and Councilmen at their office at 10 Maple Avenue, New City, New York, on January 11, 1982, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on January 26, 1982;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 2-1982, entitled, "A LOCAL LAW REGULATING FIRE ALARMS IN THE TOWN OF CLARKSTOWN" is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

Hon. Theodore R. Dusanenko, Supervisor.....	Yes
Councilman William J. Carey.....	Yes
Councilman Edward Lettre.....	Yes
Councilman John R. Maloney.....	Yes
Councilman Charles E. Holbrook.....	Yes

RESOLUTION NO. (76-1982) Continued

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (77-1982) ADJOURNING REGULAR TOWN BOARD MEETING IN ORDER TO HOLD SCHEDULED PUBLIC HEARING RE: LOCAL LAW ENTITLED BURGLAR ALARMS

Co. Maloney offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing re: Local Law Entitled Burglar Alarms, time: 9:24 P.M.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (78-1982) CLOSING SCHEDULED PUBLIC HEARING RE: LOCAL LAW ENTITLED BURGLAR ALARMS AND RETURNING TO REGULAR TOWN BOARD MEETING

Co. Maloney offered the following resolution:

RESOLVED, that scheduled Public Hearing re: Local Law Entitled Burglar Alarms be closed, ADOPTED, and return to regular Town Board Meeting, time: 9:26 P.M.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (79-1982) ADOPTING LOCAL LAW NO. 3 RE: "A LOCAL LAW ENTITLED BURGLAR ALARMS"

Co. Maloney offered the following resolution:

WHEREAS, a proposed local law entitled, "A LOCAL LAW ENTITLED BURGLAR ALARMS" was introduced by Councilman Maloney, at a Town Board meeting held on January 4, 1982, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 4th day of January, 1982, directed that a public hearing be held on the 26th day of January, 1982, at 8:45 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on January 16, 1982, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and Councilmen at their office at 10 Maple Avenue, New City, New York, on January 11, 1982, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on January 26, 1982;

RESOLUTION NO. (79-1982) Continued

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 3-1982, entitled, "A LOCAL LAW ENTITLED BURGLAR ALARMS" is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

Hon. Theodore R. Dusanenko, Supervisor.....Yes
Councilman William J. Carey.....Yes
Councilman Edward Lettre.....Yes
Councilman John R. Maloney.....Yes
Councilman Charles E. Holbrook.....Yes

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (80-1982)

AUTHORIZING BONDING
COUNSEL (HAWKINS,
DELAFIELD & WOOD) TO
PREPARE NECESSARY DOCUMENTS
RE: BONDING FOR LINE
COMPUTER SYSTEM

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown is in need of an on line computer system to computerize all financial systems and for future expansion, and

WHEREAS, the approximate cost will be \$150,000.00;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes bonding counsel, Hawkins, Delafield & Wood, to prepare the necessary documents.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (81-1982)

AMENDING 1982 SALARY
SCHEDULE TO INCLUDE
INCREASES FOR COUNSELING
CENTER BUDGET - TRANSFER
FROM CONTINGENCY ACCOUNT
NO. A 1990-505 TO
APPROPRIATION ACCOUNT NO.
4210-110

Co. Maloney offered the following resolution:

WHEREAS, the 1982 salaries increase was omitted from the Counseling Center Budget, BE IT THEREFORE

RESOLVED, that the 1982 salary schedule be amended as follows:

RESOLUTION NO. (81-1982) Continued

Ellen Cohen.....S 22,647.00
Patricia Moritz..... 18,318.00
Corinne Aaron..... 13,353.00

AND BE IT THEREFORE RESOLVED, that \$3,553.00 be transferred from Contingency Account No. A 1990-505 to Appropriation Account No. 4210-110.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (82-1982)

ACCEPTING PROPOSALS FROM ORANGE & ROCKLAND UTILITIES, INC. FOR STREET LIGHTING (AMSTERDAM/DURANT ROADS, SHETLAND DRIVE, BRADLEY DRIVE AND SCOTT DRIVE, ALL IN NEW CITY)

Co. Lettre offered the following resolution:

WHEREAS, a resident of the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community, and

WHEREAS, a survey of surrounding property owners directly affected by this proposed lighting was conducted and,

WHEREAS, the surrounding property owners have indicated that they are in accord with this proposed lighting,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby accepts proposals from Orange & Rockland Utilities, Inc., for street lighting at the following locations:

Amsterdam/Durant Roads	New City
Shetland Drive	New City
Bradley Drive	New City
Scott Drive	New City

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (83-1982)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL TWO W-96-A SIGNS, SIZE 30" X 30" (SCHOOL CROSSING SIGNS) (SOUTH SIDE WEST BROADWAY, SOUTHWEST DICKINSON AVENUE, AND WEST SIDE OF WEST BROADWAY NORTH DICKINSON AVENUE, CENTRAL NYACK)

Co. Maloney 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 two W-96-A signs, size 30" x 30" each at the following locations:

RESOLUTION NO. (83-1982) Continued

1. On the South side of West Broadway, 150' southwest of Dickinson Avenue, Central Nyack.
2. On the West side of West Broadway, 100' North of Dickinson Avenue, Central Nyack.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (84-1982)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL TWO R-110 SIGNS ("FROM 8:00 A.M. - 4:00 P.M. ON SCHOOL DAYS.") ON WEST SIDE LITTLE TOR RD. AT RED HILL ROAD, NEW CITY - NORTH SIDE WEST NYACK ROAD AT STRAWTOWN ROAD, WEST NYACK)

Co Maloney 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 the following supplemental signs:

Two (2) R-110 signs - "From 8:00 A.M. - 4:00 P.M. on School Days."

These signs to supplement the "No Turn on Red" signs located at the West side of Little Tor Road at Red Hill Road, New City (see Resolution #1979-58) and on the North side of West Nyack Road at Strawtown Road, West Nyack.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (85-1982)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL "NO PARKING" SIGNS SOUTH SIDE BIRCHWOOD AVENUE AND BOTH SIDES SOUTH PASCACK ROAD NORTH OF DRIVEWAY TO "SAMMY'S" AND SOUTH OF BIRCHWOOD AVENUE

Co. Maloney 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 "No Parking" signs at the following locations:

On the south side of Birchwood Avenue.

On both sides of South Pascack Road, 150 feet north of the driveway to "Sammy's" and 150 feet south of Birchwood Avenue.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (86-1982)

MEMORIALIZING RESOLUTION
RE: PRO-LIFE

Co. Maloney offered the following resolution:

WHEREAS, since the United State Supreme Court decision of January 22, 1973, over nine (9) million unborn babies have lost their lives, and

WHEREAS, the Clarkstown Town Board, on behalf of many of the residents of Clarkstown, are desirous of memorializing those innocent victims of abortion,

NOW, THEREFORE, be it

RESOLVED, that the Town Board call upon the President of the United States, the members of the Congress of the United States and the United States Supreme Court to reaffirm that part of our Declaration of Independence which states that every human being is endowed by his/her creator, "With certain unalienable rights, that among these are life...", and we call upon those elected bodies to enact legislation which will bring an immediate halt to the present wanton destruction of all innocent human life.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

* * * * *

RESOLUTION NO. (87-1982)

AUTHORIZING SUPERVISOR
TO ENTER INTO AGREEMENT
WITH FREIHOFFER BAKING
COMPANY MODIFYING
PARAGRAPH ELEVEN OF
AGREEMENT FOR CONTRACTUAL
PAYMENT OF MONEY-IN-LIEU-
OF-TAXES DATED AUGUST 1,
1981

Co. Maloney offered the following resolution:

WHEREAS, Charles Freihofer Baking Company, Inc. and the Town of Clarkstown have entered into an agreement for the contractual payment of money-in-lieu-of-taxes by agreement dated August 1, 1981, and

WHEREAS, the purpose of said agreement is to facilitate the financing of new industrial development within the Town of Clarkstown through the issuance of bonds of the Rockland County Industrial Development Agency, and

WHEREAS, a provision of said agreement requires the Freihofer Baking Company to obtain a surety bond or letter of credit for the benefit of the Town of Clarkstown to guarantee payment of money-in-lieu-of-taxes for a five year period and the present difficulty of obtaining the required bond or letter of credit has threatened completion of the project, and

RESOLUTION NO. (87-1982) Continued

WHEREAS, it would be in the best interest of the Town of Clarkstown and residents that this project proceed;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement modifying paragraph eleven of said agreement to require that the Charles Freihofer Baking Company, Inc., maintain an escrow account with the Bank of Albany consisting of a cash deposit of not less than \$25,000.00 as a reserve against which money-in-lieu-of-taxes can be charged for a period of five years from the date of closing of the bonding with the Rockland County Industrial Development Agency, and be it

FURTHER RESOLVED, that such amendment shall not be effective until the County of Rockland and Clarkstown Central School Districts shall have approved same.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (88-1982)

AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH HI-TOR ANIMAL CARE SHELTER FOR PERIOD ENDING DECEMBER 31, 1982

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement, in the annexed form, with Hi-Tor Animal Care Center, Inc., utilizing said facilities as an animal shelter and pound for the Town of Clarkstown for the period ending December 31, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (89-1982)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR PARKS & RECREATION FACILITIES/ ACTIVITIES BROCHURE

Co. Lettre offered the following resolution:

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

BID # 7-1982
1982 PARKS & RECREATION
FACILITIES/ACTIVITIES BROCHURE

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, February 16, 1982 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. (90-1982)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR ARTS &
CRAFT SUPPLIES

Co. Lettre offered the following resolution:

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

BID # 6-1982
ARTS & CRAFT SUPPLIES

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday,
February 10, 1982 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. (91-1982)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR CAST IRON
CURB INLETS, CATCH BASINS,
FRAMES & GRATES

Co. Lettre offered the following resolution:

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

BID # 10-1982
CAST IRON CURB INLETS, CATCH
BASINS, FRAMES & GRATES

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 Thursday, February 18,
1982 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. (92-1982)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR CRUSHED STONE

Co. Lettre offered the following resolution:

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

BID # 9-1982
CRUSHED STONE

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 Thursday, February
18, 1982 at which time bids will be opened and read, and be it

RESOLUTION NO. (92-1982) Continued

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. (93-1982)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR NEW SEWER CLEANING TRUCK FOR CLARKSTOWN HIGHWAY DEPARTMENT

Co. Lettre offered the following resolution:

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

BID # 8-1982
NEW SEWER CLEANING TRUCK FOR CLARKSTOWN SEWER 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, February 23, 1982 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. (94-1982)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF SANITARY SEWER AND WATER SERVICES FOR GERMONDS PARK (CONTRACT A) AND LAKE NANUET PARK (CONTRACT B)

Co. Lettre offered the following resolution:

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

BID # 11 - 1982
CONSTRUCTION OF SANITARY SEWER AND WATER SERVICES FOR GERMONDS PARK (CONTRACT A) AND LAKE NANUET PARK (CONTRACT B)

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 10:00 A.M. on Thursday, February 18, 1982 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. (95-1982)

AWARDING BIDS FOR
CUSTODIAL SUPPLIES &
EQUIPMENT (VARIOUS
SUPPLIERS)

Co. Maloney offered the following resolution:

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

BID # 3-1982
CUSTODIAL SUPPLIES & EQUIPMENT

is hereby awarded to the following suppliers as per schedule of prices
on file in the Purchasing Department:

Halbro Control Industries, Inc.
2090 Route 110
Farmingdale, N.Y. 11735

E. A. Morse & Co., Inc.
11-25 Harding Street
Middletown, N.Y. 10940

M & I Cleaning Supply Co., Inc.
37-41 New Main Street
Haverstraw, N.Y. 10927

Quick Chemical Company
3 Ellen Street
Spring Valley, N.Y. 10977

N. J. Floor Supplies
1044 River Rd.,
Edgewater, N.J. 07020

Rosebrand Wipers, Inc.
517 W. 35th Street
New York, N.Y. 10001

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (96-1982)

AWARDING BIDS FOR
ATHLETIC AND RECREATION
SUPPLIES (VARIOUS BIDDERS)

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of the Director
of Purchasing and in concurrence with the Superintendent of Recreation
and Parks, that the bid for furnishing Athletic and Recreation Supplies
is hereby awarded to the following low bidders who have met the
specifications:

(List of 15 bidders on file in Town Clerk's Office)

GROSS TOTAL FOR ALL ITEMS: \$34,530.21

BE IT FURTHER RESOLVED, that this amount (\$34,530.21) be charged against
accounts:

RESOLUTION NO. (96-1982) Continued

7140-307.....	\$ 186.48
7141-329.....	1,196.28
7180-307.....	1,962.12
7180-329.....	236.89
7210-307.....	200.00
7310-307.....	15,981.74
7310-329.....	11,975.39
7610-329.....	1,482.35
7620-307.....	150.00
7620-329.....	1,158.96

\$ 34,530.21

BE IT FURTHER RESOLVED, THAT NO BIDS AWARDED TO ITEMS #23K, 39, 154.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (97-1982)

AWARDING BID FOR POLICE
VEHICLES (CORIGLIANO
MOTOR SERVICE, INC.)

Co. Maloney offered the following resolution:

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

BID # 5 -1982
FOR POLICE VEHICLES

is hereby awarded to:

CORIGLIANO MOTOR SERVICE, INC.
P.O. BOX 269
FANNY & INTERVALE ROADS
BOONTON, N. J. 07005

as per the low bid proposal as follows:

ITEM # 1 - SEVEN(7) 1982 DODGE
DIPLOMAT PATROL VEHICLES @ \$ 8,996.00 ea.....\$62,972.00

ITEM # 2 - FOUR (4) 1982 DODGE
DIPLOMAT UNMARKED POLICE
VEHICLES @ \$ 8,996.00 ea.....\$35,984.00

TOTAL GROSS BID \$98,956.00

LESS: TRADE-IN ALLOWANCES

CAR #205	\$ 1,300.00
CAR #206	1,200.00
CAR #208	1,100.00
CAR #213	1,300.00
CAR #215	500.00
CAR #218	1,150.00
CAR #226	<u>100.00</u>

TOTAL TRADE-IN ALLOWANCE \$ 6,650.00

TOTAL NET BID \$92,306.00

and be it,

RESOLUTION NO. (97-1982) Continued

FURTHER RESOLVED, that funds for same be charged to
Account A 3120-203.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (98-1982)

AMEND ITEM # 25
TOILET TISSUE WITH
REGARD TO BID #2-1982
(PAPER & PLASTIC
SUPPLIES) (MT. ELLIS
PAPER CO., INC.)

Co. Maloney offered the following resolution:

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

BID # 2 - 1982
PAPER & PLASTIC SUPPLIES

Award of Item #25 "Toilet Tissue" is hereby amended to read

Vendor: Mt. Ellis Paper Co., Inc.
P.O. Box 4083
Newburgh, N.Y. 12550

for Dixie Marathon #1012 @ \$28.95/case.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (99-1982)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL
SIGNS "TRUCKS OVER 4 TON
EXCLUDED" (PROSPECT STREET
EAST OF GRANDVIEW AVENUE,
NANUET)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic
and Traffic Fire Safety Advisory Board, the Superintendent of Highways
is hereby authorized to install signs to read, "Trucks Over 4 Ton
Excluded." These signs are to be erected on Prospect Street, East of
Grandview Avenue, Nanuet.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (100-1982)

AUTHORIZING ATTENDANCE
AT INNOVATIVE PROGRAMMING
FORUM VII AT THE HOLIDOME,
SUFFERN, NEW YORK -
RECREATION AND PARKS
(GHIAZZA, CONNINGTON,
GROMACK AND OLDENBURGER)

Co. Lettre offered the following resolution:

RESOLUTION NO. (100-1982) Continued

RESOLVED, that the following Recreation and Parks Department staff are hereby authorized to attend the Innovative Programming Forum VII, January 29-31, 1982 at the Holidome, Suffern, New York, at no cost to the Town of Clarkstown:

- Edward J. Ghiazza, Supt. of Recreation and Parks
- Charles Connington, Recreation Supervisor
- Alex Gromack, Senior Recreation Leader
- Jo Anne Oldenburger, Recreation Leader

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (101-1982)

TRANSFER OF FUNDS FROM 1990-505 TO 7610 ACCOUNTS NOS. 114, 201, 222, 329 AND 404 - RECREATION (NANUET I SENIOR CITIZEN CLUB FROM PEARL RIVER ELKS CLUB TO HIGHVIEW SCHOOL, NANUET) AND ESTABLISHING NEW NANUET II SENIOR CITIZEN CLUB

Co. Lettre offered the following resolution:

RESOLVED, based upon the recommendation of the Parks Board and Recreation Advisory Committee and the Superintendent of Recreation and Parks that \$12,500.00 be appropriated for the purposes of moving the existing Nanuet I Senior Citizen Club from the Pearl River Elks Club to the Highview Schook, Church Street, Nanuet; the purchase of necessary equipment and supplies and the establishment of the new Nanuet II Senior Citizen Club to be conducted at the Highview School.

FURTHER RESOLVED, that the Comptroller is hereby authorized to transfer \$12,500.00 from 1990-505 to the following accounts:

7610-114	\$1,000.00
7610-201	\$4,000.00
7610-222	\$1,000.00
7610-329	\$1,500.00
7610-404	\$5,000.00

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (102-1982)

TRANSFER OF FUNDS FROM 1990-505 TO 1621-408

Co. Lettre offered the following resolution:

RESOLVED, that the Comptroller is hereby authorized to transfer \$1,500.00 from 1990-505 to 1621-408.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (103-1982)

TRANSFER OF FUNDS FROM MONEY-IN-LIEU-OF-LANDS TO PARKLANDS AND IMPROVEMENT ACCOUNT (DAVENPORT PRESERVE - BOILER FOR HOUSE)

Co. Lettre offered the following resolution:

RESOLUTION NO. (103-1982) Continued

WHEREAS, the house owned by the Town of Clarkstown in the Davenport Preserve is in need of a new boiler and an emergency condition does exist as attested to by the Superintendent of Recreation and Parks,

NOW, THEREFORE, be it

RESOLVED, that emergency replacement of the boiler be authorized in an amount not to exceed \$2,500.00, and

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

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (104-1982)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO CORRECT DRAINAGE PROBLEM AT 80 STRAWTOWN ROAD, WEST NYACK - CHARGE TO DRAINAGE BOND CAPITAL NO. 2 ACCOUNT

Co. Maloney offered the following resolution:

RESOLVED, that the Superintendent of Highways be authorized to correct a drainage problem at 80 Strawtown Road, West Nyack, New York, in accordance with the recommendations of the Department of Environmental Control, for a sum not to exceed \$4,500.00 and to be charged to the Drainage Bond, Capital No. 2 Acct.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (105-1982)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO DO SNOW-PLOWING (NEW YORK STATE THRUWAY AUTHORITY - SPRING VALLEY EXIT OF NEW YORK STATE THRUWAY

Co. Holbrook offered the following resolution:

RESOLVED, that Fred Seeger, Superintendent of Highways of the Town of Clarkstown, is hereby authorized to do snowplowing, if and when necessary, at a parking facility when designated by the New York State Thruway Authority at the Spring Valley exit of the New York State Thruway.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (106-1982)

GRANTING CERTIFICATES OF REGISTRATION (JOHN FEHSAL AND KEVIN H. STOKES)

Co. Maloney offered the following resolution:

RESOLUTION NO. (106-182) Continued

WHEREAS, the following have applied for Certificates of Registration pursuant to Section 83-65 of the Code of the Town of Clarkstown:

JOHN FEHSAL
Thiells Road
Box 108
Stony Point, New York 10980

KEVIN H. STOKES
Box 812
Pearl River, New York 10965

NOW, THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

No. 82-8 issued to John Fehsal
No. 82-9 issued to Kevin H. Stokes

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (107-1982)

AUTHORIZING USE OF
SHOWMOBILE - ANCIENT
ORDER OF HIBERNIANS
(ST. PATRICK'S DAY
PARADE - PEARL RIVER, N.Y.)

Co. Lettre offered the following resolution:

WHEREAS, the Ancient Order of Hibernians have requested use of the Town of Clarkstown showmobile on Sunday, March 21, 1982 for the 21st Annual St. Patrick's Day Parade in Pearl River,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby grants permission to the Ancient Order of Hibernians to use the Town of Clarkstown showmobile on Sunday, March 21, 1982 for the above purposes subject to the provision of the necessary insurance policies.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (108-1982)

ACCEPTING PROPOSALS FROM
ORANGE & ROCKLAND UTILITIES,
INC. FOR STREET LIGHTING AT
ROUTE 304 (MONTEREY SENIOR
CITIZENS COMPLEX AND
VERDIN DRIVE AT LITTLE
TOR ELEMENTARY SCHOOL)

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Town Board of the Town of Clarkstown hereby accepts proposals from Orange & Rockland Utilities, Inc. for street lighting at the following locations:

RESOLUTION NO. (108-1982) Continued

Route 304 (Monterey Senior Citizens
Housing Complex) Bardonia

Verdin Drive (Little Tor Elementary
School) New City

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (109-1982)

AUTHORIZING SUPERVISOR
TO ENTER INTO LICENSE
AGREEMENT WITH CORWICK
REALTY CORPORATION AND
HOME LINE DEVELOPMENT
CORP. FOR DRAINAGE AND
SEWER LINE (QUAIL HOLLOW
SUBDIVISION, WEST NYACK,
NEW YORK)

Co. Lettre offered the following resolution:

WHEREAS, Corwick Realty Corporation is desirous of granting
a license to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter
into a license agreement with Corwick Realty Corporation and Home Line
Development Corp., for a drainage and sanitary sewer line and appurten-
ances at property known as the Quail Hollow Subdivision, West Nyack,
New York, without cost to the Town of Clarkstown.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (110-1982)

APPROVING REDUCTION IN
AMOUNT OF PERFORMANCE
BOND (JAKLA CONSTRUCTION
CORP. - THEISE AS CO-
PRINCIPALS) (RIDGE VIEW
ESTATES

Co. Maloney offered the following resolution:

WHEREAS, a Performance Bond No. 930185, JAKLA CONSTRUCTION
CORP. as Principal, and JAY K. THEISE and ELIZABETH THEISE, as Co-
Principal(s) and REPUBLIC INSURANCE COMPANY as Surety, dated March 26,
1980, in the amount of \$18,250.00 covering the improvements and other
facilities as shown on the Final Plat of RIDGE VIEW ESTATES filed in
the Rockland County Clerk's Office on April 10, 1980, 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. 930185 be reduced
to \$2,775.00 as much of the work has been completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that Performance Bond No. 930185 be reduced to
\$2,775.00.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (111-1982)

ADOPTING AND ACCEPTING
MINUTES OF TOWN BOARD
MEETING OF DECEMBER 8,
1981

Co. Maloney offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board Meeting of December 8, 1981, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (112-1982)

AUTHORIZING SUPERVISOR
TO FILE APPLICATION AND
ACCEPT PROPOSAL FROM
NEW YORK STATE THRUWAY
AUTHORITY FOR TEMPORARY
COMMUTER PARKING LOT AT
SPRING VALLEY EXIT OF
THRUWAY

Co. Lettre offered the following resolution:

RESOLVED, that the Supervisor is authorized to file application and accept proposal from the New York State Thruway Authority for temporary commuter parking lot at Spring Valley exit of Thruway.

Seconded by Co. Maloney

All voted Aye.

* * * * *

At this point Agenda Item No. 23 was discussed and it was decided to table the same. It was decided that there should be a building permit issued to take care of the problem existing at the location of Map 105, Block A, Lot 20.01 and any action would be held in abeyance until that time and until the necessary corrections are made.

RESOLUTION NO. (112-A-1982)

TABLING ITEM NO. 23
RELATING TO INSTITUTION
OF PROCEEDINGS TO REMOVE
VIOLATIONS RE: RTE. 303
REALTY CORP.

Co. Maloney offered the following resolution:

RESOLVED, that Agenda Item No. 23 with regard to Institution of Proceedings to Remove Violations re: Rte. 303 Realty Corp., be tabled until necessary corrections are made.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (113-1982)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE PROCEEDINGS
FOR REMOVAL OF VIOLATIONS
ON PREMISES OWNED BY
NORMA JABIN AND ABRAHAM
MORITZ (EXECUTORS FOR
ETTA RICHMAN) SETTING
PUBLIC HEARING

Co. Maloney offered the following resolution:

RESOLUTION NO. (113-1982) Continued

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 31 of the Code of the Town of Clarkstown to remove or rectify violations as reported by the Building Inspector and the Fire Inspector of the Town of Clarkstown on premises owned by:

NORMA JABIN and ABRAHAM MORITZ as
co-executors under the Last Will
and Testament of Etta Richman

in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as MAP 73, BLOCK A, LOT 29, and be it

FURTHER RESOLVED, that a public hearing be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on the 9th day of March, 1982, at 8:45 P.M., providing service of Notice Pursuant to Town Code, Section 31 can be made on or before March 1, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (114-1982)

TRANSFER OF FUNDS FROM
CONTINGENCY ACCOUNT NO.
A 1990-505 TO APPROPRIA-
TION ACCOUNT NO. A 1345-
110 (PURCHASING DEPARTMENT)

Co. Maloney offered the following resolution:

RESOLVED, to transfer \$8,030.00 from Contingency Account No. A 1990-505 to Appropriation Account No. A 1345-110.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (115-1982)

AMENDING RESOLUTION
NO. 6-1982 TO ESTABLISH
PETTY CASH FUND FOR
TOWN GARAGE

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 6-1982 is hereby amended to include the establishment of a Petty Cash fund for:

Town Garage \$50.00

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (116-1982)

TRANSFER OF FUNDS FROM
CONTINGENCY ACCOUNT NO.
A 1990-505 TO APPROPRIATION
ACCOUNT NO. A 3210-203
(POLICE DEPARTMENT)

Co. Maloney offered the following resolution:

WHEREAS, the Police Department is in need of eleven police vehicles for a total of \$92,306.00 and the 1982 budget appropriation is \$90,000.00,

RESOLUTION NO. (116-1982) Continued

NOW, THEREFORE, be it

RESOLVED, that \$2,306.00 be transferred from Contingency Account No. A 1990-505 to Appropriation Account No. A 3120-203.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (117-1982)

SETTING PUBLIC HEARING
RE: EXTENSION OF CLARKS-
TOWN CONSOLIDATED WATER
SUPPLY DISTRICT NO. 1 TO
INCLUDE LAMBORN MINOR
SUBDIVISION III

Co. Maloney offered the following resolution:

WHEREAS, a written Petition dated November 30, 1982 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

(Description of Property on File in Town Clerk's Office)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 2nd day of March, 1982, at 8:30 P.M., EST time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Lettre

All voted Aye.

* * * * *

Agenda Item No. 27 relating to Parks Board and Recreation Commission was brought up at this point but the following tabling resolution was passed.

RESOLUTION NO. (118-1982)

TABLING AGENDA ITEM NO.
27 REGARDING THE RE-
ESTABLISHMENT OF THE
PARKS BOARD AND RECREATION
COMMISSION

Co. Carey offered the following resolution:

RESOLVED, that proposed resolution (Agenda Item No. 27) regarding the re-establishment of the Parks Board and Recreation Commission is hereby tabled.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (119-1982)

REGARDING ROADS AND
RELATED IMPROVEMENTS
ACCEPTED BY TOWN OF
CLARKSTOWN - J.M.K.
BUILDING CORP. (BEECHWOOD
ESTATES)

Co. Lettre offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways and the Director of the Department of Environmental Control, deed(s) from: J.M.K. BUILDING CORP., dated March 5, 1979, conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "BEECHWOOD ESTATES" dated December 21, 1978, and filed in the Rockland County Clerk's Office on February 15, 1979, in Book 94 of Maps, Page 1, as Map #5020, as follows:

Robin Hood Lane	840 L.F.
Bow Court	340 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 Maintenance Bond No. 932751 dated the 11th day of February, 1981, J.M.K. Building Corp., as Principal, and John Knutsen, Magny Knutsen & John Knutsen, Jr., as Co-Principals, and REPUBLIC INSURANCE COMPANY, as Surety, is hereby accepted.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (120-1982)

REGARDING ROADS AND
RELATED IMPROVEMENTS
ACCEPTED BY TOWN OF
CLARKSTOWN - J.M.K.
BUILDING CORP. (JACK J.
ROSENSTEIN)

Co. Lettre offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways and the Director of the Department of Environmental Control, deed(s) from: J.M.K. BUILDING CORP., dated January 15, 1982, conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of JACK J. ROSENSTEIN, and filed in the Rockland County Clerk's Office on June 18, 1979, in Book 94 of Maps, Page 34, as Map #5053, as follows:

OAK SPRING COURT	425 L.F.
MELROSE LANE	350 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 Maintenance Bond No. 935173 dated the 2nd day of December, 1981, J.M.K. BUILDING CORP., as Principal, and John Knutsen, John Knutsen, Jr. and Magny Knutsen, as Co-Principals, and REPUBLIC INSURANCE COMPANY, as Surety, is hereby accepted.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (121-1982)

REGARDING ROADS AND
RELATED IMPROVEMENTS
ACCEPTED BY TOWN OF
CLARKSTOWN (WASHINGTON
FEDERAL SAVINGS AND LOAN
ASSOCIATION (FOREST BROOK
ESTATES)

Co. Lettre offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways and the Director of the Department of Environmental Control, deed(s) from: Washington Federal Savings and Loan Association, dated the 15th day of October, 1981, conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "Subdivision Plat, Forest Brook Estates, Town of Clarkstown, County of Rockland, New York" filed in the Rockland County Clerk's Office December 2, 1970 in Book 81 of Maps, at Page 15 as Map No. 4082, as follows:

Forest Brook Road	775 L.F.
Spring Brook Road	875 L.F.
Albacon Road	850 L.F.
Forest Ridge Road	475 L.F.
Lynn Street (formerly Prospect St.)	425 L.F.
Forest Glen Court	425 L.F.

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

FURTHER RESOLVED, that Maintenance Bond No. 160317 dated the 25th day of January, 1982, WASHINGTON FEDERAL SAVINGS AND LOAN ASSOCIATION, as Principal, and PEERLESS INSURANCE COMPANY, Surety, is hereby accepted; and be it

FURTHER RESOLVED, that the written guaranty with security posted by the developer for the completion of certain items is hereby accepted.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (122-1982)

AMENDING RESOLUTION NO.
(956-1981) RE CONTRIBU-
TIONS FOR USE OF THE
YOUTH COURT

Co. Lettre offered the following resolution:

RESOLVED, that the Town Board Resolution No. (956-1981) be amended to read "...that contributions from the people and friends of Clarkstown, in the amount of \$10,161.00, be accepted for use of the Youth Court."

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (123-1982)

AUTHORIZING AND DIRECTING
SUPERINTENDENT OF HIGHWAYS
TO IMMEDIATELY REMOVE SNOW
AND ICE FROM ALL SCHOOL
SIDEWALKS

Co. Maloney offered the following resolution:

RESOLUTION NO. (123-1982) Continued

WHEREAS, the Town of Clarkstown has received several complaints regarding the removal of snow and ice from school sidewalks, and

WHEREAS, the Town Board of the Town of Clarkstown wishes to provide for the safety of those children who must walk to school,

NOW, THEREFORE, be it

RESOLVED, that Fred Seeger, Superintendent of Highways, is hereby authorized and directed to immediately removal all snow and ice from all school sidewalks within the Town of Clarkstown and to continue this practice subsequent to any snow or ice storms, and be it

FURTHER RESOLVED, that the Superintendent of Highways is hereby authorized and directed to contract with private citizens or businesses for the removal of snow and ice from school sidewalks whenever the resources of his Department prove inadequate, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to the Superintendent of Schools in the following districts: Clarkstown, Nanuet, Nyack and Ramapo.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (124-1982)

AMENDING TOWN OF CLARKSTOWN VEHICLE POLICY TO INCLUDE MEMBERS OF ENVIRONMENTAL CONTROL, BUILDING DEPARTMENT AND MINI-TRANS (MARAZZO, KALARICKAL, COTTLE, PAPANMEYER AND LEWIS) OBTAIN WRITTEN LEGAL WAIVERS OF OVERTIME COMPENSATION PRIVILEGES FROM SUPERVISOR FOR OPERATIONS AND SUPERVISOR FOR DESIGN FOR MAINTENANCE OF THEIR PRESENTLY ASSIGNED TOWN VEHICLES

Co. Maloney offered the following resolution:

RESOLVED, effective January 27, 1982, that resolution number 1176-1981 "Town of Clarkstown Vehicle Policy" be amended to include the following employee positions for assignment of a Town vehicle on a permanent daily 24-hour basis:

- Environmental Control - Supervisor for Operations; Landfill (Toby Marazzo)
Supervisor for Design (Luke Kalarickal)
- Building Department - Fire Safety Inspector (James Cottle)
Assistant Fire Safety Inspector (Mark Papenmeyer)
- Mini-Trans - Transit Operations Supervisor (Joseph Lewis)

and be it

RESOLUTION NO. (124-1982) Continued

FURTHER RESOLVED, that the Town Attorney is hereby directed to obtain written legal waivers of overtime compensation privileges from the Supervisor for Operations (DEC) and Supervisor for Design (DEC) in consideration for maintenance of their presently assigned Town vehicles, and be it

FURTHER RESOLVED, that a copy of the resolution be forwarded to Mr. Harvey Searle, Manager, Loss Control, Scottish and York International Insurance Group, 101 Carnegie Center, P.O. Box 600, Princeton, N.J. 08540.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (125-1982)

AUTHORIZING SUPERVISOR TO ENGAGE SERVICES OF ALBERT APPRAISAL COMPANY IN CONNECTION WITH CONDEMNATION OF PROPERTY (MAP 105, BLOCK A, LOT 33.02)

Co. Lettre offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to engage the services of the Albert Appraisal Company, Inc., 383 South Riverside Avenue, Croton-on-Hudson, New York, in connection with the condemnation of property designated on the Clarkstown Tax Map as Map 105, Block A, Lot 33.02, for the following services for the sums indicated:

- Preparation of Appraisal report \$3,500.00
- Work requested and performed after completion and delivery of the appraisal report, in the nature of analysis of the property owner's appraisal and/or other negotiation or pre-trial preparation \$ 75.00 an hour
- Appearances at trial, their then applicable rate per diem. Their current per diem rate is \$750.00.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (126-1982)

ACCEPTING RESIGNATION OF CLERK (SEASONAL) RECEIVER OF TAXES OFFICE (THERESA SMITH)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Theresa Smith, 12 Jefferson Drive, Monroe, New York, Clerk (Seasonal) - Receiver of Taxes Office - is hereby accepted, effective and retroactive to January 10, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (127-1982)

APPOINTING CLERK
(SEASONAL) RECEIVER OF
TAXES OFFICE (DOLORES
DAUBITZ)

Co. Maloney offered the following resolution:

RESOLVED, that Dolores Daubitz, 23 Sunrise Drive, Stony Point, New York - is hereby appointed to the position of Clerk (Seasonal) - Receiver of Taxes Office - at the hourly rate of \$4.88 - effective and retroactive to January 11, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (128-1982)

APPOINTING POSITION OF
TYPIST - TOWN JUSTICE
DEPARTMENT (ELEANOR
McKIEGAN)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Typist CR-1 82-1 which contains the name of Eleanor McKiegan,

NOW, THEREFORE, be it

RESOLVED, that Eleanor McKiegan, 14 Gregory Street, New City, New York, is hereby appointed to the position of Typist - Town Justice Department - at the annual 1982 salary of \$8,692.00, effective and retroactive to January 25, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (129-1982)

APPOINTING (TEMPORARILY)
POSITION OF ASSISTANT
AUTOMOTIVE MECHANIC -
MINI-TRANS (PAUL POJAFSKY)

Co. Maloney offered the following resolution:

RESOLVED, that in accordance with Article XVI, Section I of the Labor Agreement between the Town of Clarkstown and Clarkstown Unit of the Civil Service Employees Association, Inc., Paul Pojafsky, 155 Sleepy Hollow Road, Congers, New York is hereby appointed temporarily to the position of Assistant Automotive Mechanic - Mini-Trans - in Starting Salary (Grade 20), effective and retroactive to December 21, 1981.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (130-1982)

APPOINTING (PROVISIONALLY)
POSITION OF RECREATION
LEADER - RECREATION AND
PARKS (WILLIAM G. DOWNES)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of Edward J. Ghiazza, Superintendent of Recreation and Parks, William G. Downes, 28 Old Brick Road, New City, New York, is hereby appointed (provisionally)

RESOLUTION NO. (130-1982) Continued

to the position of Recreation Leader, Recreation and Parks, at the annual 1982 salary of \$12,026.00, effective February 1, 1982, and be it

FURTHER RESOLVED, that the Comptroller is hereby authorized to transfer \$11,289.00, from A 1990-505 to 7141-110.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (131-1982)

APPOINTING POSITION OF PART-TIME BUS DRIVER - MINI-TRANS (MEHERNOSH MUBARAKI)

Co. Maloney offered the following resolution:

RESOLVED, that Mehernosh Mubarak, 476 North Middletown Road, Pearl River, New York, is hereby appointed to the position of part-time Bus Driver - Mini-Trans - at the hourly rate of \$5.14, effective and retroactive to January 13, 1982.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (132-1982)

TRANSFERRING FROM POSITION OF PART-TIME BUS DRIVER MINI-TRANS - TO POSITION OF FULL-TIME BUS DRIVER - MINI-TRANS (CHARLES LEVERS)

Co. Maloney offered the following resolution:

RESOLVED, that Charles Levers, 28 Dove Street, Pearl River, New York is hereby transferred from the position of part-time Bus Driver - Mini-Trans - to the position of full-time Bus Driver - Mini-Trans - at the annual 1982 salary of \$11,480.00 - effective and retroactive to January 18, 1982.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (133-1982)

APPOINTING POSITION OF RECREATION AIDE - PARKS AND RECREATION (HOFFBERG, BARRY A. AND DAVID E., CODELLA, HURLEY, MC DERMOTT AND SHINE)

Co. Maloney offered the following resolution:

RESOLVED, that the following are hereby appointed to the position of Recreation Aide - Parks & Recreation - at the hourly rate of \$3.35 per game, effective and retroactive to January 2, 1982:

- Barry A. Hoffberg, 11B Heritage Drive, New City, N.Y.
- David E. Hoffberg, 11B Heritage Drive, New City, N.Y.
- David H. Codella, 7 Lansdale Road, New City, N.Y.
- Paul A. Hurley, 433 Phillips Hill Road, New City, N.Y.
- Sean T. McDermott, 3 Salem Road, New City, N.Y.
- Robert F. Shine, Jr., 42 Crambrook Road, New City, N.Y.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (134-1982)

APPOINTING POSITION OF
LABORER STUDENT -
MAINTENANCE DEPARTMENT -
(MERRYL HARTMAN)

Co. Maloney offered the following resolution:

RESOLVED, that Merryl Hartman, 8 First Street, New City, New York, is hereby appointed to the position of Laborer Student - Maintenance Department - at the hourly rate of \$3.35 - effective January 26, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (135-1982)

APPOINTING POSITION OF
RADIO OPERATOR - POLICE
DEPARTMENT (BECKY WEITMANN)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Radio Operator #81015 which contains the name of Becky Weitmann,

NOW, THEREFORE, be it

RESOLVED, that Becky Weitmann, 22 Mazza Leona Court, Pomona, New York is hereby appointed to the position of Radio Operator - Police Department - at the annual salary for 1982 of \$11,480.00, effective February 1, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (136-1982)

APPOINTING POSITION OF
RADIO OPERATOR - POLICE
DEPARTMENT (CAROLINA
VARANO)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Radio Operator #81015 which contains the name of Carolina Varano,

NOW, THEREFORE, be it

RESOLVED, that Carolina Varano, 20 Boulevard Apt. #2, Suffern, New York is hereby appointed to the position of Radio Operator - Police Department - at the annual salary for 1982 of \$11,480.00, effective February 1, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (137-1982)

APPOINTING POSITION OF
DOG CONTROL OFFICER -
PART-TIME - POLICE
DEPARTMENT (STEPHEN
RUFFINO)

Co. Maloney offered the following resolution:

RESOLUTION NO. (137-1982) Continued

RESOLVED, that Stephen Ruffino, 77 North Pascack Road, Spring Valley, New York is hereby appointed to the position of Dog Control Officer, part-time - Police Department - at the hourly wage of \$5.25, effective and retroactive to January 23, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (138-1982)

APPOINTING SPECIAL STUDIES INTERN - COMPTROLLER'S OFFICE (ROBERTO RIVERA)

Co. Maloney offered the following resolution:

RESOLVED, that Roberto Rivera, 30 Pearl Street, Mount Vernon, 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 January 4, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION No. (139-1982)

GRANTING TWO MONTH LEAVE OF ABSENCE AT ONE-HALF PAY TO COURT ATTENDANT - TOWN JUSTICE DEPARTMENT (FRANK WARD)

Co. Maloney 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 C.S.E.A., Frank Ward, P.O. Box 143 Huffman Road, Valley Cottage, New York - Court Attendant - Town Justice Department - is hereby granted a two month Leave of Absence at one-half pay effective January 28, 1982, and be it

FURTHER RESOLVED. that the Comptroller is hereby authorized to transfer \$978.00 from A 1990-505 to 1110-110.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (140-1982)

ESTABLISHING ANNUAL SALARY FOR REGISTRAR OF VITAL STATISTICS - RESCINDING RESOLUTION NO. (35-1982) - APPOINTING REGISTRAR OF VITAL STATISTICS (PATRICIA SHERIDAN) - FEES TO BE PAID INTO "B" FUND, ACCOUNT NO. 4020-114 AND SALARY TO BE PAID FROM THAT FUND

Co. Carey offered the following resolution:

WHEREAS, by resolution dated January 4, 1982, a Registrar of Vital Statistics has been appointed to serve without compensation except as otherwise prescribed by law, and

RESOLUTION NO. (140-1982) Continued

WHEREAS, the Public Health Law of the State of New York provides for compensation to the Registrar of Vital Statistics by payment of certain fees for the registration of records of births and deaths and the issuance of transcripts of same, and

WHEREAS, the fees payable to the Registrar of Vital Statistics for the issuance of a transcript of birth or death was increased in 1981 from \$2.00 to \$5.00 by amendment of Section 4173 of the Public Health Law, and

WHEREAS, Section 4124 of the Public Health Law provides that the Town Board may establish a salary for the Registrar of Vital Statistics in lieu of statutory fees;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown finds it to be in the best interest of the Town to establish an annual salary for the position of Registrar of Vital Statistics, and be it

FURTHER RESOLVED, that the resolution of January 4, 1982, appointing Patricia Sheridan as Registrar of Vital Statistics is hereby rescinded, and be it

FURTHER RESOLVED, that Patricia Sheridan, 673 Waters Edge, Valley Cottage, New York, is hereby appointed Registrar of Vital Statistics for a term commencing January 1, 1982, and ending on December 31, 1983, at the annual salary of \$4,000.00 in lieu of statutory fees, and be it

FURTHER RESOLVED, that the statutory fees be paid into "B" Fund, Account No. 4020-114 and the salary be paid from that fund.

Seconded by Co. Holbrook

* * * * *

At this point Supervisor Dusanenko requested that this be discussed at Workshop and offered the following tabling resolution:

RESOLUTION NO. (141-1982)

TABLING RESOLUTION NO.
(140-1982) RE: REGISTRAR
OF VITAL STATISTICS

Supervisor Dusanenko offered the following resolution:

RESOLVED, that Resolution No. (140-1982) establishing annual salary for position of Registrar of Vital Statistics is hereby tabled.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

The motion to table failed and the roll call vote on Resolution No. (140-1982) was as follows:

RESOLUTION NO. (140-1982) Continued

Supervisor Dusanenko.....Abstain
Councilman Carey.....Yes
Councilman Holbrook.....Yes
Councilman Lettre.....Abstain
Councilman Maloney.....Yes

* * * * *

RESOLUTION NO. (142-1982)

INCREASING COMPENSATION
FOR ACCOUNT-CLERK -PART-
TIME - TOWN CLERK'S
OFFICE (CLAIRE DEERY)

Co. Carey offered the following resolution:

RESOLVED, that Claire Deery, 3 Wheatstone Road, New City, New York, an Account-Clerk, part-time, in the office of the Town Clerk, shall be compensated at the hourly rate of \$5.75 for the year 1982 effective and retroactive to January 1, 1982.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (143-1982)

CALLING FOR A MORATORIUM
ON ZONE CHANGES IN THE
TOWN OF CLARKSTOWN WITH
REGARD TO INCREASED
DENSITY IN RESIDENTIAL
AREAS

Co. Maloney offered the following resolution:

WHEREAS, there have been many zone change applications all of which would increase the number and density of residential units in Clarkstown, and

WHEREAS, a preponderance of land in Clarkstown is already dedicated to residential use, and

WHEREAS, the Town has not always been prepared for the consequences of residential development, and

WHEREAS, good management requires a town to periodically reconsider the uses of land within its jurisdiction; that it consider not only those uses requested by would-be developers but that it study the broadest range of feasible uses for each location; that possible changes of use be seen not as discrete opportunities but that they be considered all together; not only for their impact on adjacent properties but for their effect upon one another and upon the Town as a whole, and

WHEREAS, to best accomplish these aims, the Town should prepare and implement a plan that envisions and provides for the full scope of desired change, and

WHEREAS, the Planning Board of the Town has adopted a revised Master Plan;

NOW, THEREFORE, be it

RESOLVED, that the Town Board will approve no petitions for changes in zoning that would create new residential capacity until the following planning process is complete:

RESOLUTION NO. (143-1982) Continued

1. The Town Board, using the Planning Board's Master Plan as a basis, undertakes a comprehensive review of land use and zoning in the Town;
2. That review will include meetings, formal or informal, with all interested parties, including residents, landowners, officials and consultants;
3. Comprehensive revisions of the Zoning Map, Official Map and Zoning Ordinance in keeping with the Master Plan or the findings of the review are adopted by the Town.
4. The Town Board fosters revision of the Site Plan and Subdivision Regulations that provide for implementation of the adopted planning goals. As much as possible these revisions are to be made concurrently with the preparation of the new zoning instruments.

Such revisions of the Zoning Map, Official Map, Zoning Ordinance, Site Plan and Subdivision Regulations may be adopted all at once or in phases, whichever appears to provide the best support for the overall plan.

Seconded by Co. Holbrook

Mr. Les Bollman, Director of Environmental Control had questions regarding his continuance of the SEQR process in the application for zone changes. This is a lengthy process and Mr. Bollman's time could be better spent if this process is postponed until a decision is made on future zone changes and the adoption of the Master Plan.

Mr. John Maraia, Building Inspector, questioned the wording of the resolution regarding the adoption of the Master Plan. He emphasized that the building code which the Town of Clarkstown uses is the State Building Code.

Councilman Maloney explained that the intent of this resolution was to see that we do not entertain any zone changes where density is required. If someone has property which does not require a zone change then that is acceptable - they can go right ahead and build because a zone change would not be required.

Town Attorney said this was a resolution of intent as far as he could see and any building which was in progress would continue. There was nothing illegal. This was not an interim stop-gap measure which could only be adopted by local law.

Supervisor Dusanenko said that he would like to make the following points before voting on this. For the record: A zone change, or the setting of a public hearing, or even the referral of a zone change can be done only by majority vote of the Town Board with the exception of, in instances, or the adoption of a 265 petition when filed would take four votes rather than a majority. This Town Board, or since I have been sitting on the Town Board there have been instances where we have voted unanimously not to refer a particular change of zone. In other instances we have voted to - by a divided vote - to refer - and in instances by a divided vote to set a date for a public hearing. And also by divided vote, and unanimous vote, to take action and grant a change. I am stating that nobody knows how long this is going to take to complete.

Continued on Next Page

RESOLUTION NO. (143-1982) Continued

Originally, after the elections, when this became a topic of discussion I had stated that I was unequivocally opposed to this because the name starting with "M" and ending with "n" in newspaper headlines would have a serious result upon the development and growth in the Town of Clarkstown similar to the results that would happen with Reynolds in the early '70s in the Town of Clarkstown. So, therefore, I said I would not be a part of it. Then a thought process developed that - well, let's limit this to residential zone change rather than the moratorium which existed, or as it was going to be referred to. And I submit, furthermore, for the record that the Planning Board has been involved in this for six or eight years and most of that work has been accomplished in the last two years and we do not know how long it will take - not just the Planning Board or this Town Board or the Town Planner and various other departments, like our Town Attorney, Building Department or input from our Superintendent of Highways - making suggestions, having the public hearings for modification of the Town Code.

Right now, there happen to be several proposals which do not necessitate any change in zone which are being reviewed by the Planning Board which in the best interests of the Town may be able to - zone changes may be requested which would be for only the betterment of all persons in the Town by allowing for exchanges of property - exchanges of zone - so that we can have through streets and additional public streets to alleviate situations which will otherwise be like the sham that existed in this Town's zoning for the last several years.

Then I stated earlier that there might be some opportunity for industry to come in. Industry may have - now that this is being limited to residential those comments would not be germane but I would not want to lose a major ratable by a complete moratorium - this is only for residential zones but at the same time I am suggesting that if everybody has such a strong desire not to refer zone changes of any type to any degree then it's a very simple matter at every subsequent Town Board meeting that you not abrogate your responsibility or give false security because what's passed by a resolution tonight can be subsequently defeated or rescinded by resolution. So all I am suggesting is anything - if that's your choice and desire - not to refer any zone changes in residential areas - the people who seem to be supporting this resolution which might number three or four Councilmen or three or four or all the Councilmen that you just act with your self-restraint - that you not tie your hands prior to going swimming and that's all I have to say, gentlemen, and it's your pleasure. I'm sure there's a majority still here for it and I would suggest that we vote on the matter.

On roll call the vote was as follows:

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

Councilman Lettre said that a resolution similar to this came up a few months ago during a heated campaign and I felt at that time that this resolution was being used as political fuel by past Town Board members and by others seeking position on the Town Board. At this time I can look at this resolution without taint of its being political. The Planning Board has adopted a Master Plan which I feel is a travesty and which is loaded with zone changes. Members of this Town Board support this plan. I will be watching and I will make sure that a Master Plan is adopted which will be good for all the people in the Town of Clarkstown and not for a select few.

RESOLUTION NO. (143-1982) Continued

Councilman Lettre proposed that a two man commission, consisting of himself and Councilman John Maloney, be put together to work for an expedient implementation of a fair Master Plan which will benefit all the people of the Town of Clarkstown. He voted "Yes."

Councilman Maloney said he had been in favor of this for quite some time. It will give us the time that we need to really adopt a Master Plan and the zoning ordinances that go with it with zoning maps to give us the best use of the available land which is left in the Town of Clarkstown. He voted "Yes."

Supervisor Dusanenko stated that for the record (1) I support the Master Plan - the adoption of the Master Plan with all due deliberate speed. I do not, however, support a massive change of zone as stated in the last paragraph of this resolution which may be adopted all at once or in phases. I prefer individual public hearings for those changes, whatever they may be, throughout the Town. Furthermore, for the record, I subscribe that, with the exception of Mr. Carey, who has served this Town in this new capacity for less than a month and the two other major supporters of the original resolution that as far as Councilmen Holbrook and Maloney that since I've been here I've probably supported fewer zone changes than those gentlemen over their tenure on the Town Board. First, I am all for a Master Plan. Second, that I'm not for having massive changes in zoning all at once and I subscribe that I probably have voted on fewer zone changes than some of the supporters of the resolution. I vote "No" at this time.

Councilman Holbrook stated that in terms of approving a Master Plan the Supervisor was prepared to approve it all in one night and a Zoning Ordinance.

Supervisor Dusanenko said that he was prepared to approve a Master Plan but not the zone changes.

* * * * *

Anthony D'Antoni, Receiver of Taxes, requested a raise for his seasonal workers. It had been agreed upon at the Budget Hearing. It was put into his Budget and he felt that it absolutely should be granted. His seasonal workers have not had a raise in two years. He stated that he has good people working for him but they will not do so for long without an increase.

Supervisor Dusanenko called upon Town Clerk Patricia Sheridan to read the following letter for the record:

(Letterhead of Clarkstown Unit of CSEA)

"January 22, 1982

Hon. Theodore R. Dusanenko, Supervisor
Town of Clarkstown
10 Maple Avenue
New City, N.Y. 10956

Dear Sir:

It has come to our attention that the Receiver of Taxes has appeared before the Town Board and requested funds for two seasonal employees in addition to the five now provided for and that he is also requesting a raise in pay for all.

The CSEA does not oppose the raise in pay for the five employees but we do feel that the same consideration should be given to all Town part time employees.

Approximately two years ago, a permanent position of Sr. Acct. Clerk/Typist was abolished at the request of the Receiver of Taxes on the supposition that a marked savings to the Town would result. The Rec. of Taxes stated in January of 1980 that he could do without the services of the Sr. Acct. Clerk/Typist. Now, the Receiver of Taxes says that he needs two additional seasonal clerks.

Rockland County Personnel Office advises that the employment of two part time seasonal clerks constitutes the employment of one full time clerk. According to Civil Service law and the Rockland County Personnel Office, after a position is abolished, no one can be hired to perform any duties of the former position for a period of four years.

It appears to the CSEA that creating two additional clerks in the office of the Rec. of Taxes is in direct violation of the four year vacancy required under law.

We strongly urge you to deny this request for additional clerks.

Yours truly,

/s/ Charles Maneri

Charles Maneri
President

cc/councilmen
personnel clerk"

Mr. John Lodico made an appearance and discussed seasonal workers and part-time workers.

* * * * *

RESOLUTION NO. (144-1982)

RESCINDING ZONE CHANGE
GRANTED TO ASSOCIATES
OF ROCKLAND (RESOLUTION
NO. 1207)

Co. Holbrook offered the following resolution:

RESOLVED, that the Zone Change granted to Associates of Rockland on December 29, 1981 (Resolution No. 1207) is hereby rescinded.

Seconded by Co. Carey

Town Attorney John Costa interjected at this point the fact that he had done research on the possibility of this motion being made and felt there might be litigation on it and for that reason he requested that it be discussed in Executive Session. He felt litigation might be imminent and he was willing to discuss this matter this evening.

Supervisor Dusanenko stated that there was no litigation at the present time. Mr. Costa said that was correct. However, he stated that the Public Officers Law indicates that when there is a possibility of litigation it can be discussed in Executive Session at the discretion of the Board.

Councilman Maloney made a motion which follows:

RESOLUTION NO. (145-1982)

TABLING PROPOSED RESOLU-
TION RESCINDING ASSOCIATES
OF ROCKLAND ZONE CHANGE

Co. Maloney offered the following resolution:

RESOLUTION NO. (145-1982) Continued

RESOLVED, that Resolution No. (144-1982) rescinding Resolution No. (1207-1981) which granted zone change to Associates of Rockland is hereby tabled.

Seconded by Co. Lettre

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

* * * * *

At this point there was a recess from 10:30 to 10:40 P.M. Councilman Maloney was unable to return to the meeting after this recess. He did not vote on Resolution No. (146-1982)

RESOLUTION NO. (146-1982)

REJECTING ALL BIDS FOR LANDFILL COMPACTOR AND AUTHORIZING AND DIRECTING DIRECTOR OF PURCHASING TO READVERTISE FOR BIDS FOR SAME -BIDS TO BE ON TOTAL COST BASIS - DIRECTING TOWN ATTORNEY, TOWN CLERK AND DIRECTOR OF ENVIRONMENTAL CONTROL TO COOPERATE IN DRAFTING AND REVIEWING BIDS

Co. Lettre offered the following resolution:

RESOLVED, that all bids for Bid No. 63-1981 for the Landfill Compactor for the Sanitary Landfill are hereby rejected and that the Director of Purchasing be authorized and directed to readvertise for bids for a Sanitary Landfill Compactor, said bids to be returnable to the Director of Purchasing by 10:00 A.M. on February 9, 1982, and be it

FURTHER RESOLVED, that said bids be on a total cost basis, and be it

FURTHER RESOLVED, that the following personnel shall cooperate in drafting and reviewing the bids, Town Attorney, Town Clerk and Director of Environmental Control.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

Councilman Holbrook requested, in response to requests by the Senior Citizens at Squadron Gardens, that a sidewalk path be installed to assist them in crossing Squadron Boulevard to get to the New City Library. Supervisor Dusanenko said it would be discussed at the February 4, 1982 Workshop Meeting.

Councilman Holbrook stated he would like to commend the Highway Department for a job well done during the recent storms.

Supervisor Dusanenko asked if there was anyone else wishing to be heard. There being no one, the meeting was adjourned on motion of Supervisor Dusanenko, seconded by Councilman Lettre and unanimously adopted, time: 10:57 P.M.

Respectfully submitted,
Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

1/26/82

8:50 P.M.

Present: Supervisor Dusanenko
Councilmen Carey, Holbrook, Lettre, Maloney
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW CONCERNING THE SALE
AND DISPLAY OF DRUG ACCESSORIES."

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

Supervisor Dusanenko asked the Town Attorney if he had any pertinent correspondence relating to this public hearing. Town Attorney stated that he had none. It was the Town Attorney's suggestion that this matter is in litigation and that the public hearing be held but no local law adopted this evening.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of such proposed local law.

IN FAVOR

Appearance: Det. Curt Settle
Clarkstown Police Department

Detective Settle urged adoption of the local law. He has seen lives altered due to drugs. Drug paraphernalia serves no purpose except to make drug use attractive. He said the only opposition to this law would be from those who are involved for a profit motive.

Appearance: Mrs. Elizabeth Squillace
Glen Drive
Bardonia, New York

Mrs. Squillace appeared representing the Clarkstown Council of PTA. She stated that the PTA has recommended legislation such as this. She quoted from a magazine "PTA Today" articles showing what other states have done and gave the Board members a copy of a law which had been passed and upheld. She urged the Board to adopt this legislation.

Appearance: Mrs. Eileen Browning
Overlook Road
New City, New York

Mrs. Browning read the following letter from Sr. Catherine William, Principal of Albertus Magnus High School. She stated that Sr. Catherine had wanted to be here but had an important prior commitment.

"Albertus Magnus High School
Route 304 & Germonds Road
Bardonia, New York 10954

As principal of Albertus Magnus High School, I am alarmed that licensed establishments in the Town of Clarkstown can sell drug paraphernalia.

The presence of such an establishment is a blatant invitation to young people for the kind of involvement that could eventually lead to dependence and/or death. This, especially at a time when our young

are striving to become productive, concerned citizens, is an affront to the Clarkstown Community.

There are already too many negative factors in society that influence our teenagers. I wholeheartedly support any effort to prohibit drug paraphernalia from being sold.

/s/ Sr. Catherine William"

Mrs. Browning then read her own statement:

"C.A.N.D.L.E.
15 Overlook Road
New City, N.Y. 10956
914-634-1831

I'm Eileen Browning, director of the community group CANDLE, which stands for Clarkstown Awareness Network for a Drug-free Life and Environment. We are concerned with providing a drug-free youth for all Clarkstown's young people. We are here to thank the Town Board for proposing a law to forbid the sale of drug related paraphernalia.

Our society gives too many pre-drug messages to our children. Since 1975 there has been a proliferation of head shops in suburban, family-oriented malls and shopping centers. Paraphernalia is easily available in many snack shops, and other stores that cater to the young. Head magazines portray marijuana as an integral part of the high school sports and social scene. The paraphernalia industry offers pre-teen marijuana consumers drug-related toys, games and comic books. THEIR message is clear - DRUGS ARE FUN!

We are here to say - ENOUGH IS ENOUGH! We know drugs are harmful, especially to children and adolescents. No longer do we only suspect marijuana is dangerous; the research has been done; the proof is in. We encourage you to help reverse this trend. Let OUR message be clear - DRUGS ARE NOT O.K.!

We adults must take responsibility to protect Clarkstown's youngsters from paraphernalia salespersons who see no difference between a 9 year old customer and a 30 year old customer. Paraphernalia is a multi-million dollar industry in the U.S., and growing rapidly. They increase their volume and enlarge their market primarily by attracting younger and younger customers. We should not give an aura of acceptance and respectability to the drug culture by allowing the open, unregulated sales of gadgets used for taking illegal drugs.

CANDLE's approach to drug prevention is positive and non-blaming - of students, parents, schools, or the community. We must all work together to uphold the ideal of a drug-free youth. We urge you, our Town Board members, to lead the way by passing appropriate anti-paraphernalia legislation. Let's not act powerless in the face of the drug culture that confronts all of us, especially our children. Let us hear you say, loud and clear, that DRUGS ARE NOT O.K.!

Thank you,

/s/ Eileen Browning"

Appearance: Mr. Ronald Costa
Phoenix House Sr. Vice President

Mr. Costa urged the Town Board to adopt legislation and take a leadership position. It was his opinion that the legislation passed by Westchester would be upheld by the courts.

Appearance: Mrs. Eleanor Gross
Clarkstown Drug Prevention Council

Mrs. Gross urged the speedy adoption of the legislation.

Appearance: Mr. Robert Schultz
Det. Sgt. New York City Police

Mr. Schultz represented over 1,000 members of the Scouting Movement in Rockland County. He stated there is no legitimate use for this drug paraphernalia and he urged the adoption of this legislation.

Appearance: Mr. John Eichele
Clarkstown Drug Prevention Council

Mr. Eichele stated that he too supported passage of this legislation.

Appearance: Mrs. Charlene Lettre
West Nyack, New York

Mrs. Lettre gave some of her personal experiences of friends with drugs. She supported legislation in this area.

Appearance: Mr. Joseph Miele, Chairman
Drug Prevention Council

Mr. Miele urged support of this legislation.

There being no one further wishing to be heard and on motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared closed, time: 9:10 P.M.
ADOPTED.

Councilman Lettre urged that the Town Board adopt this resolution.

Councilman Holbrook asked about the possibility of this legislation being overturned in the future.

Mr. Costa said that his office had been investigating this law and that Mr. Nowicki had spent a great deal of time researching this. The law which is presently before our Town Board is patterned after the Westchester County paraphernalia law. That is the law which has been overturned by a lower court decision. The Circuit Court of Appeals reinstated the law. There is presently pending an application before the United States Supreme Court for a writ of certiorari which if granted would bring the issue of the validity of this law before the United States Supreme Court. Since this local law is so similar in content and draftmanship to that law I have reported to the Town Board members the fact that there may be a question concerning the constitutionality of this statute.

Councilman Carey asked if the Orangetown Ordinance was written in a fashion which would assure its being passed.

Town Attorney said the Orangetown Ordinance was virtually the same as this one. It is patterned after the Westchester County law which is being challenged.

Councilman Holbrook asked if there was not some law which had withstood the test of the courts.

Town Attorney said there is another law, of which he does not have the text, which is apparently not as broad in defining what is paraphernalia and it is felt that that statute may have a better chance of withstanding constitutional attack.

Councilman Lettre said there is a law presently being upheld in the County of Westchester. Town Attorney said it is not being enforced.

Councilman Carey asked about how long it would take to be able to insure a law being upheld.

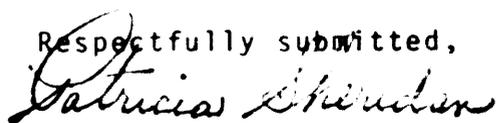
Town Attorney replied that he was investigating and might have an answer at the next Town Board Workshop.

Mr. Ronald Costa stated that he had provided Mr. Miele with a copy of model legislation and he believes that the Westchester law will stand.

Councilman Maloney said he believed we should pass and enforce this local law until someone brings a challenge to it.

Councilman Lettre said Orangetown has adopted this local law and is having great success in enforcing it. Most of the merchants are cooperating.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

