

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

11/22/83

8:27 P.M.

Present: Supervisor Dusanenko  
Councilmen Carey, Holbrook, Maloney (Co. Lettre on vacation)  
John Costa, Town Attorney  
Patricia Sheridan, Town Clerk

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

Supervisor Dusanenko said that in memory of John E. Allison, who served as a County Legislator there would be activities honoring him on December 7, 1983 by CANDLE and the Clarkstown Drug Abuse Prevention Council which activities will be known as Chemical People - a Nationwide Effort.

Supervisor Dusanenko declared the public portion of the meeting open at this time.

Appearance: Mary Van Wilson

Ms. Wilson stated that her parents own twenty-five acres next door to what is known as Camp Norge. She described the house on the property and stated that the house had become sort of a landmark for the whole neighborhood. It became a camp for children later on and then it deteriorated. She said that every day a little more of the structure is missing and now they are informed that the structure is to be taken down completely. She said there were some plans to use this structure and she hoped it could be preserved.

Appearance: Garnet Holland

Ms. Holland stated that she was addressing agenda item No. 17. She stated she had appeared last year at the Master Plan Hearing for Congers. She said she was concerned about laboratories coming in and the research being a danger to the children in the area. She felt if a change was to be made that it should be L10 or L0 with restrictions.

Appearance: Eileen (last name not clear)

She spoke regarding Item 17 also. She agreed with the previous speaker and was also concerned about possible noise in the area.

Appearance: Jack Cuff

Mr. Cuff spoke regarding Item 39. He was concerned that there are always appointments on the agenda and that our taxes will wind up as high as the county's. There should be a list of priorities to avoid tax increases. The services are the same now in the Town as they were five (5) years ago. Why are we hiring more people?

Appearance: Fred Rogoish, President  
New City Ambulance Corps.

Mr. Rogoish spoke regarding Colonial Operating Company and the zone change. He felt it would be destructive to the general welfare of the Town. He was concerned that the ambulance company would be unable to provide service to all of the residents of Clarkstown if the present growth continues. He stated that down zoning had been going on for over seventeen years.

Appearance: John Lodico  
New City, New York

Mr. Lodico had questions regarding the landfill and asked if the shopping center which he had read about in the paper and which

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was supposed to go in that area would include any land needed for our landfill.

Supervisor Dusanenko said the Town may or may not schedule a hearing for a change of zone that was asked for within the last week for a shopping center. Most of that area is zoned RS and some of it is zoned manufacturing. The petitioner is requesting a change from manufacturing to RS to make it possible for a shopping center. He said this would have to be discussed with Mr. Bollman, Director of Environmental Control to see if this is part of the Master Plan for the landfill.

Mr. Lodico said does it plan to utilize any of the 36.9 acres of the Besso tract which is presently being leased for a landfill operation.

John Costa, Town Attorney, stated that none of the Besso land is involved. The parcels in question are owned by Homer Lydecker of Nyack and is the portion closest to the intersection of Route 303 and Route 59 and property immediately to the west of that which is owned by Mr. Besso and perhaps others. This latter information was provided by Supervisor Dusanenko. He said that the other owner was known as JRDR Corporation but is not the parcel which Mr. Lodico questioned.

Mr. Lodico said he was not adverse to commercial ratables in our Town but he is adverse if the consideration might be a part of escalating the value of the land with a spoof proposal, which has happened in the past. He said hundreds of thousands of dollars had been lost in the past through just such a ploy.

Appearance: Bruce Cohen  
Treetop Circle  
Nanuet, New York

Mr. Cohen said he was there representing the residents of Treetops with regard to Item No. 37 on tonight's agenda. They were opposed to the setting of a public hearing re: modification of restrictive covenants - Kingsgate - until all of the information was in.

On motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted the Public Hearing re: Petition for Zone Change - R-22 to R-15 - Colonial Operating Company was opened, time: 8:45 P.M.

On motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing was closed, DECISION RESERVED, time: 9:20 P.M. - RETURN TO REGULAR TOWN BOARD MEETING.

RESOLUTION NO. (977-1983)

AMENDING RESOLUTION NO. 847-1983 RE: SECTION 280-a Subd. 2 RE: SUBDIVISION FOR MR. AND MRS. R. BRAUN - DECLARATION OF COVENANT

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 847-1983 is amended to read as follows:

RESOLVED, that under the provisions of Section 280-a Subd. 2 of the Town Law, and pursuant to the recommendation of the Director of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, a building permit for the erection of one one-family residence may be issued to Tempo Construction, Inc. for property situate

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in Congers, New York, more specifically designated as Lot 3 on a proposed subdivision map entitled "SUBDIVISION FOR MR. and MRS. R. BRAUN" prepared by Henry Horowitz, P.E., dated 1/31/83 last revised 11/1/83, upon receipt of final subdivision approval, provided the owner shall be required prior to the issuance of such building permit to execute and record a Declaration of Covenant which shall run with the land and shall provide:

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

2. 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 fronting the premises to the designated street line to accomplish the dedication of Grant Avenue to 50 ft. in width when and if required.

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

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

5. That the declarant acknowledges that no Town services including maintenance, paving or snow removal shall be provided along Grant Avenue.

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (978-1983)

AUTHORIZING ATTENDANCE AT  
CONFERENCE ON STATE ENVIRON-  
MENTAL QUALITY REVIEW ACT  
(BOLLMAN AND KALARICKAL)  
CHARGE APPROPRIATION  
ACCOUNT NO. A 1010-414

Co. Carey offered the following resolution:

RESOLVED, that Leslie F. Bollman, Director, and Kurian L. Kalarickal, Deputy Director of the Department of Environmental Control of the Town of Clarkstown, are hereby authorized to attend a conference on the State Environmental Quality Review Act to be held at Pace University School of Law, White Plains, New York on February 14, 1984, and be it

FURTHER RESOLVED, that all proper charges be charged against appropriation account No. A 1010-414.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (979-1983)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO PERFORM  
NECESSARY REPAIRS (DARA  
COURT OFF STRAITOWN ROAD,  
WEST NYACK)

Co. Maloney offered the following resolution:

RESOLVED, that the Superintendent of Highways is hereby authorized to perform the necessary repairs to a private right-of-way

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RESOLUTION NO. (979-1983) Continued

on Dara Court, off Strawtown Road, in the Hamlet of West Nyack, which repairs are necessary to restore the pavement damaged when corrective drainage work was done in the vicinity.

Seconded by Supv. Dusanenko All voted Aye.

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RESOLUTION NO. (980-1983) SETTING PUBLIC HEARING FOR EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1 TO INCLUDE VILLAGE GREEN - PROJECT #7322

Co. Maloney offered the following resolution:

WHEREAS, a written Petition dated November 3, 1983 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

(Description on File in Town Clerk's Office)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 27th day of December, 1983, at 8:00 P.M. EST to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Carey All voted Aye.

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RESOLUTION NO. (981-1983) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR WORK UNIFORMS

Co. Maloney offered the following resolution:

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

BID #7 - 1984  
WORK UNIFORMS

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, December 15, 1983 at which time bids will be opened and read, and be it

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

Seconded by Supv. Dusanenko All voted Aye.

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RESOLUTION NO. (982-1983)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE FOR  
BIDS FOR CRUSHED STONE

Co. Maloney offered the following resolution:

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

BID #6 - 1984  
CRUSHED STONE

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, December 13,  
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 Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (983-1983)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE FOR  
BIDS FOR PAPER & PLASTIC  
SUPPLIES

Co. Maloney offered the following resolution:

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

BID #4 - 1984  
PAPER & PLASTIC SUPPLIES

bids to be returnable to the Office of the Director of Purchasing,  
10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, December  
12, 1983 at which time bids will be opened and read, and be it

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

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (984-1983)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE  
FOR BIDS FOR ATHLETIC &  
RECREATION SUPPLIES

Co. Maloney offered the following resolution:

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

BID #3 - 1984  
ATHLETIC & RECREATION 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 Friday, December 16,  
1983 at which time bids will be opened and read, and be it

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RESOLUTION NO. (984-1983) Continued

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

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (985-1983)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR PRINTING OF TOWN STATIONERY AND ENVELOPES

Co. Maloney offered the following resolution:

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

BID # 5 - 1984  
PRINTING OF TOWN STATIONERY AND ENVELOPES

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, December 14, 1983 at which time bids will be opened and read, and be it

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

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (986-1983)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR VEHICLES

Co. Maloney offered the following resolution:

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

BID #77 - 1983  
VEHICLES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, December 19, 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 Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (987-1983)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR REPLACEMENT FLOORING FOR HALL OF JUSTICE BUILDING

Co. Maloney offered the following resolution:

RESOLUTION NO. (988-1983)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE  
FOR BIDS FOR FURNITURE -  
HIGHWAY DEPARTMENT

Co. Maloney offered the following resolution:

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

BID #79 - 1983  
FURNITURE - 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 Wednesday,  
December 21, 1983 at which time bids will be opened and read, and  
be it

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

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (989-1983)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO ERECT SIGNS  
"NO PARKING BETWEEN SIGNS"  
ONE EAST END OF ISLAND AND  
ONE WEST END OF ISLAND IN  
FRONT OF TOWN AND COUNTRY  
DELI, 331 WEST NYACK ROAD,  
WEST NYACK

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the  
Traffic and Traffic Fire Safety Advisory Board, the Superintendent  
of Highways is hereby authorized to erect signs to improve safety on  
West Nyack Road, West Nyack. Signs are to read, "No Parking Between  
Signs" and be erected as follows: one at the east end of the island  
and one at the west end of the island in front of the Town and Country  
Deli, 331 West Nyack Road, West Nyack.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (990-1983)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO ERECT SIGNS  
"NO PARKING ANYTIME" SOUTH  
SIDE WEST NYACK ROAD FROM  
UTILITY POLE 229 WEST TO  
UTILITY POLE 224 - PRESENT  
"NO PARKING SIGNS" TO BE  
REMOVED - INSTALL "NO PARKING  
HERE TO CORNER NORTH SIDE  
WEST NYACK ROAD

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic  
and Traffic Fire Safety Advisory Board, the Superintendent of Highways  
is hereby authorized to erect signs to read, "No Parking Anytime" to be  
installed on the south side of West Nyack Road from utility pole number  
229 west to utility pole number 224. The present "No Parking Between  
Signs" be removed, and

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RESOLUTION NO. (990-1983) Continued

FURTHER RESOLVED, that a sign reading "No Parking Here to Corner" be installed on the north side of West Nyack Road, 30 ft. east of Demarest Mill Road, West Nyack.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (991-1983)

AUTHORIZING PAYMENT OF \$1,500.00 FOR APPRAISAL SERVICES (MAP 33, BLOCK B, LOT 20.0502) (CORNELIUS P. MAHON ASSOCIATES)

Co. Maloney offered the following resolution:

RESOLVED, that the sum of \$1,500.00 be paid to Cornelius P. Mahon Associates for appraisal services rendered for property known and designated as Map 33, Block B, Lot 20.0502.

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (992-1983)

DECREASING APPROPRIATION ACCOUNT B 8110-324 AND INCREASING APPROPRIATION ACCOUNT NO. B 8110-219

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. B 8110-324 and increase Appropriation Account No. B 8110-219 by \$1,000.00.

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (993-1983)

DECREASING APPROPRIATION ACCOUNT B 3620-409 AND INCREASING APPROPRIATION ACCOUNT NO. B 3620-379 (BUILDING DEPARTMENT)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. B 3620-409 and increase Appropriation Account No. B 3620-379 by \$275.00.

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (994-1983)

DECREASING APPROPRIATION ACCOUNT NO. A 3010-209 AND INCREASING APPROPRIATION ACCOUNT NO. A 1620-408 (MAINTENANCE)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 3010-209 and increase Appropriation Account No. A 1620-408 by \$4,500.00.

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (995-1983)

DECREASING APPROPRIATION  
ACCOUNT NO. A 1620-114 AND  
INCREASING APPROPRIATION  
ACCOUNT NO. A 1620-306 AND  
DECREASING APPROPRIATION  
ACCOUNT NO. A 1620-412 AND  
INCREASING APPROPRIATION  
ACCOUNT NO. A 1620-217  
(MAINTENANCE DEPARTMENT)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 1620-114 and increase Appropriation Account No. A 1620-306 by \$500.00, and be it

FURTHER RESOLVED, to decrease Appropriation Account No. A 1620-412 and increase Appropriation Account No. A 1620-217 by \$100.00.

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (996-1983)

INCREASE ESTIMATED REVENUE  
ACCOUNT NO. 04-102705 AND  
APPROPRIATION ACCOUNT NO.  
D 5110-381 (URANUS CORP. -  
RED HILL ESTATES AND  
COLONIAL VILLAGE)

Co. Maloney offered the following resolution:

WHEREAS, Uranus Corporation contributed \$5,794.00 for blacktopping to be done in the subdivisions of Red Hill Estates and Colonial Village,

NOW, THEREFORE, be it

RESOLVED, to increase Estimated Revenue Account No. 04-102705 and Appropriation Account No. D 5110-381 by \$5,794.00.

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (997-1983)

DECREASE APPROPRIATION  
ACCOUNT NO. A 1680-463 AND  
INCREASE APPROPRIATION  
ACCOUNT NO. A 1680-204  
(DATA PROCESSING)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 1680-463 and increase Appropriation Account No. A 1680-204 by \$275.00.

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (998-1983)

INCREASE APPROPRIATION  
ACCOUNT NO. A 1355-114 AND  
DECREASE APPROPRIATION  
ACCOUNT NUMBERS A 1355-203,  
A 1355-213, A 1355-366 AND  
A 1355-409(ASSESSOR)

Co. Maloney offered the following resolution:

RESOLUTION NO. (998-1983) Continued

RESOLVED, to increase Appropriation Account No. A 1355-114 by \$4,087.35 and decrease the following Appropriation Account Numbers:

A 1355-203.....	S	447.21
A 1355-213.....		1,000.00
A 1355-366.....		1,640.14
A 1355-409.....		1,000.00

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (999-1983)

DECREASING APPROPRIATION ACCOUNT NO. A 4210-114 AND INCREASING APPROPRIATION ACCOUNT NUMBERS: A 4210-201 AND A 4210-462 (COUNSELING)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 4210-114 by \$600.00 and increase the following Appropriation Account Numbers:

A 4210-201.....	\$250.00
A 4210-462.....	350.00

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (1000-1983)

DECREASING APPROPRIATION ACCOUNT NO. A 1110-327 AND INCREASING APPROPRIATION ACCOUNT NO. A 1110-111 (JUSTICE COURT)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 1110-327 and increase Appropriation Account No. A 1110-111 by \$500.00.

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (1001-1983)

INCREASING ESTIMATED REVENUE ACCOUNTS (VARIOUS) AND APPROPRIATION ACCOUNTS (VARIOUS) AND TRANSFERRING TO APPROPRIATION ACCOUNTS (VARIOUS)

Co. Maloney offered the following resolution:

RESOLVED, to increase Estimated Revenue Account No. 01-002012 and Appropriation Account No. A 7210-301 by \$5,600.00, and be it

FURTHER RESOLVED, to increase Estimated Revenue Account No. 01-002025 and Appropriation Account No. A 7180-113 by \$16,000.00, and be it

RESOLUTION NO. (1001-1983)

FURTHER RESOLVED, to increase Estimated Revenue Account No. 01-002025 and Appropriation Account No. A 7180-424 by \$4,000.00, and be it

FURTHER RESOLVED, to make the following transfers to the proper Appropriation Account Numbers:

<u>Amount</u>	<u>From</u>	<u>To</u>
\$ 510.00	7140-307	1621-424
15.00	7020-313	7020-411
225.00	7140-323	7140-222
1,000.00	7140-381	7140-382
200.00	7140-443	7140-407
500.00	7140-380	7140-412
1,600.00	7620-424	7140-462
2,000.00	7180-306	7141-306
46.00	7141-328	7141-380
150.00	7141-409	7141-412
2,100.00	7310-420	7141-424
82.00	7180-218	7180-219
1.00	7180-329	7180-319
800.00	7180-303	7180-380
100.00	7180-329	7180-383
80.00	7180-329	7180-404
600.00	7180-307	7180-407
2,200.00	7180-323	7180-408
2,000.00	7180-306	7180-462
30.00	7210-306	7210-219
765.00	7210-113	7210-319
170.00	7210-307	7210-407
75.00	7210-306	7210-430
600.00	7310-404	7310-409
900.00	7610-329	7610-222
500.00	7610-366	7610-306

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (1002-1983)

DECREASING APPROPRIATION  
ACCOUNT NO. A 1345-319 AND  
INCREASING APPROPRIATION  
ACCOUNT NOS. A 1345-423 AND  
A 1345-201

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 1345-319 by \$97.00 and to increase the following Appropriation Account Numbers:

A 1345-423.....\$20.00  
A 1345-201..... 77.00

Seconded by Supv. Dusanenko

All Voted Aye.

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RESOLUTION NO. (1003-1983)

TRANSFERRING FUNDS FROM  
VARIOUS APPROPRIATION  
ACCOUNTS

Co. Maloney offered the following resolution:

RESOLVED, that transfers be made from the Appropriation Account numbers as follows:

RESOLUTION NO. (1003-1983) Continued

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
\$ 3,000.00	D 5110-110	D 5110-111
884.00	D 5110-387	D 5110-204
2,885.00	D 5110-387	D 5110-219
2,000.00	D 5110-387	D 5110-313
140,000.00	D 5110-382	D 5110-331
3,500.00	D 5110-382	D 5110-383
15,000.00	D 5110-387	D 5110-408
5,000.00	D 5110-387	D 5110-413
59,503.00	D 5110-382	D 5110-443
14,000.00	D 5142-443	D 5140-379

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (1004-1983)

DECREASING APPROPRIATION  
ACCOUNT NO. B 3620-110 AND  
INCREASING APPROPRIATION  
ACCOUNTS B 3620-231 AND  
B 3620-204

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. B 3620-110  
by \$1,175.00 and increase the following Appropriation Account numbers:

B 3620-231..... \$275.00  
B 3620-204..... 900.00

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (1005-1983)

INCREASING APPROPRIATION  
ACCOUNT A 1640-209 AND  
DECREASING APPROPRIATION  
ACCOUNT A 1640-311 (FENCING  
BEHIND TOWN GARAGE)

Co. Maloney offered the following resolution:

WHEREAS, fencing is being constructed behind the Town Garage,  
NOW, THEREFORE, be it

RESOLVED, that Appropriation Account A 1640-209 be increased  
by \$5,400.00 and Appropriation Account A 1640-311 be decreased by  
\$5,400.00.

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (1006-1983)

AUTHORIZING ATTENDANCE AT  
CPR TRAINING SESSIONS  
(COHEN, MORITZ AND LANZONE)  
DECREASING APPROPRIATION  
ACCOUNT A 4210-110 AND  
INCREASING APPROPRIATION  
ACCOUNT A 4210-414

Co. Maloney offered the following resolution:

WHEREAS, the Division of Substance Abuse is requesting that  
one staff member on duty at the Counseling Center during all open hours  
have CPR and first aid training,

RESOLUTION NO. (1006-1983) Continued

NOW, THEREFORE be it

RESOLVED, that Ellen Cohen, Patricia Moritz and Joseph Lanzone are hereby authorized to attend the necessary training sessions on December 8th and 15th, and that Appropriation Account A 4210-110 be decreased by \$69.00 and Appropriation Account A 4210-414 be increased by \$69.00 to cover the cost of the training.

Seconded by Supv. Dusanenko

All voted Aye.

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RESOLUTION NO. (1007-1983)

AWARDING BID FOR FENCING AT TOWN GARAGE (EMERSON FENCE, INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Transit Operations Supervisor, the Chief of Police and the Director of Purchasing that:

BID # 61A-1983  
FENCING AT TOWN GARAGE

is hereby awarded to:

EMERSON FENCE, INC.  
10 Lincoln Blvd.  
Emerson, New Jersey 07630

per their low bid proposal of \$5,389.00.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1008-1983)

AWARDING BID FOR CONGERS CENTER ENERGY IMPROVEMENTS (ENERGY MANAGEMENT SYSTEMS, INC.)

Co. Maloney offered the following resolution:

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

BID #70A-1983  
CONGERS CENTER ENERGY IMPROVEMENTS

is hereby awarded to:

ENERGY MANAGEMENT SYSTEMS, INC.  
71 Smith Hill Road  
Monsey, New York 10952

as per their following low bid proposal

Project A: Damper Control \$2200  
Project B: Daylight Sensor \$3300

and be it

FURTHER RESOLVED, that this project shall be completed within 30 days as specified in proposal.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1009-1983)

AWARDING BID FOR UNIFORMS  
FOR CLARKSTOWN POLICE  
DEPARTMENT (BEST UNIFORMS  
CO., INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Chief of  
Police and the Director of Purchasing that:

BID #58A-1983  
UNIFORMS FOR CLARKSTOWN POLICE DEPARTMENT

is hereby awarded to:

BEST UNIFORMS CO., INC.  
18 West 18th Street  
New York, New York 10011

as per the following lowest proposal meeting specifications:

- 1. Shirts - long sleeve-winter @ \$ 26.75
- 2. Shirts - short sleeve-summer @ \$ 25.25
- 3. Trousers @ \$ 46.50
- 4. Caps - Winter @ \$ 17.10
- Summer @ \$ 17.95
- 5. Leather Jacket @ \$ 235.00
- 6A. Nylon Reefer(crossing Guard) @ \$ 99.00
- 6B. Wave Hat (crossing Guard) @ \$ 12.50
- 7. Dacron/wool Jacket @ \$ 116.00
- 8. Chevrons - Sergeant @ 2.50
- 9. Shirt Silver @ .40
- Gold @ .40

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1010-1983)

AWARDING BID FOR EMERGENCY  
LIGHTS AND SIRENS (JOHN  
JOVINO, CO., INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Chief  
of Police and the Director of Purchasing that:

BID #76-1983  
EMERGENCY LIGHTS AND SIRENS

is hereby awarded to:

JOHN JOVINO, CO., INC.  
655 Second Avenue  
Troy, New York 12182

as per the following lowest bid proposal meeting specifications:

- Smith & Wesson #8884-48" light bar with #867  
mounting bracket, #888-12' connector cable  
with take down lights-front and red flashers  
rear @ \$289.00
- #546 - 800 super siren with microphone @ \$184.00
- #627 - s/s 1000 speaker-100 watt @ \$125.00
- #582 - switch control center @\$ 69.00
- #590 - 50 amp circuit breaker @\$ 8.00

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1011-1983)

AWARDING BID FOR STATIONERY  
SUPPLIES (SUFFERN STATIONERY,  
INC.; NEW CITY STATIONERY;  
ORHAN PAPER & ENVELOPE CO.,  
INC.; ALLWIN STATIONERS;  
FERN OFFICE SUPPLIES, INC.;  
IBM CORP.; BOUTONS, INC.)

Co. Maloney offered the following resolution:

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

BID #1-1984  
STATIONERY SUPPLIES

is hereby awarded to the following suppliers as per schedule of prices  
on file in the Purchasing Dept.

SUFFERN STATIONERY, INC.  
68 Lafayette Avenue  
Suffern, New York 10901

NEW CITY STATIONERY  
87 Maple Avenue  
New City, New York 10977

ALLWIN STATIONERS  
15 E. Central Avenue  
Pearl River, New York 10965

FERN OFFICE SUPPLIES, INC.  
10 South Main Street  
Spring Valley, New York 10977

IBM CORP.  
1 Culver Road  
Dayton, New Jersey 08810

BOUTONS, INC.  
Route 59  
Spring Valley, New York 10977

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1012-1983)

AUTHORIZING AND DIRECTING  
SUPERVISOR TO EXECUTE SAVE  
HARMLESS AND INDEMNIFICATION  
AGREEMENT (ROCKLAND COACHES,  
INC.) - COMMUTER PARKING  
AT FORMER NANUET STAR THEATRE

Co. Holbrook offered the following resolution:

WHEREAS, Rockland Coaches, Inc., has agreed to originate one  
or more of its regularly scheduled bus routes to pick-up and carry  
commuters within the Town of Clarkstown from the recently established  
commuter parking lot located at Route 59, Nanuet, at the site of the  
former Nanuet Star Theatre, and

WHEREAS, the Town Board of the Town of Clarkstown wishes to  
indemnify and save harmless Rockland Coaches, Inc. from any liability  
resulting from the entrance of its vehicles upon said premises;

RESOLUTION NO. (1012-1983) Continued

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to execute a save harmless and indemnification agreement in a form satisfactory to the Town Attorney to indemnify and save harmless Rockland Coaches, Inc., from any liability accruing as a result of originating its buses at the commuter parking facilities described above during the terms of the license agreement between the Town of Clarkstown and the property owners, and be it

FURTHER RESOLVED, that the Town's insurance carrier be advised to issue appropriate certificates of insurance on behalf of Rockland Coaches.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1013-1983)

REFERRING ZONE CHANGE  
PETITION TO ROCKLAND COUNTY  
PLANNING BOARD AND CLARKSTOWN  
PLANNING BOARD (TERRA  
EQUITIES, INC.)

Co. Maloney offered the following resolution:

RESOLVED, that the application of Terra Equities Corp. for a change of zoning from RS &M District to RS District, on property located at the intersection of south side of Rte. 59 and west side of New York State Route 303 be referred to the Town Planning Board for report within 45 days pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board pursuant to Secs. 239-1 and 239-m of the General Municipal Law.

Seconded by Co. Carey

All voted Aye.

Supervisor Dusanenko asked Mr. Bollman, Director of Environmental Control if this zone change would have any impact upon the Landfill. Mr. Bollman said that right now they are just asking for a zone change which would have no impact at all. It would depend on what they plan to do there in the future but right now there would be no impact.

\* \* \* \* \*

RESOLUTION NO. (1014-1983)

REFERRING ZONE CHANGE  
PETITION TO ROCKLAND COUNTY  
PLANNING BOARD AND CLARKSTOWN  
PLANNING BOARD (TURNPIKE  
WOODS, INC.)

Co. Maloney offered the following resolution:

RESOLVED, that the application of Turnpike Woods, Inc., for a change of zoning from R-15 District to PO District, on property located in vicinity of Convent Road and Middletown Road, Nanuet, New York be referred to the Town Planning Board for report within 45 days pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board pursuant to Sections 239(1) and 239(m) of the General Municipal Law.

Seconded by Co. Carey

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1015-1983)

AUTHORIZING ATTENDANCE AT SEMINAR (COSTA, NOWICKI, CAVALLO, McDERMOTT, CONKLIN, MILICH AND FRITZ)- CHARGE TO ACCOUNT NO. 1010-414

Co. Carey offered the following resolution:

RESOLVED, that John A. Costa, Paul Nowicki, Eugene Cavallo, Pauline McDermott, Arthur Conklin, Adolph Milich and William Fritz are authorized to attend a Seminar on December 2, 1983, at Pace University School of Law, White Plains, New York for the sum of \$15.00 per person, and be it

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

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1016-1983)

AUTHORIZING ATTENDANCE AT TRI-STATE REGIONAL LEADERSHIP MEETING (SUPERINTENDENT OF RECREATION AND PARKS) TRANSFER OF FUNDS FROM APPROPRIATION ACCOUNT NO. A 7620-409 TO APPROPRIATION ACCOUNT 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that the Superintendent of Recreation and Parks is hereby authorized to attend a Tri-State Regional Leadership Meeting entitled "Open Space and Parks for the Year 2000 - Operations, Acquisition, Re-Adaptation" on November 22, 1983, in Tarrytown, New York, and be it

FURTHER RESOLVED, that expenses not to exceed \$25.00 be transferred from Appropriation Account A 7620-409 to Appropriation Account 1010-414.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (1017-1983)

AUTHORIZING ATTENDANCE AT TRANSPORTATION MEETING (JOSEPH LEWIS) - CHARGE TO APPROPRIATIONS ACCOUNT NO. A 1010-414

Co. Carey offered the following resolution:

RESOLVED, that Joseph Lewis, Director of Clarkstown Mini-Trans, is hereby authorized to attend a Transportation meeting in Albany, New York on November 15, 1983, and be it

FURTHER RESOLVED, that all proper expenses be charged against Appropriations Account No. A 1010-414.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1018-1983)

SETTING PUBLIC HEARING  
RE: PETITION FOR ZONE  
CHANGE (DEMARCO & HOGAN)

Co. Maloney offered the following resolution:

WHEREAS, DeMarco & Hogan Holding Co., has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described from LIO district to RS district;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York in the Town of Clarkstown, be rescheduled to the 24th day of January, 1984 at 8:00 P.M., relative to the proposed amendment; and it is

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

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

Councilman Holbrook asked about permitted uses in LIO. Supervisor Dusanenko gave the intent for three proposed resolutions (Item Numbers 17a, 17b and 17c). Councilman Holbrook said that with regard to R-15 the builder was proposing 100+ homes on this land - is that correct? If we change the zone that ends the homes - is that correct? Mr. Geneslaw said that was correct that the proposal was for 100+ homes. Mr. Geneslaw said if we changed the zone that would end development of the homes in the northerly portion but not in the southerly portion. Councilman Holbrook wanted to know why is the builder not objecting to that? He said he was playing the devil's advocate and looking for the rationale here. Mr. Geneslaw said the contract purchaser's primary objective was for R-15 and it is presently zoned that way.

Supervisor Dusanenko said that the contract purchaser would prefer to build all R-15 homes. When we had the joint Town Board - Planning Board Meeting last week we were all desirous, because of the Route 303-9W intersection which may be closed to emergency vehicles, to have a through road other than Lake Road from 9W to Route 303. Supervisor said he had discussed with the contract purchaser at that time and he was willing to do this. Mr. Geneslaw, Town Planner, said that if that were to be opposite Brenner Drive or in that vicinity and go through 9W we would more than likely have problems with the new home owners who would go in if it were built R-15. They would object most strenuously to truck traffic being detoured from 9W to Route 303 through residential streets. It was that point, more than any other that caused us to take option on this zone change at this time so that the person does not file for a site plan, etc. with the Planning Board and go ahead with the building of the homes. If we have a connecting road with R-15 it will be precluded for use by trucks and we will still be able to use it as a thoroughfare for new home owners and surrounding home owners.

Supervisor Dusanenko said that one of the concerns of the public was that they didn't want laboratories/offices. He asked Mr. Geneslaw if animal experiments, etc. would be allowed as a matter of right? Mr. Geneslaw said that in L0 and LIO this would be permitted. He said many other uses were also permitted in LIO such as auto repair, etc. not permitted in L0.

Supervisor Dusanenko asked if it was also correct that at the joint meeting it was suggested that the Town move to L10 even though it had expanded uses since the amount of minimum feet as a buffer would be far in excess of that of L0? This would keep it away from the school and away from existing homes or homes to be built.

Mr. Geneslaw said that the minimum in L10 would be 100,000 square feet and the minimum in L0 would be 200,000 square feet. Lots half the size could be created. He said he thought that in either case the buffer would be adequate.

Councilman Holbrook said that it seemed to him that if the contract purchaser filed for homes and we are moving to stop the homes that the builder would be very upset. Mr. Geneslaw said that the contract is subject to the R-15 zoning and he is purchasing it only if it remains R-15. If it does not then he will not bother with it. He may renegotiate if we change a portion to L0 or he may just drop his option to purchase. Supervisor Dusanenko stated that the contract purchaser is Israel Hershkowitz and he stated that Mr. Hershkowitz has no desire to build commercial facilities. He does not wish to purchase any land that is zoned commercially.

Councilman Carey stated that Mr. Hershkowitz had just built a commercial building in Bardonia and someone else mentioned that he is building another commercial building in the Town.

Supervisor Dusanenko said that Mr. Hershkowitz and his son had met with him shortly before the joint meeting of the Town Board and the Planning Board and their desire at that time was to build R-15 homes in that zone and have the zone remain R-15. Mr. Hershkowitz, who was present, answered in the affirmative. Supervisor Dusanenko said that Mr. Hershkowitz had stated that if the zoning were changed to L0 or L10 that he would not exercise his option to purchase that portion but would only build on the land which would remain R-15.

Appearance: Mr. William Hammeken

Mr. Hammeken said he represented the owners of the property. His wife is the daughter of Mr. Albert Lamborn. He said the zoning (R-15) had been in existence for several years. He said that they had come to an agreement with Mr. Hershkowitz to sell the land at R-15 because they had been paying taxes on the R-15 for many years and they would like to retain that zoning. He said that in talking with other homeowners in the area he discovered that they would like to keep it R-15 also. He wanted the Town Board to know that they would like to go ahead and honor the contract they have with Mr. Hershkowitz so that they could pay their back taxes.

Councilman Holbrook asked if they would be changing the road as well. Mr. Geneslaw said that the original suggestion was that it would start directly opposite Brenner Drive and swing to the northeast to Route 9W. The road pattern which Mr. Hershkowitz shows on his plan goes from Route 303 to Route 9W but much less directly. It is less likely that there would be through commercial traffic in that area. Councilman Holbrook noted that the commercial road would be located much further to the north and Mr. Geneslaw agreed.

Supervisor Dusanenko asked Mr. Geneslaw that if this remains R-15 (Mr. Hershkowitz plans to have a through road south of Brenner Drive) would that complete road be able to be built through the R-15 property whether it is owned by Mr. Lamborn, his heirs or some other party so that we can guarantee that there would be at least a connecting residential street between Route 9W and Route 303? The answer was yes. Supervisor Dusanenko asked Mr. Hershkowitz if he were willing to have that through road through a residential street? Mr. Hershkowitz said "Yes."

Mr. Geneslaw said it should be noted that the Department of Transportation of the State of New York will ultimately determine where an access road would be located on Route 303. He said he did not think they would object to a street going through. Supervisor Dusanenko said that going through would minimize the number of curb cuts or driveway

cuts if they were able to have a through street go completely through Route 9W to Route 303.

Supervisor Dusanenko said that if we make it commercial the following three resolutions should be adopted. If not they should adopt the official map and deny the zone change. Mr. Geneslaw said if you adopt the official map and deny the zone change you are going to create a commercial road through a residential area and that would not be desirable. We either adopt the zone change or leave it R-15.

Councilman Carey asked if it was going to be L0 or LI0. Mr. Geneslaw said the area to the north would be L0. If you go through all three steps it would be LI0.

Town Attorney John Costa said that agenda item 17(c) contains a blank for the Board to set a Public Hearing if it wants to set that tonight as well as refer it for study by the Planning Boards. That portion dealing with the Public Hearing will have to be taken care of now.

Councilman Carey inquired how much time the Planning Board would need and he was told 45 days.

Supervisor Dusanenko said that it appears that item 17a would be adopted which would change this area from R-15 to L0; adopt 17b which will have a commercial road from Route 303 to Route 9W through the newly designated L0 property and since L0 has limited use to have more use on the areas north of the Lakewood Elementary School; and to have a Public Hearing on the 24th of January to change if we do adopt the L0 zone to an LI0 district.

RESOLUTION NO. (1019-1983)

AMENDING ZONING ORDINANCE  
OF TOWN OF CLARKSTOWN  
(R-15 TO L0 MAP 142, BLOCK  
A, LOT 35 VIKING LANE AND  
MAP 128, BLOCK A, LOT 3  
VIKING LANE, CONGERS)

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 31st day of August, 1982, provided for a public hearing on the 20th day of September, 1982, at 8:00 P.M., or as soon thereafter as possible, to consider conforming amendments to the Zoning Ordinance of the Town of Clarkstown in connection with the implementation of the 1981 Update of the Master Plan of the Town of Clarkstown for the Hamlet of Congers, and

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

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and hereby is amended as follows:

Change from R-15 to L0 that portion of the lot designated on the Clarkstown Tax Map as Map 142, Block A, Lot 35 north of the northern end of Viking Lane and that portion of the lot designated on the Clarkstown Tax Map as Map 128, Block A, Lot 3 to the north of the north end of Viking Lane from Route 303 to the eastern boundary line of said lot and affecting the parcels designated on the Clarkstown Tax Map as Map 142, Block A, Lot 35 and Map 128, Block A, Lot 3.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (1020-1983)

AMENDING OFFICIAL MAP OF  
TOWN OF CLARKSTOWN  
(NEW ROAD FROM ROUTE 303,  
CONGERS, OPPOSITE BRENNER  
DRIVE TO ROUTE 9W)

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 31st day of August, 1982, provided for a public hearing on the 20th day of September, 1982, at 8:00 P.M., or as soon thereafter as possible, to consider conforming amendments to the Official Map of the Town of Clarkstown in connection with the implementation of the 1981 Update of the Master Plan of the Town of Clarkstown for the Hamlet of Congers, New York, and

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

NOW, THEREFORE, be it

RESOLVED, that the Official Map of the Town of Clarkstown be and hereby is amended as follows:

New road from Route 303, Congers, opposite Brenner Drive to Route 9W, starting opposite Brenner Drive and extending in a northeasterly direction meeting Route 9W, approximately 3,000 ft. south of the intersection of Routes 303 and 9W.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (1021-1983)

REFERRING ZONE CHANGE  
FROM LO DISTRICT TO L10  
DISTRICT IN CONGERS  
(VIKING LANE - MAP 142,  
BLOCK A, LOT 35 - MAP  
128, BLOCK A, LOT 3)

Co. Holbrook offered the following resolution:

WHEREAS, the Planning Board of the Town of Clarkstown had recommended to the Town Board certain zone changes for the Hamlet of Congers, which changes were in conformity to the Master Plan adopted by the Planning Board on October 14, 1981, and

WHEREAS, a public hearing was duly held by the Town Board on September 20, 1982, to consider certain recommended changes for the Hamlet of Congers, and

WHEREAS, the Town Board has, by resolution this date, adopted a zone change from R-15 District to L0 District, an area described as follows:

"Change from R-15 to L0 that portion of the lot designated on the Clarkstown Tax Map as Map 142, Block A, Lot 35 north of the northern end of Viking Lane and that portion of the lot designated on the Clarkstown Tax Map as Map 128, Block A, Lot 3 to the north of the north end of Viking Lane from Route 303 to the eastern boundary line of said lot and affecting the parcels designated on the Clarkstown Tax Map as Map 142, Block A, Lot 35 and Map 128, Block A, Lot 3, and

000330

RESOLUTION NO. (1021-1983) Continued

WHEREAS, the Town Board wishes to consider further amendment of this newly adopted LO District to the LIO District;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown will hold a public hearing on the 24th day of January, 1984, at 8:30 P.M., or as soon thereafter as possible, at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, to consider a change of zone from LO District to LIO District for property described above, and be it

FURTHER RESOLVED, that the further change of zone from LO District to LIO District be referred to the Planning Board of the Town of Clarkstown for report within 45 days pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board pursuant to Secs. 239 l and m of the General Municipal Law.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (1022-1983)

AUTHORIZING TOWN ATTORNEY TO DEFEND A PROCEEDING AGAINST THE TOWN OF CLARKSTOWN (WEINREB V. COLUCCI, MILICH AND LU-JAN HOME BUILDERS, INC.)

Co. Holbrook offered the following resolution:

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

In the Matter of the Application of

HYMAN WEINREB,

Petitioner,

For a Judgment Pursuant to Article 78 of the CPLR

-against-

GERALD D. COLUCCI, as the Building Inspector of the Town of Clarkstown, ADOLPH MILICH, as Deputy Building Inspector of Town of Clarkstown and LU-JAN HOME BUILDERS, INC.,

Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

Supervisor Dusanenko.....	Abstain
Co. Carey.....	Yes
Co. Holbrook.....	Yes
Co. Maloney.....	Yes

RESOLUTION NO. (1022-1983) Continued

Supervisor Dusanenko asked Town Attorney if this piece of property was immediately west of Mr. Weinreb's property. Town Attorney said that it was in the vicinity, he was not exactly sure of what direction, but that Mr. Weinreb is contesting the issuance of a building certificate on an alleged substandard lot. He said it came under the preexisting lot exception rule in the Town Code. It was issued by the Building Inspector. Supervisor Dusanenko said that the house would be built on a very narrow piece of land which curves to that west. Town Attorney John Costa said he believed that was correct.

\* \* \* \* \*

RESOLUTION NO. (1023-1983)

AUTHORIZING THE SUPERVISOR TO ACCEPT DECLARATION OF COVENANTS (MARRIOTT CORPORATION, SAMUEL J. HEYMAN- ROY ROGERS SITE PLAN - ROUTE 59 AND COLLEGE AVENUE, NANUET)

Co. Carey offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to accept the Declaration of Covenants between the Marriott Corporation, Samuel J. Heyman and the Town of Clarkstown, which covenants are applicable to the Roy Rogers Site Plan for property located on Route 59 and College Avenue, Nanuet, New York, and be it

FURTHER RESOLVED, that the Declaration of Covenants is accepted for recording in the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that this resolution is retroactive to November 15, 1983.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1024-1983)

AUTHORIZING RETURN OF PASSBOOK NO. 8-7809472 (WINDSOR ESTATES - MR. PHILIP WOLIKOW)

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control of the Town of Clarkstown, Passbook No. 8-7809472 in the amount of \$6,000.00 was furnished to the Town in connection with the dedication of the roads and improvements on July 13, 1982, in a subdivision known as Windsor Estates, is terminated and the Passbook released to the developer, Mr. Philip Wolikow.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1025-1983)

AUTHORIZING RETURN OF MAINTENANCE DEPOSIT (OLD MILL ACRES, SECTION II)

Co. Maloney offered the following resolution:

RESOLUTION NO. (1025-1983) Continued

RESOLVED, that upon the recommendation of the Department of Environmental Control of the Town of Clarkstown, Maintenance Bond secured by a Savings Certificate in the sum of \$16,000.00 furnished to the Town in connection with dedication of the road(s) and improvements on July 13, 1982, in a subdivision known as Old Mill Acres, Sec. II is terminated and the sum of \$16,000.00 released to the guarantor.

Seconded by Co. Holbrook All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1026-1983) AUTHORIZING DATA COLLECTORS TO UTILIZE PERSONAL VEHICLES (SUMS TO BE TAKEN FROM ACCOUNT NO. 1355-404)

Co. Holbrook offered the following resolution:

WHEREAS, the revaluation program requires that the data collectors conduct field inspection of all properties in the Town of Clarkstown, and

WHEREAS, there are not enough town vehicles to provide transportation for the data collectors;

NOW, THEREFORE, be it

RESOLVED, that the data collectors are hereby authorized to utilize their personal vehicles when town vehicles are not available and are to be reimbursed at the rate of \$5.00 per day, which sum shall be taken from Account No. 1355-404, and be it

FURTHER RESOLVED, that this resolution is retroactive to October 17, 1983.

Seconded by Co. Carey All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1027-1983) AUTHORIZING PLANNING BOARD TO APPLY TOWN LAW SECTION 281 (MARIANNE ESTATES)

Co. Maloney offered the following resolution:

WHEREAS, Jack D. Boswell & Associates, engineer for the applicant has made written application for the use of Town Law Section 281 in connection with a subdivision known as "Marianne Estates", and

WHEREAS, the Planning Board of the Town of Clarkstown recommends the approval of the use of Town Law Section 281 in connection with this subdivision, and

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law Section 281 is used in this subdivision as shown on a map entitled, "Subdivision Map (T.L. 281) of Marianne Estates" dated October 5, 1983, prepared by Jack D. Boswell & Associates in that it will provide for better layout and more usable lots, subject to the following conditions:

- 1. Applicant to install widening of pavement with berm along Long CLove Road in accordance with the requirements of the Department of Environmental Control and Planning Board.

RESOLUTION NO. (1027-1983) Continued

2. All drainage and grading be provided to the satisfaction of the Department of Environmental Control.

3. All other provisions of law be complied with.

NOW, THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law Section 281 in connection with the development of the property shown on the map described above and subject to the conditions set forth herein.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1028-1983)

AUTHORIZING SUPERVISOR TO ENTER INTO LEASE AGREEMENT WITH NEW PLAN REALTY TRUST FOR COMMUTER PARKING AT GRAND PLAZA/ROCKLAND PLAZA SHOPPING CENTER, NANUET

Co. Holbrook offered the following resolution:

WHEREAS, New Plan Realty Trust, owners of the contiguous shopping center located in Nanuet and known as the Grand Plaza/Rockland Plaza Shopping Center, have proposed the creation of a commuter parking lot in the rear of the shopping center in the vicinity of the Peddler's Mart Store, by a lease to run for a term of ten years without rent, provided that the Town of Clarkstown installs said parking lot at its cost;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is authorized to negotiate with the owners of the New Plan Realty Trust for a lease or license agreement as described above and the Supervisor of the Town of Clarkstown is hereby authorized and directed to enter into said agreement in a form satisfactory to the Town Attorney, which agreement shall provide that the Town of Clarkstown shall have the use of the property for a period of ten years without rent, and which agreement shall further provide that the Town of Clarkstown shall be obligated to expend no more than the sum of \$15,000.00 for the site work necessary to establish this commuter parking lot, and be it

FURTHER RESOLVED, that the sum of \$15,000.00 is hereby appropriated for the necessary construction, labor and materials, and that Appropriation Account No. D-5-110-381 be increased by the sum noted above.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1029-1983)

MEMORIALIZING RESOLUTION RE: MAINTAINING CURRENT TOLL PRICES ON METROPOLITAN BRIDGES AND TUNNEL CROSSINGS

Co. Maloney offered the following resolution:

RESOLUTION NO. (1029-1983) Continued

WHEREAS, the voters of New York State have recently approved the Rebuild New York Bond Issue, and

WHEREAS, two days after the passage of the bond issue the Port Authority of New York announced that tolls were being raised on Metropolitan bridges and tunnel crossings, and

WHEREAS, last summer the Governor raised the fees for licenses and registration of all motor vehicles in New York State to provide additional funds to rebuild the State's infrastructure, and

WHEREAS, in July, 1982 the Federal government increased our gasoline tax by \$.05 a gallon to build the Federal highway system, and

WHEREAS, the State of New York already charges tolls on the entire length of the Thruway system, with a portion of that money supposedly going to the State of New York, and

WHEREAS, the Clarkstown commuter and all commuters are constantly being forced to pay for the mistakes of their past elected representatives,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown memorializes the New York State Legislature to maintain the current level of tolls on the Tappan Zee Bridge and use all monies collected for their proper purposes instead of raiding one fund such as transportation to subsidize the huge deficit of the citizens of New York and other State-run social programs, and be it

FURTHER RESOLVED, that copies of this resolution be sent to Governor Cuomo, Lieutenant Governor DelBello, State Senator Linda Winikow, Assemblyman Robert Connor and all towns in Rockland County.

Seconded by Co. Carey

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1030-1983)

AUTHORIZING SUPERVISOR TO SIGN AGREEMENT WITH COUNTY OF ROCKLAND RE: CLARKSTOWN COUNSELING CENTER

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor is authorized to sign an agreement with the County of Rockland on behalf of the Clarkstown Counseling Center for the sum of \$60,859.00.

Seconded by Co. Carey

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1031-1983)

AUTHORIZING DIRECTOR OF ENVIRONMENTAL CONTROL TO PAY FOR ENGINEERING, SURVEYING CONSULTING AND INSPECTION SERVICES RE: MILL STREAM PROJECT (JACK D. BOSWELL AND ASSOCIATES)- CHARGE CAPITAL ACCOUNT DRAINAGE BOND PROJECT #25A

Co. Holbrook offered the following resolution:

RESOLUTION NO. (1031-1983) Continued

WHEREAS, Jack D. Bosell and Associates have performed the necessary engineering, surveying consulting and inspection services required to complete this project;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to pay Jack D. Boswell and Associates for these services an amount of \$4,350.00, and be it

FURTHER RESOLVED, that the sum of \$4,350.00 shall be charged to the Capital Accounts Drainage Bond Project #25A.

Seconded by Co. Maloney All voted Aye.  
(Please read comments at bottom)

\* \* \* \* \*

RESOLUTION NO. (1032-1983)

GRANTING PERMISSION  
TO CHAMBER OF COMMERCE  
TO USE TOWN OF CLARKSTOWN  
SHOWMOBILE FOR LIGHTING  
OF HOLIDAY LIGHTS ON MAIN  
STREET, NEW CITY

Co. Holbrook offered the following resolution:

WHEREAS, the Chamber of Commerce of New City has requested use of the Town of Clarkstown showmobile on Tuesday, November 29, 1983, for the lighting of holiday lights along Main Street in New City,

NOW, THEREFORE, be it

RESOLVED, that permission is hereby granted to the Chamber of Commerce of New City to use the Town of Clarkstown showmobile on Tuesday, November 29, 1983 for the above purpose subject to the provision of the necessary insurance policies.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1033-1983)

ACCEPTING PROPOSALS FROM  
ORANGE & ROCKLAND UTILITIES,  
INC. FOR STREET LIGHTING AT  
ROUTE 59, NANUET STAR  
THEATRE COMMUTER PARKING  
AREA, NANUET

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the Director 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:

Route 59, Nanuet Star Theatre commuter parking area - Nanuet

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

Comments on Resolution (1031-1983)

Town Attorney said this was sent to his office late on Friday and he had no back-up material. He has not finished his review of the agreement. Supervisor Dusanenko said he would not sign it until he had the Town Attorney's approval.

RESOLUTION NO. (1034-1983)

ACCEPTING PROPOSALS FROM  
ORANGE & ROCKLAND UTILITIES,  
INC., FOR STREET LIGHTING AT  
WOODWARD DRIVE AND NUTHATCH  
LANE, WEST NYACK - SEVEN  
OAKS LANE, NANUET - PINE-  
VIEW AVENUE, BARDONIA -  
WALDBERG AVENUE, CONGERS

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,

NOW, THEREFORE, be it

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

- |   |            |
|---|------------|
| Woodward Drive<br>overhead pole #1      | West Nyack |
| Nuthatch Lane<br>pole to be installed   | West Nyack |
| Seven Oaks Lane<br>pole to be installed | Nanuet     |
| Pineview Avenue<br>Pole #59280/40682    | Bardonia   |
| Waldberg Avenue<br>pole to be installed | Congers    |

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1035-1983)

ADOPTING AND ACCEPTING  
MINUTES OF REGULAR TOWN  
BOARD MEETINGS OF SEPTEMBER  
27TH AND OCTOBER 25TH, 1983

Co. Holbrook offered the following resolution:

RESOLVED, that that Minutes of the regular Town Board meetings of September 27th and October 25th, 1983, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Carey

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1036-1983)

REJECTING BIDS RECEIVED FOR  
UNIFORM MAINTENANCE SERVICE  
CLARKSTOWN POLICE DEPARTMENT  
AND AUTHORIZING DIRECTOR OF  
PURCHASING TO READVERTISE FOR  
BIDS FOR SAME

Co. Carey offered the following resolution:

RESOLUTION NO. (1036-1983) Continued

RESOLVED, that all proposals received for

BID #64-1983  
UNIFORM MAINTENANCE SERVICE  
CLARKSTOWN POLICE DEPARTMENT

are hereby rejected, and be it

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

BID #64A-1983  
Uniform Maintenance Service  
Clarkstown Police Department

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Thursday, December 22, 1983 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

Supervisor Dusanenko said the alternative right now is to remove the bridge at 9W and Route 303 and the Town is asking that the State take out of discretionary funds from the bond issue recently passed to please replace the bridge rather than removing the bridge and having another grade crossing with another traffic light at the intersection of Route 304 and 9W. It also asks to expedite the funds for the improvement of the 304/Germonds Road intersection and for the widening of Route 304 from Laurel Road to New City/Congers Road.

RESOLUTION NO. (1037-1983)

MEMORIALIZING RESOLUTION  
RE: REMOVAL OF BRIDGE AND  
INSTALLATION OF TRAFFIC  
CONTROL SIGNAL ALTERNATIVE  
AND REQUESTING ADDITIONAL  
FUNDS FOR IMPROVEMENT OF  
ROUTE 304/GERMONDS ROAD,  
BARDONIA AND WIDENING OF  
ROUTE 304 FROM LAUREL ROAD  
TO NEW CITY/CONGERS ROAD

Co. Holbrook offered the following resolution:

WHEREAS, the Transportation Bond Issue was passed, and

WHEREAS, there are supposedly unallocated funds within this bond issue, and

WHEREAS, Mr. H. I. Ginsberg, Bridge Engineer for the N.Y.S. Department of Transportation recommended alternate #3 for PIN Project 8043.39 regarding Route 9W over Route 303 NB, Rockland County, and

WHEREAS, the Town of Clarkstown feels this is not in the best interests of the health, safety and welfare of its residents to cause the removal of a bridge and the installation of a traffic control signal,

000338

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RESOLUTION NO. (1037-1983) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown requests that alternates #1 or #2 to reconsidered for this Project, and be it

FURTHER RESOLVED, that additional funds be provided for the improvement of the intersection of Route 304 and Germonds Road, Bardonia and the widening of Route 304 from Laurel Road to New City/Congers Road, and be it

FURTHER RESOLVED, that copies of this resolution be sent to Governor Cuomo, State Legislators and the N.Y.S. Department of Transportation (Mr. H. I. Ginsberg).

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1038-1983)

AUTHORIZING THE DEMOLITION OF CARETAKERS' DWELLING AT CHARLES B. DAVENPORT PRESERVE - TRANSFER OF FUNDS FROM MONEY-IN-LIEU-OF-LAND ACCOUNT TO THE PARKLANDS AND IMPROVEMENT ACCOUNT

Co. Carey offered the following resolution:

WHEREAS, an emergency situation exists due to the hazardous condition of the caretakers dwelling at the Charles B. Davenport Preserve, Saw Mill Road, New City,

NOW, THEREFORE, be it

RESOLVED, based upon the recommendation of the Building Inspector's Office and the Superintendent of Recreation and Parks, that the caretakers dwelling at the Charles B. Davenport Preserve be demolished as soon as possible, and

FURTHER RESOLVED, that the Town Comptroller is hereby authorized to transfer \$3,000.00 from the Money-in-Lieu-of-Land Account to the Parklands and Improvement Account for said demolition.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

There was some discussion regarding proposed Agenda Item No. 37 having to do with the Plan of Kingsgate. Supervisor Dusanenko stated that thus far no action has been taken. A public hearing is suggested for January 23rd, 1984 but the consensus is that no hearing be held until more information is assimilated. Councilman Holbrook stated that he was not ready to move on this until all information is received. Supervisor Dusanenko said until a full report comes in from the Planning Board, the Town Board is not ready to make any decision. Supervisor Dusanenko stated that this has been a big headache for all involved for many years and they would like to have it resolved as soon as possible.

\* \* \* \* \*

RESOLUTION NO. (1039-1983)

GRANTING CERTIFICATE OF  
REGISTRATION PURSUANT TO  
SECTION 83-65 OF CODE OF  
TOWN OF CLARKSTOWN  
(TARIGO)

Co. Maloney 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:

RONALD J. TARIGO  
5 Capral Lane  
New City, New York 10956

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration  
be issued:

No. 84-1 issued to Ronald J. Tarigo.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1040-1983)

CREATING POSITION OF  
REAL PROPERTY DATA  
CONTROLLER I - ASSESSOR'S  
OFFICE

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified  
on September 23, 1983 that the Real Property Data Controller I position  
can be created,

NOW, THEREFORE, be it

RESOLVED, that the Real Property Data Controller I position -  
Assessor's Office - is hereby created (Grade 19) effective and retro-  
active to October 24, 1983.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1041-1983)

APPOINTING (PROVISIONALLY)  
POSITION OF REAL PROPERTY  
DATA CONTROLLER I - ASSESSOR'S  
OFFICE (MARY CESTARO)

Co. Maloney offered the following resolution:

RESOLVED, that Mary Cestaro, 23 Beech Street, Nanuet, New  
York is hereby appointed (provisionally) to the position of Real  
Property Data Controller I - Assessor's Office - at the annual 1983  
salary of \$17,262.00, effective and retroactive to October 24, 1983.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1042-1983)

ACCEPTING RESIGNATION OF  
REAL PROPERTY DATA COLLECTOR  
(AIDE) - ASSESSOR'S OFFICE  
(GARY GROSSMAN)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Gary Grossman, 5 Cherrywood Drive, Goshen, New York - Real Property Data Collector (Aide) - Assessor's Office - is hereby accepted effective and retroactive to November 4, 1983.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1043-1983)

APPOINTING POSITION OF  
REAL PROPERTY DATA COLLECTOR  
(AIDE) (TEMPORARY) -  
ASSESSOR'S OFFICE (THOMAS  
ISENBEK)

Co. Maloney offered the following resolution:

RESOLVED, that Thomas Isenbek, 23 Sunrise Drive, Stony Point, New York is hereby appointed to the position of (temporary) Real Property Data Collector (Aide) - Assessor's Office - at the annual 1983 salary of \$9,300.00, effective and retroactive to October 27, 1983, for a period not to exceed six (6) months.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1044-1983)

APPOINTING POSITION OF  
REAL PROPERTY DATA COLLECTOR  
(AIDE) (TEMPORARY) -  
ASSESSOR'S OFFICE (MICHAEL  
SHEA)

Co. Maloney offered the following resolution:

RESOLVED, that Michael Shea, 7 Adam Place, New City, New York, is hereby appointed to the position of (temporary) Real Property Data Collector (Aide) - Assessor's Office - at the annual 1983 salary of \$9,300.00, effective and retroactive to November 21, 1983, for a period not to exceed six (6) months.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1045-1983)

APPOINTING POSITION OF  
REAL PROPERTY DATA COLLECTOR  
(AIDE) (TEMPORARY) -  
ASSESSOR'S OFFICE (BRIAN  
O'SULLIVAN)

Co. Maloney offered the following resolution:

RESOLVED, that Brian O'Sullivan, 5 Franklin Lane, New City is hereby appointed to the position of (temporary) Real Property Data Collector (Aide) - Assessor's Office - at the annual 1983 salary of \$9,300.00, effective and retroactive to November 10, 1983, for a period not to exceed six (6) months.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1046-1983)

ACCEPTING RESIGNATION OF  
BUS DRIVER - MINI-TRANS  
(JOHN MULLEN)

Co Maloney offered the following resolution:

RESOLVED, that the resignation of John Mullen, R.D. #4, Box 184A, Middletown, New York - Bus Driver - Mini-Trans Department - is hereby accepted, effective and retroactive to October 26, 1983.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1047-1983)

APPOINTING POSITION OF  
PART-TIME BUS DRIVER -  
MINI-TRANS DEPARTMENT  
(JEFFREY RION)

Co. Maloney offered the following resolution:

RESOLVED, that Jeffrey Rion, 66 Rosman Road, Thiells, New York is hereby appointed to the position of part-time Bus Driver - Mini-Trans Department - at the 1983 hourly rate of \$5.50 - effective and retroactive to November 14, 1983.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1048-1983)

APPOINTING POSITION OF  
PART-TIME BUS DRIVER -  
MINI-TRANS DEPARTMENT  
(NICHOLAS BUCCI)

Co. Maloney offered the following resolution:

RESOLVED, that Nicholas Bucci, 42 West Clarkstown Road, New City, New York is hereby appointed to the position of part-time Bus Driver - Mini-Trans Department - at the 1983 hourly rate of \$5.50 - effective and retroactive to November 14, 1983.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1049-1983)

ACCEPTING RESIGNATION OF  
COURIER - SUPERVISOR'S  
OFFICE (PAUL TEVNAN)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Paul Tevnan, 14 Foxcroft Drive, Nanuet, New York - Courier - Supervisor's Office - is hereby accepted - effective November 25, 1983.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1050-1983)

APPOINTING PERMANENT  
POSITION STOREKEEPER  
(AUTOMOTIVE) - TOWN GARAGE  
(JOHN YUDA)

Co. Maloney offered the following resolution:

RESOLUTION NO. (1050-1983) Continued

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Storekeeper (Automotive) #83113 which contains the name of John Yuda,

NOW, THEREFORE, be it

RESOLVED, that John Yuda, 62 Third Street, New City, New York, is hereby appointed to the (permanent) position of Storekeeper (Automotive) - Town Garage - at the annual 1983 salary of \$14,423.00, effective November 23, 1983.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1051-1983)

APPOINTING POSITION OF ASSISTANT BUILDING INSPECTOR - BUILDING DEPARTMENT (WILLIAM MAHONEY)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Assistant Building Inspector #83111, which contains the name of William Mahoney,

NOW, THEREFORE, be it

RESOLVED, that William Mahoney, 158 Massachusetts Avenue, Congers, New York, is hereby appointed to the position of Assistant Building Inspector - Building Department - at the annual 1983 salary of \$14,788.00, effective November 23, 1983.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1052-1983)

APPOINTING PERMANENT POSITION OF YOUTH EMPLOYMENT SERVICES ASSISTANT - COUNSELING CENTER (GRANT KONNO)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Youth Employment Services Assistant #83046 which contains the name of Grant Konno,

NOW, THEREFORE, be it

RESOLVED, that Grant Konno, 89 Grove Street, Pearl River, New York, is hereby appointed to the (permanent) position of Youth Employment Services Assistant - Counseling Center - at the annual 1983 salary of \$13,144.00, effective November 23, 1983.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1053-1983)

APPOINTING POSITION OF RECREATION LEADER - PARKS BOARD & RECREATION COMMISSION (MICHAEL McDONALD)

Co. Maloney offered the following resolution:

RESOLUTION NO. (1053-1983) Continued

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Recreation Leader #83065 which contains the name of Michael McDonald,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Parks Board & Recreation Commission, Michael McDonald, 7 Courtney Drive, New City, New York is hereby appointed to the position of Recreation Leader - Parks Board & Recreation Commission - at the annual salary of \$12,868.00, effective and retroactive to November 21, 1983.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1054-1983)

TRANSFERRING FROM POSITION OF CUSTODIAN I TO STORE-KEEPER (PERMANENT) - PARKS BOARD AND RECREATION COMMISSION (FRANK VOCE, SR.)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Storekeeper #82110 which contains the name of Frank Voce, Sr.,

NOW, THEREFORE, be it

RESOLVED, that Frank Voce, Sr., of 33 Parkside Drive, Congers, New York, is hereby transferred from the position of Custodian I to Storekeeper (permanent) - Parks Board and Recreation Commission - at the annual 1983 salary of \$12,868.00, effective and retroactive to November 14, 1983.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1055-1983)

APPOINTING POSITION OF STENOGRAPHER - PARKS BOARD AND RECREATION COMMISSION (EILEEN GRAY)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Stenographer #CR-2-83-42 which contains the name of Eileen Gray,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Parks Board and Recreation Commission, Eileen Gray, 42 Capral Lane, New City, New York is hereby appointed to the position of Stenographer - Parks Board and Recreation Commission - at the annual salary of \$12,547.00, effective and retroactive to November 14, 1983.

Seconded by Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1056-1983)

AUTHORIZING AND DIRECTING  
TOWN ATTORNEY TO FILE  
STIPULATION OF DISCONTINUANCE  
(CLARKSTOWN V. NELSON)

Co. Holbrook offered the following resolution:

RESOLVED, that Resolutions Nos. 950/1983 and 951/1983  
adopted October 25, 1983, are hereby rescinded, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized  
and directed to file a Stipulation of Discontinuance in the Supreme  
Court action entitled Town of Clarkstown, et al., against Robert Nelson,  
et al., Index No. 6906/83.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1057-1983)

AWARDING SALE OF SURPLUS  
VEHICLES (MR. JOSEPH  
GLEESON, KEAHON AUTO  
WRECKERS, INC., MR. KENNETH  
D. BUCALO AND ELMSFORD  
TRANSPORTATION CO.)

Co. Maloney offered the following resolution:

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

BID #74A-1983  
SALE OF SURPLUS VEHICLES

is hereby awarded to the highest bidders as follows:

(A) Mr. Joseph Gleeson  
7 Kirchner Drive  
West Nyack, N.Y. 10994

Item #2-1974 Plymouth Valiant Vin # VL41C4F199282	Offer	\$150.00
Item #6-1971 Chevy Pick-up Vin #CE331T610250	Offer	\$200.00
Item #7-1974 Plymouth Valiant Vin #VL41C4F199274	Offer	\$ 50.00

(B) Keahon Auto Wreckers, Inc.  
Beach Road  
P.O. Box 486  
West Haverstraw, N.Y. 10993

Item #10-1961 Chevrolet Vin #11869T223154	Offer	\$ 45.55
Item #11-1974 Pontiac Vin #2L35R4X129643	Offer	\$ 45.55
Item #12-1975 Cadillac Vin #6B69550253759	Offer	\$ 45.55

(C) Mr. Kenneth D. Bucalo  
40 Windmill Lane  
New City, N.Y. 10956

Item #3-1974 Plymouth Valiant Vin #VL41C4F199312	Offer	\$361.00
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RESOLUTION NO. (1057-1983) Continued

(D) Elmsford Transportation Co.  
Box 35  
17N. Payne  
Elmsford, N.Y. 10523

Item #1-1974 Plymouth Valiant Vin #VL41C4F199284	Offer	\$300.00
Item #4-1984 Plymouth Valiant Vin #VL41C4F199286	Offer	\$250.00
Item #5-1974 AMC Station Wagon Vin #A4A887N440248	Offer	\$300.00
Item #8-1974 Plymouth Valiant Vin #VL41C4F199287	Offer	\$300.00
Item #9-1974 Plymouth Valiant Vin #VL41C4F199288	Offer	\$400.00

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1058-1983)

AUTHORIZING PAYMENT TO  
MARGARETANN RIES, SECRETARY  
TO ZONING BOARD OF APPEALS  
FOR PREPARATION OF TRANS-  
SCRIPT (SORBARA V. ZBA)

Co. Carey offered the following resolution:

RESOLVED, that the sum of \$181.22 be paid to Margaretann  
Ries, Secretary to the Board of Appeals, for the preparation of a  
transcript required in the Supreme Court proceeding entitled:

DOMINICK SORBARA

v.

ZONING BOARD OF APPEALS

Seconded by Co. Holbrook

\* \* \* \* \*

RESOLUTION NO. (1059-1983)

AUTHORIZING PAYMENT TO  
MARGARETANN RIES, SECRETARY  
TO ZONING BOARD OF APPEALS  
FOR PREPARATION OF TRANS-  
SCRIPT (LEONARD V. ZBA)

Co. Carey offered the following resolution:

RESOLVED, that the sum of \$115.22 be paid to Margaretann  
Ries, Secretary to the Board of Appeals for the preparation of a  
transcript required in the Supreme Court proceeding entitled Penny  
Leonard v. Board of Appeals.

Seconded by Co. Holbrook

On roll call the vote was as follows for both (1058 and 1059)

Supervisor Dusanenko.....	Abstain
Co. Carey.....	Yes
Co. Holbrook.....	Yes
Co. Maloney.....	Yes

Supervisor Dusanenko said that for the record this matter is being appealed by Mrs. Ries on the basis that she was not awarded her counsel fees. He stated that it was also being appealed by himself since the judge in his decision said he never ruled on the merits of the case but only on the administrative action. Therefore, until the litigation is climaxed, the same intent of the previous unpaid voucher would be followed and if the judge says, after this appeal, that these should be paid the Supervisor stated that he would be willing to do so as he has no desire to be in contempt of court. While the litigation is going on he said his attorney, on his behalf, has expressed it in legal terms for the discontinuance of any actions. He stated that he would provide this to the Town Clerk tomorrow. (Not received as of this transcription.)

\* \* \* \* \*

RESOLUTION NO. (1060-1983)

ESTABLISHING POLICY NOT TO  
MAKE PENSION CONTRIBUTIONS  
FOR PAST CETA SERVICE

Co. Maloney offered the following resolution:

WHEREAS, the New York State Employees' Retirement System has advised that certain former CETA employees may obtain retirement service credit for CETA service provided the employer makes payment of its share of retirement contributions, and

WHEREAS, such payments may amount to many thousands of dollars for which no funds have been budgeted,

NOW, THEREFORE, be it

RESOLVED, the Clarkstown Town Board hereby establishes policy not to make pension contributions for past CETA service.

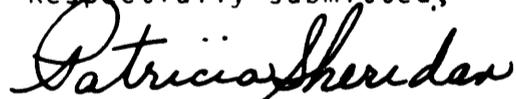
Seconded by Co. Carey

All voted Aye.

\* \* \* \* \*

After a brief recess, there being no further business to come before the Town Board Meeting and no one wishing to be heard, the meeting was adjourned, time: 10:34 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

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RESOLUTION NO. (987-1983) Continued

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

BID #78-1983

REPLACEMENT FLOORING FOR HALL OF JUSTICE BUILDING  
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, December 20, 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 Supv. Dusanenko

All voted Aye.

\* \* \* \* \*

RE: PETITION FOR ZONE CHANGE, R-22 TO R-15 - COLONIAL OPERATING COMPANY

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

11/22/83

8:45 P.M.

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

On motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing was declared open, time: 8:45 P.M.

Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Town Attorney John Costa referred to three communications from the Rockland County Planning Board and the Clarkstown Planning Board. He read the following:

(Letterhead of Rockland County Planning Board)

"June 8, 1983

Clarkstown Town Board  
10 Maple Avenue  
New City, New York 10956

Re: General Municipal Law (GML) Review: 239(k) 239(l&m)XX239(n)

Map Dated: 2/16/83

Item: Change of Zone: R-22 to R-15  
W/S New City-Congers Road, opposite Cairnsmuir Lane  
Colonial Operating Co. (C-1123)

The Rockland County Planning Board reviewed the above item at its meeting of June 6, 1983 and

- \*approves
- \*\*approves subject to conditions below XX
- \*\*disapproves
- requests extension of time

1. That the applicant comply with the recommendations of the Rockland County Highway Department including their request that access to the site be via internal roads, thereby eliminating the need for a potentially dangerous intersection at Cairnsmuir Lane.
2. That the applicant comply with the recommendations of the Rockland County Soil and Water Conservation District.
3. That if the change of zone is granted, there be no further reduction of lot size through the use of average density. This restriction will guarantee that the lot sizes developed will be in harmony with the surrounding residences.

cc: John Costa, Town Attorney  
R. Lombardi, RC Planning Bd.  
J. Hornik, Supt. Co. Highway  
H. Mack, Soil & Water  
Conservation District  
Clarkstown Planning Board

Very truly yours,  
ROCKLAND COUNTY PLANNING BOARD

By /s/ Aaron D. Fried  
Aaron D. Fried, Planning Dir.

\*The proposed action is deemed by the Board to have no significant negative impact on nearby municipalities, County or State roads or facilities and, therefore, the ACTION IS FOR LOCAL DETERMINATION. Approval does not necessarily mean the Board endorses the subject action as desirable from the viewpoint of your municipality.

\*\*The GML requires a vote of "two-thirds of all the members" or "majority plus one" of your agency to act contrary to the above findings."

Mr. Costa then read the following letter:

(Letterhead of Clarkstown Planning Board)

"June 21, 1983

Honorable Town Board  
10 Maple Avenue  
New City, New York 10956

Gentlemen: TOWN BOARD REFERRAL: ZONE CHANGE REQUEST R-22 TO R-15 COLONIAL OPERATING CO. 77A25.01+ NEW CITY (Approx. 9.3 acres N. side New City/Congers Road, opposite Clarkstown H.S. North and adjacent to Carworth Farms, to E. side Pine St., adjacent to Demarest Run).

At the Planning Board meeting of June 15, 1983 Member Yacyshyn made a motion which was seconded by Smith, carried 4:0 with Ayes of Paris and Cunningham approving the following...

RECOMMENDATION TO THE HONORABLE TOWN BOARD. The Planning Board has examined the above petition in relation to the topography, the surrounding area, the Comprehensive Plan, and finds that the petition should be DENIED for the reasons cited by Planning Consultant and that the statutory considerations are addressed in a negative sense.

Planning Consultant's comments are:

1. The Master Plan designates this area as 2 or 3 units to the acre. The zoning of the parcel has been R-22 for some time, probably due to site related factors,
2. The letter from the SCS dated March 8, 1983 refers to the site as being "extremely wet except for the area along Congers/New City Road."
3. The development of the site will be more difficult with R-15 zoning than with R-22,
4. We feel that it is likely that TL281 will be used on this property, and with a base density of R-15 it will be difficult to work out an acceptable layout,
5. Provision will have to be made for the stream and this will be easier to achieve with R-22.

At such time as the property is developed, access from internal streets should be maximized.

As for the statutory requirements of Section 106-32B(2), the Planning Board has made the following determinations:

- a.) the use to be permitted by the proposed change is the same use as presently permitted.
- b.) the increase in numbers of dwelling units would be small and public school facilities and other public services should be adequate.
- c.) the proposed change is not likely to have a detrimental effect on existing or proposed plans for providing public water supply and sanitary sewers in the vicinity. The small increase in dwelling units is not expected to overload the sanitary sewer system.
- d.) The size of the parcel is relatively small and is not likely to affect overall availability of land in either zone in the town.

- e.) same as d.
- f.) same as d.
- g.) Not likely because of small size of parcel.
- h.) Not applicable.

Very truly yours,

/s/ Richard J. Paris

Richard J. Paris,  
Chairman

cc: Town Attorney  
Town Clerk"

Henry Horowitz, representing the owners made the presentation. He said the parcel consists of 9.3 acres across from the Clarkstown High School North just south of Carworth Labs. He said he was going to answer some of the questions always asked. The applicant did know what the zone was when he bought it. It was zoned R-1 which was equivalent to the R-15 zone because it required 15,000 square feet.

Six years later it was changed in the Master Plan and put into R-22. The owner received no notice regarding this change. Another question always asked is in regard to the domino effect a rezoning might have. There could be no domino effect because it is the last vacant parcel in the area. All existing facilities and utilities are adequate to handle the proposed structures.

The County Planning Board said it would have no harmful effect to rezone to R-15 and the primary zone surrounding the parcel is R-15 and that because of the limited amount of frontage on Congers Road there could be access to Pine Street so that the entry would be in the rear solely through R-15 property. Demarest Run is contiguous to this parcel also and that is R-22. That particular parcel is a wholly integrated parcel. It is directly off New City/Congers Road. You come into a cul-de-sac and all the lots are around that cul-de-sac. There is no connection between this R-22 and any of the R-15 contiguous subdivisions. In fact lots of that subdivision which border on the one in question have been reduced in density to less than the R-22.

Mr. Horowitz also said that there was a fifty foot right-of-way on the ambulance property. He said he requested the Board to rezone from R-22 to R-15 because they would like to avoid utilization of the common driveway between themselves and the New City Ambulance Corps. We would suggest there be no connection to New City/Congers Road. That would limit our connection to Pine Street in turning around.

We are going to have to have lots in excess of 15,000 and which in fact may be in excess of 22,000 because of the drainage. That is our primary reason in asking for the R-15 because of the excess area that is going to be taken up because of the existing drainage in the back. We want to be able to at least gain a sufficient number of lots on the balance of the tract. No lot will be less than the R-15.

The non-adverse by the County Planning Board was for the very reasons we have mentioned and they indicated there was no objection to the R-15. They indicated that their preference was to keep all access through Pine Street in the adjoining subdivision. He said the owner of this tract, which has been assembled over the last twenty years, purchased it as R-15. We merely want the tract to be kept in the category that it was in at the time of purchase.

Mr. Horowitz said the Town Board last evening considered rezoning a substantial portion in the Town of Clarkstown to four acres. The idea is where the large lot zoning makes sense is where there should be large lot zoning. This is extremely vital to the preservation of those particular areas so they are not destroyed. It is equally important that the densities which exist be and are concomitant with the utilities that exist in the area. In this particular case we have been told by both Planning Boards that the zoning designation of R-15 can be supported by all the existing facilities and utilities in the area.

Supervisor Dusanenko asked Mr. Horowitz to please comment on the validity of a handout which he (the Supervisor) and his neighbors had received stating that the Labs would build a ten story building on their property.

Mr. Horowitz said that he had absolutely no knowledge of any plan by Carworth Labs for the erection of a ten story building.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of said proposal.

Appearance: Mr. Jack Collura  
15 Pine Street  
New City, New York 10956

Mr. Collura objected to the use of Pine Street as the access. He felt that Congers Road should be used.

Appearance: Mr. Fred Rogoish  
New City, New York

Mr. Rogoish said that the New City Ambulance Corps borders the property and he opposed the zone change. He said he was instrumental in purchasing the property used by the Ambulance Corps in 1973. It was the Ward property. It was one acre zoning at that time. The petition as submitted indicates a right-of-way. This right-of-way imposes itself on the access road which the ambulances use leaving the building. Any use of this area in any capacity be it the people who don't care to have Pine Street used or the intent of Colonial to possibly have these people have access via the right-of-way would run the risk of an accident because we leave the building with some element of haste. It certainly was not to the advantage of the New City Ambulance Corps to have this zone change granted. He said he was concerned enough about the ambulance building being across from the North High School as there had been three accidents at that site already, one involving an ambulance. He said they had petitioned for a light there but it had been denied. Any additional traffic would be hazardous. He said the Board should consider the impact on residents in downzoning anything in this area until the ramifications regarding emergency services are known. He urged the Board to evaluate our comments and not give permission for a downzoning in our area.

Appearance: Mr. Michael Moriarity  
2 Clover Court  
New City, New York 10956

Mr. Moriarity said that he did not feel that it was relevant to know what the zoning was twenty years ago. Twenty years ago we also had cesspools and leachate systems and he did not think anyone wanted to go back to that. He was in favor of one acre zoning and the Board should preserve the quality of life and the stability of the community.

Appearance: Mr. Tony Cellini  
3 Longmeadow Drive  
New City, New York 10956

Mr. Cellini said he was at the end of Ethel Road. He was in favor of one acre zoning. One third acre zoning was a bad trend. It was better to have one half acre zoning for New City and it would be detrimental to the community to change that zoning.

Appearance: Mr. Paul Seifried  
Pine Street  
New City, New York 10956

Mr. Seifried said that 18 houses would be approximately 36 more cars in the area. The entrance on Congers Road would be dangerous but Pine Street is a private street and it would be even more dangerous to have the entrance on Pine Street.

Appearance: Ms. Thelma Crow  
48 Pine Street  
New City, New York 10956

Ms. Crow said her son's car had been smashed while being parked in her driveway because someone had mistaken her driveway for the road. Any additional traffic in the area would be dangerous.

Appearance: Ms. Ann Lamperti  
33 Pine Street  
New City, New York 10956

Ms. Lamperti said she would like to see the entrance to these new homes put someplace other than on Pine Street. She was against having the entrance there.

Appearance: Mr. John Leahy  
8 Jeff Lane  
New City, New York 10956

Mr. Leahy said he thought that people had lost sight of the fact of the number of cars parked and double parked on Scott Drive and Longmeadow Drive on 180 days of the year - about 200 cars per day.

Supervisor Dusanenko then called upon Mr. Horowitz to summarize. Mr. Horowitz said the traffic will be there regardless of whether there is a zone change or not. Even if the zoning is changed it will make a very small difference. He said that both Planning Boards had made similar comments relative to access on Pine Street. Of course this would be objectionable to the people living on Pine Street as the sharing of the right-of-way with the New City Ambulance Corps would be objectionable to the Corps people. He mentioned three possibilities. One is in fact on Pine Street which comes directly into the site. Another would be utilization of the right-of-way running along the New City Ambulance Corps and the other one would be utilizing some of the hundred and thirty some odd feet which front on New City/ Congers Road.

Which of these three used or in combination will be determined in a judgment of the Planning Board and the Planning Consultant. The same input will also be had by the people who were in attendance this evening. Again, whether there is a zone change or no zone change our problem will still exist. The Planning Board, before the approval of any access, must hold a Public Hearing. Notice will again go out to all the contiguous property owners in order that the Planning Board can get their input. At that time the road network will be set. That

problem exists whatever the zoning may be. The impact of the zone change, which by the way is about a three lot difference, it may be four or it may be two, but that is the general amount of impact on the area.

Mr. Horowitz said in the petition there is a copy of the old zoning map and there is also a copy of that portion of the zoning ordinance which related to the old zoning map. The symbol used indicates that the zoning is R-1 and R-1 is a minimum lot size of 15,000 square feet or a two-family at 20,000 square feet. These are the items which existed and that is the zoning which existed at the time this purchaser acquired the site.

Mr. Horowitz said that understandably Pine Street is a major concern and rightfully so. He used a map showing the extent of notices required to be sent for this public hearing. Notices went out to one hundred and seven contiguous and adjoining property owners within the radius of 500 feet. The extent of the comments which we have heard tonight primarily having to do with Pine Street are objections which really are an accessory problem having nothing to do with the zone change and must be handled by the Planning Board. The extent of the objections is such that he didn't believe that we had received a large adverse position on this from the community.

Supervisor Dusanenko asked Mr. Horowitz if the applicant, regardless of whether or not a zone change is granted, is willing to alleviate something which they do have at present for the benefit of the general community and the New City Ambulance Corps, in voluntarily giving up a right-of-way that it does have across the New City Ambulance Corps property at the present time - if it is agreed that an access would come out immediately to the west so that the Ambulance Corps driveway would be free for emergencies and move a roadway immediately to the west so that they would be giving up something so far as the right-of way is concerned and perhaps putting in a road further to the west for a secondary access?

Mr. Horowitz said to keep in mind that the ultimate determination would be made by the Planning Board after review and additional comments by the County Planning Board. He said he could not try and restrict them in any way. The applicant has no objection to allowing the Ambulance Corps the full and exclusive use of that particular right-of-way. He said he could not at the present time legally commit this regardless of what the Board does. That will raise a problem with the Planning Board. He said he did not want to be in a position of letting the Planning Board know that this is what we had and then we have agreed to take this out. He stated that he did not imagine that they would be adverse to that particular suggestion and he wanted to assure the Board that any plan submitted would take that suggestion into account. It would be for the exclusive use of the Ambulance Corps.

There being no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing was closed, DECISION RESERVED, time: 9:20 P.M.

Respectfully submitted,

*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk