

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

6/14/83

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.

The Fifth Class of the Clarkstown Youth Court was graduated and Supervisor Dusanenko gave a brief history of the Youth Court. He introduced Curt Settle, who is in charge of the Youth Court. Det. Settle introduced Bruce Goldfarb and Captain Fabis. He stated that there are approximately sixty members who have completed the program and said that this is the largest Youth Court in the state and we are the only Police Force in the State of New York with polished police cars thanks to the members of the Clarkstown Youth Court. He stated we have been on WNBC and WABC News and mentioned in various magazines. He said we have been contacted by PM Magazine and also have received an offer regarding a Movie of the Week.

Detective Settle offered his thanks to the many people who have made the Youth Court a reality and praised the fantastic young people of our community who have made it work. He said for the first time they are using previous graduates to help train the new young people who are joining the Youth Court.

Detective Settle introduced Pat Barard, who is always hard at work in the office and Youth Officer James Doyle.

Supervisor Dusanenko commended the young people for their confidentiality regarding the cases heard by the Youth Court and all Councilmen gave their congratulations and commended all the members of the Youth Court.

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

Appearance: Mr. Martin Bernstein
New City, New York

Mr. Bernstein spoke regarding the proposed jail going into Greenburg Park. He said the County Legislature is pressing forward with that plan. He said approximately one week ago the County Planning Board agreed that they do not have to have an environmental impact study. He said what they are doing will have an environmental impact on the surrounding property owners and he requested the Town Board to ask the County Legislature to direct the County Planning Board to conduct an environmental impact study. If they will not do this the Town Board should file some sort of legal action against the Rockland County Legislature to ensure that this is done. He inquired why such a proposal is not on tonight's agenda. He thought that the Town Board had agreed on such a resolution at the Workshop Meeting on last Thursday.

Councilman Maloney said he thought that what was agreed on Thursday evening was that the Director of Environmental Control was to gather information and transmit it to the Town Attorney so that he, in turn, could advise us if there was any action which had to be taken. If action had to be taken he would then advise us how best to take such action in order to accomplish what was necessary.

Councilman Holbrook asked what the County was doing and Les Bollman, Director of Environmental Control, said that the SEQR process was completed.

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Mr. Bernstein said that the Town should step into the picture and protect the Town of Clarkstown. He was concerned as to whether or not there was a time limitation.

Supervisor Dusanenko asked Les Bollman if the County had complied with SEQR and Les Bollman replied that it was an unlisted action which means they do not have to go any further than discussing it.

Supervisor Dusanenko wanted to know if this could be referred back to the County Planning Board asking for a more complete environmental impact study in so far as traffic, drainage, etc. is concerned? Mr. Bollman said that he could not call the shots for extra information and he would refer that question back to the Town Attorney.

Councilman Holbrook asked what options the Town had at this time and Mr. Costa said he felt it would be precipitous for us to adopt a resolution which would in effect be a demand that an environmental impact study be done. Mr. Costa said he would examine the SEQR material which had been delivered to his office today and he would be advising the Board whether or not it is appropriate for a Town to request that a formal impact study be conducted by the County. He said that a legal action could be commenced for failure to comply with SEQR requirements. Mr. Costa said he would have his recommendations ready by the next workshop meeting.

Supervisor Dusanenko stated that to the best of his knowledge County government is exempt from zoning requirements and most things which any other private developer would have to do. He also said if we are not on record now, whatever action we may take at a later date may be mute because perhaps we should have come forward with that knowledge earlier. He suggested that we could adopt a compromise motion.

Appearance: Mr. Jack Cuff
West Nyack, New York

Mr. Cuff questioned Agenda Item No. 22 which has to do with insurance. He requested that this item be tabled as there is a bidding war going on. The original price had been \$319,000.00 but now it is \$204,000.00 which represents a \$115,000.00 reduction. Why is there such a big reduction in price? What was the price that we paid for this insurance last year? Who researches our insurance policies for us? He also wanted the Board polled as to who carries personal insurance or homeowner's insurance with the current agent who covers our Town insurance. He felt with these grave issues he had raised this item should be tabled for another evening.

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On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted the Public Hearing re: Extension of the Clarkstown Consolidated Water Supply District No. 1 to include Astrid Hills was opened, time: 8:45 P.M.

On motion of Councilman Holbrook, seconded by Councilman Maloney and unanimously adopted the Public Hearing re: Extension of the Clarkstown Consolidated Water Supply District No. 1 to include Astrid Hills was closed, time: 8:50 P.M. - ORDER SIGNED.

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RESOLUTION NO. (541-1983)

AUTHORIZING SUPERVISOR TO
EXECUTE VOUCHER FOR PAYMENT
BY NEW YORK STATE THRUWAY
AUTHORITY FOR CONTINUED USE
OF CLARKSTOWN SANITARY LANDFILL

Co. Holbrook offered the following resolution:

RESOLUTION NO. (541-1983) Continued

WHEREAS, the Town of Clarkstown is agreeable to permitting the continued use of the Clarkstown Sanitary Landfill by the New York State Thruway Authority for the sum of \$4,000.00;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute a voucher for the payment of \$4,000.00 to the Town of Clarkstown for the continued use of the Clarkstown Sanitary Landfill by the New York State Thruway Authority for the period from May 18, 1983, to May 17, 1984, subject to approval from the New York State Thruway Authority to the rental fee of \$4,000.00.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (542-1983)

AUTHORIZING ATTENDANCE AT
NEW YORK STATE FIRE CHIEFS
CONVENTION (MARK PAPANMEYER)

Co. Carey offered the following resolution:

RESOLVED, that Mark Papanmeyer, Assistant Fire Inspector is authorized to attend the New York State Fire Chiefs Convention at the Concord Hotel in Lake Kiamesha, New York from June 19 through June 23, 1983 at no cost to the Town.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (543-1983)

ACCEPTING DEED FOR CONVEYANCE
OF STRIP OF LAND ALONG SOUTH
MAIN STREET AND ACCEPTING
DRAINAGE EASEMENT FOR REAR
OF SAME PROPERTY (KAHN OFFICE
BUILDING)

Co. Holbrook offered the following resolution:

WHEREAS, as a condition to the approval of the final map with regard to site plan for Kahn Office Building, New City, New York, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along South Main Street and a deed for a 10 ft. drainage easement in the rear of the premises;

NOW, THEREFORE, be it

RESOLVED, that deed dated November 27, 1978, from Ronald Kahn and Sandra Kahn gratuitously conveying a strip of land along South Main Street and a 10 ft. drainage easement are hereby accepted and ordered recorded in the Rockland County Clerk's Office.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (544-1983)

AUTHORIZING SUPERINTENDENT OF
HIGHWAYS TO INSTALL SIGNS:
LIMITED SIGHT DISTANCE
(A W-135 AND A W-161) - 150
FEET EAST AND WEST OF CREST
OF HILL ON THIRD STREET, NEW
CITY

Co. Holbrook offered the following resolution:

RESOLUTION NO. (544-1983) 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 the following signs:

"Limited Sight Distance" (A W-135 sign - see Section 236.11 of the New York State Department of Transportation's Manual of Uniform Traffic Control Devices)

Underneath, install a panel, (A W-161 - See Section 238.2 of the Manual) to read, "20 MPH".

These two signs to be installed - 150 feet east and west of the crest of the hill on Third Street, New City.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (545-1983)

AUTHORIZING SUPERVISOR TO ENTER INTO RETAINER AGREEMENTS WITH FRANK MASCOLA AND RONALD A. LONGO, ESQ. (RE: LABOR NEGOTIATIONS)

Co. Lettre offered the following resolution:

WHEREAS, the Town of Clarkstown has previously engaged the services of a labor consultant to assist it in discharging its obligations to taxpayers and employees with respect to collective bargaining agreements with its several duly authorized bargaining units, and

WHEREAS, the Town Board desires to coordinate the activities of its labor relations consultant with that of special counsel for labor matters and to that end has solicited separate proposals from Francis X. Mascola, Labor Relations Consultant, and from Ronald A. Longo, Esq., of the firm of Plunkett and Jaffe, P.C., and

WHEREAS, the Town Board wishes to engage the services of both a labor consultant and labor special counsel to work jointly on upcoming labor negotiations and other labor matters;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized and directed to enter into a retainer agreement in a form approved by the Town Attorney with Francis X. Mascola for a period commencing July 1, 1983, and ending December 31, 1983, for fixed compensation in the sum of \$8,000.00, which agreement shall supercede all prior agreements between the Town of Clarkstown and Francis X. Mascola and shall obligate Mr. Mascola to attend and report upon all scheduled labor negotiations as principal spokesman for the Town of Clarkstown during said period, to gather and collate data and materials and prepare financial calculations necessary for such collective bargaining, to participate in all grievance proceedings with and under the direction of labor counsel, to seek the advice and direction of the Town Board with respect to all assigned duties, and to assist in the preparation of the Town of Clarkstown's position and handling by special counsel of all unfair labor practice charges and any other matter involving the Town of Clarkstown with respect to labor relations, the disciplinary process or collective bargaining with its employees before any hearing officer, arbitrator, board or agency, and be it

FURTHER RESOLVED, that the Supervisor is authorized and directed to enter into a retainer agreement in a form approved by the

RESOLUTION NO. (545-1983) Continued

Town Attorney with Ronald A. Longo, Esq., and the firm of Plunkett and Jaffe, P.C., to serve as special labor counsel for a period commencing July 1, 1983, and ending December 31, 1983, and to provide the following services:

1. Review and analyze the existing collective bargaining contracts to which the Town is a party and to report upon the same to the Town Board for the fee of \$500.00.
2. Provide advice, consultation and assistance as requested by Town officials with respect to labor relation matters including personnel and civil service problems, review and preparation of documents, contract administration and grievance matters up to the point of arbitration, and attendance at Town Board meetings as required for a retainer of \$2,500.00.
3. Handle all arbitration, administrative and governmental agency hearings involving labor relations or personnel matters, and participate in labor negotiations and to handle litigation when authorized by Town Board resolution with compensation to be billed at the rate of \$85.00 per hour plus necessary court costs and disbursements.

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (546-1983)

AUTHORIZING SPRING VALLEY WATER COMPANY TO INSTALL HYDRANTS (EAST SIDE OF ROBERTS ROAD APPROXIMATELY 230 FEET SOUTH OF CENTER LINE OF QUARRY DRIVE, NEW CITY AND EAST SIDE OF ROBERTS ROAD APPROXIMATELY 450 FEET NORTH OF LINE OF QUARRY DRIVE, NEW CITY)

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Co. is hereby authorized to install

1 fire hydrant on the east side of Roberts Road, approximately 230 feet south of the center line of Quarry Drive, New City

1 fire hydrant on the east side of Roberts Road, approximately 450 feet north of the line of Quarry Drive, New City.

Hydrant Investigation No. 9073

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (547-1983)

AUTHORIZING SPRING VALLEY WATER COMPANY TO INSTALL HYDRANTS(NORTH SIDE OF QUAIL HOLLOW LANE APPROXIMATELY 810 FEET EAST OF CENTER LINE OF SICKLETOWN ROAD, WEST NYACK AND ONE WEST SIDE OF QUAIL HOLLOW LANE, APPROXIMATELY 1,520 FEET EAST OF CENTER LINE OF SICKLETOWN ROAD, WEST NYACK

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RESOLUTION NO. (547-1983) Continued

Co. Holbrook offered the following:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Company is hereby authorized to install one (1) hydrant on the north side of Quail Hollow Lane, approximately 810 feet east of the center line of Sickletown Road, West Nyack and one (1) hydrant on the west side of Quail Hollow Lane, approximately 1,520 feet east of the center line of Sickletown Road, West Nyack, New York.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (548-1983)

GRANTING TO OFFICE OF BUILDING INSPECTOR OF TOWN OF CLARKSTOWN FULL RESPONSIBILITY FOR ENFORCEMENT OF PROVISIONS AND RULES OF LABOR LAW OF STATE OF NEW YORK

Co. Lettre offered the following resolution:

WHEREAS, the Office of the Building Inspector is charged with the enforcement of building laws and ordinances within the Town of Clarkstown, and

WHEREAS, Section 472 of the Labor Law of the State of New York grants to the Industrial Commissioner of the State of New York the power to enforce the provisions of the Labor Law affecting places of public assembly, and

WHEREAS, Section 472(b) of the Labor Law authorizes a municipality to adopt a resolution granting the building inspector's office full responsibility for the enforcement of building laws and ordinances affecting places of public assembly;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby grants to the Office of the Building Inspector of the Town of Clarkstown full responsibility for the enforcement of the provisions and rules of the Labor Law of the State of New York as it affects places of public assembly, and be it

FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to the Office of the Industrial Commissioner of the State of New York.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (549-1983)

DECREASING APPROPRIATION ACCOUNT A 1990-505 AND INCREASING APPROPRIATION ACCOUNT A 7140-407 (RECREATION DEPARTMENT)

Co. Holbrook offered the following resolution:

RESOLVED, to decrease Appropriation Account A 1990-505 by \$1,101.00 and increase Appropriation Account A 7140-407 by \$1,101.00.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (554-1983)

AUTHORIZING IMPROVEMENTS
AT TENNYSON PARK - ALLOCATION
OF \$11,000.00 FROM MONEY-IN-
LIEU-OF-LAND ACCOUNT TO
PARKLANDS AND IMPROVEMENT
ACCOUNT

Co. Holbrook offered the following resolution:

RESOLVED, that \$11,000.00 be allocated from the Money-in-Lieu-of-Land Account for park improvements to include shrubbery for screening, improvements to the existing basketball court and high curbing at Tennyson Park, and

FURTHER RESOLVED, that the Town Comptroller is hereby authorized to transfer \$11,000.00 from the Money-in-Lieu-of-Land Account to the Parklands and Improvement Account.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (555-1983)

MEMORIALIZING COUNTY LEGISLA-
TURE RE: ROCKLAND COUNTY SALES
TAX

Co. Lettre offered the following resolution:

WHEREAS, the proposed Rockland County sales tax will cause undue hardship on all of the residents and merchants of Clarkstown and Rockland County, and

WHEREAS, this regressive tax will have a drastic effect on our citizens living on fixed incomes, and

WHEREAS, this sales tax will force many residents to do their shopping across the border in Jersey, and

WHEREAS, once a tax is put in place it is never lifted, and

WHEREAS, this sales tax is not necessary to cover the cost of the Brink's Trial and is not conducive or responsive to the needs of the residents of the Town of Clarkstown or Rockland County

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown does hereby oppose this blatant attempt to stifle the will of the people and impose another layer of unnecessary taxes on Rockland County, and be it

FURTHER RESOLVED, that copies of this memorializing resolution be sent to all County Legislators, Senator Linda Winikow and Assemblyman Robert Connor, and the news media.

Seconded by Supv. Dusanenko

On roll call the vote was as follows:

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

RESOLUTION NO. (555-1983) Continued

Councilman Lettre said that in lieu of the fact that the Democratic controlled legislature and its Chairman, Mr. Reisman, have on numerous occasions expressed that a sales tax is absolutely necessary to balance the County budget, he thought that this resolution was absolutely appropriate and he felt this Town Board would be remiss in not sending a message to the Legislature that we will not tolerate a sales tax in the County of Rockland right now.

Supervisor Dusanenko said that in recent years we have experienced many vacant commercial facilities due to financial difficulties of the merchants involved. With the comeback of these facilities and new people willing to take a risk and making a major investment in the Town of Clarkstown so that we do not have certiori, reduction of property taxes and losses and so that we do not lose our shopping customers from the Nanuet Mall and other commercial centers within the Town of Clarkstown to our colleagues at the Jersey Mall and also for our senior citizens who live on a fixed income and who find it more difficult to maintain the level of their standard of living and others who are living on a fixed income - why do we want to give them less buying power to have a lesser quality of life. For those reasons, and so people do not have to walk around with mini computers unless you keep track of every transaction the government only allows you credit for a certain amount of your gross income - if there has to be an increase of taxes, he would rather it be on the property tax, so that we do not hurt all those persons and just add more government beauracracy.

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RESOLUTION NO. (556-1983)

AMENDING RESOLUTION NO.
501-1983 AND AUTHORIZING
DIRECTOR OF PURCHASING TO
ADVERTISE FOR BIDS FOR
PURCHASE AND INSTALLATION
OF USED GUARD RAIL(OLD MILL
ROAD)

Co. Lettre offered the following resolution:

RESOLVED, that resolution No. 501-1983 is hereby amended to read:

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

BID #59-1983
Purchase and Installation of
Used Guard Rail (Old Mill Road)

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 2:00 P.M. on Wednesday, June 29, 1983 (Date Change) at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (557-1983)

AMENDING RESOLUTION NO.
500-1983 AND AUTHORIZING
DIRECTOR OF PURCHASING TO
ADVERTISE FOR BIDS FOR
UNIFORMS FOR POLICE DEPARTMENT

Co. Lettre offered the following resolution:

RESOLVED, that resolution No. 500-1983 is hereby amended
to read:

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

BID #58-1983
Uniforms for Police Dept.

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
28, 1983 (Date Change) at which time bids will be opened and read,
and be it

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (558-1983)

AMENDING RESOLUTION NO.
503-1983 AND AUTHORIZING
DIRECTOR OF PURCHASING TO
ADVERTISE FOR BIDS FOR
FENCING-HIGHWAY DEPARTMENT
COMPLEX

Co. Lettre offered the following resolution:

RESOLVED, that resolution No. 503-1983 is hereby amended
to read:

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
30, 1983 (Date Changed) at which time bids will be opened and read,
and be it

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (559-1983)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR TWO (2) FOUR WHEEL
DRIVE UTILITY VEHICLES

Co. Lettre offered the following resolution:

RESOLUTION NO. (559-1983) Continued

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

BID #62-1983
TWO (2) FOUR WHEEL DRIVE UTILITY VEHICLES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday, July 5, 1983 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney

All voted Aye.

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Agenda Item No. 14 regarding the application of Town Law Section 281 to subdivision known as Camelot, New City then came up for discussion.

Councilman Holbrook asked if the access road should have been Squadron Boulevard or Cavalry Drive and where this access road should come out. Town Attorney said that the street was not named on the map. It is an unnamed street which would intersect with Route 304 opposite Squadron Boulevard.

Mr. Schulson requested that a change be made where it states no permit shall be issued until the required permit is received from the Department of Transportation. He said there is a piece of property which is directly opposite Squadron Boulevard that will have to be condemned or acquired by the Town in some way in order that proper permits may be issued. When asked why the Town should do this Mr. Schulson replied that he does not have the right to condemn property and the owner of the property has stated that he will not sell it.

Mr. Geneslaw, when queried, stated that if Mr. Schulson is unsuccessful in negotiating with the owner it would then require condemnation by either the Town or the State. Mr. Geneslaw said that if we want the permit from the State before building that could take quite some time.

What is wanted is the road to be opposite Squadron Boulevard and we must have the piece of land in question to do it. As it reads now no construction can take place until we have the approval of the Department of Transportation and control of the land either by negotiation or condemnation. Mr. Geneslaw said the Planning Board felt that the land should be acquired.

Supervisor Dusanenko asked Mr. Schulson which end of the subdivision he was anticipating starting with, east or west? Mr. Schulson said the end farthest away from the portion we are discussing tonight, which is the end adjacent to Congers Road. This would be approximately thirty to thirty-five lots.

Supervisor Dusanenko said for those of you who are unaware of a need for Mr. Schulson to negotiate and/or for the Town to condemn a small portion of the land in order to allow a Town street to be built to its specifications - that street would be built by Mr. Schulson at his expense other than his inability as a private person to condemn someone else's property.

Supervisor Dusanenko stated that alternatives to alleviating some of the traffic on Main Street and Congers Road in so far as the Phillips Hill Road Extension - we were all frustrated sometime in the seventies because approvals were made of subdivisions with streets in the front, back and sides of some homes rather than what would have been appropriate roads being built. If this road were not to be built, even though it is not a through street and a straight thoroughfare but where people can meander from one end of northern New City to the other without crossing Route 304 this will be lost probably for all generations to come in the Town of Clarkstown. Supervisor Dusanenko stated that he could understand not giving approval and Certificates of Occupancy until the property is acquired but at the same time we could consider a very limited number of building permits until that acquisition/condemnation is acquired on the extreme western portion of the property.

Councilman Holbrook said he felt they should not give permission to have anything built until the foregoing issues are squared away.

Councilman Lettre said that the Planning Board's feelings were very clear on this Squadron Boulevard ingress and egress. Without it the development of this parcel would really be a mistake. Councilman Lettre asked Town Attorney if the Town condemns the parcel needed could the Town, in turn, sell it to the developer?

Town Attorney said he would have to caution the Board against condemning any property and then selling it to a private individual because the eminent domain procedure law requires before condemnation can take place that there be a public hearing at which there is sufficient information for which the Board can determine that there is a public need for the Board to take the property. You cannot commence a condemnation proceeding without that public hearing and subsequent to that there is another provision in the eminent domain law which requires if the property is not to be used for a public purpose it has to be offered for sale back to the condemnee. If the need is established, of course, just compensation would have to be paid to the property owner.

Mr. Schulson said at Planning Board Meetings over the last two years alternate accesses were discussed. Cavalry Drive was recommended which would be of no cost to the Town of Clarkstown. That alternate was rejected and Squadron Boulevard suggested. At a cost in excess of \$100,000.00 he agreed to it. He agreed to putting in that road exclusive of acquiring the piece of land. He agreed to pay for the upgrading of Route 304 to absorb the additional traffic. He could not see the need for him to accept additional costs to acquire a piece of property which he did not want to start with to add additional expense to an item which he should not have been forced to pay in the first place. He said now he is being told to wait another year or possibly two more before he can subdivide a piece of property that contractually he has owned for the last two years. He said he has not been allowed to build although he has met every requirement of the Planning Board. Why should he be forced to buy more property in addition to the property he has already purchased and then wait for two more years to do something with it?

Supervisor Dusanenko asked Mr. Schulson if he had said that he did not agree to the cost of the acquisition of the necessary piece of property. Mr. Schulson said that was correct.

Mr. Bollman, Director of Environmental Control stated that this property has six public accesses to it and he felt that it was a hardship when someone comes in with a piece of property which has six public roads to it and keeps on being delayed. Mr. Bollman said he had to agree with Mr. Schulson's statement that the Planning Board said let's go to Squadron because of the controversy over Cavalry Drive. Mr. Schulson said he would do that. The state came back with the requirements to my

office stating that what they wanted was basically what we should have gotten on the one up above - the five lanes, the paving, the inch and one half concrete, etc. Mr. Schulson has agreed to this and Mr. Bollman said he was sure that Mr. Schulson would stipulate that in any resolution. To say no building permits on the size of the tract he has when he has six roads coming in to it is unreasonable. Mr. Bollman said he supposed that Mr. Schulson could always turn down the 281. Mr. Bollman said that he wanted Mr. Schulson to replace the culvert under Route 304 which he has agreed to. That is where we have our problem. That is probably a \$60,000.00 or \$70,000.00 item. Maybe you could give him Section 1 and 2 only because they have three or four accesses to that portion.

Councilman Holbrook said they were trying to be careful because this is a subdivision of tremendous magnitude. We are talking about 103 homes. Before we do anything we must be sure we are doing the right thing.

Councilman Lettre said he wanted to table this until the next Workshop Meeting and ask that the Chairman of the Planning Board be present at that meeting. Mr. Schulson said this was discussed at a Workshop Meeting a year ago. It was decided at that time that Cavalry Drive was not the best access. Mr. Schulson said that at that time he said whatever access road the Board decided upon he would foot the bill to pave the road. The State Department of Transportation wrote back saying they were still in favor of Cavalry Drive and they made the Board aware of the fact that condemnation by the Board would be necessary. This has been before the Board before and now we are talking about postponing it and bringing it before the Board again. He said he could not possibly wait another year. Three or four weeks from now puts him into next year. He said he would lose this building season and he would have to withdraw any plans doing work on that subdivision and be forced to do it next year. Financially, I will not be able to carry this job two more years.

Supervisor Dusanenko stated that this Town is now blessed with 182 dead end streets and cul-de-sacs and even though there may be benefits to people living on those streets it provides for a situation where the older streets of the Town have their own traffic in addition to all these extra burdens. Here is, in order not to add additional traffic on what was thought to be by the neighbors of neighboring subdivisions to the best of my knowledge that entire road pattern from new Route 304 to Congers Road with the exception of that triangular piece will all be entirely through your subdivision not sending your traffic from your proposed 103 homes through to other portions at the end. People from other subdivisions will be able to traverse through your subdivision as well as your people being able to travel through theirs. Mr. Schulson said this subdivision will not only put in less traffic but will reduce the traffic in the neighboring communities.

Councilman Maloney said he did not think anyone was opposed to the project but if we take out the paragraph pertaining to the issuing of building permits - how many building permits are you talking about? That is what we would like to look at. Mr. Schulson said he would like to get building permits for the portion of the property that will not affect the 70%, only the 30%.

Councilman Lettre suggested issuing permits for the homes to be built east of Oriole Road and Ethel Drive and opening one of those through streets. Mr. Schulson said they would not be able to pick up the drainage there, they would have to go back about five lots. A figure of approximately twenty building permits was suggested and Mr. Schulson said twenty permits would not get him up to Ethel Drive.

Town Attorney said that if they were considering removing the last Resolved clause from the proposed resolution that clause made it a condition that the applicant either acquire title or the right of entry upon that triangular piece of property before obtaining any building permit. Councilman Lettre said that for now he would remove that clause but that it was still the intention of the Board that it still be the direction of Mr. Schulson but we can deal with that at a later date.

Town Attorney suggested that as a condition of passing the resolution the Board retain the right to modify the 281 resolution in the future and ask that Mr. Schulson accept that as a condition because you do not know at this time in what direction you are going to have to go.

Mr. Schulson said he would not agree to acquiring that piece of property as it must be acquired by the Town. What happens after the Town acquires it is something else. Whether I have to buy it or I have to negotiate with the Town to acquire it but I want no part of acquiring that piece of property. I don't want the acquisition of that piece of property to become a stipulation for the further subdivision of this property. If it becomes my obligation to acquire the property then there is no way in the world for this subdivision to be built. If I cannot buy the property (and he stated that the present owner has gone on record as saying he would not sell) then I cannot build the subdivision.

Town Attorney stated that Mr. Geneslaw had said that the engineering has not yet been completed to determine what, if any, part of the triangular piece of property would be necessary. Is there any way that the Town Board could get additional information? Mr. Schulson said it would be approximately between 500 and 700 square feet. Town Attorney said is there a possibility that engineering could show that that property would not be necessary if the road were moved a tiny bit.

Mr. Schulson said the road must be directly opposite Squadron Boulevard and could not be offset. The State Department of Transportation will not accept it offset.

Councilman Carey said he did not know if he wanted to get involved in condemning private property for a private builder. Mr. Schulson said the Town requested that he put the road in - he did not request the road. He said to let him put the road back on Cavalry Drive and he would not have to worry about condemning any property. If you want that road where you want it, then you'll have to give me the property. Mr. Schulson said he would pay for the road but the Town will have to give him the land to build it on.

Councilman Holbrook said he felt that if the full Board can make its recommendations as to what can be built - we can discuss that, the legal problems can be addressed and that can be passed all on the 28th of June.

Mr. Schulson asked just for his information on what grounds does the Town have the right to condemn property? Without that he cannot go ahead with any of the work other than toward the Squadron Boulevard end. Councilman Holbrook said that with some input from the Planning Board a resolution could be adopted on the 28th of June.

Councilman Lettre said based on the Planning Board recommendations they might have to go the way of condemnation and Town Attorney said that he would caution the Board against taking any action which would be tantamount to condemnation before a public hearing is held.

Mr. Bollman stated that he had just spoken to Mr. Schulson and he was agreeable to waiting two more weeks as there is a Planning Board meeting tomorrow night and perhaps the Chairman of the Planning Board could be persuaded to take up this matter even at the end of tomorrow night's agenda so that this matter could then be discussed at

the Town Board Workshop prior to the next Town Board Meeting on June 28th. It was agreed that there would be no further action on this tonight and the Chairman of the Planning Board would be contacted as soon as possible in order to effectuate the plans last discussed.

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RESOLUTION NO. (560-1983)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE PROCEEDINGS
FOR REMOVAL OF VIOLATIONS ON
PREMISES OWNED BY ISIDORE
AND JULIA KARTEN

Co. Lettre offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 31 of the Code of the Town of Clarkstown to remove or rectify violations as reported by the Building Inspector and the Fire Inspector of the Town of Clarkstown on premises owned by: Julia and Isidore Karten in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as Map 124, Block A, Lot 2, and be it

FURTHER RESOLVED, that a public hearing be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 9th day of August, 1983, at 8:00 P.M., providing service of Notice Pursuant to Town Code, Section 31 can be made on or before July 1, 1983.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (561-1983)

AUTHORIZING TOWN ATTORNEY
TO OBTAIN EASEMENT FROM OWNERS
OF PARCEL (TAX MAP 72, BLOCK
A, LOT 8.01)- AUTHORIZING
COMPTROLLER TO PAY UP TO \$500.00
FOR SAID ACQUISITION - CHARGE
TO ACCOUNT NO. B 8110-444

Co. Carey offered the following resolution:

WHEREAS, the Town of Clarkstown has obligated itself to provide all duly established tax parcels which existed when sewers were installed with an appropriate sewer spur for connection to the Town's sewer system, and

WHEREAS, the most economical way to provide same to the tax parcel designated on the Clarkstown Tax Map as Map 72, Block A, Lot 8 requires an easement from the owners of the tax parcel designated on the Clarkstown Tax Map as Map 72, Block A, Lot 8.01;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to obtain an easement from the owners of the tax parcel designated on the Clarkstown Tax Map as Map 72, Block A, Lot 8.01, so that an existing sewer spur may be used for the above described purpose, and be it

FURTHER RESOLVED, that the Comptroller is hereby authorized to pay up to the sum of \$500.00 for the acquisition of said easement, and be it

FURTHER RESOLVED, that the sum shall be charged to Account No. B 8110-444.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (562-1983)

DISCONTINUING REGULAR SCHEDULE OF TOWN BOARD MEETINGS FOR MONTHS OF JULY AND AUGUST AND SCHEDULING TOWN BOARD MEETINGS FOR JULY 12TH AND AUGUST 9TH, 1983

Co. Maloney offered the following resolution:

RESOLVED, that the resular Town Board schedule be discontinued for the months of July and August, and be it

FURTHER RESOLVED, that the Town Board Meeting for July will be held on July 12th and the Meeting for August will be held on August 9th.

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (563-1983)

AUTHORIZING SUPERVISOR TO ENTER INTO LICENSE AGREEMENT WITH SPRING VALLEY WATER COMPANY AND JAKLA CONSTRUCTION CORP. FOR SEWER LINES AND DRAINAGE LINES AT FIELDSTONE FARMS SUBDIVISION, NEW CITY

Co. Lettre offered the following resolution:

WHEREAS, the Spring Valley Water Company, Inc., is desirous of granting a license to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a license agreement with Spring Valley Water Company, Inc. and Jakla Construction Corp., for the construction and installation of sanitary sewer lines and storm drainage lines at property known as the Fieldstone Farm Subdivision, New City, New York, as further described in the license agreement, without cost to the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (564-1983)

AUTHORIZING PURCHASE AND INSTALLATION OF WASHING MACHINE, DRYER AND HOT WATER HEATER FOR SEWER DEPARTMENT FOR PROTECTION AGAINST INVASIVE AMBOSIS - INCREASING APPROPRIATION ACCOUNT #8110-209 AND DECREASING APPROPRIATION ACCOUNT #1990-505

Co. Lettre offered the following resolution:

WHEREAS, it has been brought to the attention of the Sewer Department that there is a need to wash the department's clothing at a temperature of at least 160° fahrenheit to prevent invasive ambiosis,

NOW, THEREFORE, be it

RESOLVED, that the Sewer Department is authorized to purchase and install a washing machine, dryer and hot water heater to provide maximum protection for sewer workers against invasive ambiosis, and be it

RESOLUTION NO. (564-1983) Continued

FURTHER RESOLVED, that the Comptroller of the Town of Clarkstown is hereby authorized to increase appropriation account #8110-209 by \$1,500.00 and appropriation account #1990-505 be decreased by \$1,500.00.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (565-1983)

AWARDING BID FOR LIQUID CALCIUM CHLORIDE DISTRIBUTION SYSTEM AND LIQUID CALCIUM CHLORIDE (JAMES REED SALES, INC.)

Co. Lettre offered the following resolution:

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

BID #37-1983
LIQUID CALCIUM CHLORIDE DISTRIBUTION SYSTEM AND LIQUID CALCIUM CHLORIDE

is hereby awarded to:

JAMES REED SALES, INC.
Box 130
Grahamsville, New York 12740

for one Double Arm Calcium Chloride Spray unit and 3100 gallon Polyolefin Spray Tank at \$7,950.00 and 32% Liquid Calcium Chloride at \$.62 per gallon.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

With regard to proposed Agenda Item #22 regarding insurance it was decided to table this. Supervisor Dusanenko stated that as the debate continues the price goes down. Supervisor asked that all questions be asked of himself and other interested parties as he would like to have a binder by the next Town Board Meeting.

Mr. Cuff asked if he would have answers to the questions he had raised regarding this insurance at the next public session. Councilman Maloney stated that he had no business with either company. Councilman Carey said he resented the question as it cast aspirations. Mr. Cuff said the main thing he was concerned about was the \$104,000.00 difference in the insurance. Supervisor Dusanenko said this would be taken up at the next Workshop. Councilman Carey said that Mr. Cuff would be able to ask his questions of the carriers at the Workshop. The Workshop had been changed from Thursday to Wednesday of last week and the media had been notified of the change but that the carriers would indeed be present at the next Workshop.

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RESOLUTION NO. (566-1983)

AUTHORIZING ATTENDANCE AT TELEPHONE WORKSHOP CONSUMER SERVICES DIVISION (JOHN MALONEY, LOUIS ALPERT, CAM GROMACK AND SUSAN STANLEY)

Co. Carey offered the following resolution:

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RESOLUTION NO. (566-1983) Continued

RESOLVED, that Councilmen John Maloney, Louis Alpert, Cam Gromack and Susan Stanley will be attending Telephone Workshop Consumer Services Division in New York City on Wednesday, June 22nd, 1983 from 10:30 A.M. to 1:30 P.M., and be it

FURTHER RESOLVED, that mileage and parking be charged to Account No. A 1010-04-14.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (567-1983)

ADOPTING AND ACCEPTING MINUTES OF REGULAR TOWN BOARD MEETINGS OF APRIL 12, APRIL 26 AND MAY 10, 1983

Co. Lettre offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board meetings held on April 12, April 26 and May 10, 1983, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (568-1983)

AUTHORIZING TOWN ATTORNEY TO OBTAIN SERVICES OF APPRAISER IN CONNECTION WITH DISPOSITION OF SURPLUS TOWN PROPERTY (BED OF THIRD STREET, NANUET) - CHARGE TO ACCOUNT NO. 1420-409

Co. Lettre offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to obtain the services of an appraiser in connection with the proposed disposition as surplus Town property which is located in the bed of Third Street, Nanuet, New York, and be it

FURTHER RESOLVED, that expense of the above shall be charged to Account No. 1420-409, subject to recovery in the event of sale of said property.

Seconded by Co. Carey All voted Aye.

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RESOLUTION NO. (569-1983)

APPOINTING POSITION OF MEMBER-INDUSTRIAL DEVELOPMENT COMMITTEE (GERHARD KRAUSE)

Co. Maloney offered the following resolution:

RESOLVED, that Gerhard Krause, 73 Highview Avenue, Nanuet, New York, is hereby appointed to the position of Member - Industrial Development Committee - to serve without compensation - term to commence on June 14, 1983 and to expire on June 13, 1985.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (570-1983)

REAPPOINTING POSITION OF
MEMBER OF INDUSTRIAL DEVELOP-
MENT COMMITTEE (STANLEY J.
DALE)

Co. Maloney offered the following resolution:

RESOLVED, that Stanley J. Dale, 126 Congers Road, New
City, New York, is hereby re-appointed to the position of Member -
Industrial Development Committee - to serve without compensation -
term to commence on June 14, 1983 and to expire on June 13, 1985.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (571-1983)

REAPPOINTING POSITION OF
MEMBER OF INDUSTRIAL DEVELOP-
MENT COMMITTEE (NICK F.
BADAMI)

Co. Maloney offered the following resolution:

RESOLVED, that Nick F. Badami, 2 Ethel Drive, New City,
New York, is hereby reappointed to the position of Member - Industrial
Development Committee - to serve without compensation - term to commence
on June 14, 1983 and to expire on June 13, 1985.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (572-1983)

REAPPOINTING POSITION OF
MEMBER OF INDUSTRIAL DEVELOP-
MENT COMMITTEE (WILLIAM E.
VINES)

Co. Maloney offered the following resolution:

RESOLVED, that William E. Vines, 148 Sickletown Road,
West Nyack, New York, is hereby reappointed to the position of Member -
Industrial Development Committee - to serve without compensation -
term to commence on June 14, 1983 and to expire on June 13, 1985.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (573-1983)

APPOINTING POSITION OF
MEMBER - INDUSTRIAL DEVELOP-
MENT COMMITTEE (GERALD COLUCCI)

Co. Maloney offered the following resolution:

RESOLVED, that Gerald Colucci, 91A Lake Road, Valley Cottage,
New York, is hereby appointed to the position of Member - Industrial
Development Committee - to serve without compensation - term to commence
on June 14, 1983 and to expire on June 13, 1985.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (574-1983)

REAPPOINTING POSITION OF
MEMBER OF INDUSTRIAL DEVELOP-
MENT COMMITTEE (WILLIAM
GRIFFIN)

Co. Maloney offered the following resolution:

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RESOLUTION NO. (574-1983) Continued

RESOLVED, that William Griffin, 2 Berry Court, Congers, New York, is hereby re-appointed to the position of Member - Industrial Development Committee - to serve without compensation - term to commence on June 14, 1983 and to expire on June 13, 1985.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (575-1983) APPOINTING CHAIRMAN OF THE ARCHITECTURAL REVIEW BOARD (ROBERT E. LEVITAN)

Co. Maloney offered the following resolution:

RESOLVED, that Robert E. Levitan, Phillips Hill Road, New City, New York, is hereby appointed to the position of Chairman - Architectural Review Board - at the annual 1983 salary of \$350.00, term effective and retroactive to May 24, 1983 and to expire on May 23, 1984.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (576-1983) APPOINTING PERMANENT POSITION OF REAL PROPERTY DATA COLLECTOR-ASSESSOR'S OFFICE (DOUGLAS DONNEY)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #82203 Real Property Data Collector which contains the name of Douglas Donney,

NOW, THEREFORE, be it

RESOLVED, that Douglas Donney, 523 Route 304, Bardonia, New York, is hereby appointed to the permanent position of Real Property Data Collector - Assessor's Office - at the annual 1983 salary of \$9,741.00, effective and retroactive to June 1, 1983.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (577-1983) APPOINTING POSITION OF PART-TIME BUS DRIVER - MINI TRANS - (THOMAS J. BURKE)

Co. Maloney offered the following resolution:

RESOLVED, that Thomas J. Burke, 24 Clark Drive, 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 June 9, 1983.

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (578-1983)

APPOINTING POSITION OF PART-TIME BUS DRIVER - MINI TRANS - (MARGARET BERNASCHINA)

Co. Maloney offered the following resolution:

RESOLVED, that Margaret Bernaschina, 10 Parliament Drive, New City, 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 June 4, 1983.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (579-1983)

APPOINTING SPECIAL STUDIES INTERN - COMPTROLLER'S OFFICE (JAY DELLOLIO)

Co. Maloney offered the following resolution:

RESOLVED, that Jay Dellolio, Hammond Road, Thiells, New York, is hereby appointed to serve in a training program as a Special Studies Intern - Comptroller's Office - without compensation, effective and retroactive to June 1, 1983.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (580-1983)

APPOINTING SPECIAL STUDIES INTERN - TOWN ATTORNEY'S OFFICE (MARY JEANNE VELLARDITO)

Co. Maloney offered the following resolution:

RESOLVED, that Mary Jeanne Vellardito, 10 Pelham Avenue, Nanuet, New York is hereby appointed to serve as a Special Studies Intern (Civil Clinical Program) Town Attorney's Office - without compensation - effective and retroactive to June 13, 1983.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (581-1983)

APPOINTING POSITION OF MEMBER - CLARKSTOWN YOUTH COMMISSION (WILLIAM ENGELBRACHT)

Co. Maloney offered the following resolution:

RESOLVED, that William Engelbracht, Hillside Drive, Highland Mills, New York is hereby appointed to the position of Member - Clarkstown Youth Commission (to replace W. Curtis Settle) - term to commence on June 14, 1983 and to expire with the termination of employment with the Town of Clarkstown and to serve without compensation.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (582-1983)

APPOINTING POSITION OF GROUNDWORKER -PARKS AND RECREATION (RICHARD MEEHAN)

Co. Maloney offered the following resolution:

RESOLUTION NO. (582-1983) Continued

RESOLVED, that Richard Meehan, 696 South Mountain Road, New City, New York is hereby appointed to the position of Groundsworker - Parks and Recreation - at the annual 1983 salary of \$14,423.00, effective and retroactive to June 6, 1983.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (583-1983)

SETTING PUBLIC HEARING FOR
EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT NO. 1 TO INCLUDE
BROOKLINE MANOR II

Co. Lettre offered the following resolution:

WHEREAS, a written Petition dated June 1, 1983 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

(Description on File in Town Clerk's Office)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 12th day of July, 1983, at 8:20 P.M. DST time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Maloney

All voted Aye.

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Councilman Carey said that he had a letter with regard to Margaretann Ries which was addressed to the Board of Ethics and an answer from them from Jane Murphy, who is the Chairman of that Board. This is dated May 25th and concerns disputed payment to Mrs. Margaretann Ries. Councilman Carey quoted from that letter:

"Dear Mr. Dusanenko,

The Board of Ethics met on May 25, 1983 to consider the above issue and find that there is no conflict of interest."

Supervisor Dusanenko said that he had a letter upstairs which had additional remarks and which he would share later. Councilman Carey said he thought that was enough since they did take the case under advisement. Supervisor Dusanenko said they did take the case under advisement and made additional comments which he would share so that they would have the entire story and he would do this at a later time.

Supervisor Dusanenko asked if they had been able to give any thought to a resolution regarding the proposed Rockland County Jail. Supervisor Dusanenko asked that the Town Attorney study all information available and come up with the necessary recommendations by the next Workshop meeting.

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RESOLUTION NO. (584-1983)

AUTHORIZING SUPERVISOR TO
ACCEPT AMOUNT AS FULL PAYMENT
FOR EMERGENCY REPAIRS TO SEWER
LINE (SOUTH HARRISON AVENUE,
CONGERS)

Co. Holbrook offered the following resolution:

WHEREAS, a sewer line which lies within South Harrison Avenue, Congers, New York, was damaged by a contractor working for Orange & Rockland Utilities, Inc., on a gas line, and

WHEREAS, the insurance carrier for the contractor has offered to reimburse the Town of Clarkstown for the cost of the emergency repairs to said sewer line;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to accept the amount of \$680.46 as full payment for the emergency repairs and he is further authorized and directed to execute a release in connection with same.

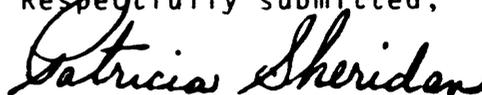
Seconded by Co. Lettre

All voted Aye.

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There being no further business to come before the Town Board and no one further wishing to be heard, Supervisor Dusanenko declared the Town Board Meeting closed, time: 9:50 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

6/14/83

8:45 P.M.

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

RE: PETITION FOR THE EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER
SUPPLY DISTRICT #1 TO INCLUDE - ASTRID HILLS ASSOCIATES

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

Town Attorney stated that there was on file in the Town Clerk's office an affidavit of the Director of Environmental Control, Mr. Les Bollman, testifying as to the benefit to surrounding property owners of this proposed extension.

Supervisor Dusanenko asked if there was anyone wishing to speak in favor of or in opposition to the proposed Water Extension.

Appearance: Michael Reeder, Esq.
Attorney for the Petitioner

Mr. Reeder stated that when the petition was filed the property at that time belonged to Philip Schneider and Bruno Biondi and also Alexander Gionotti and Adele Chotes. Mr. Reeder submitted consent affidavits from all four named persons who were record owners of the property at the time of the petition. Mr. Reeder stated that he had a witness who would present facts for the record at this time.

Town Attorney John Costa swore in Mr. Chester Mellon at the request of Mr. Reeder. Mr. Reeder requested a copy of the original petition which he showed to Mr. Mellon for confirmation. Mr. Mellon stated that that was indeed the original petition submitted to the Town Board and his signature was thereon.

Mr. Reeder asked Mr. Mellon what his position was with Astrid Hills Associates and Mr. Mellon said he was an officer. Mr. Reeder asked Mr. Mellon if he had signed the petition on behalf of Astrid Hills and Mr. Mellon replied in the affirmative.

Mr. Reeder asked Mr. Mellon if this proposed extension would benefit all the property owners within the proposed district. Mr. Mellon said "Yes." Mr. Reeder then asked if all the property owners who would benefit from this petition were included within the district and Mr. Mellon again answered "Yes." Mr. Reeder asked Mr. Mellon if he believed that this petition and the approval thereof was in the public interest to be granted in whole or in part. Mr. Mellon said "Yes."

Mr. Reeder asked Mr. Mellon if he would tell the Board in what way this petition would benefit the property owners involved. Mr. Mellon said it would provide fire protection for the safety and well being of the property and lives and result in the reduction of fire insurance.

Mr. Reeder asked Mr. Mellon if there had been any change in Astrid Hills since the filing of this petition. Mr. Mellon stated that Astrid Hills had now become the owner of the subdivision.

Mr. Reeder stated that the entire area that is now included in this petition is now owned of record by Astrid Hills Associates. The petition could now be deemed to be amended to indicate that the

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petitioner is no longer a contract vendee but is now the record owner. Mr. Reeder stated that he would stand by in case there were other questions to be answered.

Supervisor Dusanenko asked if there was anyone else wishing to speak for or in opposition to the proposed extension.

No one appeared.

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

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk