

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

1/11/83

8:15 P.M.

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

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

Supervisor Dusanenko then called for a public informational meeting regarding a proposed group home in Valley Cottage which will be set forth at length at the end of this meeting.

Supervisor Dusanenko opened the public portion of the meeting.

Appearance: Mr. Wayne Cowan
Maple Road
Valley Cottage, New York

Mr. Cowan spoke about how wonderful his community is. He said he was in favor of whatever site would be selected. He expressed his deep concern for the handicapped.

Appearance: Mr. Joel Karp
New City, New York

Mr. Karp inquired as to the status of the Cable Television Contract. He stated that a \$5,000.00 fine had been levied against Good-Vue for failure to meet requirements in Orangetown and Ramapo and he wanted to know why this was not being done in Clarkstown.

Mr. Karp also mentioned that he would like an investigation into unauthorized mailings. Supervisor Dusanenko said this would be discussed at the next workshop.

Councilman Holbrook said that in regard to this he wanted a ruling from the Town Attorney and he felt that guidelines should be provided for the Town Board.

Councilman Lettre said they were talking about him and that the mailing in question had not been used for political purposes. He had done it for a few years and no one had questioned it before. He then read the letter he had sent out and some of the responses he had received in return. He said where was the hue and cry when Peter Peyser had sent out thousands of letters in this district which he did not even represent?

Appearance: Mr. Malcolm Lauder
New City, New York

Mr. Lauder spoke regarding the appointing of the Superintendent of Highways and his objections to this appointment.

Appearance: Ms. Linda Sullivan

Ms. Sullivan spoke regarding the mailing sent out by Councilman Lettre. She said she was not against it for political reasons but for financial reasons. She felt that guidelines should be established. Supervisor Dusanenko suggested that she put her recommendations in writing.

Appearance: Mr. Thomas Bourke
Hereford Lane
New City, New York

Mr. Bourke said he was speaking on behalf of French Farms and was looking forward to work out a proposal acceptable to all.

* * * * *

Supervisor Dusanenko then proceeded to deliver his State of the Town Address.

"January 11, 1983

STATE OF THE TOWN ADDRESS

Ladies and gentlemen, 1982 was a very good year for the Town of Clarkstown. Despite occasional personal and political differences, all members of the Town Board have acted in the best interests of our community at least 90% of the time. These actions have made 1982 a year that we can all be proud of. However, I would be remiss if I did not say that there is room for improvement. With the cooperation of the Town Board and in the interest of all Clarkstown citizens, 1983 will see many more innovative improvements in the Town of Clarkstown.

The Town is now on a management by objective system. The Town's bonded indebtedness will continue to be reduced. Now that our books are in order, it is time to improve our system of services. Our 1 million dollar surplus was accomplished through the following:

1. Sound management principles.
2. Tight fiscal controls were instituted for all departments.
3. Audits of utilities which resulted in refunds.
4. Increased interest income was realized by investing ALL funds in the competitive market.

Insurance premiums, I might add, have been reduced by almost \$1,000,000.00 annually.

5. Federal aid to Mini Trans, which was available to the Town for years, was applied for and granted and I might add also, recently received.

1982 marked the end of 24 years of service by Fred Seeger, Superintendent of Highways. Although Mr. Seeger's shoes will be hard to fill, I have the utmost confidence in our new Superintendent of Highways, Nicholas A. Longo. I am sure that in 1983 our Highway Department will work with greater efficiency and deliver essential services to the community in a more timely manner.

As I stated before, there are areas of Town service that can and must be improved, and in 1983 we have established these goals:

Assessor's Office

The Assessor's Office will be fighting the unfair State equalization rates imposed on the Town which are costing Clarkstown residents hundreds and thousands of extra tax dollars annually.

Building Department

In 1983 the Building Department will go to a "property card" type of filing system. This is basically a report card for each and every tax lot in the Town. This report card type of filing will provide all pertinent information about each tax lot in the Town. This will avoid the time consuming search of many files to answer inquiries from residents and other governmental agencies.

Comptroller's Office

The Town of Clarkstown now has a computer system. During 1983, many operations that had to be performed manually will be placed on our computer system. By the end of the year budgetary, payroll and personnel operations will be computerized. This will increase the rate of efficiency for the entire Town of Clarkstown by eliminating laborious manual accounting procedures.

Counseling Center

Plans call for extended hours at the Youth Booth in the Nanuet Mall to 9:30 P.M. three days per week.

Environmental Control

Corrective drainage work in several locations throughout the Town is slated. A cul de sac maintenance program will finally be established.

Sewer Department

We will expand preventive maintenance programs for all sewer pump stations and laterals to avoid unnecessary sewer backup.

Sanitary Landfill

Construction will be completed on a leachate collection system for the Clarkstown Landfill which will keep our landfill open for many years to come. A recycling reception area will be initiated for paper, glass, and aluminum.

Justice Court

During 1982 the Justice Court had a serious backlog of cases. With the additional of two more Justices, this backlog has been eliminated. During 1983, the Justice Court will seek to maintain their current case load status and look at ways to increase their efficiency of operation which will provide the prompt adjudication that all citizens are entitled to under our constitution.

Building Maintenance

In 1982 an energy audit was completed on our Town Hall facilities. During 1983 some of the recommendations will be implemented which will save the Town money on its utility bills. This is a long term program which will take several years to complete.

Mini Trans

All established routes and schedules will be re-evaluated to ensure that residents are receiving the best possible service. During 1983 the mini bus system will provide service to the Nanuet train station in the morning so that commuters will be able to catch city-bound transit.

Recreation Department

Now that Street School has been acquired by the Town as a Community Center, major emphasis will be placed on developing programs that are suitable for all residents. Parks will be further developed to include multi-purpose basketball facilities, multi-purpose fields, combination baseball, softball, football and soccer fields, a comfort station, playground and additional parking spaces.

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Personnel

Our Personnel Department will compile a complete alphabetical listing of all Town, Highway Department and Police Department personnel to ensure a prompt response time on any and all personnel matters.

Planning

Our long awaited Master Plan will be finalized.

Police

We plan to expand the scope of our crime prevention program and increase the participation of the residents of the Town. A survey will be completed of all shopping centers in the Town that are now required by law to have handicapped parking spaces. The respective owners will then be notified to comply, or violations will be issued.

Purchasing Department

Our Purchasing Department will strive for a complete interfacing with the newly purchased and installed Town computer system. This will eliminate duplication of effort with other departments, and ensure that bills are paid promptly and efficiently to help the Town maintain its good credit rating.

Receiver of Taxes

Manual posting of tax bills will be eliminated. The tax collections of the Town of Clarkstown will become totally computerized, thus eliminating human errors which have caused much anguish to the residents of the Town of Clarkstown.

Safety

We will initiate a driver safety program for all Highway Department and Town personnel who use Town vehicles, which will have a direct and positive result on our Town's loss experience and insurance costs.

Supervisor's Office

We will strive to further reduce the cost of liability insurance for the Town of Clarkstown which has steadily decreased from a high of 1 million dollars to its current level of \$332,000. We will expand our audit of utility charges which to date have netted the Town over \$22,000 in refunds. We will continue to try to involve more volunteers and interns in our Town government. This has been done through our Student Government Day program, which has given many high school students an understanding as to how government works. Government through cable television has become available to our residents, as Good-Vue Cable TV has video taped Clarkstown Town Board Meetings and many residents have taken advantage of this service to keep up-to-date on their community. To further increase productivity, the Supervisor's Office in conjunction with the Town Attorney's Office will be acquiring a word processing machine during 1983.

Town Attorney

A goal of your Town Attorney's Office for 1983 will be to provide any and all legal opinions necessary for the protection of the Town, its governmental operations and its residents.

Town Clerk

During 1983, the Town Clerk's Office will include a dog license application in the Parks and Recreation brochure. This will ensure that every dog owner will be provided with the opportunity to comply with State law and obtain a license for their unlicensed pet.

The objectives I have outlined are just one step in an overall plan to bring better government to the residents of the Town of Clarkstown. Government cannot work without the input of its people. I would like to take this opportunity to ask all residents of the Town to give your elected officials and Town employees constructive ideas on how to improve services. The goal of government is to serve its people, and my goal is to provide the highest level of essential services at the least cost. I strongly urge all residents to participate in the good government of the Town of Clarkstown.

During the past three years, many of your constructive suggestions have been implemented and have resulted in substantial savings. The 1980's are a cross roads for Town government. Government can no longer continually tax to provide for new social programs. Government can no longer throw money at problems in the hopes that they will go away. Creative, new ways must be found to tackle age old problems. We will find the ways to solve these problems and continue to make a better Clarkstown.

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RESOLUTION NO. (28-1983)

AUTHORIZING TOWN ATTORNEY
TO DEFEND PROCEEDING
AGAINST TOWN OF CLARKSTOWN
(DEMAR DEVELOPMENT V.
PLANNING BOARD OF TOWN OF
CLARKSTOWN AND THE TOWN OF
CLARKSTOWN)

Co. Holbrook offered the following resolution:

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

DEMAR DEVELOPMENT CORP.,

Petitioner,

-against-

RICHARD PARIS, CHAIRMAN; ANN MARIE SMITH;
RUDOLPH YACYSHYN; RICHARD HOWELL; FRANCIS
FALLON; CATHERINE NOWICKI; ROBERT CUNNINGHAM;
Constituting the Planning Board of the Town
of Clarkstown; Rockland County, New York;
THE PLANNING BOARD OF THE TOWN OF CLARKSTOWN,
NEW YORK; and the TOWN OF CLARKSTOWN, NEW YORK,

Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (29-1983)

SETTING PUBLIC HEARING
RE: PROPOSED AMENDMENTS
TO OFFICIAL MAP (DELETION
OF ROADS WITHIN HAMLET OF
CONGERS)

Co. Maloney offered the following resolution:

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RESOLUTION NO. (29-1983) Continued

WHEREAS, the Town Board of the Town of Clarkstown is considering amendments to the Official Map of the Town of Clarkstown by deleting therefrom the roads shown on the attached Schedule "A" which have been abandoned by the Town of Clarkstown within the Hamlet of Congers;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, New York, on the 8th day of February, 1983, at 8:15 P.M., relative to the proposed amendments to the Official Map, 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 official newspaper of the Town as aforesaid and file proof thereof in the office of the Town Clerk.

Seconded by Co. Holbrook All voted Aye.
(Schedule "A" on file in Town Clerk's Office.)

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RESOLUTION NO. (30-1983) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR ARTS & CRAFTS SUPPLIES

Co. Holbrook offered the following resolution:

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

BID #11-1983
ARTS & CRAFTS SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 10:00 A.M. on Monday, February 14, 1983 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (31-1983) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR MOTOR VEHICLES

Co. Holbrook offered the following resolution:

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

BID #12-1983
MOTOR 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 Monday, January 31, 1983 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (32-1983)

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

Co. Holbrook offered the following resolution:

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

BID #13-1983
HIGHWAY SIGNING AND ROAD SUPPLIES

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, February
7, 1983 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (33-1983)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE
FOR BIDS FOR POLICE VEHICLES

Co. Holbrook offered the following resolution:

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

BID #14-1983
POLICE 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 Wednesday, February
1, 1983 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (34-1983)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR CRAWLER-LOADER FOR
CLARKSTOWN SANITARY LANDFILL

Co. Holbrook offered the following resolution:

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

BID #15-1983
CRAWLER-LOADER FOR CLARKSTOWN SANITARY LANDFILL

bids to be returnable to the Office of the Director of Purchasing, 10
Maple Avenue, New City, New York by 11:00 A.M. on Monday, February 14,
1983 at which time bids will be opened and read, and be it

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RESOLUTION NO. (34-1983) Continued

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

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (35-1983)

SETTING PUBLIC HEARING ON
PROPOSED LOCAL LAW RE:
FLOOD DAMAGE PREVENTION
LAW OF THE TOWN OF
CLARKSTOWN

Co. Maloney offered the following resolution:

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled "CHAPER , FLOOD DAMAGE PREVENTION LAW OF THE TOWN OF CLARKSTOWN", and

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 8th day of February, 1983, at 8:00 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. Lettre All voted Aye.

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RESOLUTION NO. (36-1983)

ACCEPTING ROADS AND RELATED
IMPROVEMENTS (BROOK HILL
ESTATES SOUTH) - BROOK HILL
DRIVE

Co. Holbrook offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways and the Director of Environmental Control, deed from F-Z Realty Corp., dated June 4, 1981, conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of Brook Hill Estates South dated December 28, 1979, last revised September 15, 1980, and filed in the Office of the Clerk of the County of Rockland on September 23, 1980, in Book 96 of Maps at Page 16, as Map No. 5185, as follows:

BROOK HILL DRIVE 200 L.F.

is hereby accepted by the Town of Clarkstown provided the developer contributes the sum of \$500.00 to pay for a street light which may be

RESOLUTION NO. (36-1983) Continued

installed in the future, and be it

FURTHER RESOLVED, that the deed of conveyance be ordered recorded in the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that the agreement guarantying the road and improvements for a period of one (1) year in the amount of \$1,050.00 is hereby accepted.

Seconded by Co. Lettre

All voted Aye.

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(Agenda Item No. 7 - franchise agreement Good-Vue - pulled)

At this point Supervisor Dusanenko said that he would like to point out FOR THE RECORD some fiscal items that we have been able to benefit in as both members of the Town Board and as taxpayers. In 1979 the Town on franchise alone received \$18,000.00 or more in funds. In 1980 it was increased to \$29,000.00 and since I have been Supervisor in 1981 it has been increased to \$47,000.00 and this is with the understanding that those bills probably reflected only 30% of the potential of the customers being hooked up. I have been advised by the State Cable Commission that approximately 42% of the people in the Town who would like to be hooked up are being served currently and if this agreement is passed there is a commitment from the new parent company to serve and hook up 100% of the residents of the Town before the conclusion of 1983.

Councilman Holbrook asked if there was anyone present from Knight-Ridder who is authorized to sign on their behalf or to agree to this on their behalf.

Mr. Resnick said that he and Mr. Mills were authorized to speak for Knight-Ridder.

Councilman Holbrook inquired as to whether the Town Board had to approve the contract before they had a commitment from Knight-Ridder. Mr. Resnick said yes.

Supervisor Dusanenko stated that he had a three page communication signed by Mr. Resnick.

Councilman Holbrook said that the Town Attorney's concern was that Mr. Resnick was not authorized by Knight-Ridder.

Town Attorney said that unless Mr. Resnick could produce some kind of authority from Knight-Ridder in writing that he may not, in fact, be authorized to bind them to an agreement. Mr. Mills ought to be able to state that he is authorized by the corporation and produce a resolution of the Board of Directors indicating that he could sign such an agreement. That would satisfy any questions which Mr. Costa had.

Mr. Resnick asked if the Board will approve a request and it were made subject to the technical requirements which you impose will you be satisfied? He said there would be no objection to the Board's making a resolution subject to his producing an authorization from Knight-Ridder.

Mr. Costa said he was not making a comment with respect to the wisdom of approving this. All he was saying was that if the Board is looking for some commitment from this company, whatever that commitment may be, if it is in some legally enforceable form, the Board may then rely on that in approving this.

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Councilman Carey asked what the extended date was that this must be in by - January what?

Mr. Resnick said they were pressed for time as there was a large amount of money involved and many people were interested in obtaining these funds.

Councilman Carey said he was only interested in Clarkstown.

Mr. Resnick said there was no fixed date.

Councilman Carey said rather than a resolution of intent, if the documents which Mr. Costa referred to are available on the 25th of January he would vote on it. Tonight he would have to say "No dice."

Mr. Resnick asked if there could be a vote tonight if he was prepared to accept the resolution subject to meeting the Board's conditions rather than put the package in peril.

Councilman Maloney said he was interested in public access. Did that mean if an agency wanted to get a message across would they have to film it themselves? Would you be providing technical advice?

Mr. Resnick said he spoke to that at a previous meeting. He said technical advice would be provided but that they would not be doing the actual programming. He mentioned pilot programs, etc.

Councilman Holbrook said if they get the documentation before our next meeting they would entertain a resolution then but that he would have to go along with Councilman Carey this evening.

Mr. Resnick said there was a letter on file in Mr. Mill's office from Knight-Ridder and he would go and get it.

Supervisor Dusanenko said they would return to this item later on in the evening.

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Regarding the resolution with respect to Village Green Councilman Holbrook said he wished to disregard the resolution proposed on the agenda and substitute another one.

RESOLUTION NO. (37-1983)

AUTHORIZING SUPERVISOR TO
OBTAIN A DRAINAGE EASEMENT
FROM PALISADES INTERSTATE
PARK COMMISSION (VILLAGE
GREEN)

Co. Holbrook offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to obtain from the Palisades Interstate Park Commission a drainage easement to permit the installation on Palisades Interstate Park Commission property, at no cost to the Town of Clarkstown, of an appropriate drainage system, as approved by the Director of Environmental Control of the Town of Clarkstown to serve the proposed development known as Village Green.

Seconded by Co. Carey

Councilman Holbrook said the reason he put this in the form of a motion and ignore the resolution on the agenda here is that he felt that if the Town Board thought this development should go ahead, then the drainage should stand on its own. If we feel this is a good project

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and we have faith in our Director of Environmental Control and his department and he says that the drainage is okay, then I think we should go ahead with it. We shouldn't burden future people with the prospect of someday having to pay for a drainage system that might or might not work. If we feel it is going to work then we should approve it and we should back it up. If we are not prepared to back it up then we should just turn the whole thing down. He said he believes it to be a good project.

Supervisor Dusanenko said before the roll call vote he wanted the following to become a part of the record.

(Interoffice memo from Patricia Sheridan, Town Clerk to Theodore R. Dusanenko, Supervisor re: Degenshein.

"1/11/83

Pursuant to your memo of January 7, 1983 please be advised that we have searched our claim book and our litigation files and have found nothing involving the Degenshein family or any company of theirs. According to our present records there is nothing involving the Degensheins with respect to claims concerning the Town of Clarkstown of file in this office.

/s/ Patricia Sheridan"

(Interoffice memo from John A. Costa, Town Attorney to Theodore R. Dusanenko, Supervisor re: Degenshein.

"1/10/83

The records in this office, dating to 1971, indicate that the Degenshein family has not brought any action or proceeding against the Town of Clarkstown. However, an Article 78 proceeding was brought by Gerald Bierker, et al. v. Town of Clarkstown and Beverly Degenshein to challenge the validity of a zone change granted December 6, 1978. This matter resulted in an opinion of the Appellate Division, Second Dept., declaring the zone change a valid enactment.

Records in this office also indicate that on October 14, 1980, the Town Board forfeited the sum of \$4,050 which was being held in escrow to guarantee the planing of shade trees in a subdivision known as Nob Hill Estates.

There were no other records available in this office concerning tort claims or other litigation.

JAC:LB

/s/ John A. Costa
John A. Costa
Town Attorney

cc: Town Board Members"

(Interoffice memo from Kurial L. Kalarickla, P.E. Deputy Director E.C. to Theodore R. Dusanenko, Supervisor re: Degenshein.

"1/11/83

In accordance with your memo dated 1/7/83, the following is submitted:

It is extremely difficult to give the list of all subdivisions that the Degenshein family has built in the Town of Clarkstown and related complaints concerning these subdivisions within the time frame. It would take a lot of time to research and supply a proper list. Hence, I talked to the inspectors of this department who have prior knowledge of Degenshein subdivisions. The following is the list obtained from them.

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"1. DELLS

The Sewer Treatment Plant of Sewer District #13 was part of the above subdivision and was developed by Harry Degenshein & Nick Guttman. There was a litigation regarding the Treatment Plant's ownership. The Court decided that the Town of Clarkstown should relinquish the ownership. Hence, the Town of Clarkstown purchased the above premises from Nick Guttman, Inc. for the sum of \$140,000. as part of the settlement claim.

2. DEGAN HEIGHTS

There are several complaints in the files for the above subdivision. However, I do not think that the Town has spent any money to rectify these complaints.

3. HAVERMILL ESTATES

There were several complaints regarding the above subdivision. What I understood from the discussion with the inspectors of this department is that the Highway Department had to resurface a driveway because of some defective drainage system. I could not find any correspondence to substantiate this.

4. NOB HILL HOMES

The above subdivision has been defaulted and the public improvements have been completed without any additional funds by the Town. There is a complaint file on the above subdivision.

If you need more details, please let me know.

/s/ K.L.Kalarickal

KLK/dsg"

Supervisor Dusanenko said he would like to thank the Town Clerk, Patricia Sheridan; Town Attorney, John A. Costa; and Kurian L. Kalarickal, Deputy Director of Environmental Control for their search of their records. He said he would like further to point out the following items which do not seem to be in any of the Town's files.

He further stated that those subdivisions were approved because at that time the Town of Clarkstown had no sewer facilities and after the subdivisions were approved the Town wound up buying that sewer plant. At great discomfort to the residents of New City the temporary treatment plant has lasted close to a ten year period of time. Direct burden falling on the Town of Clarkstown after an approval by experts in planning, zoning and engineering.

Then in the Nob Hill subdivision I bring to your attention the following assuming the role of Supervisor of the Town of Clarkstown another area which was not sewered but was only dry sewers - I had complaints up there because the streets were collapsing; the curbs are still broken and the bond, for no extra funds, was finally relinquished for that particular subdivision at great discomfort for all those residents of \$100,000.00 plus homes.

I must remind three of my four colleagues on this Town Board also that on the other subdivision which I believe is Havermill Estates that in that particular subdivision the Town spent in excess of \$20,000.00 with the ravine in the backyard, Mr. Lettre? We had to have boulders for those three people up there, which you, Mr. Holbrook, requested. And yet this subdivision was approved by drainage experts - engineers!

Continued on Next Page

I would also like to point out for the record that a party by the name of Mrs. Parise, who lives in that same subdivision, where inspectors of the Town of Clarkstown, signed that drainage lines were built and attached to those homes and those drainage lines were never built and yet inspectors of the Town of Clarkstown, who have since expired, signed off on.

Councilman Holbrook asked if the Supervisor was saying that those inspectors were incompetent?

Supervisor Dusanenko said that he was not finished and that Councilman Holbrook would have an opportunity to make his remarks when the roll was called.

Supervisor Dusanenko said he also wanted to remind the taxpayers of the Town of Clarkstown of another fiasco which was approved by experts of the Town of Clarkstown namely known as the New City Condominiums where an excess of \$1,000,000.00 of public funds was utilized to relieve the frustrations and the mental anguish of people who made the most major investment in their life probably - their home and that area was flooded and that had the approval of experts and Planning Boards, etc.

Gentlemen, the resolution which Mr. Holbrook, my dear colleague, is suggesting is not to rebuild a special drainage district which I would also be against which means that any and all expenses from anything which is lacking in the plans would be a direct charge upon the owner or any of the new residents of a proposed condominium site in the Hamlet of Bardonia of an excess of 100 units. What Mr. Holbrook is asking is that I sign on behalf of all 82,000 people of the Town of Clarkstown an easement from the Palisades Interstate Park Commission which will allow building of this project which Mr. Holbrook says was designed by experts and therefore it should be good and I do not feel that that is in the best interests of the residents now or for future residents of the Town of Clarkstown.

Councilman Holbrook said that when the Town Board makes a decision on a project and we listen to the input of the people hired by the Town to make competent decisions and then if we are going to turn around and approve something and say well in case it doesn't work let the people who move in there bear the burden. He said he thought that was wrong. If we think this project is good - if we have faith in our experts and they say the drainage is going to work well then we should put ourselves behind that. We should back the decision that we've made and that is what we are doing in this case. By approving a drainage district we are saying we have no confidence in it. He said he has confidence in our Department of Environmental Control, Mr. Bollman, Mr. Kalarickal and I believe they do a good and competent job. They have stated in the past that the drainage is adequate and I therefore see no reason why the Town shouldn't approve it. The PIP easement thing is just a roadblock that's been thrown in the path of this thing for two or three years now. He said he was willing to back his decision and he was fully confident in making it.

Supervisor Dusanenko said he had a question for the record and he expected an answer for the record. "Mr. Holbrook, in 1978 and 1979 in serving the Town of Clarkstown as a councilman did you in fact vote 'Yes' for a zone change which took four different zones in the Hamlet of Bardonia on this very same property in question to make it high density condominium use in a drainage area. Yes or No?"

Councilman Holbrook said yes he did and he voted for that because he believed it was better to develop the parcel as a concept rather than a Route 59 with spot zoning, where you have a car wash and a car dealership and some other nonsense rather than have Route 304 look

like a mess. An apartment or condominium complex there was much better suited such as Germonds Village, which I think everyone will agree is a rather attractive complex. He said that is what competent planning is; not the hodgepodge arrangement that we have seen much of the Town developed as particularly along our major arteries. Route 304 happens to be a major artery and he thought a condominium complex in Bardonia is far better than commercial shopping or an auto repair place or someother hideous design which I am sure would have followed suit on that property and could have been built, by the way, by right. That was the rationale behind my consolidation of those zones to make some sort of sense out of a really difficult situation in terms of the land there.

Councilman Lettre said he would have to agree with Councilman Holbrook that Route 304 was not the place for a car wash, etc. but the alternative was not only to put in high density apartments or condominiums. He felt the Town Board should look into the possibility of putting in single family residential homes along that area. It would be much less density in the area and there would be more greenery with less of a drainage problem. Let's use some innovative thinking and possibly put single family homes into that area.

Councilman Maloney said that he had also voted on the zone change referred to by the Supervisor and he thought it was the proper thing to do at the time. What is needed are apartments and condominiums in that area. It certainly makes more sense than the type of thing we were getting along Route 304. We have to trust our experts who tell us that the drainage is adequate and if that is the case we have to stand behind it. He said he failed to see how the Supervisor could question the expertise at one time and then turn around and try to use them to show that Degenshein was at fault in some other areas. Yet you would accept their opinions in the report you just read and then not accept the fact that they say the drainage is adequate. We have to accept that to the best of their knowledge and their ability, the drainage would be adequate. Housing is called for in that area and it was the only thing to do at that time rather than have five or six different zones. He said yes he did vote for that back in 1978 and 1979.

Councilman Lettre said he wanted to make a motion to table and have the Planning Board evaluate it. Councilman Holbrook said they already have and they have approved it. Councilman Lettre said maybe they could reevaluate it.

RESOLUTION NO. (38-1983)(FAILED)

TABLING RESOLUTION NO.37-
1983 REGARDING DRAINAGE
EASEMENT FOR VILLAGE GREEN

Co. Lettre offered the following resolution:

RESOLVED, that Resolution No. 37-1983 regarding drainage easement from Palisades Interstate Park Commission for proposed Village Green Development, is hereby tabled and referred back to the Planning Board for review and recommendation.

Seconded by Supv. Dusanenko

On roll call the vote was as follows:

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

* * * * *

On Resolution No. (37-1983) the roll call vote was as follows:

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

Supervisor Dusanenko said FOR THE RECORD: As Supervisor to the best of my ability I have entered certain documentation and made certain comments for the record on behalf of the people of the Town. I would like to point out where this property is located because the decision will be made shortly right after I vote but at the same time any responsibility or liability will be that as it has been in the past of the taxpayers of the Town of Clarkstown. For those of you who may be driving along Route 304 commuting to work to either New Jersey or the Parkway you will pass the traffic light at Ludvigh Road and then you will proceed further south on the elevated portion of Route 304 over the Palisades Interstate Parkway. On your immediate right there is a wooded area and a lowland surrounded on two sides by private homes and one side by the Palisades Interstate Parkway and on one side by Route 304. If this is the proper place to put apartments - in this low, wet area time will tell. Please, you be the judge and the Supervisor votes No.

* * * * *

RESOLUTION NO. (39-1983)

AWARDING BID FOR ATHLETIC AND RECREATION SUPPLIES (VARIOUS SUPPLIERS)

Councilman Maloney offered the following resolution:

RESOLVED, based upon the recommendation of the Director of Purchasing and in concurrence with the Superintendent of Recreation and Parks, that the bid for furnishing Athletic and Recreation Supplies is hereby awarded to the following low bidders who have met the specifications:

2. Elliot Morris Co., Inc., Box 164, Lynn, Mass., 01903, for item #153, as per specifications, at a net bid price of \$1,550.88.
4. Morley's Athletic Supply Co., P.O. Box 557-208, Division Street, Amsterdam, N.Y., 12010, for items #2A, 2B, 2C, 7, 28, 133, 146, 180, 181, 183, 187, 188, 189, as per specifications, at a net bid price of \$4,423.51.
5. Todd Phelps Sporting Goods Mfg. Corp., 1945 Palmer Avenue, Larchmont, N.Y., 10538, for items #1A, 1B, 1C, 4A, 5A, 5B, 6, 12, 16, 16C, 16E, 29, 51, 52, 59, 60, 61, 84, 85, 99, 100, 106, 135, 144, 145, 155, 156, 157, 158, 160, 170, 171, 172, 173, 174, 175, 176, 177, 178, 178, 184, 190, as per specifications, at a net bid price of \$8,488.80.
7. Patchogue Surgical Co., Inc., 199 Main Street, Sayville, N.Y. 11782, for item #95, as per specifications, at a net bid price of \$141.36.
8. Champion Products Inc., P.O. Box 87, Perry, N.Y., 14530, for items #21F, 21G, 23I, 23J, 23K, 23L, 23M, 23N, as per specifications, at a net bid price of \$6,427.20.
9. BSN, Corp., Box 7726, Dallas, Tx., 75209, for items #16G, 16H, 16I, 53, 64, 72, 87, 96, 134, 182, as per specifications, at a net bid price of \$1,349.39.

RESOLUTION NO. (39-1983) Continued

- 10. Kenmar Shirts, Inc., 1578 White Plains Road, Bronx, N.Y., 10462,
for items #17, 19, 19B, 20 (White/Royal color), 21, 21B, 21C, 21D,
21E, 26, as per specifications, at a net bid price of \$10,830.96.
- 13. Tri-Carr Sports Inc., 776 White Plains Road, Scarsdale, N.Y. 10583,
for items #16B, 16F, as per specifications, at a net bid price of
\$325.81.
- 14. Marty Spolan Sporting Goods, 116-21 Metropolitan Avenue, Kew Gardens,
N.Y., 11418, for item #110, as per specifications, at a net bid
price of \$325.00.
- 15. Sportmaster, P.O. Box 9060, Pittsburgh, Pa., 15224, for items #161,
167, as per specifications, at a net bid price of \$954.60.
- 17. Suprina's Sportland, P.O. Box 756, Melville, N.Y., 11747, for items
#8, 34, 39, 44, 111, 159, 164, 166, 168, 169, 179, 186, as per
specifications, at a net bid price of \$778.96.

Gross Total for All Items: \$35,596.47

and be it

FURTHER RESOLVED, that this amount (\$35,596.47) be charged
against accounts:

| | |
|----------------|-----------|
| 7140-307 | \$ 405.84 |
| 7141-329 | 2,922.40 |
| 7180-307 | 2,642.24 |
| 7180-329 | 201.89 |
| 7310-307 | 15,629.76 |
| 7310-329 | 12,170.24 |
| 7610-329 | 1,624.10 |

\$ 35,596.47

and be it

FURTHER RESOLVED, that no bids awarded to item #185.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (40-1983)

AWARDING BID FOR COMPUTER
ROOM AIR PROCESSOR (BURROUGHS
CORPORATION)

Co. Maloney offered the following resolution:

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

Bid #9- 1983
Computer Room Air Processor

is hereby awarded to:

Burroughs Corporation
605 Third Avenue
New York, New York

for one- Burroughs Model 200
(HIROSS Model 006 A06F)

at the proposed cost of \$5,196.00

RESOLUTION NO. (40-1983) Continued

and be it

FURTHER RESOLVED, that funds for same be charged to
Comptroller Bond - Capital II.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (41-1983)

AWARDING BIDS FOR WORK
UNIFORMS (VARIOUS
SUPPLIERS)

Co. Maloney offered the following resolution:

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

Bid #7-1983
Work Uniforms

is hereby awarded to the following low bidders

Sears Roebuck & Co.
Contract Sales Division
151 Maywood Avenue
Maywood, New Jersey 07607

Dawn Beach Ltd.
D.B.A. Just Uniforms
Pacesetter Park Shopping Center
Route 202
Pomona, New York 10970

Frank Murken, Inc.
95 Dahlia St.,
Schenectady, New York 12306

Eastco Industrial Safety Corp.
26-15 123rd St.,
Flushing, New York 11354

as per the attached schedule of prices.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (42-1983)

RESCINDING RESOLUTION
NO. (1199-82) REGARDING
PUBLIC HEARING ON ZONING
AMENDMENTS (NANUET)

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 1199 of 1982 adopted on
December 14, 1982, is hereby rescinded.

Seconded by Co. Carey

All voted Aye.

* * * * *

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RESOLUTION NO. (43-1983)

SETTING PUBLIC HEARING ON
PROPOSED AMENDMENTS TO
ZONING ORDINANCE OF TOWN
OF CLARKSTOWN (NANUET)

Co. Maloney 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 Nanuet having present zoning designations inconsistent with the Master Plan and has suggested that certain amendments to the Zoning Ordinance of the Town of Clarkstown may be required to implement the Master Plan, and

WHEREAS, various proposed amendments to the Zoning Ordinance of the Town of Clarkstown affecting property located in the Hamlet of Nanuet and identified in reports dated July 28, 1982 from the Clarkstown Planning Consultant and September 1, 1982, from the Clarkstown Planning Board were referred to the Clarkstown Planning Board for its further review, recommendation and report and same has been received on January 4, 1983, with recommendations, and

WHEREAS, the Town Board wishes to consider certain zoning amendments 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 set forth on the attached Schedule "A" are hereby referred to the Town Planning Consultant for on-site inspection, specific identification of parcels by a perimeter description of the area affected and tax map description of the parcels involved and recommended to be considered for amendment, and for report by January 13, 1983, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown will hold a public hearing on the 31st day of January, 1983 at 8:00 P.M., or as soon thereafter as possible, at the auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, to consider the proposed amendments to the Zoning Ordinance of the Town of Clarkstown shown on the attached Schedule "A", and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such hearings and that the Town Clerk cause the notice of same to be published in the official newspaper of the Town 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 Rockland County Planning Board for its report and recommendation.

Seconded by Co. Lettre

All voted Aye.

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

* * * * *

RESOLUTION NO. (44-1983)

SETTING PUBLIC HEARING ON
PROPOSED LOCAL LAW RE:
INCREASE OF LICENSE FEES -
"DOGS"

Co. Maloney offered the following resolution:

RESOLUTION NO. (44-1983) Continued

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled, "A LOCAL LAW AMENDING CHAPTER 36 OF THE CODE OF THE TOWN OF CLARKSTOWN ENTITLED, 'DOGS' BY ADDING THERETO A NEW SECTION 36-6 PROVIDING FOR INCREASED LICENSING FEES AND RENUMBERING PRESENT SECTIONS 36-6 THROUGH 36-9 TO 36-7 THROUGH 36-10"

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 8th day of February, 1983, at 8:30 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 Journals News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

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

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (45-1983)

RE-ESTABLISHING THE CLARKSTOWN TRANSPORTATION ADVISORY COMMITTEE

Co. Holbrook offered the following resolution:

RESOLVED, that the Clarkstown Transportation Advisory Committee be re-established and the following named to said Committee:

- | | |
|------------------|--|
| Martin Bernstein | Joan Gallagher |
| Joel Karp | Neila Alemi |
| Robert Geneslaw | Orin Getz |
| Edward Ghiazza | Len Speigel or designee |
| Joseph Lewis | Designee of Pembroke Management (Mall) |

Seconded by Co. Maloney

All voted Aye.

Councilman Holbrook requested that these people be contacted for a meeting to be held on Monday, January 17, 1983 at 7:30 P.M. in the Andrew Jackson Room of the Town Hall. Councilman Holbrook said that the immediate need was to address the routes that many people have made comments about.

* * * * *

RESOLUTION NO. (46-1983)

AMENDING RESOLUTION NO. (13-1983) DELETING SUPT. OF HIGHWAYS FROM LIST OF DEPARTMENT HEADS AND ADD TO LIST ATTENDING ASSOCIATION OF TOWNS' CONVENTION

Co. Maloney offered the following resolution:

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RESOLUTION NO. (46-1983) Continued

RESOLVED, that Resolution #13-83 is hereby amended to delete Superintendent of Highways from list of department heads attending during regular working hours and add to list attending Association of Towns' Convention from February 20-23, 1983.

Seconded by Co. Holbrook All voted Aye.

* * * * *

RESOLUTION NO. (47-1983) SETTING PUBLIC HEARING RE:
AMENDMENT TO ZONING ORDINANCE
OF TOWN OF CLARKSTOWN RE:
HOME OCCUPATION

Co. Carey 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 the said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 8th day of February, 1983, at 9:00 P.M., to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown:

Amend Section 106-3 Definitions; Home Occupation, sub-paragraph (3) to read as follows:

- (3) Not more than one (1) employee, agent, person, stockholder, outside of the resident family shall be employed in such home occupation.

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 All voted Aye.

* * * * *

RESOLUTION NO. (48-1983) AUTHORIZING ATTENDANCE AT
NATIONAL RECREATION AND
PARK ASSOCIATION (CHARLES F.
CONNINGTON)

Co. Lettre offered the following resolution:

RESOLVED, based upon the recommendation of the Clarkstown Parks Board and Recreation Commission, that Charles F. Connington,

RESOLUTION NO. (48-1983) Continued

Recreation Supervisor, is hereby authorized to attend the National Recreation and Park Association, First Annual Bob Artz Innovative Program Forum VIII, in Rockville, Maryland, from January 27, 1983 through January 30, 1983, and

FURTHER RESOLVED, that expenses not to exceed \$290.00 be allocated from Appropriation Account No. 1010-414.

Seconded by Co. Maloney * * * * * All voted Aye.

RESOLUTION NO. (49-1983) TRANSFER OF FUNDS TO ACCOUNT A 1110-212 FOR JUSTICE COURT COPIER

Co. Maloney offered the following resolution:

RESOLVED, to add the sum of \$800.00 to the \$1,200.00 already appropriated for the Justice Court Copier and the total sum of \$2,000.00 be transferred to account A 1110-212.

Seconded by Co. Lettre * * * * * All voted Aye.

RESOLUTION NO. (50-1983) AUTHORIZING ASSISTANT BUILDING INSPECTOR TO ATTEND PROGRAM AT PACE UNIVERSITY CHARGE TO APPROPRIATION ACCOUNT NO. 1010-414 (CONKLIN)

Co. Maloney offered the following resolution:

RESOLVED, that Arthur Conklin, Assistant Building Inspector is hereby authorized to attend a program at Pace University School of Law, White Plains, New York, on January 14, 1983, at a registration fee of \$37.00 to be charged to Appropriation Account No. 1010-414.

Seconded by Co. Carey All voted Aye.

Supervisor Dusanenko wanted it noted for the record that he felt the Deputy Building Inspector should be the one to keep abreast of all these items. Supervisor Dusanenko inquired of Mr. Colucci why Mr. Conklin was attending and Mr. Colucci explained it was because Mr. Conklin was more involved with zoning matters and he felt it was important for Mr. Conklin to attend this program in connection with his duties.

* * * * *

RESOLUTION NO. (51-1983) GRANTING CERTIFICATES OF REGISTRATION PURSUANT TO SECTION 83-65 OF CODE OF TOWN OF CLARKSTOWN (TARIGO, HICKS EXCAVATING CO., INC., ROMAINE EXCAVATING, INC., J.R. D'ONOFRIO PLUMBING & HEATING, INC., JOHN P. FEHSAL, MONSEY EXCAVATING, INC., PETER J. MAYER AND SAGAR CONTRACTING CORP.)

Co. Maloney offered the following resolution:

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RESOLUTION NO. (51-1983) Continued

WHEREAS, the following have applied for a Certificate of Registration pursuant to Sec. 83-65 of the Code of the Town of Clarkstown:

- | | |
|--|--|
| Ronald Tarigo 5 Capral Lane New City, New York | John P. Fehsal RD# 1 Thiells Road Stony Point, New York |
| Hicks Excavating Co., Inc. Water F. Hicks Chester Avenue Congers, New York | Monsey Excavating, Inc. 18 Laura Drive Monsey, New York |
| Romaine Excavating, Inc. W.F. Romaine 319 W. Crooked Hill Road Pearl River, New York | Peter J. Mayer 27 Old Hempstead Road New City, New York |
| J & R D'Onofrio Plumbing & Heating, Inc. Ronald D'Onofrio 35 West Street Spring Valley, New York | Sagar Contracting Corp. 115 North Main Street New City, New York |

NOW, THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

- | | | |
|----------|-----------|--|
| No. 83-1 | issued to | Ronald Tarigo |
| 83-3 | " | " Hicks Excavating Co., Inc. |
| 83-4 | " | " Romaine Excavating, Inc. |
| 83-5 | " | " J & R D'Onofrio Plumbing & Heating Co., Inc. |
| 83-6 | " | " John P. Fehsal |
| 83-7 | " | " Monsey Excavating, Inc. |
| 83-8 | " | " Peter J. Mayer |
| 83-9 | " | " Sagar Contracting Corp. |

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (52-1983)

ADOPTING AND ACCEPTING
REGULAR TOWN BOARD MEETING
MINUTES OF NOVEMBER 9, 1982

Co. Maloney offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board Meeting held on November 9, 1982, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (53-1983)

MEMORIALIZING FEDERAL AND
STATE GOVERNMENTS ON REPEAL
OF REGRESSIVE WITHHOLDING TAX

Co. Holbrook offered the following resolution:

RESOLUTION NO. (53-1983) Continued

WHEREAS, the Federal Government has recently passed a tax law that will require banks to withhold 10% of the interest that people earn on depository accounts, certificates and dividends, and

WHEREAS, this is a regressive tax that affects even modest-income senior citizens unless they go through the complicated red tape of filing a Federal application for exemption, and

WHEREAS, the Federal Government is now receiving all necessary information to curtail tax cheating, so there is no reason for all of this additional unnecessary paper work and personal loss of funds during such a critical time in our economy;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown memorializes the Federal Government to repeal this regressive withholding tax before it takes effect on July 1, 1983, and be it

FURTHER RESOLVED, that the Town Board memorializes the State Legislature to use its good auspices to urge the Federal Government to repeal this tax, and be it

FURTHER RESOLVED, that the Town Clerk is authorized to send copies of this resolution to President Ronald Reagan, Senator Daniel P. Moynihan, Senator Alfonse D'Amato, Congressman Benjamin A. Gilman, Governor Mario Cuomo, Senator Linda Winikow and Assemblyman Robert Connor.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (54-1983)

ACCEPTING RESIGNATION OF
BUS DRIVER (PART-TIME) -
MINI-TRANS (MARTIN FRANCIS)

Co. Lettre offered the following resolution:

RESOLVED, that the resignation of Martin Francis, 196 Sierra Vista Lane, Valley Cottage, New York - Bus Driver - (part-time) - Mini Trans - is hereby accepted, effective and retroactive to December 29, 1982.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (55-1983)

ACCEPTING RESIGNATION (BY
RETIREMENT) OF AUTOMOTIVE
MECHANIC - TOWN GARAGE
(RAYMOND BOYD)

Co. Lettre offered the following resolution:

RESOLVED, that the resignation (by retirement) of Raymond Boyd - Automotive Mechanic - Town Garage - is hereby accepted effective and retroactive to January 1, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

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RESOLUTION NO. (56-1983)

APPOINTING POSITION OF
AUTOMOTIVE MECHANIC -
TOWN GARAGE (CHARLES
NEWCOMB)

Co. Lettre offered the following resolution:

RESOLVED, that Charles Newcomb, 21 South Conger Avenue, Congers, New York, is hereby appointed to the position of Automotive Mechanic - Town Garage - at the annual 1983 salary of \$16,575.00, effective January 17, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (57-1983)

CREATING POSITION OF
WEIGHER - SANITARY LANDFILL

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on January 6, 1983 that Weigher position - Sanitary Landfill - can be created,

NOW, THEREFORE, be it

RESOLVED, that the Weigher position - Sanitary Landfill - is hereby created effective January 12, 1983.

Seconded by Co. Maloney

All voted Aye.

Mr. John Lodico said he was not opposed to the Landfill having more employees since the Town has contracted with outside municipalities and the volume has quadrupled with the manpower remaining the same. He said his concern was with the classification. He thought more than one should be appointed to the position because knowing the system you will be having grievances filed shortly when one is summoned to say the north forty or the east forty and they say that that is not in their job description. He said a procedure should be followed that when a new person is hired they are given a classification that allows them to operate a machine, policing, labor, etc. so that their duties can run from A to Z and they are not limited to one operation.

Supervisor Dusanenko thanked Mr. Lodico and mentioned that the Town Board members had discussed exactly what he was talking about and they had asked Mrs. Loeffler to express those thoughts to Mr. Anderson at County Personnel. He said that it must be done this way since this position is listed that way at other Landfills but I will ask you to please confer with Mrs. Loeffler to give her examples of where this is happening so that we can resolve this further.

Mr. Lodico said that in the Civil Service Book there are many classifications and presently in Ramapo although they are licensed as weighers they are also obliged to do other jobs around the Landfill. He said he would suggest that the person be hired immediately pending future classification.

* * * * *

RESOLUTION NO. (58-1983)

CREATING POSITION OF TYPIST-
TOWN CLERK'S OFFICE

Co. Lettre offered the following resolution:

RESOLUTION NO. (58-1983) Continued

WHEREAS, the Rockland County Personnel Office has certified on January 6, 1983 that the Typist position - Town Clerk's Office - can be created,

NOW, THEREFORE, be it

RESOLVED, that the Typist position - Town Clerk's Office - is hereby created effective January 12, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (59-1983)

ACCEPTING RESIGNATION OF
RADIO OPERATOR - PART-TIME-
POLICE DEPARTMENT (LAURETTA
CUMMING

Co. Lettre offered the following resolution:

RESOLVED, that the resignation of Laurretta Cumming, Apt. 6N, Pomona, New York as Radio Operator, part-time - Police Department - is hereby accepted, effective and retroactive to January 1, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (60-1983)

CREATING POSITIONS TWO(2)
POLICE OFFICERS - POLICE
DEPARTMENT

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on January 6, 1983 that two (2) Police Officer positions - Police Department - can be created,

NOW, THEREFORE, be it

RESOLVED, that two (2) Police Officer positions - Police Department - are hereby created, effective January 12, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (61-1983)

CREATING POSITION OF
ASSISTANT SUPERINTENDENT
OF RECREATION AND PARKS -
RECREATION DEPARTMENT

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on December 13, 1982 that the position of Assistant Superintendent of Recreation and Parks - Recreation Department - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Assistant Superintendent of Recreation and Parks - Recreation Department - is hereby created (Grade 30) - effective January 14, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (62-1983)

APPOINTING (PROVISIONALLY)
POSITION OF ASSISTANT
SUPERINTENDENT OF RECREATION
AND PARKS - RECREATION
DEPARTMENT (CHARLES CONNINGTON)

Co. Lettre offered the following resolution:

RESOLVED, that Charles Connington, 212 G Lake Road, Valley Cottage, New York is hereby appointed (provisionally) to the position of Assistant Superintendent of Recreation and Parks - Recreation Department - at the annual 1983 salary of \$29,729.00, effective January 17, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (63-1983)

CREATING FOUR (4) DATA
ENTRY TERMINAL OPERATOR
POSITIONS (1 FULL-TIME
AND 3 PART-TIME) ON A
TEMPORARY BASIS - COMP-
TROLLER'S OFFICE

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on December 13, 1982, that four (4) Data Entry Terminal Operator Positions (1 full-time and 3 part-time) Comptroller's Office - can be created on a temporary basis - not to exceed 3 months,

NOW, THEREFORE, be it

RESOLVED, that the four (4) Data Entry Terminal Operator positions (temporary) - not to exceed 3 months, are hereby created effective January 31, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (64-1983)

AUTHORIZING SUPERVISOR TO
EXECUTE LABOR AGREEMENT
BETWEEN THE TOWN OF CLARKSTOWN
AND CHIEF OF POLICE AND
CAPTAIN OF POLICE

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute a labor agreement between the Town of Clarkstown and Chief of Police and Captain of Police, for the year beginning January 1, 1983 to December 31, 1983, as per attached Agreement.

Seconded by Co. Lettre

All voted Aye.

* * * * *

(Agreement on File in Town Clerk's Office)

At this point Supervisor Dusanenko called for a recess which lasted from 11:05 P.M. to 11:23 P.M.

* * * * *

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Supervisor Dusanenko read the Findings and Facts in connection with R & R Carting Disposal, Inc. pursuant to the matter of alleged violation on July 21, 1982.

RESOLUTION NO. (65-1983)

ADOPTING FINDINGS OF FACT AND CONCLUSION REGARDING ALLEGED VIOLATION OF R & R CARTING DISPOSAL, INC. (SECTION 63-10 (C))

Co. Holbrook offered the following resolution:

WHEREAS, a hearing was held on September 30, 1982, and continued on November 3, 1982, in the matter of alleged violation by R & R Caring Disposal, Inc., of Section 63-10(c) of the Code of the Town of Clarkstown at the Clarkstown Sanitary Landfill, Route 303, West Nyack, New York, on July 21, 1982;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby adopts the attached Findings of Fact and Conclusion.

Seconded by Co. Maloney

All voted Aye.

* * * * *

Supervisor Dusanenko stated that instead of taking up Item No. 7 on the agenda which was approving the transfer of rights concerning CATV this evening that the Town Board at its Workshop Meeting on January 20, 1983 would hold a Special Town Board Meeting in the Andrew Jackson Room to decide and determine that question at that time. The time was set for 8:00 P.M.

Town Attorney John Costa said he had spoken with representatives of the New York State Cable TV Commission and they had expressed a willingness to come to any meeting of the Town Board in order to answer questions, etc. It was agreed that they should indeed be invited to attend this special meeting.

There being no further business to come before the Town Board Meeting and no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Town Board Meeting was declared closed, time: 11:25 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
SPECIAL HEARING - GROUP HOME
VALLEY COTTAGE

Town Hall

1/11/83

8:15 P.M.

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

Supervisor Dusanenko explained that this was an informational meeting regarding the proposed placement of a group home on Svahn Drive in Valley Cottage. He introduced Mrs. Violet Engel who made the presentation.

Mrs. Engel explained the group home and gave an explanation of the Mental Hygiene Law. She said that the Town Board had a forty day response period during which they could approve the site, disapprove because of saturation in the neighborhood, suggest an alternate site or sites or do nothing which, after forty days, would give automatic approval to the home.

Mrs. Engel asked the people present for their dynamic support of this program. The acceptance of the handicapped is so important. She further explained that retardation is not a disease but a lifelong condition and that while people were institutionalized for mental illness, which can affect anyone at any age, there is help available. However, there is no help for retardation.

Mrs. Engel stated that the group home would have twenty-four supervision and she also mentioned that the retarded might also be physically handicapped. She said that each resident would probably be enrolled in a program outside the home for at least six hours a day. They now have twenty-four residential facilities serving 277 clients.

She said that by living in a community the retarded are given a wider range of mobility and independence which encourages their growth and progress. The need for the mentally retarded to live in a group home has become a mandate from the State and she said they must deinstitutionalize.

The group home provides the benefit of sharing a bedroom with one or two other people rather than sleeping in a dormitory. The people eat with others and socialize and they do receive guidance.

At present there are approximately 100 people in Letchworth Village who are from Rockland and who have relatives or others visiting them who do reside in Rockland. Presently, there are 88 retarded people living with relatives who have applied to live in these group residences.

Mrs. Engel went on to explain how they find the homes they consider and what the criteria are for accepting them for group home selection. They have never found a home that met all of their criteria. Renovations are always needed. They choose the home that most nearly meets their standards. The Town, County and FDC are involved in this selection. The Town committee consists of Mr. Arnold Botwinik, Councilman Edward Lettre and Councilman John Maloney.

Mrs. Engel said that they do not have eminent domain in selecting the site. They have to negotiate with the owner and the owner does not have to sell. The house at 589 Svahn Drive nearly meets the requirements. Taxes are paid in Rockland County by the State for these residences. If the State abandons this property for this project and the program ceases the home does not automatically go to another state agency but must go to public auction.

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Mrs. Engel stated that the quality of life in a community can be shown by the care and concern we show for the weakest of those among us.

It was noted that Steve Rubinsky had received a letter for an alternate site.

Councilman Edward Lettre said that he had surveyed the site. He stated that while he was in favor of the concept and as a member of this committee had learned a great deal he did not believe that the Svahn Drive location was the best site for a group home. He is firmly committed to the idea of the group home but in this instance an alternate site should be considered.

Councilman John Maloney said that he had looked at two sites, one on the corner of Svahn and Deer Track and that that location was not acceptable. He said the 589 Svahn Drive was the better location of the two. He said he was concerned about the closeness to other residences and was questioning this location even though it did meet many of the requirements.

Mr. Arnold Botwinik said he had looked at both houses on Svahn Drive and Deer Track and that both of them were acceptable to him. He went on to explain that he was the parent of a retarded child and his concern and the concern of other parents of retarded children was what would happen to their children when the parents are no longer around. If they cannot get into group homes the alternative would be Letchworth or Willowbrook. The retarded are not criminals, they have not committed a crime and they do not deserve to be institutionalized.

Mr. Frank Piccione of Valley Cottage made the following statement:

"Mr. Supervisor
Members of the Town Board
Representatives of the Office of Mental Retardation
and Development Disabilities

I am speaking to you on behalf of many of the residents in the area of Svahn Drive, Valley Cottage, in connection with the application before you this evening.

At the outset let me make it perfectly clear that, without exception, the members of this community have great respect and concern for the efforts of the Agency and the significant work that they are doing. We have no objection or reservation concerning the establishment of a Community Residential facility in Valley Cottage. Our main concern is with the location and the processes of site selection and review.

Only a few of us were recipients, although somewhat late, of correspondence from the applicant agency concerning the philosophy of their programs and the approaches followed by them in the establishment of the community residences. We note particularly their reference to the provisions of the Mental Hygiene Law which was adopted for the express purpose of insuring that the local community have a part in choosing and reviewing sites. Without the intent to be critical, we respectfully say that we do not feel that we, as interested community residents, have had an ample part in this process. It is possible that Town officials may have been aware of the intent of the Agency and it is even possible that one or more community residents may have had some awareness, but the community as a group did not.

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"When we were made aware of the intent a typical reaction followed producing many thoughts and many suggestions which have ultimately culminated in our appearance here this evening for the purpose of expressing our objection principally to the location.

It is our understanding that there is no community residential facility at the present time in the general area of Valley Cottage and we have no objection to the establishment of one and, as a matter of fact, would like to participate in the process of finding such a site. Perhaps some may regard our objections as coming from "Johnny-come-lately" but we must confess, and you must accept the fact that the proposal has come upon us with a particular degree of suddenness.

Upon our review we have concluded, as I have already stated, that we not only have no objection but, we welcome this well meaning project and wish to assist in its implementation, rather than be confronted with an established sit with which we have had no input. Our limited study has, however, pinpointed approximately 9 or 10 alternate locations in Valley Cottage which we believe might be more appropriate locations.

In reviewing the "Site Screen Criteria" furnished us by the Agency, we are not satisfied that 589 Svahn Drive meets that criteria and are of the belief that one or more of the alternate sites would not only better fulfill the criteria but possibly, of greater importance, would be a location from which your clients might be enabled to be better integrated into the life of the Valley Cottage community.

We would, therefore, respectfully request that this Board disapprove the 589 Svahn Drive location and recommend and urge the Agency and any Site Selection Committee of the Agency, the Town or the community to cooperate together in reviewing our proposals to the end that the site selected will be more readily accepted by the greater numbers of residents who live in our community.

May I conclude with our sincere and full wishes for a happy and harmonious Community Residential facility with which many of us can be associated and in which the lives of the occupants may be enhanced, enriched and more fully integrated into the society of which they are all members.

Thank you."

Mr. Fred Hager of Valley Cottage stated that he has attended many meetings on group homes and he had heard about the hearing on this home only yesterday. He lives near Svahn Drive and now that this is in his backyard he welcomes it. He said when he moved to his present home he did not go door to door and ask if he could live there. The notion that this group home is not suitable is false. He said human beings need space. He said he was definitely in favor.

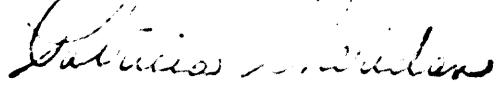
Mr. Michael Critelli of Svahn Drive, Valley Cottage said he felt that it was very important not just to move this home to another corner but to find just the right place. There was a home that was more suitable just 1,000 feet away. He said it was desirable to do this in a better fashion than the way in which most of the others had been done. The community wants this to result in success not in estrangement. The residents in this area are sincere about wanting the retarded in the community but they want them placed properly.

Mr. Botwinik suggested that they meet with the residents and discuss alternative sites but wanted the option on Svahn Drive kept open.

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There being no one further wishing to speak at this informational meeting, the Supervisor declared the meeting over, time: 9:20 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk