

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

6/8/82

8:05 P.M.

Present: Supervisor Theodore R. Dusanenko
Councilmen: William J. Carey, Charles E. Holbrook,
John R. Maloney, Edward J. Lettre,
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:

"RECREATION AND PARKS MONTH"
JUNE - 1982

WHEREAS, the Town of Clarkstown has numerous programs and facilities which its residents may take advantage of; and

WHEREAS, suitable and positive leisure experiences are vital to good physical and mental health and enhance the quality of life for all peoples; and

WHEREAS, all citizens can enjoy self-renewal in the out-of-doors through green spaces and facilities in parks; and

WHEREAS, all citizens can fulfill their potential in the use of their leisure time through the varied individual and group opportunities provided by recreation; and

WHEREAS, the Town of Clarkstown recognizes the efforts of both professional and volunteer recreation and park workers who have enhanced the services available to Clarkstown residents;

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, on this 8th day of June, 1982, do hereby proclaim the month of JUNE, nineteen hundred and eighty-two as "RECREATION AND PARKS MONTH" in the Town of Clarkstown, and urge all our residents to join with us in participating in the special events scheduled for June.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Clarkstown to be affixed this 8th day of June, 1982.

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

Mr. Edward J. Ghiazza, Supt. of Parks & Recreation accepted the Proclamation and noted that "Life Be In It" "Serendipity Saturday" will be held at Germonds Pool on June 12, 1982. The Senior Citizens Picnic was rained out and will be held June 9th at Congers Park. There will be a "Fun Run" at Kings Park on June 26th.

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Supervisor asked if there was anyone wishing to be heard.

APPEARANCE: Martin Bernstein
New City, NY

He spoke about the Master Plan and its implementation, housing, multi-family dwelling units and reorganization of Town government.

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RESOLUTION NO. (557-1982)

MEMORIALIZING ROCKLAND
COUNTY HEALTH DEPARTMENT
TO RECONSIDER CLASSIFI-
CATION OF NEW CITY PARK
LAKE

Co. Lettre offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown hereby requests that the Rockland County Health Department reconsider the classification of New City Park Lake, a private recreational facility, to enable it to meet water quality standards of the Rockland County Health Department so that there may be swimming at the New City Park Lake during the 1982 season, and be it

FURTHER RESOLVED, that copies of this resolution be forwarded to the Rockland County Legislators.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (558-1982)

AUTHORIZING SUPT. OF
HIGHWAYS TO CORRECT A
DRAINAGE PROBLEM
CAPITAL NO. 2 ACCOUNT

Co. Lettre offered the following resolution:

RESOLVED, that the Superintendent of Highways be authorized to correct a drainage problem at 7 Kingsland Drive, New City, New York, in accordance with the recommendations of the Department of Environmental Control, for a sum not to exceed \$4,000. and to be charged to the Drainage Bond, Capital No.2 Acct.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (559-1982)

SETTING DATE FOR PUBLIC
HEARING RE: AMENDING
FIRE CODE

Co. Maloney offered the following resolution:

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled, "AMENDMENT TO LOCAL LAW NO. 2-1965, AS AMENDED, ENTITLED, 'LOCAL LAW PROVIDING FOR REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE AND EXPLOSION'"

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 22nd day of June, 1982 at 8:35 P.M., or as soon thereafter as possible 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. Carey

All voted Aye.

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RESOLUTION NO. (560-1982)

ADVERTISING FOR BIDS
FOR UNIFORM MAINTENANCE
SERVICE FOR CLARKSTOWN
POLICE AND RECREATION

Co. Maloney offered the following resolution:

RESOLVED, that the DIRECTOR OF PURCHASING is hereby
authorized to advertise for bids for:

BID #43-1982
UNIFORM MAINTENANCE SERVICE FOR
CLARKSTOWN POLICE AND RECREATION DEPTS.

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 2:00 P.M. on: Wednesday,
June 23, 1982, at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal
documents can be obtained at the Office of the Clarkstown Director
of Purchasing.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (561-1982)

ADVERTISING FOR BIDS
FOR UNIFORMS FOR POLICE
DEPARTMENT

Co. Maloney offered the following resolution:

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

BID #42-1982
UNIFORMS FOR CLARKSTOWN POLICE DEPARTMENT

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on: Wednesday,
June 23, 1982, at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal
documents can be obtained at the Office of the Clarkstown Director
of Purchasing.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (562-1982)

ADVERTISING FOR BIDS FOR
SALE OF SURPLUS VEHICLES

Co. Maloney offered the following resolution:

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

BID #44-1982
SALE OF SURPLUS VEHICLES

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on: Tuesday,
June 22, 1982, at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal
documents can be obtained at the Office of the Clarkstown Director
of Purchasing.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (563-1982)

ADVERTISING FOR BIDS FOR
TIRES, TUBES & WHEEL
SERVICES

Co. Maloney offered the following resolution:

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

BID #45-1982
TIRES, TUBES & WHEEL SERVICES

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on: Thursday,
July 8, 1982, at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal
documents can be obtained at the Office of the Clarkstown Director
of Purchasing.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (564-1982)

SETTING PUBLIC HEARING AND
REFERRING PETITION WITH
REGARD TO SPECIAL PERMIT
FOR AN AUTO LAUNDRY

Co. Lettre 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 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;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to said ordinance
be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City,
New York, on the 13th day of July 1982, at 8:10 P.M., or as soon
thereafter as possible to consider the application of Cal-Mart
Construction Corp., relative to said Special Permit, and be it

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 Journal News, the official newspaper of the
Town of Clarkstown, as aforesaid, and file proof thereof in the
office of the said Clerk, and be it

FURTHER RESOLVED, that the application of CAL-MART
CONSTRUCTION CORP. is hereby referred to the Clarkstown Planning
Board and the Rockland County Planning Board for their report
and recommendation

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (565-1982)

SETTING DATE FOR PUBLIC
HEARING RE. ABANDONMENT
OF POPLAR STREET, CENTRAL
NYACK

Co. Lettre offered the following resolution:

WHEREAS, a request has been made for the abandonment of Poplar Street, Central Nyack, New York, and

WHEREAS, Poplar Street appears on the Official Map of the Town of Clarkstown, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider the abandonment pursuant to Section 205 of the Highway Law and deletion from the Official Map of the Town of Clarkstown pursuant to Section 273 of the Town Law of Poplar Street as shown and designated on a certain map entitled, "Map of Property of David J. Blauvelt of Nyack" filed in the Rockland County Clerk's Office on September 7, 1870, in Book 11 at Page 52 as Map 56;

NOW, THEREFORE be it

RESOLVED, that a public hearing be had at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on the 13th day of July, 1982, at 8:45 P.M., pursuant to Section 273 of the Town Law, to consider said abandonment and deletion from the Official Map, and be it

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

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

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO.(566-1982)

SETTING DATE FOR PUBLIC
HEARING - PROPOSED LOCAL
LAW AMENDING LOCAL LAW
#3-1980 RE. CONTROL, CON-
FINING AND LEASHING OF
DOGS

Co. Lettre offered the following resolution:

WHEREAS, Councilman Lettre, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled, "A Local Law Amending Local Law No. 3-1980 Entitled, 'A Local Law Relating To The Control, Confining And Leashing Of Dogs Within 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

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RESOLUTION NO. (566-1982) Continued

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 13th day of July, 1982, at 8:47 P.M., or as soon thereafter as possible 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. (567-1982)

AUTHORIZING SUPERVISOR TO EXECUTE A GENERAL RELEASE TO N.Y. TELEPHONE CO.

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute a general release to the New York Telephone Company in consideration of the payment of \$338.20 in connection with damages to one of the Town of Clarkstown's Mini Trans buses.

The roll call vote was as follows:

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

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RESOLUTION NO. (568-1982)

TRANSFERRING \$75.00 FROM TOWN ATTORNEY'S ACCOUNT NO. 1420-409 TO ACCOUNT NO. 1420-201

Co. Lettre offered the following resolution:

RESOLVED, that the sum of \$75.00 be transferred from Town Attorney's Account No. 1420-409 to Account No. 1420-201 for storage file cabinet.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (569-1982)

TRANSFERRING \$38.00 FROM APPROPRIATION ACCOUNT NO. A7140-408 TO APPROPRIATION ACCOUNT NO. A 7140-222

Co. Lettre offered the following resolution:

RESOLVED, to transfer \$38.00 from Appropriation Account No. A 7140-408 to Appropriation Account No. A 7140-222.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (570-1982)

AUTHORIZING SUPT. OF HIGHWAYS TO REMOVE YIELD SIGN ON NORTHEAST SIDE OF BUTLER ST. AT HIGHWAY AVENUE, CONGERS AND REPLACE IT WITH A STOP SIGN

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendations of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to remove the existing Yield sign on the northeast side of Butler St. at Highway Avenue, Congers and replace it with a stop sign.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (571-1982)

AUTHORIZING SUPT. OF HIGHWAYS TO INSTALL A STOP SIGN ON THE SOUTH SIDE OF PELHAM AVENUE AT NORWOOD PLACE, NANUET

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendations of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install a Stop sign on the south side of Pelham Avenue at Norwood Place, Nanuet.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (572-1982)

MEMORIALIZING NY STATE TO APPROVE CHIPS (CONSOLIDATED HIGHWAY IMPROVEMENT PROGRAM)

Co. Lettre offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown hereby urges the Governor and State Legislature to enact and fund the Consolidated Highway Improvement Program (CHIPS), and be it

FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Governor as well as our state and local representatives by the Town Clerk.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (573-1982)

AUTHORIZING SUPT. OF HIGHWAYS TO PROVIDE PIPE AND MATERIAL FOR 5 CATCH BASINS FOR AIRPORT EXECUTIVE PARK AND CHARGING CAPITOL ACCT. NO. 2 DRAINAGE PROJECT 25-0 - NOT TO EXCEED \$13,000.

Co. Maloney offered the following resolution:

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RESOLUTION NO. (573-1982) Continued

WHEREAS, the builders of Airport Executive Park are constructing a road which is to be part of the Route 45 by-pass, meets Town Specifications and will benefit all the residents of the Town of Clarkstown, and

WHEREAS, this proposed road and its appurtenant drainage facilities would not normally be required of the builder,

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways is authorized to provide 450 linear feet of 36" RCP pipe and material for five catch basins for Airport Executive Park for the construction of the drainage facilities along the proposed roadway.

and be it

FURTHER RESOLVED, that said amount shall be charged against Capital Account No. 2 Drainage Project 25-0. Said amount shall not exceed \$13,000.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (574-1982)

GRANTING PERMISSION FOR FIREWORKS DISPLAY

Co. Lettre offered the following resolution:

RESOLVED, that permission is hereby granted for a fireworks display to be held under the jurisdiction of the Clarkstown Parks Board and Recreation Commission at the Nanuet High School at approximately 8:30 P.M., on July 2, 1982, pursuant to section 405 of the Penal Law.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (575-1982)

STIPULATION OF SETTLEMENT - ADLER-WALDRON LAW SUIT

Co. Lettre offered the following resolution:

RESOLVED, that the Stipulation of Settlement entered into by John A. Costa, Esq., Town Attorney of the Town of Clarkstown, on May 27, 1982, in the form annexed hereto is hereby confirmed and ratified, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to obtain resolutions for bonding necessary and appropriate to carry out this Stipulation of Settlement.

Seconded by Co. Maloney

The roll call vote was as follows:

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

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RESOLUTION NO. (575-1982) Continued

Supervisor Dusanenko said for the record he would like to thank our Town Attorney's office and the cooperation of our council and the entire Town Board regarding the resolution of this long and difficult law suit, however, I have recommended continually in that the Town have not just leasing arrangements with the portions of that property but have actual title so that once and for all we have no future subsequent suits from any of these portions or any misunderstandings with any terms and conditions of the lease and I vote, no.

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RESOLUTION NO. (576-1982) ACCEPTING REGULAR TOWN BOARD MINUTES OF APRIL 13TH, APRIL 27TH AND MAY 11TH, 1982

Co. Maloney offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board Meetings of April 13th, April 27th, and May 11th, 1982 are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (577-1982) INSTALLATION OF STREET LIGHTS

Co. Lettre offered the following resolution:

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

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

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

NOW, THEREFORE, be it

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

Collingswood Road New City
Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (578-1982) AWARDING BID FOR SNOW PLOWS

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing and Supt. of Highway that:

BID #28-1982
SNOW PLOWS

is hereby awarded to:

JEEP COMPANY OF KEARNY, INC.
9 Passaic Ave.
Kearny, N.J. 07032

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RESOLUTION NO. (578-1982) Continued

for four Valk Model V-510-84 Snow Plows with snow shield at the low bid proposal of \$1,835.00 each, and be it,

FURTHER RESOLVED, that funds for same be charged to Account D 5130-219.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (579-1982)

AWARDING BID FOR FIVE CUBIC YARD SALT & SAND SPREADERS TO TARRANT MFG. CO. EXCELSIOR ST. EXTENSION SARATOGA SPRINGS, NY

Co. Holbrook offered the following resolution:

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

BID #27A-1982
FIVE CUBIC YARD SALT & SAND SPREADERS

is hereby awarded to:

TARRANT MANUFACTURING CO.
EXCELSIOR STREET EXTENSION
SARATOGA SPRINGS, N.Y. 12866

for four TARCO " HIGHLANDER" Model HL-Hy2P-9 Spreaders at the low bid proposal of \$5,377.10 each, and be it

FURTHER RESOLVED, that funds for same be charged to Account D 5130-219.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (580-1982)

AWARDING BID FOR FOUR CUBIC YARD DUMP TRUCKS

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing and the Supt. of Highway that:

BID #26A-1982
FOUR CUBIC YARD DUMP TRUCKS

is hereby awarded to:

BRIDGEHAVEN FORD TRUCK SALES, INC.
401 OLD GATE LANE
MILFORD, CONN. 06460

for four 1982 FORD L-8000 equipped as per specifications at the low bid proposal as follows:

Proposed cost each \$33,441.99
Proposed cost for four trucks \$133,767.96
less: Trade-in Allowances

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RESOLUTION NO. (580-1982) Continued

Truck # 38-1958 FWD - Vin - 107829	\$ 500.00
Truck # 41-1960 FWD - Vin - 124229	500.00
Truck # 46-1961 FWD - Vin - 156105H22059	500.00
Truck # 69-1965 GMC - Vin - F3652G	500.00
Truck # 71-1966 INT'L Vin - FD118041F	500.00
Truck # 72 1966 INT'L Vin - FD118073F	500.00
Truck # 74 1967 CHEV Vin - CE37T115158	500.00
Truck # 82 1967 INT'L Vin - 416080G261550	500.00

Total Trade-in Allowance	<u>4,000.00</u>
Net Bid Proposal - 4 Trucks	\$129,767.96

and be it,

FURTHER RESOLVED, that funds for same be charged to Account D 5130-219.

Seconded by Co. Carey All voted Aye.

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RESOLUTION NO. (581-1982)	CREATING PRINCIPAL CLERK STENOGRAPHER POSITION ENVIRONMENTAL CONTROL
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Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on May 17, 1982 that the Principal Clerk - Stenographer position - Department of Environmental Control - can be created,

Now, therefore, be it

RESOLVED, that the Principal Clerk - Stenographer position - Department of Environmental Control - is hereby created effective June 14, 1982.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (582-1982)	APPOINTING RONALD L. COSTER MEMBER - CLARKSTOWN DRUG ABUSE PREVENTION COUNCIL
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Co. Maloney offered the following resolution:

RESOLVED, that Ronald L. Coster, 29 Concord Drive, New City, New York, is hereby appointed to the position of Member - Clarkstown Drug Abuse Prevention Council - to serve without compensation - effective June 8, 1982 - with a term to expire on June 8, 1985.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (583-1982)	APPOINTING JESSE C. NEWMAN MEMBER - CLARKSTOWN DRUG ABUSE PREVENTION COUNCIL
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Co. Maloney offered the following resolution:

RESOLVED, that Jesse C. Newman, 4 D Church Lane, Valley Cottage, New York, is hereby appointed to the position of Member - Clarkstown Drug Abuse Prevention Council - to serve without compensation - effective June 8, 1982 - with a term to expire on June 8, 1985.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (584-1982)

APPOINTING SAL QUARTUCCIO,
SPECIAL STUDIES INTERN -
COMPTROLLER'S OFFICE

Co. Maloney offered the following resolution:

RESOLVED, that Sal Quartuccio, 86 Broad Street, Emerson,
New Jersey, is hereby appointed to serve in a training program as
a Special Studies Intern - Comptroller's Office - to serve without
compensation - effective and retroactive to June 3, 1982.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (585-1982)

APPOINTING EVELYN CLARK,
DOG CONTROL OFFICER
(TRAINEE) POLICE DEPARTMENT

Co. Maloney offered the following resolution:

RESOLVED, that Evelyn Clark, 15 Stern Place, Congers,
New York is hereby appointed to the position of Dog Control Officer
(Trainee), less than full time - Police Department - at the hourly
rate of \$5.25., effective and retroactive to June 2, 1982.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (586-1982)

INCREASING HOURLY RATE
OF JOYCE BARONE, ACCOUNT
CLERK TYPIST, BUILDING
DEPARTMENT TO \$6.25

Co. Maloney offered the following resolution:

RESOLVED, that the hourly rate of salary for Joyce Barone,
1 Gerken Drive, New City, New York - Account Clerk Typist (part-time)-
Building Department - is hereby increased to \$6.25 - effective June 14,
1982.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (587-1982)

AUTHORIZING JOSEPHINE
SCRIBANO TO WORK IN
ENVIRONMENTAL CONTROL
FROM JUNE 7, 1982 THROUGH
JUNE 11, 1982

Co. Maloney offered the following resolution:

RESOLVED, that Josephine Scribano, 3 Long Meadow Drive,
New City, New York is hereby authorized to work in the Department
of Environmental Control - for the period effective and retroactive
to June 7, 1982 through June 11, 1982 - at her normal rate of
compensation.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (588-1982)

TRANSFERRING FUNDS COM-
MUTER PARKING LOT, N.Y.S.
THROUGHWAY EXIT 10

Co. Lettre offered the following resolution:

WHEREAS, the Town of Clarkstown has been advised by Senator Winikow's office that verbal approval has been received from the N.Y.S. Thruway Authority for a Commuter Parking Lot to be constructed at the N.Y.S. Thruway exit and Rte. 59, and

WHEREAS, the Thruway Authority strongly recommends that the lot be ready for operation at the earliest possible date, now therefore be it

RESOLVED, that the Supervisor is hereby authorized to expend the necessary funds from the proper budget lines to ensure that the commuter lot meets all State requirements, and be it

FURTHER RESOLVED, that the Police Department is directed and authorized to add the commuter lot to its patrol, control and surveillance duties, and be it

FURTHER RESOLVED, that the Superintendent of Highways is directed to cooperate by salting and plowing the lot before 6:00 A.M. to ensure accessibility.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (589-1982)

AUTHORIZING SUPERVISOR TO
APPLY AND PAY FEES TO THE
N.Y.S. DEPT. OF TRANSPORTATION
FOR PERMITS FOR
SIGNS CROSSING STATE HIGHWAYS

Co. Lettre offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to apply for and pay necessary fees to the N.Y.S. Department of Transportation for permits for signs crossing state highways.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (590-1982)

REFERRING PROPOSED AMEND-
MENTS TO THE ZONING OR-
DINANCE TO THE PLANNING
BOARD. SCHEDULING PUBLIC
HEARINGS RE SAME. DIRECTING
RAYMOND, PARISH, PINE AND
WEINER TO DRAFT PROPOSED
ADDITION TO ZONING ORDINANCE

Co. Lettre offered the following resolution:

WHEREAS, the Planning Board of the Town of Clarkstown has adopted a Master Plan, and

WHEREAS, the Town's Planning Consultant, by direction of the Town Board, has identified certain parcels of land in the hamlet of Congers having present zoning designations inconsistent with the Master Plan and has suggested that certain amendments to the Official Map of the Town of Clarkstown may be required to implement the Master Plan, and

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RESOLUTION NO. (590-1982) Continued

WHEREAS, the Town Board wishes to consider the zoning amendments and changes in the Official Map so as to bring these areas into conformity with the Master Plan;

NOW, THEREFORE, be it

RESOLVED, that the proposed amendments to the Zoning Ordinance of the Town of Clarkstown identified on the attached Schedule "A" and the proposed amendments to the Official Map of the Town of Clarkstown identified on the attached Schedule "B" are hereby referred to the Clarkstown Planning Board for their review, recommendation and report to the Town Board of the Town of Clarkstown by July 22, 1982, and be it

FURTHER RESOLVED, that the proposed amendments to the Official Map and Zoning Ordinance set forth on the attached Schedules "A" and "B" are hereby referred to the Town Planning Consultant for on-site inspection, specific identification of parcels that should be considered for amendment and report by July 22, 1982, and be it

FURTHER RESOLVED, that upon completion of the review and report with recommendations by the Planning Board and the Town Planning Consultant, the Town Board intends to schedule a public hearing or public hearings to consider such amendments during the month of September, 1982, and be it

FURTHER RESOLVED, that the Town Planning Consultant, in conjunction with the Planning Board, shall identify similar parcels or areas within the other hamlets of the Town of Clarkstown to be considered for like amendments and shall make recommendations for these areas to the Town Board during the month of August, 1982, for consideration by the Town Board scheduling a public hearing or public hearings during the month of October, 1982. These recommendations shall include not only zone changes but recommendations for amendments to the Official Map, and be it

FURTHER RESOLVED, that the firm of Raymond, Parish, Pine and Weiner be directed to immediately study and draft a proposed addition to the Zoning Ordinance creating new zoning districts as outlined on the attached Schedule "C", said drafting and final recommendations to be submitted no later than September 30, 1982, and be it

FURTHER RESOLVED, that the firm of Raymond, Parish, Pine and Weiner shall study and report on alternatives available to the Town Board to establish a policy to preserve existing farmland within the Town of Clarkstown, said report to be submitted no later than August 31, 1982.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (591-1982)

DIRECTING COMPTROLLER
TO PAY RAYMOND, PARISH,
PINE AND WEINER, INC.
THE SUMS PROVIDED FOR
IN AGREEMENT

Co. Holbrook offered the following resolution:

RESOLVED, that the agreement with Raymond, Parish, Pine and Weiner, Inc., for planning consultant services for the period from May 14, 1982, to May 14, 1984 which has been duly executed by Raymond, Parish, Pine and Weiner, Inc., in the form attached, is hereby ratified, and be it

FURTHER RESOLVED, that the Comptroller is hereby directed to pay Raymond, Parish, Pine and Weiner, Inc.,

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RESOLUTION NO. (591-1982) Continued

the sums provided for in said agreement.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

Councilman Lettre inquired whether the Chief Fiscal Officer's signature had to be on the check regardless.

Town Attorney John Costa stated that it would be his opinion that the Board has authorized that contract and that the signing of the contract is a ministerial act by the Supervisor. This resolution authorizes payment for services that are being rendered.

Councilman Lettre said if for whatever reason the Chief Fiscal Officer is not signing at a pace desirable to the Board, how can a payment just be made. The check has to have the signature of the Chief Fiscal Officer; otherwise it is not a valid payment. No one can sign that check except for the Chief Fiscal Officer. I don't understand the intent of the resolution. If the only signature on a check is that of the Supervisor and it is not there, how is it going to be paid? He asked Councilman Holbrook if he was going to pay it? Town Attorney Costa asked if Councilman Lettre was saying that Supervisor did not want to sign the check? Councilman Lettre said that obviously at this point there is a delay because there are some questions and I have some of those same questions of how it came on the agenda and the night it came on the agenda Mr. Geneslaw, who is an employee of this company (Raymond, Parish, Pine & Weiner) even asked that this be held off and put on at a later meeting so it could be discussed at a workshop meeting, which it wasn't. It was never discussed - the exact amount that was going to be paid. It was never discussed how the payment would be made and I can see the Supervisor having questions on this and I have some of the same questions. I am not against Mr. Geneslaw's firm being paid compensation for their work. They're entitled to it but I think the questions that I had and I still have some of them, were never fully answered because it never came to a workshop meeting. He said he would like to see that resolution amended to read that this takes effect maybe after our next workshop meeting at the next Town Board Meeting so we have a chance to come to a workshop meeting and at least discuss it. I have no problem with the contract. I want to get this whole thing moving. I want to get everything going but --

Councilman Holbrook said the Supervisor does not want to get things moving and that's why he's foot dragging on this. He accused the Town Board of foot dragging on the Master Plan --

Councilman Lettre said he was not answering for anyone except for myself. I'm not foot dragging. I'm the one who has been pushing to get this Master Plan going. I just feel that this particular issue came up and was put on the agenda without even the knowledge of Mr. Geneslaw, who works for this firm. He came before this Board and asked that it be pulled off that evening which it wasn't. All I am saying is to hold off that resolution until after the next workshop meeting so that the Board can have a chance, at least myself, to speak to Mr. Geneslaw about it and I'm fully prepared to support something like that if, in fact, after the next workshop meeting the Supervisor still has questions. I, personally, as a Councilman believe that I have the right to be able to ask Mr. Geneslaw some pertinent questions about a contract which I never had the right or the opportunity to do for something --I don't even remember the exact amount--how much was the contract for. When told the amount was \$30,000.00 he said that it was never discussed by the Town Board. It was put on the agenda by Councilman Maloney--

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Councilman Holbrook said that he was talking about the extension of the contract for services at this particular point. That's the, I believe, resolution I have before the Board now.

Councilman Lettre asked if the resolution had to do with the contract for the extra \$30,000.00 and Councilman Holbrook said that was the second resolution he had but the resolution we are now discussing is for the extension of the contract.

Co. Lettre asked if this is the extension of the normal contract which we have with Raymond, Parish, Pine & Weiner. Councilman Holbrook said "Yes."

Councilman Lettre wanted it noted that his comments were for the resolution which Councilman Holbrook was proposing for the extra \$30,000.00 and not for the extension of the normal contract.

Supervisor Dusanenko then made the following comments: I take the job as Supervisor of the Town of Clarkstown most seriously. I am concerned with the orderly development of this Town. I am concerned with the efficiency and delivery of services of the various departments and I am most concerned with the fiduciary responsibilities of this Town Board and myself, especially. The resolution at hand, in my opinion, is a circumvention of the powers of the Supervisor for the Town of Clarkstown. This is the first time I know of such a ploy being attempted at this point in time. My signature is important to me just as my reputation is on all checks in the Town of Clarkstown whether it be for payroll, for vendors or other purposes, for any borrowing of this community and for any financial reports that have to be circulated to the investment and banking community. I do have serious questions about the contract - the amended contract for \$30,000.00 with the firm of Raymond, Parish, Pine & Weiner, for \$30,000.00 which did appear on an agenda within the last month of this Town Board which is basically supposed to -well I don't want to make any assumption - which was an extra contract which, I believe, was developed by the Town Attorney's office and may I ask at this time for the record and have the question on the record - who wrote the resolution or resolutions - (1) granting the increase and continuance of the main contract for this firm which is approximately \$60,000.00 to \$70,000.00 per year and (2) who drafted the resolution for the \$30,000.00 additional contract - which attorney or attorney's of our Town Attorney's office.

Town Attorney asked if that question was being directed to him.

Supervisor Dusanenko replied "You're the Town Attorney, sir."

Town Attorney replied in the affirmative. Supervisor Dusanenko asked if this was done solely by himself. Town Attorney said "No, I received direction and I followed that direction." Supervisor Dusanenko wanted to know if any other attorneys in the Town Attorney's office were directed to do this or if the Town Attorney did this on his own. Because this may become very important at a later date. Town Attorney replied "I drafted that resolution."

Supervisor Dusanenko stated that the Town Attorney said he had received direction from person or persons to draft those resolutions. Town Attorney replied that that was correct. Supervisor Dusanenko asked Town Attorney to state for the record who the direction came from. Town Attorney said "Sure, your fellow Town Board member, Mr. Holbrook." Supervisor Dusanenko said "Is Mr. Holbrook the Supervisor of the Town of Clarkstown?" Town Attorney said "No, he is

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a member of the Town Board."

After an interruption the Supervisor said "This is my opportunity to speak and I will direct the questions because this will become very important, that's why I'm placing it on tape."

Supervisor Dusanenko continued speaking to Town Attorney. "My question is who gave you direction. The answer I believe you stated was Mr. Holbrook gave the direction. Mr. Holbrook is one fifth of the Town Board. He is not the Supervisor of the Town of Clarkstown. He is not the Deputy Supervisor of the Town of Clarkstown. Did Mr. Holbrook say that he and he alone wanted this? Or did Mr. Holbrook indicate that he had a majority of the Town Board supporting this action?"

Town Attorney replied "Yes, he did. He indicated he had a majority of the Town Board that was prepared to act on the resolution."

Supervisor Dusanenko said "Did he mention who that majority was or who that majority consisted of?"

Town Attorney said "I think it's obvious, Mr. Dusanenko, because the majority that adopted the resolution was the majority of the Board that directed it be prepared."

Supervisor Dusanenko said "Could you be more specific please for the benefit of those citizens who are here viewing this conversation?"

Town Attorney said that he would prefer if the Town Board members wish to make public what they directed that they do so in public. As the Town Attorney, I think it's appropriate to be able to give advice and direction to the Town Board without making it public. I have no qualms on doing it as long as the Town Board wants it so.

Supervisor Dusanenko asked Mr. Costa to answer a plain, simple question. Mr. Holbrook gave you the direction and he indicated, either directly or indirectly, that he had other support from which other persons of this Town Board?

Mr. Costa said that is correct. He gave me that direction at a Town Board workshop meeting prior to the Town Board action meeting at which that resolution was put forth and he indicated that Mr. Maloney and Mr. Carey were in favor of that concept.

Supervisor Dusanenko said he was talking about the \$30,000. Mr. Costa was asked if he was talking about the \$30,000.00. Town Attorney said he was responding with respect to both resolutions because they were both drawn upon the same request.

Supervisor Dusanenko said the reason why he solicited those questions is because several months prior to that there were some discussions with Mr. Geneslaw and myself about a possible amendment to the original planning contract which is in the vicinity of \$60,000.00 to \$70,000.00 which I also recommended for a slight increase of I believe approximately 4% or 5% to cover the cost of inflation but at the same time without any direction from my office, without a full and complete discussion at a workshop all of a sudden this \$30,000.00 agreement appears and Mr. Geneslaw had stated to me in my office that he did not request that item to be on the agenda - that he did not even have the terms and conditions of such agreement and there was no scope of work provided for that \$30,000.00 and I'm wondering how does one obtain a price tag to do a job before one understands how much work will be in the scope of work. Almost everything else we have discussed, including the purchase of highway trucks this evening, we have fought for hours over hundreds of dollars and \$30,000.00 was recommended by the new majority without even knowing the scope of work. Now, insofar as the scope of work I had repeatedly requested and I did receive at a recent workshop

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meeting, the workshop before last, a joint memo which I requested at a previous workshop meeting signed and prepared by both Mr. Robert Geneslaw and our Town Attorney, Mr. Costa. I had specifically requested as an outline of which steps must be taken for the complete and thorough implementation of the Master Plan - which individuals, which boards, which agencies which must take which steps at which appropriate time - the approximate time for length of consideration - what would be the public hearing - what would be discretionary and what would be mandatory in order to adopt the Master Plan and its subsequent changes and amendments to the zoning maps and roads. I have received a two or three page document which was not followed and which did not satisfy my curiosity. So I said I would like to, for once and for all, end the politics of Master Planning Clarkstown, to know who should do what and when.

Now, at that point in time that that contract was adopted at the Planning Board I called Mr. Geneslaw up to this particular podium. He did approach and in a very low voice did ask the Town Board not to vote on it that evening and it was voted on by a three to two vote and since that time Mr. Geneslaw after approximately two weeks we had a conversation in my office and I said every time I hear the name of the firm or Master Plan my blood has been increasing in temperature because I feel that the town is being billed for \$30,000.00 for an extra contract for what I don't know. I said I don't know what my intentions are. I don't want to speak about it publicly. I want ample time to study it.

Since that time I have written a letter to the Town Attorney asking for copies of the old Raymond, Parish, Pine & Weiner, Inc. planning contracts and also copies of the new amendment as well as the \$30,000.00 because I, for one, want to go down item by item to see how the same planning firm could do volumes of tests over the last eight years through this original contract and now to develop zoning ordinances over the period of the next several months will be using \$30,000.00 extra for those tests.

Now the planner, who is part-time in this Town, who also helps us and acts as a department head, approximately two and one half to three days a week and some evenings - far fewer hours than your full-time Supervisor, he and that firm will be making approximately \$100,000.00 for part-time professional services. I voted for the main contract and I'm not trying to question it or impugn the integrity of the firm but I will question how responsible, elected officials can pick a number out of the air and then write the terms and conditions and soul of a contract. You gentlemen will probably vote upon this this evening. That is your choice. I am advising you once again not to and if so I will be forced to take other actions at other levels and jurisdictions of government. I remind you of the Cucolo Contract gentlemen of which I was a part of once upon a time where I was Sewer Commissioner and voted to purchase some land, subject to the approval of the Town's Attorney, subject to the approval of DEC, subject to the approval of EPA and wound up with a political District Attorney for two years questioning motives of an action that had to be further approved by other jurisdictions. I am pointing out to you now, gentlemen, what you are attempting to do is not going to be approved by other jurisdictions, but in fact, you are making a decision which I believe is not in the best interests of the people of the Town of Clarkstown.

Councilman Lettre said that he thoroughly objected to the manner that this was brought up. Mr. Costa, the Town Attorney, said that he was instructed to draw a resolution for a contract for \$30,000.00 to the firm of Raymond, Parish, Pine & Weiner. It's

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strange that most other resolutions or at least, all resolutions that I know of that he has requested to have drawn up by other councilmen such as the two resolutions that Mr. Holbrook has in his possession this evening are mailed to the Town Board. I get them to look over, to browse and to call him if I have any questions. This resolution for \$30,000.00 was never sent out. I never saw it. On the evening of a Town Board Meeting it was stuck into a packet. The Town Supervisor didn't even realize it was in his packet. It was voted on by a five zero vote until I looked back and realized what had happened and I asked that that item be reconsidered. I spoke to Mr. Geneslaw about it at a later date. He told me as the Supervisor stated that he did not even know that this item was being put on the agenda. He told me that he would like to have been able to discuss it with the full Town Board. I asked that evening that it be reconsidered, that it be pulled off and brought back to a full Town Board Workshop Meeting where most other items are discussed in full. It was turned down. I believe that the gentlemen who support this are acting irresponsibly. I do not have the knowledge to say whether we need or don't need this contract because to be honest I don't really know what this contract calls for. Obviously, Mr. Holbrook and whomever else supports this resolution has more knowledge or more information on it than I do. As a Town Board member who represents the Town of Clarkstown, I feel that I should have the opportunity to evaluate this contract in full, to be able to question Mr. Geneslaw and whomever else is interested in coming before this Town Board, to be able to question whether we need contract, why we need it, what we are going to do for the Town of Clarkstown and what expense the Town of Clarkstown is going to have to pay, when they are going to have to deliver certain services to the Town of Clarkstown. We are talking about something that is very important. We are talking about establishing and finishing, hopefully, a comprehensive Master Plan for the Town of Clarkstown which has been going on for nine years, has been bounced around as a political football. I think that once and for all it should be settled - once and for all we should bring some sensible planning-zoning to the Town of Clarkstown but I don't believe that we should pass and we should ram down the faces of Clarkstown throats contracts for \$30,000.00 which an employee of that contract - of that company - feels he didn't even know exactly what was going on and I would hope that at least on this particular item that we would hold off on these and that the company would come before the Town Board and be able to explain exactly what they were going to do for \$30,000.00.

Councilman Carey said he thought it was pretty well spelled out what they were going to do for their \$30,000.00. Now anybody that has a contract with this Town and abides by it and then accepts additional, responsible duties deserves to be remunerated for those services.

Councilman Lettre said that no one was questioning that and that obviously Councilman Carey had a little bit more knowledge than he had.

Councilman Carey said that he doubted that.

Councilman Lettre said why \$30,000.00? Where is that number coming from?

Councilman Carey asked why he hadn't questioned it when it first came up.

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Councilman Lettre said that he had voted "No" on this resolution when it first came up. Mr. Geneslaw came before this Board and asked that it be pulled that evening for some strange reason yourself, Mr. Holbrook and Mr. Maloney decided that it was imperative that it be passed that evening.

Councilman Carey said that you people do not want a Master Plan in my humble opinion, and you are dragging your feet on this thing. Now you have an opportunity to put this thing in motion and get it moving forward and you refuse to do it. You're making a big grand stand political play for no reason at all.

Councilman Maloney said that \$30,000.00 was not pulled out of a hat. That figure came up at Workshop Meeting when someone asked the question how much additional would it be to do those things not covered by the contract the major item being the preparation, revision and updating of the Master Plan which was not part of the original contract and the figure of about \$30,000.00 came out. So it wasn't pulled out of a hat and it is something if anyone was listening a \$30,000.00 was mentioned. It wasn't just created saying well let's just make it \$30,000.00 instead of \$40,000.00 or \$50,000.00. If you look at the contract there's about six items which are not covered by the original contract which says that the following additional services not including the scope of this contract may be provided by the consultant upon request by the Town as an amendment to this contract. Such amendment shall detail the work to be performed and the fee to be paid therefor. These are six items which are not part of the original contract and are over and above it. So it is really nothing unusual. Everyone agrees that the job that this man has been doing and his firm has been outstanding. We have saved money by not having a full-time planner. I think everyone agrees with that and I think that this man - to make some derogatory remark about the hours that he puts in; that he puts part-time basis in or he's not here. I was here one week last week - three nights this man was here. I didn't see you here. This man is putting in his hours. So don't knock him about the hours he's putting in. Attack him for anything else but not the hours. This man has put the hours in.

Councilman Lettre said that he believed that the number was pulled out of the air. He never heard it. Even if that number was discussed. Even if it came up, it came up in a very informal manner. It was never formally discussed. It probably never came before the Town Workshop to tell exactly what they were going to do for their \$30,000.00 and for you, Mr. Carey, to say that people are trying to drag their feet and don't want to see this Master Plan finished is a bunch of hogwash because right now we have a moratorium in effect and if you and your other colleagues would be sticking truly to that moratorium, you wouldn't have to worry about ramming down - passing any Master Plan so quickly because the citizens of this Town would not have to worry about certain parcels.

Councilman Holbrook said to Councilman Lettre that you tried to do that in one night in December.

Councilman Carey said that any move we make is for the people not for the builders.

Councilman Lettre said for select people obviously.

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Councilman Carey said that that works both ways.

Councilman Lettre said he was not voting for a \$30,000.00 fee without its being discussed.

Councilman Holbrook said "We'll check out the select people."

Supervisor Dusanenko said he had one further comment prior to a vote. First off, I have not impugned the integrity of either Mr. Robert Genslaw or the firm with which we're dealing with at this present time. The comment was made just several minutes ago from Mr. Maloney how much we are saving by not having a full-time planner. These two contracts come close to \$100,000.00 per year. There is no Town employee making anywhere near that with fringe benefits overtime --

Councilman Carey stated that Supervisor Dusanenko would come close to that figure. If they were all added up and if you were working as a full-time getting paid let's say as a full-time Supervisor, if you were here full-time your salaries would approach--

Supervisor Dusanenko said that as a matter of public record you voted to reduce my salary from \$39,000.00 to \$20,000.00. My school salary is approximately \$33,000.00 and change, my salary as a Legislator is \$10,000.00. Mr. Meniace did a wonderful job giving all of my income and most of my jobs. He and others continually fail to list my non-paid positions but at the same time the highest any one full-time employee made, I believe, was over \$70,000.00 last year but no one approached \$100,000.00 and it wasn't the supervisor of the Town. I just wanted to clear up that particular point.

Gentlemen, I think the discussion has been held. The resolution has been moved by Mr. Holbrook, seconded by Mr. Maloney.

Councilman Carey asked if they were voting on both resolutions or just the first one. He was told just the first one.

Councilman Lettre said that he would like to publicly request that Mr. Genslaw go back to his firm and request that a representative, whether it be yourself or any other member of the corporation of Raymond, Parish Pine & Weiner be present at the next Town Board Workshop Meeting to fully discuss both of these contracts so that there can be a better understanding by the full Town Board exactly what is going to be done for the compensation that will be given. Until that time I vote "No."

Supervisor Dusanenko said that he had one last comment for the record. "I doubt if it will influence anyone because I think opinions have been cast already - that is the fact that the last tit for tat about full-time-part-time may I also point out that in addition to this almost \$100,000.00 or more than \$100,000.00 sum, this same person for this same firm has other clients and other municipalities and perhaps private persons and I have no idea what their outside income is. Planning is a very necessary and important function of the Town and I am not trying to put down Mr. Genslaw or his firm. It is a most important function. But at the same time, the Supervisor is the day to day administrator and still responsible but yet only has one-fifth of the vote of this Town Board but when history and the people of this Town have a problem the Supervisor is still responsible even though he does not have the authority to carry out those acts. I just wanted to leave that last comment prior to voting "No."

RESOLUTION NO. (592-1982)

RATIFYING AGREEMENT WITH
RAYMOND, PARISH, PINE &
WEINER, INC. AND DIRECTING
COMPTROLLER TO PAY THE
SUM AGREED UPON

Co. Holbrook offered the following resolution:

RESOLVED, that the agreement with Raymond, Parish,
Pine and Weiner, Inc., for planning consultant services for the
updating and implementation of the Master Plan, when executed by
Raymond, Parish, Pine and Weiner, Inc., in the form attached, is
hereby ratified, and be it

FURTHER RESOLVED, that the Comptroller is hereby
directed to pay Raymond, Parish, Pine and Weiner, Inc., the sums
provided for in said agreement.

Seconded by Co. Carey

On roll call the vote was as follows:

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

Councilman Lettre said that the comments he made prior
for the record should stand now.

Supervisor Dusanenko said that likewise his comments
for the previous resolutions were also appropriate for this one.
Not to waste taxpayers' expense my comments are also appropriate
for this.

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RESOLUTION NO. (593-1982)

ADJOURNING REGULAR
TOWN BOARD MEETING IN
ORDER TO HOLD SCHEDULED
PUBLIC HEARING RE:
NORMANDY VILLAGE TIME:
9:05 P.M.

Co. Carey offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned
in order to hold scheduled Public Hearing re: Zone Change Normandy
Village, time: 9:05 P. M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (594-1982)

CLOSING SCHEDULED PUBLIC
HEARING RE: NORMANDY
VILLAGE

Co. Maloney offered the following resolution:

RESOLVED, that scheduled Public Hearing re: Zone
Change Normandy Village, be closed, time: 9:50 P.M.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (595-1982)

OPENING PUBLIC HEARING
RE: "A LOCAL LAW CONCERN-
ING AMUSEMENT DEVICES
IN THE TOWN OF CLARKSTOWN"
TIME: 9:50 P.M.

Co. Maloney offered the following resolution:

RESOLVED, that scheduled Public Hearing re: "A
Local Law Concerning Amusement Devices in the Town of Clarkstown"...
be opened, time: 9:50 P.M.

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (596-1982)

CLOSING AND ADOPTING
SCHEDULED PUBLIC HEARING
"A LOCAL LAW CONCERNING
AMUSEMENT DEVICES IN THE
TOWN OF CLARKSTOWN"
TIME: 9:55 P.M.

Co. Lettre offered the following resolution:

RESOLVED, that scheduled Public Hearing re: "A Local
Law Concerning Amusement Devices in the Town of Clarkstown" be
closed, ADOPTED, and returning to regular meeting, time: 9:55 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (597-1982)

ADOPTING LOCAL LAW
ENTITLED, "AMENDMENT
TO LOCAL LAW NO. 7-1981,
ENTITLED, 'A LOCAL LAW
CONCERNING AMUSEMENT
DEVICES IN THE TOWN OF
CLARKSTOWN'"

Co. Lettre offered the following resolution:

WHEREAS, a proposed local law entitled, "AMENDMENT TO
LOCAL LAW NO. 7-1981, ENTITLED 'A LOCAL LAW CONCERNING AMUSEMENT
DEVICES IN THE TOWN OF CLARKSTOWN'"

was introduced by Councilman Lettre, at a Town Board meeting held
on May 11, 1982, and

WHEREAS, the Town Board of the Town of Clarkstown by
resolution adopted on the 11th day of May, 1982 directed that a
public hearing be held on the 8th day of June, 1982, at 8:45 P.M.,
and,

WHEREAS, a notice of said hearing was duly prepared
and published in the Journal News on May 24, 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 May 11, 1982, and

WHEREAS, a public hearing was held by the Town Board of
the Town of Clarkstown on June 8, 1982,

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RESOLUTION NO. (597-1982) Continued

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 8-1982, entitled "AMENDMENT TO LOCAL LAW NO. 7-1981, ENTITLED, 'A LOCAL LAW CONCERNING AMUSEMENT DEVICES IN THE TOWN OF CLARKSTOWN'"

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

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. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (598-1982)

AMENDING ZONING ORDINANCE
BY REDISTRICTING FROM
R-10 DISTRICT TO RG-2
DISTRICT IN NANUET

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 11th day of May, 1982, provided for a public hearing on the 8th day of June, 1982, at 8:30 P.M., to consider the application of Normandy Village Company to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the petitioner from R-10 district to RG-2 district, and

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

NOW THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from R-10 district to RG-2 district, the following described property in the Hamlet of Nanuet, New York, in said Town.

(Description on File in Town Clerk's Office)

On roll call the vote was as follows:

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

Councilman Lettre said that this was a difficult vote because of the moratorium on building which was passed by this Town Board by a 4-1 vote. He believed that the intent of the

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COMMENTS ON AMENDING ZONING ORDINANCE RESOLUTION NO. 598 CONTINUED

resolution was to hold on zone changes that would increase the density until the adoption of the Master Plan and he felt that this zone change flies in the face of that moritorium. He said that selective parcels were being granted zone changes based on the whim of the majority. That while he might favor the concept of the zone change, he would like to study what's in the Master Plan over the next few months. He referred to Mr. Hart's statement regarding congestion, traffic, etc. He would like to wait until the Public Hearings are held on the Master Plan over the next few months.

Supervisor Dusanenko said for the record I basically concur with many of the comments of Deputy Supervisor Lettre. At the same time, this Town Board and all its councilmen have voted for a moritorium on increased residential zoning. However this will increase residential zoning. At this time, I cannot continue some of the antics displayed from time to time and I believe that in the best interest for those persons looking for affordable housing within the Town rather than the contractor experience the delays of financing and also allowing for our young people to remain in this Town who cannot afford \$100,000 - \$150,000. homes that this particular zone change even though it is doing all in those items is still in the best interest of the community and I'll vote, yes.

Supervisor Dusanenko stated that the workshop would start at 7:30 P.M., June 17 if that were agreeable to all the councilmen and this would be for the purpose of discussing Elinor Homes. Supervisor discussed alternate sites with the Board on the proposed Group Home.

Councilman Holbrook said he had no alternative.

Councilman Lettre said he had no alternative site.

Councilman Maloney said he had no alternative site.

The Supervisor said that he had forwarded the list of alternative sites to Letchworth Village and had received the following response:

Letchworth Village
Developmental Disabilities Service Office
222 Route 59
Suffern, New York 10901

"June 8, 1982

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

Dear Supervisor Dusanenko:

The remaining site, 46 Gail Drive, New City, from the potential alternative site list (suggested by a resident of Bardonia) was screened by our program development staff this morning. As you know, the owners were on vacation and we had been unable to make an appointment to see the property.

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CONTINUATION OF LETTER FROM LETCHWORTH VILLAGE TO SUPERVISOR

We have determined the site at 9 Inwood Drive, Bardonia to be preferable to the 46 Gail Drive property. The reasons for our position are described below:

Address: 46 Gail Drive, New City
Date Inspected: June 8, 1982
By: Violet Engel and Sandy Rosenberg
Reasons for Rejection:

1. Three existing bedrooms can accomodate seven (7) residents. The fourth existing bedroom would of necessity be utilized as a staff office.
2. Building would require extensive modifcation of non-habitable space in order to accommodate four (4) additional residents.
3. Extensive renovation of 1/2 bath on lower level required to accommodate clients whose bedrooms would be on that level.
4. Inadequate off-street parking.
5. Inadequate dining room space to accommodate eleven (11) clients plus minimum of two staff.
6. Inadequate mobility space to accommodate eleven clients.

Summary: With seven clients, diminished cost effectiveness
With eleven clients, building unsuitable

We hope the above analysis is sufficient. Should you require further information, please contact Steve Rubinsky at 357-7311.

Sincerely,

/s/ Edward Jennings
Edward W. Jennings
Director
Letchworth/D.D.S.O.

EWJ:cc

- cc: J. Schuckle
- J. Crowley
- S. Rubinsky
- V. Engel
- S. Rosenberg
- S. Silva
- R. Davies "

* * * * *

The Supervisor said that he had no alternative site to suggest and therefore this was a closed matter.

Co. Lettre said that he had looked at the alternative sites and they did not meet the needs for a group home. The residents at 9 Inwood Drive, Bardonia was suitable and would meet the needs of the residents as described by the state. He knew that the residents of the area were not happy but he was committed to doing what was right and he believed that the Town Board would work with the community to protect the rights of the retarded and handcapped.

* * * * *

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 Holbrook, seconded by Councilman Lettre and unanimously adopted, time: 10:01 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

6/8/82

9:05 P.M.

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

RE: PETITION FOR CHANGE OF ZONE - R-10 TO RG-2 DISTRICT NORMANDY
VILLAGE, NANUET

On motion of Councilman Carey, seconded by Co. Maloney and unanimously adopted, the Public Hearing was declared open, time:

Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Supervisor Dusanenko asked Town Attorney John Costa if there was any correspondence to be read.

Mr. Costa read from the following letter:

(Letterhead of Town of Clarkstown Planning Board)

"May 19, 1982

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

TB REFERRAL: ZONE CHANGE REQUEST
R-10 to RG-2, PORTION OF 13A17
NORMANDY VILLAGE, NANUET

At the Planning Board meeting of May 12, 1982, Member Yacyshyn made a motion which was seconded by Cunningham, carried 4:0 with Ayes of Smith and Paris, to approve the following...

RECOMMENDATION TO THE HONORABLE TOWN BOARD:

WHEREAS the Planning Board has examined the petition of Normandy Village, portion of 13A17, in relation to the surrounding area, the Planning Board finds that the proposed use is an extension of that which is existing, and

WHEREAS, the Master Plan as adopted by the Planning Board indicates this area as for multi-family use at a density of 9-13 units per acre, and

WHEREAS, application has advised he will add excess lands of Normandy Village V to this parcel to allow for better design on the western end of the area, and

WHEREAS, this gives the Town the opportunity of improving and upgrading the area, and

WHEREAS, this will provide for better access and a potential walkway through to Church Street,

NOW THEREFORE BE IT RESOLVED that the Planning Board recommends in favor of the requested zone change, in the understanding that if the Town Board acts favorably, applicant will return to the Planning Board for site plan review and approval.

In response to the statutory requirements the Planning Board has made the following determination:

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- a) the uses permitted by the proposed change would be appropriate in the area,
- b) adequate public school facilities and other public services exist or can be created to serve the needs of any additional residences,
- c) the proposed change is in accord with any existing or proposed plans for providing public water supply and supply of sanitary sewers in the vicinity,
- d) although there is adequate RG-2 zoning in the area, providing rental housing is an important consideration: in the immediate vicinity there are six acres rezoned by the Town Board and approved for multi-family use, but that will be condominium use,
- e) there is some rental housing being developed in the immediate area,
- f) we do not see this as having adverse effect upon the growth of the existing community as envisaged by the Comprehensive Plan, although the plan shows this area as multi-family, 9-13 units per acre,
- g) the proposed amendment is likely to result in slight increase in the total residential capacity of the Town,
- h) although other areas may request simialr changes if such change is granted, each one must be judged on its own merits.

Very truly yours,

Richard J. Paris,
Chairman

cc: Town Attorney
Town Clerk"

* * * * *

Mr. Costa also made reference to a letter received from the Rockland County Planning Board which noted that this was a matter for local determination and was not subject to review by their Board.

Supervisor Dusanenko read the following letter:

(Letterhead of Grace Conservative Baptist Church)

"June 8, 1982

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

Re: Normandy Village Co.
Change of Zoning

Gentlemen:

In reference to the Normandy Village application for zoning changes, parcels Map 13, Block A, Lot 17 and part of Lot 13-A-17, identified as parcel A and B, from R-10 to RG-2 zoning, we would like to express our thoughts as follows:

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We feel that due to traffic and safety factors the density should be reduced to about 12 units per acre rather than the proposed 16 per acre.

Very truly yours,

Rene Perez
Chairman, House and Grounds
Board of Trustees

RP:rp /s/ Rene Perez"

* * * * *

Supervisor called upon Henry Horowitz who stated he was appearing as attorney and engineer for Normandy Village. He stated that both parcels in question are presently zoned as R-10 and we are requesting that they be zoned RG-2. He discussed the sidewalks and the entry of the parcel onto South Middletown Road. He stated that they were proposing four, two bedroom units, eight, one bedroom units - a total of twelve units on this six/tenth of an acre.

Mr. Horowitz read from the Town of Clarkstown Planning Board recommendations dated May 19, 1982 which is set forth in full above. He also stated that most recommendations have been in favor of this change. He also had some comments regarding the moratorium on zone changes and the density question with regard to this development.

Supervisor Dusanenko asked approximately how much acreage they were talking about here and Mr. Horowitz said about .686 or approximately 29,866 square feet. Mr. Horowitz said that almost 125 people had been notified by registered mail of the proposal and he wanted the Board to be apprised of that fact.

In response to an inquiry from the audience, Supervisor Dusanenko said that R-10 is a zone of which there are very few traces left in the Town of Clarkstown. This is a type of zoning which would allow condominiums and apartments - in this higher density of multiple family attached dwellings - in this case we would be going on a per acre basis - because this is less than an acre - from about 4 single family homes to about 12 apartments.

In favor: No one appeared
In Opposition: Mr. Ken Hart, President
Appearance: Normandy Village Condominiums

He stated that he felt the Planning Board was allowing this building to be done helter skelter. When he asked for a Traffic Study, it was denied as not being worth the trouble. He said anyone who knows the area knows that traffic is impossible. He stated that he agreed with the Grace Baptist Church in that 16 units was too many for the area. He protested the additional amount of traffic that these units would bring. He called for a moratorium on all building in the area until plans for this additional traffic could be made.

Appearance: Mr. Aldino Coatti, Sr.
42 Orchard Street
Nanuet, New York 10954

Mr. Coatti had some questions with regard to the railroad track and he wanted to know what Normandy Village had in mind in this regard.

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Appearance: Mr. Aldino Coatti, Jr.
46 Orchard Street
Nanuet, New York 10954

He stated that he had asked questions regarding the rail-road track at a previous meeting and had been told that no one knew anything about it. Now we get this notice that one end is desired to be used as a walkway. He wanted to know if in the future they would be allowed to use Orchard Street as a through street. That is our main concern since Orchard Street is a dead-end street.

Appearance: Mr. Martin Bernstein
New City, New York

He said that in terms of density in the area it is a proper place for multi-family. There is a serious traffic problem in the area. He also felt there must be provisions made for rental housing. He said he was for the proposed density change but would like to see provision for rental units. He felt this could be done with restrictive covenants in the present case.

Mr. Henry Horowitz spoke again summing up the position of his client. He stated that they had to buy the entire right of way from the railroad but they did not intend to do much with it except for a small portion which he showed the public on a map he had prepared. He said they had no intention of doing anything else with it. It is zoned as R-10 and it will stay as R-10. Nothing can be done with it without coming before the Town Board in which event the public will be notified. In response to questions, he stated that there was no intention of opening Orchard Street. He also made reference to the number of parking spaces and stated that that number was what was mandated by the code and not necessarily would that number of cars be there permanently. He also stated that 109 notices went out in the mail and there was only one objection.

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, time: 9:50 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

(ADOPTED - RESOLUTION NO. 598-1982)

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

6/8/82

9:50 P.M.

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

RE: PROPOSED LOCAL LAW ENTITLED, "AMENDMENT TO LOCAL LAW #7-1981..."
RE: AMUSEMENT DEVICES

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

Supervisor Dusanenko said that what this proposed local law was attempting to do was to raise the fee per machine per year for all amusement devices located in the Town of Clarkstown. This increase would be from \$25.00 to \$125.00 and would also change the amount of fines for violation of this law.

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

IN FAVOR

Appearance: Mr. Martin Bernstein
New City, New York

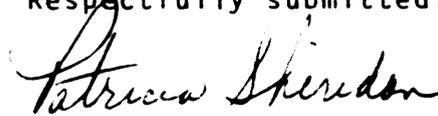
Mr. Bernstein said he was in favor of the proposed law and felt the fee could be \$250.00 per machine as he originally proposed. He said the Town is always looking for funding for various activities and since most of the money made from these devices is coming from the youth of the Town it would be nice to take this money and put it into a trust fund for youth programs. He thought it was a mistake for this money to go into a general fund for town use.

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

IN OPPOSITION: No one appeared.

There being no one further wishing to be heard, on motion of Councilman Lettre, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, ADOPTED, time: 9:55 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

(ADOPTED - RESOLUTION NO.(597-1982)