

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

4/27/82

8:03 P.M.

Present: Supervisor Dusanenko
Councilmen Carey, Holbrook, Lettre, Maloney
John Costa, Town Attorney
Sheila Reiter, Deputy Town Clerk

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

Supervisor Dusanenko asked if there was anyone wishing to speak at the public portion of the meeting.

Appearance: Mr. Ted Tessner
Green Avenue
Valley Cottage, New York 10989

Mr. Tessner spoke regarding Tram Quill Associates request for zone change and the domino effect it would have on his property.

Appearance: Mr. James Peters
Representing Metropolitan Life Insurance

Mr. Peters spoke regarding an employee manual and the preparation of same.

Appearance: Mr. Joel Carp
Chamber of Commerce

Mr. Carp said among other remarks that Street School was a major asset to this community and that when the resolution regarding the use of the Clarkstown Schools was brought up it should be split into two parts with the second part having to do with the right of first refusal.

Appearance: Donald Tracy, Esq.
Middletown Road
New City, New York 10956

Mr. Tracy spoke regarding the right of way for Green Avenue and the benefits to the property being zoned R-15 rather than LI0 which would conform to the existing zoning.

Appearance: Mr. Ronald Royster
Green Avenue
Valley Cottage, New York 10989

Mr. Royster spoke in opposition to the proposed change of zone for Tram Quill Associates. He specifically mentioned drainage problems which would occur if this is granted.

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

Mr. Lodico suggested that the proposed agenda be posted so that people would be able to know what items were coming up on the agenda and could be prepared to speak about them. He also would suggest a new format for the public portion of the meeting. He felt that discussion should be allowed following the presentation of a resolution.

Councilman Holbrook said that once a resolution is offered and seconded, discussion from the floor is certainly permissible.

Mr. Lodico also spoke regarding the appointment of a committee to study Con Rail holdings and quasi-government control.

Appearance: Mr. Ted Atzl

Mr. Atzl spoke regarding the proposed Tram Quill zone change and said that the drainage problems in the area could become even more of a problem.

Appearance: Mr. Joseph Pantano
New City, New York

Mr. Pantano said it would be premature to vote regarding the use of school property. If a new board comes in this summer the schools will be open and there will be no question of using schools as community centers. He urged the Board to wait until the June School Board election when the voters will have spoken.

RESOLUTION NO. (406-1982) AMENDING ZONING ORDINANCE
BY REDISTRICTING FROM PO
TO R-15 (ELINOR PLACE,
NEW CITY) (FAILED)

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 16th day of March, 1982, provided for a public hearing on the 13th day of April, 1982, at 8:45 P.M., to consider amending the Zoning Ordinance of the Town of Clarkstown by redistricting from a PO district to an R-15 district property designated on the Clarkstown Tax Map as Map 57, Block D, Lots 21.01, 21.02, 21.03 and 21.04 and Map 56, Block B, Lot 2.04 (Parcel I of the proposed Esquire Village subdivision), and

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

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown is hereby amended by redistricting from a PO district to an R-15 district the property described on the attached Schedule "A".

Seconded by Co. Maloney

Supervisor Dusanenko suggested the above motion be divided to enable a separate vote on the homes in the PO district.

RESOLUTION NO. (407-1982) DIVIDING RESOLUTION
REGARDING ELINOR PLACE
INTO TWO SEPARATE
RESOLUTIONS (FAILED)

Supervisor Dusanenko offered the following resolution:

RESOLVED, that resolution regarding Elinor Place be divided into two portions to enable separate vote regarding homes now in PO Zone.

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 divide having failed, the roll call vote on the original motion was taken:

Supervisor Dusanenko.....	Abstain - later "No"
Councilman Carey.....	Yes
Councilman Holbrook.....	Yes
Councilman Lettre.....	No
Councilman Maloney.....	Yes

Since a 265 petition had been filed against the original proposed zone change regarding Elinor Place four yes votes were needed to pass this resolution. Motion failed.

Councilman Lettre said he thought it was unfortunate that the issue was not allowed to be divided. He referred to the moratorium that was passed a few months back. The intent was that there be no zone changes even looked at. Moratorium was not just for a few but for everyone. He said he would like to see the developer and the home owners come up with a compromise that both would be able to live with.

Supervisor Dusanenko said that he had had numerous phone calls regarding this and had not come up with his decision until this evening. He had requested the Town Board to divide the question to protect the home owners now living in PO zone. With regard to this he said he had driven over and surveyed the area in question and he did not believe it would be advantageous to change the zone to R-15 thereby putting new residences directly behind an existing commercial shopping center. It would be of greater benefit to the town to retain a buffer zone using the PO zoning.

Supervisor Dusanenko then read the following letter:

(Letterhead of Rockland County Planning Board)

"April 1, 1982

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

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

Map dated: _____

Item:
Change of zone: PO to R-15, North and south side of Elinor Place
New City (C-995)

The Rockland County Planning Board reviewed the above item at its meeting of March 30, 1982, and

*approves___
**approves subject to conditions below___
**disapproves XXX
requests extension of time___

REASONS: The Board found that all changes of zone in and around the New City business district should be undertaken in a comprehensive manner and not on an isolated block by block basis as in the case of this proposal. A comprehensive, hamlet-wide rezoning would make it easier to assess the effects on State and County roads located in the hamlet.

cc: Town Attorney
Mr. Lombardi, Chrm., RCPB

RESOLUTION NO. (409-1982) Continued

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

WHEREAS, the Town Board of the Town of Clarkstown desires to further amend the said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 25th day of May, 1982, at 8:40 P.M., to consider the adoption of the following proposed amendments to the Zoning Ordinance of the Town of Clarkstown: AMEND SECTION 106-3 - DEFINITIONS - word "Sign", as follows:

SIGN -

(a) the Term "sign" shall mean any material, structure or device, or part thereof, composed of lettered or pictorial matter, or upon which lettered or pictorial matter is placed when used or located out of doors or outside or on the exterior of any building, including window display area, for display of an advertisement, announcement, notice, directional matter or name, and includes sign frames as well as a sign commonly known as an "A" frame or sandwich sign, billboards, sign boards, painted wall signs, hanging signs, illuminated signs, neon tubes, stringed lights, pennants, fluttering devices, projecting signs or ground signs, and shall also include any announcement, declaration, demonstration, display, illustration or insignia used to advertise or promote the interests of any person or business when the same is placed in view of the general public.

(b) The term "sign" shall include any vehicle or trailer parked on a public right-of-way or public property, or on private property which is visible from a public right-of-way which has attached thereto or located thereon any sign or advertising device with the intent of providing advertisement of products, services, or directing people to a business or activity located on the premises or to any other premises;

and be it

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

FURTHER RESOLVED, that the above proposed amendments be referred to the Clarkstown Planning Board and Rockland County Planning Board for their recommendation and report.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (410-1982)

REFERRING PETITION FOR CHANGE OF ZONE FROM R-10 TO RG-2 (NORMANDY VILLAGE COMPANY)

Co. Maloney offered the following resolution:

RESOLUTION NO. (410-1982) Continued

RESOLVED, that the application of Normandy Village company for a change of zoning from R-10 District to RG-2 District on property located in the hamlet of Nanuet designated on the Clarkstown Tax Map as Map 13, Block A, Lot 17 and a portion of the Erie Railroad right-of-way between Church Road and Main Street, Nanuet, New York be referred to the Town Planning Board for report within 45 days pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board pursuant to Secs. 239-1 and 239-m of the General Municipal Law.

Seconded by Co. Carey

On roll call the vote was as follows:

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

Councilman Lettre stated that he was voting "No" since there is an existing moratorium and there should be no exceptions.

Councilman Holbrook remarked that this was just a referral and Councilman Lettre said that there should not even be a referral.

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RESOLUTION NO. (411-1982)

CLOSING REGULAR TOWN BOARD MEETING IN ORDER TO HOLD SCHEDULED PUBLIC HEARING RE: AMENDMENT TO OFFICIAL MAP OF ROADS IN VALLEY COTTAGE

Co. Lettre offered the following resolution:

RESOLVED, that regular Town Board Meeting be closed in order to hold scheduled Public Hearing re: Amendment to Official Map of Roads in Valley Cottage, time: 8:35 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (412-1982)

CLOSING SCHEDULED PUBLIC HEARING RE: AMENDMENT TO OFFICIAL MAP OF ROADS IN VALLEY COTTAGE AND RESUMING REGULAR TOWN BOARD MEETING (ADOPTED)

Co. Maloney offered the following resolution:

RESOLVED, that regular Town Board Meeting be resumed, scheduled Public Hearing re: Amendment to Official Map of Roads in Valley Cottage having been held, ADOPTED, time: 8:50 P.M.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (413-1982)

AMENDING OFFICIAL MAP
OF TOWN OF CLARKSTOWN
REGARDING ROADS IN
VALLEY COTTAGE (VIRGINIA
STREET; RIDGE ROAD;
SEDEGE ROAD; PENNSYLVANIA
AVENUE

Co. Lettre offered the following resolution:

RESOLVED, that the Official Map of the Town of Clarkstown is hereby amended by placing upon the Official Map the following roads in Valley Cottage, New York:

(1) The extension of Virginia Street in a westerly direction through parcel designated on the Clarkstown Tax Map as Map 124, Block A, Lot 1.01 to Ridge Road at a point approximately 4,600 feet north of the intersection of Ridge Road with Lake Road;

(2) A road having a generally west to southeast alignment extending from the easterly side of Ridge Road at a point approximately 3,000 feet north of the intersection of Ridge Road with Lake Road primarily through parcels designated on the Clarkstown Tax Map as Map 124, Block B, Lot 18* to Lake Road at a point approximately 3,000 feet east of the intersection of Ridge Road with Lake Road; *and Map 124, Block A, Lot 2

(3) The extension of Sedge Road to the southwest through parcel designated on the Clarkstown Tax Map as Map 124, Block A, Lot 2, intersecting the road described in (2) above.

(4) The extension of Pennsylvania Avenue generally to the south through parcels designated on the Clarkstown Tax Map as Map 124, Block A, Lots 1 and 1.01 and Map 125, Block A, Lots 16.01 and 16.02 to intersect the road described in (1) above.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (414-1982)

SETTING PUBLIC HEARING
RE ABANDONMENT OF ROAD
AND DELETION FROM OFFICIAL
MAP (AVENUE "D")

Co. Lettre offered the following resolution:

WHEREAS, a request has been made for the abandonment of Avenue "D" in Nanuet, New York, and

WHEREAS, Avenue "D" appears on the Official Map of the Town of Clarkstown, and

WHEREAS, The Town Board of the Town of Clarkstown desires to consider the abandonment pursuant to Section 205 of the Highway Law and deletion from the Official Map of the Town of Clarkstown pursuant to Section 273 of the Town Law of Avenue "D" as shown and designated on a certain map entitled "Assessment Map of Nanuet Lots and F. G. Gilbert Tract, Clarkstown, Rockland County, N.Y., R. Hart, Surveyor, Nyack, N.Y. 1881, Filed in the Rockland County Clerk's Office October 20, 1881;"

NOW, THEREFORE, be it

RESOLUTION NO. (414-1982) Continued

RESOLVED, that a public hearing be had at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on the 25th day of May, 1982, at 8:45 P.M. pursuant to Section 273 of the Town Law, to consider said abandonment and deletion from the Official Map, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of said hearing shall be published in the Journal News and posted in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the office of the said Clerk, and be it

FURTHER RESOLVED, that a copy of this resolution be referred to the Clarkstown Planning Board and Rockland County Planning Board for their report and recommendation.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (415-1982)

AUTHORIZING TOWN ATTORNEY TO DEFEND PROCEEDING AGAINST TOWN OF CLARKSTOWN (LOUIS MAIONE AND ARLENE MAIONE V. RICHARD PARIS, CHAIRMAN, AND MEMBERS OF CLARKSTOWN PLANNING BOARD, OMNI COURT, LTD.)

Co. Lettre offered the following resolution:

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

LOUIS MAIONE and ARLENE MAIONE,
Petitioners,

-against-

RICHARD PARIS, Chairman, and the Members of the CLARKSTOWN PLANNING BOARD, OMNI COURT, LTD.,
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. Maloney

On roll call the vote was as follows:

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

* * * * *

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RESOLUTION NO. (416-1982)

AUTHORIZING SUPERVISOR
TO PROGRAM, ADMINISTER
AND EXECUTE NECESSARY
DOCUMENTS RE: UTILIZATION
OF 1982 COMMUNITY DEVELOP-
MENT FUNDS

Co. Lettre offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to program, administer and execute all necessary documents regarding utilization of the 1982 Community Development funds.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (417-1982)

ACCEPTING PUBLIC IMPROVE-
MENTS IN MILBA HOMES
SUBDIVISION

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, three (3) deeds all dated March 26, 1982, conveying drainage easements, and a deed dated April 30, 1981, conveying road widening strips from MILBA CONSTRUCTION CORP. in a subdivision as shown on Final Plat entitled "Subdivision of Property for Milba Homes" dated November 5, 1980, last revised January 30, 1981, and filed in the Rockland County Clerk's Office on April 17, 1981, as Map No. 5247, 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 the written guaranty dated April 14, 1982, with security of \$900.00 posted by the developer to guaranty the public improvements for a one (1) year period, is hereby accepted.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (418-1982)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO HIRE TWELVE
(12) EMPLOYEES - 17 YEARS
OF AGE OR OLDER TO FACILITATE
CLARKSTOWN SUMMER BULK
PICKUP (CHARGE ACCOUNT
D-5110-114)

Co. Maloney offered the following resolution:

RESOLVED, that the Superintendent of Highways is authorized to hire twelve youngsters, 17 years of age or over, to facilitate the Clarkstown Summer Bulk Pickup, and be it

FURTHER RESOLVED, that these youngsters be paid \$3.35 per hour, and be it

FURTHER RESOLVED, that this be made a proper charge to account #D-5110-114.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (419-1982)

AWARDING BID FOR MAINTEN-
ANCE OF TOWN CUL-DE-SACS
(G.P.A., 11 McNAMARA ROAD,
SPRING VALLEY, NEW YORK)

Co. Maloney offered the following resolution:

RESOLVED, that

BID # 33-1982
MAINTENANCE OF TOWN CUL-DE-SACS

is hereby awarded to:

G.P.A.
11 McNamara Road
Spring Valley, New York 10977

as per the following low bid proposal:

TOTAL PROPOSED COST OF MAINTENANCE PER			
A - Stage One	-	April.....	\$ 13,110.00
B - Stage Two	-	July.....	<u>5,750.00</u>
C - Total for season (A&B).....			<u>\$ 18,860.00</u>

Proposed cose of performing maintenance work on same basis as above
for possible additional site(s).....\$.14 sq. ft.

Proposed cost of replacement planting, balled & burlaped if required
and requested:

- 12"-15" Blue Rug Juniper (Juniperus Wiltomi).....@ \$ 18.00 each
- 15"-18" Pfitzer Juniper (Juniperus Pfitzeriana.....@ \$ 18.00 each
- 4'-5' Canada Hemlock (Tsuga Cahadensis).....@ \$ 75.00 each
- 1-1/2"- 1-3/4" Northern Red Oak (Quercus Borealis)..@ \$105.00 each
- 1-1/2"- 1-3/4" Honeylocust (Gleditsia Triacanthos)..@ \$105.00 each

and be it

FURTHER RESOLVED, that said award is subject to the receipt
of a certificate of liability insurance, workmens compensation coverage,
and save harmless clause as requested in bid specifications.

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

Supervisor Dusanenko said that because of the procrastina-
tion on the part of my colleagues on the Town Board what should have
cost approximately \$8,5000.00 will now be in excess of \$18,000.00.

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RESOLUTION NO. (420-1982)

AWARDING BID FOR IMPROVE-
MENTS TO TOWN CUL DE SACS
(SCHWEIZER, KATT, EVERLAST-
ING CONCRETE AND CARUSO)
(FAILED)

Co. Lettre offered the following resolution:

RESOLUTION NO. (420-1982) Continued

RESOLVED, that

BID # 434-1982
IMPROVEMENTS TO TOWN CUL DE SACS

is hereby awarded as follows:

(A) ELIMINATION OF Cul de Sac Islands
AWARDED TO:

J. J. SCHWEIZER CO., INC.
1 ELDOS AVE.
NEW CITY, N.Y. 10956

at the low bid proposal of \$1.55 per sq. ft.

(B) ORNAMENTAL PAVING (ASPHALTING) OF Cul de Sac Islands
AWARDED TO:

J. S. Katt Co.
62 BASSWOOD CT.
BARDONIA, N.Y. 10954

at the low bid proposal of \$1.25 per sq. ft.

(C) ORNAMENTAL CONCRETE SURFACING OF Cul de Sac Islands
AWARDED TO:

EVERLASTING CONCRETE, INC.
RIVER RISE ROAD
NEW CITY, N.Y. 10956

at the low bid proposals of

EMBOSSSED CONCRETE at \$4.25 per sq. ft.
COMBINATION EMBOSSSED & FLAT CONCRETE at \$4.25 per sq. ft.
(EMBOSSSED) and \$3.50 sq. ft. (FLAT)

and

JACOB CARUSO
471 HOMANS AVE.
CLOSTER, N.J. 07624

at the low bid proposal of \$2.95 per sq. ft. for flat concrete

Seconded by Supervisor Dusanenko

On roll call the vote was as follows:

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

Supervisor Dusanenko stated that last year we spent some \$20,000.00 to clean up the cul-de-sacs. There were twelve people hired. They did occasional work. He said that he observed them taking weeds to a truck, one at a time. The condition of the Town's cul-de-sacs is deplorable. They should be made maintenance free.

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RESOLUTION NO. (421-1982)

AWARDING BID FOR BUS
TRANSPORTATION (HARRAN
TRANSPORTATION CO., INC.,
PETER BREGA, INC.,
VANGUARD INTERSTATE TOURS,
INC. AND PARKER TOURS, INC.

Co. Lettre offered the following resolution:

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

BID #35-1982
for
BUS TRANSPORTATION

is hereby awarded to

Harran Transportation Co., Inc.
16 Hoffman Street
Spring Valley, N.Y. 10977

Peter Brega, Inc.
Kings Highway
Valley Cottage, N.Y. 10977

Vanguard Interstate Tours Inc.
One Westerly Road
Ossining, N.Y. 10562

Parker Tours, Inc.
126 N. Washington Street
Bergenfield, N.J. 07621

as per the attached schedule, and be it

FURTHER RESOLVED, that all awards are subject to the
presentation of a Certificate of Liability Insurance and proper operat-
ing authority as detailed in bid specifications.

Seconded by Co. Maloney

All voted Aye.

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

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RESOLUTION NO. (422-1982)

AWARDING BID FOR REIN-
FORCED CONCRETE CULVERT PIPE
AND CATCH BASIN BLOCK AND
BRICKS

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the
Director of Purchasing and the Superintendent of Highways that

BID #30-1982
REINFORCED CONCRETE CULVERT PIPE
CATCH BASIN BLOCK AND BRICKS

is hereby awarded to

Dutchess Quarry & Supply Co., Inc.
Box 651, Arborio Rd.,
Pleasant Valley, N.Y. 12569

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RESOLUTION NO. (422-1982) Continued

New Jersey Concrete Pipe Co., Inc.
Foot of Broad Street
Pompton Lakes, N.J. 07442

J. DePaulis Masonry
300 N. Route 303
Congers, N.Y. 10920

Multiplex Concrete Co., Inc.
64 Glenwood Place
East Orange, N.J. 07017

as per the attached schedule of prices.

Seconded by Co. Maloney

All voted Aye.

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

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RESOLUTION NO. (423-1982)

AWARDING BID FOR OBLATE
AND ROUND CURRUGATED STEEL
CULVERT PIPE (CHEMUNG
SUPPLY CORP. AND ARMCO, INC.)

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the
Director of Purchasing that the bid to supply the Town with

OBLATE & ROUND CORRUGATED STEEL
CULVERT PIPE
(BID # 29-1982)

is hereby awarded to:

CHEMUNG SUPPLY CORP.
P.O. BOX 527
ELMIRA, N.Y. 14902

and

ARMCO, INC.
219 QUASSAICK AVE.,
NEW WINDSOR, N.Y. 12550

as per the attached schedule.

Seconded by Co. Maloney

All voted Aye.

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

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RESOLUTION NO. (424-1982)

AWARDING BID FOR WASHED
SAND & GRAVEL (SLATE HILL
SAND & GRAVEL INC. -
TETZ SAND & GRAVEL INC. -
McKEE BROS., INC. - NEW
LAND CONSTRUCTION CO.

Co. Lettre offered the following resolution:

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RESOLUTION NO. (424-1982) Continued

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid to supply the Town with

WASHED SAND & GRAVEL
(BID # 31-1982)

is hereby awarded to

- | | |
|---|--|
| (1) SLATE HILL SAND & GRAVEL INC.
R.D. # 2
Middletown, N.Y. 10940 | (2) TETZ SAND & GRAVEL INC.
R.D. #2
Middletown, N.Y. 10940 |
| (3) McKEE BROS., INC.
P.O. BOX 237
RAMSEY, N.J. 07446 | (4) NEW LAND CONSTRUCTION CO.
Mombasha Road
Monroe, N.Y. 10950 |

as per the following price schedule:

(A) F.O.B. Delivered to Town drop-off point-unloaded

<u>ITEM</u>	<u>PRICE</u>	<u>VENDOR</u>
TAILINGS	NO AWARD	
3/4" GRAVEL	10.50 yd.	SLATE HILL
3/8" GRAVEL	10.50 yd.	" "
BANK RUN	7.50 yd.	NEW LAND
MORTAR SAND	7.00 ton	TETZ SAND
FILTER SAND	11.00 ton	" "
CONCRETE SAND	7.50 yd.	SLATE HILL

(B) F.O.B. Vendor Yard, Loaded
MC KEE - Ramsey, N.J.

<u>ITEM</u>	<u>PRICE</u>	<u>VENDOR</u>
TAILINGS	NO AWARD	
3/4" GRAVEL	7.25 ton	MC KEE
3/8" GRAVEL	7.75 ton	"
BANK RUN	5.00 yd.	"
MORTAR SAND	7.25 ton	"
FILTER SAND	9.00 ton	"
CONCRETE SAND	7.25 ton	"

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (425-1982)

AWARDING BID FOR REFUSE
PICK-UP SERVICE (PAT
NAZZARO DISPOSAL)

Co. Lettre offered the following resolution:

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

BID # 36-1982
REFUSE PICK-UP SERVICE

is hereby awarded to

Pat Nazzaro Disposal
P.O. Box 481
Valley Cottage, N.Y. 10989

as per the following schedule

RESOLUTION NO. (425-1982) Continued

- SECTION A - LAKE NANUET PARK \$ 90.00 Month
- SECTION B - CONGERS LAKE PARK \$ 95.00 Month
(June, July, Aug., Thru Labor Day-3 pick-ups
per week) \$ 80.00 Month
(Balance of year - 2 pick-ups per week)
- SECTION C - GERMONDS PARK COMPLEX \$ 95.00 Month
(May, June, July, Aug. thru Labor Day -
3 pick-ups per week.
\$ N/C Month (May, June, July,
Aug. thru Labor Day - Daily pick-ups)
- SECTION D - CENTRAL NYACK COMMUNITY CENTER
\$ 30.00 Month
- SECTION E - CENTRAL WAREHOUSE
\$ 35.00 Month
- SECTION F - KINGS PARK
\$ 25.00 Month
- SECTION G - TOWN HALL COMPLEX
\$ 70.00 Month
- SECTION H - COUNSELING CENTER
\$ 8.00 Month
- SECTION I - STREET REFUSE CONTAINERS (per schedule)
\$ 2.00 Month per container
\$ 2.00 Additional cost per container per month
should additional container be placed
with the Town.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (426-1982)

AUTHORIZING SUPERVISOR
TO EXECUTE CONTRACT WITH
JAY F. JASON, ESQ., FOR
PREPARATION OF PERSONNEL
MANUAL - ACCOUNT NO.
1430-409

Co. Lettre offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown
is hereby authorized to execute a contract with Jay F. Jason, Esq.,
100 East Central Avenue, Pearl River, New York, for the preparation
of a Personnel Manual for the sum of \$4,000.00, as outlined in his
proposal dated April 5, 1982, which sum shall be charged to Account
No. 1430-409.

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

Councilman Lettre questioned Councilman Holbrook's vote as not being consistent. Approximately three years ago he stated that Councilman Holbrook had voted to grant to Charles Ganim of Value Management a contract for \$13,774.00. Mr. Ganim prepared a document which took over a year and a half and looked as though it had been prepared by a kindergarten student. Is a manual really needed?

Councilman Holbrook said that we do need a manual and it should be simply stated so that employees know just what they are entitled to.

Councilman Maloney said a personnel manual was needed. You cannot operate these days without some sort of guidelines for department heads as well as employees.

Supervisor Dusanenko said that during the previous administration it was voted that \$13,774.40 be spent for a personnel manual. This manual took in excess of one year and the contract negotiations for Town of Clarkstown's two of three major bargaining units were completed before the personnel manual was finished. Councilman Holbrook supported that administration in spending that money. Now, when this administration recommends less than one third that cost Councilman Holbrook chooses to be political. Supervisor Dusanenko thanked Councilman Maloney for his vote and for not being political on this issue.

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RESOLUTION NO. (427-1982)

ADJOURNING REGULAR TOWN MEETING IN ORDER TO HOLD SCHEDULED PUBLIC HEARING RE: LOCAL LAW RELATING TO THE ESTABLISHMENT OF A BOARD OF ARCHITECTURAL REVIEW

Co. Maloney offered the following resolution:

RESOLVED, that the regular Town Board Meeting be closed in order to hold scheduled Public Hearing re: Local Law Relating to the Establishment of a Board of Architectural Review, time: 9:05 P.M.

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (428-1982)

RESUMING REGULAR TOWN BOARD MEETING, SCHEDULED PUBLIC HEARING RE: LOCAL LAW RELATING TO THE ESTABLISHMENT OF A BOARD OF ARCHITECTURAL REVIEW HAVING BEEN HELD (ADOPTED)

Co. Maloney offered the following resolution:

RESOLVED, that the regular Town Board Meeting be resumed, scheduled Public Hearing re: Local Law Relating to the Establishment of a Board of Architectural Review be closed, time: 9:20 P.M. (ADOPTED.)

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (429-1982)

ADOPTING LOCAL LAW NO.
5-1982 RELATING TO THE
ESTABLISHMENT OF A BOARD
OF ARCHITECTURAL REVIEW

Co. Holbrook offered the following resolution:

WHEREAS, a proposed local law entitled, "AMENDMENT TO LOCAL LAW NO. 1 - 1965, AS AMENDED, ENTITLED, 'A LOCAL LAW RELATING TO THE ESTABLISHMENT OF A BOARD OF ARCHITECTURAL REVIEW'" was introduced by Councilman Holbrook, at a Town Board meeting held on March 16, 1982, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 16th day of March, 1982 directed that a public hearing be held on the 27th day of April, 1982, at 9:00 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on April 17, 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 March 15, 1982, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on April 27, 1982;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 5-1982, entitled, "AMENDMENT TO LOCAL LAW NO. 1-1956, AS AMENDED, ENTITLED 'A LOCAL LAW RELATING TO THE ESTABLISHMENT OF A BOARD OF ARCHITECTURAL REVIEW'" 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.....	No
Councilman William J. Carey.....	Yes
Councilman Edward Lettre.....	No
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. Carey

* * * * *

Supervisor Dusanenko said that what you have done is increase the time and expense of those involved in waiting for a permit. He mentioned, for example, Assemblyman Morahan's wait of three to four months for a small sign on his office. Supervisor Dusanenko said if this was their idea of efficiency he considered it a sham.

Councilman Carey said that there was more involved than just a sign. There were other matters to be concerned with regarding Mr. Benson's building (which is where Assemblyman Morahan's office is located).

* * * * *

RESOLUTION NO. (430-1982)

AUTHORIZING BENNETT,
KIELSON & COMPANY TO
CONTINUE TO SERVE AS
CONSULTANT FOR COMPUTER
CHARGE TO CAPITAL #2
COMPUTER PROJECT ACCOUNT

RESOLUTION NO. (430-1982) Continued

WHEREAS, Bennett, Kielson & Company has served as the computer consultant with the Town from the inception of bid specifications to the finalization of the contract, THEREFORE BE IT;

RESOLVED, that Bennett, Kielson & Company continue to serve as consultant for the implementation of the computer at a fee of \$500.00 a day not to exceed the sum of \$6,000.00; AND BE IT FURTHER

RESOLVED, to charge said fees to the Capital #2 Computer Project Account.

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (431-1982)

AUTHORIZING DIRECTOR OF ENVIRONMENTAL CONTROL TO ENGAGE SERVICES OF JACK D. BOSWELL & ASSOCIATES TO PREPARE LOCATION SURVEY OF PUMP STATION IN VICINITY OF WESTERN HIGHWAY AND GREEN ROAD, WEST NYACK, NEW YORK - CHARGE TO ACCOUNT B 8110-409

Co. Lettre offered the following resolution:

RESOLVED, that the Director of Environmental Control of the Town of Clarkstown is hereby authorized to engage the services of Jack D. Boswell & Associates to prepare a location survey of the pump station owned by the Town of Clarkstown located in the vicinity of Western Highway and Green Road, West Nyack, New York, for a sum not to exceed \$500.00 which sum is to be charged to Account B 8110-409, and be it

FURTHER RESOLVED, that an agreement be executed providing that the survey be delivered on or before May 17, 1982 and further providing that the Town of Clarkstown shall be under no obligation to pay Jack D. Boswell & Associates if the survey is not timely delivered.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (432-1982)

AUTHORIZING TOWN ATTORNEY TO COMMENCE NEGOTIATIONS FOR PURCHASE OF CLARKSTOWN CENTRAL WAREHOUSE

Co. Lettre offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to commence negotiations for the purchase of the Clarkstown Central Warehouse located at 46C, Route 303, Valley Cottage, New York.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (433-1982)

REFUNDING \$50.00 VARIANCE
FEE FOR WITHDRAWAL OF
APPLICATION (MRS. AGNES
BISHOCK)

Co. Lettre offered the following resolution:

WHEREAS, Mrs. Agnes Bishock had requested a variance
and paid an application fee of \$50.00, and

WHEREAS, said applicant has withdrawn her petition,

NOW, THEREFORE, be it

RESOLVED, that the sum of \$50.00 shall be refunded to
Mrs. Agnes Bishock.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (434-1982)

MEMORIALIZING RESOLUTION
TOWN OF CLARKSTOWN STATES
UNEQUIVOCAL OPPOSITION TO
DISTRICT COURT SYSTEM AS
PROPOSED WITHIN ROCKLAND
COUNTY WHICH WOULD ELIMINATE
OR INFRINGE UPON JURISDICTION
OF TOWN JUSTICE COURT IN
CLARKSTOWN

Co. Lettre offered the following resolution:

WHEREAS, the Town of Clarkstown has always been loyally
and ably served by the Town Justices duly elected in the Town of
Clarkstown, and

WHEREAS, the Town Board of the Town of Clarkstown has full
confidence in the integrity, ability and judgment of its Town
Justices, and

WHEREAS, the Town Board of the Town of Clarkstown is
assured that the Town Justices are residents of the Town of Clarkstown
and fully familiar with the citizens and residents of the Town of
Clarkstown and their needs and desires, and

WHEREAS, the Town of Clarkstown believes that the Town
Justice system is the best system for the administration of justice
in the Town of Clarkstown, and

WHEREAS, the Town Board is aware of certain requests and
proposals for the instituion of the District Court System to be set-
up County-wide to take over all or most of the duties already being
performed to their satisfaction by the Town Justices, now therefore
be it

RESOLVED, that the Town Board of the Town of Clarkstown
hereby states its unequivocal opposition to any District Court System
as proposed within Rockland County which would eliminate or in any
way infringe upon the jurisdiction of the Town Justice Court in the
Town of Clarkstown, and it is further

RESOLVED, that the Town Clerk of the Town of Clarkstown
memorialize this resolution and present true copies thereof to the
legislature of Rockland County, the Honorable Bernard Stanger, Judge

RESOLUTION NO. (434-1982) Continued

of the Family Court of the County of Rockland, the Honorable Thomas Morahan, Assemblyman, the Honorable Eugene Levy, New York State Assemblyman, the Honorable Linda Winikow, New York State Senator, the Honorable Richard Schermerhorn, New York State Senator, Honorable Joseph Colello, Supervisor, Town of Orangetown, Honorable Frederick J. Rella, Supervisor of the Town of Ramapo, Honorable Phillip Rotella, Supervisor of the Town of Haverstraw, Honorable Lucien Conklin, Supervisor of the Town of Stony Point.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (435-1982)

AUTHORIZING ATTENDANCE AT 1982 NATIONAL RECREATION AND PARKS ASSOCIATION MID-YEAR BOARD OF TRUSTEES MEETING (EDWARD J. GHIAZZA) CHARGE TO ACCOUNT 7020-414 AND TRANSFER OF FUNDS FROM 7020-204 TO 7020-414

Co. Lettre offered the following resolution:

RESOLVED, based upon the recommendation of the Parks Board and Recreation Commission, Edward J. Ghiazza is hereby authorized to attend the 1982 National Recreation and Parks Association Mid-Year Board of Trustees Meeting, May 20th through May 22, 1982 to be held in Savannah, Georgia.

FURTHER RESOLVED, that all necessary and actual expenses not to exceed \$600.00 be allocated against account 7020-414.

FURTHER RESOLVED, that the Town Comptroller is hereby authorized to transfer \$600.00 from account 7020-204 to 7020-414 to cover the above expense.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (436-1982)

GRANTING PERMISSION TO NEW CITY VOLUNTEER AMBULANCE CORPS./RESCUE SQUAD, INC., TO DISPENSE ALCOHOLIC BEVERAGES ON MAY 1, 1982 IN THE VICINITY OF NEW CITY VOLUNTEER AMBULANCE CORPS.

Co. Lettre offered the following resolution:

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the New City Volunteer Ambulance Corps./Rescue Squad, Inc., to dispense alcoholic beverages on May 1st, 1982 in the vicinity of the

RESOLUTION NO. (436-1982) Continued

New City Volunteer Ambulance Corps./Rescue Squad, Inc., 200 Congers Road, New City, New York, in accordance with the provisions of Local Law No. 6-1977 which includes the securing of a proper license from the appropriate Alcoholic Beverage Control Board.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (437-1982) RESCINDING ADVERTISING FOR PURCHASE AND INSTALLATION OF TRAFFIC SIGNAL AND POLES AT THIRD & MAIN STREETS, NEW CITY

Co. Lettre offered the following resolution:

RESOLVED, that Town Board Resolution #231-1981 authorizing the advertising for bids for

BID #23-1982
PURCHASE AND INSTALLATION OF TRAFFIC SIGNAL
AND POLES AT THIRD & MAIN STREETS, NEW CITY

is hereby rescinded.

Seconded by Co. Maloney All voted Aye.

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Item 23 on the agenda having to do with an agreement with Metropolitan Life Insurance Company re: insurance payroll deductions was tabled pending further investigation by the Town Attorney as to the necessity for a possible local law, etc.

* * * * *

RESOLUTION NO. (438-1982) REJECTING BID PROPOSALS FOR SALT AND SAND SPREADERS AND AUTHORIZING DIRECTOR OF PURCHASING TO READVERTISE FOR BIDS FOR SAME

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing and the Superintendent of Highways that all bid proposals received for

BID #27-1982
SALT AND SAND SPREADERS

are hereby rejected, and be it

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

BID #27-A-1982
SALT AND SAND SPREADERS

with revised specifications, 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, May 18, 1982 at which time bids will be opened and read, and be it

RESOLUTION NO. (438-1982) 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.

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RESOLUTION NO. (439-1982)

AMENDING TOWN BOARD
RESOLUTION NO. 215-1982
TO INCLUDE TRANSFER OF
FUNDS FROM APPROPRIATION
ACCOUNT NO. A1010-414 TO
APPROPRIATION ACCOUNT
NO. A 4210-414

Co. Maloney offered the following resolution:

RESOLVED, to amend Town Board Resolution No. 215 dated March 2, 1982 to include the transfer of \$490.20 from Appropriation Account No. A 1010-414 to Appropriation Account No. A 4210-414.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (440-1982)

TRANSFER OF FUNDS FROM
CONTINGENCY ACCOUNT
NO. A 1990-505 TO APPROPRIA-
TION ACCOUNT NO. A 7140-307
(RECREATION)

Co. Lettre offered the following resolution:

RESOLVED, to transfer \$910.00 from Contingency Account No. A 1990-505 to Appropriation Account No. A 7140-307.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (441-1982)

TRANSFER OF FUNDS FROM
CONTINGENCY ACCOUNT NO.
A 1990-505 TO APPROPRIA-
TION ACCOUNTS NOS.
A 1220-201 AND A 1220-230
(SUPERVISOR'S OFFICE)

Co. Lettre offered the following resolution:

RESOLVED, to transfer \$800.00 from Contingency Account No. A 1990-505 to the following Appropriation Account Nos.:

A 1220-201..... \$ 400.00
A 1220-230..... 400.00

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (442-1982)

TRANSFER OF FUNDS FROM
APPROPRIATION ACCOUNT
NO. A 1010-414 TO APPROPRIA-
TION ACCOUNT NO. A 1010-313
(COUNCILMEN)

Co. Lettre offered the following resolution:

RESOLUTION NO. (442-1982) Continued

RESOLVED, to transfer \$100.00 from Appropriation Account No. A 1010-414 to Appropriation Account No. A 1010-313.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (443-1982)

TRANSFER OF FUNDS FROM APPROPRIATION ACCOUNT NO. A 1110-327 TO APPROPRIATION ACCOUNT NO. A 1110-211 (JUSTICE COURT)

Co. Lettre offered the following resolution:

RESOLVED, to transfer \$200.00 from Appropriation Account No. A 1110-327 to Appropriation Account No. A 1110-211.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (444-1982)

TRANSFER OF FUNDS FROM CONTINGENCY ACCOUNT NO. A 1990-505 TO VARIOUS APPROPRIATION ACCOUNTS AND INCREASE OF ESTIMATED REVENUE ACCOUNT NO. 02-02999 (RETROACTIVE LONGEVITY PAY)

Co. Lettre offered the following resolution:

RESOLVED, to transfer \$3,919.80 from Contingency Account No. A 1990-505 to the following Appropriation Account Nos.:

A 1110-111.....	\$ 128.96
A 1315-111.....	43.72
A 1620-111.....	36.28
A 3120-110.....	17.87
A 7140-111.....	562.22
A 7141-111.....	5.87
A 8160-111.....	65.33
A 7310-113.....	29.70
A 8730-111.....	75.72
A 3120-111.....	2,954.13

and be it further

RESOLVED, to increase Estimated Revenue Account No. 02-02999 by \$698.61 and the following Appropriation Account Nos.:

B 8020-111.....	\$ 7.55
B 8020-114.....	78.17
B 8110-111.....	612.89

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (445-1982)

TRANSFER OF FUNDS FROM APPROPRIATION ACCOUNT NO. A 1640-416 TO APPROPRIATION ACCOUNT NO. A 1640-307 (TOWN GARAGE)

Co. Lettre offered the following resolution:

RESOLUTION NO. (445-1982) Continued

RESOLVED, to transfer \$680.00 from Appropriation Account No. A 1640-416 to Appropriation Account No. A 1640-307.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (446-1982)

TRANSFER OF FUNDS FROM APPROPRIATION ACCOUNT NO. A 5630-203 TO APPROPRIATION ACCOUNT NO. A 5630-408(MINI-TRANS)

Co. Lettre offered the following resolution:

RESOLVED, to transfer \$37.00 from Appropriation Account No. A 5630-203 to Appropriation Account No. A 5630-408.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (447-1982)

INCREASE ESTIMATED REVENUE NO. 01-2680 AND APPROPRIATION ACCOUNT NO. A 5630-406 by \$338.20 (MINI-TRANS)

Co. Lettre offered the following resolution:

RESOLVED, to increase Estimated Revenue No. 01-2680 and Appropriation Account No. A 5630-406 by \$338.20.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (448-1982)

SETTING PUBLIC HEARING ON PROPOSED LOCAL LAW TO REPEAL LOCAL LAW NO. 3-1973

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown adopted Local Law No. 3-1973, entitled "A LOCAL LAW CREATING A NARCOTIC GUIDANCE COUNCIL FOR THE TOWN OF CLARKSTOWN" at a regular meeting held February 14, 1973, and

WHEREAS, the Town Board is now considering comprehensively amending said local law by proposing a new local law to create a council to deal with problems concerning abusable substances, and

WHEREAS, Councilman Maloney, a member of the Town Board, has introduced a local law to repeal Local Law No. 3-1973;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 25th day of May, 1982, at 8:30 P.M., relative to the repeal of Local Law No. 3-1973 entitled "A LOCAL LAW CREATING A NARCOTIC GUIDANCE COUNCIL," and be it

RESOLUTION NO. (448-1982) Continued

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News and posted in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (449-1982)

SETTING PUBLIC HEARING
ON PROPOSED LOCAL LAW
CREATING A DRUG ABUSE
PREVENTION COUNCIL FOR
TOWN OF CLARKSTOWN

Co. Maloney offered the following resolution:

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled, "A LOCAL LAW CREATING A DRUG ABUSE PREVENTION COUNCIL FOR THE TOWN OF CLARKSTOWN", and

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the best interest that said local law be adopted;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorum of the Town Hall, 10 Maple Avenue, New City, New York, on the 25th day of May, 1982, at 8:35 P.M., relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the office of the said Clerk.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (450-1982)

AUTHORIZING ATTENDANCE
AT TRAINING SESSION FOR
DOG CONTROL OFFICER
(PATRICIA Mc COY)

Co. Lettre offered the following resolution:

RESOLVED, that Patricia McCoy, Dog Control Officer of the Town of Clarkstown, is hereby authorized to attend a training session at Cobleskill Agricultural and Technical College, Cobleskill, New York, from June 20th through June 25th, 1982, and be it

FURTHER RESOLVED, that all proper charges be taken from Appropriations Account No. A 1010-414.

Seconded by Co. Maloney

All voted Aye.

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At this point there was a vote taken on the decision regarding the appeal for a sign at the Gold Door in New City. The decision regarding this matter is on file in the Town Clerk's Office. For purposes of locating this in our files we are giving this decision and the vote on the same a number.

NUMBER (451-1982)

DECISION GRANTING SIGN
FOR THE GOLD DOOR IN
NEW CITY (APPEAL OF
HEILWEIL)

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

* * * * *

RESOLUTION NO. (542-1982)

AMENDING RESOLUTION
#282-1982 INCLUDING
NAME OF PATRICIA BARARD,
YOUTH COURT SECRETARY
TO ATTEND SECOND ANNUAL
YOUTH FORUM AND AWARDS
DINNER

Co. Lettre offered the following resolution:

RESOLVED, that resolution #282-1982 be amended to include the name of Patricia Barard, Clarkstown Youth Court Secretary, to attend the Second Annual Youth Forum and Awards Dinner on May 12, 1982 at the Tappan Zee Towne House, Nyack, New York.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (543-1982)

REQUESTING RIGHT OF FIRST
REFUSAL FROM CLARKSTOWN
CENTRAL SCHOOL DISTRICT
ON ANY CLOSED SCHOOL
FACILITY

Co. Lettre offered the following resolution:

WHEREAS, a majority of the Clarkstown School Board has voted to close school facilities within their District, and

WHEREAS, these closed school facilities may become available for other public uses, and

WHEREAS, a need for additional recreation facilities has been determined to exist within portions of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown requests right of first refusal from the Clarkstown Central School District on any closed school owned facility, and be it

FURTHER RESOLVED, in the event of any closing that there be community input and discussion prior to any final decision.

Seconded by Supv. Dusanenko

All voted Aye.

RESOLUTION NO. (543-1982) Continued

At this point Councilman Lettre said that he would like to table this motion until more input is received.

Councilman Carey said this would only give us a right of first refusal. If the new school board elected in June votes to reopen the schools, the schools would, of course, go back to the Clarkstown School District.

Councilman Lettre said he still would like to table this.

Councilman Maloney said if the schools remain open this resolution becomes academic. If the the school closes he felt we should not lose the opportunity of having a first refusal. Public input was important but tabling will only delay our chance of first refusal.

Councilman Lettre said that he would withdraw his motion to table.

Supervisor Duanenko then read the following resolution into the record:

"RESOLUTION PASSED BY TOWN OF CLARKSTOWN PARKS BOARD & RECREATION COMMISSION April 22, 1982

RESOLVED, recognizing the opportunity which exists in leasing the Street School for use as a community center, and utilizing the property for expansion of acutely needed recreation facilities in this section of the Town of Clarkstown, it is strongly recommended by the Parks Board and Recreation Commission, that the Town Board approve, after discussion and study, a lease with the Clarkstown School District, for one dollar per year, and allocate sufficient funds to staff and maintain the facility, effective September 1, 1982."

Supervisor Dusanenko said that the above resolution was passed unanimously by the Parks Board & Recreation Commission.

The roll call vote was then taken on Resolution 543-1982 which was as follows:

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

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RESOLUTION NO. (454-1982)

AUTHORIZING SUPERVISOR TO
EXTEND CONTRACT WITH RAYMOND,
PARISH, PINE AND WEINER, INC.
(CHARGE TO B 8020-409)

Co. Holbrook offered the following resolution:

WHEREAS, Raymond, Parish, Pine & Weiner, Inc. are presently performing consultant services to the Town of Clarkstown pursuant to a contract entered into on May 12, 1976, and

WHEREAS, the Town desires to continue these consultant, technical and professional services;

NOW, THEREFORE, be it

RESOLUTION NO. (454-1982) Continued

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an extension of the contract with Raymond, Parish, Pine & Weiner, Inc., in a form satisfactory to the Town Attorney, until May 14, 1984, at the rate of \$69,960 for the first year, and \$74,160 for the second year, and be it

FURTHER RESOLVED, that these services be charged to Account No. B8020-409.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (455-1982)

AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH RAYMOND, PARISH, PINE & WEINER, INC. FOR PLANNING CONSULTANT SERVICES - CHARGE TO ACCOUNT B 8020-409

Co. Carey offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with Raymond, Parish, Pine and Weiner, Inc., for a sum not to exceed \$30,000.00 for planning consultant services in connection with the implementation of the Master Plan to include the updating of the Zoning Ordinance and Map, Subdivision Regulations, Site Plan Regulations and the Official Map of the Town of Clarkstown, and be it

FURTHER RESOLVED, that these services be charged to Account No. B 8020-409.

Seconded by Co. Holbrook

On roll call the vote was as follows:

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

Councilman Lettre questioned the spending of \$30,000.00 as the Master Plan has come to a standstill. He did not want to see \$30,000.00 as a running cost when nothing was being accomplished. He requested that this item be pulled.

Supervisor Dusanenko said since Mr. Geneslaw and I have not had a chance to discuss this I would like to see it withdrawn and discussed at workshop. Supervisor said that this had been placed on his desk just this afternoon.

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RESOLUTION NO. (456-1982)

ADOPTING AND ACCEPTING MINUTES OF THE REGULAR TOWN BOARD MEETING OF MARCH 16, 1982

Co. Maloney offered the following resolution:

RESOLUTION NO. (456-1982) Continued

RESOLVED, that the Minutes of the regular Town Board Meeting held on March 16, 1982, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Carey All voted Aye.

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RESOLUTION NO. (457-1982) ACCEPTING PROPOSALS FROM ORANGE & ROCKLAND UTILITIES, INC. FOR STREET LIGHTS (BRANCHVILLE ROAD, VALLEY COTTAGE, DOLPHIN ROAD AND TAVO LANE, 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:

- | | |
|------------------|----------------|
| Branchville Road | Valley Cottage |
| Dolphin Road | New City |
| Tavo Lane | New City |

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (458-1982) ACCEPTING PROPOSALS FROM ORANGE & ROCKLAND UTILITIES, INC., FOR STREET LIGHTING AT SAYMOUR ESTATES, WEST NYACK

Co. Lettre offered the following resolution:

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

- | | |
|-----------------|------------|
| Saymour Estates | West Nyack |
|-----------------|------------|

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (459-1982)

AUTHORIZING SPRING VALLEY WATER COMPANY TO INSTALL ONE (1) HYDRANT ON WEST SIDE OF ESQUIRE ROAD, 200 FEET NORTH OF CENTER LINE OF TILDA LANE, NEW CITY (HYDRANT INVEST. NO. 9233)

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Company is hereby authorized to install one (1) hydrant on the west side of Esquire Road, approximately 200 feet north of the center line of Tilda Lane, New City, New York, hydrant investigation no. 9233.

Seconded by Co. Maloney

All voted Aye.

* * * * *

With regard to the next item on the agenda Councilman Maloney stated that he strenuously objected to the way in which this item was worded on the agenda. He wanted to know who worded this agenda item and thought it was unconscionable.

Town Attorney John Costa said that he had worded the resolution. Supervisor Dusanenko said that he had prepared the wording for the agenda.

Councilman Lettre asked who had selected the law firm and asked why the Town Attorney was not defending this action.

Town Attorney declined to answer any questions regarding this matter as he felt since this was pending litigation it should be discussed in Executive Session. He also stated that there should be no discussion until the resolution was moved and seconded.

Supervisor Dusanenko stated that since the Town Attorney had brought up this point he was calling for a mover and a seconder.

Councilman Carey asked Councilman Maloney to please read the resolution which Councilman Maloney did.

RESOLUTION NO. (460-1982)

AUTHORIZING SPECIAL COUNSEL TO DEFEND ACTION AGAINST MALONEY, HOLBROOK, CAREY AND TOWN OF CLARKSTOWN (PAUL, WEISS, RIFKIND, WHARTON & GARRISON)

Co. Maloney offered the following resolution:

WHEREAS, an action has been instituted in the United States District Court for the Southern District of New York against the Town of Clarkstown entitled as follows:

THEODORE R. DUSANENKO, NICHOLAS A. LONGO
and ROBERT MAIDMAN,

Plaintiffs,

-against-

JOHN R. MALONEY, CHARLES E. HOLBROOK, WILLIAM J.
CAREY and the TOWN OF CLARKSTOWN,

Defendants.

NOW. THEREFORE. be it

Continued on Next Page

RESOLUTION NO. (460-1982) Continued

RESOLVED, that the firm of PAUL, WEISS, RIFKIND, WHARTON & GARRISON, 345 Park Avenue, New York, New York, is hereby employed as special counsel to the Town of Clarkstown to take all necessary steps to defend the following defendants in said action:

TOWN OF CLARKSTOWN, JOHN R. MALONEY, CHARLES E. HOLBROOK, WILLIAM J. CAREY, individually and as members of the Town Board of the Town of Clarkstown.

and be it

FURTHER RESOLVED, that special counsel take all appropriate steps by way of counterclaim, or otherwise, to recover from the plaintiffs, the costs of the litigation, including counsel fees.

Seconded by Co. Holbrook

On roll call the vote was as follows:

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

Supervisor Dusanenko asked Town Attorney if he had prepared this resolution and Town Attorney replied in the affirmative.

Supervisor Dusanenko said that at the organizational meeting of the Town of Clarkstown the majority of the Town Board was guided by the present Town Attorney and specifically, Councilmen Carey, Holbrook and Maloney were guided, influenced and given legal counsel by John Costa. We instituted this law suit after we gave a reasonable period of time for these councilmen to come to their senses. He said that you have chosen a Town Attorney to give you guidance and direction but you have no confidence in him. Why not use Mr. Costa? Is he only good enough to start an action but not good enough to defend it?

Councilman Holbrook stated that they have a right to obtain advice and a right to select their own attorney. He asked the Supervisor if he (Supervisor Dusanenko) would have liked to guide them on this.

Councilman Maloney asked the Supervisor why he did not have Robert Maidman to act for the Supervisor?

Supervisor Dusanenko said that Mr. Costa is part of a staff of Town Attorneys and is not being sued personally but noted that Robert Maidman is a party to this action. He questioned why the councilmen had to hire what is possibly the most expensive, prestigious law firm in New York. It is like bringing in five Panzer Divisions to swat a fly.

Supervisor Dusanenko noted that the Town Attorney declines to comment. Town Attorney said he could not take part in this type of dialogue.

Supervisor Dusanenko wanted it noted that the Town Attorney declined to comment.

Councilman Lettre said that he had no objection to Councilmen Carey, Holbrook and Maloney being defended in court but questioned the attorneys involved.

RESOLUTION NO. (460-1982) continued

Councilman Maloney said that the three of us acted as responsible members of this Town Board for what we believe is good government. We have a right to be defended by experienced council.

Supervisor Dusanenko stated that he hoped that with all due deliberate speed the Federal Court would hear all the facts pertaining to the January 4th meeting and all subsequent actions of the Town Board and would make a fair and firm decision so that this Town Board would not continue down different paths as adversaries.

Supervisor Dusanenko made reference to the fact that the councilmen had questioned the spending of money on other items this evening when the figure involved was not a great amount but when it comes to saving their own necks in court the expense is okay. He said it was a sham.

* * * * *

RESOLUTION NO. (461-1982)

REAPPOINTING POSITION OF
MEMBER OF TRAFFIC &
TRAFFIC FIRE SAFETY
ADVISORY BOARD (DAVID
HOBBS)

Co. Maloney offered the following resolution:

RESOLVED, that David Hobbs, 21 Fernwood Drive, New City, New York is hereby reappointed to the position of Member - Traffic & Traffic Fire Safety Advisory Board - at the annual salary for 1982 of \$1,000, effective and retroactive to March 1, 1982 - with a term to expire on March 1, 1987.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (462-1982)

REAPPOINTING POSITION OF
MEMBER OF TRAFFIC &
TRAFFIC FIRE SAFETY
ADVISORY BOARD (RALPH J.
CONTENTO)

Co. Maloney offered the following resolution:

RESOLVED, that Talph J. Contento, 47 Beechwood Drive, Congers, New York is hereby re-appointed to the position of Member - Traffic & Traffic Fire Safety Advisory Board - at the annual salary for 1982 of \$1,000, effective and retroactive to March 1, 1982 - with a term to expire on March 1, 1987.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (463-1982)

ACCEPTING RESIGNATION OF
SENIOR STENOGRAPHER -
DEPARTMENT OF ENVIRONMENTAL
CONTROL (JOSEPHINE SCRIBANO)

Co. Maloney offered the following resolution:

RESOLUTION NO. (463-1982) Continued

RESOLVED, that the resignation (by retirement) of Josephine Scibano, 3 Long Meadow Drive, New City, New York as Senior Stenographer - Department of Environmental Control - is hereby accepted, effective July 22, 1982.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (464-1982) REAPPOINTING MEMBER OF BOARD OF ETHICS (JANE P. MURPHY)

Co. Maloney offered the following resolution:

RESOLVED, that Jane P. Murphy, 92 Waters Edge, Congers, New York is hereby reappointed as a member of the Board of Ethics, to serve without compensation, effective and retroactive to March 25, 1982, term to expire on March 25, 1987.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (465-1982) APPOINTING POSITION OF BUS DRIVER - MINI TRANS - (CARL ORICHT)

Co. Maloney offered the following resolution:

RESOLVED, that Carl Oricht, 35 Carolina Drive, New City, New York is hereby appointed to the position of Bus Driver - Mini Trans - at the annual salary for 1982 of \$11,480., effective and retroactive to April 19, 1982.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (466-1982) APPOINTING POSITION OF ASST. AUTOMOTIVE MECHANIC - TOWN GARAGE (CHARLES T. NEWCOMB)

Co. Maloney offered the following resolution:

WHEREAS, there is a vacancy in the position of Asst. Automotive Mechanic - Town Garage -

NOW, THEREFORE, be it

RESOLVED, that Charles T. Newcomb, 21 South Conger Avenue, Congers, New York is hereby appointed to the position of Asst. Automotive Mechanic, at the annual salary for 1982 of \$14,119., effective May 3, 1982.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (467-1982)

APPOINTING POSITION OF
PRINCIPAL ACCOUNT CLERK -
COMPTROLLER'S OFFICE -
(DOLORES LODICO)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has
furnished Certification of Eligibles Principal Account Clerk
#A81151A which contains the name of Dolores Lodico,

NOW, THEREFORE, be it

RESOLVED, that Dolores Lodico, 2 Birch Lane, New City,
New York is hereby appointed to the position of Principal Account
Clerk - Comptroller's Office - at the annual salary for 1982 of
\$14,778., effective April 28, 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (468-1982)

APPOINTING MEMBER OF
CONDOMINIUM INFORMATION
BOARD TO FILL UNEXPIRED
TERM OF JAMES E. ROWAN
(SAMUEL L. NEWMAN)

Co. Carey offered the following resolution:

RESOLVED, that Mr. Samuel L. Newman of 57C Heritage
Drive, New City, New York be appointed to fill the unexpired term
of Mr. James E. Rowan of Normandy Village, Nanuet, New York, on the
Condominium Information Board, to terminate January 1, 1985, with no
compensation.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

* * * * *

RESOLUTION NO. (469-1982)

AUTHORIZING ISSUANCE OF
BUILDING PERMIT UNDER
SECTION 280-a OF TOWN LAW
(STEPHEN AND BRENDA GOELLER)

Co. Lettre offered the following resolution:

RESOLVED, that a Building Permit under provisions of
Section 280-a of the Town Law may be issued to Stephen and Brenda
Goeller for property situate on the west side of New Jersey Avenue
at the intersection with Quaspeck Road and located in the hamlet of
Congers, New York, more specifically designated on the Clarkstown Tax
Map as Map 139, Block B, Lot 21.01, upon compliance with the require-
ments of the Director of Environmental Control and the Building
Inspector and the filing of the Restrictive Covenants pursuant to
Section 280-a of the Town Law upon the condition that the applicant

RESOLUTION NO. (469-1982) Continued

agrees to participate in a road improvement district when and if required by the Town Board of the Town of Clarkstown, which Covenant shall be binding on all future owners and run with the land, and which shall contain the following covenants:

- 1. The sanitary sewer house connection shall be at no cost to the Town.
- 2. The applicant shall provide a turn-around for the proposed driveway to avoid back-up into Quaspeck Road.
- 3. A five foot road widening strip along New Jersey Avenue should be offered for dedication to the Town of Clarkstown.

Seconded by Co. Carey

All voted Aye.

* * * * *

At this point Supervisor Dusanenko called a recess which lasted approximately ten minutes. After the recess the Supervisor requested that his abstension be changed to "No" on Resolution No. 406-1982.

* * * * *

RESOLUTION NO. (470-1982)

AUTHORIZING COMPTROLLER
TO ISSUE CHECK FOR ACCRUED
SICK LEAVE TO THE ESTATE
OF BERNARD McKEEVER

Co. Lettre offered the following resolution:

WHEREAS, Bernard McKeever an employee of the Town of Clarkstown was eligible for retirement upon his death on September 20, 1981;

NOW, THEREFORE, be it

RESOLVED, that the Comptroller is hereby authorized to issue a check for sixty-eight (68) days accrued sick time in the amount of \$4,138.96 to Estate of Bernard McKeever, effective May 19, 1982.

Seconded by Co. Maloney

All voted Aye.

* * * * *

There being no one else wishing to be heard, and no further business to come before the Town Board, Town Board Meeting was declared closed, time: 10:55 P.M.

Respectfully submitted,



Sheila Reiter,
Deputy Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

4/27/82

8:35 P.M.

Present: Supervisor Dusanenko
Councilmen Carey, Holbrook, Lettre, Maloney
John Costa, Town Attorney
Sheila Reiter, Deputy Town Clerk

RE: AMENDMENT TO OFFICAL MAP RE: ROADS IN VALLEY COTTAGE

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

There was no correspondence read.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of the proposed amendment or if there was anyone wishing to ask questions.

Appearance: Mrs. Rita Lombardi
Sedge Road
Valley Cottage, New York 10989

Mrs. Lombardi filed a petition with approximately 35 or 40 names. She spoke regarding traffic coming through from Twin Ponds area.

Appearance: Mr. Steve Edelstein
Sedge Road
Valley Cottage, New York 10989

Mr. Edelstein said Mace Drive should be opened up to alleviate some of the traffic problem.

Appearance: Mrs. Susan Kotecha
Sedge Road
Valley Cottage, New York 10989

Mrs. Kotecha stated that she saw no reason for opening Sedge Road.

Appearance: Mrs. Mary Tardebuono
Valley Cottage, New York 10989

Mrs. Tardebuono said Sedge Road should not be the only road open. Traffic should be distributed more evenly.

Appearance: Mr. Arthur Salgado
Sedge Road
Valley Cottage, New York 10989

Mr. Salgado objected to the opening of Sedge Road. He felt there were other alternatives.

There being no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the Public Hearing was closed, time: 8:50 P.M.

Respectfully submitted,



SHEILA REITER,
Deputy Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

4/27/82

9:05 P.M.

Present: Supervisor Dusanenko
Councilmen Carey, Holbrook, Lettre, Maloney
John Costa, Town Attorney
Sheila Reiter, Deputy Town Attorney

RE: AMENDMENT TO LOCAL LAW NO. 1-1965 AS AMENDED, ENTITLED,
"A LOCAL LAW RELATING TO THE ESTABLISHMENT OF A BOARD OF
ARCHITECTURAL REVIEW"

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

Town Attorney John Costa gave an explanation of the proposed amendment which would change the appeals process. He read from a memo dated March 15, 1982 as follows:

(Inter-Office Memo from John Costa to Supervisor Dusanenko dated March 15, 1982 re: proposed amendment under discussion here)

"The purpose of this amendment is to provide:

1. Clarification of the fact that the Architectural Review Board has jurisdiction over sign permits.
2. Require the Architectural Review Board to state its reasons for denial in its decision or minutes when it denies an application for a permit.
3. All appeals for denials of applications for permits shall be made to the Zoning Board of Appeals as was previously the law prior to Local Law No. 5-1981."

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

Appearance: Mr. Martin Bernstein
20 Woodglen Drive
New City, New York 10956

Mr. Bernstein felt that anyone going before the ZBA should not have to wait more than one month for an answer. He also said that if there was such a backlog the ZBA should meet more often in order to accommodate the public.

Councilman Carey said during his term as Chairman of the ZBA he did all within his power to move matters expeditiously. However, it is not all in the hands of the ZBA since the reports from various other boards and commissions involved are necessary before the ZBA can act on the matter. He concurred with Mr. Bernstein's suggestion that the ZBA should meet more frequently and suggested that Mr. Bernstein bring his comments before the ZBA itself.

Supervisor Dusanenko inquired as to what process was being followed in applying to the ZBA. Mr. Maraia, Building Inspector, explained the procedures and actions necessary to bring an appeal before the ZBA.

Supervisor Dusanenko inquired of the Building Inspector what the length of waiting time was for each permit applied for. Mr. Maraia said approximately three to four months.

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Councilman Holbrook stated that the ZBA was functioning without difficulty until the Town Board interjected itself.

Councilman Carey said that he was sure that the Town Board would have liked to abolish the ZBA and he assumed that they would also have liked to abolish the Planning Board as well.

Supervisor Duanenko said to the best of his knowledge the ZBA cannot be abolished by town government and that this Town Board has not abolished any board or agency and would not eliminate any agency.

There being no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing was declared closed, time: 9:20 P.M.

Respectfully submitted,



Sheila Reiter,
Deputy Town Clerk

AMENDMENT TO LOCAL LAW ADOPTED TOWN BOARD RESOLUTION NO. (429-1982)