

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

3/22/83

8:13 P.M.

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

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

Supervisor Dusanenko presented a Certificate of Award to Eric Jacobs of West Nyack Elementary School who was the Grand Prize Winner of the Eastman Kodak Contest. Supervisor called upon the parents of Eric Jacobs and the boy's Scout Leader Mr. Butson, Jim Neck of Troop 42, and also the principal of the West Nyack Elementary School, Mr. Thomas Reed. Supervisor said that while Eric was a member of the Cub Scout Pack 49 in the Town of Clarkstown he entered the contest and from thousands of entries his was chosen as the first prize winner. He won \$1,000.00 in the contest jointly sponsored by the Boy Scouts of America and Eastman Kodak Company.

Supervisor Dusanenko declared the public portion of the Town Board Meeting open.

Appearance: Mr. Paul A. Dursi
Svahn Drive
Valley Cottage, New York 10989

Mr. Dursi spoke regarding the group home which was proposed for Svahn Drive in Valley Cottage and asked for a thirty day extension. He asked that he, Michael Crittelli of Svahn Drive, John Banyo of Svahn Drive and Alan Vogel of Svahn Drive, all of Valley Cottage be appointed as an ad hoc advisory committee to the Clarkstown Site Selection Committee for the purpose of finding a suitable group home for this particular group of handicapped people.

Supervisor Dusanenko informed Mr. Dursi that Mr. Jennings of Letchworth Village has agreed to a thirty day extension starting as of the 21st of March, 1983.

Appearance: Mr. Martin Bernstein
New City, New York

Mr. Bernstein spoke regarding the proposed County Jail to be put in New City and asked the Board to pass a resolution regarding this matter. He read the following petition:

"PETITION
TO
KEEP THE JAIL OUT OF THE GREENBERG PARK

WHEREAS, the 30 acre GREENBERG PARK Property on the corner of Little Tor and New Hempstead Roads was purchased by the County of Rockland in 1968 for the purpose of expanding the COUNTY CIVIC CENTER in future years, and to create the opportunity to continue the uses of the western portion of the property as a PUBLIC PARK in the middle of New City for use by our residents, businesses and visitors to our COUNTY SEAT;

AND WHEREAS, the Jail Committee of the County Legislature is now proposing building a Large 158 BED JAIL on this property with provision for FUTURE EXPANSION, which will preclude the property ever again being used as a community and PUBLIC PARK;

AND WHEREAS, this PROPOSED JAIL will be situated in the midst of a dense residential area of upper-middle income one-family

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dwellings, instead of the existing JAIL, which is ATTACHED TO THE COURTHOUSE in an inconspicuous manner and far removed from the residential areas of New City;

NOW, THEREFORE, the following New City residents and business people PETITION the ROCKLAND COUNTY LEGISLATURE to change the proposals of the JAIL Committee in the following manner:

1. Build the new Jail on the current PARKING LOT BEHIND AND ADJACENT TO THE COUNTY OFFICE BUILDING and just across the stream from the COURTHOUSE and connected to both of these structures with ENCLOSED SECURITY WALKWAYS;
2. Or, if this is not feasible, then BUILD THE NEW JAIL in an ISOLATED area of the County AWAY FROM RESIDENTIAL AREAS;
3. Or, renovate the existing Jail for less inmates who are on trial or being arraigned, and build a SMALLER JAIL in another ISOLATED area of the County;
4. And, DEVELOP a COMPREHENSIVE PLAN for the GREENBERG PARK PROPERTY plus the balance of the COUNTY CIVIC CENTER to SOLVE DRAINAGE, TRAFFIC CIRCULATION, and LAND USE for the long-range benefits of the County, the Town of Clarkstown and the Hamlet of New City;
5. And also that ALL CLARKSTOWN COUNTY LEGISLATORS represent New City's interests before the County Legislature to accomplish these recommendations."

Mr. Bernstein suggested that this petition be passed as a resolution.

Councilman Maloney spoke regarding action taken on the jail site and the drainage and road widening problems and also the Jail Subcommittee walk through that was conducted recently. He said that he was willing to hold an informational meeting but he did not want to compound meeting on meeting since there was a meeting scheduled to be held by the County on Thursday, March 24, 1983.

Mr. Bernstein said he wished the Town Board would take a stand on this issue and the County Legislature also take a stand and stick together. He further stated that the jail will have an adverse effect on real estate values.

Councilman Holbrook said New City is the County Seat and he believed that the jail should be in New City. He did support the site behind the Courthouse. He was concerned about drainage and the effect on the Demarest Kill Stream and did recognize the need for the road widening but he still felt very strongly that the jail belongs in the County Seat.

Appearance: Jack Hekker, Esq.
Nyack, New York 10960

Mr. Hekker requested the Board remove Item No. 9 from the Agenda since it was not ready. He also spoke regarding Item No. 6 on the Agenda and requested that the Board approve development of the Tilton Road cul-de-sac sectioning.

Councilman Holbrook said he thought this should be taken care of at a Public Hearing.

Mr. Hekker said his request was because the lots there were sold to home owners who have mortgage commitments and are anxious to insure the mortgage at those rates. Nothing was sold to other developers.

Appearance: Mr. Martus Granirer
South Mountain Road
New City, New York 10956

Mr. Granirer said the he was opposed to any alterations of any covenants and he cited the Kingsgate area as an example. He felt that that should not be done.

Appearance: Mr. Martin Bernstein
New City, New York

Mr. Bernstein said that he agreed with Mr. Granirer and he had seen past Town Boards adopt covenants and subsequently change them without a public hearing.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted the Public Hearing re: Change of Name from Laurel Drive to Westerly Drive, New City and amendment of Official Map to reflect said change was opened, time: 8:40 P.M.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted the Public Hearing re: Change of Name from Laurel Drive to Westerly Drive, New City and amendment of Official Map to reflect said change was closed and regular Town Board Meeting was resumed, time: 8:41 P.M.

RESOLUTION NO. (287-1983)

AMENDING OFFICIAL MAP OF
TOWN OF CLARKSTOWN BY CHANGING
NAME OF STREET KNOWN AS LAUREL
DRIVE TO WESTERLY DRIVE, NEW
CITY

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 24th day of February, 1983, provided for a public hearing on the 22nd day of March, 1983, at 8:00 P.M., to consider changing the name of the street known as Laurel Drive as shown on the Subdivision Map of "West Rise, Section I" filed in the Rockland County Clerk's Office on May 25, 1967, to Westerly Drive, New City, New York, and to amend the Official Map of the Town of Clarkstown to reflect said change of street name, and

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

NOW, THEREFORE, be it

RESOLVED, that the Official Map of the Town of Clarkstown is hereby amended by changing the name of the street known as Laurel Drive as shown on the Subdivision Map of "West Rise, Section I" to Westerly Drive, New City, New York, and be it

FURTHER RESOLVED, that the Highway Superintendent take notice of this resolution and make appropriate changes in the street signs as may be necessary and that the Town Clerk shall cause a copy of this resolution to be forwarded to the residents of Westerly Drive, the Clarkstown Central School District, New City Post Office, New City Fire Department, New City Ambulance Corps, Clarkstown Police Department, Clarkstown Planning Board, Department of Environmental Control of the Town of Clarkstown, Assessor of the Town of Clarkstown, Rockland County Clerk and Rockland County Engineer, and be it

FURTHER RESOLVED, that the Town Attorney is directed to file a certified copy of this resolution with the Rockland County Clerk with

the subdivision map entitled, "West Rise, Section I", and be it

FURTHER RESOLVED, that this resolution take effect immediately.

Seconded by Co. Lettre

All voted Aye.

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On motion of Councilman Holbrook, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Further Action re: Maddamma Iskander Management Corp., was reconvened, time: 8:43 P.M.

On motion of Councilman Holbrook, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Further Action re: Maddamma Iskander Management Corp., was closed and regular Town Board Meeting resumed, time: 8:50 P.M.

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RESOLUTION NO. (288-1983)

AUTHORIZING SUPERINTENDENT OF RECREATION AND PARKS TO FILE RECREATION PROGRAM FOR THE ELDERLY APPLICATION WITH NEW YORK STATE OFFICE FOR THE AGING.

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of Edward J. Ghiazza, Superintendent of Recreation and Parks, the Supervisor is hereby authorized to file a Recreation Program for the Elderly Application with the New York State Office for the Aging for the period commencing April 1, 1983 to March 31, 1984.

FURTHER RESOLVED, that the total aid for this period will be \$2,575.50.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (289-1983)

MEMORIALIZING STATE LEGISLATURE TO REINSTATE 19J FUNDING (PER CAPITA ALLOCATION OF FIFTY CENTS PER PERSON OVER SIXTY YEARS OF AGE) INTO THE 1983-84 EXECUTIVE BUDGET OF THE GOVERNOR OF NEW YORK STATE

Co. Lettre offered the following resolution:

WHEREAS, the Executive Budget of the Governor of New York State for the year 1983-84 has deleted the 19J funding which is the per capita allocation of fifty (50) cents per person over sixty years of age for municipal; programs, and

WHEREAS, the elimination of this allocation would have a direct effect upon the Town of Clarkstown recreation programs for senior citizens,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown memorializes the State of New York to reinstate said funds, and be it

RESOLUTION NO. (289-1983) Continued

FURTHER RESOLVED, that the Town Clerk is authorized to send copies of this resolution to Governor Mario Cuomo, Senator Linda Winikow and Assemblyman Robert Connor.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (290-1983)

DECLARING SURPLUS EQUIPMENT
(ONE 1962 DETROIT DIESEL
ENGINE-SANITARY LANDFILL)

Co. Lettre offered the following resolution:

RESOLVED, that one (1) 1962 Detroit diesel engine, model 8V71 with Allison Transmission attached, Sanitary Landfill, is hereby declared surplus equipment.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (291-1983)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
RICHARD D. LEVY & ASSOCIATES
TO PROVIDE PROFESSIONAL
SERVICES CONSISTING OF THE
DESIGN, LAYOUT AND PASTEUP
IN PRINT READY FORM FOR THE
1983 BULK PICKUP BROCHURE

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with Richard D. Levy & Associates, 17 Maiden Lane, New City, New York to provide professional services consisting of the design, layout and pasteup in print-ready form to enable the Director of Purchasing to prepare a bid proposal and bid specifications to obtain printing services for the 1983 Bulk Pickup Brochure for the Town of Clarkstown, and be it

FURTHER RESOLVED, that the cost of these services shall be \$495.00; and be it

FURTHER RESOLVED, that said agreement shall contain a clause indicating that the services be completed on or before April 18, 1983 and that "Time is of the essence."

Seconded by Supv. Dusanenko

On roll call the vote was as follows:

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

RESOLUTION NO. (291-1983) Continued

There was some discussion regarding the preparation and finalization of the brochure. Supervisor Dusanenko said it would be the same brochure as last year.

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RESOLUTION NO. (292-1983)

SETTING PUBLIC HEARING ON
PROPOSED LOCAL LAW ENTITLED
"A LOCAL LAW AMENDING CHAPTER
36 OF THE CODE OF THE TOWN OF
CLARKSTOWN ENTITLED 'DOGS'"

Co. Maloney offered the following resolution:

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled, "A LOCAL LAW AMENDING CHAPTER 36 OF THE CODE OF THE TOWN OF CLARKSTOWN ENTITLED, 'DOGS'"

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 26th day of April, 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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With regard to the following resolution Mr. John Hekker requested an amendment be inserted that would grant immediate relief for those lots off Tilton Circle. The Town Board said "No."

RESOLUTION NO. (293-1983)

SETTING PUBLIC HEARING
RE: AMENDING RESTRICTIVE
COVENANTS (ASSOCIATES OF
ROCKLAND - 11/1/82 - LIO
TO R-15)

Co. Maloney offered the following resolution:

WHEREAS, by Town Board Resolution No. 919 of 1982 Associates of Rockland County was granted a zone change for its property designated as Parcel 1 from an LIO District to an R-15 District, which Parcel 1 is described on the attached Schedule "A", and

WHEREAS, said zone change was granted subject to the execution and recording of a certain Declaration of Covenants, and

RESOLUTION NO. (293-1983) Continued

WHEREAS, a Declaration of Restrictive Covenants dated the 1st day of November, 1982, was filed in the Rockland County Clerk's Office on November 16, 1982, in Liber 2, at Page 218, which contained among others, the following covenant:

"4. (d) Declarant agrees not to request the Planning Board for sectioning for the subdivision referred to in Paragraph '1' herein."

WHEREAS, Associates of Rockland has petitioned the Town Board of the Town of Clarkstown for the elimination of the above quoted covenant;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held on the 26th day of April, 1983, at 8:30 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 amending the Restrictive Covenants dated November 1, 1982, filed in the Rockland County Clerk's Office on November 16, 1982, in Liber 2, at Page 218 to delete the above covenant, and be it

FURTHER RESOLVED, that the Town Attorney shall prepare notice of such hearing and that the Town Clerk shall cause the same to be published in 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 a copy of this resolution is hereby referred to the Rockland County Planning Board and Clarkstown Planning Board for their report and recommendations, and be it

FURTHER RESOLVED, that the vicinity property owners identified in accordance with Section 106-32(C) of the Zoning Ordinance of the Town of Clarkstown shall be notified by regular mail with affidavit of mailing at least ten (10) days prior to the public hearing by the applicant or his representatives.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (294-1983)

ADOPTING AND ACCEPTING
MINUTES OF TOWN BOARD
MEETINGS OF JANUARY 11TH
AND 25TH, FEBRUARY 8TH,
SPECIAL TOWN BOARD MEETING
OF JANUARY 20TH, AND JOINT
MEETING OF TOWN BOARD AND
PLANNING BOARD RE: MASTER
PLAN FOR HAMLET OF NANUET
HELD JANUARY 31, 1983

Co. Maloney offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board meetings of January 11th and 25th, 1983, February 8th, 1983, the Special Town Board meeting of January 20, 1983 and the joint meeting with the Town Board and Planning Board regarding the Master Plan for the Hamlet of Nanuet held on January 31, 1983, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Lettre

All voted Aye.

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Item No. 8 on the agenda was a resolution authorizing the Supervisor to enter into an agreement with Mr. Gurlitz to provide architectural services in connection with the alternations to the Clarkstown Highway Department "Cold Storage" Building and the grounds located at Seeger Drive in Nanuet. This resolution was pulled as there were some unanswered questions. Superintendent of Highways Nicholas A. Longo made an inquiry as to whether this would include storage space and the Supervisor said it would include the bay which had been vacated.

Councilman Holbrook said that he wanted to see the plans.

Supervisor Dusanenko requested that the Councilmen forward any questions to his office so that when Mr. Gurlitz comes before the Workshop he can bring the proper documentation with him.

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RESOLUTION NO. (295-1983)

SETTING PUBLIC HEARING RE:
MASTER PLAN - HAMLET OF
WEST NYACK AND AMENDMENTS
TO THE OFFICIAL MAP

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 West Nyack 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

WHEREAS, the Planning Board has reviewed these proposals and made recommendations to the Town Board, and

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 Town Board of the Town of Clarkstown will hold a public hearing on the 16th day of May, 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 Board of the Town of Clarkstown will hold a public hearing on the 16th day of May, 1983, at 9:00 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 Official Map of the Town of Clarkstown shown on the attached Schedule "B", and be it

FURTHER 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 shown on the attached Schedule "B" are hereby referred to the Clarkstown Planning Board for their review and recommendation and report to the Town Board of the Town of Clarkstown by April 13, 1983, and be it

RESOLUTION NO. (295-1983) Continued

FURTHER RESOLVED, that the proposed amendments to the Zoning Ordinance of the Town of Clarkstown set forth on the attached Schedule "A" and the proposed amendments to the Official Map of the Town of Clarkstown shown on the attached Schedule "B" 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 to the Town Board by April 1, 1983, 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 their report and recommendation.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (296-1983)

SETTING PUBLIC HEARING RE:
MASTER PLAN - HAMLET OF
BARDONIA AND UNINCORPORATED
AREAS OF SPRING VALLEY AND
AMENDMENTS TO THE OFFICIAL MAP

Co. Carey 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 Bardonia and the unincorporated areas of Spring Valley 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

WHEREAS, the Planning Board has reviewed these proposals and made recommendations to the Town Board, and

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 Town Board of the Town of Clarkstown will hold a public hearing on the 6th day of June, 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 Board of the Town of Clarkstown will hold a public hearing on the 6th day of June, 1983, at 9:00 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

RESOLUTION NO. (296-1983) Continued

amendments to the Official Map of the Town of Clarkstown shown on the attached Schedule "B", and be it

FURTHER 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 shown on the attached Schedule "B" are hereby referred to the Clarkstown Planning Board for their review and recommendation and report to the Town Board of the Town of Clarkstown by April 28, 1983, and be it

FURTHER RESOLVED, that the proposed amendments to the Zoning Ordinance of the Town of Clarkstown set forth on the attached Schedule "A" and the proposed amendments to the Official Map of the Town of Clarkstown shown on the attached schedule "B" 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 to the Town Board by April 14, 1983, 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 their report and recommendation.

Seconded by Co. Maloney

All voted Aye.

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Councilman Holbrook inquired about the status of the MF-1, MF-2 and MF-3 zones. Supervisor Dusanenko said that that would be an item of conversation at the request of the Rockland County Building Association. Supervisor also stated that we were waiting for reply from the Planning Boards. Town Attorney John Costa stated that this had not yet gone to the Planning Boards and that if the builders wish to submit written recommendations he would like them sent to his office as soon as possible. Supervisor Dusanenko requested they be sent in to his office as well as the Town Attorney and also the Town Planner as well.

Councilman Holbrook asked if this would be referred at the next Town Board Meeting and Town Attorney replied that it might be done even before that. Councilman Holbrook asked if we could set a Public Hearing on these items sometime before the end of April. Town Attorney said there would be a 45 day period involved and Councilman Holbrook asked if it were possible to have it during the first week of May. Supervisor Dusanenko said that he concurred with Councilman Holbrook and there should be a Public Hearing prior to the recess of school for the summer months as many people go away and since this would have an impact on them it should be done before school vacation begins. A tentative target date of May 24th was set and Town Attorney said they might be able to draw up a resolution to that effect at the next Town Board Workshop Meeting.

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RESOLUTION NO. (297-1983)

AMENDING RESOLUTION NO.243-1983 AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR LIQUID CALCIUM CHLORIDE DISTRIBUTOR AND LIQUID CALCIUM CHLORIDE

Co. Maloney offered the following resolution:

RESOLUTION NO. (297-1983) Continued

RESOLVED, that resolution #243-1983 is hereby amended to read as follows:

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

BID #37-1983
LIQUID CALCIUM CHLORIDE DISTRIBUTOR AND
LIQUID CALCIUM CHLORIDE

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, April 25, 1983 (Corrected Date) 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.

Councilman Carey asked if the distributor should be a resolution by itself. Superintendent of Highways Nicholas A. Longo said that was not necessary and in response to another question from Councilman Carey said that we would not be "locked in" to one vendor.

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RESOLUTION NO. (298-1983)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BUS TRANSPORTATION

Co. Maloney offered the following resolution:

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

BID #39-1983
BUS TRANSPORTATION

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, April 12, 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. Lettre

All voted Aye.

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RESOLUTION NO. (299-1983)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR VENDING MACHINE
SERVICE

Co. Maloney offered the following resolution:

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

BID #40-1983
VENDING MACHINE SERVICE

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, April 14,

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RESOLUTION NO. (299-1983) Continued

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. Lettre All voted Aye.

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RESOLUTION NO. (300-1983)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR ONE USED FOUR WHEEL DRIVE DUMP TRUCK WITH SPREADER AND PLOW

Co. Maloney offered the following resolution:

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

BID #41-1983
ONE USED FOUR WHEEL DRIVE DUMP TRUCK WITH SPREADER AND PLOW

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 Friday, April 15, 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. Lettre All voted Aye.

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RESOLUTION NO. (301-1983)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR HYDRAULIC CLAW

Co. Maloney offered the following resolution:

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

BID #42-1983
HYDRAULIC CLAW

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, April 26, 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. Lettre All voted Aye.

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RESOLUTION NO. (302-1983)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR HYDRAULIC CATCH BASIN CLEANER

Co. Maloney offered the following resolution:

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

RESOLUTION NO. (302-1983) Continued

BID #43-1983
HYDRAULIC CATCH BASIN CLEANER

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, April 27, 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. Lettre All voted Aye.

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RESOLUTION NO. (303-1983)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR MAINTENANCE OF TOWN
CUL-DE-SACS

Co. Maloney offered the following resolution:

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

BID #46-1983
MAINTENANCE OF TOWN CUL-DE-SACS

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, April 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. Lettre All voted Aye.

Supervisor asked if the triangle near the North High School at Cairnsmuir Lane would be included and Mr. Bollman said it could be included in the specs. Mr. Bollman said he believed that the County had always taken care of this but the Supervisor said this was the intersection of two Town roads and he did not believe the Town had ever done anything regarding the maintenance of it.

* * * * *

RESOLUTION NO. (304-1983)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR IMPROVEMENTS TO
TOWN CUL-DE-SACS

Co. Maloney offered the following resolution:

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

BID #47-1983
IMPROVEMENTS TO TOWN CUL-DE-SACS

bis 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, April 21, 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. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (305-1983)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
PRINTING OF BULK PICK-UP
BROCHURE

Co. Maloney offered the following resolution:

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

BID #44-1983
PRINTING OF BULK PICK-UP BROCHURE

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 Friday, April 8, 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. Lettre

All voted Aye.

* * * * *

Councilman Carey asked if there was any problem with
the brochure. Superintendent of Highways Nicholas A. Longo said "No"
except that it would be cut down. Supervisor Dusanenko said it would
be exactly the same as last year's. Councilman Carey asked why the
dog license application was being left out. He was informed that the
cost of insertion was prohibitive. A suggestion was made that a request
for application be inserted. Supervisor Dusanenko said he would take
that under advisement and perhaps a request form could be inserted.

* * * * *

RESOLUTION NO. (306-1983)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
SALE OF SURPLUS DIESEL ENGINE

Co. Maloney offered the following resolution:

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

BID #45-1983
SALE OF SURPLUS DIESEL ENGINE

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 Friday, April 22, 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. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (307-1983)

AWARDING BID FOR GROUNDS-
KEEPING EQUIPMENT - TWO (2)
ECHO PB400E COMMERCIAL POWER
BLOWERS (LITTLE TOR MOWER) -
CHARGE ACCOUNT NO. A7140-222

Co. Maloney offered the following resolution:

RESOLUTION NO. (307-1983) Continued

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

BID #24-1983
GROUNDSKEEPING EQUIPMENT
(Item #3)

is hereby awarded to:

Little Tor Mower
305 S. Little Tor Road
New City, New York 10956

for two (2) ECHO PB400E Commercial Power Blowers at the proposed cost of \$280.00 each, and be it

FURTHER RESOLVED, that funds for same are to be charged to Account A 7140-222.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (308-1983)

AWARDING BID FOR ROUND AND OBLATE CORRUGATED STEEL CULVERT PIPE (CHEMUNG SUPPLY CORP. AND COLUMBIAN STEEL COMPANY, INC.)

Co. Maloney offered the following resolution:

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

BID #28-1983
ROUND & OBLATE CORRUGATED STEEL CULVERT PIPE

is hereby awarded to:

Chemung Supply Corp.
P.O. Box 527
Elmira, New York 14902

and

Columbian Steel Company, Inc.
84 Industrial Avenue
Little Ferry, New York 07643

as per the attached schedule of items and prices.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (309-1983)

AWARDING BID FOR ROUND AND OBLATE CORRUGATED ALUMINUM CULVERT PIPE (CHEMUNG SUPPLY CORP. AND CAPITOL HIGHWAY MATERIALS, INC.)

Co. Maloney offered the following resolution:

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RESOLUTION NO. (309-1983) Continued

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

BID #27-1983
ROUND & OBLATE CORRUGATED ALUMINUM CULVERT PIPE

is hereby awarded to:

Chemung Supply Corp.
P.O. Box 527
Elmira, New York 14902

and

Capitol Highway Materials, Inc.
Route 6
Baldwin Place, New York 10505

As per the attached schedule of items and prices.

* * * * *

RESOLUTION NO. (310-1983)

AWARDING BID FOR USED FILE CABINETS (ACE EMERALD CO.)

Co. Maloney offered the following resolution:

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

BID #31-1983
USED FILE CABINETS

is hereby awarded to:

Ace Emerald Co.
67 West Central Avenue
Pearl River, New York 10965

as per the following schedule:

4 drawer legal size with lock	\$100.00
4 drawer " " without lock	95.00
5 drawer " " with lock	100.00
5 drawer " " without lock	95.00

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (311-1993)

AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENTS WITH ERNEST F. LANDI AND NEW YORK STATE CHIROPRACTIC ASSOCIATION - PILOT WELLNESS PROGRAMS

Co. Lettre offered the following resolution:

WHEREAS, the Town of Clarkstown has received proposals from the Landi Chiropractic Office and the New York State Chiropractic Association to conduct pilot wellness programs which could lead to health insurance premium savings, and

RESOLUTION NO. (311-1983) Continued

WHEREAS, the proposals shall be without out-of-pocket costs to the Town of Clarkstown, and

WHEREAS, the Town of Clarkstown is interested in the health and welfare of its employees and the rising cost of health care;

NOW, THEREFORE, be it

RESOLVED, that the proposals for the pilot wellness programs described in the proposals of Ernest F. Landi, licensed chiropractor, and the New York State Chiropractic Association are hereby accepted, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby directed to enter into agreements with Ernest F. Landi and the New York State Chiropractic Association in a form satisfactory to the Town Attorney in accordance with said proposals, provided, however, that there shall be no obligation on the part of the Town of Clarkstown to enter into any contractual arrangement for the continuance of said programs at the end of the pilot period and that no out-of-pocket costs be incurred.

Seconded by Co. Maloney

Councilman Carey said if the resolution were amended to indicate that both of these programs were for a three month period he would vote for it.

Supervisor Dusanenko said that in effect you are saying that a free service should be only for three months as opposed to six months. He offered a chance for Councilman Carey and Councilman Holbrook to change their vote so as to give the employees of the Town the opportunity to have this free program for three months with Ernest F. Landi and six months with the New York State Chiropractic Association.

Councilman Carey said that if this carries with a three to two vote it would be a moot point.

On roll call the vote was as follows:

- Supervisor Dusanenko.....Yes
- Councilman CareyAbstain
- Councilman Holbrook.....Abstain
- Councilman Lettre.....Yes
- Councilman Maloney.....Yes

* * * * *

RESOLUTION NO. (312-1983)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL "NO STOPPING ANYTIME" WEST SIDE OF BLAUVELT ROAD NEAR GEORGE MILLER SCHOOL - "NO STOPPING ANYTIME" DAWN LANE SOUTH TO NORTH END OF GUIDE RAILS - "NO STOPPING ANYTIME FROM 8:00 A.M. - 9:00 A.M. AND 3:00 P.M. - 4:00 P.M. ALONG ENTIRE LENGTH OF SCHOOL PROPERTY

Co. Maloney offered the following resolution:

RESOLUTION NO. (312-1983) Continued

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install "No Stopping Anytime" signs on the west side of Blauvelt Road, from 100 ft. north of the northerly property line of the George Miller School to the north end of American Legion Way, Nanuet. Also, "No Stopping Anytime" signs to be installed from Dawn Lane, south to the north end of the guide rails. Also, on the east side of Blauvelt Road, Nanuet, signs be installed, "No Stopping Anytime from 8:00 A.M. - 9:00 A.M. and 3:00 P.M. - 4:00 P.M." along the entire length of the school property.

Seconded by Co. Carey All voted Aye.

* * * * *

Supervisor Dusanenko said he has had calls and letters because people are not aware that from November 15th to April 1st from midnight until 6:00 A.M. there is no parking allowed on the streets of Clarkstown because of snow emergencies. There is a \$25.00 fine if you park on the street during those hours.

* * * * *

RESOLUTION NO. (313-1983) AUTHORIZING ATTENDANCE AT LOCAL GOVERNMENT CONFERENCE - COMPTROLLER (DOROTHY ERARD)

Co. Lettre offered the following resolution:

RESOLVED, that Dorothy Erard, Comptroller, is hereby authorized to represent the Town of Clarkstown at a Local Government Conference, sponsored by Senator Al D'Amato, to be held on May 17th and 18th, 1983, in Washington, D. C., and be it

FURTHER RESOLVED, that all reasonable expenses be charged against appropriations account No. A 1010-414.

Seconded by Supv. Dusanenko All voted Aye.

* * * * *

RESOLUTION NO. (314-1983) DECREASING APPROPRIATION ACCOUNT NO. A 1990-505 AND INCREASING APPROPRIATION ACCOUNT NO. A 4210-110 (COUNSELLING CENTER)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 1990-505 and increase Appropriation Account No. A 4210-110 by \$6,000.00.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (315-1983) RESCINDING RESOLUTION NO. (270-1983) - DECREASE APPROPRIATION ACCOUNT NO. A 1355-110 AND INCREASE APPROPRIATION ACCOUNT NO. A 1355-404 (ASSESSOR'S OFFICE)

Co. Maloney offered the following resolution:

RESOLUTION NO. (315-1983) Continued

RESOLVED, to rescind Town Board Resolution No. 270 dated March 8, 1983, and be it

FURTHER RESOLVED, to decrease Appropriation Account No. A 1355-110 and increase Appropriation Account No. A 1355-404 by \$800.00.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (316-1983) DECREASING CONTINGENCY ACCOUNT NO. 1990-505 AND INCREASING ACCOUNT NO. 1220-204 (SUPERVISOR'S OFFICE)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Contingency Account No. 1990-505 and increase Account No. 1220-204 in the amount of \$500.00.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (317-1983) DECREASING APPROPRIATION ACCOUNT NO. D 5110-382 AND INCREASING APPROPRIATION ACCOUNTS NOS. D 5110-301, D 5110-404 AND D 5110-408 (HIGHWAY)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. D 5110-382 by \$11,400 and increase the following Appropriation Account Nos.:

D 5110-301.....	\$ 1,000
D 5110-404.....	400
D 5110-408.....	10,000

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (318-1983) AUTHORIZING RETURN OF ESCROW DEPOSIT WITH REGARD TO DEDICATED SUBDIVISION (OLD MILL ACRES, SEC. II-A)

Co. Lettre offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control of the Town of Clarkstown, an escrow deposit secured by a Savings Certificate in the sum of \$30,634.68 furnished to the Town in connection with dedication of the roads and improvements on October 13, 1981, in a subdivision known as OLD MILL ACRES, Sec. II-A is terminated and the Savings Certificate released to the guarantor.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (319-1983) REFERRING APPLICATION FOR SECTION 280-a(4) OF TOWN LAW (MARTIN W. FELDI) TO SUPERINTENDENT OF HIGHWAYS AND DIRECTOR OF ENVIRONMENTAL CONTROL

RESOLUTION NO. (319-1983) Continued

Co. Maloney offered the following resolution:

WHEREAS, the application of Martin W. Feldi and Son requesting a resolution of the Town Board designating an open development area pursuant to Section 280-a(4) of the Town Law as shown on the Sketch Plat dated February 22, 1983, prepared by Jack D. Boswell and Associates was referred to the Clarkstown Planning Board for recommendations, and

WHEREAS, the Planning Board has recommended disapproval of said application, and

WHEREAS, the Town Board wishes to consider this matter further;

NOW, THEREFORE, be it

RESOLVED, that this matter is referred to the Superintendent of Highways and the Director of Environmental Control for their review and report to the Town Board with recommendations setting forth such requirements as may reasonably be necessary for the improvement of the interior right-of-way as shown on said Sketch Plat as would be adequate with respect to the public health, safety and welfare should the Town Board wish to adopt a resolution authorizing such open development area.

Seconded by Co. Holbrook

All voted Aye.

Supervisor Dusanenko said the Town Board was going to recommend this be a private road but it would be built to the normal road specifications but it would be narrower. Supervisor said we are not approving this now but are just asking for their recommendations.

Mr. Martin Feldi said since the Technical Advisory Committee had met and had no objections he was asking the Town Board to pass this tonight.

Supervisor said the vote is to refer and the Town Attorney said it was important that the Board, when it does consider this, that it set similar conditions as for a Section 280-a(2) respecting road improvement districts, gratuitous conveyances of road widening strips, etc. and the Board is not prepared to act on that because no documents have been drafted as yet.

Supervisor said that they wanted a covenant on the deed so that when new people purchase these homes that they would know that they would never be able to petition the Town to take it over as a town road at Town expense.

Town Attorney said it was his understanding that written recommendations from the Department of Environmental and the Superintendent of Highways were going to be solicited before making a decision regarding the things which we discussed.

Supervisor Dusanenko said he hoped this would be considered sometime before the end of the 1983 building season.

* * * * *

RESOLUTION NO. (320-1983)

AUTHORIZING TOWN ATTORNEY TO DEFEND PROCEEDING AGAINST TOWN OF CLARKSTOWN (NYACK COMMUNITY AMBULANCE CORPS, INC. AND CLARENCE R. CASTEL, JR. v. TOWN OF CLARKSTOWN AND CONGERS-VALLEY COTTAGE AMBULANCE CORPS, INC.)

Co. Holbrook offered the following resolution:

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RESOLUTION NO. (320-1983) Continued

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

In the Matter of the Application of

NYCAK COMMUNITY AMBULANCE CORPS., INC.
and CLARENCE R. CASTEL, JR., individually
and on behalf of all others similiary
situated,

Petitioners,

-against-

TOWN OF CLARKSTOWN (an incorporated Town
of the State of New York) and CONGERS-
VALLEY COTTAGE VOLUNTEER AMBULANCE CORPS.,
INC.,

Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (321-1983)

AUTHORIZING SUPERVISOR TO
PROGRAM, ADMINISTER AND
EXECUTE NECESSARY DOCUMENTS
RE: UTILIZATION OF 1983
COMMUNITY DEVELOPMENT FUNDS

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is
hereby authorized to program, administer and execute all necessary
documents regarding utilization of the 1983 Community Development funds.

Seconded by Co. Lettre

All voted Aye.

Councilman Maloney asked if it had been decided where these
funds were to be allocated. Supervisor said "No" since they had not
received recommendations from the Committee.

* * * * *

RESOLUTION NO. (322-1983)

AUTHORIZING PLANNING BOARD RE:
SUPPLEMENTING AND MODIFYING
RESOLUTION NO. 581-1980 TO
APPROVE ACCESS FROM CLOVERDALE
SUBDIVISION TO ROUTE 304

Co. Lettre offered the following resolution:

WHEREAS, the Planning Board of the Town of Clarkstown on June 6,
1980, requested authorization for an average density layout pursuant to
Town law Section 281 as shown on a map dated March 25, 1980, entitled,
"Cloverdale", which plan provided for ingress and egress onto Route 304
in the form of a standard "T" intersection, and

RESOLUTION NO. (322-1983) Continued

WHEREAS, on July 8, 1980, by Resolution No. 581 of 1980, the Town Board authorized such use as shown on said map, and

WHEREAS, to date, the New York State Department of Transportation has yet to approve said access onto Route 304, opposite East Phillips Hill Road as was shown on said map dated March 25, 1980, and

WHEREAS, the developer has presented an alternate proposed access at the same location which would meet the requirements of the New York State Department of Transportation;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 581 of 1980 is hereby supplemented and modified to authorize the Planning Board to approve access from the Cloverdale Subdivision to Route 304 as shown on Sketch dated September 28, 1981 revised December 1, 1982, entitled, "Route 304-East Phillips Hill Road Improvement" by Atzl & Scatassa Associates, P.C., Drawing 2, Project 1199, and be it

FURTHER RESOLVED, that this authorization which is intended to be pursuant to Town Law Section 281 is subject to any further action or modification deemed appropriate by the Town of Clarkstown Planning Board.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (323-1983)

AUTHORIZING TOWN ATTORNEY TO TAKE NECESSARY STEPS TO COMPEL INSURANCE CARRIER TO DEFEND TOWN RE: CLAIMS IN CONNECTION WITH FLOODING ALONG ROUTE 59

Co. Maloney offered the following resolution:

WHEREAS, several claims have been commenced against the Town of Clarkstown in connection with flooding along Route 59, West Nyack, New York;

WHEREAS, the Aetna Insurance Company has disclaimed liability in connection with these claims and has directed its attorneys to seek an order relieving them of further responsibility to defend the interests of the Town regarding these claims;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps, including commencement of an action for a declaratory judgment to seek an order to compel the said insurance carrier to defend and indemnify the Town in accordance with the terms of its insurance policy.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (324-1983)

GRANTING APPROVAL TO VETERANS OF FOREIGN WARS POST #9215 - WILLIS POLHEMUS POST TO HOLD TURKEY SHOOT

Co. Holbrook offered the following resolution:

RESOLUTION NO. (324-1983) Continued

WHEREAS, the Veterans of Foreign Wars Post #9215 - Willis Polhemus Post, Upper Nyack, New York has requested the consideration of the Town Board of the Town of Clarkstown to hold a Turkey Shoot as a fund raiser for their organization, and

WHEREAS, the proposed Turkey Shoot is to be held on April 10th, 17th and 24th and on May 1st, 1983;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby grants approval to the Veterans of Foreign Wars Post #9215 - Willis Polhemus Post, Upper Nyack, New York to hold a Turkey Shoot on the dates specified, and be it

FURTHER RESOLVED, that the Chief of Police of the Town of Clarkstown shall be notified of the time and place of each Turkey Shoot.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (325-1983)

CREATING LEGAL STENOGRAPHER POSITION - TOWN ATTORNEY'S OFFICE

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 8, 1983, that the Legal Stenographer position can be created, due to the reclassification of the Stenographer position - Town Attorney's Office,

NOW, THEREFORE, be it

RESOLVED, that the Legal Stenographer position is hereby created, effective March 23, 1983.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (326-1983)

APPOINTING POSITION OF (PROVISIONAL) LEGAL STENOGRAPHER - TOWN ATTORNEY'S OFFICE (CORNELIA ALEMI)

Co. Maloney offered the following resolution:

RESOLVED, that Cornelia Alemi, 76 Church Street, Nanuet, New York, is hereby appointed to the position of (provisional) Legal Stenographer - Town Attorney's Office - at the annual 1983 salary of \$14,973., effective March 28, 1983.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (327-1983)

REAPPOINTING POSITION OF MEMBER - CODE OF ETHICS (REV. EDMUND NETTER)

Co. Maloney offered the following resolution:

RESOLUTION NO. (327-1983) Continued

RESOLVED, that Rev. Edmund Netter, 34 East Route 59A, Nanuet, New York, is hereby re-appointed to the position of Member - Board of Ethics - to serve without compensation - effective March 25, 1983, with a term to expire on March 25, 1988.

Seconded by Co. Holbrook All voted Aye.

* * * * *

RESOLUTION NO. (328-1983)

APPOINTING POSITION OF
(PROVISIONAL) CODE INSPECTOR
(TRAINEE) - BUILDING DEPARTMENT
(WILLIAM E. FRITZ)

Co. Maloney offered the following resolution:

RESOLVED, that William E. Fritz, 40 Lakewood Drive, Congers, New York - is hereby appointed to the position of (provisional) Code Inspector (Trainee) - Building Department - at the annual 1983 salary of \$14,788., effective March 23, 1983.

Seconded by Co. Holbrook All voted Aye.

* * * * *

RESOLUTION NO. (329-1983)

APPOINTING POSITION OF
LABORER - SANITARY LANDFILL -
(JAMES P. WOODLEY)

Co. Maloney offered the following resolution:

RESOLVED, that James P. Woodley, 24 Terrace Avenue, Nanuet, New York is hereby appointed to the position of Laborer - Sanitary Landfill - at the annual 1983 salary of \$11,194., effective March 24, 1983 - for a period up to and including September 9, 1983.

Seconded by Co. Holbrook All voted Aye.

* * * * *

RESOLUTION NO. (330-1983)

EFFECTING SALARY CHANGES
FOR PART-TIME EMPLOYEES
(DOLORES DAUBITZ, RAYMOND
DeFORREST AND PATRICIA O'BRIEN)

Co. Maloney offered the following resolution:

RESOLVED, that the salary changes for the following part-time employees, are hereby effective and retroactive to March 21, 1983:

Dolores Daubitz, 23 Sunrise Drive, Stony Point, N.Y., \$4.88 to \$5.00 per hour.

Raymond DeForrest, 22 Old Brick Road, New City, N.Y., \$5.00 to \$5.25 per hour.

Patricia O'Brien, 19B Red Hill Road, New City, N.Y., \$4.45 to \$5.25 per hour.

Seconded by Co. Holbrook All voted Aye.

* * * * *

RESOLUTION NO. (331-1983)

STATING POSITION OF STORE-KEEPER - PARKS, BOARD & RECREATION IS GRADE 19

Co. Maloney offered the following resolution:

WHEREAS, Town Board Resolution No. 666-1980 dated August 12, 1980, created the position of Storekeeper (competitive), Parks Board & Recreation - as certified by the Rockland County Personnel Office, and omitted the grade,

NOW, THEREFORE, be it

RESOLVED, that Storekeeper - Parks Board & Recreation is a Grade 19, effective and retroactive to January 1, 1983.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (332-1983)(FAILED)

APPOINTING POSITION OF COURIER (KEITH SLINGSBY)

Co. Lettre offered the following resolution:

RESOLVED, that Keith Slingsby, 17 Old Schoolhouse Road, New City, New York, is hereby appointed to the position of Courier - at the annual 1983 salary of \$9,300., effective March 23, 1983 - for a period not to exceed three (3) months.

Seconded by Co. Maloney

Supervisor Dusanenko said he had a letter from the incumbent in this position and in order to continue to do business in the Town of Clarkstown regarding banking, errands, etc. he had to have a courier.

Councilman Maloney inquired of Mary Loeffler what the status of the incumbent was. Mrs. Loeffler said that he may take sick leave. Councilman Maloney said then it was not a resignation it was a retirement leave until clarified.

Councilman Carey asked for the background on this situation. Supervisor said he did not know if the incumbent had resigned or was taking sick leave but whatever the case, the Town needed a courier now.

Councilman Carey said he wanted to see it tabled. Supervisor Dusanenko said that he had to hire someone on a temporary basis until this was resolved. Councilman Carey said he requested a full report on the situation.

* * * * *

RESOLUTION NO. (333-1983)

TABLING RESOLUTION NO. (332-1983) RE: APPOINTING COURIER

Co. Holbrook offered the following resolution:

RESOLVED, that Resolution No. (332-1983) regarding the appointment of a courier for the Town of Clarkstown is hereby tabled.

Seconded by Co. Carey

On roll call the vote was as follows:

RESOLUTION NO. (333-1983) Continued

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

Supervisor Dusanenko said he did not have an employee to do the banking, mail, etc. He felt that the Board was being totally irresponsible and he asked the Board to compare the cost of having the police do this job as paying a courier to do it. He urged the Board to be responsible and not political and asked for a temporary employee to do this job.

* * * * *

RESOLUTION NO. (334-1983)(FAILED)

CREATING POSITION OF MAINTENANCE MECHANIC - HIGHWAY DEPARTMENT

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 14, 1983 that the Maintenance Mechanic position - Highway Department can be created,

NOW, THEREFORE, be it

RESOLVED, that the Maintenance Mechanic position - Highway Department - is hereby created, effective March 23, 1983.

Seconded by Co. Maloney

* * * * *

Nicholas Longo, Superintendent of Highways requested that this position be created as he was in need of a person to take care of the highway building which is in terrible condition. Councilman Holbrook asked where this position was coming from. Mr. Longo said it was added on the specifications. Councilman Lettre said do you concur that no one has this job classification and Charlie Maneri, President of the Town of Clarkstown's unit said that was so.

Councilman Maloney asked if Mr. Longo would be able to utilize this person after the emergency work was done. Mr. Longo said that the position would be versatile. Councilman Maloney asked if it would be cheaper to hire someone from outside to do the work. Mr. Longo said for evidence of the deterioration he would call upon Mr. Ed Ghiazza and Mr. Ghiazza concurred that the building was in terrible condition.

* * * * *

RESOLUTION NO. (335-1983)

TABLING RESOLUTION NO. (334-1983) REGARDING CREATION OF POSITION OF MAINTENANCE MECHANIC (HIGHWAY DEPARTMENT)

Co. Holbrook offered the following resolution:

RESOLVED, that Resolution No. (334-1983) regarding creation of position of Maintenance Mechanic - Highway Department - is hereby tabled.

Seconded by Co. Carey

On roll call the vote was as follows:

RESOLUTION NO. (335-1983) Continued

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

Supervisor Dusanenko said that if there is a building in need of maintenance we should hire a professional to take care of the particular need - a mason for masonry work, a plumber for plumbing work, etc. He said he would make the funds available for these services but not add an extra employee to the Town. Councilman Lettre said it was not financially feasible to hire individuals to mow lawns, make repairs, etc. and the Town does not do it for other services it utilizes - why this one? Mr. Longo said that Mr. Gurlitz should be hired to estimate the repairs to the building and Supervisor Dusanenko asked Mr. Longo to write down these requests and present them at the next workshop.

* * * * *

RESOLUTION NO. (336-1983) TABLED

AUTHORIZING SUPERVISOR AND TOWN ATTORNEY TO SEEK HOME RULE LEGISLATION TO ENABLE TOWN OF CLARKSTOWN HIGHWAY DEPARTMENT TO EXPEND THE SUM OF \$500,000 FOR SNOW REMOVAL EQUIPMENT(TABLED)

Co. Holbrook offered the following resolution:

RESOLVED, to table proposed resolution No. (336-1983) regarding Home Rule Legislation to enable Town of Clarkstown Highway Department to expend sum of \$500,000.00 in addition to that sum already allowed for the calendar year 1983 for snow removal equipment.

Seconded by Co. Carey

Supervisor Dusanenko stated that it was not necessary to vote on this but that it should just be tabled for the next Town Board Workshop.

* * * * *

RESOLUTION NO. (337-1983)

MEMORIALIZING NEW YORK STATE LEGISLATURE NOT TO MAKE ANY CUTS IN THE CHIPS FUNDING TO COUNTIES, TOWN AND VILLAGE AND TO TAKE WHATEVER STEPS ARE NECESSARY TO MAINTAIN THE CURRENT LEVEL OF FUNDING TO NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR REGION 8

Co. Lettre offered the following resolution:

WHEREAS, the Consolidated Highway Improvement Project, known as CHIPS, adopted by the State of New York has provided additional funds whereby government officials charged with the protection of the health, safety and welfare of the people they serve can improve and maintain local streets and highways, and

WHEREAS, this program has been beneficial to the Town of Clarkstown and its residents;

NOW, THEREFORE, be it

RESOLUTION NO. (337-1983) Continued

RESOLVED, that the Town Board of the Town of Clarkstown memorializes the New York State Legislature not to make any cuts in the CHIPS funding to counties, towns and villages for 1983, and be it

FURTHER RESOLVED, that the New York State Legislature is further memorialized to take whatever steps are necessary to maintain the current level of funding to the New York State Department of Transportation for Region 8.

Seconded by Supv. Dusanenko

All voted Aye.

Councilman Holbrook asked if they had intended to cut this and Supervisor Dusanenko said they intended to wipe it out. Mr. Nicholas Longo said that the last he had heard was that they were going to cut by 41% the amount for the Town. Supervisor Dusanenko said we would receive about \$50,000.00 or \$60,000.00 less of state aid for maintenance of our Town highways.

* * * * *

RESOLUTION NO. (338-1983)

AUTHORIZING TOWN ATTORNEY TO TAKE NECESSARY STEPS TO SEEK STAY OF ARBITRATION OR OTHERWISE CONTEST PROCEEDING (BOWMAN AND SPECIAL BARGAINING UNIT OF ROCKLAND COUNTY LOCAL 844 OF CSEA AGAINST TOWN OF CLARKSTOWN)

Co. Holbrook offered the following resolution:

WHEREAS, a Notice of Intention to Arbitrate was served on the Town of Clarkstown in the following matter:

In the Matter of the Arbitration between ROBERT H. BOWMAN and CLARKSTOWN SPECIAL BARGAINING UNIT OF ROCKLAND COUNTY LOCAL 844 of the CIVIL SERVICE EMPLOYEES ASSOCIATION, INC.

and

TOWN OF CLARKSTOWN.

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to seek a stay of arbitration or otherwise contest such proceeding upon the grounds that the party seeking same has no standing.

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (339-1983)

APPOINTING AD HOC COMMITTEE TO SITE SELECTION COMMITTEE RE: GROUP HOME IN VALLEY COTTAGE

Co. Holbrook offered the following resolution:

RESOLUTION NO. (339-1983) Continued

RESOLVED, that the following people are hereby appointed to an ad hoc advisory committee to the Site Selection Committee for Group Homes in the Town of Clarkstown, with respect to the selection of a group home in Valley Cottage for a period of thirty (30) days.

- Paul A. Dursi
- Michael Crittelli
- John Banyo
- Alan Vogel

Seconded by Co. Lettre

All voted Aye.

Councilmen Carey and Maloney also wished it noted that they seconded this resolution also.

* * * * *

RESOLUTION NO. (340-1983)

PETITIONING ROCKLAND COUNTY
LEGISLATURE TO CHANGE PRO-
POSALS OF THE JAIL COMMITTEE

Co. Maloney offered the following resolution:

RESOLVED, the following New City residents, business people and Town Board petition the Rockland County Legislature to change the proposals of the Jail Committee in the following manner:

1. Build a new jail on the current parking lot behind and adjacent to the County Office Building and just across the stream from the Courthouse and connected to both of these structures with enclosed security walkways;
2. Develop a comprehensive plan for the Greenberg Park Property plus the balance of the County Civic Center to solve drainage, traffic circulation and land use for the long-range benefits of the County, the Town of Clarkstown and the Hamlet of New City;
3. Also that all Clarkstown County Legislators represent New City's interests before the County Legislature to accomplish these recommendations.

Seconded by Co. Carey

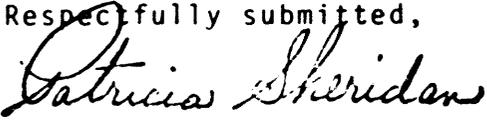
All voted Aye.

* * * * *

Councilman Carey stated that he would like to thank Mr. Bernstein, Mr. Karp and all citizens who came out and made their feelings known regarding the proposed New City Jail. He wished them good luck.

* * * * *

There being no one wishing to be heard and no further business to come before the Town Board the meeting was adjourned, time: 10:10 P.M.

Respectfully submitted,

 PATRICIA SHERIDAN,
 Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/22/83

8:40 P.M.

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

RE: CHANGE OF STREET NAME FROM LAUREL DRIVE TO WESTERLY DRIVE, NEW CITY

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

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

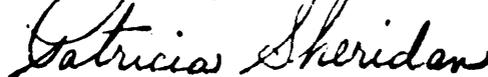
IN FAVOR: No one appeared.

Supervisor Dusanenko asked if there was anyone wishing to speak in opposition to the proposed name change.

IN OPPOSITION: No one appeared.

There being no one wishing to be heard, on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, time: 8:41 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

Subsequently, Town Attorney John Costa said that he would like to have the Public Hearing reopened just for purpose of insertion of the following letters and memoranda:

"December 31, 1982

Honorable Theodore Dusanenko
Supervisor
Town of Clarkstown
Town Hall
10 Maple Avenue
New City, NY 10956

Dear Supervisor Dusanenko:

I would like to bring to your attention a hazard which exists in the Strawtown area of Clarkstown.

Westerly Drive is a street off of Strawtown Road between Dahm Road and Pepperide Drive. Unfortunately, the maps used by the town do not reflect this name. Laurel Drive is indicated on the maps used by the Planning Board, Police Department, Fire District, Ambulance Corp., etc. As this could possibly cause a delay in the response to a call for a critical service, it places the residents of Westerly Drive in danger.

I would appreciate your assistance in the expeditious update of all town maps to reflect Westerly Drive. I would also appreciate it if all the town agencies and volunteer services were notified by the town to manually update their maps until such time as the new ones are available.

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"Should you need additional information, please feel free to call me.

Respectfully,

/s/ Thomas E. Bourke, President

Thomas E. Bourke, President
Southeast Clarkstown Homeowners Association
(SECHA)
(914) 638-0451"

* * * * *

"From: Philip B. Fogel, 1st Dep. Town Attorney Date: 2/1/83

To: John A. Costa, Town Attorney

Subject: Mr. Thomas E. Bourke (Letter 12/31/82)
 Southeast Clarkstown Homeowners Association

The subdivision of which Mr. Bourke writes is known as West Rise, Section I, filed on May 25, 1967. The street referred to in his letter is shown on said map as Laurel Drive. The reason we believe that the Planning Board originally named Laurel Drive as it did was to permit the connection of Laurel Drive with Laurel Road when the Knapp Property came in for subdivision approval.

On June 29, 1971, Mr. Loftus, a member of the Planning Board, at the request of residents living on Laurel Drive asked the Planning Board to pass a resolution changing its name from Laurel Drive to Westerly Drive, and also requested the Highway Superintendent to change the street sign, which was apparently done.

It is evident that the Planning Board does not and did not in 1971 have the jurisdiction to change the name of any street after the filing of a map. The authority to change the names of streets within a town is vested in a town board pursuant to Section 64(9) of the Town Law.

Town Law, Section 64(9) specifically provides that a street name may be changed and altered as the town board may determine:

"Whenever the town board...shall change the name...of any street..., the town clerk shall within ten days thereafter notify the board of assessors and the planning board,...of said town, the county clerk and the county engineer...and the post office department of the United States..."

If the Town Board wishes, therefore, to change the name of Laurel Drive to Westerly Drive, it need, in our opinion, merely pass a resolution changing the name and thereafter follow the procedure outlined immediately above.

We do not believe that it is necessary to amend the Official Map since the change of name is not the laying out, widening or closing of a street as envisioned in Section 273 of the Town Law dealing with Official Maps. The Official Map is:

"...final and conclusive with respect to the location and width of streets..." (Town Law, Sec. 270)

While it is not necessary, in our view, to change the Official Map for the reasons indicated above, it may nonetheless be prudent to do so if the absence of change can result in a delay in responding to emergency vehicles.

/a/ Philip B. Fogel

PBF:LB

Philip B. Fogel

cc: Town Board Members"

* * * * *

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"From: John A. Costa, Town Attorney
To: Theodore R. Dusanenko, Supervisor
Town Board Members
Subject: Complaint - Thomas E. Bourke
Change of Street Name

Date: 2/9/83

A letter from Mr. Thomas E. Bourke on behalf of the Southeast Clarkstown Homeowners Association requesting consideration for the change in name on the Official Map of Laurel Drive to Westerly Drive was referred to Mr. Fogel for his research and recommendation. His report, and the subject correspondence, is attached hereto as well as a request from Supervisor Dusanenko asking that the necessary resolution to effect the change be prepared.

I agree with Mr. Fogel that it would be prudent to treat this matter as a request for amendment to the Official Map, pursuant to Section 273 of the Town Law as well as a request for name designation pursuant to Section 64(9) of the Town Law.

Therefore, also forwarded herewith is a proposed resolution setting a date for a public hearing with respect to this matter. All of the above is forwarded for consideration by the Town Board at a workshop session whenever convenient to it.

/s/ John A. Costa

JAC:LB
Encs.

John A. Costa
Town Attorney

THIS PROPOSED NAME CHANGE WAS ADOPTED BY RESOLUTION NO. (287-1983)

TOWN OF CLARKSTOWN
RECONVENED PUBLIC HEARING
ORIGINAL HEARING HELD 9/28/82
3/22/83

Town Hall

8:40 P.M.

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

RE: FURTHER ACTION RE: MADDAMMA ISKANDER MANAGEMENT CORP.

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

Town Attorney read the following letter from Edmund Maddamma:

"March 8, 1983

Town Board
10 Maple Avenue
New City, New York 10956

Re: Maddamma Iskander Mangement Corp.

Gentlemen:

At time of Board Meeting September 28, 1982 there was a partner involved with Building in question on Horseshoe Drive, New City, New York 10956.

Due to the delay of my partner and weather conditions, the six (6) months extension was not adequate. However, I did take the initiative to place the building in a much safer condition. ie: removed burnt debris and other hazardous objects.

As of March 2, 1983 I am the sole owner and I now have a building permit in my possession and repair work is now in process to reconstruct the building to its original condition. I anticipate another six (6) months prior to final completion.

I hope this is satisfactory for the Board. If there should be any other questions please don't hesitate to contact me.

Respectfully yours,

/s/ Edmund Maddamma
President
Maddamma Iskander Mangement Corp.
Horseshoe Drive
New City, New York 10956

cc: file"

* * * * *

Town Attorney then read the following memo from Mark Papenmeyer, Assistant Fire Inspector.

"From: Mark Papenmeyer, Assistant Fire Inspector Date: 2/24/83
To: John Costa, Town Attorney
Subject: Violation - Maddamma Iskander
Management Corp.
Map: 58; Block: G; Lot: 48

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"As per your memo dated February 22, 1983, I have reinspected the above premises. The building remains virtually the same as the conditions reported during the hearing. The roof of the building has been removed but it appears no other work has been done. Debris still fills the interior of the building and the building is unsecured. There are now no roof ties supporting the walls making it possible for collapse.

/s/ Mark Papenmeyer

MP/gh"

Mark Papenmeyer was sworn in to testify as to the condition of the property as it presently exists. Councilman Holbrook inquired as to whether any work had been done since the last meeting. Mr. Papenmeyer stated that some work had been done and that a fence had been put around the building thereby securing it. The building permit had been applied for and granted and he and the Building Inspector and Fire Inspector are satisfied that the building will be restored.

Councilman Carey asked if the renovation would be done in a reasonable time since the applicant had already had six months. Mr. Papenmeyer said the building permit is for eighteen months. The amount of time was no problem as long as the building is secured and the fence remains.

Mr. Costa asked if there was any danger to the health, safety and welfare as it now stands. Mr. Papenmeyer said not if it remains secured. Mr. Costa said that Chapter 31 of the Town Law has been met.

Mr. Maddamma was sworn in and Supervisor Dusanenko said that there was no mention of a fence in Mr. Maddamma's letter but that the fence was, in fact, up.

Mr. Maddamma said that he previously had had a partner but that now he is the sole owner. Work is in progress and will be completed.

There being no one further wishing to be heard, on motion of Councilman Holbrook, seconded by Councilman Carey and unanimously adopted, the reconvened Public Hearing was declared recessed, time: 8:50 P.M.

Respectfully submitted,


PATRICIA SHERIDAN,
Town Clerk