

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

2/9/82

8:05 P.M.

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

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

Supervisor Dusanenko thanked everyone for their cooperation and participation on Student Government Day.

Supervisor Dusanenko presented the following proclamation:

"YOUTH DAY
Tuesday, February 9, 1982

WHEREAS, Clarkstown Supervisor Theodore R. Dusanenko, has designated February 9, 1982 as "YOUTH DAY" in the Town of Clarkstown, and

WHEREAS, "YOUTH DAY" is sponsored by the Clarkstown Youth Commission in an effort to help youth experience government in action, and

WHEREAS, on this day civic minded students have worked directly with department heads and Councilmen and have participated in a simulated Town Board meeting, solving problems and making decisions in order to better understand the running of government on a local level, and

WHEREAS, these young men and women are to be commended for their interest in civic service and are developing their knowledge of government with the goal of preparing themselves to become better citizens and leaders of tomorrow,

NOW, THEREFORE, be it

RESOLVED, THAT I, THEODORE R. DUSANENKO, Supervisor of the Town of Clarkstown, on behalf of the Town of Clarkstown, do hereby proclaim February 9, 1982 as "YOUTH DAY" in the Town of Clarkstown and urge all our residents to join with me in recognizing the good citizenship of these young men and women in the active participation in government affairs.

IN WITNESS WHEREOF I HAVE HEREUNTO
SET MY HAND AND CAUSED THE SEAL OF
THE TOWN OF CLARKSTOWN TO BE AFFIXED
ON THIS 9TH DAY OF FEBRUARY, 1982

/s/ THEODORE R. DUSANENKO

THEODORE R. DUSANENKO, Supervisor
Town of Clarkstown"

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Supervisor Dusanenko presented the following proclamation:

"GIRL SCOUTS
70th Anniversary

WHEREAS, Girl Scouts of the U.S.A. observes the 70th anniversary of its founding on March 12, 1982, with the theme "Girl Scouts Going and Growing"; and

Continued on Next Page

WHEREAS, since its founding, Girl Scouts has worked to improve the quality of life for all and emphasized "How Girls Can Help Their Country" through the wise use of our nation's natural resources; and

WHEREAS, in honor of their own 70th birthday, Rockland County Girl Scouts will share their special birthday gift based on the theme "water in our lives" with the community; and

WHEREAS, we recognize the significant impact that the work of this great organization of almost 3 million girls and women, together in a national and international movement, has had and will continue to have on the welfare of the nation and of the world, and its potential for effectively changing the quality of human life everywhere; and

WHEREAS, Girl Scout Week will be celebrated by the Girl Scouts of our community from March 7 through 13;

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, on behalf of the Town Board of the Town of Clarkstown, do hereby proclaim March 7 through 13, 1982 as Girl Scout Week in Clarkstown, and be it

FURTHER RESOLVED, that I call upon all citizens of this community to join hands with the Girl Scouts, and to give them the kinds of interest, co-operation and support necessary to help them do their part in achieving, by the year 1990, the great goal of clean water and safe sanitation for the people of our country and of the world.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND CAUSE THE SEAL OF THE TOWN OF CLARKSTOWN TO BE AFFIXED THIS 9th DAY OF FEBRUARY, 1982.

/s/ THEODORE R. DUSANENKO
THEODORE R. DUSANENKO, Supervisor"

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Supervisor Dusanenko asked if there was anyone wishing to be heard.

APPEARANCE: Hilton Kaufman, Chairman
Clarkstown Youth Commission

Mr. Kaufman thanked the Town Board and all the staff for having arranged for Government Day.

APPEARANCE: Charles Maneri, President
CSEA (Clarkstown)

Mr. Maneri read the following statement which was on the letterhead of the Clarkstown Unit of CSEA:

"February 9, 1982

TO: Town Board

Claire Deery	3-3-80	\$4.45 hr.
	1-1-81	4.45 hr.
	1-28-81	4.66 hr.
Retroactive to	1-1-82	5.75 hr.

From 3-3-80 to 1-1-82 - 29-1/2 increase

Amy Alexander	10-1-79	\$4.60 hr.
	1-1-80	4.88 hr.
	1-1-81	4.88 hr.
Retroactive to	1-1-82	5.50 hr.
From 10-1-79 to 1-1-82 - 20% increase		
Thomas Mahoney	1-3-80	4.88 hr.
	1-1-81	4.88 hr.
Retroactive to	1-1-82	5.00 hr.
From 1-3-80 to 1-1-82 - 2-1/2% increase		
Vincent Pizzutello	1-3-80	4.88 hr.
	1-1-81	4.88 hr.
Retroactive to	1-1-82	5.00 hr.
From 1-3-80 to 1-1-82 - 2-1/2% increase		
Marie Geronimo	1-3-80	4.88 hr.
	1-1-81	4.88 hr.
Retroactive to	1-1-82	5.50 hr.
From 1-3-80 to 1-1-82 - 18% increase		
Dolores Daubits	1-11-82	4.88 hr.
Retroactive to	1-11-82	5.25 hr.
During four week period employed received 8% increase retroactive to starting date.		

Joyce Barone - employed since 5-20-74 (in 8th year of employment) has not received salary increase since 1-1-80. At present time earning \$5.75 per hour.

CSEA employees' salary was frozen for one complete year in 1978 and for six months in 1981 - not understandable why such large salary increases are given to part-time employees. If there is a need for salary increase for part-time employees - it should be given to all part-time employees and at a maximum of 7% as was received by the CSEA employees.

If further information is needed, do not hesitate to call me prior to the Town Board Meeting.

/s/ Charles Maneri
President, Clarkstown Unit of CSEA"

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Councilman Holbrook said that this amount was in the 1982 budget for pay increases.

Mr. Maneri said that he felt that the union should have been involved.

Councilman Carey said that the increases were included in the budget and if they were not to be granted they should not have been put into the budget.

Councilman Lettre said just because money was there we do not have to spend it.

Councilman Holbrook said that the amount of the increase given was not based on percentages but was a yardstick that they considered reasonable for the work that was being done.

Councilman Carey suggested that he would be willing with other members of the Town Board to sit down with Mr. Maneri because he felt that the whole system cries out for reform.

APPEARANCE: John Hekker, Esq.
Attorney for JHM Homes

Mr. Hekker spoke regarding parcel owned by his clients on Elinor Place and said that the Planning Board had requested that the existing PO Zone be changed to R-15. He wished to file a protest on behalf of his client regarding the rezoning of this property. He then presented the Town Clerk with a 265 protest so that if any zone change were granted it would need at least four votes.

APPEARANCE: Barry Schoenart

He said he was protesting the action taken by the Town Board in passing a memorializing resolution with regard to right-to-life. He questioned passing such a memorializing resolution without its being the concensus of the whole Town.

Councilman Maloney stated that the Town Board passed many memorializing resolutions without getting a concensus from the entire Town - on Poland, Ireland, etc. The only solution would be that the Town Board not entertain any memorializing resolutions since they really do not mean anything and that he would entertain a resolution stating that the Town Board would not entertain any memorializing resolutions.

Supervisor Dusanenko stated that sometimes a memorializing resolution was required for home rule legislation.

APPEARANCE: Les Bollman, Director
Department of Environmental Control

Mr. Bollman stated that he hoped the Town Board would take action regarding the compactor for the landfill and it was his wish that this be resolved this evening.

Town Attorney John Costa said that he would like to discuss this with the Town Board in Executive Session since it could involve litigation.

APPEARANCE: Martus Granirer
West Branch Conservation

Mr. Granirer said he was there regarding Associates of Rockland. Councilman Lettre questioned the propriety of Mr. Granirer discussing this matter since it was in litigation. Mr. Hekker likewise objected to Mr. Granirer speaking because of the matter being in litigation. Town Attorney stated that he did not see that there was any legal prohibition to Mr. Granirer speaking but that it was up to the decision of the Town Board.

Mr. Granirer said he wanted to point out that there was certainly a question of whether the notice of Public Hearing was clear and understandable since there would no doubt be litigation by one party or the other. He suggested that the Town Board rescind the resolution approving the zone change and let the applicant bring the litigation rather than having the Town be in the position of defending a zone change.

Mr. Hekker pointed out that this matter is in litigation right now.

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APPEARANCE: Martin Bernstein

Mr. Bernstein spoke regarding item #40 concerning Comprehensive Development of the County Government Center in New City.

RESOLUTION NO. (147-1982)

AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH MAYO, LYNCH AND ASSOCIATES, INC. FOR ENGINEERING CONTRACT FOR CONGERS LAKE DAM RECONSTRUCTION PROJECT

Co. Lettre offered the following resolution:

RESOLVED, that Mayo, Lynch and Associates, Inc., 89 Hudson Street, Hoboken, New Jersey 07030, is hereby awarded the engineering contract for the Congers Lake Dam Reconstruction Project for hydraulic and hydrological investigation and preparation of emergency action plan at a cost not to exceed \$11,000.00, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with the above firm in a form satisfactory to the Town Attorney.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (148-1982)

RECREATING THE PARKS BOARD AND RECREATION COMMISSION - APPOINTING SECRETARY TO THE COMMISSION (MARY MURRAY)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown desires to re-establish the Clarkstown Parks Board and Recreation Commission abolished by Resolution No. 176 adopted February 10, 1981, and replaced by a Parks Board and Recreation Advisory Committee created by Resolution No. 199 adopted March 10, 1981, and

WHEREAS, the Town Board desires to abolish the Parks Board and Recreation Advisory Committee and transfer its responsibilities back to the newly re-established Clarkstown Parks Board and Recreation Commission and to reconstitute such Commission as it was prior to February 10, 1981;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 176 adopted February 10, 1981 directing and authorizing the Supervisor to implement all the functions and duties of the Parks Board and Recreation Commission is hereby rescinded, and be it

RESOLUTION NO. (148-1982)

FURTHER RESOLVED, that Resolution No. 199 dated March 10, 1981, appointing various persons previously serving on the Clarkstown Parks Board and Recreation Commission to serve on a Parks Board and Recreation Advisory Committee is hereby rescinded, and be it

FURTHER RESOLVED, that pursuant to General Municipal Law Section 243, the Parks Board and Recreation Commission of the Town of Clarkstown is hereby re-established and reconstituted in the form it was on February 10, 1981, with the following members serving without compensation:

- NED E. MEARA, 27 Von Beaste Lane, Congers, N.Y.
- WILBUR T. OSWALD, 56 Poplar Street, Nanuet, N.Y.
- DR. DAVID KELLY, 735 Jacqueline Drive, Valley Cottage, N.Y.
- RICHARD MATHIAS, 27 Prides Crossing, New City, New York
- MARTIN FELDI, 222 North Little Tor Road, New City, N.Y.
- SUZIE COVELLO, 5 Waldron Avenue, Central Nyack, N.Y.
- JOHN MAURO, 41 Dover Road, Congers, N.Y.

and be it

FURTHER RESOLVED, that Mary Murray, 3 Adele Road, West Nyack, New York is hereby appointed to act as Secretary to the Parks Board and Recreation Commission until December 31, 1982, at the salary contained in the 1982 Budget, and be it

FURTHER RESOLVED, that all personnel employed by the Town with respect to parks and recreation activities shall continue to serve in their respective positions at the salaries set forth in the 1982 Budget, and be it

FURTHER RESOLVED, that the Rules and Regulations of the Parks Board and Recreation Commission adopted by Resolution dated December 4, 1974, be reconfirmed and ratified.

Seconded by Co. Carey

On roll call the vote was as follows:

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

Supervisor Dusanenko said that the last year when the Recreation Commission was in effect as a commission they overspent the budget. However, since the establishment of the advisory committee the budget was not overspent. In fact, expanded services were provided and there was money left over.

Supervisor Dusanenko inquired of Mr. Ghiazza if there was any difference in the Recreation Department since the commission had been changed to an advisory board. Mr. Ghiazza said that there was no difference and he had no political interference from either the Supervisor or Town Board members.

Supervisor Dusanenko said he was opposed to the re-establishment of the commission because he felt that the Town Board was abrogating its responsibility to the people and that he as Supervisor of this Town needed the flexibility to be able to hire or transfer employees where and when needed. He requested the defeat of this resolution.

RESOLUTION NO. (148-1982) Continued

Councilman Lettre said that Mr. Ghiazza was a good department head and that the people who were serving on the advisory committee were good people. However, he believed that all agencies permitted by law should be under the Town Board and the Town Board should assume the full responsibility for their performance. He wanted it noted that Mr. Ghiazza had stated that the Recreation Department had run effectively and without interference both with the Commission and Advisory Committee.

Supervisor Dusanenko said that if the Town Board chooses to abrogate its responsibility they will have to bear the consequences.

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RESOLUTION NO. (149-1982) REFERRING PETITION FOR CHANGE OF ZONE (DEUTSCH, WOLIKOW AND OMNI COURT LTD.)

Co. Maloney offered the following resolution:

RESOLVED, that the application of Joseph Deutsch, Philip Wolikow and Omni Court Ltd., for a change of zoning from a PO District to an RG-1 District Parcel A, an RG-1 District to a PO District Parcel B or an RG-1 District to a PO District Parcel C, on property located on North Main Street, New City, New York, designated on the Clarkstown Tax Map as a portion of Lot 7.02, Block A, Map 59 and Lot 7.01, Block A, Map 59 be referred to the Town Planning Board for report within 45 days pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board pursuant to Secs. 239-1 and 239-m of the General Municipal Law.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (150-1982) AUTHORIZING PLANNING BOARD TO APPLY TOWN LAW SEC. 281 (PROPERTY OF DENNIS L. COYLE-ATZL & SCATASSA ASSOCIATES, ENGINEERS FOR APPLICANT)

Co. Lettre offered the following resolution:

WHEREAS, Atzl & Scatassa Associates, P.C., engineers for the applicant has made written application for the use of Town Law, Sec. 281 in connection with subdivision known as Property of Dennis L. Coyle, and

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

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law 281 is used in this subdivision in that the density layout will provide for a layout compatible with the existing neighborhood and will allow homes to be further away from the railroad property line;

NOW, THEREFORE, be it

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

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (151-1982)

REQUESTING PLANNING BOARD
TO MAKE RECOMMENDATION RE:
AMENDMENT TO OFFICIAL MAP
OF TOWN OF CLARKSTOWN FOR
CONNECTION AMONG RIDGE ROAD,
LAKE ROAD, VIRGINIA STREET,
SEDE DRIVE, PENNSYLVANIA
AVENUE AND MACE DRIVE,
VALLEY COTTAGE, NEW YORK

Co. Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown is considering an amendment to the Official Map of the Town of Clarkstown to provide for connections among Ridge Road, Lake Road, Virginia Street, Sedge Drive, Pennsylvania Avenue and Mace Drive, Valley Cottage, New York;

NOW, THEREFORE, be it

RESOLVED, that the Planning Board make a recommendation within thirty days in connection with the above request in order that that the Town Board may hold a public hearing to consider amending the Official Map of the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (152-1982)

APPOINTING SELECTION
COMMITTEE FOR SITES FOR
NEW COMMUNITY RESIDENTIAL
FACILITIES (JOHN R.
MALONEY, EDWARD J. LETTRE
AND A DESIGNEE OF DIRECTOR
OF LETCHWORTH VILLAGE,
EDWARD J. JENNINGS)

Co. Lettre offered the following resolution:

RESOLVED, that the following shall serve on the selection committee for sites for new community residential facilities:

Councilman John R. Maloney
1 Victoria Drive
Nanuet, New York 10954

Councilman Edward J. Lettre
33 Whitman Street
Congers, New York 10920

The third member will be a parent of a resident of Letchworth Village and a resident of the Town of Clarkstown and will be designated by Director of Letchworth Village, Edward W. Jennings.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (153-1982)

REQUESTING NEW YORK STATE
DEPARTMENT OF TRANSPORTA-
TION TO CONDUCT TRAFFIC
STUDY AT ROUTE 304 AND
VIRGINIA STREET, NEW CITY,
NEW YORK

Co. Lettre offered the following resolution:

RESOLUTION NO. (153-1982) Continued

RESOLVED, that the Town Board of the Town of Clarkstown hereby requests that the New York State Department of Transportation conduct a traffic study at Route 304 and Virginia Street, New City, New York, in accordance with the attached letter from the Clarkstown Planning Board dated February 4, 1982.

Seconded by Co. Maloney All voted Aye.

(Letter from Clarkstown Planning Board on file with Town Clerk)

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RESOLUTION NO. (154-1982)

REIMBURSING JUDGE WILLIAM KELLY FOR ATTENDANCE AT JUSTICE COURSE AT ALBANY LAW SCHOOL - CHARGE TO APPROPRIATION ACCOUNT NO. A 1010-414

Co. Maloney offered the following resolution:

Pursuant to Rule 30.6 of the Rules of the Chief Judge of the Court of Appeals (22 N.Y.C.R.R. 30.6) conducted by the Office of Court Administration and;

WHEREAS, Judge William Kelly attended the Justice Course at Albany Law School on November 13, 14, 20, 21, 27 and 28, BE IT

RESOLVED, he be reimbursed for all expenses incurred, in the amount of \$357.90, and to be charged to Appropriation Account No. A 1010-414.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (155-1982)

ATTENDANCE AT ADVANCED TRAINING COURSE FOR JUSTICES AT NEW YORK HILTON HOTEL FOR JUDGE WILLIAM KELLY CHARGE TO APPROPRIATION ACCOUNT NO. 1010-414

Co. Maloney offered the following resolution:

WHEREAS, Judge Kelly has requested attendance at the Advanced Training Course for Justices at the New York Hilton Hotel on February 15, 16 and 17, BE IT

RESOLVED that all expenses, not to exceed \$150.00, be charged to Appropriation Account No. A 1010-414.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (156-1982)

AMENDING RESOLUTION NO. 987-1981 AUTHORIZING ERECTION OF "NO PARKING OR STANDING ANYTIME" SIGNS EAST SIDE OF SOUTH MIDDLETOWN ROAD FROM CENTER LINE OF FIRST AVENUE SOUTH 150 FEET - STRAIGHT AND RIGHT TURN ARROW PAINTED ON PAVEMENT APPROACHING FIRST STREET RIGHT HAND LANE ON SOUTH MIDDLETOWN ROAD, NANUET

RESOLUTION NO. (156-1982) Continued

Co. Maloney offered the following resolution:

WHEREAS, it has been determined that "No Parking" signs along the East side of South Middletown Road from First Street, south, the entire length of Normandy Village has been an inconvenience to merchants in the vicinity, and

WHEREAS, the Town Board is sensitive to the needs of both concerns,

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 987-1981 be amended to state that the Superintendent of Highways is hereby authorized to erect "No Parking or Standing Anytime" signs along the East side of South Middletown Road from the center line of First Avenue South for 150 feet, and be it

FURTHER RESOLVED, that the curbs be painted to indicate No Parking and that a straight and right turn arrow be painted on the pavement approaching First Street in right-hand lane on South Middletown Road, Nanuet.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (157-1982)

AUTHORIZING ASSOCIATES OF ROCKLAND COUNTY AND ITS ATTORNEY TO DEFEND THE INTERESTS OF TOWN OF CLARKSTOWN RE SUIT OF GILLIAN, WYLIE, HERSHBERGER AND GRANIRER AGAINST TOWN OF CLARKSTOWN AND ASSOCIATES OF ROCKLAND COUNTY

Co. Lettre offered the following resolution:

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

MARY ANN GILLAN, ELAINE WYLIE, JAMES E. HERSHBERGER and MARTUS GRANIRER,

Petitioners,

-against-

TOWN OF CLARKSTOWN and ASSOCIATES OF ROCKLAND COUNTY,

Respondents.

WHEREAS, the purpose of said proceeding is to declare invalid Resolution No. 1207 of 1981, and

WHEREAS, the Respondents, Associates of Rockland County were granted a zone change on two parcels of land lying within the hamlet of Valley Cottage, New York, and

WHEREAS, the Petitioners allege that the property description published in the Journal News with respect to Parcel I was incorrect and that said Petitioners in relying thereon failed to obtain sufficient signatures on a petition, pursuant to Section 265 of the Town Law, to require a three-fourths majority vote of the Town Board with respect to such zone change application, and

RESOLUTION NO. (157-1982) Continued

WHEREAS, said property description was obtained and published from the petition filed by the Respondent, Associates of Rockland County;

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes Associates of Rockland County and its attorney to defend the interests of the Town of Clarkstown in this matter, and be it

FURTHER RESOLVED, that the Declaration of Restrictive Covenants executed by Associates of Rockland County dated January 8, 1982, be accepted for recording and that notice as required by Section 265 of the Town Law be published, and be it

FURTHER RESOLVED, that the Town Board authorizes and directs the Town Attorney and all staff of the Town Attorney's Office to provide any and all information, records and documents deemed necessary by the attorney for Associates of Rockland to insure a complete and proper defense.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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Councilman Maloney said this was necessary to protect the Town because if the resolution were rescinded the property would revert to LIO. He felt the Town should defend it and let the Court decide.

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RESOLUTION NO. (158-1982)

TOWN CODE AND SUPPLEMENTS
TO BE MADE AVAILABLE TO
MUNICIPALITIES WITHIN
THE COUNTY OF ROCKLAND AND
TO THE COUNTY OF ROCKLAND
IN EXCHANGE FOR THEIR CODE
BOOK AND SUPPLEMENTS

Co. Lettre offered the following resolution:

RESOLVED, that Resolution No. 393 of 1981 is hereby amended to read as follows:

RESOLVED, that the Town Code of the Town of Clarkstown and supplements shall be made available to municipalities within the County of Rockland and the County of Rockland without charge providing that such municipalities exchange their code book and supplements to the Town of Clarkstown without charge.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (159-1982)

AUTHORIZING SUPERVISOR
TO EXECUTE LICENSE AGREE-
MENT WITH NEW JERSEY
TRANSIT CORPORATION FOR
NANUET RAILROAD STATION

Co. Lettre offered the following resolution:

WHEREAS, New Jersey Transit Corporation is desirous of leasing the Nanuet Railroad Station to the Town of Clarkstown and the Town of Clarkstown is desirous of leasing said station in order to provide shelter for commuters during inclement weather;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute a license agreement with New Jersey Transit Corporation pending negotiations for a long term lease between the New Jersey Transit Corporation and the Town of Clarkstown for the Nanuet Railroad Station, said license agreement to provide that New Jersey Transit will indemnify and hold harmless the Town of Clarkstown providing that a town employee is responsible for the opening and closing of the station during the license period.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (160-1982)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR AUDIT AS TO
ACCURACY OF ELECTRIC BILLS
RECEIVED FROM ORANGE &
ROCKLAND FOR FIVE (5)
YEAR PERIOD - JANUARY 1,
1977 TO DECEMBER 31, 1981

Co. Maloney offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:
BID #19-1982

AUDIT AS TO ACCURACY OF ALL CHARGES ON ALL ELECTRIC BILLS RECEIVED FROM ORANGE & ROCKLAND UTILITIES, INC. BY THE TOWN OF CLARKSTOWN AS TO AMOUNT BILLED FOR THE FIVE (5) YEAR PERIOD JANUARY 1, 1977 TO DECEMBER 31, 1981, THE CHARGES FOR SUCH AUDIT TO BE BASED ON A PERCENTAGE OF REVENUES RECOVERED FOR CLARKSTOWN BY THE AUDIT FIRM,

bid 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, March 26, 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. Lettre

All voted Aye.

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RESOLUTION NO. (161-1982)

AMENDING RESOLUTION
NO. 83-1982 - SIGNS

Co. Maloney offered the following resolution:

Amending resolution No. 83-1982 to read "...two W-95-A signs...", instead of "...two W-96-A signs...."

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (162-1982)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO ERECT SIGN
EAST SIDE ZUKOR ROAD BEFORE
DORAL COURT, NEW CITY

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 erect the following sign:



This sign to be erected on the East side of Zukor Road, before Doral Court, New City.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (163-1982)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR BITUMINOUS
CONCRETE

Co. Maloney offered the following resolution:

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

BID # 14 - 1982
BITUMINOUS CONCRETE

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 25, 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. Lettre

All voted Aye.

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RESOLUTION NO. (164-1982)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR TIRES FOR
POLICE VEHICLES

Co. Maloney offered the following resolution:

RESOLUTION NO. (164-1982) Continued

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

BID # 13 - 1982
TIRES FOR POLICE VEHICLES

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 Friday, February 26, 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. Lettre

All voted Aye.

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RESOLUTION NO. (165-1982)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR FIRST AID
SUPPLIES

Co. Maloney offered the following resolution:

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

BID # 18 - 1982
FIRST AID 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 Tuesday, March 2, 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. Lettre

All voted Aye.

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RESOLUTION NO. (166-1982)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR HIGHWAY AND
ROAD SUPPLIES

Co. Maloney offered the following resolution:

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

BID # 17 - 1982
HIGHWAY AND ROAD SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 2:00 P.M. on Monday, March 1, 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. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (167-1982)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR OBLATE AND
ROUND CORRUGATED ALUMINUM
PIPE

Co. Maloney offered the following resolution:

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

BID # 16 - 1982
OBLATE AND ROUND CORRUGATED ALUMINUM PIPE

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, March 1, 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. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (168-1982)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR PRINTING OF
TOWN ENVELOPES

Co. Maloney offered the following resolution:

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

BID # 15 - 1982
PRINTING OF TOWN ENVELOPES

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, March 3, 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. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (169-1982)

MEMORIALIZING RESOLUTION
RE: AMBULANCE DISTRICT
BEING INCLUDED IN
'IMPROVEMENT DISTRICT'
IN TOWN OF CLARKSTOWN

Co. Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown is desirous of establishing ambulance districts in the Town of Clarkstown, and

WHEREAS, the Town Board adopted Resolution No. 1097 at their meeting which was held on November 24, 1981, requesting a home rule amendment to include ambulance districts as improvement districts under State Law in the Town of Clarkstown, and

RESOLUTION NO. (169-1982) Continued

WHEREAS, after the adoption of said Resolution No. 1097 a bill entitled "An Act providing for the inclusion of an ambulance district in the town of Clarkstown in the term 'improvement district' as used in a certain provision of the Town Law" has been introduced in the New York State Assembly as Assembly Bill No. 9557 and has also been introduced in the New York State Senate as Senate Bill No. 7726;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown does hereby request that the Assembly of the State of New York and the Senate of the State of New York authorize, approve and grant to the Town of Clarkstown "An Act providing for the inclusion of an ambulance district in the Town of Clarkstown in the term 'improvement district' as used in a certain provision of the Town Law" pursuant to Assembly Bill No. 8524 and Senate Bill No. 7726, and be it

FURTHER RESOLVED, that the Town Clerk and/or Supervisor of the Town of Clarkstown are hereby authorized to execute and submit the Home Rule Requests to the Home Rule Counsel for the New York State Senate and New York State Assembly, pursuant to their filing instructions, together with certified copies of this resolution.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (170-1982)

MEMORIALIZING STATE AND
FEDERAL GOVERNMENTS TO
RECOGNIZE HUDSON VALLEY
REGIONAL COUNCIL AS THE
DESIGNATED OFFICIAL
INTERGOVERNMENTAL AGENCY

Co. Lettre offered the following resolution:

WHEREAS, the Hudson Valley remains the only undesignated official region in the State of New York, and the only region without an official regional agency, and

WHEREAS, the citizens of the Hudson Valley and their county and local governments have forfeited their decision making responsibilities on regional matters to the State, or to other institutions, and have forfeited administrative assistance funds as well by not having their own region and regional agency; and

WHEREAS, both block grant and new federalism approaches will place greater emphasis on regional programs and implementation, and will require the use of a standardized state-wide regional structure composed of designated regional agencies in all areas of the state; be it therefore

RESOLVED, that the Town Board of the Town of Clarkstown does hereby notify the Governor and the State Legislature and the President and the Congress that the Hudson Valley be officially recognized as a region and that the Hudson Valley Regional Council be designated as the regional agency for inter-governmental planning and implementation and for coordination of regional programs, and that Federal and State agency officials carrying responsibilities relating to the Hudson Valley and charged with the distribution of Federal and State administrative funding do recognize the Hudson Valley Regional Council as the designated regional agency for the Hudson Valley region.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (171-1982)

AUTHORIZING ADDITIONAL FUNDS TO REPAIR HEATON POND PARK, VALLEY COTTAGE CHARGE TO MONEY-IN-LIEU-OF-LAND ACCOUNT - TRANSFER \$585 FROM MONEY-IN-LIEU-OF-LAND ACCOUNT TO PARKLANDS AND IMPROVEMENT ACCOUNT

Co. Lettre offered the following resolution:

WHEREAS, \$5,000.00 was authorized for the necessary dredging and repairs to Heaton Pond Park in Valley Cottage, as per Town Board Resolution 1050-1980 dated December 9, 1980;

WHEREAS, there will be a need for an additional \$585.00 for said repairs, BE IT THEREFORE,

AMENDED, that repairs for said Heaton Pond Park are authorized in an amount not to exceed \$5,585.00 to be charged against the Money-in-lieu-of-land Account, and

FURTHER RESOLVED, that the Comptroller is hereby authorized to transfer \$585.00 from the Money-in-lieu-of-land Account to the Parklands and Improvement Account.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (172-1982)

AMENDING RESOLUTION NO. 96-1982 TO INCLUDE ITEM NO. 28 (ATHLETIC AND RECREATION SUPPLIES BID AWARD) MORLEY ATHLETIC SUPPLY CO.)

Co. Maloney offered the following resolution:

RESOLVED, that Town Board Resolution No. 96-1982, Athletic and Recreation Supplies Bid Award, be amended to include Item No. 28 under Bidder No. 13-Morley Athletic Supply Co., P.O. Box 557-208, Division Street, Amsterdam, New York 12010.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (173-1982)

AUTHORIZING SUPERVISOR TO ENTER INTO A SETTLEMENT FOR FIRE LOSS CLAIM RE: REX 350 COMPACTOR AT THE SANITARY LANDFILL - INCREASING ESTIMATED REVENUE ACCOUNT NO. 0126-80 AND APPROPRIATION ACCOUNT NO. A 8160-447

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into a settlement for \$34,250.00 of the fire loss claim with the Insurance Company of North America arising out of the fire that caused damage to the Rex 350 Compactor at the Sanitary Landfill on December 15, 1981, and be it

RESOLUTION NO. (173-1982) Continued

FURTHER RESOLVED, that the Estimated Revenue Account No. 0126-80 and Appropriation Account No. A 8160-447 be increased by \$34,250.00.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (174-1982)

AUTHORIZING THE ACCEPT-
ANCE OF PREPAYMENT OF
TAXES IN CONNECTION WITH
THE SOUTH GRANT AVENUE
ROAD IMPROVEMENT

Co. Lettre offered the following resolution:

RESOLVED, that the Comptroller shall poll the residents affected by the special assessment for improvements on South Grant Avenue, Congers, New York, and any resident wishing to prepay the balance of their assessment for special street improvements on or before August 1, 1982, shall be permitted to do so, and be it

FURTHER RESOLVED, that a tax warrant shall be issued to all persons wishing to prepay in accordance with this resolution.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (175-1982)

AUTHORIZING SUPERVISOR
TO SIGN LETTER OF INTENT
WITH BURROUGHS CORPORATION
RE: COMPUTER PROCUREMENT
AND AUTHORIZING BENNETT
& KIELSON COMPANY TO PRO-
CEED WITH COMPUTER CONTRACT

Co. Lettre offered the following resolution:

WHEREAS, Bennett & Kielson Company has submitted a computer procurement study, and

WHEREAS, the lowest responsible bidder is the Burroughs Corporation BE IT;

RESOLVED, that the Supervisor be authorized to sign a letter of intent with Burroughs Corporation, which is non-binding, and Bennett & Kielson Company are authorized to proceed with the computer contract.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (176-1982)

AUTHORIZING SUPERVISOR
TO ENTER INTO AGREEMENT
WITH BENNETT-KIELSON &
CO. TO PREPARE COMPUTER
PURCHASE CONTRACT - FEE
FOR COMPUTER ATTORNEY
INCLUDED

Co. Lettre offered the following resolution:

RESOLUTION NO. (176-1982) Continued

RESOLVED, to authorize the Supervisor to enter into an agreement with Bennett-Keilson & Co., Certified Public Accountants, for a fee of \$2,000.00 to prepare the computer purchase contract. This contract will also include the fee for a computer attorney.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (177-1982)

TRANSFER OF FUNDS FROM CONTINGENCY ACCOUNT NO. A 1990-505 TO APPROPRIATION ACCOUNT NO. A 1315-409

Co. Lettre offered the following resolution:

RESOLVED, to transfer \$2,000.00 from Contingency Account No. A 1990-505 to Appropriation Account No. A 1315-409.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (178-1982)

TRANSFER OF FUNDS FROM APPROPRIATION ACCOUNT NO. A 5630-114 TO APPROPRIATION ACCOUNT NO. A 5630-307 AND FROM CONTINGENCY ACCOUNT NO. A 1990-505 TO APPROPRIATION ACCOUNT NO. A 5630-110

Co. Lettre offered the following resolution:

RESOLVED, to transfer \$165.00 from Appropriation Account No. A 5630-114 to Appropriation Account No. A 5630-307 and BE IT FURTHER

RESOLVED, to transfer \$3,000.00 from Contingency Account No. A 1990-505 to Appropriation Account No. A 5630-110.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (179-1982)

PREPARATION OF APPRAISALS IN CONDEMNATION OF PROPERTY (MAP 105, BLOCK A, LOT 22 AND 33.02 ON CLARKSTOWN TAX MAP - MAP 104, BLOCK 841, LOT 1 ON ORANGETOWN TAX MAP) - CHARGE TO CAPITAL ACCOUNT NO. 2 - ADLER-WALDRON

Co. Lettre offered the following resolution:

RESOLVED, that the sum of \$8,500.00 for the preparation of appraisals in connection with the condemnation of property designated on the Clarkstown Tax Map as Map 105, Block A, Lot 22 and Lot 33.02 and on the Orangetown Tax Map as Map 104, Block 841, Lot 1 shall be charged to Capital Account No. 2 - Adler-Waldron.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (180-1982)

INCREASING ESTIMATED
REVENUE 02-2120 AND
APPROPRIATION ACCOUNT
NO. B 4020-114 AND TRANSFER
FROM APPROPRIATION ACCOUNT
NO. B 4020-409 TO APPROPRIA-
TION ACCOUNT NO. B 4020-
114

Co. Lettre offered the following resolution:

RESOLVED, to increase Estimated Revenue 02-2120 and Appropria-
tion Account No. B 4020-114 by \$3,250.00; AND BE IT FURTHER

RESOLVED, to transfer \$750.00 from Appropriation Account No.
B 4020-409 to Appropriation Account No. B 4020-114.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (181-1982)

RE: ATTENDANCE OF
COMPTROLLER'S PERSONNEL
AT VARIOUS CLASSES ON
COMPUTERS - COMPENSATION
FOR MEALS AND MILEAGE -
TRANSFER OF FUNDS FROM
CONTINGENCY ACCOUNT
NO. A 1990-505 TO APPROPRIA-
TION ACCOUNT NO. A 1315-404

Co. Lettre offered the following resolution:

WHEREAS, the Comptroller's personnel is required to attend
various classes on computers;

BE IT RESOLVED, that all of the above personnel be authorized
to be compensated \$5.00 per meal for school days retroactive to
February 1, 1982 and;

WHEREAS, said personnel will also be required to use their
own vehicles to attend the classes, BE IT

RESOLVED, that said personnel be compensated at 20¢ per mile;
AND BE IT FURTHER

RESOLVED, to transfer \$1,500.00 from Contingency Account No.
A 1990-505 to Appropriation Account No. A 1315-404.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (182-1982)

AUTHORIZING ATTENDANCE AT
COMMUNITY VEGETATION
MANAGEMENT PROGRAM ON
FEBRUARY 25, 1982 AT
RAMADA INN - CHARGE TO
A 1010-414 (WILLIAM
ANDERSON)

Co. Lettre offered the following resolution:

RESOLVED, that William Anderson, Principal Engineering
Technician, of the Town of Clarkstown, is hereby authorized to attend a
Community Vegetation Management Program on February 25, 1982 at the
Ramada Inn, Newburgh, New York, and be it

FURTHER RESOLVED, that all proper charges not to exceed the
amount of \$16.50 be charged against A 1010-414.

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (183-1982)

AUTHORIZING TOWN ATTORNEY
TO COMMENCE CONDEMNATION
PROCEEDINGS AND OBTAIN
ORDER PERMITTING IMMEDIATE
POSSESSION OF REAL PROPERTY
(SANITARY LANDFILL AREA -
MAP 105, BLOCK A, LOT
33.02 - FEE OWNER -BESSO)

Co. Holbrook offered the following resolution:

WHEREAS, the Town of Clarkstown desires to acquire title to property lying within the Clarkstown Sanitary Landfill Area for municipal purposes which property is more particularly described on the Clarkstown Tax Map as Map 105, Block A, Lot 33.02, and

WHEREAS, the fee interest in such property is owned by Ned A. Besso;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney be and he hereby is authorized to commence condemnation proceedings and to obtain an order permitting immediate possession of the real property pending the final outcome of condemnation proceedings hereinabove authorized.

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (184-1982)

AUTHORIZING TOWN ATTORNEY
TO COMMENCE CONDEMNATION
PROCEEDINGS AGAINST FEE
OWNER AND ALL OTHERS WITH
INTEREST IN PREMISES
(MAP 105, BLOCK A, LOT
22 - CLARKSTOWN TAX MAP
AND MAP 104, BLOCK 841,
LOT 1 - ORANGETOWN TAX MAP-
FEE OWNERS - WILLIAM W.
PARKER AND SARAH S. PARKER)

Co. Holbrook offered the following resolution:

WHEREAS, the Town of Clarkstown desires to acquire title to property lying within the Clarkstown Sanitary Landfill Area for municipal purposes which property is more particularly described on the Clarkstown Tax Map as Map 105, Block A, Lot 22 and on the Orangetown Tax Map as Map 104, Block 841, Lot 1, and

WHEREAS, the fee interest in such property is owned by William W. Parker and Sarah S. Parker;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney be and he hereby is authorized to commence condemnation proceedings against the fee owner and all others having an interest in said premises and to obtain an order permitting immediate possession of the real property pending the final outcome of condemnation proceedings hereinabove authorized.

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (185-1982)

APPROVING TURKEY SHOOT
MARCH 14, 21 AND 28 AND
APRIL 4, 1982 (WILLIS
POLHEMUS POST, UPPER
NYACK)

Co. Maloney offered the following resolution:

WHEREAS, the Veterans of Foreign Wars Post # 9215 - Willis Polhemus Post, Upper Nyack, New York has requested the consideration of the Town Board of the Town of Clarkstown to hold a Turkey Shoot as a fund raiser for their organization, and

WHEREAS, the proposed Turkey Shoot is to be held on March 14th, 21st and 28th and on April 4th, 1982;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby grants approval to the Veterans of Foreign Wars Post # 9215 - Willis Polhemus Post, Upper Nyack, New York to hold a Turkey Shoot on the dates specified, and be it

FURTHER RESOLVED, that the Chief of Police of the Town of Clarkstown shall be notified of the time and place of each Turkey Shoot.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (186-1982)

RESCINDING TOWN BOARD
RESOLUTION NO. 868-1980
(ESTABLISHING COUNCILMEN'S
ROOM) - ESTABLISHING SAID
ROOM AS COMPUTER ROOM

Co. Lettre offered the following resolution:

RESOLVED, to rescind Town Board Resolution No. 868 dated October 24, 1980 establishing Room 204 as a Councilman's Room, BE IT THEREFORE

RESOLVED, that Room 204 be hereby established, effective immediately, as the Computer Room.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (187-1982)

ISSUING CERTIFICATE OF
REGISTRATION NO. 10-82
(MONSEY EXCAVATING, INC.
ALBERT LEPORI)

Co. Maloney offered the following resolution:

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 83-65 of the Code of the Town of Clarkstown:

MONSEY EXCAVATING, INC.
ALBERT LEPORI
18 Laura Drive
Monsey, New York

NOW, THEREFORE, be it

RESOLUTION NO. (187-1982) Continued

RESOLVED, that the following Certificate of Registration be issued:

No. 10-82 issued to Monsey Excavating, Inc.
(Albert Lepori)

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (188-1982)

ACCEPTING PROPOSALS FROM
ORANGE & ROCKLAND UTILITIES,
INC. FOR STREET LIGHTING
(FOREST GLEN ROAD, VALLEY
COTTAGE AND BADGER STREET,
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:

Forest Glen Road
Badger Street

Valley Cottage
New City

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (189-1982)

ACCEPTING TOWN BOARD
MINUTES OF DECEMBER 17,
DECEMBER 29 AND DECEMBER
31, 1981

Co. Lettre offered the following resolution:

RESOLVED, that the Minutes of the Town Board Meetings of December 17, 1981, December 29, 1981 and December 31, 1981 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (190-1982)

AUTHORIZING TOWN ATTORNEY
TO DEFEND PROCEEDING AGAINST
TOWN OF CLARKSTOWN
(FILIPPONE AND LUCHKIW
AGAINST GARDENER, ET AL.
ZONING BOARD OF APPEALS
OF TOWN OF CLARKSTOWN)

Co. Maloney offered the following resolution:

RESOLUTION NO. (190-1982) Continued

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

In the Matter of Application of
DOMINIC FILIPPONE and VASYL LUCHKIW,
Petitioners,

for an Order pursuant to Article 78 CPLR directing the issuance of Variances pursuant to the Zoning Ordinance of the Town of Clarkstown,

-against-

RICHARD GARDNER, PHYLLIS BULHACK, SIDNEY REIFF, WILLIAM CAREY, ELIZABETH SQUILLACE, WILLIAM NEIHAUS and JOSEPH MARAIA, constituting the ZONING BOARD OF APPEALS of the Town of Clarkstown,

Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (191-1982)

SETTING PUBLIC HEARING
RE: COMPLETED FLOOD
INSURANCE PROGRAM -
MARCH 2, 1982

Co. Lettre offered the following resolution:

RESOLVED, that the Town of Clarkstown will hold a public meeting on the completed flood insurance study with respect to the national flood insurance program on March 2, 1982, at 8:00 P.M., in the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the office of the Supervisor notify the news media of this public meeting.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (192-1982)

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED FEBRUARY 9, 1982, AUTHORIZING THE PURCHASE AND INSTALLATION OF A COMPUTER SYSTEM FOR USE IN VARIOUS DEPARTMENTS IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$150,000 SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION

RESOLUTION NO. (192-1982) Continued

Co. Lettre offered the following resolution:

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

Section 1. The Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, is hereby authorized to purchase and install a computer system for use in various departments in the Town. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$150,000 serial bonds of the Town to finance said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$150,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Laws, constituting Chapter 33-a of the Consolidated Law of the State of New York (herein called "Law"), to finance said appropriation.

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

(a) The period of probable usefulness of said specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Sec. 11.00 a. 81 of the Law, is ten (10) years, but the maturity of the bonds shall not exceed five (5) years.

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

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

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

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

RESOLUTION NO. (192-1982) Continued

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

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

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

Section 7. This resolution shall take effect immediately.

* * *

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

AYES: Supervisor Dusanenko, Councilmen Carey
Holbrook, Lettre, Maloney

NOES: None

The resolution was declared adopted.

* * * * *

RESOLUTION NO. (193-1982)

DIRECTING TOWN CLERK TO
PUBLISH FOREGOING BOND
RESOLUTION

Co. Lettre offered the following resolution:

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

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

Section 2. This resolution shall take effect immediately.

* * *

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

AYES: Supervisor Dusanenko, Councilmen Carey,
Holbrook, Lettre, Maloney

NOES: None

This resolution was declared adopted.

* * * * *

RESOLUTION NO. (194-1982)

MEMORIALIZING RESOLUTION
TO LEGISLATURE OF ROCKLAND
COUNTY CONCERNING COMPRE-
HENSIVE DEVELOPMENT OF THE
COUNTY GOVERNMENT CENTER
IN NEW CITY

Co. Lettre offered the following resolution:

WHEREAS, the County of Rockland has undertaken a study of the County Government Center area in New City to select a site for a new sheriff's building and a new jail and possible other facilities, and

WHEREAS, the County Government Center is located within the Town of Clarkstown and adjacent to the New City business district, and

WHEREAS, further development of County Government Center facilities are desirable in New City, but are likely to increase problems of traffic circulation, parking, and drainage, and

WHEREAS, additional traffic carrying capacity and improved traffic flow will be necessary on local roads, particularly New Hempstead Road, Congers Road, and Main Street, additional parking will be required, and upstream drainage retention will be necessary, and

WHEREAS, all of these effects of increased development of the County Government Center will have an impact on the Town of Clarkstown and its residents, and

WHEREAS, it is the policy of the Town to enhance the business district and the hamlet center of New City,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby requests that the County Legislature and the County government, either through the County Legislature or its staff, formally consult with the Town of Clarkstown as part of the preparation of a comprehensive County government center plan, and in the preparation of each significant proposal in the County government center, and that the County Legislature or its delegates meet with the Town Supervisor and the Clarkstown County legislators to coordinate proposals in a manner that will be of assistance to the Town and County governments, and be it further

RESOLVED, that the improvements in traffic and drainage will be incorporated in the earliest phase of any proposed development, and any and all bonding or funding resolutions provide for such studies, improvements or enhancements as may be necessary, and be it further

RESOLVED, the County Center plan also incorporate specific plans for additional off-street parking, and be it

FURTHER RESOLVED, that the preparation of an overall site plan is highly desirable and that the County acquire the necessary expertise through internal staff or outside consultants to develop the county government center area, taking into account the needs of the Town, County, and the hamlet center, both present and projected, and be it further

RESOLVED, that the legislative committee that oversees the development of land and selection of architect, engineers, etc., be expanded to include a designated member of Town government, members of the business community and members of the hamlet center community in general.

Seconded by Co.Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (195-1982)

AUTHORIZING TOWN ATTORNEY
TO DEFEND ACTION AGAINST
TOWN OF CLARKSTOWN
(J.R.D.R. CORPORATION,
INC.)

Co. Holbrook offered the following resolution:

WHEREAS, an action has been instituted against the Town of
Clarkstown entiled as follows:

J.R.D.R. CORPORATION, INC.,
Plaintiff,
-against-
TOWN OF CLARKSTOWN,
Defendant.

NOW, THEREFORE, be it

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

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (196-1982)

APPOINTING POSITION OF
SPECIAL STUDIES INTERN -
PERSONNEL OFFICE (MURIEL
SESSOMS)

Co. Holbrook offered the following resolution:

RESOLVED, that Muriel Sessoms, Conger Avenue, Haverstraw,
New York, is hereby appointed to the position of Special Studies Intern -
Personnel Office - to serve without compensation - effective and retro-
active to February 2, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (197-1982)

APPOINTING POSITION OF
SPECIAL STUDIES INTERN -
TOWN ATTORNEY'S OFFICE
(BARBARA RYAN)

Co. Holbrook offered the following resolution:

RESOLVED, that Barbara Ryan, 6 Holly Court, Blauvelt, New
York, is hereby appointed to the position of Special Studies Intern -
Town Attorney's Office - to serve without compensation - effective and
retroactive to February 8, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (198-1982)

CREATING PART-TIME
SECRETARY POSITION -
INDUSTRIAL COMMISSION

Co. Holbrook offered the following resolution:

RESOLUTION NO. (198-1982) Continued

WHEREAS, the Rockland County Personnel Office has certified on January 25, 1982 that the part-time Secretary position - Industrial commission - can be created,

NOW, THEREFORE, be it

RESOLVED, that the part-time Secretary position - Industrial Commission - is hereby created, effective and retroactive to January 25, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (199-1982)

ACCEPTING RESIGNATION OF
DIRECTOR OF FINANCE (JOHN
McLAUGHLIN)

Co. Holbrook offered the following resolution:

RESOLVED, that the resignation of John McLaughlin, 13 Pelham Avenue, Nanuet, New York, as Director of Finance, is hereby accepted, with regret, effective and retroactive to January 29, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (200-1982)

CREATING POSITION OF
AUTOMOTIVE MECHANIC -
MINI TRANS DEPARTMENT

Co. Holbrook offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on January 25, 1982 that the Automotive Mechanic position - Mini Trans Department - can be created,

NOW, THEREFORE, be it

RESOLVED, that the Automotive Mechanic position - Mini Trans Department - is hereby created, effective February 10, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (201-1982)

AMENDING 1982 SALARY
SCHEDULE TO INCREASE
PART-TIME BUS DRIVERS'
SALARIES

Co. Holbrook offered the following resolution:

WHEREAS, the 1982 salary increase for part-time Bus Drivers was omitted from the Mini Trans Budget,

NOW, THEREFORE, be it

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

RESOLUTION NO. (201-1982) Continued

Arthur Barrus	\$5.50 per hr.
Maureen Casper	5.60 per hr.
Martin Francis	5.50 per hr.
Eugene Foley	5.50 per hr.
Stephen Hlubik	5.50 per hr.
George Jacobson	5.50 per hr.
George Kent	5.50 per hr.
Kenneth McLeod	5.50 per hr.
Meherhosh Mubarak	5.50 per hr.
Alexander Tomashefsky	5.50 per hr.
Uri Yelin	5.50 per hr.

Seconded by Co. Lettre

All voted Aye.

* * * * *

Members of the New City Chamber of Commerce thanked Theodore R. Dusanenko and Robert Geneslaw for the placement of signs in the area directing people to various buildings and places to which they could go for assistance. They presented a proclamation in thanks.

* * * * *

There was discussion regarding the Thruway Authority as to bridge lighting. We will inform the Thruway Authority that we are not interested in placing lights.

* * * * *

RESOLUTION NO. (202-1982)

CHANGING DATES FOR
TOWN BOARD MEETINGS

Co. Lettre offered the following resolution:

RESOLVED, that the regularly scheduled Town Board Meeting of February 23, 1982 be changed to March 2, 1982 and the meeting of March 9, 1982 be changed to March 16, 1982.

Seconded by Co. Maloney

All voted Aye.

* * * * *

Councilman Holbrook wanted to make a motion setting a Public Hearing on JHM zone change but Councilman Lettre said there was a moratorium on all zone changes and therefore they could not entertain this.

John Costa said it was not a legal moratorium because as he explained it that would take a local law - it was really a resolution of intent.

Councilman Lettre said that he had voted for a resolution that was putting a moratorium on any zone changes which would increase density and that he did not want to vote to refer or to consider any zone change which would increase density. He said that the people had been "snookered" and the members of the Town Board should be ashamed. What they are doing, in effect, is having a moratorium apply only to the zone changes they do not approve of but lifting the restriction on zone changes which they do want.

Mr. Martus Granirer said that the resolution passed by the Town Board does not say that there will be no zone changes. Mr. Granirer said that this is an opportunity for the Town Board to change a zone in

compliance with the Master Plan and not to have the zone changes always come from the builders but come from the Town Board itself.

Supervisor Dusanenko said that he echoed Councilman Lettre's sentiments. He said he had heard a lot of promises but when the Master Plan is adopted time will tell all.

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RESOLUTION NO. (203-1982)

GRANTING HOURLY INCREASE
IN SALARY TO SEASONAL
CLERKS IN RECEIVER OF
TAXES OFFICE (GERONIMO,
ALEXANDER, MAHONEY AND
PIZZUTELLO)

Co. Carey offered the following resolution:

RESOLVED, that the following (Seasonal) Clerks in the office of the Receiver of Taxes are hereby granted an hourly increase in salary, effective and retroactive to January 1, 1982:

Marie Geronimo, 55 Bluebird Drive, Congers,
New York - \$5.50 per hour.

Amy Alexander, P.O. Box 247, New City, New York
\$5.50 per hour

Thomas Mahoney, 39 Radcliff Drive, New City,
New York - \$5.00 per hour.

Vincent Pizzutello, 16 Bradley Drive, New City,
New York - \$5.00 per hour.

Seconded by Co. Holbrook

* * * * *

RESOLUTION NO. (204-1982)

TABLING RESOLUTION
NO. (203-1982) RE
INCREASE IN SALARY TO
SEASONAL CLERKS IN
RECEIVER OF TAXES OFFICE

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. (203-1982) be and the same 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.....Yes

* * * * *

At this point a recess was declared which lasted from 10:00 P.M. until 10:15 P.M.

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RESOLUTION NO. (205-1982)

AWARDING BID FOR
COMPACTOR FOR SANITARY
LANDFILL (H.O.PENN
MACHINERY CO., INC.)

Co. Maloney offered the following resolution:

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

BID # 12-1982
COMPACTOR FOR SANITARY LANDFILL

is hereby awarded to:

H.O. PENN MACHINERY CO., INC.
P.O. BOX 3238, NOXON ROAD
POUGHKEEPSIE, NEW YORK 12603

for one (1) New Caterpillar Model 826C Compactor as per the following
total cost bid proposal

- 1. One (1) New Caterpillar #826C Compactor.....\$ 203,000.00
- 2. Guaranteed maximum total cost of repairs for
10,000 operating hours or 5 years, whichever
comes first, as per attached specifications,
will not exceed \$80,000.00. Repair cost to
be paid as incurred. Any cost above this
guaranteed figure to be paid by selling dealer.....\$ 80,000.00
- 3. Item 1 Plus Item 2.....\$ 283,000.00
- 4. Guaranteed repurchase price at end of 10,000
operating hours or 5 years, whichever comes
first.....\$ 59,704.00
- 5. TOTAL COST BID: Item 3 MINUS Item 4
(Award of bid based on this figure).....\$ 223,296.00

and be it,

FURTHER RESOLVED, that this award is subject to a formal
written agreement between the successful bidder and the Town as drawn
up by the Town Attorney. Such agreement shall indicate that if cir-
cumstances beyond the control of the Town force the Sanitary Landfill
to close, that the successful bidder shall agree to honor the guaranteed
maximum repair cost and guaranteed maximum repurchase price also proposed
for the periods of 2, 3 or 4 years.

Seconded by Co. Lettre

All voted Aye.

* * * * *

At this point a roll call vote was taken on Resolution
No. (203-1982) as follows:

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

Councilman Lettre stated that he had no objection to an increase and wanted fair equity for all part-time employees but he did not want to see friction between fellow employees.

Supervisor Duanenko stated that he felt the same way as Councilman Lettre did and he abstained.

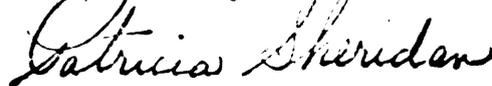
Councilman Carey then offered to meet with Mr. Maneri on Thursday to discuss this matter.

Supervisor Dusanenko said he would meet on Thursday at the regularly scheduled Workshop Meeting at which time they would move personnel up to the first item.

Councilman Holbrook requested that the Town Attorney draft a resolution delineating the procedure necessary for the Board to effectuate a change of zone.

There being no further business to come before the Town Board, on motion of Councilman Lettre, seconded by Councilman Maloney and unanimously adopted, the Town Board Meeting was declared closed, time: 10:20 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk