

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

5/24/83

8:15 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 proclamation on behalf of
Sister Catherine William as follows:

"HONORING SISTER CATHERINE WILLIAM
May 22 thru May 28, 1983

WHEREAS, Sister Catherine William has been principal of Albertus Magnus High School for 8 years, and

WHEREAS, during her tenure of office Albertus Magnus High School was re-accredited by the Middle States Association, and

WHEREAS, many Clarkstown students have benefited from her inspirational leadership and have gone on to excel in colleges, universities and the business world, and

WHEREAS, through her tireless perserverance Albertus Magnus High School has had many "firsts" in both the academic and athletic arena, and

WHEREAS, Sister Catherine William has been the motivating force behind the updating of Albertus's curriculum and maintaining its ranking as one of the finest high schools in the metropolitan area, and

WHEREAS, she has always sought to foster in the students of Albertus Magnus High School that love of God and country so fundamental to the basic tenets of our American way of life, and

WHEREAS, Sister Catherine William has always given that extra effort through the years as principal to ensure that quality education will continue to flourish,

NOW, THEREFORE, BE IT RESOLVED, that I, THEODORE R. DUSANENKO, Supervisor of the Town of Clarkstown, do hereby proclaim the week of May 22 thru May 28, nineteen hundred and eighty-three, as "SISTER CATHERINE WILLIAM WEEK", and ask all our citizens to join in tribute to the long and distinguished career of Sister Catherine William and wish her Godspeed in her new endeavors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Clarkstown to be affixed this 24th day of May, 1983

(S E A L)

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

* * * * *

Supervisor Dusanenko presented a proclamation on behalf of
"Life. Be in it." Recreation and Parks Month, as follows:

"LIFE. BE IN IT."
RECREATION AND PARKS MONTH
JUNE - 1983

Continued on Next Page

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

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

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

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

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

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, on this 24th day of May, 1983, do hereby proclaim the month of JUNE, nineteen hundred and eighty-three as "Life. Be in it. - Recreation and Parks Month" in the Town of Clarkstown, and urge all our residents to join with us in participating in the special events scheduled for June.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Clarkstown to be affixed this 24th day of May, 1983.

(S E A L)

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

* * * * *

Mr. Edward Ghiazza, Superintendent of Parks and Recreation made an announcement about Superday '83 - Serendipity Saturday which will be held on June 4, 1983.

* * * * *

Supervisor Dusanenko declared the Public Portion of the Town Board Meeting open.

Appearance: Mrs. Robin
27 Stonehedge Drive
West Nyack, New York

She spoke as an officer of the Germonds Neighborhood Association which has a membership of over 200 persons. She spoke regarding the reappointment of Betty Squillace to the Zoning Board of Appeals and the appointment of Dr. David Kraushaar to the Board for the first time. She was in favor of both appointments.

Appearance: Mr. Fred Rogoish
New City Ambulance Corps.

He spoke regarding the adoption of the new resolution pertaining to the volunteer districts in Clarkstown. He urged that this be done this evening and the previous resolutions be rescinded.

Appearance: Mr. Bruce Cohen
Treetops

He opposed Item No. 22 on tonight's agenda which had to do with Kingsgate. He felt there should be no action taken until the overall plan for development was available. He asked the Board to postpone the

public hearing until the Board had received all information with regard to such overall planning.

* * * * *

On motion of Councilman Holbrook, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Local Law amending Chapter 22, Section 22-1 of the Town Code re: Alcoholic Beverages, was opened, time: 8:27 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Local Law amending Chapter 22, Section 22-1 of the Town Code re: Alcoholic Beverages, was closed, time: 8:30 P.M. and regular Town Board Meeting was resumed.

* * * * *

RESOLUTION NO. (475-1983)

ADOPTING LOCAL LAW NO. 4-1983
RE: AMENDING CHAPTER 22,
SECTION 22-1 OF THE TOWN CODE
RE: "ALCOHOLIC BEVERAGES" -
PROHIBIT POSSESSION OF ALCOHOLIC
BEVERAGES IN OPEN CONTAINERS
WITH INTENT TO CONSUME IN VARIOUS
PUBLIC PLACES WITHIN THE TOWN OF
CLARKSTOWN

Co. Maloney offered the following resolution:

WHEREAS, a proposed local law entitled "A LOCAL LAW AMENDING CHAPTER 22, SECTION 22-1 OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN ENTITLED, 'ALCOHOLIC BEVERAGES' TO PROHIBIT POSSESSION OF ALCOHOLIC BEVERAGES IN OPEN CONTAINERS WITH INTENT TO CONSUME IN VARIOUS PUBLIC PLACES WITHIN THE TOWN OF CLARKSTOWN" was introduced by Councilman Lettre, at a Town Board meeting held on April 26, 1983, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 26th day of April, 1983, directed that a public hearing be held on the 24th day of May, 1983 at 8:15 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on May 10, 1983, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and Councilmen at their office at 10 Maple Avenue, New City, New York, on May 3, 1983, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on May 24, 1983;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 4-1983, entitled, "A LOCAL LAW AMENDING CHAPTER 22, SECTION 22-1 OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN ENTITLED, 'ALCOHOLIC BEVERAGES' TO PROHIBIT POSSESSION OF ALCOHOLIC BEVERAGES IN OPEN CONTAINERS WITH INTENT TO CONSUME IN VARIOUS PUBLIC PLACES WITHIN THE TOWN OF CLARKSTOWN" is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

TBM - 5/24/83
Page 4

RESOLUTION NO. (475-1983) Continued

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

Seconded by Co. Carey All voted Aye.

* * * * *

RESOLUTION NO. (476-1983)

AUTHORIZING TOWN ATTORNEY TO DEFEND ACTION (BALLY'S ALADDIN'S CASTLE, ET AL. AGAINST TOWN OF CLARKSTOWN, THE TOWN BOARD OF CLARKSTOWN)

Co. Maloney offered the following resolution:

WHEREAS, an action has been instituted against the Town of Clarkstown entitled as follows:

BALLY'S ALADDIN'S CASTLE, INC., VALEMONT VENDING, INC. d/b/a COMIC EXCHANGE, ROCKLAND AMUSEMENTS, INC. d/b/a/ SUPER A-MUSEMENTS, BEARON AMUSEMENT CORP., d/b/a MISTER ARCADE,

Plaintiff,

-against-

THE TOWN OF CLARKSTOWN, THE TOWN BOARD OF THE TOWN OF CLARKSTOWN CONSISTING OF CHARLES E. HOLBROOK, JOHN R. MALONEY, EDWARD LETTRE, and WILLIAM J. CAREY, AS Councilmen and Members of the TOWN BOARD and THEODORE DUSANENKO, Supervisor of the Town of Clarkstown,

Defendants.

NOW, THEREFORE, be it

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

Seconded by Co. Carey All voted Aye.

* * * * *

RESOLUTION NO. (477-1983)

REFERRING PETITION FOR CHANGE OF ZONE TO ROCKLAND COUNTY PLANNING BOARD AND TOWN OF CLARKSTOWN PLANNING BOARD (COLONIAL OPERATING CO. - GOLDSTEIN, HENGOL AND HENDERSON)

Co. Maloney offered the following resolution:

RESOLVED, that the application of Colonial Operating Co. & Ano. (A. Golstein), Hengol and Seymour Henderson for a change of zoning from R-22 District to R-15 District, on property located on New City Congers Road, New City, New York, designated on the Clarkstown Tax Map as Map 77, Block A, Lots 25.01, 25.02 and 26 be referred to the Town Planning Board for report within 45 days pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board pursuant to Secs. 239-1 and 239-m of the General Municipal Law.

Seconded by Co. Carey All voted Aye.

* * * * *

RESOLUTION NO. (478-1983)

INCREASING FUND 1010-409
AND DECREASING CONTINGENCY
FUND 1990-505

Co. Maloney offered the following resolution:

RESOLVED, that fund 1010-409 be increased by \$296.17, and that Contingency Fund 1990-505 be decreased by \$296.17.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (479-1983)

SETTING PUBLIC HEARING ON
PROPOSED AMENDMENTS TO THE
ZONING ORDINANCE OF THE
TOWN OF CLARKSTOWN

Co. Holbrook 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 28th day of June, 1983, at 8:15 P.M., to consider the adoption of the following proposed amendments to the Zoning Ordinance of the Town of Clarkstown:

Delete the present RG-1 and RG-2 Zoning Districts and replace same with proposed MF-1, MF-2 and MF-3 Zoning Districts (Multi-Family Zoning Regulations) as described in the attached Schedule "A".

Adopt the proposed R-160 Zoning District (Conservation Density Residence District) as described in the attached Schedule "B".

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.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (480-1983)

GRANTING ACCESS ONTO COLLEGE
AVENUE (HYMAN AND PARKER)

Co. Lettre offered the following resolution:

WHEREAS, Herbert A. Hyman and Eugene Parker have made application pursuant to Section 106-25D of the Zoning Ordinance of the Town of Clarkstown for a resolution of the Town Board of the Town of Clarkstown to authorize access onto College Avenue should a proposal

RESOLUTION NO. (480-1983) Continued

to construct a one story commercial building on premises located at the intersection of College Avenue and Route 59, Nanuet, New York, be approved after application to the Zoning Board of Appeals;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby grants access onto College Avenue for the above application subject, however, to a favorable determination of the application presently pending before the Zoning Board of Appeals and compliance by the applicant with all conditions of approval established by the Zoning Board of Appeals, and subject further to a requirement that the applicants apply to the New York State Department of Transportation for permission to widen College Avenue from the proposed entrance to Route 59 to provide three twelve foot travel lanes, and if approved, provide such improvement to the right-of-way of College Avenue prior to the issuance of a certificate of occupancy, and be it

RESOLVED, that the Town Board reserves the right to modify the conditions set forth herein should compliance by the applicant appear to be impractical.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (481-1983)

AMENDING RESOLUTION NO. 230-1983 (USE OF TOWN OF CLARKSTOWN SHOWMOBILE TO ROCKLAND COUNTY FUTURE INC. - FAIR & EXPOSITION) - INCREASE REVENUE ACCOUNT NO. 2001 AND EXPENDITURE ACCOUNT NO. 7140-111

Co. Lettre offered the following resolution:

RESOLVED, Town Board Resolution No. 230 dated March 8, 1983 granting permission to the Rockland County Future, Inc. to use the Town of Clarkstown showmobile (Rockland County Fair and Exposition), fee is hereby amended to \$595.00, and

FURTHER RESOLVED, that the Town Comptroller is hereby authorized to increase Revenue Account No. 2001 by \$595.00 and Expenditure Account 7140-111 by \$595.00.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (482-1983)

AUTHORIZING ATTENDANCE AT NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS 1983 ANIMAL CONTROL ACADEMY (PATRICIA McCOY, DOG CONTROL OFFICER) (CHARGE ACCOUNT A 1010-414)

Co. Lettre offered the following resolution:

RESOLVED, that Patricia McCoy, Dog Control Officer, Town of Clarkstown, is hereby authorized to attend the New York State Department of Agriculture and Markets 1983 Animal Control Academy at State University of New York at Cobleskill, New York, from June 19th through June 24th, 1983.

FURTHER RESOLVED, that all proper charges not to exceed \$300.00 be charged against Account A1010-414.

Seconded by Co. Maloney

All voted Aye.

* * * * *

Supervisor Dusanenko said that the Town was looking for a part-time Dog Control Officer but so far they have been unsuccessful. He asked if anyone knew someone who would qualify and be interested please have them contact our Personnel Office.

* * * * *

RESOLUTION NO. (483-1983)

AUTHORIZING ATTENDANCE AT NEW YORK STATE ASSOCIATION OF CHIEFS OF POLICE ANNUAL CONFERENCE (GEORGE R. SCHNAKENBERG) - CHARGE TO ACCOUNT NO. A 1010-414

Co. Lettre offered the following resolution:

RESOLVED, that George R. Schnakenberg, Chief of Police, Town of Clarkstown, is hereby authorized to attend the New York State Association of Chiefs of Police Annual Conference from July 31st through August 4th, 1983, in Rochester, New York, and be it

FURTHER RESOLVED, that all proper charges not to exceed \$400.00 be charged against Account A 1010-414.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (484-1983)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL "NO PARKING ANYTIME" SIGNS BOTH SIDES OF RAMP FOR HANDICAPPED ADJACENT TO CUSTOM TAILOR SHOP, MAPLE AVENUE, NEW CITY

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install "No Parking Anytime" signs (P-10 sign per NYS Department of Transportation's Manual of Uniform Traffic Control Devices) on both sides of the ramp for the Handicapped located adjacent to the Custom Tailor Shop, 106 Maple Avenue, New City.

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (485-1983)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL "NO PARKING" SIGNS ON EAST SIDE OF ELMWOOD DRIVE IN LINE WITH SOUTHERLY END OF THE SCHOOL (NEW CITY ELEMENTARY) NORTH TO THE END OF THE SCHOOL PROPERTY LINE

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install "No Parking" signs on the east side of Elmwood Drive in line with the southerly end of the school, north to the end of the school property line.

Seconded by Co. Carey

All voted Aye.

* * * * *

TBM - 5/24/83
Page 8

RESOLUTION NO. (486-1983)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO ERECT SIGNS AT EXTREME NORTHERLY END OF OLD HAVERSTRAW ROAD, CONGERS (AT SHARP BEND BEFORE NYS RTE. 304) - W-L LEFT SIGN AND W-R RIGHT SIGN WITH PANEL TO READ "20 MPH"

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to erect signs at the extreme northerly end of Old Haverstraw Road, Congers (at the sharp bend before NYS Rte. 304). These signs are:

A (W-L) left sign - see section 231.3 of the Manual of Uniform Traffic etc. to be erected on the east side of Old Haverstraw Rd., Congers

A (W-R) right sign - see Section 231.3 of the Manual of Uniform Traffic, etc., to be erected on the south side of Old Haverstraw Rd., underneath a 24 x 24 panel (W-161) See Section 238.2 of the Manual. This panel should read, "20 MPH."

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (487-1983)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO ERECT A W-11-H SIGN NORTH SIDE OF CHURCH STREET, NANUET

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to erect a W-11-H sign (see Section 232.1, Manual of Uniform Traffic Control Devices.) This sign should be installed on the North side of Church Street, Nanuet, in the vicinity of the fire hydrant.

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (488-1983)

AUTHORIZING PAYMENT OF ADDITIONAL SUM FOR LEGAL FEE FOR CONFERENCE AND COPY OF TRANSCRIPT (KOEPEL, SOMMER & MARTONE) - REVIEW OF EQUALIZATION MADE BY ROCKLAND COUNTY LEGISLATURE - TRANSFER OF FUNDS FROM CONTINGENCY ACCOUNT NO. 1990-505 TO ACCOUNT NO. 1420-409

Co. Holbrook offered the following resolution:

RESOLUTION NO. (488-1983) Continued

RESOLVED, that the firm of Koepfel, Sommer & Martone, P.C., which was appointed by Resolution No. 194 of 1983, as Special Counsel in the Matter of the Complaint of the Town of Clarkstown before the State Board of Equalization and Assessment for a Review of the Equalization made by the Rockland County Legislature on November 4, 1982, for the Apportionment of the 1983 County Taxes, be paid the additional sum of \$681.06 for a legal fee for a conference and copy of transcript to be taken from Account No. 1420-409, and be it

FURTHER RESOLVED, that the sum of \$681.06 shall be transferred from Contingency Account No. 1990-505 to Account No. 1420-409.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (489-1983)

AMENDING RESOLUTION NO. 450-1983 AUTHORIZING ATTENDANCE AT LAND USE WORKSHOP IN NEW YORK CITY - CHARGE TO ACCOUNT NO. A1010-414

Co. Lettre offered the following resolution:

RESOLVED, that Resolution No. 451 adopted by the Town Board of the Town of Clarkstown on May 10, 1983, is hereby amended to read as follows:

"RESOLVED, that Philip B. Fogel, 1st Deputy Town Attorney, is hereby authorized to attend a Land Use Workshop on June 16, and 17, 1983, in New York City for the sum of \$250.00 plus transportation, lodging and travel expenses, and be it

FURTHER RESOLVED, that the expenses for the above shall be charged to Account No. A 1010-414."

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (490-1983)

AUTHORIZING ATTENDANCE AT LAW FORUM AT PACE UNIVERSITY (ANN M. SMITH - MEMBER OF PLANNING BOARD) - CHARGE TO ACCOUNT NO. 1010-414

Co. Holbrook offered the following resolution:

RESOLVED, that Ann M. Smith, a member of the Planning Board of the Town of Clarkstown, is hereby authorized to attend a law forum at Pace University School of Law entitled "How Local Government Copes with Expanding Housing Demands" at a fee of \$15.00, to be charged to Account No. 1010-414, and be it

FURTHER RESOLVED, that said authorization is retroactive to May 20, 1983.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (491-1983)

AUTHORIZING COMPTROLLER OF TOWN OF CLARKSTOWN (DOROTHY ERARD) TO ACCEPT PAYMENT IN SATISFACTION OF CLAIM (MARY E. MEDLER - VEHICLE ACCIDENT)

Co. Holbrook offered the following resolution:

RESOLUTION NO. (491-1983) Continued

BE IT RESOLVED, that Dorothy Erard, Comptroller of the Town of Clarkstown, be and she hereby is authorized to accept payment on behalf of the Town of Clarkstown for the sum of \$2,419.29 in full satisfaction of property damage claim against Mary E. Medler arising out of motor vehicle accident on March 10th, 1983 in the vicinity of West Nyack Road and Hillside Avenue, West Nyack, New York.

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (492-1983)

AMENDING RESOLUTION 463-1983
REGARDING SEWER DISTRICT NO.
13 SEWER TREATMENT PLANT (MAP
42, BLOCK A, LOT 11.05) -
SALE SUBJECT TO PERMISSIVE
REFERENDUM

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 463 of 1983 adopted by the Town Board of the Town of Clarkstown on May 10, 1983, is hereby amended to read as follows:

WHEREAS, the Town of Clarkstown is the owner of a certain parcel of land known as the Sewer District No. 13 Sewer Treatment Plant described on the Clarkstown Tax Map as Map 42, Block A, Lot 11.05, and

WHEREAS, the said sewer treatment plant is no longer in operation as the area it formerly served has been sewered and, therefore, the property is no longer required for any public use;

NOW, THEREFORE, be it

RESOLVED, that said property is declared surplus municipal property, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to advertise for sealed bids for the sale of such parcel subject to:

- A. Easements, covenants and restrictions of record
- B. Zoning Ordinance of the Town of Clarkstown
- C. Such state of facts as an accurate survey or personal inspection may reveal
- D. Further resolution of the Town Board and all legal requirements,

and be it

FURTHER RESOLVED, that sealed bids be returnable to the Office of the Town Attorney of the Town of Clarkstown, 10 Maple Avenue, New City, New York, by 10:00 A.M., on June 29, 1983, and be it

FURTHER RESOLVED, that should any bid be accepted by further Town Board resolution, such sale shall be subject to permissive referendum.

Seconded by C. Holbrook

All voted Aye.

Supervisor Dusanenko inquired of the Town Attorney if it should be stated that all bids are subject to rejection. Town Attorney John Costa stated that it was implicitly implied in the bid offering but that the legal notice as published would so state.

* * * * *

RESOLUTION NO. (493-1983)

AUTHORIZING REFUND OF
MONEY-IN-LIEU-OF-LAND
(RIEGERT APARTMENTS
CORP.) FROM MONEY-IN-
LIEU-OF-LAND ACCOUNT AND
ACCOUNT NO. A 1930-505
AND INCREASE APPROPRIA-
TION ACCOUNT NO. A 1920-
505 AND DECREASE APPROPRIA-
TION ACCOUNT NO. A 1990-
505

Co. Holbrook offered the following resolution:

RESOLVED, that the sum of \$19,755.40 including interest, costs and disbursements be refunded to Riegert Apartments Corp. in accordance with the decision of the Court of Appeals in the following proceeding:

RIEGERT APARTMENTS CORP.

-against-

PLANNING BOARD OF THE TOWN
OF CLARKSTOWN

NOW, THEREFORE, be it

RESOLVED, that the sum of \$19,755.40 including interest costs and disbursements be refunded to Riegert Apartments Corp., said amount to be paid as follows:

\$16,800.00 to be refunded from Money-In-Lieu-of-Land and
\$2,955.40 from Account No. A 1930-505; and be it

FURTHER RESOLVED, that Appropriation Account No. A 1930-505 be increased by \$2,956.00 and Appropriation Account No. A 1990-505 be decreased by \$2,956.00.

Seconded by Co. Maloney

All voted Aye.

Supervisor Dusanenko asked if the Town had any intention of filing additional appeals on this matter. Town Attorney said that this decision was handed down by the final court to which this Town could appeal in this type of matter. There is no further appeal available. Mr. Costa stated that the Town Attorney's Office has prepared a proposed local law to obtain money-in-lieu-of land or land on site plan approval. A draft of that local law has been sent to the Office of the State Comptroller for comment and study.

Supervisor Dusanenko said that this decision represents a great loss to the Town and also sets a precedent until a new law is approved.

(Supervisor Dusanenko and Councilman Lettre both voted Yes on this "with regret.")

* * * * *

RESOLUTION NO. (494-1983)

ACCEPTING PROPOSALS FROM
ORANGE & ROCKLAND UTILITIES,
INC. FOR STREET LIGHTING
AT CAIRNSMUIR LANE, NEW
CITY, ROLAND COURT, NANUET
AND SHERWOOD DRIVE, NANUET

Co. Maloney offered the following resolution:

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

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

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

NOW, THEREFORE, be it

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

- | | |
|--|----------|
| Cairnsmuir Lane
Pole no.'s 59924/41849,
59939/41851, 59951/41852
overhead | New City |
| Roland Court
Pole no. 3 - overhead | Nanuet |
| Sherwood Drive
Pole no. 58473/40003
overhead | Nanuet |

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (495-1983)

ACCEPTING PROPOSALS
FROM ORANGE & ROCKLAND
UTILITIES, INC., FOR
STREET LIGHTING AT
FIELDSTONE FARMS, SECTION
I & II, NEW CITY, BIONDI
AND SCHNEIDER SUBDIVISION,
NANUET, RICHARD STEINBERG
SUBDIVISION, WEST NYACK

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control, the Town Board of the Town of Clarkstown hereby accepts proposals from Orange & Rockland Utilities, Inc., for street lighting at the following locations:

- | | |
|--|----------|
| Fieldstone Farms Sec. I & II
Fieldstone Ct. 8 lights/poles
underground | New City |
| Jane Francis Way, 1 light/pole
underground | |
| Biondi & Schneider Subdivision
Summer Ct. 2 lights/poles,
underground | Nanuet |
| April La. Pole No. 58922/39401,
overhead | |

Continued on Next Page

RESOLUTION NO. (495-1983) Continued

Richard Steinberg Subdivision West Nyack
Amethyst Ct., 2 lights/poles
underground

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (496-1983)

AWARDING BID FOR ICE
CREAM (McDERMOTT BROS.
ICE CREAM)

Co. Carey offered the following resolution:

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

BID #49-1983
ICE CREAM

is hereby awarded to:

McDermott Bros. Ice Cream
18 Bobby Lane
West Nyack, New York 10994

as per the following price/item schedule:

ITEMS	VENDOR PRODUCT NAME	STANDARD PACK SIZE	WEIGHT PER INDIV. UNIT	PRICE PER STD. PACK
Ice Cream Sandwich	LaSalle	36	3 oz.	\$5.92
Strawberry Crunch Bar	LaSalle	24	3 oz.	\$4.20
Chocolate Crunch Bar	LaSalle	24	3 oz.	\$4.20
Twin Ice Pop	Penn Supreme	24	3 oz.	\$2.52
Italian Ice Cup(asst. flavors)	Marino	12	6 oz.	\$2.63
Ice Cream Dixie Cup (van/choc)	LaSalle	24	3 oz.	\$4.20

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (497-1983)

AWARDING BIDS FOR
PARK EQUIPMENT AND
FENCING (CRESTWOOD
FENCE CO., UNIVERSAL
PLAY SYSTEMS, INC.,
RECREATION EQUIPMENT
SPECIALISTS, INC., STADIUMS
UNLIMITED, INC. AND GAME
TIME - CHARGE TO MONEY-IN-
LIEU-OF-LAND ACCOUNT

Co. Carey offered the following resolution:

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

BID #55-1983
PARK EQUIPMENT AND FENCING

RESOLUTION NO. (497-1983) Continued

is hereby awarded as follows:

ITEM #1 FENCING (PROJECTS A-G) awarded to the following lowest responsible bidder meeting specifications:

CRESTWOOD FENCE CO.
9 N. Airmont Road
Suffern, New York 10901

at the proposed project cost of \$21,483.00

ITEM #2 CEDAR GATE
AWARDED TO:
UNIVERSAL PLAY SYSTEMS, INC.
739 Main Street
New Rochelle, New York 10801

at the proposed cost of \$2,272.97 (for two units)

ITEM #3 FIBERGLASS FLAGPOLE
AWARDED TO:
RECREATION EQUIPMENT SPECIALISTS, INC.
143A E. Main Street
P.O. Box 560
Smithtown, New York 11787

at the proposed cost of \$968.00

ITEM #4 ALUMINUM BLEACHERS
AWARDED TO:
STADIUMS UNLIMITED, INC.
P.O. Box 627
Grinnell, Iowa 50112

at the proposed cost of \$2,388.00 (for four units)

ITEM #5 PLAYER BENCHES
AWARDED TO:
GAME TIME
P.O. Box 319
R.D. #10
Mahopac, New York 10541

at the proposed cost of \$1,519.20 (for 12 units)

and be it

FURTHER RESOLVED, that funds for same be charged to Money-in-Lieu-of-Land Account.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (498-1983)

RESCINDING RESOLUTION
NO. 413-1983 RE: ONE SUR-
PLUS JACOBSON REEL MOWER
AWARDED TO MR. GERALD
PALADINO AND ITEM 9 OF
BID #36-1983 (JACOBSON
TOW BEHIND 3 GANG BLITZER
REEL MOWER #58818-588-20)
AWARDED TO VILLAGE OF
PIERMONT

Co. Carey offered the following resolution:

RESOLUTION NO. (498-1983) Continued

RESOLVED, that resolution #413-1983 awarding bid for sale of One surplus Jacobson Reel Mower to Mr. Gerald Paladino is hereby rescinded due to non-performance, and be it

RESOLVED, that Item #9 of Bid #36-1983 (Jacobson Tow Behind 3 Gang Blitzer Reel Mower #58818-588-20) is hereby awarded to

Village of Piermont
478 Piermont Avenue
Piermont, New York 10968

for the proposed sum of \$200.00.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

There was extensive discussion with regard to a proposed bid award for calcium chloride and calcium chloride distributor.

Councilman Maloney inquired is this had been looked into by the the Department of Environmental Conseration as to the impact it would have on the environment. Mr. George Drescher of the Highway Department said that he had a letter to Mr. Bollman from Mr. Micelli, Associate Public Health Engineer who said that this was safe. Mr. Les Bollman, Director of Environmental Control for the Town of Clarkstown had also recommended this. Mr. Bollman stated that sodium chloride which is being used now is more environmentally dangerous than the calcium chloride being proposed.

Councilman Carey stated that he had someone conducting a study privately and he would prefer to take no action until he received the report from his investigator.

Councilman Lettre said that the problem with getting this at a later date and not now is that it would cost the Town more money at a later date.

Supervisor Dusanenko said that the distributor had set up a station at the Highway Department and they would have to have this removed because the distributor had an impending sale at another area. If this is not acted on the Town will have to pick up the expense of having it set up again.

Mr. Kohler, Purchasing Director, said that the contract was good for sixty days from April 22nd. The Town Board felt that they had enough time to discuss this at workshop without costing the Town money. Therefore, no action was taken at this time and the Supervisor and Councilman Lettre withdrew their offer and second on this motion.

* * * * *

RESOLUTION NO. (499-1983)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR TIRES

Co. Maloney offered the following resolution:

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

BID #57-1983
TIRES

TBM - 5/24/83
Page 16

RESOLUTION NO. (499-1983) Continued

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, June 16, 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. Carey All voted Aye.

* * * * *

RESOLUTION NO. (500-1983)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR UNIFORMS FOR POLICE DEPARTMENT

Co. Maloney offered the following resolution:

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

BID #58-1983
UNIFORMS FOR POLICE DEPARTMENT

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday, June 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. Carey All voted Aye.

* * * * *

RESOLUTION NO. (501-1983)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR USED GUARD RAIL

Co. Maloney offered the following resolution:

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

BID #59-1983
USED GUARD RAIL

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 Tuesday, June 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. Carey All voted Aye.

* * * * *

RESOLUTION NO. (502-1983)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR FENCING-HIGHWAY DEPARTMENT COMPLEX

Co. Maloney offered the following resolution:

RESOLUTION NO. (502-1983)

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

BID #61-1983
FENCING-HIGHWAY DEPARTMENT COMPLEX

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, June 23, 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. Carey All voted Aye.

* * * * *

RESOLUTION NO. (503-1983)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR USED SEWER JET TRUCK

Co. Maloney offered the following resolution:

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

BID #60-1983
USED SEWER JET TRUCK

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday, June 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. Carey All voted Aye.

* * * * *

RESOLUTION NO. (504-1983)

EXPRESSING APPRECIATION AND
THANKS TO THE NANUET MALL
MANAGEMENT FOR THEIR EFFORTS
ON BEHALF OF COMMUTERS NEEDING
PARKING IN ORDER TO AVAIL THEM-
SELVES OF PUBLIC TRANSPORTATION

Co. Holbrook offered the following resolution:

WHEREAS, commuters using public transportation who have been accustomed to parking their automobiles at the Grand Plaza Shopping Center had been advised by new owners that effective May 22, 1983, they may no longer park at the premises and would be subject to towing, and

WHEREAS, the Town of Clarkstown is presently seeking a long term solution to the problem of commuter parking to encourage the use of public transportation by daily commuters and has established the Transportation Advisory Committee to study and report to the Town Board as that it may formulate policy to provide commuter parking on a town-wide basis, and

TBM - 5/24/83
Page 18

RESOLUTION NO. (504-1983) Continued

WHEREAS, the management of the Nanuet Mall has advised that the displaced commuters may park without cost to the commuters of the Town at the Nanuet Mall for an interim period pending further action by the Town Board to provide for commuter parking;

NOW, THEREFORE, be it

RESOLVED, that the Town Board expresses its appreciation and conveys its thanks to the management of the Nanuet Mall for its understanding and its good neighbor efforts.

Seconded by Co. Carey

All voted Aye.

* * * * *

Supervisor Dusanenko asked what was happening with negotiations regarding parking facilities.

Councilman Holbrook said he had set a meeting with the Nanuet Mall Management for next week.

Councilman Lettre asked Town Attorney Costa if his request for an extension of time had been turned down by the Grand Plaza Shopping management on Monday. Mr. Costa said that he had not had an opportunity to speak with Mr. Cancell of New Plan Realty on Monday.

Councilman Lettre said that he felt it was important to attempt to get an extension of time from the Grand Plaza Shopping Center while negotiations continue.

Supervisor Dusanenko said he had tried to negotiate contracts with the new owners of Grand Plaza Shopping Center. He stated that we were able to get a ten year lease on one parcel and a zero year lease on the parcel adjacent to The Barn. There is some divided opinion on the Board as to the advantages of a short term lease so that has been a stumbling block to further negotiations.

In answer to a question from Supervisor Dusanenko as to what negotiations were underway, Councilman Holbrook said that one suggestion that had come up in meetings of the Transportation Advisory Council was that the Theatre Go Round property might be looked at. That would be a long term lease. But right now, he felt we should go with the people who have indicated a willingness to help the people of the Town.

Councilman Lettre said that the Town Attorney's Office had done a good job in taking the time and making the effort to arrange some help for the residents. Town Attorney Costa said that Councilman Holbrook had done a great deal towards that end also.

Supervisor Dusanenko stated that we had lost one commuter parking lot in New City recently. The Town Board had rejected an offer of an additional commuter parking lot at the Cuckoo's Nest and we have been informed by the owners of the possible relocation of a commuter parking lot next to the bowling alley in West Nyack. He asked what the status of those negotiations were at the present time.

Town Attorney Costa said that he had met with Messrs. Beckerle and had also discussed the matter with their attorneys. Their proposal involves the development of the site for a retail outlet. In considering this agreement the Beckerles felt they should go before the TAC committee with something on paper indicating how they might want to develop that site before making any further efforts to determine what area they wanted for commuter parking. They are awaiting placement on a TAC agenda. Supervisor Dusanenko asked to be apprised of developments.

Continued on Next Page

Councilman Holbrook said the Transportation Advisory Committee is looking into this situation and will make some recommendations to the Town as to how we should go. They did not feel they wanted to spend \$75,000.00 on what was basically a whim. In this instance he felt the Town was well advised to hold off.

Supervisor Dusanenko said that people on Mountainview Avenue had requested a restructured route which request was forwarded to Mr. Lewis and the Traffic Advisory Committee. Mr. Lewis said that he could accommodate them, at a time-saving. The mini-bus will leave from the Nanuet Mall, travel east on Route 59, up Route 303, up Storms Road, up Christian Herald and Mountainview Avenues through the Hamlet of Central Nyack and then return to the Mall.

Councilman Holbrook said that they were very appreciative of this and he also wanted to thank Mr. Lewis who had been very helpful in responding to the needs of people who had questioned these new routes and hopefully they will go into effect on June 1st.

* * * * *

There was extensive dialogue with respect to Agenda Item No. 20 regarding the hiring of Special Counsel for labor negotiations. The suggestion was made that Mr. Frank Mascola, who is a labor negotiator under contract to the Town and new labor counsel be hired co-terminus so they would be working together through the period of May 31, 1984. Councilman Carey said that what they are looking for now is counsel to go ahead with the CSEA Contract. Councilman Holbrook said he thought this was a superfluous resolution and Councilman Lettre said he felt it was for the Town's best interests that they both be working together and get the best deal for the Town of Clarkstown. Councilman Carey said we should go along with Mr. Longo's appointment now and take up Mr. Mascola's appointment in September, when it is appropriate. Councilman Maloney said he thought it was important that they both be hired and work as a team together. The mover and seconder withdrew their motions and this was tabled for another Workshop session.

* * * * *

RESOLUTION NO. (505-1983)

AUTHORIZING SUPERVISOR TO
ENTER INTO MODIFICATION
AGREEMENT OF AGREEMENT WITH
KOZMA ASSOCIATES (INSTALLA-
TION OF ROOFTOP CONDITIONING
AND HEATING UNIT) - CHARGE TO
ACCOUNT NO. A8734-409

Co. Lettre offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into a modification agreement of the agreement dated March 8, 1983, with Kozma Associates, 53 Broadway, Nyack, New York, to provide for planning for the implementation of an energy conservation measure previously identified in correspondence and proposals by Kozma Associates as ECM No. 1 (installation of rooftop conditioning and heating unit), and be it

FURTHER RESOLVED, that said agreement dated March 8, 1983, be also amended to provide for additional compensation in the amount of \$3,600.00, and be it

FURTHER RESOLVED, that the sum of \$3,600.00 shall be charged to Account No. A 8734-409.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (508-1983) Continued

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to enter into an agreement with Seymour D. Gurlitz, Architect, 8 Avenue C, Nanuet, New York, in a form satisfactory to the Town Attorney, to retain Seymour D. Gurlitz to provide for architectural services to repair and refurbish the Clarkstown Highway Department Cold Storage Building on an hourly or per diem basis and to provide for major alterations to the Storage and Repair Garage for use by the Mini Trans vehicles with compensation to be based on a fee not to exceed 9% of the total cost of construction in accordance with a proposal by Seymour D. Gurlitz dated March 16, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (509-1983)

AUTHORIZING TOWN ATTORNEY TO SERVE WRITTEN NOTICE PURSUANT TO SECTION 37-9 DIRECTING THAT OBSTRUCTION BE REMOVED AND WATER CONDITION BE CORRECTED (STREAM NJ1-12-1A - Map 95, BLOCK A, LOT 15)

Co. Lettre offered the following resolution:

WHEREAS, the Town Board has been made aware of a condition whereby an undersized pipe has been installed in a numbered stream, NJ1-12-1A, on property designated on the Clarkstown Tax Map as Map 95, Block A, Lot 15, and

WHEREAS, said undersized pipe has caused an obstruction and created a water condition on the upstream property, and

WHEREAS, investigation by the Department of Environmental Control discloses that no permit was obtained prior to the installation of said pipe as required by Chapter 37 of the Town Code;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of Environmental Control, the Town Attorney is hereby authorized to serve a written notice pursuant to Section 37-9 on the property owner directing that the condition be corrected as provided therein.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (510-1983)

AUTHORIZING COMPTROLLER TO INCREASE APPROPRIATION ACCOUNT A 1355-204 AND DECREASE APPROPRIATION ACCOUNT A 1355-313

Co. Lettre offered the following resolution:

RESOLVED, that the Comptroller is hereby authorized to increase Appropriation Account A 1355-204 in the amount of \$400.00 and decrease Appropriation Account A 1355-313 in the amount of \$400.00.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (511-1983)

AUTHORIZING TOWN COMPTROLLER
TO INCREASE REVENUE ACCOUNT
2001 AND INCREASE APPROPRIATION
ACCOUNT 7141-301 AND APPROPRIA-
TION ACCOUNT 7310-409

Co. Lettre offered the following resolution:

RESOLVED, that the Town Comptroller is hereby authorized to
increase Revenue Account 2001 by \$1,275.00 and increase Appropriation
Account 7141-301 by \$790.00 and Appropriation Account 7310-409 by
\$485.00.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (512-1983)

APPOINTING POSITION OF LIEUT.
DETECTIVE - POLICE DEPARTMENT -
(LIEUT. WILLIAM ARCHACKI)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Police
Commission and Chief Schnakenberg, Lieut. William Archacki, 2A Sunrise
Avenue, New City, New York is hereby appointed to the position of
Lieut. Detective - Police Department - at the base salary of \$38,161.00
effective and retroactive to May 16, 1983.

Seconded by Supervisor Dusanenko

All voted Aye.

* * * * *

RESOLUTION NO. (513-1983)

TRANSFERRING PART-TIME BUS
DRIVER TO FULL-TIME BUS DRIVER
MINI TRANS DEPARTMENT (ARTHUR
BARRUS)

Co. Lettre offered the following resolution:

RESOLVED, that Arthur Barrus, 31 James Street, New City, New
York is hereby transferred from part-time Bus Driver to full-time Bus
Driver - Mini Trans Department - at the annual 1983 salary of \$12,284.00,
effective and retroactive to May 16, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (514-1983)

APPOINTING POSITION OF PART-
TIME BUS DRIVER - MINI TRANS
DEPARTMENT (MARK BLAISE)

Co. Maloney offered the following resolution:

RESOLVED, that Mark Blaise, 11 Laura Place, Spring Valley,
New York, is hereby appointed to the position of part-time Bus Driver -
Mini Trans Department - at the hourly rate of \$5.50, effective and
retroactive to May 19, 1983.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (515-1983)

CREATING POSTION OF CUSTODIAL
WORKER - PARKS AND RECREATION

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on May 12, 1983 that the Custodial Worker position can be created,

NOW, THEREFORE, be it

RESOLVED, that the Custodial Worker position - Parks and Recreation Department - is hereby created, effective May 24, 1983.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (516-1983)

CREATING CUSTODIAL I POSITION
(HIGHVIEW SCHOOL) - PARKS AND
RECREATION DEPARTMENT

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on May 12, 1983 that the Custodian I position can be created,

NOW, THEREFORE, be it

RESOLVED, that the Custodian I position (Highview School) - Parks and Recreation Department - is hereby created, effective May 24, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (517-1983)

CREATING GROUNDWORKER
POSITION - PARKS AND RECREA-
TION DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on May 12, 1983 that the Groundworker position - Parks and Recreation Department - can be created (in lieu of Security Aide position),

NOW, THEREFORE, be it

RESOLVED, that the position of Groundworker - Parks and Recreation Department is hereby created, effective June 1, 1983.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (518-1983)

APPOINTING POSITION OF PART-
TIME PARA LEGAL SPECIALIST
(MUNICIPAL LAW) (PAULINE
McDERMOTT)

Co. Maloney offered the following resolution:

RESOLVED, that Pauline McDermott, 10 Louis Road, New City, New York, is hereby appointed to the part-time position of Para Legal Specialist (Municipal Law) - Town Attorney's Office - at the annual 1983 salary of \$6,500.00, effective May 25, 1983.

Seconded by Co. Holbrook

The following tabling motion was made:

RESOLUTION NO. (519-1983)(FAILED)	TABLING RESOLUTION NO. (518-1983) RE APPOINTMENT OF PAULINE McDERMOTT AS PARA LEGAL SPECIALIST
-----------------------------------	---

Co. Lettre offered the following resolution:

RESOLVED, that Resolution No. 519-1983 appointing position of Para Legal Specialist (Municipal Law) - Town Attorney's Office - (Pauline McDermott) is hereby tabled.

Seconded by Supervisor Dusanenko

On roll call the vote was as follows:

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

* * * * *

Tabling resolution having failed a vote was taken on Resolution No. (518-1983) which resolution carried:

On roll call the vote was as follows:

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

* * * * *

Supervisor Dusanenko recognized that there was a need in the Town Attorney's Office for additional help. However, he felt it would be more productive to appoint an additional Deputy Town Attorney. The largest expenditure from the Town Attorney's budget is for court expenses and the hiring of outside counsel. While a para legal could do research work he felt it would be a wiser move to hire a Deputy Town Attorney for \$7,500.00 to do court work rather than a para legal for \$6,500.00.

* * * * *

RESOLUTION NO. (520-1983)	GRANTING A ONE MONTH LEAVE OF ABSENCE TO MOTOR EQUIPMENT OPERATOR I - HIGHWAY DEPARTMENT - (HENRY GUERRIERO)
---------------------------	---

Co. Lettre offered the following resolution:

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Henry Guerriero, 21 Pine Lane, New City, New York - Motor Equipment Operator I - Highway Department - is hereby granted a one month leave of absence, at one half pay, effective May 26, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

TBM - 5/24/83
Page 25

RESOLUTION NO. (521-1983) (FAILED) APPOINTING POSITION OF MEMBER -
ARCHITECTURAL REVIEW BOARD
(JACK CUFF)

Co. Lettre offered the following resolution:

RESOLVED, that Jack Cuff, 5 Pheasant Drive, West Nyack, New York, is hereby appointed to the position of Member - Architectural Review Board - at the annual 1983 salary of \$1,000.00, term to commence on May 25, 1983 and to expire on May 24, 1988.

Seconded by Supervisor Dusanenko

The following tabling motion was made:

RESOLUTION NO. (522-1983) TABLING RESOLUTION NO.
(521-1983) RE: APPOINTING
MEMBER OF ARCHITECTURAL REVIEW
BOARD (JACK CUFF)

Co. Carey offered the following resolution:

RESOLVED, that Resolution No. 521-1983 appointing position of member - Architectural Review Board (Jack Cuff) is hereby tabled.

Seconded by Co. Holbrook

On roll call the vote was as follows:

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

* * * * *

RESOLUTION NO. (523-1983) REAPPOINTING MEMBER OF
ARCHITECTURAL REVIEW BOARD
(ARNOLD AMSTER)

Co. Holbrook offered the following resolution:

RESOLVED, that Arnold Amster, 4 Cygnet Lane, Valley Cottage, New York, is hereby reappointed to the position of Member - Architectural Review Board - at the annual 1983 salary of \$1,000.00, term to commence on May 25, 1983 and to expire on May 24, 1988.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

* * * * *

RESOLUTION NO. (524-1983) APPOINTING POSITION OF MEMBER -
SANITATION COMMISSION (MARTIN
J. MICHAELSON)

Co. Carey offered the following resolution:

RESOLUTION NO. (524-1983) Continued

RESOLVED, that Martin J. Michaelson, 10 Colgate Drive, Bardonia, New York is hereby appointed to the position of Member - Sanitation Commission - at the annual 1983 salary of \$1,000.00, term effective and retroactive to May 25, 1983 and to expire on May 21, 1988.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

Supervisor questioned the fact that a commission member's appointment was made retroactive. Town Attorney John Costa said that he had discussed this with Mary Loeffler, Personnel Clerk and she said that she had requested it for payroll purposes.

Councilman Lettre said it should read effective May 25, 1983 and the Town Attorney said that the expiration date should remain May 21, 1983.

Supervisor Dusanenko said for the record that he has some questions as to appointing someone to this board while litigation was going on. He would therefore abstain.

* * * * *

RESOLUTION NO. (525-1983)(FAILED)

APPOINTING POSITION OF MEMBER -
ZONING BOARD OF APPEALS
(WILLIAM VINES)

Co. Lettre offered the following resolution:

RESOLVED, that William Vines, 148 Sickletown Road, West Nyack, New York, is hereby appointed to the position of Member - Zoning Board of Appeals - at the annual 1983 salary of \$1,250.00, term to commence on June 2, 1983 and to expire on June 1, 1988.

Seconded by Supervisor Dusanenko

The following tabling motion was made:

RESOLUTION NO. (526-1983)

TABLING RESOLUTION NO.
(525-1983) RE: APPOINTING
MEMBER OF ZONING BOARD OF
APPEALS (WILLIAM VINES)

Co. Holbrook offered the following resolution:

RESOLVED, that Resolution No. 525-1983 appointing position of Member - Zoning Board of Appeals (William Vines) is hereby tabled.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

* * * * *

TBM - 5/24/83
Page 27

RESOLUTION NO. (527-1983)

REAPPOINTING POSITION OF
MEMBER OF ZONING BOARD OF
APPEALS (ELIZABETH SQUILLACE)

Co. Holbrook offered the following resolution:

RESOLVED, that Elizabeth Squillace, 25 Glen Drive, Bardonia, New York, is hereby reappointed to the position of Member - Zoning Board of Appeals - at the annual 1983 salary of \$1,250.00, term to commence on June 2, 1983 and to expire on June 1, 1988.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

Supervisor Dusanenko stated that he was voting an emphatic "No" because this person has more answers than the persons legally entitled to give answers and he will not have a government in exile.

* * * * *

RESOLUTION NO. (528-1983)(FAILED)

APPOINTING POSITION OF
MEMBER OF ZONING BOARD OF
APPEALS (JOHN TOTANI)

Co. Lettre offered the following resolution:

RESOLVED, that John Totani, 4 Ash Road, Bardonia, New York, is hereby appointed to the position of Member - Zoning Board of Appeals - at the annual 1983 salary of \$1,250.00, term to commence on June 19, 1983 and to expire on June 18, 1988.

Seconded by Supervisor Dusanenko

The following tabling motion was made:

RESOLUTION NO. (529-1983)

TABLING RESOLUTION NO.
(528-1983) RE APPOINTING
MEMBER OF ZONING BOARD OF
APPEALS (JOHN TOTANI)

Co. Holbrook offered the following resolution:

RESOLVED, that Resolution No. (528-1983) appointing position of member of Zoning Board of Appeals (John Totani) is hereby tabled.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

* * * * *

RESOLUTION NO. (530-1983)

APPOINTING POSITION OF MEMBER
TO ZONING BOARD OF APPEALS
(DAVID H. KRAUSHAAR)

Co. Carey offered the following resolution:

RESOLVED, that David H. Kraushaar, 6 Woodthrush Drive,
West Nyack, New York, is hereby appointed to the position of Member -
Zoning Board of Appeals - at the annual 1983 salary of \$1,250.00, term
to commence on June 19, 1983 and to expire on June 18, 1988.

Seconded by Co. Holbrook

On roll call the vote was as follows:

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

* * * * *

RESOLUTION NO. (531-1983)

THANKING SIDNEY REIFF FOR
HIS WORK ON THE ZONING
BOARD OF APPEALS

Co. Lettre offered the following resolution:

RESOLVED, that the Town Board hereby thanks Sidney Reiff
for his years of work on the Zoning Board of Appeals of the Town of
Clarkstown and commends him for his decisions rendered in the best
interests of the residents of the Town of Clarkstown.

Seconded by Supervisor Dusanenko

All voted Aye.

* * * * *

RESOLUTION NO. (532-1983)

AUTHORIZING SUPERVISOR OF
TOWN OF CLARKSTOWN TO ENTER
INTO AN AGREEMENT WITH
ROCKLAND COMMUNITY DEVELOPMENT
COUNCIL FOR ON THE JOB TRAINING
SUMMER PROGRAM (TEN POSITIONS)

Co. Lettre offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is
hereby authorized to enter into an agreement with the Rockland Community
Development Council for the purpose of instituting an On The Job Training
(O.J.T.) Summer Program (10 positions), and be it

FURTHER RESOLVED, that the agreement shall take effect on
June 1, 1983 and terminate on September 30, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (533-1983)

AUTHORIZING TOWN ATTORNEY TO
INSTITUTE APPROPRIATE ACTION
AGAINST OWNERS, MANAGERS OR
TENANTS OF NEWDON SHOPPING
CENTER TO CORRECT, RESTRAIN,
ENJOIN OR OTHERWISE CORRECT
UNLAWFUL USE OR CONDUCT OF
BUSINESS AT SAID LOCATION

Co. Holbrook offered the following resolution:

RESOLUTION NO. (533-1983) Continued

WHEREAS, the Building Inspector has reported to the Town Board upon a condition which exists at the Newdon Shopping Center in that there are buildings being occupied for commercial uses without certificates of occupancy and that there are numerous unfinished items relating to construction and site improvements as described in his report dated May 19, 1983, and

WHEREAS, the Building Inspector has requested authorization of the Town Board to implement the provisions of Town Law Section 268 Subd. (2) to commence an action in the Rockland County Supreme Court to prevent, restrain and enjoin the unauthorized occupancy and use of said premises and to obtain such other relief as may be available;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is authorized and he is hereby directed on behalf of the Building Inspector pursuant to Town Law Section 268 to institute any appropriate action or proceeding against the owners, managers or tenants of the Newdon Shopping Center to correct, restrain, enjoin or otherwise correct any unlawful use or conduct of business at said location.

Seconded by Co. Maloney

All voted Aye.

Supervisor Dusanenko said he understood that improvements such as plantings, sidewalks, etc. have not been completed and that there are still outstanding bond monies which the Town has in escrow. Building Inspector Colucci said that was correct.

Supervisor Dusanenko asked if there was any danger to the health, safety or welfare of owners, tenants, customers or visitors? Mr. Colucci said there possibly could be as there are obstructions and potholes, no sprinkler system. They have made no application and there are no underwriting certificates. Mr. Colucci stated that he cannot enforce the building code if people do not comply.

At this point Mr. Milich asked to speak and was identified by the Supervisor as the Deputy Building Inspector. Mr. Milich said that he had the title but he did not know if he was recognized. Supervisor Dusanenko said "You have the title but you have been by-passed."

Mr. Milich stated that is being discussed basically are the sidewalks, trees, shrubs and other uncompleted things on the site. There are no hazardous conditions, the sprinkler is hooked up. He felt this was crazy and nothing would be accomplished from doing this. He asked if anyone thought that a Supreme Court Judge would close these stores down?

Mr. Colucci said that no one ever dealt with him, the Town Attorney or the Environmental Department. Mr. Milich said he was not trying to discredit Mr. Colucci and he just wanted to get at the truth. Mr. Milich said everyone concerned should get together and these problems could be resolved. Mr. Milich said the owner was willing to put up \$100,000.00 to resolve these problems. Mr. Colucci asked Mr. Milich if he had told him (Mr. Colucci) what was going on. Mr. Milich said nobody knows what's going on.

Councilman Carey said he thought the Supreme Court would get their attention.

Councilman Holbrook asked why it had to come down to this? Why can't they comply?

RESOLUTION NO. (533-1983) Continued

Mr. Milich said the owner had shown him where trees would be put it but without curbs or islands set down the trees will be knocked down within a couple of days. Snowplows will knock them down in the winter. Is putting in some trees a solution?

Councilman Lettre said he thought that many of the points Mr. Milich brought out were germane and he had brought them out himself at Executive Session. At that time the Board basically agreed with Mr. Milich but also in order to get swift action the only way to go would be to bring some sort of legal action. Councilman Lettre said that the Town Attorney had stated that in his legal opinion before this reached the stage of court action it would take at least thirty days. He said he hoped that within that time the owner would take care of these problems before any tenants had to be evicted. This is not being done to penalize store owners or the owner of the shopping center.

Town Attorney said he did not want any misconception in the public record. What he had said was that it would take some time to move for a preliminary injunction and that as Town Attorney he would be committed to a course of action that would resolve the matter before going to court if possible. It is not a hard and fast thirty days.

Supervisor Dusanenko asked if the owner or manager was present.

Mr. Milich said the manager was present - Mr. Paradiso.

Supervisor Dusanenko asked Mr. Paradiso what items had yet to be complied with. Mr. Paradiso said to the best of his knowledge only the sidewalks and plantings. Supervisor Dusanenko asked him if all other Town requirements had been complied with. Mr. Paradiso said to the best of his knowledge, yes.

Supervisor Dusanenko asked him what problems he was having with which town agencies or boards in his attempt to obtain a certificate of occupancy? Mr. Paradiso said he had already received a summons and had appeared in Justice Court last week. He had been given until August 17th to resolve the problems. Since then he has met with his landscaper and the landscaper is willing to sit down with the Shade Tree Commission in order to remove some of the unreasonable things and install a more maintenance free type of landscaping plan. The plan considered now would not have more than 50% surviving after the first year.

Supervisor Dusanenko asked if the members of the Town Board or the Department Heads were aware that Justice Court had granted this extension of time?

Councilman Holbrook said he knew it had gone to Justice Court but he had not known about the August 16th extension but that still did not change his resolution.

Supervisor Dusanenko asked if Councilman Carey had any knowledge of this. Councilman Carey said that he did know it had gone to Justice Court but he was unaware of the August 17th date.

Mr. Milich stated that he sat down with Mr. Paradiso the other day and asked him if he had received a list of the things that had to be done. Mr. Paradiso said "What list?" Mr. Milich said he was about ready to go through the roof. Why couldn't this man be given an item by item list?

Mr. Bollman said he had sat down with this man two years ago.

Mr. Colucci said the laws of the Town had to be upheld.

RESOLUTION NO. (533-1983) Continued

Mr. Bollman said that nearly two years ago a letter was written to Mr. Paradiso at the Supervisor's request. The letter regarding the landscaping was deferred for one year. I received a letter stating that they would have the plan looked at and we gave them time to come back to the Shade Tree Commission. For two years we have been discussing this. Mr. Paradiso knows that I have spoken to him about it. A list has been given to Mr. Davis of what is missing also. This has been going on now for two years. We are trying to following the rules and laws of the Town of Clarkstown that are given to us and we can't get any place. No one has come back to me. I talked to them, told them what my feelings were and what had to be done and gave them a figure of \$100,000 (approximately) that would have to be spent. This must have been at least four or five months ago. You talk about safety. We put in sidewalks and curbs for safety - for the walking people and to direct and control vehicles. You have a letter from the County Highway Department saying that their items haven't been completed. We have been discussing now for two years and Mr. Bollman said he felt he had been very patient. We have been more patient on this one than with any other one for the eleven and one half years that he has been with the Town.

Mr. Milich said he had to apologize to Mr. Bollman because he did not know that a list had been presented to the owners. Mr. Milich said he has no interest in the shopping center and he did not want any interest in it. He just wanted the problems solved.

Mr. Paradiso said that everything Mr. Bollman says is true except he left out a few things. Mr. Bollman said he would not settle for anything less than double that amount of \$100,000.00. He also said he never received any list.

Mr. Bollman said based on their past record and given the rate of inflation he may have requested \$200,000.00. That is possible. Mr. Bollman said he did not consider that unreasonable given the four years that they have been fiddling around.

Mr. Paradiso said there were new owners now. They will do the work. Mr. Bollman said he was afraid that in four years they'll be other new owners.

Mr. Bollman said that he suggested that they take their money and put it in escrow with the Town and then you would be satisfied. Mr. Paradiso said "No, you said they should put the money in escrow and then you would allow them to do the work." Mr. Bollman said that is the normal procedure if you want something before you should have it. We allow that by having you put up escrow.

Mr. Paradiso said they would be glad to sit down with the Town and go over the plan and make sure that everything is going in the way it should be going in. If they felt they were going to get an approval at the end of the road they would start the work tomorrow.

Councilman Lettre said why all of a sudden, after two years, is the management willing to come in and sit down and talk with the Town? Mr. Paradiso said because these are new owners, you are not talking about the former owners.

Supervisor Dusanenko asked for the record if Mr. Paradiso would give an answer to the question of whether or not the new owner of this shopping center is the same owner as the Grand Shopping Plaza in Nanuet? Mr. Paradiso said that was correct. Supervisor Dusanenko said he wanted the record to show that Mr. Paradiso said that the owner of the shopping center is the owner of the Grand Plaza Shopping Center in the Hamlet of Nanuet with which the Town has been having problems dealing with commuter parking.

TBM - 5/24/83
Page 32

RESOLUTION NO. (533-1983) Continued

Councilman Carey asked the Supervisor to explain what he meant by that and the Supervisor said he was not drawing anything by inference but that if anyone had a guilty conscience... Councilman Carey asked what is the connection between this thing up in New City and the Grand Plaza Shopping Center down in Nanuet. Supervisor Dusanenko said that in his mind there is none. Councilman Carey said then why bring it up. Supervisor Dusanenko said it was in a quest for the truth we are looking at all the information relevant to the problem.

Supervisor Dusanenko said that he would like to offer an amendment to the resolution and he would support it with this proviso.

"BE IT FURTHER RESOLVED, that the Town Attorney be authorized to take the necessary action to ensure that they obtain the necessary escrow obligation necessary and sufficient to meet any and all obligations and requirements."

Supervisor said that what was also stated here this evening is that there is a dispute between the previous owner and the current owner about who was going to maintain certain escrows. He said he would like the Town Attorney to be able, under the law, to obtain whatever escrows may be necessary before we lose the escrows and are fighting them in court.

Councilman Lettre asked the Town Attorney if the full escrows are put up can we still take legal action?

Town Attorney said that this action is to compel compliance with the Town laws and ordinances by the owners of the shopping center. If ordinances and regulations were complied with he didn't think that Mr. Colucci would have made the recommendation that he did. The Town takes agreements and accepts escrows to complete unfinished items within a specified time. Unless one of the officials involved indicates to me that those agreements would be inappropriate I can see no reason for us to conclude that there would be compliance. The escrow funds have not been put up; there has been a refusal to acknowledge any obligation to even put up escrow; the temporary certificates of occupancy that were issued for a couple of the structures have expired; there has been no effort made to come in and secure new certificates of occupancy; businesses have opened up and begun to serve the public without the certificates of occupancy. The law is there to see that compliance is obtained. If that means going into court and getting a court order then he would take that step. If you can obtain compliance by agreement then obviously you don't go into court.

Supervisor Dusanenko asked Town Attorney Costa if the amendments he had proposed were good to have or not. Town Attorney said he believed that was already in the resolution and it was agreed that the addition was unnecessary.

Councilman Lettre said there appeared to be discrepancies between the Environmental Control and the management of the shopping center. However, it seems to be imperative that this Board take legal action and hope that within the period of time allowed the management will take action to correct the problems.

Councilman Maloney referred to a remark that Mr. Milich had made earlier that it was too bad that people could not be brought together and that brings up a point that things like that don't happen because there is no one here in Town Hall to bring them together and he was voting for this because now that seems to be the only way to go.

Supervisor Dusanenko said for the record that he wanted it noted that he was not an announced candidate at this time yet already the political season has started casting aspirations upon his ability to have the Town function. The Town is \$5,000,000.00 less in debt when we had inherited a half million operating deficit - there is a healthy \$2.3 million surplus.

Continued on Next Page

RESOLUTION NO. (533-1983) Continued

Most of the employees of the Town of Clarkstown are hard working, loyal people who do not worry about Republican programs or Democratic programs but people programs for the Town of Clarkstown. There are governments within governments and this has been happening for several months where political clubhouses of both parties, on occasion, have tried to interfere with the daily operation of this Town. I am stating for the record that I have received little or no cooperation from the Building Department, the Planning Board or the Zoning Board of Appeals because for the last two years there has been a zoning game in the Town of Clarkstown - a call for a moratorium on zone changes but then when it is convenient politically those moratoriums have been ignored.

With regard to commuter parking lots, this Supervisor advised the Town Board over two years ago about the need for commuter parking. When it could have been done less expensively by the Highway Department plans were rejected for one reason or another. Now that commuters' and Police Department funds have been wasted to avoid confrontations between the owners of shopping plazas, the tenants and those who utilize those facilities some members of the Town Board who have created the problems and not supporting the programs are coming in with last minute solutions. This is a typical political trick that you walk into a building, throw a bomb and be the first one to offer first aid. That is not the way I run the Town of Clarkstown. I have tried to advise the Town where to spend its priorities and efforts and I have to say this. The political season has started prematurely. In the Town of Clarkstown over one year ago there was a building facility on North Main Street known as New City Gardens - this particular building complex was built during the previous administration prior to Mr. Vines, who is present this evening, was built with shoddy construction. Supervisor went on to enumerate the problems with this complex. Portions of this complex have been condemned by the previous Building Inspector. Some of these buildings are in the process of being removed.

Supervisor Dusanenko said he had on many occasions in his capacity as Supervisor requested our wonderful Building Department who is concerned about the maintenance and adherence to the Town Code to have a complete inspection of that facility. He said he had yet to be informed about a complete and thorough inspection where health, safety and welfare of individuals is at stake. He said that what he is concerned about is that when codes are not complied with anywhere in Town that problem should be addressed and resolved. But if there is a priority basis where buildings are falling down and where senior citizens are living then I have made that my priority rather than a lack of shrubs at a shopping center.

* * * * *

At this point a spokesman for the Ambulance Corps within the Town of Clarkstown said that they had all agreed on entering into an agreement with the Town of Clarkstown to provide ambulance service.

RESOLUTION NO. (534-1983)

AUTHORIZING SUPERVISOR OF
TOWN OF CLARKSTOWN TO ENTER
INTO AGREEMENT WITH FOUR
AMBULANCE CORPS TO PROVIDE
EMERGENCY AMBULANCE SERVICE
WITHOUT PROVISION FOR FIXED
AMBULANCE SERVICE AREAS

Co. Carey offered the following resolution:

WHEREAS, the Town of Clarkstown wishes to provide for a general ambulance service for the Town of Clarkstown, and

RESOLUTION NO. (534-1983) Continued

WHEREAS, the Town is presently served by four volunteer ambulance corps who have traditionally served within certain areas within the Town, and

WHEREAS, the areas so served by the four ambulance corps may overlap, and

WHEREAS, Resolutions Nos. 196 and 197 adopted on February 24, 1983 and Resolution No. 382 adopted on April 12, 1983, which provided a method for the distribution of funds pursuant to Section 122b of the General Municipal Law to provide emergency ambulance service within the Town of Clarkstown have proved to be unworkable;

NOW, THEREFORE, be it

RESOLVED, that Resolution Nos. 196, 197, 382 are hereby rescinded, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement in a form approved by the Town Attorney to provide for emergency ambulance service within the Town of Clarkstown, which agreement shall have all four ambulance corps as parties with the Town of Clarkstown to provide emergency ambulance service for the entire town area without provision for fixed ambulance service areas except to provide a guideline for efficient and safe dispatching of ambulances by the Town's police dispatcher, and be it

FURTHER RESOLVED, that the funds allocated for distribution for emergency ambulance service for the calendar year 1983 shall be distributed upon receipt and acceptance of an agreement signed by all four ambulance corps as follows:

- A. Congers-Valley Cottage Volunteer Ambulance Corps, Inc. - \$17,000.00.
- B. Nanuet Community Ambulance Corps, Inc. - \$39,500.00.
- C. New City Volunteer Ambulance Corps/Rescue Squad, Inc. - \$34,000.00
- D. Nyack Community Ambulance Corps - \$9,500.00

Seconded by Co. Lettre

All voted Aye.

* * * * *

There being no further business to come before the Town Board 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: 10:05 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

5/24/83

8:27 P.M.

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

RE: LOCAL LAW AMENDING CHAPTER 22, SECTION 22-1 OF THE TOWN CODE RE:
ALCOHOLIC BEVERAGES

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

Supervisor Dusanenko stated that the law which we presently have on the books is insufficient in light of recent court decisions and he asked Mr. Costa for an explanation of this proposed law.

Town Attorney said that on March 31st of this year a court of appeals held that a local ordinance in another municipality which prohibited the mere possession of alcohol in an open container was too broad and therefore unconstitutional. The Town of Clarkstown has on its books a very similar local law which prohibits possession in public of open containers containing alcoholic beverages as well as the consumption of those beverages in public and this proposed local law is intended to correct our local law from that deficiency so that mere possession in public would not be a violation but possession with intent to consume or actual consumption within public would then continue to be the violation in the Town.

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

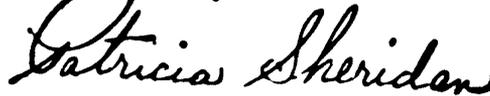
IN FAVOR: No one appeared.

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

IN OPPOSITION: No one appeared.

There being no one wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared closed, time: 8:30 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk