

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

9/13/83

8:07 P.M.

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

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

Supervisor Rella of Ramapo addressed the Town Board regarding the use of the Clarkstown Landfill. He requested that Ramapo be allowed to use the facilities of the Landfill for a period of one year so that Ramapo would have time to correct the problems that they are having. He said that it was essential that the Towns work together to help each other to find an equitable solution. He said that if Ramapo has problems those problems effect Clarkstown's water supply. He said he would never turn his back on Clarkstown even if they didn't help Ramapo now. Ramapo is desperate and they need temporary help.

Supervisor Dusanenko called upon Marty Silverberg, Aquatic Director, of the Clarkstown Parks and Recreation, who accepted the Presentation to the Lifeguards' Team.

Supervisor Dusanenko announced that the public portion of the meeting was now open and asked if there was anyone wishing to speak on any topic.

Appearance: Dolores Lodico ( Speaking for Lee Pound, President of CSEA)  
(Letterhead of Clarkstown CSEA)

"September 9, 1983

Gentlemen:

(Mrs. Dolores Lodico is speaking on behalf of myself and the CSEA membership of the Town of Clarkstown. I request that this letter be read and made part of the official Town Board Minutes of this meeting of September 13, 1983).

My original statement regarding the Wellness Program was to object to the Towns' proposal to allocate \$15,000. to sponsor a Wellness Program through Landi Associates.

Resolution number 732-1983, adopted by the Town Board on August 9, 1983, provides for a three (3) month period of care to employees of the Town of Clarkstown by New York State Chiropractic Association at no cost to the Town or the employees. This action has postponed the \$15,000. expenditure.

The CSEA membership would like to thank Supervisor Dusanenko and each Councilman for their concern and their sincere effort to improve the well being of the employee, but we believe that chiropractic treatment like accupuncture, is an individual preference and would not be beneficial to the majority of employees.

The CSEA Clarkstown Unit concludes that this proposed \$15,000. sum could be put to better use on the bargaining table for: an offset to the major medical allowance for an annual physical examination (which is preventive health care), a better dental plan or an annual eye examination.

Furthermore, we firmly object to this outlay if it means giving up an item in our existing contract.

Continued on Next Page

Clarkstown CSEA Letter - Continued

Thank you,

/s/ Lee Pound  
President  
Clarkstown CSEA Unit"

Appearance: Arthur DeAngelis  
Deputy Mayor and Trustee of Elmsford

He spoke regarding the letter cancelling the contract that Elmsford has with Clarkstown for use of our Landfill.

Appearance: Jack Cuff  
5 Pheasant Drive  
West Nyack, NY

He read the letter that he had sent to the Journal News.

"5 Pheasant Dr.  
West Nyack, N.Y. 10994  
July 18, 1983

Dear Sir:

This is a special letter to the 80,000 plus people in Clarkstown. A not so funny thing happened in June at your Town Board Meeting. The four Councilmen again awarded the Town's liability insurance contract to the highest bidder. The Supervisor voted no. That's right, not the lowest, but to the highest bidder. How is this possible you ask? Very easy. There is no statutory requirement that insurance service be competitively bid. For the taxpayer this is very unfortunate.

A detail review of the last three years shows some very interesting things. The Town's liability insurance contract is awarded on a yearly basis, beginning July 1st and expiring on June 30th of the following year. For the 1983-4 current year the Town's long-time insurance agent submitted a bid of \$204,000. Another insurance agent submitted a bid of \$168,000. The coverage was identical. The difference was \$36,000. Prior to voting on the bids, Supervisor Dusanenko asked all the Councilmen to please consider the savings involved and to vote in the best interests of all people of Clarkstown. Councilmen Maloney, Holbrook, Carey and Lettre all voted for the coverage at a cost of \$204,000 to the Town. The Supervisor voted no. We lost \$36,000.

If you think this is unusual let's look at the year before - 1982-3. The Town's same long-time insurance agent bid \$332,000 for the liability coverage. A different insurance agent submitted a bid of \$115,000 less for the same coverage. This time Councilmen Maloney, Holbrook and Carey again awarded the bid to the Town's long-time insurance carrier for \$332,000. Supervisor Dusanenko and Councilmen Lettre voted no. We lose \$115,000.

For the year 1981-2 the bid was again awarded to the same agent, even though another agent was about \$50,000 less. Councilmen Maloney, Holbrook and Lettre voted for the higher policy

Now let's add the score for the three years.

1983-4	\$36,000
1982-3	115,000
1981-2	50,000 plus

The total is a whopping \$200,000 plus for the three years, \$200,000 the people of Clarkstown lost.

Continued on Next Page

Jack Cuff letter - continued

Supervisor Dusanenko deserves credit, for when first elected to office, putting the insurance contract out to competitive bidding and then voting against the last three contracts. Unfortunately he is only one vote and the majority prevails on the Town Board. Also, by awarding the contract to the highest bidder for the last three years, you discourage other agents from bidding in the future. There goes your competitive edge.

Something has gone wrong. We pay their salaries and they spend our money in our Town Hall. Someone should look into this matter now. It has simply gotten out of hand. Perhaps some County, State or Federal agency should be called in. The Supervisor cannot do it by himself and \$200,000 is still a lot of money.

Councilmen Maloney and Holbrook owe the people a \$200,000 explanation. Councilman Carey owes a \$150,000 explanation and Councilman Lettre owes an \$86,000 explanation.

Yours truly,

/s/ Jack Cuff  
Jack Cuff  
President  
Organized Taxpayers Association"

Councilman Maloney in response to Mr. Cuff's letter said that he had sent a letter to the Journal News answering Mr. Cuff but the letter was not printed. Councilman Maloney said that Mr. Cuff's figures were inaccurate. There were four different bids received. The lowest bidder had put down \$12,000 for landfill insurance, however, when the company was contacted by Mr. Liebert they said they could not honor that price because they would have had to do a study before they could give a price. Mr. Maloney said there was actually a difference between the two companies of \$11,000 and he felt that Mr. Liebert was honest and had served the Town well and knows the Town people and that the final figure that Mr. Liebert came in with was \$156,800 excluding the premium for the Landfill.

Councilman Lettre said that he too had submitted a letter to the Journal News that was not printed. He said that Mr. Cuff's figures were not accurate. He then read the following letter.

"This letter is in response to a letter to the editor "August 22, 1983" written by Mr. Jack Cuff a close friend of Clarkstown Supervisor Ted Dusanenko and a candidate Mr. Dusanenko supported for the Clarkstown School Board in the last election.

In his letter Mr. Cuff chastises the four Clarkstown Councilmen for irresponsibly awarding a bid for the Town liability insurance to a high bidder. I must speak out and clear up the flagrant inaccurate figures and statements made by Mr. Cuff.

Mr. Cuff states two identical liability insurance bids were submitted with the only difference being the cost. First off, I am not an insurance expert, nor do I pretend to be one. I do not have the experience or knowledge in such a complex field to make a definitive statement like this nor do I believe Mr. Cuff or the Supervisor does, though they may pretend to. As your Town representative, it was my obligation to review both proposals and ask questions before voting. In doing this I found a large glaring difference in the two proposals, the cost of pollution liability insurance. In presenting their total bids Mr. Liebert quoted \$32,000 and Mr. Greenwald \$13,750., for what was presumed to be identical coverage. I asked both brokers publicly if these figures were firm, and if they could deliver the stated coverage at the quoted price. Mr. Greenwald stated emphatically, YES! When asked the same question, Mr. Liebert stated he could not commit a firm figure on pollution liability until the proposed carrier did

Continued on Next Page

TBM - 9/13/83

Page 4

## Councilman Lettre's Letter - Continued

a detailed survey of the town to determine its possible liability risk. The deferential in cost and explanation of the two brokers puzzled me so I did some further research. I checked with the Town of Ramapo who's broker is Mr. Greenwald, and found that they were having difficulty in obtaining pollution liability insurance at any cost because of their troubled landfill no less at a cost of \$13,750. In realizing that Clarkstown would probably be in a similar situation, it became apparent to me that Mr. Greewald was merely low balling his quote on pollution liability in an attempt to capture Clarkstown's insurance business knowing full well he couldn't deliver the adequate coverage at his quoted figures. Let's look at the proposed figures. Mr. Greenwald stated he could cover the Town total liability insurance needs for \$174,447.00 - \$160,697.00 for liability excluding pollution which he quoted a price of \$13,750.00. If we look at the true cost to the Town Mr. Greenwald would have been \$160,697.00 - for liability plus at least an additional \$32,000.00 for pollution for a total of \$192,697.00. The Town of Clarkstown by virtue of four responsible non partisan councilmen contracted with Mr. Liebert. Mr. Liebert's cost to the Town is \$156,000.00 for liability plus at least an additional \$32,000.00 for pollution at a total cost to the Town of \$188,000.00. In comparing these true figures rather than the phony numbers in Mr. Cuff's letter, Mr. Liebert is \$4,697.00 less, not higher, as stated by Mr. Cuff and the Supervisor, for true proven coverage not bargain basement specials at a higher cost.

When Mr. Liebert was awarded the insurance business for the Town as a responsible broker, he went to Mr. Greenwald's so called bargain pollution Insurance Company, American Home Assurance Company in an attempt to get his low quote. When American Home Assurance did their detailed survey of the Town as Mr. Liebert said they would, their conclusion was "I find we must decline to offer an indication at this time, based on the existing ground water contamination and the high potential for claims." This is the same company Mr. Greenwald committed for \$13,750.00 in his quote. I for one have always been in favor of competitive bidding on all items so as to get the most at the lowest cost for the taxpayer. He also states that insurance premiums have decreased over the last 4 years. That is true but not because of competitive bidding, there has always been competition for our insurance business. The primary reason for decreased premiums is the fact that the full Town Board at the recommendation of Mr. Liebert hired a full time "Safety Compliance Coordinator" and due to his efforts claims in our Town have decreased substantially.

As to eliminate future confusion, and those who are attempting to use insurance as a political tool, I will propose that the Clarkstown Town Board establish a volunteer insurance advisory board. This board will consist of five Clarkstown insurance experts not doing any business with the Town. The function of this will be to prepare bid specifications and oversee a proper public bidding process. After receiving proper bids, this board will report their findings and recommendations to the full Town Board for a fair and intelligent decision.

Mr. Cuff states in his letter "something has gone wrong - someone should look into this matter. Perhaps on a state, federal or County level," I agree! When an insurance broker, in my opinion can submit an irresponsible and perhaps fraudulent bid that he could not deliver for the price and coverage quoted, and the Supervisor is recommending this company, someone should be called in to make a fair and honest evaluation of the facts.

Continued on Next Page

Councilman Lettre's Letter - Continued

I am proud of my independence in thinking and voting on Town issues that affect you. That's what I was elected to do, and I will continue to do regardless of pressure. I will not vote on issues merely because the Supervisor, or any other elected official, or power broker want me to. I vote after research on the facts as I see them, and always do what I feel is best for the majority of the people in Clarkstown.

Clarkstown Councilman  
Ed Lettre"

Councilman Holbrook said that the Town had been well served by Mr. Liebert and he felt that the Board had exercised good judgment in selecting him as insurance carrier for the Town.

Councilman Carey said that his colleagues had said it all and that he had voted for Mr. Liebert in '82 and '83 and maybe God willing he would be able to vote for Mr. Liebert in '84. He said as long as the Board was on the subject, he was opposed to #31 on the agenda which was the creation of an Insurance Advisory Board. He felt it was the obligation and responsibility of the Town Board to make this decision and he did not wish to abrogate his responsibility.

Jack Cuff said he had asked the Town Board to have a workshop to discuss the insurance coverage and because he had asked for this workshop, he had helped to save \$100,000. for the Town. Mr. Liebert had reduced his price because he got someone from Suffern to outbid him. Mr. Liebert had come in with a \$319,000. package and because someone in Suffern had outbid him, the Town did not have to pay \$319,000.

Robert Hoffman said he had met with Mr. Liebert and National Union and that they were working on coverage for the dump.

Les Bollman said they had more information and there was no ground water pollution and that the wells were not polluted and that they still might come up with insurance and that was why the leachate system was put in to prevent ground pollution.

Supervisor Dusanenko said that he had inquired as a legislator years ago why the County did not have coverage for this and that but they were not responsive to him until Isaac Goodfriend asked the same questions and then he and I on a bipartisan basis started raising questions about the Insurance Advisory Board. We had certain responsibilities and we made recommendations as laypeople to consumers who had to pay these bills and Rockland County has benefitted over a million dollars a year in savings from that. In 1981 the current broker in the Town of Clarkstown made a quote of approximately one million one hundred thousand dollars as the best offer for the insurance needs of the Town on liability. It was my office and John McLaughlin who saved the Town hundreds of thousands of dollars by obtaining another quote. Then the present broker reduced the cost from one million to less than half a million because of the competitiveness. The same broker had it and through negotiations it was reduced to \$182,000 per year. Last year I believe the figure was about \$115,000 to about \$135,000 savings which could have been realized further. This year again we're talking about competitive bidding. I have to remind you that under the law in the State of New York insurance, engineers and lawyers were not under any obligation legally to bid. It could be for the sky is the limit or your best friend. There is no legal requirement for bidding. I feel that the taxpayers of this town should not be overpaying as they were in the county a million dollars extra every year for insurance.

TBM - 9/13/83  
Page 6

Councilman Lettre said the Insurance Advisory Board at the County level received a percentage. The Board that he was proposing was a voluntary Board to benefit the taxpayers.

Appearance: Sue Schaffer  
385 South Main St.  
New City, NY

She spoke regarding denial of her sign permit by the Architectural Review Board. Her grand opening is September 18 and she advertised in the paper and she needed the sign. She asked the Town Board not to allow the Architectural Review Board to force her out of business but to take the necessary steps to open her business which she felt would enhance the Town.

Councilman Holbrook said he would look into the matter.

Supervisor Dusanenko said the alternative was to appear before the Board of Appeals but because of their heavy schedule, it could take two months before they could hear the Appeal and that he had tried to change the Appeal process to the Town Board and the new Board gave it back to the ZBA.

Appearance: Hill Brindel

He spoke regarding the resolution he received in the mail. He said he was speaking for the group opposed to the sludge plant and that they were here September 6th for a Planning meeting and they had made their desires clear.

1. That they were opposed to the construction of a sludge compost facility.

2. They wanted to see the closing and discontinuance of the landfill.

3. Use the expertise of the Clarkstown, the Rockland residents on a whole as well as the members of the Town Council as well as the members of the legislature if that was feasible to select a new site that would be acceptable to all and to support us if we need legal council.

He said he looked over the resolution and he felt it difficult to believe that only one of the items we were interested in was adopted. He further stated that he did not want to see one Town against the other but we couldn't solve this problem with a bandaid treatment. All the Towns must get together and find a new site for Rockland County Landfill outside of a residential area and he said that the Rockland Residents for Environmental Protection had put out a position paper.

Councilman Lettre said that there was a resolution to provide for legal counsel on tonights agenda.

John Lodico spoke regarding the Clarkstown landfill and said that the landfill should be for Clarkstown people only and while he sympathized with Supervisor Rella's problem, he was concerned with the people of Clarkstown. Villages have been fighting among themselves in Ramapo and that the Mayor of Spring Valley had blackmailed Clarkstown regarding the Community Development Fund and now Ramapo is going to force the people of Clarkstown to repair Lake Suzanne. He did not believe anyone should be allowed to use our landfill except Clarkstown and we would have the use of it for

Continued on Next Page

John Lodico - Continued

twenty-five years and we should not sell out our landfill to balance the budget. The sludge plant should be in Orangetown because that is where it emanates from and it should be processed where it is and not shipped into Clarkstown because it would cost more to transport the sludge, it would be an ongoing condition. Rather we spend the money to build an effective plant and treat it at the source because the moving of the sludge would create a perpetual rather than a one time cost.

Appearance: Peter Nagel  
Bardonia

He inquired about the group home, Venture Inn wished to put in. He said that two houses on Inwood Drive would be over-saturation.

Supervisor Dusanenko said to the best of his knowledge it had been confirmed with Senator Winikow and John Totani who purchased that home for his daughters. It seems that litigation is imminent and there will be a State trial or litigation involving the State of New York and himself. If they are successful, then your point on saturation is correct. If they are not successful then the saturation issue could not be used.

Appearance: Joe Saveresse  
Mayor of Suffern

He said he was there to support Supervisor Rella in his appeal to Clarkstown for use of the landfill. The County Landfill was very remiss and they should have taken action five years ago to look for a solution to this problem for Rockland County.

Appearance: Mrs. Paone  
West Nyack

She spoke regarding the water pollution problem and other concerns of the residents of the area.

Supervisor Dusanenko said he spoke to Supervisor Rotella and he asked him if he would be able to help the Town of Ramapo find alternatives. He said because of the limited size of the Town of Haverstraw's landfill and its geography being so far away from that rather than the neighboring Town where most of the people live in the Town of Ramapo, he was not in a position to help them. That put the pressure back on Clarkstown. Not the pressure of politics but pressure of the resolution of the problem. Supervisor Dusanenko said he spoke to many public officials on all levels looking for an answer to the problem. Basically there are two landfills in all of Orange County. There is a privately owned landfill which will be closed in the very near future and there is the County of Orange landfill. He said the County Executive of the County of Orange does not want to have any dealings with the problems we face in the County of Rockland. Most of the landfills are in New Jersey. Several of the municipal ones have been closed down in northern New Jersey. Westchester County is building an incinerator for 135 million dollars and this will be ready for next year. Monroe County spent 100 million dollars for a facility that does not work. Dade County failed in their attempt to provide a working solution. Ramapo incinerator was not successful and was closed down by the State. Ramapo incinerator was polluting people in Clarkstown and had to be closed down. Town of Hempstead did not work and is now closed. Supervisor Dusanenko felt that our landfill is functioning and he felt that we should improve it and not close it and make it environmentally sound.

Continued on Next Page

Appearance: Mrs. Seery

She said the residents had put in twenty hours of work. She has reports about the landfill from the DEC going back to the seventies. She said she would like the Board members to read the reports she had so painstakingly acquired and after they read these reports, if they don't agree with the residents, they could buy their homes. Unless something is done, people don't want to live there. She urged the Board not to talk money but to talk people.

Appearance: Mary McShane

She said what price life. Can you tell us if the landfill is healthy and safe.

NOTE: (Letter read by Co. Lettre from Dr. Redman)

Appearance: George Suttie

He said that the experts don't have a solution on how to deal with the sludge problem. He stated that it would be very unlikely that Ramapo will be able to find a solution in one year. He said there were three instances where the State has come to Clarkstown with a request from the DEC that sludge be allowed to be dumped in our landfill. He said that the Hackensack Water Company in Spring Valley, a Mr. Miller who is the head of that Company in these things and has done tests and reported that there were no TCE of this particular kind. They have tested water next to the Clarkstown landfill and it is free of pollutants and that the Town has taken direction from DEC to correct certain conditions in the landfill and the Town is spending a million dollars to improve conditions in the dump and that is why the leachate fields are being put in. The Town does not have a permit from DEC to operate the dump and the work must be done before they will get the permit. He said that Bowe Walsh conducted a study with federal funds and matching funds from the County and reported that there were no more landfill sites in Rockland County. The best spot for the landfill was the present one on 303. The cost would have been 50 million dollars. The County dropped the issue. The only landfills we have are in Clarkstown and Ramapo and we have to make them work. We will try. There are no hazardous wastes being dumped in the Clarkstown landfill.

Appearance: Mrs. Paone

She said there was industrial waste being dumped on the Clarkstown landfill.

Mr. Suttie said records were kept on every truck that entered the landfill and there was no hazardous waste.

Appearance: Charles Privot  
New City

He spoke regarding the premises on the west side of north Middletown Road at the intersection of Williams Street and located in the hamlet of New City. He said that a variance was granted by the ZBA for a law office. However the owner of these premises has constructed a structure twice the size of what was originally there. He questioned the legality of what the owner was doing. He said he spoke to the Building Department and was told that the owner was not in violation.

Supervisor Dusanenko said that the Town Attorney was asked to look into this matter and he believed that work had been stopped on this structure and that an investigation was under way.

Mr. Privot said that work had stopped after the roof was put on and there was little going on at present.

Councilman Lettre said that perhaps Councilman Holbrook, Carey and he would meet with Mr. Colucci the following day and would go down and inspect the premises.

John Costa said that he had discussed this in the Town Attorney's office and he had the first deputy Town Attorney look at this as he actively handles the Zoning Board of Appeals matters. The facts as I understand them are that the ZBA granted a variance for someone to have a home occupation without residing in the house. When the variance was granted the definition of home occupation was different than the definition of home occupation in the Town Code at the present time. It restricted home occupation to not more than one full time employee. Mr. Colucci has examined the plan, has examined the variance and has examined the site and he has determined that the building that is going on there falls within the terms and conditions of the variance. Mr. Costa said that the terms and the conditions of the variance are still applicable to this situation. If the owner applicant has more than one full time employee involved in this home occupation they would be in violation of the variance.

Appearance: Mrs. Paone

Mrs. Paone read a letter from a Mr. Richard Redman of the Department of Health in Rockland County. The letter was dated 6/8/79.

Les Bollman explained about the landfill and said it had been determined that the peak in the swamp where the landfill was started now acts as an impervious barrier. A natural bowl, an impervious bowl has been created. The same as if you would have a liner.

Mr. Suttie said that twelve wells were dug and that the bowl concept was right and that the wells are tested every three months. After they have completed the leachate system they will have complied with the DEC.

Councilman Holbrook said that the Town Board would like to convey to the County Legislature that they look into an alternative now and not fifteen years from now.

The Supervisor said the County has a solid waste commission and he suggested that the Town Board members receive agendas and be present at the meetings.

Appearance: Mrs. Paone

Mrs. Paone inquired as to whether a wall, fifteen to twenty feet would be built around the site with trees. The Town Board answered in the affirmative.

Appearance: Mr. Capasso

Mr. Capasso said that outsiders should not be allowed to dump at the landfill and that it costs him \$1900. a month to use the landfill.

Co. Lettre suggested that if Mr. Capasso new of anything illegal, he should bring it to the attention of the Sanitation Commission.

Supervisor Dusanenko said there was no one from Jersey dumping in the Clarkstown landfill. The truck that had Jersey plates were carters who were doing business in the Town.

\* \* \* \* \*

On motion of Councilman Maloney and seconded by Councilman Lettre and unanimously adopted, the Public Hearing re: Instituting Proceedings for Removal of Violations on Premises Owned by Isidore Karten and Julia Karten, was opened, time: 10:20 P.M.

On motion by Councilman Lettre and seconded by Councilman Holbrook the Public Hearing was recessed at 10:25 P.M.

\* \* \* \* \*

RESOLUTION NO. (752-1983)

MEMORIALIZING OUR COUNTY LEGISLATORS TO WORK TOGETHER FOR A COUNTY-WIDE SOLUTION TO THE PROBLEMS OF POLLUTION OF OUR ENVIRONMENT BY HAZARDOUS AND TOXIC RESIDUES OF SOLID WASTE

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown has heard from many public officials and citizens concerned with the need for a non-polluting method for handling solid waste and sewage sludge, and

WHEREAS, the Town Board is aware that the problem of solid waste disposal is one that defies solution except on a regional basis, and

WHEREAS, the Town Board believes that not enough has been done on the county government level to seek and obtain a solution to the problem of solid and sewage sludge waste disposal in the County of Rockland,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown implores our county legislators to work together for a county-wide solution to the problems of pollution of our environment by hazardous and toxic residues of solid waste, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown pledges its cooperation with the County Legislature in seeking such solution on a regional basis.

Seconded by Co. Lettre

All voted Aye

\* \* \* \* \*

RESOLUTION NO. (753-1983)

AUTHORIZING TOWN ATTORNEY TO OBTAIN SPECIAL COUNSEL EXPERT IN ENVIRONMENTAL PROTECTION LAWS TRANSFERRING \$5,000. FROM A-1990-505 ACCOUNT TO A-1420-409 ACCOUNT FOR SPECIAL COUNSEL

Co. Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown is concerned that the Rockland County Sewer District #1 has ignored relevant environmental legislation in planning for and adopting a proposal to treat sewage sludge by composting at a site located in

RESOLUTION NO. (753-1983) Continued

West Nyack within the Town of Clarkstown, and

WHEREAS, the Town Board believes the Rockland County Sewer District #1 Board of Commissioners may attempt to obtain a New York State Department of Environmental Conservation permit to construct such sludge treatment facility without holding a public hearing prior to requesting such a permit and the Town Board further believes that such course of action is in violation of the relevant statutes;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized and directed to obtain the services of special counsel who are expert in the area of environmental protection laws to review the proceedings of the Rockland County Sewer District #1 Board of Commissioners, and report on legal alternatives available to the Town Board to assist it in protecting the health and welfare of residents and others who may have their health adversely affected by the action of the Sewer District Commissioners, and be it

FURTHER RESOLVED, that the sum of \$5,000.00 be transferred from the A-1990-505 account to the A-1420-409 account to provide for compensation for such special counsel.

Seconded by Co. Maloney

All voted Aye.

Supervisor Dusanenko said there is a wide opinion of the "WHEREAS" clauses. I do believe and have been committed to relocations of sludge facilities and vote for this resolution for that reason only.

\* \* \* \* \*

Public Hearing resumed at 10:33 P.M.

On motion of Councilman Lettre, seconded by Councilman Maloney and unanimously adopted the Public Hearing re: Instituting Proceedings for Removal of Violations on Premises Owned by Isidore Karten and Julia Karten, was closed, time: 10:55 P.M. Return to regular Town Board Meeting.

\* \* \* \* \*

RESOLUTION NO. (754-1983)

INSTITUTING PROCEEDINGS  
AFFECTING PROPERTY ON  
CLARKSTOWN TAX MAP AS  
MAP 124, BLOCK A, LOT 2  
TO REMOVE AND CORRECT  
THESE VIOLATIONS

Offered by Councilman Maloney:

WHEREAS, by Resolution No. 560 dated June 14, 1983, the Town Board of the Town of Clarkstown has duly instituted proceedings pursuant to Chapter 31 of the Town Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as Map 124, Block A, Lot 2 to remove or correct certain conditions which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on September 13, 1983, after notice and opportunity to be heard at said hearing was provided to the owner of record of the above premises as provided by law;

Continued on Next Page

TBM - 9/13/83  
Page 12

RESOLUTION NO. (754-1983) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that some of the conditions complained of in the notice pursuant to Town Code Section 31-5 dated July 12, 1983, have not been corrected, and it is

FURTHER RESOLVED, that the Building Inspector of the Town of Clarkstown be and he hereby is directed to perform the corrective action ordered in said notice if such condition continues uncorrected on or after October 4, 1983, and be it

FURTHER RESOLVED, that the expenses incurred by the Building Inspector with respect to such corrective action be assessed against the property, and be it

FURTHER RESOLVED, that the Receiver of Taxes is hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Building Inspector.

Seconded by Co. Holbrook

All voted Aye.

Supervisor Dusanenko said he voted yes with the understanding that the spirit of the law not the letter of the law has been followed to the health and safety and public welfare.

\* \* \* \* \*

On motion of Councilman Maloney and seconded by Councilman Holbrook and unanimously adopted, the Public Hearing re: Petition for the Extension of the Clarkstown Consolidated Water Supply District #1 to Include - Pelham Manor Too was opened, time: 10:57 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Petition for the Extension of the Clarkstown Consolidated Water Supply District #1 to include - Pelham Manor Too, was closed, time: 11:00 P.M. Return to regular Town Board Meeting.

\* \* \* \* \*

RESOLUTION NO. (755-1983)

MEMORIALIZING ROCKLAND COUNTY HIGHWAY DEPARTMENT TO ELIMINATE PARKING AREA OPPOSITE KRETCHMAR HOME, WEST NYACK

Councilman Holbrook offered the following resolution:

WHEREAS, the owner of property known and designated on the Clarkstown Tax Map as Map 72, Block A, Lot 6.01 has advised the Town Board of a condition that exists on property situate on the corner of Strawtown Road and Old Mill Road, West Nyack, New York, designated on the Clarkstown Tax Map as Map 90, Block A, Lot 16, and

WHEREAS, it appears that the parcel complained of was acquired by the County of Rockland for highway purposes and is not presently being used for such purposes, and the adjacent owners are seeking permission to make certain landscaping improvements to said parcel which shall consist of the installation of trees and other plantings and have requested that a guardrail also be installed on said parcel;

RESOLUTION NO. (755-1983) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby refers this matter to the Rockland County Legislature and the Rockland County Highway Department for consideration in granting permission to the owners of property known and designated on the Clarkstown Tax Map as Map 72, Block A, Lot 6.01 to install trees and other plantings on said parcel and hereby request consideration be given by the Rockland County Highway Department for the installation of a guardrail on said premises, and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to send certified copies of this resolution to the Rockland County Legislature and to the Rockland County Highway Department.

Seconded by Co. Carey

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (756-1983)

AUTHORIZING EXPENDITURE FOR TEMPORARY COMMUTER PARKING LOT, WEST NYACK

Co. Holbrook offered the following resolution:

WHEREAS, there is a shortage of commuter parking lots in the Town of Clarkstown, and

WHEREAS, Cal Mart Construction Corp. has offered the Town of Clarkstown a license to use a portion of its property located on Route 59 in West Nyack (designated on the Clarkstown Tax Map as Map 106, Block A, Lot 21.01) for use as a temporary commuter parking lot;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to enter into a license agreement with Cal Mart Construction Corp., for use of a portion of the aforesaid property as a temporary commuter parking lot, which license agreement shall terminate upon 30 days written notice by either party and be it

FURTHER RESOLVED, that any improvements made in connection with the temporary commuter parking lot other than grading and surface materials shall remain the property of the Town of Clarkstown, and may be removed by the Town at its discretion upon the termination of this license, be it

FURTHER RESOLVED, that the sum of \$6,000 is hereby appropriated to cover the cost of such improvements, and be it

FURTHER RESOLVED, that Contingency Account No. A-1990-505 is hereby decreased by \$6,000 and Appropriation Account No. A-5650-409 is hereby increased by \$6,000.

Seconded by Co. Maloney

All voted Aye

\* \* \* \* \*

RESOLUTION NO. (757-1983)

AUTHORIZING PERMISSION TO ATTEND CONFERENCE & SEMINAR- ROSS VALENZA, ASSESSOR

Co. Maloney offered the following resolution:

RESOLVED, that Ross J. Valenza, Assessor of the Town of Clarkstown, is hereby authorized to attend a CONFERENCE ON ASSESSMENT ADMINISTRATION, and be it,

FURTHER RESOLVED, that all proper charges not to exceed \$350.00 be charged against A 1010-414.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (758-1983)

AUTHORIZING PERMISSION  
TO ATTEND A SEMINAR ON  
ASSESSMENT ADMINISTRATION-  
ROSS VALENZA, ASSESSOR

Co. Maloney offered the following resolution:

RESOLVED, that Ross J. Valenza, Assessor of the Town  
of Clarkstown, is hereby authorized to attend a Seminar on  
Assessment Administration and be it,

FURTHER RESOLVED, that all proper charges not to exceed  
\$35.00 be charged against A 1010-414.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (759-1983)

RECOMMENDATION FROM  
TRAFFIC ADVISORY BOARD

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the  
Traffic and Traffic Fire Safety Board, the Superintendent of High-  
ways is hereby authorized to erect winding road signs. A, W-6  
BL sign should be erected at the top of the hill. A, W-6 BL sign  
should be erected at the bottom of the Hill (Little Tor Road).

Seconded by Co. Carey

All voted Aye

\* \* \* \* \*

RESOLUTION NO. (760-1983)

RECOMMENDATIONS FROM  
TRAFFIC ADVISORY BOARD

Co. Holbrook 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 a T warning sign  
(W-11-H sign, see section 232.1 of the Manual of Uniform Traffic  
Control Devices). This sign should be erected on the West side  
of Brewery Road, 200 ft. North of Courtney Drive, New City.

Seconded by Co. Carey

All voted Aye.

\* \* \* \* \*

RESOLUTION NO.(761-1983)

RECOMMENDATIONS FROM  
TRAFFIC ADVISORY BOARD

Co. Holbrook 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 a Stop sign on Wren  
Lane, at Lexington Drive, New City.

Seconded by Co. Carey

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (762-1983)

INCREASING EXEMPTIONS  
FOR SENIOR CITIZEN  
RESIDENTS UP TO \$13,500.

RESOLUTION NO. (762-1983) Continued

Co. Holbrook offered the following resolution:

WHEREAS, by Chapter of the Laws of 1983, the State Legislature has granted authority to municipalities to increase the exemption for real estate taxes for senior citizens of low or moderate income as follows:

<u>Annual Income</u>	<u>Percentage Assessed Valuation Exemption from Taxation</u>
\$10,500 and less	50 per centum
More than \$10,500 but less than \$11,000	45 per centum
\$11,000 or more but less than \$11,500	40 per centum
\$11,500 or more but less than \$12,000	35 per centum
\$12,000 or more but less than \$12,500	30 per centum
\$12,500 or more but less than \$13,000	25 per centum
\$12,000 or more but less than \$13,500	20 per centum

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown intends to implement the above authority by adopting a local law to grant the maximum exemption available under the revised State Law.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (763-1983)

MEMORIALIZING STATE AND FEDERAL REPRESENTATIVES REGARDING REPEAL OF THE SUNSET DATE FOR MORTGAGE REVENUE BONDS

Co. Lettre offered the following resolution:

WHEREAS, anti-employment members of the House of Representatives wish to repeal the sunset date for Mortgage Revenue Bonds, and

WHEREAS, it has become fashionable to balance the budget cost by raising taxes instead of cutting Government spending and improving efficiency, and

WHEREAS, the already over-burdened taxpayer is being asked to absorb even more of the Government cost, and

WHEREAS, this legislation is counterproductive to our country's economic development, now therefore,

BE IT RESOLVED, that the Town Board of the Town of Clarkstown expresses its opposition to this Legislation and memorializes the State and Federal representatives to repudiate all bills of this nature and work in unity to maintain our nation's

Continued on Next Page

RESOLUTION NO. (763-1983) Continued

economic recovery, and be it

FURTHER RESOLVED, that the Town Clerk forward copies of this resolution to President Ronald Reagan, Senator Alfonse D'Amato, Senator Daniel Patrick Moynihan, Congressman Benjamin A. Gilman, Senator Linda Winikow and Assemblyman Robert Connor.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (764-1983)

AUTHORIZING CHANGE OF STREET NAME FROM CEMETERY LANE TO DEXTER AVENUE, WEST NYACK

Co. Holbrook offered the following resolution:

WHEREAS, a resident has requested that the name of a street shown on the Official Map of the Town of Clarkstown as Cemetery Lane, West Nyack, New York, be changed from Cemetery Lane to Dexter Avenue, and

WHEREAS, the Town Board of the Town of Clarkstown wishes to change the name of the street from Cemetery Lane to Dexter Avenue;

NOW THEREFORE, be it

RESOLVED, that the name of Cemetery Lane is hereby changed to Dexter Avenue, and be it

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

FURTHER RESOLVED, that his resolution take effect immediately.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (765-1983)

ACCEPTING PROPOSALS FROM O & R UTILITIES, INC. FOR STREET LIGHTING

Co. Holbrook 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,



RESOLUTION NO. (767-1983) Continued

WHEREAS, the New City Fire Engine Company No. 1 has requested use of the Town of Clarkstown showmobile on Saturday, October 1, 1983 for an Inspection Parade on Main Street in New City,

NOW, THEREFORE, be it

RESOLVED, that permission is hereby granted to the New City Fire Engine Company No. 1 for use of the showmobile on the above date subject to the provision of the necessary insurance policies, and

FURTHER RESOLVED, that the Town Comptroller is hereby authorized to transfer \$375.00 to cover maintenance costs from Contingency Account A-1990-505 to the following accounts:

A-7140-111: \$351.00  
A-7140-301: 24.00

Seconded by Co. Carey

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (768-1983)

GRANTING PERMISSION TO NEW CITY JEWISH CENTER USE OF THE SHOWMOBILE AND AUTHORIZING TRANSFER \$474.00 TO COVER MAINTENANCE COSTS FROM CONTINGENCY ACCOUNT A-1990-505 TO A-7140-111: \$450.00 A-7140-301: \$ 24.00

Co. Lettre offered the following resolution:

WHEREAS, the New City Jewish Center has requested use of the Town of Clarkstown showmobile on Sunday, October 30, 1983 for a U.J.A. Walk-A-Thon at the Soloman Schecter Day School, Route 45, Pomona, New York,

NOW, THEREFORE, be it

RESOLVED, that permission is hereby granted to the New City Jewish Center for use of the showmobile on the above date subject to the provision of the necessary insurance policies, and

FURTHER RESOLVED, that the Town Comptroller is hereby authorized to transfer \$474.00 to cover maintenance costs from Contingency Account A-1990-505 to the following accounts:

A-7140-111: \$450.00  
A-7140-301: \$ 24.00

Seconded by Co. Carey

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (769-1983)

GRANTING PERMISSION TO LARY KOHLER TO ATTEND ANNUAL FALL TRAINING SCHOOL AND CHARGED AGAINST APPROPRIATIONS ACCCOUNT NO. A 1010-414

Co. Maloney offered the following resolution:

RESOLUTION NO. (769-1983) Continued

RESOLVED, that Larry Kohler, Director of Purchasing of the Town of Clarkstown, is hereby authorized to attend the 28th Annual Fall Training School on September 27-30, 1983 at the Grossinger's Hotel, and be it

FURTHER RESOLVED, that all proper charges not to exceed \$275.00 be charged against appropriations account No. A 1010-414.

Seconded by Councilman Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (770-1983)

AUTHORIZING DIRECTOR OF ENVIRONMENTAL CONTROL TO ENTER INTO WRITTEN CHANGE ORDERS FOR ADDITIONAL COMPENSATION TO CONTRACTOR-LEACHATE COLLECTION SYSTEM

Co. Maloney offered the following resolution:

WHEREAS, the Town Board has awarded a contract for the construction of a Leachate Collection System in the Sanitary Landfill pursuant to Resolution #49 - 1983 and

WHEREAS this contract between the Town and Dalcon, Inc., Bridgewater, N.J., provides for payment of the sum of \$659,080. based on unit bid prices and estimated quantities of work and conditions at the site, and

WHEREAS the Director of the Department of Environmental Control based on field inspection reports and evaluations made by Chas. R. Velzy Assoc., the Town's consulting Engineer on this project, has reported that field conditions require significant additional depth of excavation to satisfactorily complete the said Leachate Collection System in the southeastern and western sections,

NOW, THEREFORE, be it resolved that the Director of Environmental Control is hereby authorized to enter into written change orders providing for additional compensation to the Contractor not to exceed the sum of \$125,000. to satisfactorily complete these sections of the Leachate Collection System.

Seconded by Co.Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (771-1983)

AUTHORIZING SUPERVISOR TO EXECUTE A QUIT CLAIM DEED TO COUNTY CONVEYING ROAD WIDENING STRIP - PELLIGRINO SUBDIVISION

Co. Holbrook offered the following resolution:

WHEREAS, a deed dated December 13, 1976, was recorded in the Rockland County Clerk's Office on April 19, 1977, in Liber 990 at Page 210, and

WHEREAS, said deed purportedly conveys a road widening strip to the Town of Clarkstown along a road which is within the jurisdiction of the Rockland County Highway Department, and

RESOLUTION NO. (771-1983) Continued

WHEREAS, this deed was apparently recorded in error without any acceptance by the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor be and is hereby directed to execute a quit claim deed to the County of Rockland conveying the road widening strip to the County in accordance with the request made by the Office of the Superintendent of Highways of Rockland County.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. 772-1983)

GRANTING REQUEST TO ATTEND  
ARBITRATION WORKSHOP -  
JOHN COSTA, TOWN ATTORNEY

Co. Holbrook offered the following resolution:

RESOLVED, that John A. Costa, Town Attorney, is hereby authorized to attend an Arbitration (Case Preparation and Presentation) Seminar on October 5 and 6, 1983, in New York City, for the sum of \$300.00, plus reasonable travel expenses; and be it

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

Seconded by Co. Carey

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (773-1983)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE  
FOR BID #68-1983 ENERGY  
CONSERVATION PROJECT NEW  
ROOFTOP UNITS AND CONNEC-  
TION TO ADDITION

Co. Holbrook offered the following resolution:

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

BID #68-1983  
ENERGY CONSERVATION PROJECT  
NEW ROOFTOP UNITS AND CONNECTION TO ADDITION

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, September 30, 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.

\* \* \* \* \*

RESOLUTION NO. (774-1983)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE  
FOR BID #69-1983 COMPRESSED  
GASES AND WELDING SUPPLIES

RESOLUTION NO.(774-1983) Continued

Councilman Holbrook offered the following resolution:

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

BID #69-1983  
COMPRESSED GASES AND WELDING SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday, September 27, 1983 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (775-1983)

AUTHORIZING THE PURCHASING DIRECTOR TO RE-ADVERTISE FOR NEW BIDS FOR BID #58A-1983 UNIFORMS FOR CLARKSTOWN POLICE DEPT.

Co. Holbrook offered the following resolution:

RESOLVED that all proposals received for BID #58-1983 UNIFORMS FOR CLARKSTOWN POLICE DEPT. are hereby rejected, and be it

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

BID #58A-1983  
UNIFORMS FOR CLARKSTOWN 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 Wednesday, Sept. 28, 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.

\* \* \* \* \*

RESOLUTION NO. (776-1983)

AUTHORIZING THE PURCHASING DIRECTOR TO ADVERTISE FOR BID #56A-1983, THREE TO SIX TRANSIT TYPE MINI BUSES BID #56-1983, COACH TYPE BUS

Co. Holbrook offered the following resolution:

RESOLVED, that resolution #726-1983 is hereby amended as follows:

RESOLVED, that all proposals received for

RESOLUTION NO. (776-1983) Continued

BID #56-1983  
COACH TYPE BUS

are hereby rejected, and be it

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

BID #56A-1983  
THREE (3) TO SIX (6) TRANSIT TYPE MINI BUSES

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, September 29, 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.

\* \* \* \* \*

RESOLUTION NO. (777-1983)

AUTHORIZING THE DIRECTOR OF PURCHASING TO ADVERTISE FOR BID #70-1983, CONGERS COMMUNITY CENTER ENERGY IMPROVEMENTS

Co. Holbrook offered the following resolution:

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

BID #70-1983  
CONGERS COMMUNITY CENTER ENERGY IMPROVEMENTS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 2:00 P.M. on Friday, September 30, 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.

\* \* \* \* \*

RESOLUTION NO. (778-1983)

AUTHORIZING THE DIRECTOR OF PURCHASING TO ADVERTISE FOR BID #60-1983, ONE USED SEWER CLEANING TRUCK FOR HIGHWAY DEPARTMENT

Co. Holbrook offered the following resolution:

RESOLVED, that resolution #503-1983 is hereby amended to read

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

BID #60-1983  
ONE USED SEWER CLEANING TRUCK  
FOR HIGHWAY 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 Monday, October 3, 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.

\* \* \* \* \*

RESOLUTION NO. (779-1983)

AUTHORIZING THE DIRECTOR OF PURCHASING TO ADVERTISE FOR BID #71-1983, BUILDING ALTERATIONS, CLARKSTOWN HIGHWAY DEPARTMENT

Co. Holbrook offered the following resolution:

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

BID #71-1983  
BUILDING ALTERATIONS  
CLARKSTOWN HIGHWAY DEPARTMENT

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 Monday, October 3, 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.

\* \* \* \* \*

RESOLUTION NO. (780-1983)

AUTHORIZING THE DIRECTOR OF PURCHASING TO ADVERTISE FOR BID #72-1983, ONE (1) UTILITY SERVICE VAN FOR CLARKSTOWN HIGHWAY DEPT.

Co. Holbrook offered the following resolution:

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

BID #72-1983  
ONE (1) UTILITY SERVICE VAN  
FOR CLARKSTOWN HIGHWAY 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, October 4, 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.

\* \* \* \* \*

RESOLUTION NO. (781-1983)

AUTHORIZING THE DIRECTOR OF PURCHASING TO ADVERTISE FOR BID #73-1983 ONE NEW PICK-UP TRUCK FOR CLARKSTOWN SEWER DEPT.

Co. Holbrook offered the following resolution:

RESOLUTION NO. (781-1983) Continued

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

BID #73-1983  
ONE NEW PICK-UP TRUCK  
FOR CLARKSTOWN SEWER 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 Wednesday, October 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.

\* \* \* \* \*

RESOLUTION NO. (782-1983)

DECREASING APPROPRIATION  
ACCOUNT NO. A1345-313 AND  
INCREASING APPROPRIATION  
ACCOUNT NO. A 1345-423 BY  
\$115.00.

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A1345-313 and increase Appropriation Account No. A1345-423 by \$115.00.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (783-1983)

INCREASING ESTIMATED  
REVENUE ACCOUNT NO.  
01-002999 AND APPROPRIATION  
ACCOUNT NO. A 1620-323 BY  
\$1,100.

Co. Maloney offered the following resolution:

RESOLVED, to increase Estimated Revenue Account No. 01-002999 and Appropriation Account No. A1620-323 by \$1,100.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (784-1983)

INCREASING APPROPRIATION  
ACCOUNT NO. B 8110-203  
AND DECREASING APPROPRIATION  
ACCOUNT NO. B 8110-430  
BY \$4,500.

Co. Maloney offered the following resolution:

RESOLVED, to increase Appropriation Account No. B 8110-203 and decrease Appropriation Account No. B 8110-430 by \$4,500.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (785-1983)

INCREASING ESTIMATED  
ACCOUNT NO. 01-002999  
AND APPROPRIATION ACCOUNT  
NO. A 1640-409 BY \$18,000.

Co. Maloney offered the following resolution:

WHEREAS, an agreement has been made with Seymour Gurlitz, Architect, for their services on the project of repairing and refurbishing of the Highway Garage, BE IT THEREFORE

RESOLVED, to increase Estimated Revenue Account No. 01-002999 and Appropriation Account No. A 1640-409 by \$18,000.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO.(786-1983)

PERFORMING ENGINEERING  
SERVICE BY KOZMA ASSOC.  
AMOUNT OF \$13,400.  
INCREASING REVENUE ACCT.  
NO. 01-002401 AND  
APPROPRIATION ACCOUNT NO.  
A8730-409 BY \$13,400.

Co. Maloney offered the following resolution:

WHEREAS Kozma Associates, 53 South Broadway, Nyack, N.Y. has submitted a proposal for various energy conservation measures in the amount of \$13,400 to perform necessary engineering services including design and/or specifications, bid analysis and review, consultation and final inspection, BE IT THEREFORE

RESOLVED, to increase Estimated Revenue Account No. 01-002401 and Appropriation Account No. A 8730-409 by \$13,400.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (787-1983)

REIMBURSING TOWN OF CLARKSTOWN \$1,250 ON AUGUST 23, 1983 FOR CORRECTION TO CHRONIC SEWER BACK-UP PROBLEM IN NANUET MEDICAL BUILDING INCREASING REVENUE ACCOUNT NO. 02-002774 AND APPROPRIATION ACCOUNT NO. B 8110-424 BY \$1,250.

Co. Maloney offered the following resolution:

WHEREAS, the County of Rockland has reimbursed the Town of Clarkstown \$1,250 on August 23, 1983 for a correction to a chronic sewer back-up problem in the Nanuet Medical Building, BE IT THEREFORE

RESOLVED, to increase Estimated Revenue Account No. 02-002774 and Appropriation Account No. B 8110-424 by \$1,250.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (788-1983)

DECREASING APPROPRIATION  
ACCOUNT NO. D 5110-382  
BY \$1,355 AND INCREASING  
APPROPRIATION ACCOUNTS  
D 5110-201 - \$450.00  
D 5110-307 - 279.00  
D 5110-313 626.00

TBM - 9/13/83  
Page - 26

RESOLUTION NO. (788-1983) Continued

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. D 5110-382 by \$1,355 and increase the following Appropriation Accounts:

D 5110-201	.....	\$450.00
D 5110-307	.....	279.00
D 5110-313	.....	626.00

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (789-1983)

DECREASING APPROPRIATION  
ACCOUNT NO. A 1110-307  
AND INCREASING APPROPRIATION  
ACCOUNT NO.  
A 1110-204 BY \$25.00

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 1110-307 and increase Appropriation Account No. A 1110-204 by \$25.00.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (790-1983)

INCREASING ESTIMATED  
REVENUE ACCOUNT NO.  
04-102999 AND APPROPRIATION  
ACCOUNT NO.  
D 5110-381 BY \$275,000.

Co. Maloney offered the following resolution:

RESOLVED, to increase Estimated Revenue Account No. 04-102999 and Appropriation Account No. D 5110-381 by \$275,000.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (791-1983)

DEDICATING BROOKLINE  
MANOR AND FILED AS  
FOLLOWS: BROOKLINE WAY  
675 L.F., BROOKLINE CIRCLE  
349 L.F., CRUM CREEK ROAD  
458 L.F.  
ACCEPTING MAINTENANCE BOND  
NO. 932815 DATED 15TH DAY  
OF JUNE BARD ROCK CORP. AS  
PRINCIPAL AND LEIF BERGSTOL  
AS CO-PRINCIPAL AND REPUB-  
LIC INS. CO. AS SURETY

Co. Holbrook offered the following resolution:

RESOLVED, that upon the recommendation of the Supt. of Highways, the Director of the Dept. of Environmental Control and the Town Attorney, deed from Bard Rock Corp. dated June 17, 1983, conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "Subdivision of Property for Brookline Manor, Town of

RESOLUTION NO. (791-1983) Continued

Clarkstown, Rockland County, New York" filed in the Rockland County Clerk's Office on June 23, 1981, in Map Book 97 at Page 20 as Map No. 5264, as follows:

BROOKLINE WAY	675 L.F.
BROOKLINE CIRCLE	349 L.F.
CRUM CREEK ROAD	458 L.F.

is hereby conditionally accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office, subject to the receipt by the Town Attorney of a duly executed Performance Agreement for Incomplete Items with escrow deposit providing for the completion and installation of the sidewalks, wearing course, monumentation, guide rail and top soil and seed behind the curbs; cleaning of manhole south of Lot #1; and be it

FURTHER RESOLVED, that Maintenance Bond No. 932815 dated the 15th day of June, 1983, Bard Rock Corp. as Principal and Leif Bergstol as Co-Principal, and Republic Insurance Company as Surety, is hereby accepted.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (792-1983)

GRANTING APPROVAL FOR A TURKEY SHOOT -VETERANS OF FOREIGN WARS POST #9215-WILLIS POLHEMUS POST, UPPER NYACK

Co. Carey offered the following resolution:

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

WHEREAS, the proposed Turkey Shoot is to be held on October 23rd and 30th, and on November 6th and 13th, 1983 with a rain date of November 20th, 1983;

NOW, THEREFORE, be it

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

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

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (793-1983)

AUTHORIZING SUB-SECTION OF TOWN LAW #280a RE ARC GROUP HOME, CONGERS

Co. Maloney offered the following resolution:

RESOLVED, that under the provisions of Section 280-a Subd. (2) of the Town Law and pursuant to the recommendations of the Director of Environmental Control and Superintendent of Highways, a building permit for the erection of a residence may be issued to Rockland Association for Retarded Children Homes for the Exceptional Co., Inc., for

RESOLUTION NO. (793-1983) Continued

property situate on the east side of Conger Avenue and west side of Harrison at the intersection of Lawrence Street in the hamlet of Congers, New York, more specifically designated on the Clarkstown Tax Map as Map 127, Block M, Lot 35, provided the owner shall be required prior to the issuance of such building permit to execute and record a Declaration of Restrictive Covenant which shall run with the land and which shall provide:

1. That the property owner shall acknowledge that no Town services consisting of maintenance, paving or snow removal shall be provided along Conger Avenue, Harrison Avenue or Lawrence Street which are presently shown as private streets.

2. That the property owner irrevocably agrees to participate in a road improvement district or districts for any frontage of said premises on any mapped street when and if required by the Town Board of the Town of Clarkstown.

3. That the property owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the property owner in any mapped street adjoining the premises to the designated street line to accomplish the widening of such street(s) to 50 feet in width.

4. Property owner shall cut and clear bushes which are overhanging onto Harrison Avenue from Howard Street to the entrance of this site for better sight distance.

5. Property owner shall fill potholes in Harrison Avenue from Howard Street to the entrance of the site.

6. Any deed of conveyance for the subject premises shall recite that the conveyance is subject to the Declaration of Covenant provided herein.

7. That the Certificate of Occupancy issued for said premises be conditioned upon observance and subject to the Declaration of Covenant provided for herein.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO.(794-1983)

AUTHORIZING CHANGE ORDER  
FOR J. FLETCHER CREAMER  
ON DRAINAGE CONTRACT,  
BARDONIA

Supervisor Dusanenko offered the following resolution:

WHEREAS, on 4/26/83 the Town of Clarkstown entered into a contract with J. Fletcher Creamer & Son, Inc. for the Mill Stream Improvement Project,

WHEREAS, it is recommended by the Director of the Department of Environmental Control that a change order and extra be executed for \$25,455. for concrete curbing and sidewalk, overtime payment for weekend work, modification to inlet structure, additional excavation and filling on the Coyne Property, and for additional work in replacing a deteriorating culvert on Bardonia Road in accordance with plans prepared by the Department of Environmental Control;

RESOLUTION NO. (794-1983) Continued

NOW, THEREFORE, be it resolved that the Director of Environmental Control is hereby authorized to execute a change order and extra for the above at a cost not to exceed \$25,455. and

FURTHER RESOLVED, that the money be taken from the Drainage Bond.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (795-1983)

AUTHORIZING TOWN ATTORNEY TO RETAIN APPRAISER FOR LEDERLE-OWNED LANDS IN THE VICINITY OF NANUET TRAIN STATION

Supervisor Dusanenko offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to obtain the services of an appraiser in connection with the proposed lease or acquisition of property located near the Nanuet Railroad Station owned by the American Cyanamid Company (Lederle Labs) and designated on the Clarkstown Tax Map as Map 13, Block D, Lot 23.01, for use as a commuter parking lot, and be it

FURTHER RESOLVED, that the expenses for the above shall be charged to Account No. 1420-409.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (796-1983)

RESCHEDULING PUBLIC HEARING MF-1, MF-2, MF-3 AND R-160 ZONING DISTRICTS

Co. Lettre offered the following resolution:

RESOLVED, that the public hearing scheduled for September 27, 1983, at 8:30 P.M., to consider designating certain parcels as recommended by the Clarkstown Planning Board as being within the newly created MF-1, MF-2 and MF-3 and R-160 Zoning Districts is hereby rescheduled to October 3, 1983, at 8:30 P.M., in the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (797-1983)

INSTALLING FIRE HYDRANTS  
1 FIRE HYDRANT ON THE WEST SIDE OF SASSON TERRACE,  
1 HYDRANT ON THE NORTH SIDE OF EMERALD DRIVE  
INVESTIGATION NO. 9333.

Co. Carey offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Company is hereby authorized to install one (1) fire hydrant on the West side of Sasson Terrace, approximately 280 feet north of the centerline of Emerald Drive and one (1) hydrant on the North side of Emerald Drive, approximately 270 feet east of the centerline of Sasson Terrace, Valley Cottage. Investigation number 9333.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

TBM - 9/13/83  
Page 30

RESOLUTION NO. (798-1983)

INSTALLING FIRE HYDRANT  
ON THE WEST SIDE OF BANDY  
LAKES APARTMENT PARKING  
LOT

Co. Carey 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 one (1) fire hydrant on the West side of Bandy Lakes Apartments parking lot, approximately 180 feet east of the centerline of New York State Highway Route No. 303, Congers. Investigation number 9338.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (799-1983)

INSTALLING FIRE HYDRANT  
ON THE NORTH SIDE OF CRUM  
CREEK ROAD

Co. Carey offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Company is hereby authorized to install one (1) fire hydrant on the North side of Crum Creek Road, approximately 50 feet west of the centerline of Cricket Court, New City. Investigation #9411.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (800-1983)

INSTALLING FIRE HYDRANT  
ON THE WEST SIDE OF  
LOWERRE PLACE

Co. Carey offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Company is hereby authorized to install one (1) fire hydrant on the West side of Lowerre Place, approximately 345 feet south of the center line of Lowerre Place, Valley Cottage, where the existing main terminates. Investigation #9367.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (801-1983)

ACCEPTING REGULAR TOWN  
BOARD MINUTES OF AUGUST  
9, 1983

Co. Carey offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board Meeting of August 9, 1983, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (802-1983)

AUTHORIZING TOWN ATTORNEY  
TO DEFEND A PROCEEDING -  
DOMINICK SORBARA

Co. Holbrook offered the following resolution:

RESOLUTION NO. (802-1983) Continued

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

DOMINICK SORBARA,

Petitioner,

-against-

THE ZONING BOARD OF APPEALS OF THE TOWN OF CLARKSTOWN AND  
THE BUILDING INSPECTOR OF THE TOWN OF CLARKSTOWN

Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (803-1983)

ACCEPTING PROPOSAL FROM  
O & R FOR STREET LIGHTING  
AT WAKEFIELD ESTATES II  
(UNDERGROUND SUBDIVISION,  
VALLEY COTTAGE)

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 location:

Wakefield Estates II (Underground Subdivision, Valley Cottage).

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (804-1983)

GRANTING CERTIFICATE OF  
REGISTRATION - LANDWOOD  
EXCAVATING CORP. (TERRY  
J. WOLF)

Co. Holbrook offered the following resolution:

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 83-65 of the Code of the Town of Clarkstown:

LANDWOOD EXCAVATING CORP.  
TERRY J. WOLF  
78 Monsey Heights  
Monsey, New York 10952

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 83-16 issued to Landwood Excavating Corp. (Terry J. Wolf )

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (805-1983)

APPOINTING LORRAINE WEIGOLD,  
SENIOR STENOGRAPHER, JUSTICE  
DEPARTMENT

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Senior Stenographer #83079A which contains the name of Lorraine Weigold,

Now, therefore, be it

RESOLVED, that Lorraine Weigold, 8 Greendale Road, New City, New York, is hereby appointed to the permanent position of Senior Stenographer - Town Justice Department - at the annual 1983 salary of \$15,657., effective and retroactive to August 29, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (806-1983)

ACCEPTING THE RESIGNATION  
OF STEPHEN HLUBIK, PART-  
TIME BUS DRIVER, MINI TRANS  
EFFECTIVE AND RETROACTIVE  
TO AUGUST 18, 1983

Supervisor Dusanenko offered the following resolution:

RESOLVED, that the resignation of Stephen Hlubik, 5 Orchard Avenue, New City, New York - part-time Bus Drive Mini Trans Department - is hereby accepted - effective and retroactive to August 18, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (807-1983)

APPOINTING ELVIN L. SWIFT  
TO THE POSITION OF PART-  
TIME BUS DRIVER - MINI  
TRANS EFFECTIVE AND RETRO-  
ACTIVE TO SEPTEMBER 8, 1983

Supervisor Dusanenko offered the following resolution:

RESOLVED, that Elvin L. Swift, 19 Palmer Avenue, Nanuet, 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 September 8, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (808-1983)

APPOINTING RALPH MOCHI,  
ASSISTANT AUTOMOTIVE MECHANIC -  
MINI TRANS - EFFECTIVE  
AND RETROACTIVE TO  
AUGUST 26, 1983

Supervisor Dusanenko offered the following resolution:

RESOLVED, that Ralph Mochi, 145 Old Haverstraw Road, Congers, New York, is hereby appointed to the position of Assistant Automotive Mechanic - Mini Trans Department - at the annual 1983 salary of \$13,479., effective and retroactive to August 26, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (809-1983)

APPOINTING JAMES WOODLEY  
TO THE POSITION OF LABORER,  
SANITARY LANDFILL  
EFFECTIVE AND RETROACTIVE  
TO SEPTEMBER 9, 1983

Supervisor Dusanenko offered the following resolution:

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

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (810-1983)

CREATING ENGINEERING  
TECHNICIAN POSITION - DEPT.  
OF ENVIRONMENTAL CONTROL  
EFFECTIVE AND RETROACTIVE  
TO AUGUST 25, 1983

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified  
on August 15, 1983 that the Engineering Technician position - Depart-  
ment of Environmental Control can be created,

NOW, therefore, be it

RESOLVED, that the Engineering Technician position Depart-  
ment of Environmental Control - is hereby created, effective and  
retroactive to August 25, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (811-1983)

CREATING STENOGRAPHER  
POSITION PARKS AND REC-  
REATION - CREATED, EFFECTIVE  
SEPTEMBER 14, 1983

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified  
on August 29, 1983 that the Stenographer position - Recreation  
Department - can be created,

Now, therefore, be it

RESOLVED, that the Stenographer position - Recreation Depart-  
ment - is hereby created, effective September 14, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (812-1983)

APPOINTING PAUL TEVNAN  
TO THE POSITION OF COURIER -  
SUPERVISOR'S OFFICE -  
EFFECTIVE AND RETROACTIVE  
TO AUGUST 21, 1983

Supervisor Dusanenko offered the following resolution:

RESOLUTION NO. (812-1983) Continued

RESOLVED, that Paul Tevnan, 14 Foxcroft Drive, Nanuet, New York is hereby appointed to the position of Courier - Supervisor's Office - at the 1983 annual salary of \$9,300., effective and retroactive to August 21, 1983.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (813-1983) CREATING FIVE REAL PROPERTY DATA COLLECTOR POSITIONS - ASSESSOR'S OFFICE EFFECTIVE AND RETROACTIVE TO SEPTEMBER 1, 1983

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 29, 1983, that five (5) Real Property Data Collector positions - Assessor's Office - can be created,

Now, therefore, be it

RESOLVED, that the five (5) Real Property Data Collector positions - are hereby created, effective and retroactive to September 1, 1983 and will expire on June 1, 1984 after the Town completes a re-evaluation of all Town properties.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (814-1983) APPOINTING ROBYN FEIBUSCH PART-TIME COUNSELING ASSISTANT - COUNSELING CENTER, EFFECTIVE AND RETROACTIVE TO AUG. 17, 1983.

Supervisor Dusanenko offered the following resolution:

RESOLVED, that Robyn Feibusch, 224 A Strawtown Road, New City New York is hereby appointed to the position of part-time Counseling Assistant - Counseling Center - at the hourly rate of \$6.00 - effective and retroactive to August 17, 1983.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (815-1983) CREATING PART-TIME POSITION-MINI TRANS DEPARTMENT-EFFECTIVE AND RETROACTIVE TO SEPTEMBER 12, 1983

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on September 1, 1983, that the part-time Typist position - Mini Trans Department - can be created,

Now, therefore, be it

RESOLVED, that the part-time Typist position - Mini Trans Department - is hereby created, effective and retroactive to September 12, 1983.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (816-1983)

APPOINTING JEAN HICKEY,  
TO THE POSITION OF PART-  
TIME TYPIST -MINI TRANS  
DEPARTMENT, EFFECTIVE AND  
RETROACTIVE TO SEPTEMBER  
12, 1993

Supervisor Dusanenko offered the following resolution:

RESOLVED, that Jean Hickey, 29 Short Hill Road, New City,  
New York is hereby appointed to the position of part-time Typist -  
Mini Trans Department - at the hourly rate of \$4.45, effective and  
retroactive to September 12, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (817-1983)

RECLASSIFYING - (L.F.T.)  
DOG CONTROL OFFICER POSITION  
TO FULL-TIME. EFFECTIVE AND  
RETROACTIVE TO SEPTEMBER  
12, 1983

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified,  
by letter of August 18, 1983, that the less-than-full-time Dog Control  
Officer position - can be reclassified to a full-time position,

NOW, therefore, be it

RESOLVED, that the less-than-full-time Dog Control Officer  
position - Police Department - is hereby reclassified to a full-time  
position, effective and retroactive to September 12, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (818-1983)

CREATING RADIO POSITION -  
POLICE DEPARTMENT -  
EFFECTIVE AND RETROACTIVE  
TO AUGUST 1, 1983

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified  
on July 28, 1983 that the position of Radio Operator can be created,

now, therefore be it

RESOLVED, that the position of Radio Operator - Police Depart-  
ment - is hereby created, effective and retroactive to August 1, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (819-1983)

APPOINTING STEVEN MORGAN,  
POLICE OFFICER, POLICE  
DEPARTMENT, EFFECTIVE AND  
RETROACTIVE TO SEPTEMBER  
12, 1983

Supervisor Dusanenko offered the following resolution:

TBM - 9/13/83  
Page 36

RESOLUTION NO. (819-1983) Continued

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Officer #80150 which contains the name of Steven Morgan,

now, therefore, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Steven Morgan, 23 Frederic Street, Nanuet, New York is hereby appointed to the position of Police Officer - Police Department - at the annual salary of \$21,247, effective and retroactive to September 12, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (820-1983)

APPOINTING JAMES LANDRY,  
TO THE POSITION OF POLICE  
OFFICER, EFFECTIVE AND  
RETROACTIVE TO SEPTEMBER  
12, 1983

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Officer #80150 which contains the name of James Landry,

now, therefore, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, James Landry, 168 Foxwood Road, West Nyack, New York is hereby appointed to the position of Police Officer - Police Department - at the annual salary of \$21,247, effective and retroactive to September 12, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (821-1983)

APPOINTING ROBERT MAHON,  
TO THE POSITION OF POLICE  
OFFICER, POLICE DEPARTMENT,  
EFFECTIVE AND RETROACTIVE  
TO SEPTEMBER 12, 1983

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Officer #80150 which contains the name of Robert Mahon,

now, therefore, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Robert Mahon, 11 Heather Lane, West Nyack, New York is hereby appointed to the position of Police Officer - Police Department - at the annual salary of \$21,247, effective and retroactive to September 12, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (822-1983)

APPOINTING JOHN TOBIN,  
POLICE OFFICER, #80150, POLICE  
DEPARTMENT, EFFECTIVE AND  
RETROACTIVE TO SEPTEMBER  
12, 1983

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Officer #80150 which contains the name of John Tobin,

now, therefore, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, John Tobin, 33 Benson Avenue, West Nyack, New York is hereby appointed to the position of Police Officer - Police Department - at the annual salary of \$21,247, effective and retroactive to September 12, 1983.

Seconded by Councilman Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (823-1983)

APPOINTING GEORGE O'SHEA  
POLICE LIEUTENANT #80071A,  
POLICE DEPARTMENT, EFFEC-  
TIVE AND RETROACTIVE TO  
SEPTEMBER 12, 1983

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Lieutenant #80071A which contains the name of George J. O'Shea,

now, therefore, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, George J. O'Shea, 20 Highland Avenue, West Nyack, New York is hereby appointed to the position of Police Lieutenant - Police Department - at the annual base salary of \$37,856, effective and retroactive to September 12, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (824-1983)

APPOINTING WILLIAM SHERWOOD  
#81042A, POLICE SERGEANT,  
POLICE DEPARTMENT, EFFECTIVE  
AND RETROACTIVE TO SEPTEMBER  
12, 1983

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Sergeant #81042A which contains the name of William Sherwood,

now, therefore, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, William Sherwood, 160 Laurel Road, New City, New York is hereby appointed to the position of Police Sergeant - Police Department - at the base salary of \$33,501, effective and retroactive to September 12, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

TBM - 9/13/83  
Page 38

RESOLUTION NO. (825-1983)

APPOINTING GARY SMITH,  
POLICE SERGEANT #81042A  
POLICE DEPARTMENT, EFFEC-  
TIVE AND RETROACTIVE TO  
SEPTEMBER 12, 1983

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Sergeant #81042A which contains the name of Gary Smith,

now, therefore, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Gary Smith, RD #2, Riley Road, Newburgh, New York is hereby appointed to the position of Police Sergeant - Police Department - at the base salary of \$33,501, effective and retroactive to September 12, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (826-1983)

PROMOTING SERGEANT  
JANICE ROGAN TO THE  
POSITION OF DETECTIVE  
SERGEANT, POLICE DEPART-  
MENT, EFFECTIVE AND  
RETROACTIVE TO SEPTEMBER  
12, 1983

Supervisor Dusanenko offered the following resolution:

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Sergeant Janice Rogan, 453 South Pascack Road, Spring Valley, New York is hereby promoted to the position of Detective Sergeant with the Clarkstown Police Department, effective and retroactive to September 12, 1983 at the annual base salary of \$35,428.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (827-1983)

PROMOTING OFFICER JOSEPH T.  
KNARICH TO THE POSITION OF  
DETECTIVE, POLICE DEPARTMENT,  
EFFECTIVE AND RETROACTIVE TO  
OCTOBER 10, 1983

Supervisor Dusanenko offered the following resolution:

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Officer Joseph T. Knarich, 411 Glen Avenue, Upper Nyack, New York is hereby promoted to the position of Detective with the Clarkstown Police Department, effective October 10, 1983, at the annual base salary of \$31,574.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (828-1983)

ACCEPTING RESIGNATIONS  
OF THE FOLLOWING CROSSING  
GUARDS: Maria Glaser,  
Milton Chambers, Denise  
Kunze, Margaret Kunz,  
Dorina E. Maraglino

RESOLUTION NO. (828-1983) Continued

Supervisor Dusanenko offered the following resolution:

RESOLVED, that the resignations of the following Crossing Guards - Police Department - are hereby accepted, effective and retroactive to July 1, 1983:

- Maria Glaser, 30 Burda Avenue, New City, New York
- Milton Chambers, 108 School Street, Nyack, New York
- Denise Kunz, 33 Mass. Avenue, Congers, New York
- Margaret Kunz, 113 North Grant Avenue, Congers, New York
- Dorina E. Maragliano, 109 School Street, Upper Nyack, New York

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (829-1983) APPOINTING CROSSING GUARDS  
TO THE POLICE DEPARTMENT  
EFFECTIVE AND RETROACTIVE  
TO SEPTEMBER 12, 1983:  
MARGARET C. COLSEY,  
ARISTO J. FONTANA

Supervisor Dusanenko offered the following resolution:

RESOLVED, that the following are hereby appointed to the position of Crossing Guards- Police Department - at the rate of \$5.00 per post covered, effective and retroactive to September 12, 1983:

- Margaret C. Colsey, 317 Front Street, Upper Nyack, N.Y.
- Aristo J. Fontana, 163 South Harrison Avenue, Congers, N.Y.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (830-1983) APPOINTING SUBSTITUTE  
CROSSING GUARD TO THE  
POLICE DEPARTMENT  
EFFECTIVE AND RETROACTIVE  
TO SEPTEMBER 12, 1983:  
Carol Novellina

Supervisor Dusanenko offered the following resolution:

RESOLVED, that Carol Novellina, 92 West Clarkstown Road New City, New York is hereby appointed to the position of Substitute Crossing Guard - Police Department - at the rate of \$5.00 per post covered, effective and retroactive to September 12, 1983.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (831-1983) APPOINTING RADIO OPERATOR  
#83011 TO THE POLICE  
DEPARTMENT EFFECTIVE AND  
RETROACTIVE TO AUGUST 29,  
1983: MARK DEIGHAN

Supervisor Dusanenko offered the following resolution:

RESOLUTION NO. (831-1983) Continued

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Radio Operator #83011 which contains the name of Mark Deighan,

now, therefore, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Mark Deighan, 2 Dover Road, Congers, New York is hereby appointed to the position of Radio Operator - Police Department - at the annual salary for 1983 of \$12,284, effective and retroactive to August 29, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (832-1983)

APPOINTING TO THE POSITION OF RADIO OPERATOR #83011, POLICE DEPARTMENT EFFECTIVE AND RETROACTIVE TO SEPTEMBER 12, 1983: PATRICK KIVLEHAN

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Radio Operator #83011 which contains the name of Patrick Kivlehan,

now, therefore, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Patrick Kivlehan, 177 Rose Road, West Nyack, New York is hereby appointed to the position of Radio Operator - Police Department - at the annual salary for 1983 of \$12,284, effective and retroactive to September 12, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (833-1983)

APPOINTING TO THE POSITION OF RADIO OPERATOR #83011, POLICE DEPARTMENT EFFECTIVE AND RETROACTIVE TO SEPTEMBER 12, 1983: RICHARD GELBMAN

Supervisor Dusanenko offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Radio Operator #83011 which contains the name of Richard Gelbman,

now, therefore, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Richard Gelbman, 160 North Main Street, New City, New York is hereby appointed to the position of Radio Operator - Police Department - at the annual salary for 1983 of \$12,284. effective and retroactive to September 12, 1983.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (834-1983)

DELETING LOT ON THE CLARKSTOWN TAX MAP AS MAP 35 BLOCK A, LOT 3, AND HEREBY DELETING FROM THE LIST TO BE CONSIDERED WITHIN THE NEWLY CREATED MF-1, MF-2, MF-3 AND R-160 ZONING DISTRICTS

Co. Holbrook offered the following resolution:

RESOLVED, that the lot designated on the Clarkstown Tax Map as Map 25, Block A, Lot 3, is hereby deleted from the list of parcels to be considered for designation as within the newly created MF-1, MF-2, MF-3 and R-160 Zoning Districts.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (835-1983)

DELETING LOT ON THE CLARKSTOWN TAX MAP AS MAP 112, BLOCK A, LOT 8 AND HEREBY DELETING FROM THE LIST OF PARCELS TO BE CONSIDERED FOR DESIGNATION WITHIN THE NEWLY CREATED MF-1, MF-2 MF-3 AND R-160 ZONING DISTRICTS AND REFERRED BACK TO CLARKSTOWN PLANNING BOARD FOR CONSIDERATION AS DESIGNATION WITHIN A RESIDENTIAL ZONE

Co. Holbrook offered the following resolution:

RESOLVED, that the lot designated on the Clarkstown Tax Map as Map 112, Block A, Lot 8, is hereby deleted from the list of parcels to be considered for designation as within the newly created MF-1, MF-2 MF-3 and R-160 Zoning Districts, and be it

FURTHER RESOLVED, that thislot be referred back to the Clarkstown Planning Board for consideration as designation within a residential zone.

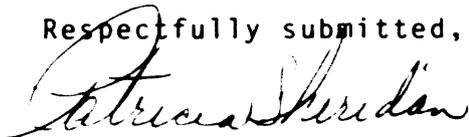
Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

There being no further business to come before the Town Board Meeting and no one further wishing to be heard, on motion of Councilman Holbrook and seconded by Councilman Maloney and unanimously adopted, the Town Board meeting was adjourned, time: 11:40 P.M.

Respectfully submitted,



PATRICIA SHERIDAN  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

9/13/83

10:20 P.M.

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

RE: INSTITUTING PROCEEDINGS FOR REMOVAL OF VIOLATIONS ON PREMISES  
OWNED BY ISIDORE KARTEN AND JULIA KARTEN

On motion Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the Public Hearing was declared open. Town Clerk turned this hearing over to Mr. John Costa, Town Attorney who stated that this public hearing was being held pursuant to Town Code, Chapter 31, Section 5 to deal withalleged conditions of premises owned by Julia and Isidore Karten located at Lake Road in Valley Cottage known and described in the Clarkstown Tax Map as Map 124, Block A, Lot 2. By resolution dated July 12, 1983 the Town Attorney was authorized to institute proceedings pursuant to Chapter 31 to bring about the removal of violations reported by the Building Inspector and Fire Inspector on these premises. Service of notice pursuant to the Town Code had to be made prior to August 1, 1983. By resolution dated September 1, 1983, the foregoing resolution was amended by service of the notice on or before September 1, 1983.

Notice was prepared and served on Julia and Isidore Karten which notice is on file in the Town Clerk's Office and the Rockland County Clerk's office together with an affidavit of service by Herbert Brill indicating that Julia and Isidore Karten were personally served on August 6, 1983.

At this point Supervisor Dusanenko declared a recess from 10:25 P.M. to 10:33 P.M.

Town Attorney swore in Mr. Mark Papenmeyer, Assistant Fire Inspector for the Town of Clarkstown.

Mr. Papenmeyer stated that these premises were commonly referred to as Joy Acres and were located on Lake Road in Valley Cottage. He stated that there had been a Chapter 31 hearing on these same premises in December 1980. This is a one-time summer bungalow which has since been vacated.

Mr. Papenmeyer stated that in July of this year two orders were issued to secure the buildings that were open and to remove a building that had been damaged by fire. These were issued to Julia and Isidore Karten, 32 Milton Place, Spring Valley, New York. On March 14, 1983 a reinspection of premises was made and there was evidence that these orders had not been complied with and therefore, on March 31, 1983 we requested that the Town Board institute a Chapter 31 proceeding. On May 12, 1983 a letter was directed to my office from the Town Attorney requesting a more detailed report on these premises. Orders marked as Exhibit No. 1.

On May 18, 1983 a reinspection was made at the Town Attorney's request and Mr. Papenmeyer entered further material. Town Attorney wanted Mr. Papenmeyer's report of May 18, 1983 noted as Exhibit No. 2. A map of the premises was also attached to this report and considered as a part of Exhibit No. 2.

Mr. Papenmeyer admitted photographs into evidence which were of the buildings located on the premises and these pictures show that the buildings were open and indicate considerable damage. Each picture is

Continued on Next Page

PH - 9/13/83  
Page 2

marked with a number which corresponds to the map mentioned previously. They are all dated May 18, 1983. Mr. Costa stated that these photos relate to the numbers on the map which is a part of the report and should be Exhibit No. 3. It was established that these photos were taken by Mr. William Fritz. In response to a query from Mr. Costa, Mr. Papenmeyer stated that all of these pictures were taken on May 18, 1983 in his presence.

Mr. Papenmeyer stated that on May 18, 1983 the buildings ranged from being unsecured to completely damaged by fire. Out of 59 buildings, 49 needed work to secure them. Many needed doors and windows boarded up to prevent entry as what had been done was not enough to prevent entry. One building is destroyed by fire and must be removed. It is structurally unsound and presents immediate hazard. This is Building No. 35. Two adjacent buildings were also damaged by fire and require additional work to be secured. All of the open buildings have been vandalized. There have been several fires over the last couple of years and two buildings have been completely destroyed. Four others are damaged. Unless these buildings are made secure further damage and arson will result. Open buildings are attractive to vagrants, trespassers, minors, etc. and pose a great risk to the community. Fire here could quickly spread and endanger the surrounding community. A nearby health facility could be endangered not only because of flames but also smoke. The risks to fire fighters need not be stated.

Town Attorney asked if these pictures and reports represent Mr. Papenmeyer's personal observations at the site. Mr. Papenmeyer answered affirmatively. Town Attorney asked if Mr. Papenmeyer was familiar with the contents of the report. Mr. Papenmeyer again answered affirmatively. Mr. Costa asked Mr. Papenmeyer if at this time he was prepared to reaffirm and swear to the contents of that report. Mr. Papenmeyer said, on that date, yes. Town Attorney asked if he wanted that report and the photos plus the notices to be placed as evidence before the Town Board. Mr. Papenmeyer again answered in the affirmative.

Town Attorney asked Mr. Papenmeyer if there had been any subsequent inspections of the site and Mr. Papenmeyer said that numerous reinspections had been made, the latest being this morning. As of this morning 90% to 95% of the buildings had been resecured. The building damaged by fire has been removed. At this time we are looking for complete compliance with the order that all buildings be secured.

Town Attorney asked if substantial compliance had been accomplished and Mr. Papenmeyer said work has been done but that there is still more work to be done. Mr. Costa asked for more specifics and Mr. Papenmeyer complied with the common names of the buildings but at this time could not call them by the numbers associated with the numbers on the map. He was able to locate some of them by number and did so.

Mr. Costa asked if the remaining conditions present a clear and present danger and Mr. Papenmeyer said that although the danger has been reduced due to the securing of many buildings there is still a danger. Mr. Costa asked what action Mr. Papenmeyer wanted the Town Board to take and Mr. Papenmeyer said he would like to see that the remaining buildings are secured and a stipulation that the owners of the property patrol their own property to make sure that these buildings remain secured. Back in 1980 a hearing was held, the buildings were secured but a few years later they were again unsecured and that led to tonight's proceedings.

Mr. Costa said to complete the record he would like Mr. Papenmeyer's credentials and these were supplied by Mr. Papenmeyer.

Mr. Costa asked if any members of the Town Board had questions for Mr. Papenmeyer. Questions were asked and Mr. Papenmeyer reiterated his previous answers. Notice served on the owners gives them

PH - 9/13/83  
Page 3

until some time in early October to complete the work. If the work is not completed Mr. Papenmeyer suggested that the Town Board pass a resolution authorizing the Building Inspector to secure these buildings.

Mr. Costa asked Mr. Papenmeyer if he were making any recommendations that buildings be removed from the premises and Mr. Papenmeyer said he was not. The only building he requested be removed has been removed.

Mr. Costa asked the Town Board to accept into evidence the exhibits presented. This was done.

At this time Mr. Shapiro, attorney for Mr. and Mrs. Karten appeared and stated that he objected to this hearing because it was not proper according to the Town of Clarkstown's own rules and it was premature. He said the notice received did not indicate from whom it came and it did not say it was from the Town Board. He said he thought it was ineffective notice, if at all.

He said as he understood Chapter 31 no hearing is authorized by the Town Board until after proper notice is served and the owners given thirty days to commence and sixty days to complete. No hearing may be authorized to be held until there is non-compliance. The only thing that can be established is that work has commenced and that should be the end of it for tonight. Let's see what happens after sixty days and determine then if we have to have another hearing. That is what Chapter 31 provides for and he did not think it provided for any other relief. He wanted the Town Board to comply with their own laws.

Supervisor Dusanenko asked if the owner was going to correct 100% of these violations on or before October 4th of this year. Mr. Shapiro said he imagined so but he had not seen the property for a number of months. He said that people have been working there for some time and they are still working there. He would assume that work will be completed on time. He also assumed that if 90% to 95% of the work had been completed that they will comply and finish the balance to be done. He again stated that a hearing at this time was premature.

Mr. Costa said that since this is an administrative proceeding the essentials for due process have been served. He said he would disagree with Mr. Shapiro's conclusion that the hearing is procedurally defective.

Supervisor Dusanenko said he would say that the spirit of the law had been maintained but not necessarily the letter of the ordinance. Mr. Costa said the proceedings are regular in the requirements of due process. Supervisor Dusanenko asked if it would be proper for us to pass the prepared resolution this evening. Mr. Costa said it would except the evidence does not fully support the wording. It was only a proposed resolution. A couple of words should be changed.

Mr. Shapiro said it was his understanding that there is now a resident caretaker on the premises which should, hopefully, stop some of the vandalism.

On motion of Councilman Lettre, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, time: 10:55 P.M.

ADOPTED: Resolution 754-1983

Respectfully submitted, ,

*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

9/13/83

10:57 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 - PELHAM MANOR TOO

On motion by Councilman Maloney, seconded by Councilman Holbrook 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 asked if a statement had been filed by the Director of Environmental Control pursuant to Section 194 of the Town Law. Town Clerk answered in the affirmative.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of the proposed extension.

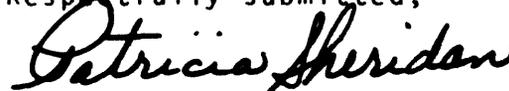
IN FAVOR: No one appeared

Supervisor Dusanenko asked if there was anyone wishing to be heard in opposition to the proposed extension.

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 closed, time: 11:00 P.M. ORDER SIGNED.

Respectfully submitted,



PATRICIA SHERIDAN  
Town Clerk