

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

5/25/82

8:17 P.M.

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

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

Supervisor Dusanenko introduced Curt Settle of the Juvenile Aid Bureau and Michael Reeder, Training Officer for the members of the Clarkstown Youth Court which is the largest youth court in the State of New York.

Curt Settle of the Police Department and the Juvenile Aid Bureau gave an explanation of the Youth Court and its functions. Mr. Settle, Chief Schnackenberg and Mr. Reeder gave out the certificates to the graduates of this third class.

A presentation of a plaque and certificate was made to Mr. Al Fedel, proprietor of the New City drugstore, for allowing the use of his pharmacy for the filming of the Youth Court to be presented on the television program "That's Incredible."

Plaques were presented to Mr. Alvin Spitzer and Mr. Joseph Hirschfeld, who helped with the training program.

Mr. Reeder spoke of the level of excellence of the students serving as volunteers on the Youth Court.

The following proclamation was presented to Albertus Magnus on the occasion of the twenty-fifth anniversary of this school.

"ALBERTUS MAGNUS HIGH SCHOOL
25th Anniversary

WHEREAS, Albertus Magnus High School is committed to providing quality education to its student body, and

WHEREAS, this commitment has encompassed the maintenance of the highest academic standards; affirms the gospel value of hope and is dedicated to building a community of trust and service, and

WHEREAS, Albertus Magnus is chartered by, and its curriculum is registered with the Regents of the University of the State of New York, and is fully accredited by the Middle States Association of Secondary Schools and Colleges, and

WHEREAS, Albertus serves a current enrollment of 815 students with a curriculum that is essentially college preparatory, and

WHEREAS, the school provides for the recognition of achievement among the underclassmen maintaining recognized chapters of the National Honor Society and of the French, Spanish, Science and Math National Honor Societies, and

WHEREAS, Albertus Magnus students are involved in a wide variety of community services offered through campus ministry, and

WHEREAS, Albertus Magnus also meets the needs of its students with a tradition of inter-scholastic sports which emphasizes the building of character, as well as athletic prowess

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, on behalf of the Town Board of the Town of Clarkstown, do hereby proclaim June 6, 1982 to be ALBERTUS MAGNUS DAY in the Town of Clarkstown and urge all our citizens to join with me in honoring ALBERTUS MAGNUS HIGH SCHOOL on the occasion of its 25th Anniversary.

IN WITNESS WHEREOF I HAVE
HEREUNTO SET MY HAND AND
CAUSED THE SEAL OF THE TOWN
OF CLARKSTOWN TO BE AFFIXED
THIS 25th DAY OF MAY, 1982.

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

(S E A L)

Accepting this proclamation on behalf of Albertus Magnus High School was Sr.

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At this point Supervisor Dusanenko opened a public meeting which had been called for this evening regarding the opening of a group home on Inwood Drive in Bardonia. He referred to a letter he had received from the State on May 4th.

Mr. Steve Rabinsky, represented the State of New York and Letchworth Village and he gave an explanation of the Padovan Law. He further stated that the Town had until June 12th to make its determination.

Ms. Violet Engel, a specialist in mental retardation gave a description of the Inwood Drive property and also mentioned who would be living there. There would be twenty-four hour supervision consisting of three eight-hour shifts. There would be twelve disabled persons plus eleven direct care staff plus a residence manager and a program manager. The residents would participate in a six hour program outside the home at Jawonio or ARC. Their leisure time would be highly structured. The community residence facility which is proposed for Inwood Drive is what is called an ICFDD which stands for an Immediate Care Facility for Developmentally Disabled persons. These residents would need more supervision as they are retarded and most of them have a physical handicap as well. They would benefit from a normal environment. The Clarkstown Site Commission was familiar with this proposed home.

Supervisor Dusanenko asked if there was anyone wishing to speak in favor of this proposal.

IN FAVOR:

Appearance: Rev. Rick Hays, Pastor
Germonds Presbyterian Church
129 Kings Highway
New City, New York 10956

Rev. Hays spoke regarding the advantages to the community and to the retarded in this type of community program. He said that eight adults had been received into the Germonds Presbyterian Church from the Venture Inn home.

Appearance: Rev. Robert Morisseau
St. John's Episcopal Church
Strawtown Road
New City, New York 10956

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Rev. Morisseau spoke about community and communion being one and the reality of Venture East. Between seven and ten members of that group home have become part of his church. It has been a positive experience.

Appearance: Mr. Robert Walsh, Teacher
Clarkstown School System

Mr. Walsh stated that he is a parent of a resident of Venture Inn in Nanuet. He said that Rockland County is at the forefront of starting a trend of making a name for itself in humanitarianism. Those involved in Venture Inn will be monitors for the State and will not allow the State to botch this up. The people that will be housed in this center are the same as those presently living in the community centers.

Appearance: Ms. Nancy Wok
2 Robinhood Lane
New City, New York 10956

She assured those in attendance that this would not affect property values and their homes would be salable.

Supervisor Dusanenko asked if there was anyone wishing to speak in opposition to the proposed group home.

IN OPPOSITION

Appearance: Mr. Walter Zaugg
22 Grove Court
Bardonia, New York 10954

Mr. Zaugg spoke against the group home because of the environmental impact it would have for the neighborhood. There was a traffic problem. Traffic is unsafe even for those who live there presently. There would be an economic impact on property values. Letchworth Village had ample land to accommodate these people. They will not become part of our community. No one will benefit but the realtors.

Appearance: Mr. Richard Cronin
268 Bardonia Road
Bardonia, New York 10954

Mr. Cronin presented a survey of the last one quarter mile of Bardonia Road regarding accidents that have happened just a few steps from this residence and he gave a listing of them. There were twenty-seven accidents in the last three years on a quarter mile stretch along this road where this home would be located. He presented detailed information.

Appearance: Mr. George Weiner
261 Bardonia Road
Bardonia, New York 10954

Mr. Weiner stated that he was an architect. He spoke regarding the narrow sidewalks, poor roads and two taverns in the area. He also questioned the long term commitment of the State to this structure as far as maintenance. He said there was a big difference in what the structure was intended for and the adopted reuse. Mr. Weiner also spoke about the property values.

Appearance: Mr. Morton Langse
27 Inwood Drive
Bardonia, New York 10954

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Mr. Langse stated that there were no sidewalks and no street lights. Fourteen new homes have increased the traffic flow. This location is not correct. He stated that he would hold the members of this Town Board personally and legally responsible if there are any incidents or problems.

Appearance: Mr. Robert Nolan
220 Bardonia Road
Bardonia, New York 10954

He said that the State spoke about a normal life for these people. Twelve adults with constant supervision is not a normal life. Venture East on Strawtown Road has not been accepted by the neighbors nor do they acknowledge them in any way. The house on Inwood Drive is over-priced. It should not be selling for more than \$120,000.00 or \$125,000.00. Because there are two apartments in the house it has a market value of \$134,000.00. He also stated that 9 Inwood Drive is not completed. There was no lawn and no foundation plantings. The inside is not completed. He felt the State should pick up a house that is for sale as a tax delinquent and improve that structure not buy one that they have to pay full market value for.

There was presented to the Town Board a statement of opposition by the residents.

Appearance: Mr. Denis Gaber
211 Bardonia Road
Bardonia, New York 10954

Mr. Gaber stated that Letchworth Village had to reduce their client population from 1900 to 1200. They are doing this by placing residents within the community. He stated that the state's list of criteria did not include one of safety. He said Bardonia and Inwood are two blind spots and is a very hazardous intersection. He questioned the supervision of the residents and said it was very possible that residents will get out. The conditions they would be faced with would be dangerous. There are wooded areas with ponds. He said he would not allow his children out alone in this area and the residents of this home would, in effect, be children. He said he hopes he never has to say to the Board or to the State "I told you so." Mr. Gaber presented a list of alternate sites for a group home plus lots available in Clarkstown and he suggested that building be considered as opposed to buying. He asked the Board to show its concern.

Appearance: Mr. Totani
4 Ash Road
Bardonia, New York 10954

Mr. Totani said that 27% of the people who live in Rockland County work for the State. They are protecting their jobs.

Appearance: Mr. Joseph Doyle
46 Inwood Drive
Bardonia, New York 10954

Mr. Doyle said that this was a state operation. What was going to happen if there were budget cuts. He wanted assurances that this would not be converted into a junkie home or a haven for ex-cons.

Appearance: Mr. Steven Cohen
6 Tioga Court
New City, New York

Mr. Cohen inquired as to whether, if the Board rejects the Inwood Drive site, they would consider the South Mountain Road location. If so, he wanted assurances that the residents from South Mountain Road would be given an opportunity to speak and have their day in court.

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Councilman Maloney said that there would be another hearing if an alternate site were selected. Councilman Holbrook concurred. Supervisor Dusanenko said that he felt that the South Mountain Road site was a dangerous road and he did not want to see this house on a dangerous road. The decision had to be made by June 12th. The Town Board had their next meeting on June 8th and he further stated that if the Town Board does not choose the site the State will. Councilman Lettre said that the Town of Clarkstown can say to the State that we do not want the group home but the State of New York has the power to go where it wants and take that residence. The Town Board does not have the power to pick or select the location. We can voice our opinions on the locations given tonight to the State but we do not have the power or authority to determine the site. The job of the Town Board is to let the people know what is going on so that what happened on Strawtown Road does not happen again.

Councilman Carey read the following statement:

"I'm fully aware of the number of residents allowed to live in a Community Residential Facility under the Mental Hygiene Law... However, I question this number.

"After inspecting the 4 sites...I find it inconceivable that more than 6 adults plus necessary staff could live in any of the suggested sites. Twelve people living in any one of these houses is like living in a mini-institution, to my mind.

"Unless I can be assured that no more than 6 residents plus the necessary staff will live in this site...I voice a strong objection and vote NO."

Appearance: Mr. Michael Morlin
South Mountain Road
New City, New York 10956

Mr. Morlin spoke to the alternatives available to the Board and he listed them as (1) approval; (2) objection to any facility; and (3) rejection of the Inwood Road site. The State would have a certain amount of time to accept another location. He wanted assurances that if this were the case there would be a public hearing and that the residents would be heard on the alternate site.

Appearance: Mr. Thomas Hogan
10 Patterson Avenue
West Nyack, New York 10994

Mr. Hogan spoke about the Western Highway residence as a alternate site. He said that according to the State's criteria this would not be acceptable since there was not adequate parking or land for recreation. It was a busy road and there already were two group homes in the area. One was directly across from him and was for delinquent children and he himself has sustained two instances of property damage. One of the incidents was caused by the Supervisor of the children who backed into his car. He felt that the day supervision was good but the nights and weekends were poor. He questioned the supervision of the residents. He has been bothered with litter and foul language.

Mr. Steven Rabinsky said that there were always potential safety hazards and there are always risks in life. The question is was the risk worth it. We all take risks every day and he hoped that the Town Board would take action to fix Bardonia Road. He stated that the Inwood Drive location was a good site - the property was good and he felt that it was safe. Mr. Rabinsky then answered questions from the floor.

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Councilman Maloney inquired as to his feeling about ten to twelve adults living in the house. Mr. Rabinsky replied that there was absolutely no problem with that. They can house up to fourteen and the staff does not live in. There is ample room in this house. Some facilities have six or seven residents but most have ten or over.

Councilman Carey inquired as to litigation and who would be responsible - the State or the Town.

Town Attorney John Costa explained the Padovan Law which he said was actually Sec.41.34 of the Mental Hygiene Law. He said (1) the Board could approve; (2) recommend alternate sites; (3) object to the site; (4) do nothing. If the Town does nothing and a forty day period elapses the site will be as selected.

He stated that it was his opinion that if the Town does nothing and the site is as selected by the State then the State would be legally responsible. If the Town objects on the basis of saturation and if that is so and the State objects there is the right to a hearing before the Commissioner. If the Commissioner's determination is not satisfactory to either party there is a right to seek review in the Courts.

Councilman Lettre said he gets upset when he hears about litigation; that he worries about the rights of people and the retarded are people and they have rights too. The people here don't want it in their backyard. He also objected to some of the inferences made by some of the speakers. The only thing he got out of this was a satisfaction that it meant so much to these people to move out of an institution into a home. He stated that he had not selected the Bardonia site. He was on the Site Commission in order to give people in the area knowledge of what was going on so they would not wake up one morning and find it in their backyard. He said he was not political and he does not want to interject politics into this issue.

Councilman Carey said he felt there should be a limit to the number living in the group home and there should be no more than six.

The public meeting on this group home issue ended at 10:30 P.M. at which time a recess was called which lasted approximately one half hour.

RESOLUTION NO. (504-1982)

ADJOURNING REGULAR TOWN BOARD
IN ORDER TO HOLD SCHEDULED
PUBLIC HEARING RE: PROPOSED LOCAL
LAW TO REPEAL LOCAL LAW #3-1973
ENTITLED, "A LOCAL LAW CREATING
A NARCOTIC GUIDANCE COUNCIL..."

Co. Maloney offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing re: Proposed Local Law to Repeal Local Law #3-1973 entitled, "A Local Law Creating a Narcotic Guidance Council...", time: 11:00 P.M.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (505-1982)

CLOSING SCHEDULED PUBLIC
HEARING RE: A LOCAL LAW
CREATING A NARCOTIC GUIDANCE
COUNCIL..."

Co. Maloney offered the following resolution:

RESOLUTION NO. (505-1982) Continued

RESOLVED, that scheduled Public Hearing re: Proposed Local Law to Repeal Local Law #3-1973 entitled "A Local Law Creating a Narcotic Guidance Council..." be closed, time: 11:05 P.M.

Secoded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (506-1982)

OPENING PUBLIC HEARING
RE: PROPOSED LOCAL LAW
ENTITLED "A LOCAL LAW
CREATING A DRUG ABUSE
PREVENTION COUNCIL..."

Co. Maloney offered the following resolution:

RESOLVED, that scheduled Public Hearing re: Proposed Local Law entitled "A Local Law Creating a Drug Abuse Prevention Council..." be opened, time: 11:05 P.M.

Secoded by Co. Lettre All voted Aye.

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RESOLUTION NO. (507-1982)

CLOSING SCHEDULED PUBLIC
HEARING RE: A LOCAL LAW
CREATING A DRUG ABUSE
PREVENTION COUNCIL..."

Co. Maloney offered the following resolution:

RESOLVED, that scheduled Public Hearing re: Proposed Local Law entitled "A Local Law Creating a Drug Abuse Prevention Council..." be closed, time: 11:06 P.M.

Secoded by Co. Lettre All voted Aye.

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RESOLUTION NO. (508-1982)

OPENING PUBLIC HEARING
RE: PROPOSED AMENDMENT
TO THE ZONING ORDINANCE -

Co. Lettre offered the following resolution:

RESOLVED, that scheduled Public hearing re: Proposed Amendment to the Zoning Ordinance - "Signs" be opened, time: 11:06 P.M.

Secoded by Co. Maloney All voted Aye.

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RESOLUTION NO. (509-1982)

CLOSING SCHEDULED PUBLIC
HEARING RE: PROPOSED
AMENDMENT TO THE ZONING
ORDINANCE - "SIGNS"

Co. Maloney offered the following resolution:

RESOLVED, that scheduled Public Hearing re: Proposed Amendment to the Zoning Ordinance - "Signs" be closed, time: 11:10 P.M.

Secoded by Co. Lettre All voted Aye.

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RESOLUTION NO. (510-1982)

OPENING PUBLIC HEARING
RE: ABANDONMENT OF
AVENUE "D"

Co. Maloney offered the following resolution:

RESOLVED, that scheduled Public Hearing re: Abandonment
of Avenue "D" be opened, time: 11:10 P.M.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (511-1982)

CLOSING SCHEDULED PUBLIC
HEARING RE: ABANDONMENT
OF AVENUE "D"

Co. Maloney offered the following resolution:

RESOLVED, that scheduled Public Hearing re: Abandonment of
Avenue "D" be closed, time: 11:15 P.M.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (512-1982)

AWARDING BID FOR ICE
CREAM (McDERMOTT BROTHERS
CO., INC.)

Co. Holbrook offered the following resolution:

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

BID #39-1982
for
ICE CREAM

is hereby awarded to

McDERMOTT BROTHERS CO., INC.
ROUTE 59
WEST NYACK, NEW YORK 10994

as per the following price schedule

Ice Cream Sandwich.....	\$ 3.84/pkg 24
Crunch Bar (Strawberry-Chocolate).....	\$ 5.00/pkg 24
Twin Ice Pop.....	\$ 2.80/pkg 24
Italian Ice Cup.....	\$ 2.50/pkg 12
Ice Cream Cup.....	\$ 6.00/pkg 36

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (513-1982)

AWARDING BID FOR SOFT
DRINKS (SODA SYSTEMS
INC.)

Co. Holbrook offered the following resolution:

RESOLUTION NO. (513-1982) Continued

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

BID #40-1982
SOFT DRINKS

is hereby awarded to

SODA SYSTEMS, INC.
34 GARDEN STREET
NEW ROCHELLE, NEW YORK 10801

as per the following low bid price schedule

Cola Syrup	@	26.50/5 gal.
Diet Cola Syrup	@	16.50/ "
Lemon	" @	26.50/ "
Orange	" @	26.50/ "
Co ₂ Gas	@	7.50/20 lb. cylinder

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (514-1982)

AWARDING BID FOR FOOD
PRODUCTS FOR TOWN
REFRESHMENT STANDS
(VARIOUS SUPPLIERS)

Co. Holbrook offered the following resolution:

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

BID #41-1982
FOOD PRODUCTS FOR TOWN
REFRESHMENT STANDS

is hereby awarded to the following vendors as per the attached schedule of items/prices

S. Schaffer Grocery Corp.
Weyman Ave., & Industrial Pl.
New Rochelle, N.Y. 10805

F. Wilson Smith, Inc.
22 Hudson Dr.
Stony Point, N.Y. 10980

Freihofer Baking Co.
99 West Nyack Rd.,
Nanuet, N.Y. 10954

Empire Candy & Tobacco
19 North Middletown Road
Pearl River, N.Y. 10965

National Foods
47 Main Avenue
Clifton, N.J. 07014

RESOLUTION NO. (514-1982) Continued

Newburgh Superior Packing
439 Little Britain Road
Newburgh, N.Y. 12550

Linden's of Westchester
80 Lafayette Ave.,
No. White Plains, N.Y. 10603

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (515-1982)

AUTHORIZING ASSESSOR TO
ATTEND SEMINAR IN ADVANCED
APPRAISAL METHODOLOGIES
(ROSS J. VALENZA) CHARGE
1010-414

Co. Carey offered the following resolution:

RESOLVED, that Ross J. Valenza, Assessor of the Town of
Clarkstown, is hereby authorized to attend a Seminar in Advanced
Appraisal Methodologies at Cornell University, and be it

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (516-1982)

AUTHORIZING SUPERVISOR TO
EXECUTE DEED CONVEYING
PARCEL TO DOROTHY DRAUDT

Co. Holbrook offered the following resolution:

WHEREAS, on April 4, 1972, the Town Board of the Town of
Clarkstown adopted Resolution No. 333 authorizing the conveyance of
a parcel of land shown on the attached survey to Charles Draudt for the
sum of \$300.00 subject to permissive referendum, and

WHEREAS, notice of the sale was published in the Journal
News, and

WHEREAS, the period for objection to the sale of this parcel
has passed without receipt of a petition protesting against the sale of
the parcel, and

WHEREAS, the conveyance of this parcel was never finalized,
and

WHEREAS, Dorothy Draudt, the sole heir of Charles Draudt,
has requested the conveyance of this parcel of land;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is
hereby authorized to execute a deed conveying the above mentioned parcel
to Dorothy Draudt upon the receipt of the sum of \$300.00 and an affidavit
attesting to her heirship.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (517-1982)

TRANSFER OF FUNDS
FROM APPROPRIATION ACCOUNT
NO. A 1010-414 TO APPROPRIA-
TION ACCOUNT NO. 1120-414
(COUNCILMEN TO YOUTH COURT)

Co. Maloney offered the following resolution:

RESOLVED, to transfer \$96.00 from Appropriation Account No.
A 1010-414 to Appropriation Account No. 1120-414.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (518-1982)

TRANSFER OF FUNDS FROM
CONTINGENCY ACCOUNT
A 1990-505 TO APPROPRIATION
ACCOUNT NO. A 1010-313
(COUNCILMEN)

Co. Maloney offered the following resolution:

RESOLVED, to transfer \$100.00 from Contingency Account No.
A 1990-505 to Appropriation Account No. A 1010-313.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (519-1982)

TRANSFER OF FUNDS FROM
APPROPRIATION ACCOUNT
NO. D 5142-443 TO
APPROPRIATION ACCOUNTS
NOS. D 5142-111 AND
D 5142-114 (HIGHWAY -
SNOW REMOVAL)

Co. Maloney offered the following resolution:

RESOLVED, to transfer \$10,150.00 from Appropriation Account
No. D 5142-443 to the following Appropriation Account Nos.:

D 5142-111	\$10,000.00
D 5142-114	150.00

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (520-1982)

TRANSFER OF FUNDS FROM
APPROPRIATION ACCOUNT NO.
A 1430-313 TO APPROPRIA-
TION ACCOUNT NO. A 1430-438
(PERSONNEL)

Co. Maloney offered the following resolution:

RESOLVED, to transfer \$12.00 from Appropriation Account No.
A 1430-313 to Appropriation Account No. A 1430-438.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (521-1982)

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

Co. Maloney offered the following resolution:

RESOLVED, to transfer \$65.00 from Appropriation Account No.
A 5630-203 to Appropriation Account No. A 5630-408.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (522-1982)

TRANSFER OF FUNDS FROM
APPROPRIATION ACCOUNT NO.
A 1345-319 TO APPROPRIATION
ACCOUNT NO. A 1345-438
(PURCHASING)

Co. Maloney offered the following resolution:

RESOLVED, to transfer \$92.00 from Appropriation Account No.
A 1345-319 to Appropriation Account No. A 1345-438.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (523-1982)

TRANSFER OF FUNDS FROM
CONTINGENCY ACCOUNT NO.
A 1990-505 TO APPROPRIA-
TION ACCOUNT NO. A 1670-
407 (MAIL AND COPY)

Co. Maloney offered the following resolution:

RESOLVED, to transfer \$150.00 from Contingency Account No.
A 1990-505 to Appropriation Account No. A 1670-407.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (524-1982)

TRANSFER OF FUNDS FROM
APPROPRIATION ACCOUNT NO.
A 1110-211 AND FROM
APPROPRIATION ACCOUNT NO.
A 1110-327 TO APPROPRIATION
ACCOUNT NO. A 1110-407
(JUSTICE COURT)

Co. Maloney offered the following resolution:

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

FURTHER RESOLVED, to transfer \$25.00 from Appropriation
Account No. A 1110-327 to Appropriation Account No. A 1110-407.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (525-1982)

AUTHORIZING CHIEF OF POLICE
(GEORGE R. SCHNAKENBERG)
TO ATTEND NEW YORK STATE
ASSOCIATION OF CHIEFS OF
POLICE ANNUAL CONFERENCE
CHARGE TO ACCOUNT # A
1010-414

Co. Maloney offered the following resolution:

RESOLVED, that George R. Schnakenberg, Chief of Police,
Town of Clarkstown, is hereby authorized to attend the New York State
Association of Chiefs of Police Annual Conference from July 18th
through July 22nd, 1982 in Albany, New York, and be it

FURTHER RESOLVED, that all proper charges not to exceed
\$350.00 be charged against Account # A 1010-414.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (526-1982)

AUTHORIZING ATTENDANCE
AT NORTHEAST REGIONAL
ASSOCIATION OF AUTO THEFT
INVESTIGATOR SEMINAR
FOR LIEUTENANT PAUL
D'ALESSANDRO - CHARGE
TO ACCOUNT # A 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Lieutenant Paul D'Alessandro, Clarkstown
Police Department, is hereby authorized to attend the Northeast
Regional Association of Auto Theft Investigator Seminar from May 18th
through May 20th, 1982, in Cherry Hill, New Jersey, and be it

FURTHER RESOLVED, that all proper charges not to exceed
\$100 be charged against account # A 1010-414.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (527-1982)

AUTHORIZING ATTENDANCE
AT TWO-DAY SEMINAR ON
RESOURCE RECOVERY
TECHNOLOGIES AND PRACTICES
FOR THEODORE R. DUSANENKO
AND LESLIE F. BOLLMAN

Co. Lettre offered the following resolution:

RESOLVED, that Theodore R. Dusanenko, Supervisor, and
Leslie F. Bollman, Director of Environmental Control of the Town of
Clarkstown, are hereby authorized to attend a two-day Seminar on
Resource Recovery Technologies and Practices to be held at Newark
Airport Sheraton Inn from June 30 to July 1, 1982, and be it

FURTHER RESOLVED, that all proper charges be charged against
appropriations account #A 1010-414.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (528-1982)

ACCEPTING PROPOSAL FROM
ORANGE & ROCKLAND
UTILITIES, INC. FOR LIGHTING
AT GERMONDS PARK

Co. Lettre offered the following resolution:

WHEREAS, the Supervisor's Office continues to work at improving the cost effectiveness of services provided to the Town of Clarkstown, and

WHEREAS, through one of these audits of street lighting an area of improvement was found by Patricia A. Balko, and brought to the attention of the Parks Board and Recreation Commission, and

WHEREAS, through this improvement the Town of Clarkstown will save \$3,106.32 and upgrade existing lighting at Germonds Park, West Nyack,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the immediate implementation of this cost saving improvement, and hereby accepts a proposal from Orange & Rockland Utilities, Inc. for lighting at Germonds Park.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (529-1982)

ACCEPTING PROPOSAL FROM
ORANGE & ROCKLAND
UTILITIES, INC. FOR LIGHT-
ING AT NEW CITY ESTATES
(NORFOLK AVENUE, CONGERS)

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:

New City Estates, Norfolk Avenue, Congers

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (530-1982)

ACCEPTING PROPOSALS FROM
ORANGE & ROCKLAND UTILITIES,
INC. FOR LIGHTING AT DIANE
DRIVE, NEW CITY AND VICTOR
ROAD, 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,

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RESOLUTION NO. (530-1982) Continued

NOW, THEREFORE, be it

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

Diane Drive	New City
Victor Road	New City

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (531-1982)

AUTHORIZING SUPERVISOR TO EXECUTE AND ADMINISTER SUMMER YOUTH EMPLOYMENT PROGRAM FOR 1982

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to execute and administer Summer Youth Employment Program (S.Y.E.P.) for 1982.

Seconded by Co. Lettre

All voted Aye.

* * * * *

At this point there was considerable discussion on Agenda Item No. 10 which has to do with setting a public hearing regarding amendment to the Zoning Ordinance as to Bulk Regulations, Sub-paragraph (4) of Section 106-6-1.C.

Mention was made of a resolution prepared with input from Mr. Geneslaw as to 100 foot buffer containing a railroad siding. The Building Inspector had also given input for a different resolution which states that side yards or rear yards shall not be required if abutting a railroad right-of-way.

Supervisor Dusanenko made the suggestion that both proposals be referred to the planning boards and set for public hearings.

Councilman Holbrook said he would rather just move the resolution pertaining to the 100 foot buffer rather than carte blanche.

Councilman Carey at this point read the following statement with regard to his feelings on this:

"Ladies and gentlemen -

This is a very interesting story...We are talking about that famous piece of property on Route 303 between Lake Road and Gilchrist Road... Not too long ago that was one of our prize industrial parcels,,,zoned L.I.O. with a small portion zoned R-15.

The owners, Associates of Rockland, petitioned the town to change the L.I.O. zone to a P.E.D. district. The county and town planning boards agreed with this request...However,,,Associates of Rockland,,,then said they needed 25 plus acres of this parcel zoned R-15 so that they would have the seed money to develop the remainder of the parcel as P.E.D.... The majority of the town board at that time granted the developer's request,,,against the advice of the planning board--and the opposition of the surrounding residents.

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At Thursday's town board workshop meeting we all received a memo from the Building Inspector urging us to amend the existing laws governing the development of the P.E.D. zone,,,specifically,,,the deletion of the 100 foot buffer zone required for such development.

Some members of this town board want to circumvent the usual procedure for such an amendment,,,namely referral to the Rockland County Planning Board, our own Clarkstown Planning Board and the SEQR process.

Why is there a desire to circumvent the normal procedure adhered to by this board in other such cases??? What's the rush???

I am against setting a public hearing without at least going through the normal and proper procedures...

I am voting against this resolution setting a public hearing without proper procedure."

Councilman Maloney said that he would like to refer both proposals out to the proper boards for review.

RESOLUTION NO. (532-A-1982)

SETTING PUBLIC HEARING
ON PROPOSED AMENDMENT TO
ZONING ORDINANCE (SECTION
106-6.1.C. BULK REGULATIONS)

Co. Lettre offered the following resolution:

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 said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Board be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 13th day of July, 1982, at 8:20 P.M., to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown:

Amend Section 106-6.1.C. Bulk regulations, Sub-paragraph (4) to read as follows:

(4) Minimum buffer required around entire PED: one hundred (100 feet, with parking permitted within said buffer, except that no parking shall be permitted within fifty (50) feet of residential zoning districts nor within twenty (20) feet of major or secondary roads as defined by the Official Map of the Town of Clarkstown, except that side yards or rear yards shall not be required if abutting a railroad right-of-way.

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 Clerk, and be it

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

Seconded by Co.Maloney

RESOLUTION NO. (532-A-1982) Continued

On roll call the vote was as follows:

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

* * * * *

RESOLUTION NO. (532-B-1982)	SETTING PUBLIC HEARING ON PROPOSED AMENDMENT TO ZONING ORDINANCE OF TOWN OF CLARKSTOWN (SECTION 106-6.1.C. BULK REGULA- TIONS)
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Co. Lettre offered the following resolution:

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 said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Board be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 13th day of July, 1982, at 8:30 P.M., to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown:

Amend Section 106-6.1.C. Bulk regulations, Sub-paragraph (4) to read as follows:

(4) Minimum buffer required around entire PED; one hundred (100) feet, with parking permitted within said buffer, except that no parking shall be permitted within fifty (50) feet of residential zoning districts nor within twenty (20) feet of major or secondary roads as defined by the Official Map of the Town of Clarkstown; except, however, that the Planning Board may, as part of site plan approval, allow a railroad siding and the building or buildings served by said siding, within the one hundred (100) foot buffer, where this will not weaken the integrity of the PED district or adversely affect adjoining or nearby properties.

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 Clerk, and be it

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

Seconded by Co. Maloney

RESOLUTION NO. (532-B-1982) Continued

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 inquired if this was the prized LIO piece that went for tax sale two or three times.

Supervisor Dusanenko said that it was interesting to note that this property referred to as the Hoffman property remained vacant for many, many years. It seemed that those people who are long standing owners of property in Rockland County probably had the naivete of not knowing the certiori route had the taxes on portions of their property higher than prized commercial property for many years. That assessing procedure which was done in part by various agencies in the Town of Clarkstown did in fact contribute to the fact that these property owners could never develop that prize commerical LIO property and I believe that property was valued at between \$2,000,000 and \$4,000,000. It went at a tax sale for less than half a million dollars. Even though I disagreed with certain things I would have preferred that the entire tract be PED last year. The Town Board majority chose to make approximately 75 acres PED and approximately 25 acres R-15. This Town Board has in the past unanimously, either bi-partisanly or tri-partisanly, worked for industrial development for this town. When the change was made to PED with a mind toward increased flexibility, decreased delays in front of agencies and planning boards there was perhaps an oversight that what is entitled is a matter of right under the previous LIO zone which is to build a building or parking facility right up to the lot line adjacent to a railroad track is now not the case so there is less utilization and more aggravation to a potential industrial client than there is in the existing PED.

If we can entice people to use more of the land along railroad tracks maybe we will not see the suburban blight as we do along the rail lines of this Town of Clarkstown. They tend to be dumping grounds and some people view them as buffer zones.

* * * * *

RESOLUTION NO. (533-1982)

AMENDING RESOLUTION 431
OF 1982 WITH REGARD TO
LOCATION SURVEY OF PUMP
STATION - WESTERN HIGHWAY
AND GREEN ROAD, WEST NYACK,
NEW YORK (CHARGE TO ACCOUNT
NO. B-8110-409)

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 431 adopted by the Town Board of the Town of Clarkstown on April 27, 1982, is hereby amended to read as follows:

"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, and easements, if necessary, for a sum not to exceed \$750.00 which sum to be charged to Account No. B-8110-409, and be it

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RESOLUTION NO. (533-1982) Continued

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." (This will increase his original contract by \$250.00.)

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (534-1982)

RESOLUTION OF INTENT TO GRANT PHOENIX HOUSE FOUNDATION THE SUM OF \$5,000.00 FOR CONSOLIDATED COMMUNITY-WIDE DRUG ABUSE PREVENTION PROGRAM

Co. Maloney offered the following resolution:

RESOLVED, that upon completion of review by the Town Attorney as to legal form, the Town Board of the Town of Clarkstown intends to grant Phoenix House Foundation, Inc., the sum of \$5,000.00 subject to the approval and participation by the Clarkstown Central School District, Division of Substance Abuse Service, CANDLE Organization and Phoenix House Foundation, Inc., for a consolidated community-wide drug abuse prevention program for the Town of Clarkstown.

Seconded by Co. Lettre

On roll call the vote was as follows: (Please see * below)
* * * * *

RESOLUTION NO. (535-1982)

REQUESTING DEPARTMENT OF TRANSPORTATION TO UNDERTAKE STEPS TO OBTAIN COOPERATION OF CONTRACTOR REGARDING IMPROVEMENT PROJECT AT NORTH MIDDLE-TOWN ROAD, NANUET

Co. Lettre offered the following resolution:

RESOLVED, that the Town of Clarkstown expresses its concern over the safety hazards and inconvenience to the residents of Rockland County caused by the failure of the contractor hired by the Department of Transportation to complete the road improvement project at North Middletown Road, Nanuet, New York, and be it

FURTHER RESOLVED, that the Town of Clarkstown requests the Department of Transportation to immediately undertake steps to obtain the cooperation of the contractor involved or to forfeit any bond posted and obtain the services of another contractor to complete the project, and be it

FURTHER RESOLVED, that a certified copy of this resolution be forwarded to our state and local representatives.

Seconded by Co. Maloney

All voted Aye.

* * * * *

* (Roll call vote on Resolution No. 534-1982)

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

Councilman Carey inquired if this money was to go exclusively to the Clarkstown School District or were the other school districts in Clarkstown included? Mr. Ronald Coster answered that for the moment it only applied to Clarkstown School District. Councilman Carey said until it was decided that all districts in Clarkstown be included he would have to vote "No" on this.

RESOLUTION NO. (536-1982)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO PROVIDE WRITTEN AUTHORIZATION TO G.P.A. TO PERFORM EXTRA WORK RE: INSTALLATION OF SHRUBS FOR MAINTENANCE OF TOWN CUL-DE-SACS (ACCOUNT NO. D-5140-384)

Co. Lettre offered the following resolution:

RESOLVED, that the Superintendent of Highways of the Town of Clarkstown is hereby authorized to provide written authorization to G.P.A. to perform extra work in accordance with the G.P.A. Bid Proposal which was previously accepted by the Town for the installation of shrubs for the Maintenance of Town Cul-de-Sacs Project (Bid No. 33-1982) for a sum not to exceed \$2,000.00, and be it

FURTHER RESOLVED, that the funds so expended shall be taken from Account No. D-5140-384.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (537-1982)

AUTHORIZING TOWN ATTORNEY TO PUBLISH DETERMINATION AND FINDINGS PURSUANT TO EMINENT DOMAIN PROCEDURE LAW (LANDS OF NED A. BESSO)

Co. Lettre offered the following resolution:

RESOLVED, that the attached Determination and Findings pursuant to Eminent Domain Procedure Law, Section 204, is hereby adopted, and be it

FURTHER RESOLVED, that the Town Attorney be and he hereby is authorized to publish such findings in accordance with Section 204 of the Eminent Domain Procedure Law and take all other steps necessary to obtain title for the Town of Clarkstown to the property described in Schedule "A" of the attached Determination and Findings.

Seconded by Co. Maloney

All voted Aye.

* * * * *

(Determination and Findings on File in Town Clerk's Office.)

* * * * *

RESOLUTION NO. (538-1982)

SETTING PUBLIC HEARING RE EMINENT DOMAIN PROCEDURE LAW (PARKER PROPERTY)

Co. Lettre offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown shall hold a public hearing pursuant to the Eminent Domain Procedure Law to consider the acquisition of a parcel of land located adjacent to and southerly of the present Clarkstown Sanitary Landfill, which land has been determined by Order of the Supreme Court of the State of New York, County of Rockland, to have been irreparably damaged by landfill activities conducted by the Town of Clarkstown, which public hearing shall be held on June 22, 1982, at 8:15 P.M., at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and be it

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RESOLUTION NO. (538-1982) Continued

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published at least five consecutive days in the official newspaper of the Town of Clarkstown and file proof thereof in the office of the said Town Clerk.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (539-1982)

SETTING PUBLIC HEARING
FOR EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT TO INCLUDE PROPERTY
OF A. DAVID SCHWARTZ

Co. Lettre offered the following resolution:

WHEREAS, a written Petition dated May 4, 1982 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District in the said Town, to be bounded and described as follows:

(Description on File in Town Clerk's Office)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 22nd day of June, 1982, at 8:30 P.M., DST time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (540-1982)

ADOPTING LOCAL LAW NO.
6-1982 (LOCAL LAW TO
REPEAL LOCAL LAW NO. 3-1973
ENTITLED 'A LOCAL LAW
CREATING A NARCOTIC
GUIDANCE COUNCIL FOR THE
TOWN OF CLARKSTOWN')

Co. Maloney offered the following resolution:

WHEREAS, a proposed local law entitled, "A LOCAL LAW TO REPEAL LOCAL LAW NO. 3-1973, entitled 'A LOCAL LAW CREATING A NARCOTIC GUIDANCE COUNCIL FOR THE TOWN OF CLARKSTOWN'" was introduced by Councilman Maloney, at a Town Board meeting held on April 27, 1982, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 27th day of April, 1982, directed that a public hearing be held on the 25th day of May, 1982 at 8:30 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on May 10, 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 April 19, 1982, and

RESOLUTION NO. (540-1982) Continued

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on May 25, 1982;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 6-1982, entitled, "A LOCAL LAW TO REPEAL LOCAL LAW NO. 3-1973, entitled, 'A LOCAL LAW CREATING A NARCOTIC GUIDANCE COUNCIL FOR THE TOWN OF CLARKSTOWN'" is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

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

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (541-1982)

ADOPTING LOCAL LAW NO. 7-1982 ENTITLED "A LOCAL LAW CREATING A DRUG ABUSE PREVENTION COUNCIL FOR THE TOWN OF CLARKSTOWN"

Co. Maloney offered the following resolution:

WHEREAS, a proposed local law entitled 'A LOCAL LAW CREATING A DRUG ABUSE PREVENTION COUNCIL FOR THE TOWN OF CLARKSTOWN' was introduced by Councilman Maloney, at a Town Board meeting held on April 27, 1982, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 27th day of April, 1982, directed that a public hearing be held on the 25th day of May, 1982 at 8:35 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on May 10, 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 offices at 10 Maple Avenue, New City, New York, on April 19, 1982, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on May 25, 1982;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 7-1982, entitled, "A LOCAL LAW CREATING A DRUG ABUSE PREVENTION COUNCIL FOR THE TOWN OF CLARKSTOWN" is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

RESOLUTION NO. (541-1982) Continued

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

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (542-1982) NARCOTICS GUIDANCE COUNCIL
TO SERVE OUT THEIR TERMS
AS MEMBERS OF THE DRUG
ABUSE PREVENTION COUNCIL

Co. Lettre offered the following resolution:

RESOLVED, that the present members of the former Town of Clarkstown Narcotics Guidance Council shall serve out their terms as members of the Drug Abuse Prevention Council for the Town of Clarkstown.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (543-1982) AMENDING ZONING ORDINANCE
OF TOWN OF CLARKSTOWN
AMEND SECTION 106-3
DEFINITIONS WORD "SIGN"

Co. Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 27th day of April, 1982, provided for a public hearing on May 25, 1982, at 8:40 P.M. to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

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

RESOLUTION NO. (543-1982) Continued

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.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (544-1982)

DELETING AVENUE "D"
FROM OFFICIAL MAP OF
TOWN OF CLARKSTOWN

Co. Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 27th day of April, 1982, provided for a public hearing on May 25, 1982, at 8:45 P.M., 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. B. Gilbert Tract, Clarkstown, Rockland County, N.Y., R. Hart, Surveyor, Nyack, N.Y. 1881, Filed in the Rockland County Clerk's Office October 29, 1881", and the Official Map of the Town of Clarkstown, located in the Hamlet of Nanuet, New York, and

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

NOW, THEREFORE, be it

RESOLVED, that Avenue "D", as described above, is hereby deleted from the Official Map of the Town of Clarkstown, and be it

FURTHER RESOLVED, that Avenue "D", as described above, is hereby abandoned by the Town of Clarkstown, and be it

FURTHER RESOLVED, that the attached Recommendation of Superintendent of Highways of the Town of Clarkstown that a Highway be abandoned is hereby ordered to be recorded in the Rockland County Clerk's Office and filed in the Town Clerk's Office.

Seconded by Co. Maloney

All voted Aye.

* * * * *

(Recommendation of Superintendent of Highways that a Highway be Abandoned)

* * * * *

RESOLUTION NO. (545-1982)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL A "NO PARKING HERE TO CORNER" EAST SIDE OF MAIN STREET FIFTEEN FEET FROM NORTHERN EDGE OF BUILDING ABUTTING KEVIN LANDAU PARK

Co. Maloney offered the following resolution:

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RESOLUTION NO. (545-1982) Continued

RESOLVED, that based upon the recommendation of Fred Seeger, Superintendent of Highways, the Clarkstown Highway Department is hereby authorized to install a "No Parking Here to Corner" sign on the east side of Main Street, New City, exactly fifteen (15) feet from the northern edge of building that abuts Kevin Landau Park, and be it

FURTHER RESOLVED, that the curb and street be painted with appropriate markings.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (546-1982)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL CURVE SIGNS ON SOUTH SIDE OF WEST CLARKSTOWN ROAD, NEW CITY, EAST OF PALISADES INTERSTATE PARKWAY BRIDGE AND ONE OR TWO DIRECTIONAL ARROWS BE PLACED BETWEEN RED HILL ROAD AND WEST CLARKSTOWN ROAD

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install curve signs on the south side of West Clarkstown Road, New City, just East of the Palisades Interstate Parkway bridge (See section 231.4 of the NYS Manual of Uniform Traffic Control Devices - W 2-L signs), and be it

FURTHER RESOLVED, that one or two directional arrows be placed between Red Hill Road and West Clarkstown Road (see section 231.8 of the Manual - W.7A signs).

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (547-1982)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL "NO PARKING" SIGNS SOUTH SIDE PARKSIDE DRIVE WEST, CONGERS TO FIRST DRIVEWAY AND "NO PARKING HERE TO CORNER" NORTH SIDE PARKSIDE DRIVE 30 FEET WEST OF KINGS HIGHWAY, CONGERS

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install "No Parking" signs to be extended on the south side of Parkside Drive West, Congers, to the first driveway (area adjacent to the Congers baseball fields on Parkside Drive), and be it

FURTHER RESOLVED, that a sign be installed to read, "No Parking Here to Corner". This sign to be installed on the north side of Parkside Drive, 30 ft. west of Kings Highway, Congers.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (548-1982)

TABLING AGENDA ITEMS
25(b) AND 25 (e)
NO. 550-1982 AND NO.
553-1982 (FAILED)

Co. Carey offered the following resolution:

RESOLVED, that agenda items 25(b) and 25(e) be tabled.

Seconded by Co. Holbrook.

On roll call the vote was as follows:

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

* * * * *

RESOLUTION NO. (549-1982)

ACCEPTING RESIGNATION OF
BUS-DRIVER (PART-TIME)
MINI-TRANS (RAYMOND K.
BOYD)

Co. Lettre offered the following resolution:

RESOLVED, that the resignation of Raymond K. Boyd, 9 Lynne Drive, New City, New York as Bus Driver, part-time - Mini-Trans - is hereby accepted, effective and retroactive to April 1, 1982.

Seconded by Co. Maloney

* * * * *

RESOLUTION NO. (550-1982)

APPOINTING POSITION OF
MEMBER OF INDUSTRIAL
DEVELOPMENT COMMISSION
(RICHARD DEL VECCHIO)

Co. Lettre offered the following resolution:

RESOLVED, that Richard Del Vecchio, 10 South Park Lane, Nanuet, New York, is hereby appointed to the position of Member - Industrial Development Commission - to serve without compensation - effective May 25, 1982 - with a term to expire on May 25, 1985.

Seconded by Co. Maloney

* * * * *

RESOLUTION NO. (551-1982)

ACCEPTING RESIGNATION OF
CODE INSPECTOR - BUILDING
DEPARTMENT (CLARE M.
NEUSER)

Co. Lettre offered the following resolution:

RESOLVED, that the resignation (by retirement) of Clare M. Neuser, 463 W. Clarkstown Road, Spring Valley, New York as Code Inspector - Building Department - is hereby accepted, effective June 12, 1982.

Seconded by Co. Maloney

* * * * *

RESOLUTION NO. (552-1982)

AMENDING RESOLUTION NO.
465-1982 RE: APPOINTING
POSITION OF BUS DRIVER,
PART-TIME - MINI TRANS
(CARL ORICHT)

Co. Lettre offered the following resolution:

RESOLVED, that Resolution No. 465-1982 adopted at the Town Board Meeting of April 27, 1982 is hereby amended to read:

Carl Oricht, 35 Carolina Drive, New City, New York is hereby appointed to the position of Bus Driver, part-time - Mini-Trans - at the hourly rate of \$5.50, effective and retroactive to April 19, 1982.

Seconded by Co. Maloney

* * * * *

RESOLUTION NO. (553-1982)

APPOINTING POSITION OF
CHAIRMAN - FIRE BOARD OF
APPEALS (ARTHUR SMITH)

Co. Lettre offered the following resolution:

RESOLVED, that Arthur Smith, 31 Pondview Drive, Congers, New York is hereby appointed to the position of Chairman - Fire Board of Appeals - to serve without compensation - effective May 25, 1982 - with a term to expire on December 31, 1982.

Seconded by Co. Maloney

* * * * *

RESOLUTION NO. (554-1982)

AUTHORIZING SUPERVISOR
TO FILL VACANT OFFICE-
WORKER STUDENT POSITION

Co. Lettre offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to fill the vacant Office-Worker Student position - Supervisor's Office.

Seconded by Co. Maloney

* * * * *

RESOLUTION NO. (555-1982)

AUTHORIZING ATTENDANCE
AT SEMI-ANNUAL NYS DOT
STATEWIDE TRANSIT MEETING
(JOSEPH LEWIS-MINI-TRANS)
(CHARGE 5630-0414)

Co. Carey offered the following resolution:

RESOLVED, that Joseph Lewis, Transit Oper. Supervisor of the Town of Clarkstown, is hereby authorized to attend the Semi-Annual NYS DOT Statewide Transit Meeting in Cooperstown, New York on June 9th and 10th, 1982, and be it

FURTHER RESOLVED, that all proper charges not to exceed \$200.00 be charged against 5630-0414.

Seconded by Co. Lettre

Resolutions (549-1982 through and including (555-1982) were voted on as a block with the roll call vote for all being as follows:

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

RESOLUTION NO. (556-1982)

GRANTING WAIVER OF
TOWN CODE FOR CARNIVAL
AT DAVIES LAKE

Co. Lettre offered the following resolution:

RESOLVED, that the Town Board hereby grants a waiver of the Town Code to allow a Carnival at the site of Davies Lake, effective and retroactive to May 14, 1982.

Seconded by Co. Carey

All voted Aye.

* * * * *

There being no one wishing to be heard and no further business to come before the Town Board, the Town Board meeting was adjourned on motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, time: 11:55 P.M.

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

5/25/82

11:00 P.M.

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

RE: LOCAL LAW TO REPEAL LOCAL LAW NO. 3-1973 ENTITLED "A LOCAL LAW
CREATING A NARCOTIC GUIDANCE COUNCIL FOR THE TOWN OF CLARKSTOWN"

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

Supervisor Dusanenko gave an explanation of this proposed local law.

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

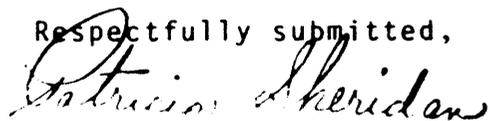
IN FAVOR: No one appeared.

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

IN OPPOSITION: No one appeared.

There being no one wishing to be heard in favor of or in opposition to the proposed local law, the Public Hearing was declared closed on motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, time: 11:05 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

(AMENDMENT ADOPTED - RESOLUTION NO. 540-1982)

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

5/25/82

11:05 P.M.

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

RE: LOCAL LAW CREATING A DRUG ABUSE PREVENTION COUNCIL FOR THE TOWN
OF CLARKSTOWN

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

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

IN FAVOR: No one appeared

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

IN OPPOSITION: No one appeared.

There being no one wishing to be heard in favor of or in opposition to the proposed local law, the Public Hearing was declared closed on motion of Councilman Maloney, seconded by Councilman Lette and unanimously adopted, time: 11:06 P.M.

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

(AMENDMENT ADOPTED - RESOLUTION NO. 541-1982)

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

5/25/82

11:06 P.M.

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

RE: AMENDMENT TO SECTION 106-3, DEFINITION OF WORD "SIGN"

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. Town Attorney testified as to proper newspaper publication.

Supervisor Dusanenko inquired of the Building Inspector if this proposed amendment pertained to political signs. Mr. Maraia stated that this did not pertain to political or charitable signs; they were exempt.

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

IN FAVOR: No one appeared.

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

IN OPPOSITION: No one appeared.

There being no one wishing to be heard in favor of or in opposition to the proposed amendment, the Public Hearing was declared closed on motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, time: 11:10 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

(AMENDMENT ADOPTED - RESOLUTION NO. 543-1982)

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

5/25/82

11:10 P.M.

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

RE: ABANDONMENT OF ROAD - AVENUE "D" (PURSUANT TO SECTION 273 OF
THE TOWN LAW FOR DELETION - SECTION 205 OF HIGHWAY LAW FOR
ABANDONMENT

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. Town Attorney testified as to proper newspaper publication.

Supervisor Dusanenko stated that the Planning Board had recommended the deletion of Avenue D from the Town Tax Map. The vote carried 4 to 0. The planning consultants had no objection to the abandonment. There was also an affidavit from the Superintendent of Highways recommending such abandonment which recommendation was signed by the Supervisor and all Councilmen.

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

IN FAVOR

Appearance: Henry Horowitz, P.E.

Mr. Horowitz appeared in favor and stated that the Rockland County Planning Board unanimously approved of the removal from the Official Map of Avenue D and it was being done as of May 25, 1982.

Appearance: Mr. Gyllenswan, Owner
G & S Shopping Court

He inquired if the owners of the property on each side of Avenue D could split this down the middle and use it for parking.

Town Attorney explained that the ownership of the property would depend on a title search. The Town is abandoning its interest in the right-of-way in allowing people to go over that street which was never cut. I would suggest that you refer the question as to ownership to your attorney in order that a search can be made to determine legal ownership. The Town does not own the land in Avenue D. The owners will be determined by records on file in the County Clerk's office.

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: 11:15 P.M.

Respectfully submitted,

PATRICIA SHERIDAN,
Town Clerk

(ROAD ABANDONED - RESOLUTION NO. (544-1982))