

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall 5/11/82 8:04 P.M.

Present: Supervisor Theodore R. Dusanenko
Councilmen: William J. Carey, Charles E. Holbrook,
John R. Maloney, Edward J. Lettre (absent)
Town Attorney: John A. Costa
Town Clerk: Patricia Sheridan

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

Supervisor Dusanenko read the following proclamation:

SENIOR CITIZEN MONTH
May, 1982

WHEREAS, the Town of Clarkstown is privileged to number among its residents over five thousand senior citizens, a group which has proven to be vital to the growth and prosperity of our community, and

WHEREAS, these citizens can be considered a great asset to the Town of Clarkstown, and

WHEREAS, these men and women provide humor, zest and the wisdom of their years to enrich all our daily lives, and

WHEREAS, our indebtedness to our senior citizens is impossible to repay, and the Clarkstown Town Board is cognizant of the inherent socio-economic problems of our senior citizens and will continue to pursue new and innovative ways to help alleviate these burdens and, through our senior citizen groups, will solidify our social bond between ourselves and our elderly persons, and

WHEREAS, we now wish to reaffirm the affection, concern and profound respect we feel for this group of individuals;

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, on this 11th day of May, 1982, do hereby proclaim the month of May as "SENIOR CITIZENS MONTH" in the Town of Clarkstown and urge all our residents to join with us in recognizing all our Senior Citizens in an appropriate fashion.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Clarkstown to be affixed this 11th day of May, 1982.

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

Betty Burns accepted the proclamation on behalf of the Senior Citizens.

Supervisor asked if there was anyone wishing to be heard.

NO ONE APPEARED:

RESOLUTION NO. (471-1982)

SETTING PUBLIC HEARING RE:
AMENDING LOCAL LAW ENTITLED,
"AMUSEMENT DEVICES"

Co. Lettre offered the following resolution:

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RESOLUTION NO. (471-1982) Continued

WHEREAS, Councilman Lettre, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled, "AMENDMENT TO LOCAL LAW NO. 7-1981, ENTITLED, 'A LOCAL LAW CONCERNING AMUSEMENT DEVICES IN THE TOWN OF CLARKSTOWN'"

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 Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 8th day of June, 1982, at 8:45 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. Maloney All voted Aye.

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RESOLUTION NO. (472-1982) AUTHORIZING ATTENDANCE AT SEMINAR - LES BOLLMAN

Co. Maloney offered the following resolution:

RESOLVED, that Leslie F. Bollman, Director, Department of Environmental Control of the Town of Clarkstown, is hereby authorized to attend the seminar on Controlling Stormwater Runoff; Drainage Law and Runoff Reduction to be held at the Tarrytown Hilton, Tarrytown, New York on Friday, June 4th, 1982, and be it,

FURTHER RESOLVED, that all proper charges not to exceed \$125. be charged against A 1010-414.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (473-1982) INSTALLING FIRE HYDRANT - LINK COURT, NEW CITY

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Co. is hereby authorized to install one (1) hydrant on the West side of Link Court, approximately 590 feet south of the center line of Red Hill Road, New City. Investigation number 9229.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (479-1982)

TRANSFERRING \$9,006.71
FROM CAPITAL FUND TO
GENERAL FUND

Co. Lettre offered the following resolution:

WHEREAS, \$9,006.71 has been expended from the General Fund for Road Improvements to South Grant Ave., Congers, NY, AND

WHEREAS, there is \$9,006.71 in the Capital Project Fund of So. Grant Ave., which as been completed, BE IT

RESOLVED, to transfer \$9,006.71 to unneeded authorizations in the Capital No. 2 Account AND BE IT FURTHER

RESOLVED, that the sum of \$9,006.71 be transferred to the General Fund for reimbursement of the Debt Redemption incurred by the General Fund.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (480-1982)

TRANSFERRING \$800.00 TO
ACCT. NO. 1420-211 FROM
GENERAL FUND

Co. Lettre offered the following resolution:

RESOLVED, that the sum of \$800.00 be transferred to Account No. 1420-211 from the General Fund to purchase books to complete the set of McKinney's Consolidated Laws of New York in the Town Attorney's Office.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (481-1982)

RESCINDING RESOLUTION
#232-1982 R. REPAIRS TO
SANITARY LANDFILL COMPACTOR

Co. Lettre offered the following resolution:

RESOLVED, that resolution 232-1982 authorizing the advertising for bids for

REPAIRS TO FIRE DAMAGED SANITARY LANDFILL COMPACTOR
(BID #25-1982)

is hereby rescinded.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (482-1982)

AWARDING BID #32-1982
COMPUTER PRINT OUT
BURSTER, SIGNOR, DECOLLATOR
TO NCR CORP. FUNDS CHARGED
TO CAPITOL II ACCOUNT

Co. Holbrook offered the following resolution:

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RESOLUTION NO. (482-1982) Continued

RESOLVED, that based upon the recommendation of the Town Comptroller and the Director of Purchasing that

BID #32-1982
for ONE COMPUTER PRINT OUT BURSTER,
SIGNOR, DECOLLATOR

is hereby awarded to

NCR CORPORATION
335 OLD TARRYTOWN ROAD
WHITE PLAINS, NY 10603

at the low bid proposal of \$5,969.00 for one NCR Model 6310 VARIABLE SPEED FORMS BURSTER WITH OPTIONAL ON-LINE IMPRINTER, and be it

FURTHER RESOLVED, that funds for same be charged to CAPITOL II ACCOUNT.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (483-1982)

AWARDING BID #37-1982 FOR CHEMICALS TO BEL AQUA POOL SUPPLY, INC.; DUSO CHEMICAL CO., INC.; UTILITY CHEMICAL CO.; JONES CHEMICALS, INC.; QUICK CHEMICAL CO., INC.

Co. Holbrook offered the following resolution:

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

BID #37-1982 for CHEMICALS is hereby awarded to the following companies:

Bel Aqua Pool Supply, Inc.
750 Main St.
New Rochelle, NY 10805

Duso Chemical Co., Inc.
P.O. Box 665
Poughkeepsie, NY 12602

Utility Chemical Co.
Sixth Ave. & Wait St.
Paterson, NJ 07524

Jones Chemicals, Inc.
P.O. Box 280
Warwick, NY 10990

Quick Chemical Co., Inc.
3 Ellen St.
Spring Valley, NY 10977

As per the attached schedule of items and prices.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (484-1982)

AWARDING BID #38-1982 FOR
ONE 1982 MODEL VAN TO
TED SCHULTZ FORD, INC.

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the
DIRECTOR OF PURCHASING and the SEWER MAINTENANCE SUPERVISOR that

BID #38-1982
for
ONE 1982 MODEL VAN FOR CLARKSTOWN
SEWER DEPARTMENT

is hereby awarded to

TED SCHULTZ FORD, INC.
80 Route 304
NANUET, NY 10954

as per the following low bid proposal

ONE - 1982 E150 CARGO VAN	\$7947.00
Options: Yankee #343 Flashing	
Beacon	71.00
12"X12" Roof Vent.....	89.00
TOTAL PROPOSED COST.....	<u>\$8107.00</u>

and be it

FURTHER RESOLVED, that funds for same be charged to
account B8110-203.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (485-1982)

READVERTISING FOR BIDS FOR
BID #26A-1982 FOUR-SIX-
1982 FOUR CUBIC YARD DUMP
TRUCKS

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the Town
Attorney and the Director of Purchasing that all proposals received for:

BID #26-1982
FOUR-SIX 1982 FOUR CUBIC YARD DUMP TRUCKS
are hereby rejected, and be it

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

BID #26A-1982
FOUR-SIX 1982 FOUR CUBIC YARD DUMP TRUCKS

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, NY by 11:00 A.M. on Tuesday, June 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. Maloney

All voted Aye.

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RESOLUTION NO. (486-1982)

AUTHORIZING JOSEPH LEWIS
TO ATTEND REGIONAL WORK-
SHOP IN ALBANY

Co. Lettre offered the following resolution:

RESOLVED, that Joseph Lewis, Transit Operator Supervisor,
of the Town of Clarkstown is hereby authorized to attend the Small
Operations Regional Workshop in Albany, NY on July 26-28, 1982
AND BE IT FURTHER

RESOLVED, that all proper charges not to exceed \$250.00
be charged to Appropriation Account No. A 5630-414.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (487-1982)

ACCEPTING DEED FOR DRAIN-
AGE EASEMENT - MATTHEW R.
AND FRANCES ZAMBRANO

Co. Carey offered the following resolution:

RESOLVED, that the Town of Clarkstown hereby accepts
a deed dated April 17, 1982 from Matthew R. and Frances Zambrano
for a drainage easement, and be it

FURTHER RESOLVED, that said deed is hereby ordered to be
recorded in the Rockland County Clerk's Office.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (488-1982)

ACCEPTING EASEMENT BETWEEN
ENDURA HOMES, INC. AND THE
TOWN OF CLARKSTOWN

Co. Lettre offered the following resolution:

RESOLVED, that Easement dated March 12, 1982 between
ENDURA HOMES, INC. and the Town of Clarkstown, is hereby accepted
and ordered to be recorded in the Rockland County Clerk's Office.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (489-1982)

AUTHORIZING LEASE OF STREET
SCHOOL FROM CLARKSTOWN
CENTRAL SCHOOL DISTRICT

Co. Lettre offered the following resolution:

RESOLVED, that the Town of Clarkstown hereby authorizes
the Supervisor of the Town of Clarkstown to enter into a lease
with the Clarkstown Central School District for the Street School
premises in the event that such school is closed.

Seconded by Co. Maloney

All voted Aye.

Supervisor Dusanenko said at the School Board Meeting last
night no action was taken regarding leasing of the schools.

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RESOLUTION NO. (489-1982) Continued

At this point Dave Fromson of New City spoke regarding the Town entering into a lease with Clarkstown School District for the Street School premises and advised the Town Board when to become involved in this issue as it was a hot bed of controversy. He made mention of a Parochial School that was for rent to the Town for the sum of \$26,000.

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RESOLUTION NO. (490-1982)

AUTHORIZING SUPERVISOR TO
ENTER INTO AN AGREEMENT
RE: SEWER SERVICE

Co. Lettre offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into a reciprocal agreement, satisfactory to the Town Attorney, with the Town of Ramapo whereby each municipality agrees to furnish sewer service for property situate in the other municipality when field conditions require same.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (491-1982)

SETTING DATE FOR PUBLIC
HEARING RE: ZONE CHANGE -
R10 TO RG-2- NORMANDY
VILLAGE, NANUET

Co. Carey offered the following resolution:

WHEREAS, Normandy Village Company has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described from R-10 district to RG-2 district;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 8th day of June, 1982 at 8:30 P.M., relative to the proposed amendment; and it is

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

Seconded by Co. Maloney

Co. Lettre voted no and explained that the reason he was casting a no vote was because of the Moratorium adopted by the Town Board and since this zone change would increase density and he felt that the intent of the Moratorium was to prevent such increase and this would be in direct conflict with the Moratorium.

The roll call vote was as follows:

Supervisor DusanenkoYes
Councilman CaryYes
Councilman Holbrook.....Yes
Councilman Lettre.....No
Councilman MaloneyYes

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RESOLUTION NO. (492-1982)

ACCEPTING PROPOSALS FROM
ORANGE & ROCKLAND UTILITIES
FOR STREET LIGHTING AT
LINK ESTATES, NEW CITY

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 location: Link Estates, New City.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (493-1982)

AUTHORIZING SUPERVISOR
AND DEPUTY TOWN ATTORNEY
TO TAKE ACTION RE: FRANCHISE
AGREEMENT - A & R BURGLAR
ALARM CORP.

Co. Lettre offered the following resolution:

RESOLVED, that Theodore R. Dusanenko, Supervisor of the Town of Clarkstown and Philip B. Fogel, 1st Deputy Town Attorney of the Town of Clarkstown, be and the same hereby are authorized to take any and all action they deem appropriate with respect to the franchise agreement between the A & R Burglar Alarm Corp. and the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (494-1982)

APPOINTING LABORER/STUDENT
MAINTENANCE DEPARTMENT

Co. Maloney offered the following resolution:

RESOLVED, that Gerard Ryan, 35 Pondview Drive, Congers, New York is hereby appointed to the position of Laborer Student - Maintenance Department - at the hourly rate of \$3.35 - effective May 17, 1982.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (495-1982)

APPOINTING SUBSTITUTE
CROSSING GUARD - POLICE
DEPARTMENT

Co. Maloney offered the following resolution:

RESOLVED, that Mary Guinan, 12 Durant Road, New City, New York, is hereby appointed to the position of Substitute Crossing Guard - Police Department - at the rate of \$5.00 per crossing covered - effective and retroactive to April 21, 1982.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (496-1982)

APPOINTING PART TIME
LABORER BUILDING DEPARTMENT

Co. Maloney offered the following resolution:

RESOLVED, that Dwain W. Johnson, 27 North Park Avenue, Nanuet, New York is hereby appointed to the position of Laborer, part-time - Building Department, at the hourly rate of \$3.35, effective May 11, 1982, not to exceed ninety days.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO.(497-1982)

WAIVING ALL FEES FOR THE
ERECTION OF A TENT FOR
ST. ANTHONY'S CHURCH

Co. Lettre offered the following resolution:

WHEREAS, all applicants for a license to erect a tent under Sections 34-4 and 34-6 of the Town Code having to do with Carnivals and Circuses, are liable for a fee and

WHEREAS, St. Anthony's Roman Catholic Church wishes to erect a tent for the purpose of conducting a mission;

NOW, THEREFORE, be it

RESOLVED, that all fees in connection with the erection of such a tent are hereby waived pursuant to Town Law Article 34, Local Law #2 Application.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (498-1982)

SETTING PUBLIC HEARING
FOR A RESIDENTIAL FACILITY
RE: LETCHWORTH VILLAGE -
MAY 25, 1982.

Co. Lettre offered the following resolution:

WHEREAS, the Town Board has received a formal notification of interest and intent of Letchworth Village Developmental Center/ Developmental Disabilities Service Office to establish a specific community residential facility for developmentally disabled persons in Clarkstown with a potential site bein 9 Inwood Drive, Bardonia, New York,

NOW, THEREFORE, be it

RESOLVED, that a Public Hearing be held on said matter on May 25, 1982 at 8:10 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (499-1982)

ADJOURNING REGULAR TOWN
BOARD MEETING IN ORDER TO
HOLD SCHEDULED PUBLIC
HEARING RE: AUTO LAUNDRY
TIME: 8:30 P.M.

Co. Maloney offered the following resolution:

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RESOLUTION NO. (499-1982) Continued

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing re: Auto Laundry, time: 8:30 P.M.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (500-1982)

CLOSING SCHEDULED PUBLIC HEARING RE: AUTO LAUNDRY

Co. Maloney offered the following resolution:

RESOLVED, that scheduled Public Hearing re: Auto Laundry, be closed, ADOPTED and regular Town Board Meeting be resumed, time: 9:05 P.M.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (501-1982)

GRANTING SPECIAL PERMIT TO CONSTRUCT AN AUTO LAUNDRY - CAL MART

Co. Maloney offered the following resolution:

WHEREAS, Cal Mart Construction Corp., has petitioned the Town Board of the Town of Clarkstown for a Special Permit for the construction of an Auto Laundry pursuant to the provisions of Section 106-10A, Table of General Use Regulations, RS District, Column 3, Section B, Paragraph 5 of the Zoning Ordinance of the Town of Clarkstown for property located on the south side of Route 59, West Nyack, New York, diagonally opposite Besso Street located on the north side of Route 59, designated on the Clarkstown Tax Map as Map 106, Block A, Lot 21.01, and more particularly described on the attached Schedule "A", and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board on the 11th day of May, 1982, at 8:30 P.M. to consider such application;

NOW, THEREFORE, the Town Board makes the following Special Findings pursuant to Section 106-14 B of the Zoning Ordinance of the Town of Clarkstown:

That, the proposed use as described and represented by the applicant:

1. Will be properly located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities;
2. Will not cause undue traffic congestion or create a traffic hazard;
3. Will not create at any point of determination any more dangerous and objectionable elements than is characteristic of the uses permitted as of right in the same district;
4. Will not adversely affect the character of or property values in the area;
5. Will not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town;

RESEOLUTION NO. (501-1982) Continued

6. Will comply with all other regulations applicable to such use;

NOW, THEREFORE, be it

RESOLVED, that a Special Permit to construct an auto laundry on the above described property is hereby GRANTED to the petitioner subject to the following conditions:

1. Petitioner must comply with Section 106-16 C of the zoning Ordinance of the Town of Clarkstown annexed hereto;

2. Petitioner shall secure site plan approval from the Planning Board;

3. Approval shall be secured from either the Rockland County Sewer District No. 1 of the Rockland County Health Department for waste water disposal and the plans shall include provision for a grit removal system;

4. A map note to be placed on Exhibit "E" of the petition to read as follows, "This survey is not intended as an approval of a subdivision; there shall be no separate tax map designations and no subdivision of these parcels. The review of a site plan shall not be limited solely to Parcel I."

and be it

FURTHER RESOLVED, that the within Special Findings and Resolution setting forth the reasons for granting such Special Permit shall constitute a written report to be filed with the Town Clerk.

TOWN BOARD OF THE TOWN OF CLARKSTOWN

By: /s/ Theodore R. Dusanenko, Supervisor

106-16C of the Zoning Ordinance on file in the Town Clerk's Office.

Description of premises for proposed Special Permit on file in the Town Clerk's Office.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (502-1982)

OPENING SCHEDULED PUBLIC HEARING RE: LEACHATE SYSTEM, 9:08 P.M.

Co. Lettre offered the following resolution:

RESOLVED, that scheduled Public Hearing re: Leachate System, be opened, time: 9:08 P.M.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (503-1982)

CLOSING SCHEDULED PUBLIC HEARING, DECISION RESERVED, LEACHATE SYSTEM: 9:30 P.M.

Co. Maloney offered the following resolution:

RESOLVED, that scheduled Public Hearing re: Leachate System be closed, Decision Reserved, time 9:30 P.M.

Seconded by Co. Lettre All voted Aye.

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There being no one further wishing to be heard and no further business to come before the Town Board meeting, Town Board Meeting was adjourned by motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, time: 9:30 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

5/11/82

8:30 P.M.

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

RE: SPECIAL PERMIT FOR AN AUTO LAUNDRY - CAL MART CONSTRUCTION CORP.

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

Town Attorney John Costa referred to the following correspondence:

(Letterhead of the Rockland County Sewer District No. 1)

May 3, 1982

Town of Clarkstown
10 Maple Avenue
New City, New York 10956

Att: Ms. P. Sheridan - Town Clerk

Re: Special Permit for Auto Laundry
Cal-Mart Construction Co.

Dear Ms. Sheridan:

In an investigation of the proposed site for the auto laundry, the Rockland County Sewer District No. 1 offers the following comments. Since a considerable amount of grit is removed by the washing of vehicles, the Sewer District would recommend that a grit removal system be placed ahead of the discharge point into the sewer. The District recommends that this be done in order to eliminate possible obstruction of flow due to buildup of grit and possible scouring of the piping system.

Should you have any questions, please contact us at your earliest convenience.

Very truly yours,

/s/
Andrew S. Abate
Engineer II

ASA:pb

(Letter of Rockland County Planning Board)

May 4, 1982

Agency Town Board
Town of Clarkstown
10 Maple Avenue
New City, New York 10956

Re: GENERAL MUNICIPAL LAW (GML) REVIEW: 239(k)___239(l&m_x_239(n)___

Map Dated: 3/18/82
Item: Special Permit: Auto Laundry
S/S Route 59, West Nyack
Cal Mart Construction Corp. (C-967)

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Very truly yours,

/s/

Richard J. Paris

Chairman

cc: Town Attorney
Town Clerk

Town Attorney referred to the mention of recommendations of the New York State Department of Transportation. He wished it noted that if there are recommendations and the Board were not to follow these recommendations it would require a majority plus one vote to authorize this permit.

Mr. John Hekker, attorney for the applicant stated that there were no recommendations from the Department of Transportation at this time.

Mr. Hekker stated that there are existing curb cuts on the site itself. Since this is an application for a Special Permit in a use that is permitted by Special Permit there are certain findings of fact that the Board must find in connection with the granting of this approval should it so decide to grant. He referred to the special findings that must be found under Section 106-16(6). He presented members of the Town Board with copies of the special findings that must be found.

Supervisor Dusanenko asked where the grit removal clause was located in the proposed resolution and Town Attorney said it was not in there at the present time and it would have to be amended.

Mr. Hekker said the property is approximately 4 acres, not the property which is the subject of the Special Permit that is a 26,000 square foot area at the northwest corner of the property. Basically it is opposite what used to be Foreign Cars of Rockland - Porsche-Audi now. This site came in for a Special Permit within the past year for a landfill operation.

Mr. Hekker pointed out that there was unanimous approval from both the County and the Town Planning Boards and we agree to be bound by the stipulation imposed by the Town Planning Board.

Mr. Hekker presented photographs of the site outlining the proposed location for the auto laundry. He stated that the property is zoned RS which does permit this by special permit for approximately 3 acres to a distance of approximately 250 south and parallel to Route 59. The balance of the property is in a manufacturing district.

Mr. Dennis Coyle was then sworn in. He stated he has been a real estate broker in the Town of Clarkstown for the past twenty-three years. He said he had testified before the Zoning Board of Appeals, Planning Board, Town Board, School Board, etc. He mentioned that he had appeared before these various boards approximately 100 times.

Mr. Coyle then gave a description of the premises in question. He said it was bounded in the rear by the Besso property and the Clarkstown Sanitary Landfill.

Mr. Coyle said that transportation would be no problem. All utilities are available. In his opinion there would be adequate waste

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disposal. He said it would not create a traffic problem or hazard. This parcel is located half way between an auto laundry in the Village of Nyack and one in the Hamlet of Nanuet. He said it would not affect the property values in the area and this use would be in keeping with the surrounding properties. Public health, safety, morals, convenience, comfort and prosperity or other aspects of the general welfare of the Town of Clarkstown would not be adversely affected by this proposed laundry.

With respect to 106-16(c) would an excess amount of vehicular traffic be drawn through local streets in the area or past elementary schools or playgrounds? This being located on a state highway it would not cause a traffic problem of any kind that I can foresee. Mr. Coyle described the road pattern in the area.

Mr. Robert Criscuolo was then sworn in. He stated that he was associated with A.E. Stiles Manufacturing Company in Point Pleasant Beach in Cramford, New Jersey. He said that Stiles Manufacturing is the distributor for Hanna Industries in New Jersey and New York to include Rockland and Westchester counties and the five boroughs of New York. He said they sell the equipment, service it and warranty it. For new facilities they do site analysis and market studies.

Hanna Industries is the largest manufacturer of car wash equipment in the world. He stated that he had been in the business for approximately fifteen years.

Mr. Criscuolo stated that he was familiar with the site and with the proposed facility to be placed there.

With respect to the provisions for adequate disposal of waste water Mr. Criscuolo stated that the proposed car wash would use a water recycling system. The wash water with the detergent comprises 80% of the water used in the entire operation and provides for the disposal to the sanitary sewer of the balance of the water which is used in the final rinse process which is fresh water and comprises the other 20% of the total amount of water used in the operation. The water is channeled to a settling pit and after the water settles out it flows to the sanitary sewer. It will go directly into the sanitary sewer and not into a drainage system.

Mr. Criscuolo said that it takes about 100 gallons of water to effectively wash and rinse a car and of the 100 we are going to reclaim and reuse 80 gallons. The 80 is the wash water and the 20 we are going to dispose of.

The study done on this particular location indicated that approximately 72,000 cars per year or 6,000 per month on the average would be washed. The majority of those people will be residents of the area within a three mile radius of the facility. He stated that he felt it was an essential service and gave various reasons for that statement among which were safety factors, health factors, etc. He said there would be adequate parking space for the cars anticipated (approximately 15) and room for more if needed.

Councilman Holbrook asked if there were plans to pump gas, repair cars, etc. Mr. Hekker said "No", only car washing was to be done here. Councilman Holbrook also inquired about possible flooding. Mr. Criscuolo said he was not qualified to answer any questions with regard to the effectiveness of the landfill operation with respect to possible flooding.

Supervisor Dusanenko asked if there would be accommodations for larger vehicles such as town mini-buses, etc. Mr. Criscuolo said slightly larger vehicles could be handled at the self-service bays but not in the fully automated bay.

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Councilman Carey asked how many bays or runs would be utilized and Mr. Criscuolo said only one. There would be an area for self service for larger cars but only one main facility.

Councilman Carey asked for a description of the equipment to be used in the self-service bays and Mr. Criscuolo described the same as being coin operated, enclosed in a bay with the use of high pressure water and rinse for five minutes.

Town Attorney John Costa made reference to C-3 which talks about a reservoir space of 300 square feet per automobile per laundry machine. Mr. Costa wanted to know if there would be more than one washing facility. Mr. Hekker answer "No" that there would be space for self-washing as previously described but only one fully automated area.

Mr. Costa said he thought that the coin operated service washes were considered by the Building Inspector to be car washes in the past. Mr. Criscuolo said they were ancillary services and they thought it would be nice to have the additional service for someone in the community who either didn't want to spend the larger amount for the fully automated service but would just prefer to do it himself for the lower amount. Mr. Hekker said for purposes of this permit they were just now considering the one fully automated service.

Councilman Carey questioned the amount of cars and the heaviest days of use. Mr. Criscuolo said the heaviest days were in the winter and on the weekends. A particularly heavy day could be four times the amount of a normal day. He said the facility could handle such a heavy day.

Town Attorney John Costa swore in Mr. Cal Wortendyke, President of Cal-Mart Construction, the applicant for the proposed Special Permit.

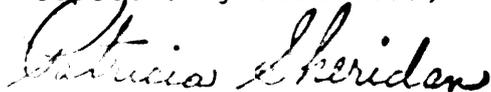
Councilman Holbrook asked Mr. Wortendyke whether the filling was sufficient to take care of flooding which has occurred there. Mr. Wortendyke said there had been flooding which was the original reason they had come before the Board to obtain the special permit for the landfill operation. We wanted to get out of that condition so it would not affect us. The automobile dealers across the road have placed their buildings on piles high enough to be out of this situation. The last time there was danger of flood conditions the water did not come within three feet of those buildings. We are filling to the same elevation and are piling our building also and there should not be any problem whatsoever with flooding.

Councilman Holbrook asked if there would be danger of flooding to adjacent properties due to run-off, etc. Mr. Wortendyke said "No". They had looked into that and there is sufficient drainage around the property to prevent flooding to any surrounding area.

In response to an inquiry from Councilman Holbrook, Mr. Hekker assured him that there would be no subdivision and they were not asking for one.

Supervisor Dusanenko asked if there was anyone else wishing to be heard. There being no one, on motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the Public Hearing was declared closed, time: 9:05 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

(ADOPTED - Resolution No. (501-1982))

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9:08 P.M.

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

RE: PUBLIC HEARING FOR LEACHATE COLLECTION SYSTEM AT THE
SANITARY LANDFILL

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

Town Attorney John Costa gave an explanation as to why the Public Hearing was being held. This public hearing is being held pursuant to the Eminent Domain Procedure Law Section 203 which requires a condemnor to hold a public hearing and at that public hearing to outline the purpose, proposed location or alternate location of the public project and any other information it considers pertinent including maps and property descriptions of the property to be acquired and adjacent parcels. After that outline is given any person in attendance is entitled to a reasonable opportunity to present oral or written statements and to submit any documents concerning proposed public projects. Mr. Costa said that for the record he had not received in the Town Attorney's office any written statements intended to be read into the record.

Mr. Costa called upon Mr. Les Bollman, Director of Environmental Control to present testimony supporting the need for the Leachate Collection System since he is best qualified to speak about this system and present the facts necessary.

Mr. Bollman said also for the record that no comments were received in his office regarding this proposed project.

Mr. Bollman stated that in May of 1980 the Town of Clarkstown entered into a Consent Order with the New York State Department of Environmental Conservation stating that it would construct and maintain a leachate collection system around the perimeter of the Landfill. The Landfill is located on the south side of Route 59 and the west side of Route 303. The parcel that we are talking about condemning is on the north side of that parcel owned by the Town of Clarkstown. It is bordered on the east side by the Hackensack River about 50 to 60 feet off of Route 303 on the west and it is south of Route 59, immediately south of the parcel that we were just discussing at the public hearing for the auto laundry.

The leachate collection system as designed and as submitted to the New York State Department of Environmental Conservation is currently up in Albany for review. This perimeter the majority of the property except for about six and one half acres to the north. There is another eight acres which is designated wet lands to the west.

As to alternate sites, since the landfill has been in existence and since the consent order stated that we had to put in a leachate collection system around the area we had filled, there really is no alternate site. We did not have a choice to tell them we would put the leachate collection system someplace else.

Part 360 of the State Law governing solid waste facilities states that any type of monitoring well or leachate collection system

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has to be maintained for at least five years after final closing and final cover or longer as they may deem necessary. After speaking to the people in White Plains, it has been determined that a reasonable period for maintenance would be twenty years after the closure of the landfill. It will be very similar to the sanitary sewer system we now operate.

The leachate system actually will extend into other property which the town owns outside the sanitary landfill. It is about 8,500 feet total and it makes a complete circle around the landfill with different pumping stations that will take it up to a lagoon temporarily until we and the DEC decide how it will eventually be disposed of. In response to a question Mr. Bollman said the leachate will be prevented from going into the Hackensack River.

This must be done regardless of whether the landfill is operating tomorrow, the next day or five years from now.

Mr. Bollman said the landfill, at least the Town's portion of it, started about twenty-five years ago. Some of the property we are talking about condemning had been filled with papers, etc. right up to World War II or during World War II.

Mr. Bollman said that as long as he has been directing the landfill there has been a lease from the owner of the property.

In response to a question from Supervisor Dusanenko, Town Attorney Costa said that the law requires that the Town give its decision within ninety (90) days. The Town Board must decide whether or not to proceed with the proposed condemnation. They must decide whether all or part of the property is to be condemned and upon making its decision they must notify the owner and publish it in the newspapers.

Mr. Costa said the input from the public should be allowed before taking any action. He believed it would be premature to take any action this evening.

Appearance:

Mr. John Lodico
2 Birch Drive
New City, New York 10956

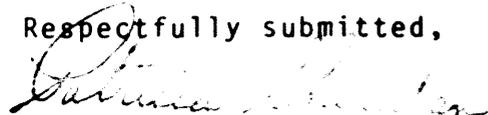
Mr. Lodico said he did not want the Town to buy land at a higher price than we should be paying for it. The land should be considered as an oasis and landlocked so that when the property is appraised the MIA appraiser will take that into consideration. He gave a brief history of the acquisition of the land up to the Adler tract. The parcel is isolated by the Hackensack on the west, a stream on the north and lands owned by the Town of Clarkstown on the east. He suggested that the Town Board do the best it can on the land needed and negotiate for the other pieces to the east of it and everything north of the stream that comes in from Route 59.

Supervisor Dusanenko asked if the stream that now goes through the middle of the landfill will be relocated to the north or to the south. Mr. Bollman said if he was talking about the major stream that runs (Buttermilk Falls) - that will be relocated further to the south.

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 declared closed, DECISION RESERVED, time: 9:30 P.M.

(DECISION RESERVED)

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk