

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

12/27/83

8:10 P.M.

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

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

Supervisor Dusanenko opened Public Portion of the meeting.

Appearance: John Lodico  
New City

Mr. Lodico spoke regarding the road curve and traffic problem on Red Hill Road and also the landfill and not allowing anyone access to our landfill except Orangetown.

\* \* \* \* \*

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Petition for the extension of the Clarkstown Consolidated Water Supply District #1 to include - Village Green was opened, time: 8:15 P.M. Town Clerk, Patricia Sheridan, read notice calling Public Hearing. The Town Attorney testified as to proper posting and publication and said he would like to add for the record that there exists an affidavit from a qualified person indicating facts sufficient for the Town Board to grant this petition. Mr. Costa asked if Mrs. Sheridan had an affidavit from Mr. Bollman and she replied in the affirmative.

On motion of Councilman Maloney, seconded by Councilman Carey the Petition for the extension of the Clarkstown Consolidated Water Supply District #1 to include - Village Green was ADOPTED, and the Public Hearing was closed, time: 8:18 P. M.

The roll call vote was as follows:

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

Mr. Lettre said he was voting no because the Water Extension was being approved for the exclusive purpose of a condominium and he felt it was improper for that location.

Supervisor Dusanenko said that even though he was not in agreement with this particular project he voted yes because to have a project without a public water supply would not make sense to him.

\* \* \* \* \*

RESOLUTION NO.(1125-1983)

AUTHORIZING TOWN ATTORNEY  
TO OBTAIN A BOUNDARY LINE  
SURVEY - MAP BLOCK D, LOT 15,  
POSSIBLE COMMUTER PARKING  
LOT, CONGERS

Councilman Holbrook offered the following resolution:

RESOLUTION NO. (1125-1983) Continued

WHEREAS, the Town of Clarkstown is desirous of planning for a possible community parking lot in the hamlet of Congers;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to obtain a boundary line survey of all or part of the property designated on the Clarkstown Tax Map as Map 127, Block D, Lot 15, which property may be suitable for a community parking lot, and be it

FURTHER RESOLVED, that the Director of Environmental Control is hereby authorized to review the location and advise as to the survey required and the extent of property required to construct such parking lot.

Seconded by Co. Carey

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1126-1983)

AUTHORIZATION TO ATTEND  
FORUM - CHUCK CONNINGTON

Co. Carey offered the following resolution:

RESOLVED, that Charles F. Connington, Asst. Supt. of Recreation and Parks, is hereby authorized to attend the National Recreation and Parks Association Mid-Atlantic Regional Meeting and Programming Forum from January 30, 1984 to February 2, 1984 in Atlantic City, New Jersey.

FURTHER RESOLVED, that all necessary expenses not to exceed \$425.00 be charged against Appropriation Account A7020-414.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1127-1983)

AUTHORIZATION TO ATTEND  
CONFERENCE - EDWARD J.  
GHIAZZA

RESOLVED, that Edward J. Ghiazza, Superintendent of Recreation and Parks is hereby authorized to attend the Special Issues Task Force Conference of the National Recreation and Park Association from January 25 through January 27, 1984 at the Aspen Institute in Wye, Maryland, and

FURTHER RESOLVED, expenses for travel costs be charged against Appropriation Account 7020-414.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1128-1983)

SETTING DATE FOR PUBLIC  
HEARING - TRAMQUILL AVENUE

Co. Maloney offered the following resolution:

WHEREAS, Tramquill Associates, Inc. petitioned the Zoning Board of Appeals for various variances on property identified on the Clarkstown Tax Map as Map 109, Block A, Lot 1.02 and Map 124, Block C, Lot 23.03, and

RESOLUTION NO. (1128-1983) Continued

WHEREAS, by decision dated May 23, 1983, known as Appeal No. 1656, the Zoning Board of Appeals granted to Tramquill Associates, Inc., a use variance for the premises shown on a map entitled, "Sub-division of Property for Tramquill Associates, Inc., dated June 3, 1983 by Atzl and Scatassa Associates, P.C.," for the construction of ten single family residential structures, and

WHEREAS, by its decision, the Zoning Board of Appeals has conditioned its approval upon the Town Board taking such action as may be required pursuant to Section 273 of the Town Law or Section 279 of the Town Law, which sections respectively authorize the Town Board to amend the Official Map, or permit the Zoning Board of Appeals to authorize the issuance of a Building Permit in the bed of a mapped street, both of which sections require public hearings;

NOW, THEREFORE, be it

RESOLVED, that the Town Board shall hold a public hearing on March 1, 1984 at 8:30 P.M., pursuant to Section 273 of the Town Law, to consider a proposed amendment to the Official Map, to delete that portion of Green Avenue which constitutes the remaining unimproved portion through the premises owned by the applicant and into the premises to the north, now or formerly owned by the Associates of Rockland County, and in its place to provide a realigned Green Avenue ending in a cul-de-sac on the premises of the applicant.

FURTHER RESOLVED, that the petition and supporting documents be referred to the Town of Clarkstown Planning Board for its recommendations on or before February 15, 1984, and be it

FURTHER RESOLVED, that the petition and supporting documents be referred to the Rockland County Planning Board for its recommendations, in accordance with the General Municipal Law, and be it

FURTHER RESOLVED, that the notice pursuant to Town Code Section 106-32(c), be complied with by applicant in accordance with said section, and be it

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 Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1129-1983)

AUTHORIZING PAYMENT FOR  
A SEARCH RE VISTA TERRACE,  
CENTRAL NYACK

Co. Carey offered the following resolution:

RESOLVED, that the sum of \$650. be paid to VICTOR J. ALFIERI, JR., ESQ., for a search to determine ownership of a portion of Vista Terrace, Central Nyack, as shown on Map of Hillterre #372.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1130-1983)

AUTHORIZING SUPT. OF HIGH-  
WAYS TO INSTALL "NO PARKING  
SIGNS ON WEST SIDE OF SOUTH  
MIDDLETOWN ROAD

RESOLUTION NO. (1130-1983) Continued

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install "No Parking" signs on the West side of South Middletown Road, from NYS Route 59 south to Utility Pole #41, Nanuet.

Seconded by Co. Holbrook All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1131-1983) AUTHORIZING THE SUPT. OF HIGHWAYS TO ERECT A "STOP" SIGN ON ROCKWELL ROAD AT TENNYSON DRIVE, NANUET

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to erect a "Stop" sign on Rockwell Road at Tennyson Drive, Nanuet.

Seconded by Co. Holbrook All voted Aye

\* \* \* \* \*

Supervisor said he had received a letter from a resident regarding the installation of these signs and that the resident was concerned that rather than deter through traffic, it would encourage it and therefore, he would hold 6c on the Agenda, in abeyance.

\* \* \* \* \*

RESOLUTION NO. (1132-1983) AUTHORIZING ACCEPTANCE OF DIVISION FOR YOUTH - GRANT MONEY FOR 1984

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to accept grant monies distributed by the New York State Division for Youth on behalf of the Town of Clarkstown, for the year 1984.

Seconded by Co.Lettre All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1133-1983) AUTHORIZING ACCEPTANCE OF DIVISION FOR YOUTH GRANT MONEY FOR 1982-1983

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor is authorized to accept grant monies distributed by the New York State Division for Youth on behalf of the Town of Clarkstown for the years 1982 and 1983.

Seconded by Co. Lettre All voted Aye

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RESOLUTION NO. (1134-1983)

GRANTING CERTIFICATE OF  
REGISTRATION - ROMAINE  
EXCAVATING, INC., JOHN  
FEHSAL, HICKS EXCAVATING  
CO., INC. AND PHOENIX  
EXCAVATING CORP.

Co. Maloney offered the following resolution:

WHEREAS, the following have applied for Certificates of  
Registration pursuant to Section 83-65 of the Code of the Town of  
Clarkstown:

ROMAINE EXCAVATING, INC.  
WILLIAM ROMAINE  
319 West Crooked Hill Road  
Pearl River, New York 10965

HICKS EXCAVATING CO., INC.  
WALTER HICKS  
Chester Avenue  
Congers, New York 10920

JOHN FEHSAL  
Thiells Road  
Box 108  
Stony Point, New York 10980

PHOENIX EXCAVATORS CORP.  
MICHAEL MOUACDIE  
62 Rose Road  
West Nyack, New York 10994

NOW, THEREFORE, be it

RESOLVED, that the following Certificates of Registration  
be issued:

No. 84-4 issued to Romaine Excavating, Inc.

No. 84-5 issued to Hicks Excavating Company, Inc.

No. 84-6 issued to John Fehsal

No. 84-7 issued to Phoenix Excavators Corp.

Seconded by Co. Lettre

All voted Aye

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RESOLUTION NO. (1135-1983)

AWARDING BID #5-1984,  
PRINTING OF TOWN EN-  
VELOPES & STATIONERY TO  
LONG ISLAND ENVELOPE CO.  
88-06 VAN WYCK EXPWY.,  
JAMAICA, NY 11418  
STAR PRESS OF PEARL RIVER, INC.  
45 S. MAIN ST., PEARL RIVER  
FASHION ENVELOPES COMPANY,  
58-30 64TH STREET, MASPETH  
MOTIVATIONAL PROMOTIONS,  
6 WHITE BIRCH DRIVE, POMONA

Co. Maloney offered the following resolution:

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

BID #5-1984  
PRINTING OF TOWN ENVELOPES & STATIONERY  
is hereby awarded to the following vendors

LONG ISLAND ENVELOPE CO.  
88-06 VAN WYCK EXPWY.  
JAMAICA, NY 11418

RESOLUTION NO. (1135-1983) Continued

STAR PRESS OF PEARL RIVER, INC.  
45 S. MAIN ST.  
PEARL RIVER, NY 10965

FASHION ENVELOPES COMPANY  
58-30 64th STREET  
MASPETH, NY 11378

MOTIVATIONAL PROMOTIONS  
6 WHITE BIRCH DRIVE  
POMONA, NY 10970

Schedule on file in the Purchasing Department.

Secoded by Co. Holbrook

All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1136-1983)

AWARDING BID #7-1984, WORK  
UNIFORMS TO JASON UNIFORM  
200 SOUTH 13TH AVE., MT.VERNON  
SEARS ROEBUCK & CO.  
151 MAYWOOD AVE., MAYWOOD, NJ  
FRANK MURKEN, INC.  
95 DAHLIA ST., P.O. BOX 1083  
SCHENECTADY, NY

Co. Maloney offered the following resolution:

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

BID #7-1984  
WORK UNIFORMS

is hereby awarded to

JASON UNIFORM  
200 SOUTH 13TH AVE.  
MT. VERNON, N.Y. 10550  
  
SEARS ROEBUCK & CO.  
151 MAYWOOD AVE.  
MAYWOOD, N.J. 07607  
  
FRANK MURKEN, INC.  
95 DAHLIA ST.  
P.O. BOX 1083  
SCHENECTADY, NY 12301

Schedule is on file in the Purchasing Department.

Secoded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1137-1983)

AWARDING BID #78-1983,  
REPLACEMENT FLOORING -  
HALL OF JUSTICE TO  
NEW CITY TILE CO.  
20 SECOND ST., NEW CITY  
AND AUTHORIZING DIRECTOR  
OF PURCHASING TO READVERTISE  
FOR BID #78A-1983, REPLACE-  
MENT FLOORING - HALL OF  
JUSTICE BUILDING

Co. Maloney offered the following resolution:

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RESOLUTION NO. (1137-1983) Continued

RESOLVED that based upon the recommendation of the Director of Purchasing and Building Maintenance Supt. that

BID #78-1983  
Replacement Flooring - Hall of Justice

is hereby partially awarded to

New City Tile Supply  
20 Second St.  
New City, NY

as per their low bid proposal for purchase and installation of ceramic tile at the cost of \$1633.00.

and be it

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

Bid #78A-1983  
Replacement Flooring - 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: Monday, January 16, 1984, 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. Holbrook

All voted Aye

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RESOLUTION NO. (1138-1983)

AWARDING BID #64A-1983 FOR  
UNIFORM MAINTENANCE SERVICE  
FOR CLARKSTOWN POLICE DEPT.  
TO SEMAR CLEANERAMA INC.  
102 NORTH MIDDLETOWN ROAD  
PEARL RIVER, NY 10965

Co. Maloney offered the following resolution:

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

Bid #64A-1983  
Uniform Maintenance Service for  
Clarkstown Police Department

is hereby awarded to

Samar Cleanerama Inc.  
102 North Middletown Road  
Pearl River, NY 10965

as per the following price schedule

Trousers	per unit	.85c
Shirts	" "	.85c
Leather Jackets	" "	no charge
Poplin Jackets	" "	" "
Dacron/Wool Jackets	" "	" "
White Dress Shirts	" "	" "
Blankets	" "	" "

and be it

RESOLUTION NO. (1138-1983) Continued

FURTHER RESOLVED, that this award is subject to the receipt of a performance bond in an amount as stated in bid specifications and in a form satisfactory to the Director of Purchasing.

Seconded by Co. Holbrook

All voted Aye

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RESOLUTION NO. (1139-1983)

AWARDING BID #79-1983  
FOR OFFICE FURNITURE  
TO PRIDE OFFICE FURNITURE  
49 S. MAIN ST., SPRING VALLEY  
ASD OFFICE SYSTEMS  
P.O. BOX 3210, POUGHKEEPSIE  
NY; BOUTONS, INC.  
BOX 148, ROUTE 59  
SPRING VALLEY, NY  
MAR OFFICE FURNITURE  
46 E. ROUTE 59, NANUET, NY  
BELL YORKTOWN, INC.  
188 KATONAH AVE, KATONAH, NY

Co. Maloney offered the following resolution:

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

BID #79-1983  
OFFICE FURNITURE

is hereby awarded to

PRIDE OFFICE FURNITURE  
49 S. MAIN ST.  
SPRING VALLEY, NY 10977

ASD OFFICE SYSTEMS  
PO BOX 3210  
POUGHKEEPSIE, NY 12603

BOUTONS, INC.  
BOX 148  
ROUTE 59  
SPRING VALLEY NY 10977

MAR OFFICE FURNITURE  
46 E. ROUTE 59  
NANUET, NY 10954

BELL YORKTOWN, INC.  
188 KATONAH AVE.  
KATONAH, NY 10536

Schedule of low bid proposals is on file in the Purchasing Department.

Seconded by Co. Holbrook

All voted Aye

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RESOLUTION NO. (1140-1983)

REJECTING BID #77-1983,  
UTILITY VEHICLES AND  
AUTHORIZING DIRECTOR OF  
PURCHASING TO READVISE  
FOR BIDS FOR BID #77A-1983  
FOR UTILITY VEHICLES WITH  
SNOW PLOWS

Co. Maloney offered the following resolution:

RESOLUTION NO. (1140-1983) Continued

RESOLVED, that all proposals received for item #1-Four Wheel Drive Vehicles equipped with Snow Plows - of

BID #77-1983  
UTILITY VEHICLES

are hereby rejected and be it

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

BID #77A-1983  
UTILITY VEHICLES WITH SNOW PLOWS

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, January 17, 1984, 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. Holbrook

All voted Aye

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RESOLUTION NO. (1141-1983)

AUTHORIZING COMPTROLLER TO AMEND THE 1983 BUDGET FOR TRANSFERRING UNEXPENDED BALANCE OF APPROPRIATIONS AMONG VARIOUS ACCOUNTS AND BY INCREASING AND DECREASING REVENUE ACCOUNTS FOR THE PURPOSE OF BALANCING ALL FUNDS

Co. Maloney offered the following resolution:

RESOLVED, that pursuant to Section 112 of the Town Law, the Comptroller of the Town of Clarkstown is hereby authorized to amend the 1983 budget for transferring unexpended balance of appropriations among various accounts and by increasing and decreasing revenue accounts for the purpose of balancing all funds, AND BE IT

FURTHER RESOLVED, that the 1983 budget is hereby amended.

Seconded by Co.Lettre

All voted Aye

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RESOLUTION NO. (1142-1983)

DECREASE APPROPRIATION ACCOUNT A 7610-410 BY \$445.00 AND INCREASING APPROPRIATION ACCOUNT A 7210-47 BY \$445.00 TO COVER COST OF REPAIRS TO FREEZER AT GERMONDS REFRESHMENT STAND

Co. Holbrook offered the following resolution:

RESOLVED, to decrease Appropriation Account A 7610-410 by \$445.00 and increase Appropriation Account A 7210-407 by \$445.00 to cover the cost of repairs to the freezer at Germonds Refreshment Stand.

Seconded by Co. Maloney

All voted Aye

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\*NOTE: (SEE RESOLUTION 1143 AT END OF MINUTES)

RESOLUTION NO. (1144-1983)

DECREASING B 3620-110....  
..... \$900.00  
AND INCREASING B 3620-230...  
..... \$900.00 TO COVER  
THE COST OF THE RADIO

Co. Holbrook offered the following resolution:

WHEREAS the Building Inspector is in need of a two-way radio for his vehicle, be it

RESOLVED to:

Decrease: B 3620-110.....\$900.00  
and  
Increase: B 3620-230..... 900.00

to cover the cost of the radio.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1145-1983)

DECREASING ESTIMATED  
REVENUE ACCOUNT 04-102999  
AND INCREASE ESTIMATED  
REVENUE ACCOUNT 04-102705  
BY \$1,370.00

Co. Holbrook offered the following resolution:

RESOLVED, to decrease Estimated Revenue Account 04-102999 and increase Estimated Revenue Account 04-102705 by \$1,370.00.

Seconded by Co. Maloney

All voted Aye

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RESOLUTION NO. (1146-1984)

INCREASING THE ADLER  
WALDRON BOND AUTHORIZA-  
TION BY \$6,500 AND  
INCREASING APPROPRIATION  
ACCOUNT NO. A 9550-910  
AND ESTIMATED REVENUE  
ACCOUNT NO. 01-002401 BY  
\$6,500.

Co. Holbrook offered the following resolution:

WHEREAS, the Adler Waldron project has exceeded the bond authorization, BE IT THEREFORE

RESOLVED, to increase the authorization by \$6,500 and BE IT FURTHER

RESOLVED, to increase Appropriation Account No. A 9550-910 and Estimated Revenue Account No. 01-002401 by \$6,500.

Seconded by Co. Maloney

All voted Aye

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RESOLUTION NO. (1147 -1983)

INCREASING REVENUE ACCT.04-302999  
BY \$55,500 AND INCREASE APPROPRI-  
ATION ACCT. D. 5130-312--\$25,500  
D 5130-219--\$30,000

Co. Holbrook offered the following resolution:

RESOLVED, to increase Revenue Account 04-302999 by \$55,500  
and increase:

Appropriation Account D 5130-312.....\$25,500  
D 5130-219.....\$30,000

Seconded by Co. Maloney

All voted Aye

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RESOLUTION NO. (1148-1984)

AUTHORIZING SUPERVISOR  
TO ENTER INTO AN AGREE-  
MENT ON BEHALF OF THE  
TOWN OF CLARKSTOWN WITH  
THE COUNTY OF ROCKLAND  
AND/OR THE ROCKLAND  
COUNTY INDUSTRIAL DEVELOP-  
MENT AGENCY, THE CLARKS-  
TOWN CENTRAL SCHOOL DIS-  
TRICT NO. 1 AND CRESCO CORP.  
AND SHALL PROVIDE PAYMENT  
OF MONEY-IN-LIEU-OF-TAXES

Co. Holbrook offered the following resolution:

WHEREAS, Cresco Corporation of West Nyack, New York, has  
applied to the Rockland County Industrial Development Agency for  
financing of new commercial construction, and

WHEREAS, the New York State Industrial Development Agency  
Act, General Municipal Law, Real Property Tax Law and other statutes  
authorize municipalities to enter into agreements for the payment  
of money-in-lieu-of-taxes to facilitate the financing of industrial  
projects;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to  
enter into an agreement on behalf of the Town of Clarkstown with  
the County of Rockland and/or the Rockland County Industrial De-  
velopment Agency, the Clarkstown Central School District No. 1,  
and Cresco Corporation, and any other necessary parties, which  
agreement shall be in a form satisfactory to the Town Attorney, and  
which shall provide for payment of money-in-lieu-of-taxes.

Seconded by Co. Maloney

All voted Aye

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RESOLUTION NO. (1149-1984)

AUTHORIZING SUPERVISOR  
TO RENEW LEASE WITH  
SPRING VALLEY HOMES  
ASSOCIATES FOR USE OF  
COMMUNITY BUILDING AT  
A RENTAL FEE OF \$16,000  
PER ANNUM, AND SAID  
SUM BE TAKEN FROM  
ACCOUNT NO. 8840-424

Co. Holbrook offered the following resolution:

RESOLUTION NO. (1149-1984) Continued

WHEREAS, the Town of Clarkstown is presently leasing the Community Building in the Lakeview Senior Citizen Housing Complex for the use of the senior citizen clubs sponsored by the Clarkstown Parks Board and Recreation Commission, and

WHEREAS, the Town of Clarkstown desires to renew said lease retroactive to September 1, 1983, and terminating August 31, 1984;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to renew said lease with Spring Valley Homes Associates through their managing agents, Arco Management Corp., for the continued use of the Community Building, at a rental fee of \$16,000 per annum, which renewal shall be in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the sum of \$16,000 be taken from Account No. 8840-424.

Seconded by Co. Maloney

All voted Aye

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RESOLUTION NO. (1150-1984)

AUTHORIZING EXPENDITURES CONTAINED IN RESOLUTION NO. 165 OF FEB. 8, 1983, TO BE PAID TO PHILIP FURGANG, ESQ., SPECIAL COUNSEL, BE INCREASED BY \$5,202.65 TO A TOTAL NOT TO EXCEED \$43,202.65 SAID SUM TO BE CHARGED TO ACCT. NO.1420-409

Co. Maloney offered the following resolution:

RESOLVED, that the authorized expenditures contained in Resolution No. 165 of February 8, 1983, to be paid to PHILIP FURGANG, ESQ., Special Counsel, be increased by \$5,202.65 to a total not to exceed \$43,202.65, said sum to be charged to Account No. 1420-409.

Seconded by Co. Carey

All voted Aye

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Supervisor Dusanenko asked the Town Attorney, Mr. Costa, to give a brief synopsis of the difference of 19a, 19b and 19c on the Town Board Agenda.

Mr. Costa said that 19a follows the comments made by the Rockland County Planning Board and therefore it incorporates their conditional approval into a grant of the zone change with a declaration of covenant that conforms to the Rockland County Planning Board's recommendation. The second one does not conform to the Rockland County Planning Board's recommendation in that it would declare the developer to have access to Congers Lake Road which was not the recommendation of the Rockland County Planning Board. The third resolution is a resolution denying the zone change.

- Supervisor Dusanenko said the Board has a choice to - 19
- a) approve the zone change without a hook-up to New City- Congers Rd.
- 19b) approve the zone change with a hook-up to Congers Road which would satisfy a lot of the requests of the people living around Pine Street who voiced their concerns as to why all the traffic go through their street rather than be properly disbursed.
- 19c) is to deny the zone change

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Mr. Costa said that 19b requires an affirmative vote of four members of the Board to adopt contrary to the Rockland County Planning Board and it's indicated on the resolution.

Mr. Holbrook said if this were to be entertained at all it would have to be concerned with an access to Congers Road. Mr. Holbrook also expressed his concern with the impact this would have on the New City Ambulance Corps.

Supervisor Dusanenko said as a former member of New City Ambulance Corps who was instrumental in the choice of that location for that facility, I would say that butting on a public street which it is not now (it's on a private street with a right of way) that might improve the chances and the opportunity for those ambulances to have Town plowing services on a public street to get out on that little hill. It would improve the accessibility of both drivers coming in and ambulances leaving to service the people. More than likely there would be more congestion but it would be safer.

Councilman Holbrook asked after looking at 19b about not being subdivided by the use of Town Law Section 281, shouldn't that be left for the Planning Board to determine?

Mr. Costa answered that was one of the recommendations of the Rockland County Planning Board. They did not think a 281 should be applied to the subdivision. If you want to go contrary to that recommendation, it would require four votes and it also would require a statement as to the reasons why you want to go contrary to that recommendation.

Mr. Holbrook said that some people raise the questions of drainage. Wouldn't 281 allow better opportunity to have a layout that would be concerned with drainage.

Mr. Carey said he made a motion to adopt 19c and that we deny this application because we have a problem there with traffic and I also believe that there is a problem there with drainage and I don't think that it warrants a reduction from R-22 to R-15.

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RESOLUTION NO. (1151-1983) DELETE

Councilman Carey offered a resolution denying the application of zone change R-22-R15 - Colonial Operating Corporation.

This resolution received no second.

\* \* \* \* \*

The following resolution was offered:

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RESOLUTION NO. (1152-1983)

AMENDING ZONING ORDINANCE  
OF THE TOWN OF CLARKSTOWN,  
COLONIAL OPERATING CO., &  
ANO. (A. GOLDSTEIN), HENGEL  
AND SEYMOUR HENDERSON, BY  
REDISTRICTING FROM AN R-22  
DISTRICT TO AN R-15  
DISTRICT

Co. Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 28th day of June, 1983, provided for a public hearing on the 13th day of September, 1983, at 8:00 P.M., to consider the application of Colonial Operating Co. & ANO. (A. Goldstein), Hengel and Seymour Henderson to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the petitioners from an R-22 district to an R-15 district, and

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

RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an R-22 district to an R-15 district the following described property in the hamlet of New City, New York, in said Town; described further on the attached Schedule "A"; said amendment conditioned upon the execution and recording of a Declaration of Restrictive Covenants in a form satisfactory to the Town Attorney made by the certified record owners containing the following covenants:

1. The applicant will not submit an application for subdivision approval to the Clarkstown Planning Board until such time as the applicant has obtained written approval from the Rockland County Highway Department or other authority for access to the site through New City-Congers Road together with at least one internal connection to Pine Street.
2. That the applicant shall return to the Clarkstown Planning Board for subdivision review and approval, with payment of all fees and assessments and shall otherwise comply with all other applicable laws, ordinances and regulations.
3. That the subdivision, when approved, shall comply with the requirements of the Rockland County Soil and Water Conservation District.
4. These restrictive covenants shall be binding upon the successors and assigns of the current certified records owners and shall run with the land.

FURTHER RESOLVED, that the Town Board adopts this resolution contrary to the recommendations contained in the report of the Rockland County Planning Board dated June 8, 1983 for the following reasons:

1. To serve the subdivision by access only to internal roads would create an unnecessary and unreasonable traffic burden on the existing abutting development.
2. That the access to New City-Congers Road shall provide smoother traffic flow.
3. That Town Law Section 281 will provide more flexibility in the development of the site because of the odd shape of the

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RESOLUTION NO. (1152-1983) Continued

lot and drainage considerations.

4. It would be possible to allow for better access to town road by the New City Volunteer Ambulance Corp and Rescue Squad.

THIS RESOLUTION REQUIRES 4 VOTES OF THE TOWN BOARD AND REASONS FOR OVERRIDING ROCKLAND COUNTY PLANNING BOARD RECOMMENDATIONS.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

\* \* \* \* \*

RESOLUTION NO. (1153-1983)

INSTALLING STREET LIGHTS  
ON OLD PHILLIPS HILL ROAD  
NEW CITY

Co. Maloney offered the following resolution:

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

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

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

NOW, THEREFORE, be it

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

- Old Phillips Hill Road - New City
- Pole No. 75/11
- Pole No. 23/09
- Pole No. 83/06

Seconded by Co. Carey

All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1154-1983)

ACCEPTING DECLARATION OF  
COVENANTS - KENNETH JAVENES

Co. Maloney offered the following resolution:

RESOLVED, that the Declaration of Covenants dated December 27, 1983, from Kenneth Javenes in connection with Zoning Board of Appeals, Appeals No. 1767 is hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

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RESOLUTION NO. (1155-1983)

CREATING TELEPHONE  
OPERATOR TYPIST POSITION

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on December 12, 1983 that the position of Telephone Operator Typist can be created,

Now, therefore, be it

RESOLVED, that the position of Telephone Operator Typist is hereby created effective and retroactive to December 26, 1983.

Seconded by Co. Holbrook

All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1156-1983)

APPOINTING PATRICIA  
O'BRIEN TO THE POSITION  
OF TELEPHONE OPERATOR  
TYPIST #83159A

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Telephone Operator Typist #83159A, which contains the name of Patricia O'Brien,

Now, therefore, be it

RESOLVED, that Patricia O'Brien, 19 B Red Hill Road, New City, New York, is hereby appointed to the position of Telephone Operator Typist at the annual 1983 salary of \$9,300., effective and retroactive to December 26, 1983.

Seconded by Co. Holbrook

All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1157-1983)

CREATING TYPIST POSITION-  
HIGHWAY DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on December 9, 1983 that the position of Typist - Highway Department - can be created,

Now, therefore, be it

RESOLVED, that the Typist position - Highway Department - is hereby created, effective December 12, 1983.

Seconded by Co. Holbrook

All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1158-1983)

TRANSFERRING LORIAN  
MACAYLO, TYPIST TO  
HIGHWAY DEPARTMENT

Co. Maloney offered the following resolution:

RESOLUTION NO. (1158-1983) Continued

RESOLVED, that Lorian Macaylo, Huffman Road, Valley Cottage, New York - Typist - is hereby transferred to the Highway Department - effective and retroactive to December 12, 1983.

Seconded by Co. Holbrook All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1159-1983) APPOINTING PATRICIA BALKO, SERVICE INVESTIGATION CLERK -SUPERVISOR'S OFFICE

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Service Investigation Clerk #83144, which contains the name of Patricia Balko,

Now, therefore, be it

RESOLVED, that Patricia Balko, 4 Lori Place, New City, New York, is hereby appointed to the position of Service Investigation Clerk - Supervisor's Office - at the annual 1983 salary of 18,025., effective December 28, 1983.

Seconded by Co. Holbrook All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1160-1983) APPOINTING GARY WANAMAKER CUSTODIAN I - PARKS BOARD AND RECREATION COMMISSION

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Custodian I #83161 which contains the name of Gary Wanamaker,

Now, therefore, be it

RESOLVED, that Gary Wanamaker, 127 South Conger Avenue, Congers, New York, is hereby appointed to the position of Custodian I - Parks Board and Recreation Commission - at the annual 1983 salary of \$11,726., effective January 3, 1984.

Seconded by Co. Holbrook All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1161-1983) APPOINTING ANN MARIE KELLY TO THE POSITION OF TYPIST - PARKS BOARD AND RECREATION COMMISSION

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Typist CR-1 83-63 which contains the name of Ann Marie Kelly,

RESOLUTION NO. (1161-1983) Continued

Now, therefore, be it

RESOLVED, that Ann Marie Kelly, 15 Christie Drive, New City, New York is hereby appointed to the position of Typist - Parks Board and Recreation Commission - at the annual 1983 salary of \$9,300., effective January 3, 1984.

Seconded by Co. Holbrook

All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1162-1983)

CREATING THE POSITION OF DEPUTY TOWN ATTORNEY, TOWN ATTORNEY'S OFFICE

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on December 12, 1983 that the position of Deputy Town Attorney - Town Attorney's Office - can be created,

Now, therefore, be it

RESOLVED, that the position of Deputy Town Attorney Town Attorney's Office is hereby created effective December 28, 1983.

Seconded by Co. Holbrook

All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1163-1983)

ACCEPTING RESIGNATION OF RICHARD GARDNER, ZONING BOARD OF APPEALS

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Richard Gardner, 34 Freedman Avenue, Nanuet, New York - Member - Zoning Board of Appeals - is hereby accepted effective December 31, 1983, with regret.

Seconded by Co. Holbrook

All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1164-1983)

ACCEPTING RESIGNATION OF JOHN SULLIVAN, COURIER - SUPERVISOR'S OFFICE

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of John Sullivan, 3 Victoria Drive, Nanuet, New York, Courier - Supervisor's Office - is hereby accepted - effective January 6, 1984.

Seconded by Co. Holbrook

All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1165-1983)

APPOINTING ANTHONY RANNI TO THE POSITION OF COURIER - SUPERVISOR'S OFFICE

Co. Maloney offered the following resolution:

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RESOLUTION NO. (1165-1983) Continued

RESOLVED, that Anthony Ranni, 44 Verdin Drive, New City New York is hereby appointed to the position of Courier - Supervisor's Office - at the annual 1983 salary of \$9,300., effective January 9, 1984.

Seconded by Co. Holbrook All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1166-1983)

SETTING ORGANIZATIONAL MEETING OF THE TOWN BOARD FOR JANUARY 4, 1984.

Co. Maloney offered the following resolution:

RESOLVED, that the Organizational Meeting of the Town Board of the Town of Clarkstown is hereby scheduled for January 4, 1984, at 8:00 P.M., at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

Supervisor Dusanenko said he had sent a letter to the Town Board and the Town Clerk, after discussing the matter with them, that under tradition in the absence of rules and procedures by the Town Board, the tradition is usually followed. On this question, an opinion was solicited from the State Comptroller dated April 28, 1981 by our then Town Attorney, Everet J. Johns. Supervisor drew reference from that letter that tradition prevails and that the Supervisor sets the date for the Organizational Meeting.

The Supervisor read the following letter:

(Letterhead of Town of Clarkstown  
Office of the Supervisor)

"To: Councilman John Maloney  
Councilman Charles E. Holbrook  
Councilman William Carey  
Councilman Ed Lettre  
Patricia Sheridan, Town Clerk

The undersigned, Supervisor of the Town of Clarkstown, Rockland County, State of New York, does hereby call a Special meeting of the Town Board of said Town of Clarkstown, pursuant to Section 62(2) of the Town Law, to be held in the auditorium of Town Hall, 10 Maple Avenue, New City, New York, on Tuesday, January 3, 1984 at 8:00 p.m. of said date. The purpose of said meeting being to conduct the organizational meeting of the Town Board for the year 1984.

December 23, 1983

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

Co. Holbrook felt that as the County was holding their meeting on the 3rd, he didn't see how the Supervisor could attend both meetings.

Supervisor said he had not planned on going to the Rockland County Legislative Meeting since he would be in the minority and he would have no useful input for the residents of the Town of Clarkstown for the appointments since they would be decided by a caucus of a party of different political backgrounds. Insofar as Mr. Lettre is concerned about his inability to be here on January 3rd, that on the previous week when I was asked about the Organizational Meeting, after several conversations, that was the first time I was told of his inability to be there that evening.

Co. Lettre said that a firm date was never given.

Supervisor Dusanenko said that this is the first time the Supervisor has been deprived of setting the date for an Organizational Meeting and the Supervisor votes no.

\* \* \* \* \*

RESOLUTION NO. (1167-1983)

AUTHORIZING DIRECTOR OF PURCHASING TO ACQUIRE TWO WORD PROCESSING WORK STATIONS

Co. Maloney offered the following resolution:

RESOLVED, that pursuant to Resolution No. 1077 of 1983, the Director of Purchasing is hereby authorized to acquire a Wang Word Processor capable of operating eight word processing work stations for operation in Town Hall at a cost not to exceed \$24,000. and be it

FURTHER RESOLVED, that funds for this purchase be taken from the Town Capitol 2 computer bond.

Seconded by Co. Lettre

All voted Aye

\* \* \* \* \*

RESOLUTION NO. (1168-1983)

AUTHORIZING THE SUPER-INTENDENT OF HIGHWAYS TO USE PERSONNEL AND EQUIPMENT TO PLOW UNDEDICATED STREETS

Co. Maloney offered the following resolution:

WHEREAS, heavy snowfalls and other inclement weather may create hazardous conditions and a state of emergency in the Town of Clarkstown because of the danger of fire, sickness, lack of food and medical assistance to persons on unplowed or impassable streets;

NOW, THEREFORE, be it

RESOLVED, that pursuant to the authority granted under the Executive Law, Sec. 24(4), the Supervisor of the Town of Clarkstown is hereby authorized to use any and all facilities, equipment, supplies, personnel and other resources of the Town of Clarkstown in such a manner as may be necessary or appropriate to cope with the natural emergency created by an extraordinary fall of snow or other weather condition, and be it

RESOLUTION NO. (1168-1983) Continued

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Superintendent of Highways to use personnel and equipment to plow undedicated streets in the Town of Clarkstown during a heavy snowfall or other conditions which may create imminent hazard to life and property.

Seconded by Co. Carey

All voted Aye

\* \* \* \* \*

The Town Attorney provided the Town Board members with a chart explaining the number of votes that would be required to approve a zone change. There were two 265 petitions that were too close to call without further analysis and he recommended that unless there were four votes for those two items that they would be tabled for a later date.

\* \* \* \* \*

Supervisor called a recess at 8:55 P.M. and the Town Board Meeting resumed at 9:20 P.M.

\* \* \* \* \*

RESOLUTION NO. (1169-1983)

TABLING ADOPTION OR DENIAL  
OF NUMEROUS ITEMS FOR ZONE  
CHANGES FOR MASTER PLAN

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 27th day of December, 1983, made motion to table adoption or denial of numerous items for zone changes as a result of the last two public hearings for the Master Plan implementation.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

\* \* \* \* \*

RESOLUTION NO. (1170-1983)

RESCHEDULING ITEMS FOR  
ZONE CHANGES FOR MASTER PLAN

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 27th day of December, 1983, made motion to reschedule adoption or denial of numerous items for zone changes as a result of the last two public hearings for the Master Plan implementation to January 17, 1983.

Seconded by Co. Maloney

All voted Aye

\* \* \* \* \*

There being no further business to come before the Town Board Meeting and no one further wishing to be heard, on motion of Councilman Carey and seconded by Councilman Maloney and unani- mously adopted, the Town Board meeting was adjourned, time: 9:22 P.M.

Respectfully submitted,



PATRICIA SHERIDAN  
Town Clerk

\*

RESOLUTION NO. (1143-1983)

DECREASING A1410-328..\$5,000  
                  A1410-209.. 1,700  
                  A1410-114.. 9,000  
AND INCREASING TRANSFER TO  
CAPITAL ACCOUNT A9550-910 BY  
\$15,700 - COMPUTER BOND

Co. Holbrook offered the following resolution:

WHEREAS, the Town will be purchasing additional computer equipment and word-processing equipment, be it

RESOLVED, to

Decrease: A 1410-328.....\$5,000  
          A 1410-209.....1,700  
          A 1410-114.....9,000

and increase Transfer to Capital Account A 9550-910 by \$15,700. to be added to the authorization of the computer bond.

Seconded by Co. Maloney

All voted Aye

\* \* \* \* \*