

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

10/23/84

8:05 P.M.

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

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

Supervisor spoke about the 8th successful Student Government Day that was held in Town Hall today. Students participated from Clarkstown North High School, Clarkstown South High School, Albertus Magnus High School, Nanuet High School, and Nyack High School. Supervisor thanked the Councilmen and all who participated in making it such a successful program. He announced that items 1, 2, and 18 would be taken out of order and voted on prior to the public hearing but after the public portion.

Supervisor declared the public portion of the meeting open.

Appearance Bert Olsen  
35 Pine Street  
New City, NY 10956

He spoke regarding the development of Pine Street in New City, and the diverting of the existing stream. He was concerned about traffic and drainage.

Appearance: Robert Zeller  
5 Crikki Lane  
Spring Valley, NY

Spoke regarding the installation of a bus shelter which he has waited for over a year. The shelter which is presently there does not have the plexiglass installed.

Nick Longo, Superintendent of Highways said that the plexiglass has been on order and they are waiting for it to arrive and that is why the shelter is there without glass. He also said the plexiglass will not be paid for until it arrives.

Appearance: Phil Bosco  
2 Short Street  
West Nyack, NY

He said that he had presented two letters to the clerk from two residents. He said he also was opposed to Pathmark moving out of an established area and he was opposed to their relocating on 303 in an industrial area .

Appearance: Penny Leonard  
7 N. Congers Road  
Congers, NY

She said she had a question about item two regarding the roads in Congers specifically the Lakewood Avenue abutment. She said she thought there were some questions she thought should be resolved about the abandonment of these roads before you go ahead and do it. She said a very short section of Lakewood Avenue is supposed to be abandoned. That section is shown as part of lot number 22 on the Liberty Park subdivision. The Veteran's Memorial Association owns land on one side of it and they were approached by the builder to trade their half of Lakewood Avenue and that they would get from the builder another piece of property in return. They turned down that proposal. They would prefer to get their half of Lakewood Avenue. My concern is that it is already shown on the map ...

The Supervisor said that was shown incorrectly.

Ms. Leonard said she spoke to the directors of the V.M.A. and they said that is correct they did receive a letter. I think you have gotten a copy of their letter.

Supervisor Dusanenko said that we are on notice that the V.M.A. wants the property. The Town does not own that section of property. If that section is abandoned half would go to the V.M.A. and half would go to the builder.

Mrs. Leonard asked what would happen to Lot 22? Supervisor said that lot could not be utilized.

Co. Holbrook said he had spoken to the Chairman of the Planning Board and that lot could not be used. It is part of one big lot. Lot 22 and lot 23 are combined to make one lot. I understand that you do not want to see one house built on a substandard lot and another on a standard lot. The Planning Board Chairman said there would be only one lot as of now. If subsequently they negotiate with the V.M.A. for an arrangement that is satisfactory that might change but as of right now they can only get one lot.

Mrs. Leonard asked if there was some safeguard to make sure that the V.M.A. gets their half of the road.

Co. Holbrook said that the map would show that

Town Attorney Costa said there was a little bit of a misconception when the Town takes an action which constitutes a recognition of an abandonment that in no way is a determination as to title to the fee of that former intended road bed. For the adjacent property owners to take the position that it is 50% to each one is possibly not correct. So it is purely from the Town's point of view left to the private interests involved and title searches and so on can possibly determine who owns the property. And if the adjacent owners can work it out to their satisfaction and not interfere with anyone else's property rights they are free to do so.

Mrs. Leonard said the builder has already acknowledged that he doesn't own it and he feels that he is entitled to half but after the V.M.A. turned down that proposal they did not hear from him again. Town Attorney Costa said it was his understanding that they revised that subdivision map and it has been resubmitted and it does not include that portion of the property within the subdivision. The builder's representative is here tonight and he might be able to confirm that.

Mrs. Leonard said she had two other comments on the map before you abandon the streets. Sherman Ave. which runs in front of lots 22 and 23 runs out onto a gravel portion of road that leads out onto Lake Road. On the map it appears that it would be open so that people in the new development go in and out to Lake Road through that gravel portion. We've had a lot of problems in the past when roads have been opened up that were gravel roads for a long time. Then the people on either side of the road have to maintain it and I'm wondering if they are going to get stuck to maintain this gravel road so that people can go through the development. Town Attorney, Costa said the answer is yes.

Mrs. Leonard said the V.M.A. is a volunteer group that abuts this road and she didn't see how they could keep it up.

Councilman Holbrook said that people that go back to the Parkway might consider using Sherman to Lake Road.

Mrs. Leonard said I would think if they were going to get a quart of milk, they would go out to Lake Road and we have all seen what has happened to Harrison Avenue.

Councilman Holbrook said that's the point I think she is trying to raise and I don't know if we can make the builder develop..

Mrs. Leonard said I think that is something to consider before you vote and not after and worry about it later on because that's what happened on Harrison Avenue and now it's going to be a problem forever here. My other concern is the other portion of Sherman Avenue that runs behind the Little League Field on Sherman Avenue. They are not showing that as being abandoned or being considered being abandoned at this time. I don't know why. We are abandoning all the other roads back there. There is no reason to leave that. There are no houses facing on that road. I think that while you are abandoning the other roads, you should go ahead and take care of that section of Sherman now so that it does not become a problem later.

Supervisor asked Mr. Geneslaw why that northern extremity of Sherman Avenue not be considered for abandonment?

Mr. Geneslaw said that it borders the V.M.A. property and we are not certain that it could remain a playfield forever. The feeling was that it could be left on the map until we know. If that property is going to be used for anything other than a playing field, the access might be necessary.

Mrs. Leonard said she didn't think it would be used for anything other than a playing field if it is owned by the V.M.A.

Mr. Holbrook asked if they would be interested in seeing it abandoned?

Mrs. Leonard said to her knowledge they would like to see it abandoned and they were hoping they could work out something with the builder and that they would give up their section of Lakewood Avenue for his section of Sherman Avenue and the builder would be able to put in that lot number 22 and they both would gain some property. I wish you would think this through very carefully before you vote.

Appearance: Tom Leavy  
32 Southwood Avenue  
Congers, NY

He said the Planning Board should notify the public about subsequent meetings. He asked that a Town Law be passed to put the burden on the government and not the citizens.

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RESOLUTION NO. (994-1984)

TABLING RESOLUTION  
REGARDING TERRA EQUITIES IN  
CONNECTION WITH PUBLIC  
HEARING HELD ON OCTOBER 9,  
1984

Councilman Lettre offered the following resolution:

RESOLVED, that resolution regarding Terra Equities in connection with the Public Hearing held on October 9, 1984 is hereby tabled with a new hearing date of November 13, 1984.

Seconded by Councilman Carey

All voted Aye

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A petition requesting the deadending of Hilltop Road in Congers, New York on its southerly end was submitted by Peter Daley with seventy signatures. This petition is on file in the Town Clerk's Office.

A motion was on the floor to table item 2 when the attorney, Jerome Johnson commented that apparently the Board had

reopened the Hearing by accepting this petition now. I have no objection to the contents of this petition and what they are saying is not affecting what was being considered to be voted on. The builder has no objection to your reserving on Lakewood if we are unable to affect the aquisition from the V.M.A. It doesn't make a particle of difference and I think it's a real imposition on this developer to now have the whole thing held in abeyance for a future time. We told you at your Workshop that we have no objection to Hilltop being shut off. We appreciate the problems of these people but I think now to say that because 70 people hand you a petition and it relates to Lakewood and it relates to Hilltop which is not part of your resolution.

The Supervisor said that there is a feeling of confusion by myself and other members of the Board that we don't want to take any precipitous action that we don't know the full impact.

Mr. Johnson said he hoped the Board should not be confused as to what the real issue is here and that is to provide a better development to this property. Access is something else and we have no objection to going back to the Planning Board and I regret that the Supervisor and the other members are confused. I've done my best to enlighten you on really what the issue is here.

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RESOLUTION NO. (995-1984)

TABLING RESOLUTION RE  
ABANDONMENT OF PORTIONS OF  
LAKEWARD AVE., SOUTHWARD  
AVE. & JOLIFFE AVE, CONGERS  
AND REQUESTING THE  
CLARKSTOWN PLANNING BOARD  
RECONSIDER ELIMINATING  
HILLTOP AS A THRU STREET

Councilman Holbrook offered the following resolution:

RESOLVED, that Resolution regarding abandonment of portions of Lakeward Ave., Southward Ave. & Jolliffe Ave., Congers and requesting that the Clarkstown Planning Board reconsider eliminating Hilltop as a thru street in connection with the Public Hearing held on the 9th day of October, 1984 is hereby tabled with a new hearing date of September 13, 1984.

Seconded by Councilman Carey

All voted Aye

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A 265 Petition against the establishment of an open development area involving Schweitzer Lane, Dustman Lane in the Hamlet of Bardonia has been filed this evening and is on file in the Town Clerk's Office.

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RESOLUTION NO. (996-1984)

DENYING REQUEST FOR TOWN  
LAW 280A4, REGENT PARK,  
BARDONIA AND REQUESTING  
PLANNING BOARD TO  
RECONSIDER APPROVAL OF  
ORIGINAL SUBDIVISION NOT  
CONNECTING A NEW PUBLIC  
STREET TO A PRIVATE STREET

Co. Holbrook offered the following resolution:

WHEREAS, Mr. Sidney Schulson, applicant for a subdivision known as "Subdivision of Property for Regent Park, Town

Continued on next page

RESOLUTION NO. (996-1984) Continued

of Clarkstown, County of Rockland, New York, dated March 14, 1984, last revised June 18, 1984" prepared by Atzl & Scatassa Associates, P.C., has requested that the Town Board consider declaration of an open development area pursuant to Section 280-a(4), and

WHEREAS, the Planning Board has recommended such application be considered for lots shown on the above subdivision map as Lot Nos. 27, 28, 29 and 30, and,

WHEREAS, there is significant opposition to the creation of such open development area in the form presented due to the concerns of residents in the area as to public traffic problems;

NOW, THEREFORE, be it

RESOLVED, that the request for the application of Town Law Section 280-a(4) is DENIED, and be it

FURTHER RESOLVED, that this matter is referred back to the Planning Board for further processing consistent with all applicable rules, regulations and laws.

Seconded by Councilman Carey

On roll call the vote was a follows:

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

Councilman Maloney said it would be very easy for him to vote to deny the application as you can see the votes for denial are there. But I am voting to grant the 280-a(4) as requested by the Planning Board because it makes sense from a planning point of view and it makes sense from a safety point of view. Our actions tonight of not granting a 280-a (4) does not eliminate the thru road that the residents are concerned about. It merely allows the four lots to front on Schweitzer Lane and to get a better overall layout. It will also allow multi-vehicles to serve this subdivision and another subdivision in the rear and therefore I vote to grant the 280-a(4)

Supervisor Dusanenko said he and all the Town Board Members are familiar with the arguments both pro and con and at the same time he understood the concerns of the Planning Board because he has also made criticisms of a certain cul-de-sac city where this Town has over a 180 deadend streets and cul-de-sacs wherever you want. Most of the planning and developing in this Town has taken place and wherever it is available and wherever it is going to meet the health, safety and welfare should be a through street. This is a very unique situation. Where did this precedent stop. With the landlock lands lying in this Town be hooking into your driveway, my driveway, or a future private street. I'm all for connecting the public streets to public streets but in this instance you're putting out a new proposed subdivision which will be dedicated as a public street onto a private street and yes it might be better for health, safety and welfare as individuals but at the same time if those people don't maintain it whose going to maintain it, the Town? We have too many situations on South Harrison Avenue and many other districts that wound up being chaotic when people start using someone elses property that nobody wants to foot the bill and the taxpayers with our assistance whether we agree or not cannot use public funds on private roads at a later point in time. So with those comments in mind, I vote yes to join my colleagues in majority.

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On motion of Councilman Maloney, seconded by Councilman Carey, and unanimously adopted, the Public Hearing re: Bradley Industrial Park was opened, time : 9:05 P.M.

On motion of Councilman Holbrook, seconded by Councilman Lettre and unanimously adopted, the Public Hearing re: Bradley Industrial Park was recessed until November 27, 1984, time: 9:22 P.M.

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RESOLUTION NO. (997-1984)

RECESSING APPLICATION OF  
BRADLEY INDUSTRIAL PARK FOR  
SPECIAL PERMIT FOR  
LANDFILL, MAP 88 BLOCK A,  
LOTS 11 AND 12 TO NOV. 27,  
1984

Councilman Holbrook offered the following resolution:

RESOLVED, that the public hearing on the application of Bradley Industrial Park for a Special Permit to conduct a landfill operation for property designated on the Clarkstown Tax Map as Map 88, Block A, Lots 11 and 12, located adjacent to the Clarkstown Sanitary Landfill near the Town of Clarkstown and Town of Orangetown boundary line, pursuant to Chapter 106-10A, Table 15, Column 3, Item B-3 of the Zoning Ordinance of the Town of Clarkstown is hereby recessed to November 27, 1984, at 8:15 P.M., at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York.

Seconded by Councilman Lettre

All voted Aye

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RESOLUTION NO. (998-1984)

AMENDING OFFICIAL MAP BY  
DELETING CONRAD LANE

Councilman Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 11th day of September, 1984, provided for a public hearing on the 23rd day of October, 1984, at 8:10 P.M., or as soon thereafter as possible, to consider deletion from the Official Map of the Town of Clarkstown of Conrad Lane, New City, New York, as shown on a subdivision map entitled, "Subdivision for Starke Corner, New City, Town of Clarkstown, Rockland County, New York" last dated September 3, 1980, prepared by William A. Yuda Associates, which was filed in the Rockland County Clerk's Office on December 8, 1980, and which was declared null and void pursuant to decision of the New York State Appellate Division dated June 11, 1981, filed in Liber 21 at Page 43 on July 21, 1983, and

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

NOW, THEREFORE, be it

RESOLVED, that the Official Map of the Town of Clarkstown is hereby amended by deleting therefrom Conrad Lane, as above described.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (999-1984)

AMENDING ZONING ORDINANCE  
AND CHANGE FROM AN LS ZONE  
TO AN MF-2 ZONE PROPERTY  
LOCATED AND FRONTING ON THE  
NORTH SIDE OF BARDONIA  
ROAD, BARDONIA, NY, IN  
VICINITY OF BARDONIA  
ELEMENTARY SCHOOL,  
DESIGNATED ON TAX MAP AS  
MAP 34, BLOCK A, LOT 20.05

Councilman Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 25th day of September, 1984 provided for a public hearing on October 23, 1984 at 8:15 P.M. to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

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

Change from and LS zone to an MF-2 zone property located and fronting on the north side of Bardonia Road, Bardonia, New York, in the vicinity of Bardonia Elementary School, more particularly described and designated on the Clarkstown Tax Map as Map 34, Block A, Lot 20.05.

Seconded by Councilman Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (1000-1984)

SETTING PUBLIC HEARING FOR  
THE EXTENSION OF THE  
CLARKSTOWN CONSOLIDATE  
WATER SUPPLY DISTRICT NO. 1  
(BARD-ROCK CORP-SUBDIVISION  
OF JAMES A. ELLIOTT

Councilman Maloney offered the following resolution:

WHEREAS, a written Petition dated Sept. 4, 1984 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:

Continued on next page

RESOLUTION NO. (1000-1984)Continued

(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 27 day of November 1984, at 8:10 P.M. time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1001-1984)

SETTING PUBLIC HEARING FOR  
THE EXTENSION OF THE  
CLARKSTOWN CONSOLIDATED  
WATER SUPPLY DISTRICT NO. 1  
(WINDERMERE HILLS)

Councilman Maloney offered the following resolution:

WHEREAS, a written Petition dated Aug. 20, 1984 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:

On file in the 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 27 day of Nov., 1984, at 8:12 P.M. time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1002-1984)

AUTHORIZING SPRING VALLEY  
WATER COMPANY TO INSTALL  
(1) FIRE HYDRANT ON NORTH  
SIDE OF PINE STREET

Councilman Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Company is hereby authorized to install one (1) fire hydrant on the North side of Pine Street, approximately 50 feet west of the center line of Pine Street extension, New City. Investigation number 9592.

Seconded by Councilman Maloney

All voted Aye

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RESOLUTION NO. (1003-1984)

AMENDING ADOPTED RESOLUTION  
909 BY CHANGING THE DATE OF  
THE PUBLIC HEARING TO  
OCTOBER 30, 1984

RESOLVED, that Resolution No. 909 adopted by the Town Board of the Town of Clarkstown on October 9, 1984, is hereby amended by changing the date of the public hearing to October 30, 1984, at 8:30 P.M.

Seconded by Councilman Holbrook All voted Aye

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RESOLUTION NO. (1004-1984)

INCREASING ESTIMATED  
REVENUE ACCOUNT NO.  
01-002680 (INSURANCE  
RECOVERIES) AND  
APPROPRIATION ACCOUNT NO. A  
3650-409 (Demolition of  
Building-Fees for Services)

Councilman Holbrook offered the following resolution:

RESOLVED, to increase Estimated Revenue Account No. 01-002680 (Insurance Recoveries) and Appropriation Account No. A 3650-409 (Demolition of Buildings-Fees for Services) by \$428.

Seconded by Councilman Carey All voted Aye

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RESOLUTION NO. (1005-1984)

TRANSFERRING \$500 FROM  
ACCOUNT NO. A 1420-438 to  
1420-211

Councilman Holbrook offered the following resolution:

RESOLVED, that the sum of \$500.00 be transferred from Account No. A 1420-438 to 1420-211.

Seconded by Councilman Carey All voted Aye

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RESOLUTION NO. (1006-1984)

DECREASING AND INCREASING  
APPROPRIATION ACCOUNT  
NUMBERS TO THE VARIOUS  
ACCOUNTS

Councilman Holbrook offered the following resolution:

RESOLVED, to decrease and increase the following appropriation account numbers:

AMOUNT	FROM	TO
\$ 450	A 7020-414	A 7020-313
650	A 7141-114	A 7140-114
2,000	A 7310-114	A 7141-111
700	A 7610-329	A 7141-329
1,000	A 7310-404	A 7141-412

Seconded by Councilman Carey All voted Aye

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RESOLUTION NO. (1007-1984)

DECREASING APPROPRIATION  
ACCOUNT NO. A1620-323  
(MAINTENANCE-CHEMICALS) AND  
INCREASING APPROPRIATION  
ACCOUNT NO. A 1620-111  
(OVERTIME) BY \$500

Councilman Holbrook offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A  
1620-323 (Maintenance-Chemicals) and increase Appropriation Account  
No. A1620-111 (overtime) by \$500.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1008-1984)

DECREASING APPROPRIATION  
ACCOUNT NO. A 1110-327  
(JUSTICE COURT-COURTROOM  
SUPPLIES) AND INCREASING  
APPROPRIATION ACCOUNT NO. A  
1110-459 (EBT'S,  
DISPOSITIONS, HEARINGS) BY  
\$1,500

Councilman Holbrook offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A  
1110-327 (Justice Court-Courtroom Supplies) and increase  
Appropriation Account No. A 1110-459 (Ebt's, Dispositions, Hearings)  
by \$1,500.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1009-1984)

DECREASING APPROPRIATION  
ACCOUNT NO. A1330-114  
(RECEIVER OF TAXES--PART  
TIME EMPLOYEES) AND  
INCREASING APPROPRIATION  
ACCOUNT NO. A 13330-201  
(FURNISHINGS) BY \$180.50

Councilman Holbrook offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A  
1330-114 (Receiver of Taxes--Part Time Employees) and increase  
Appropriation Account No. A 1330-201 (Furniture & Furnishings) by  
\$180.50.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1010-1984)

DECREASING APPROPRIATION  
ACCOUNT NO. A5630-203  
(Mini-Trans-Motor Vehicles)  
AND INCREASING  
APPROPRIATION ACCOUNT NO. A  
5630-312 (AUTO MAINTENANCE  
REPAIRS) by \$5,000

Councilman Holbrook offered the following resolution:

RESOLVED, to decrease Appropriation Account No.  
A5630-203 (Mini-Trans-Motor Vehicles) and increase Appropriation  
Account No. A 5630-312 (Auto Maintenance Repairs) by \$5,000.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1011-84)

AUTHORIZING COMPTROLLER TO  
INCREASE REVENUE ACCOUNT  
NO. 01-2680, INSURANCE  
RECOVERY BY \$2,500. AND  
INCREASE APPROPRIATION  
ACCOUNT 1420-409 BY \$2,500.

Councilman Holbrook offered the following resolution

RESOLVED, that the Comptroller is hereby authorized to  
increase Revenue Account No. 01-2680, Insurance Recovery, by  
\$2,500.00 and increase Appropriation Account 1420-409 by \$2,500.00.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1012-1984)

INCREASING APPROPRIATION  
ACCOUNT NUMBER A1310-201 BY  
\$138.00, DECREASING NUMBER  
A1310-110 BY THE SAME AMOUNT

Councilman Holbrook offered the following resolution:

RESOLVED, to increase appropriation account number  
A1310-201 by \$138.00, decrease number A1310-110 by the same amount.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1013-1984)

INCREASING APPROPRIATION  
ACCOUNT NUMBER A5650-409,  
BY \$4452.00, INCREASING  
REVENUE ACCOUNT NUMBER  
01-002680 BY THE SAME AMOUNT

Councilman Holbrook offered the following resolution:

RESOLVED, to increase appropriation account number  
A5650-409, by \$4452.00, increase revenue account number 01-002680 by  
the same amount.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1014-1984)

DECREASING APPROPRIATION  
ACCOUNT NO. A 1680-204  
(DATA PROCESSING-OFFICE  
MACHINES) AND INCREASING  
APPROPRIATION ACCOUNT NO.  
A1680-463 (DATA PROCESSING  
CHARGES) BY \$8,000.

Councilman Holbrook offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A  
1680-204 (Data Processing-Office Machines) and increase  
Appropriation Account No. A 1680-463 (Data Processing Charges) by  
\$8,000.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1015-1984)

AUTHORIZING EXPENDITURES  
CONTAINED IN RESOLUTION NO.  
1150 TO BE PAID TO PHILIP  
FURGANG, ESQ., BE INCREASED  
BY \$525.70 TOTAL NOT TO  
EXCEED \$44,533.45, SUM TO  
BE CHARGED TO ACCOUNT NO.  
1420-409

Councilman Maloney offered the following resolution:

RESOLVED, that the authorized expenditures contained in  
Resolution No. 1150 of December 27, 1983, to be paid to PHILIP  
FURGANG, ESQ., Special Counsel, be increased by \$525.70 to a total  
not to exceed \$44,533.45, said sum to be charged to Account No.  
1420-409.

Seconded by Supervisor Dusanenko

All voted Aye

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RESOLUTION NO. (1016-1984)

MEMORIALIZING TOWN ZONING  
BOARD OF APPEALS TO GRANT  
280a(3) FOR DAVID RILEY SUB  
DIVISION

Supervisor Dusanenko offered the following resolution:

RESOLVED, that the Zoning Board of Appeals is hereby  
requested to consider establishing an "open development area"  
pursuant to Town Law Section 280-a(3) for the subdivision map  
entitled, "Subdivision of Property for David Riley" dated October  
17, 1983, prepared by Atzl & Scatassa Associates, P.C., and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed  
to forward a certified copy of this resolution to the Clarkstown  
Planning Board, the Zoning Board of Appeals and the applicant.

Seconded by Councilman Holbrook

All voted Aye

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RESOLUTION NO. (1017-1984)

AUTHORIZING EXTENDED  
SECURITY SERVICES AT NANUET  
THEATRE COMMUTER PARKING  
LOT AND EMERGENCY PROVISION  
FOR DUSK TO DAWN LIGHTING  
NOT TO EXCEED \$5,000, SUM  
TO BE TAKEN FROM ACCOUNT  
01-2680. ACCEPTING  
PROPOSAL FROM ORANGE AND  
ROCKLAND UTILITIES, INC.  
FOR INSTALLATION OF SIX  
FLOOD LIGHTS

Councilman Holbrook offered the following resolution:

WHEREAS, the electrical service which provides for the  
lighting at the commuter parking lot at the Nanuet Theatre-Go-Round,  
under license to the Town of Clarkstown, has been interrupted due to  
equipment failure within the premises located at the site, and

WHEREAS, the property owner has advised that access to  
the premises would be granted for the installation of a direct  
electric meter to the Town of Clarkstown and for the wiring  
necessary to provide direct lighting to the commuter parking area;

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RESOLUTION NO. (1017-1984) Continued

NOW, THEREFORE, be it

RESOLVED, that the Director of Purchasing is hereby authorized to solicit proposals for a licensed electrician to make the necessary modifications to the electrical system for a cost not to exceed \$5,000.00 provided, however, that no work shall be done until written confirmation from the owner of the property has been received, which sum shall be taken from Account 01-2680, and be it

FURTHER RESOLVED, that the Director of Purchasing is hereby authorized to retain the services of Action Security for temporary security at said site for a cost not to exceed \$5,000., which sum shall be taken from Account 01-2680, and be it

FURTHER RESOLVED, that the Director of Purchasing is hereby authorized and directed to solicit bids to provide security service at the Nanuet Theatre-Go-Round Commuter Parking Lot described herein for the indefinite future and, upon acceptance of a bid by the Town Board of the Town of Clarkstown, to terminate the emergency security arrangements herein authorized, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown does hereby accept a proposal from Orange and Rockland Utilities, Inc., for the installation of an additional six (6) 22,500 lumen sodium vapor flood lights, as per the attached proposal, as an additional emergency action.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1018-1984)

AUTHORIZING THE PRIVATE RIGHT-OF-WAY SHOWN ON MAP 89, BLOCK A, SHALL HEREIN BE CALLED BASEBALL AVENE AND THIS IS NOT INTENDED TO CONSTITUTE AMENDMENT TO THE OFFICIAL MAP OR PLANNING FOR A PUBLIC STREET OR ROAD CONNECTION

Councilman Carey offered the following resolution:

WHEREAS, a request has been made to the Town Board for the designation of a private right-of-way which leads to or is adjacent to property designated on the Clarkstown Tax Map as Map 89, Block A, Lot 46, to be known as "Baseball Avenue" in honor of the little league organizations which had for some time used a playing field on said premises;

NOW, THEREFORE, be it

RESOLVED, that the private right-of-way shown on Map 89, Block A, in the vicinity of Lot 46, which begins at the intersection of Virginia Street and Besso (Howard) Street shall hereinafter be called Baseball Avenue, and be it

FURTHER RESOLVED, that nothing herein is intended by said designation to constitute amendment of the Official Map of the Town of Clarkstown or constitute the planning for a public street or road connection from said premises to Besso (Howard) Street and Virginia Street.

Seconded by Councilman Maloney

All voted Aye

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RESOLUTION NO. (1019-84)

RESCHEDULING TOWN BOARD  
MEETING FROM NOV. 22 TO  
NOV. 21 AND YEAR END  
MEETING HELD ON DEC. 28,  
1984

Councilman Carey offered the following resolution:

RESOLVED, that the Workshop meeting of the Town Board  
scheduled for November 22, 1984, is hereby rescheduled to November  
21, 1984, and be it

FURTHER RESOLVED, that the year end meeting of the Town  
Board shall be held on December 28, 1984, at 12:00 noon at the  
Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City,  
New York.

Seconded by Councilman Maloney

All voted Aye

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RESOLUTION NO. (1020-1984)

AUTHORIZING PARTICIPATION  
IN NORTH ROCKLAND TOPICS  
PROJECT PROGRAM WITH NYSDOT

Councilman Holbrook offered the following resolution:

WHEREAS, the N.Y.S. Department of Transportation has  
initiated a north Rockland TOPICS Project which includes Stony Point  
Haverstraw, Northern Ramapo, portions of Clarkstown north of New  
Hempstead/Congers Road on the west and north of the NYS Thruway on  
the east, and

WHEREAS, this engineering project is to identify traffic  
and safety problems within this region, and

WHEREAS, the cost of such participation is at no cost to  
the Town of Clarkstown, and

WHEREAS, it is necessary for the Towns to concur with  
this program in order to obtain such engineering services, and

WHEREAS, it will be necessary for any and all interested  
parties to suggest traffic congested areas or hazardous safety areas  
on roads identified in this project for inclusion in such study, and

WHEREAS, there is no obligation for the Town of  
Clarkstown to follow these engineering recommendations when  
concluded,

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Clarkstown  
concur with the general aspects of the suggested project and believe  
that this is compatible with the projected transportation and  
government objectives for the region and it is understood that this  
statement of acceptance in no way diminishes our right under present  
procedures to further review and comment on specific stages of the  
design, and be it

FURTHER RESOLVED, that the Town Clerk, Patricia  
Sheridan, is hereby directed to send certified copies of this  
resolution to Al Dickson, Regional Director, D.O.T., Mike Mignogna,  
NYSDOT, Project Superintendent for North Rockland Topics, and Joseph  
Hornik, Rockland Co. Superintendent of Highways.

Continued on next page

RESOLUTION NO. (1020-1984)Continued

Seconded by Councilman Carey

All voted Aye

Supervisor asked that any interested parties with ideas or suggestions for the improvement of traffic flow or congestion or safety on major roads, please contact Joe Hornik of the Rockland County Highway Department or the Supervisor's office.

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RESOLUTION NO. (1021-1984)

AUTHORIZING TOWN ATTORNEY  
TO DEFEND AN ACTION - LOUIS  
S. SANDLER

Councilman Holbrook offered the following resolution:

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

Louis S. Sandler; Ancillary Administrator of the Estate of Charles N. Donner; and Joseph Gregory Associates, Inc.,

Plaintiff

-against-

Bertis Blanks, Elizabeth Blanks; William K. Nelson; Bennie Nelson; James A. Jenkins, Jr., Emily Jenkins; John A. Holiday, Nellie Holiday; Elouise Bryant; Carl H. Jenkins; Bessie M. Jenkins; Eugene Woods; Ann Woods; Gretta Rose Swaby; Thomas J. Brown; Margaret B. Brown; James Quashie, Maglyn Quashie; Franklin D. Conklin; Kohl Industrial Park Co.; Town of Clarkstown; The People of the State of New York; The New York State Thruway Authority; Ralph L. Coleman; Mary M. Coleman; Early B. Lancaster, Hazel Lancaster; Arthur F. Huggins, Grace Huggins; County of Rockland; New York State Tax Commission; Eastchester Savings Bank; Nina Woods; First Chartered Savings and Loan Association; Spring Valley Savings and Loan Association; Oxford Plan, Inc.; Anren Construction Corp.; Nanuet Savings and Loan Association; New York Bank for Savings; A.S. Taylor, Stanly A. Kilman and Fred Kaplowitz d/b/a T.S.F. Realty Co.; Union State Bank; Larner Donner; The National Bank of Westchester,

Defendants.

NOW THEREFORE, be it

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

Seconded by Councilman Carey

All voted Aye

The Town Attorney said that the Town is not at risk in this litigation. This is an action to extinguish a covenant which would restrict the development of the parcel where the White Castle restaurant was planned. There is an old covenant on record from 1910 which says you can only have residential use there and the owner is attempting to have that covenant released. Everyone who has an interest in the property or is in that vicinity including the Town was named as a defendant. Mr. Costa explained that Louis S. Sandler is a representative of the estate that owns the property and that they would like to complete the conveyance to the White Castle. Mr. Costa said there is a 1910 restrictive covenant that says you can only have a summer bungalow on that site.

Continued on next page

Supervisor said therefore the new ratable is going to be on hold for a while pending litigation.

Mr. Costa said "that is right." Mr. Costa said that he didn't think we are at risk in this. The reason we were named as a defendant has to do with respect to the zoning ordinance. This area is zoned for the use it was planned for.

Supervisor asked Mr. Costa if we defend this too well we could stop the ratable from being built half way through?

Mr. Costa said the Town Attorney's Office intends only to protect the interests of the Town. The Town is not adverse to the development of this site.

\*\*\*\*\*

RESOLUTION NO. (1022-1984)

AUTHORIZING COMMITTEE TO BE THE GRIEVANCE PERSONNEL FOR DISCRIMINATION COMPLAINTS AS PER REQUIREMENTS OF FEDERAL REVENUE SHARING FUNDS AND AUTHORIZING TOWN ATTORNEY TO PUBLISH THE NECESSARY LEGAL NOTICES

Councilman Holbrook offered the following resolution:

WHEREAS, that the Town of Clarkstown participates in Federal Revenue Sharing, and

WHEREAS, the Town of Clarkstown has a policy prohibiting discrimination against handicapped persons which is consistant with policy which is required to be adopted pursuant to the Federal Revenue Sharing Act;

NOW, THEREFORE, be it

RESOLVED, that it is hereby declared that the Town of Clarkstown has a policy prohibiting discrimination against the handicapped, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to make public notification by publication in the official newspaper of the policy described herein, and be it

FURTHER RESOLVED, that the following town officials are hereby appointed to receive any inquiry concerning discrimination against handicapped persons using town facilities or requesting town services:

Nils Eckhart, Safety Coordinator  
Ralph J. Andretta, Director of Finance

Seconded by Councilman Maloney

All voted Aye

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RESOLUTION NO (1023-1984)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR PRINTING OF TOWN ENVELOPES AND STATIONERY-BID #31985

Continued on next page

RESOLUTION NO. (1023-1984) Continued

Councilman Holbrook offered the following resolution:

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

BID #3-1985

PRINTING OF TOWN ENVELOPES AND STATIONERY

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M., Tuesday, November 20, 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 Councilman Carey

All voted Aye

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RESOLUTION NO. (1024-1984)

AUTHORIZING DIRECTOR OF PURCHASING TO READVERTISE FOR BIDS FOR CENTRAL NYACK COMMUNITY CENTER ALTERATIONS AND IMPROVEMENTS - BID #32A-1984

Councilman Maloney offered the following resolution:

WHEREAS, there was no response to our solicitation bids for the Central Nyack Community Center Alterations and Improvements, now therefore be it

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

BID #32A-1984  
CENTRAL NYACK COMMUNITY CENTER  
ALTERATIONS AND IMPROVEMENTS

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, November 21, 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 Councilman Holbrook

All voted Aye

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RESOLUTION NO. (1025-1984)

AWARDING BID #48-1984 ROCK SALT TO: INTERNATIONAL SALT CO., CLARKS SUMMIT, PA. 18411 AND CARGIL, INC. 518 E. FOURTH ST. WATKINS GLEN, NY. 14891

Councilman Holbrook offered the following resolution:

Continued on next page

RESOLUTION NO. (1025-1984) Continued

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

BID #48-1984  
ROCK SALT

is hereby awarded to:

INTERNATIONAL SALT CO.  
CLARKS SUMMIT, PA. 18411  
and  
CARGIL, INC.  
518 E. FOURTH ST.  
WATKINS GLEN, N.Y. 14891

as per the following schedule:

CRUSHED MINERAL ROCK SALT @ \$30.39/TON  
TYPE A-IN BULK

CRUSHED MINERAL ROCK SALT @ \$3.54/BAG (80 lbs.)  
TYPE A-BAGGED

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1026-1984)

AUTHORIZING RETAINING OF  
KARL A. KIRCHNER, INC. FOR  
APPRAISAL SERVICES FOR A  
SUM NOT TO EXCEED \$6,000,  
WRITTEN APPRAISAL AND UP TO  
\$1,000 FOR EXPERT  
TESTIMONY, RE NANUET MALL  
COMPLEX CHARGED OR  
ENCUMBERED TO ACCOUNT A  
1355-409

Councilman Holbrook offered the following resolution:

RESOLVED, that the Assessor is hereby authorized and directed to enter into a contract with Karl A. Kirchner, Inc., 1 Kings Highway, Tappan, New York, for appraisal services in a form satisfactory to the Town Attorney, for a sum not to exceed \$6,000. for a written appraisal and up to \$1,000 for expert testimony, if required, which appraisal shall review the Nanuet Mall Complex in connection with the revaluation program, and be it

FURTHER RESOLVED, that the fees for appraisal services shall be charged or encumbered to Account A 1355-409.

Seconded by Councilman Maloney

ALL voted Aye

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RESOLUTION NO. (1027-1984)

AUTHORIZING ENTERING INTO  
CONTRACT WITH ROLAND R.  
GRECO ASSOC., FOR APPRAISAL  
SERVICES, SUM NOT TO EXCEED  
\$7,500.- WRITTEN APPRAISAL  
AND \$1,000 FOR EXPERT  
TESTIMONY, FEES FOR  
APPRAISAL SERVICES SHALL BE  
CHARGED OR ENCUMBERED TO  
ACCOUNT A1355-409

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RESOLUTION NO. (1027-1984)Continued

Councilman Holbrook offered the following resolution:

RESOLVED, that the Assessor is hereby authorized and directed to enter into a contract with Roland R. Greco Associates, 14 Mamaroneck Avenue, White Plains, New York, for appraisal services in a form satisfactory to the Town Attorney, for a sum not to exceed \$7,500.00 for a written appraisal and up to \$1,000 for expert testimony, if required, which appraisal shall review the St. Regis Co. Technical Center in connection with the revaluation program, and be it

FURTHER RESOLVED, that the fees for appraisal services shall be charged or encumbered to Account A 1355-409.

Seconded by Councilman Maloney All voted Aye

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RESOLUTION NO. (1028-1984) ADOPTING TOWN BOARD MINUTES OF SEPT. 9, 1984, AND SPECIAL TOWN BOARD MINUTES OF SEPT. 25, 1984

Councilman Carey offered the following resolution:

RESOLVED, that the regular Town Board Minutes of September 9, 1984, and the Special Town Board Minutes of September 25, 1984 are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Councilman Holbrook

On roll call the vote was as follows:

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

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RESOLUTION NO. (1029-1984) AUTHORIZING SUPERVISOR TO ENTER INTO CONTRACT WITH GASTON LAWRENCE RAFFAELLI OF PRINCETON, NJ , ENGINEER, RE: GERMONDS PARK, SUM OF \$23,000., REIMBURSABLE EXPENSES OF \$1,000. INCREASE REVENUE ACCOUNT 01-002680 BY \$24,000. AND INCREASE APPROPRIATION ACCOUNT 7180-409 BY \$24,000.

Councilman Holbrook offered the following resolution:

RESOLVED, that upon the recommendation of the Clarkstown Parks Board and Recreation, the Town Board hereby authorizes the Supervisor to enter into a contract, in a form acceptable to the Town Attorney, with Gaston Lawrence Raffaelli of Princeton, New Jersey, for engineering services for repairs and replaster of pools at Germonds Park in accordance with the proposal dated September 20, 1984, and that the total compensation shall not exceed the sum of \$23,000.00 plus \$1,000.00 for reimbursable expenses, without further resolution of the Town Board, and be it

20

RESOLUTION NO. (1029-1984) Continued

FURTHER RESOLVED, that the Town Comptroller is authorized to increase Revenue Account 01-002680 by \$24,000.00 and increase Appropriation Account 7180-409 by \$24,000.00.

Seconded by Councilman Maloney

All voted Aye

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RESOLUTION NO. (1030-1984)

AUTHORIZING USE OF TOWN LAW  
280-a - PAUL CERESNAK

Councilman Holbrook offered the following resolution:

RESOLVED, that under the provisions of Section 280-a Subd. (2) of the Town Law and pursuant to the recommendations of the Director of Environmental Control and Superintendent of Highways, a permit for the erection of a one family residence may be issued to Paul Ceresnak, as owner, for property situate on the north side of Milsom Drive, 100 feet west of Lennox Way, New City, New York, more specifically designated on the Clarkstown Tax Map as Map 43, Block B, Lot 15.01, provided the owner shall be required prior to the issuance of such building permit to execute and record a Declaration of Covenant in a form satisfactory to the Town Attorney which shall run with the land and which shall provide:

1. That the property owner shall acknowledge that no town services consisting of maintenance, paving, or snow removal shall be provided along Milsom Drive.

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

3. That the declarant owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the declarant owner in the premises or in any mapped street adjacent to the premises to the designated street line to accomplish the widening of same to 50 feet in width.

4. That any deed of conveyance for the subject premises shall recite that the conveyance is subject to the Declaration of Covenant provided herein.

5. That the certificate of occupancy issued for said premises be conditioned upon observance and subject to the Declaration of Covenant provided herein, and be it

FURTHER RESOLVED, that no building permit shall be issued unless applicant obtains permission from the Lake Lucille Homeowners' Association for excavation and restoration of Milsom Drive in front of premises to be improved, and no certificate of occupancy shall be issued until Milsom Drive has been restored to the satisfaction of the Director of the Department of Environmental Control, and be it

FURTHER RESOLVED, that a building permit shall not be issued for the premises to be constructed until all other requirements of law, rules and regulations are complied with to the satisfaction of the Building Inspector.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1031-1984)

AUTHORIZING USE OF TOWN LAW  
280-(2)MICHAEL F. GILL -  
QUASPECK ROAD

Councilman Holbrook offered the following resolution

RESOLVED, that under the provisions of Section 280-a Subd. (2) of the Town Law and pursuant to the recommendations of the Director of Environmental Control and Superintendent of Highways, a permit for the erection of a one family residence may be issued to Michael F. Gill, as owner, for property situate on the north side of Quaspeck Road, 118.11 feet east of Massachusetts Avenue, Congers, New York, more specifically designated on the Clarkstown Tax Map as Map 139, Block A, Lot 19.02, provided the owner shall be required prior to the issuance of such certificate of occupancy to execute and record a Declaration of Covenant in a form satisfactory to the Town Attorney which shall run with the land and which shall provide:

1. That the property owner shall acknowledge that no town services consisting of maintenance, paving, or snow removal shall be provided along Quaspeck Road.

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

3. That the declarant owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the declarant owner in the premises or in any mapped street adjacent to the premises to the designated street line to accomplish the widening of same to 50 feet in width.

4. That the declarant owner shall provide for and maintain to the satisfaction of the Superintendent of Highways the existing driveway and install a "T" turnaround at the end of the existing driveway on said premises which services the existing structure.

5. The declarant owner shall provide that the run-off from the driveway be disbursed into adjoining premise and shall obtain whatever permission is necessary to do so. The declarant owner shall provide and maintain a berm to prevent runoff from Massachusetts Avenue from coming into the driveway.

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

7. That the certificate of occupancy issued for said premises be conditioned upon observance and subject to the Declaration of Covenant provided herein, and be it

FURTHER RESOLVED, that a building permit shall not be issued for the premises to be constructed until all other requirements of law, rules and regulations are complied with to the satisfaction of the Building Inspector.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1032-1984)

ACCEPTING DECLARATION OF  
COVENANTS - AMERICAN  
CYANAMID CO.

Councilman Maloney offered the following resolution:

RESOLVED, that the Declaration of Covenants dated September 10, 1984, from American Cyanamid Company in connection with Board of Appeals' Decision No. 1787 is hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office.

Seconded by Supervisor Dusanenko

All voted Aye

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RESOLUTION NO. (1033-1984)

AUTHORIZING PERMISSION TO  
ATTEND SEMINAR - LOU  
PROFENNA, COMPTROLLER

Councilman Holbrook offered the following resolution:

WHEREAS, Louis J. Profenna, Comptroller, will be attending a seminar and workshop on Computer Hardware and Software on November 19-21 at the New York Hilton, BE IT THEREFORE

RESOLVED, that all proper charges be charged to Appropriation Account No. A 1010-414.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1034-1984)

CANCELLING AND REJECTING  
BID #29-1984 FOR ROLL OFF  
REFUSE CONTAINERS

Councilman Maloney offered the following resolution:

WHEREAS, no action has been taken regarding an award of

BID #29-1984  
FOR  
ROLL OFF REFUSE CONTAINERS

NOW. THEREFORE. be it

RESOLVED, that

BID #29-1984

is hereby cancelled and rejected.

Seconded by Councilman Holbrook

All voted Aye

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RESOLUTION NO. (1035-1984)

AUTHORIZING SUPERVISOR TO  
ENTER INTO A SERVICE  
CONTRACT FOR FUEL CONTROL  
SYSTEM WITH BLUE RIDGE OIL  
CHEMICAL CORPORATION

Councilman Maloney offered the following resolution

Continued on next page

RESOLUTION NO. (1035-1984) Continued

RESOLVED, that the Supervisor is authorized to enter into a service contract for a Fuel Control System with Blue Ridge Oil Chemical Corporation.

Seconded by Councilman Holbrook

All voted Aye

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RESOLUTION NO. (1036-1984)

SETTING DATE FOR PUBLIC  
HEARING DEC. 11, RE:  
VIOLATION, CHAPTER 31  
"UNSAFE BUILDINGS" S.  
MIDDLETOWN ROAD, NANUET

Councilman Maloney offered the following resolution:

WHEREAS, pursuant to Section 31-4 of the Code of the Town of Clarkstown and based upon the report of the Assistant Fire Inspector, the structure located on property designated on the Clarkstown Tax Map as MAP 14, BLOCK C, LOT 3, is unsafe and dangerous and should be demolished and removed;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney prepare and serve RICHARD CERASOLI and all others having an interest in the said premises Notice of unsafe structure pursuant to Section 31-5 of the Code of the Town of Clarkstown, and be it

FURTHER RESOLVED, that a public hearing be held by the Town Board of the Town of Clarkstown at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on the 11th day of December, at 8:15 P.M.

Seconded by Councilman Carey

All voted Aye

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RESOLUTION NO. (1037-1984)

INSTALLING STREET LIGHTS -  
FLITT ST., WEST NYACK

Councilman Carey 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 surevey of surrounding property owners directly affected by this proposed lighting was conducted by Patricia A. Balko, Service Investigation Clerk, 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 locations:

Flitt Street West Nyack  
(Pole #59230/39480 - 1 5,800 lumen sodium vapor street  
light)

Seconded by Councilman Holbrook

All voted Aye

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RESOLUTION NO. (1038-1984)

AUTHORIZING USE OF CONGERS  
LAKE PARK COMMUNITY CENTER  
AND DISPENSING OF ALCOHOLIC  
BEVERAGES SUBJECT TO SEC.  
22-2A AND 2B OF THE TOWN  
CODE: RE: VALLEY COTTAGE  
INDIANS

Councilman Maloney offered the following resolution:

WHEREAS, the Valley Cottage Indians will be hosting the  
Everett, Mass. Pop Warner League this November, and

WHEREAS, they have requested use of the Congers Lake  
Park Community Center for purposes of hospitality on November 24,  
1984,

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Clarkstown  
authorizes the use of the facility and be it

FURTHER RESOLVED, that the Town Board of the Town of  
Clarkstown hereby gives permission to the Valley Cottage Indians to  
dispense alcoholic beverages in accordance with and subject to  
Section 22-2A and 2B of the Town Code.

Seconded by Councilman Holbrook

All voted Aye

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RESOLUTION NO. (1039-1984)

ACCEPTING RESIGNATION OF  
KERWIN McCARTHY, PART-TIME  
COUNSELING AIDE, COUNSELING  
CENTER

Councilman Holbrook offered the following resolution:

RESOLVED, that the resignation of Kerwin W. McCarthy,  
168 Knapp Road, Stony Point, New York - part-time Counseling Aide -  
Counseling Center - is hereby accepted - effective October 30, 1984

Seconded by Councilman Maloney

All voted Aye

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RESOLUTION NO. (1040-1984)

APPOINTING (TEMPORARY)  
CLERK, RECEIVER OF TAXES  
OFFICE

Councilman Holbrook offered the following resolution:

RESOLVED, that Maria Isenbek, 23 Sunrise Drive, Stony  
Point, New York is hereby appointed to the position of (temporary)  
Clerk - Receiver of Taxes Office - at the hourly rate of \$4.45 -  
effective and retroactive to October 12, 1984 for a period not to  
exceed 30 days.

Seconded by Councilman Maloney

All voted Aye

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RESOLUTION NO. (1041-1984)

APPOINTING BRIAN TESSEYMAN  
TO PARKS BOARD AND  
RECREATION

Councilman Holbrook offered the following resolution:

RESOLVED, that Brian Tesseyman, 6 Kelvin Court, Nanuet,  
New York - is hereby appointed to the position of Member - Parks

RESOLUTION NO. (1041-1984)

Board and Recreation Commission - to serve without compensation - terms to commence on October 24, 1984 and to expire on October 23, 1989.

Seconded by Councilman Maloney All voted Aye

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RESOLUTION NO. (1042-1984)

APPOINTING DENISE DALY -  
MEMBER LITTER CONTROL BUREAU

Councilman Holbrook offered the following resolution:

RESOLVED, that Denise Daly, 280 Congers Road, New City, New York is hereby appointed to the position of Member - Litter Control Bureau (to fill the unexpired term of Angela Abruzese) - to serve without compensation - term to commence on October 24, 1984 and to expire on December 31, 1985.

Seconded by Councilman Maloney All voted Aye

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RESOLUTION NO. (1043-1984)

APPOINTING STEFANIE BOSCO -  
SECRETARY (PART-TIME)  
LITTER CONTROL BUREAU

Councilman Holbrook offered the following resolution:

RESOLVED, that Stefanie Bosco, 2 Short Street, West Nyack, New York is hereby appointed to the position of Secretary (part-time) - Litter Control Bureau - at the current 1984 annual salary of \$500., effective the day the application is approved by the Rockland County Personnel Office.

Seconded by Councilman Maloney All voted Aye

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RESOLUTION NO. (1044-1984)

APPOINTING JOHN DIANIS TO  
MEMBER ARCHITECTURAL REVIEW  
BOARD

Councilman Holbrook offered the following resolution:

RESOLVED, that John Dianis, 25 Lenox Avenue, Congers, New York - is hereby appointed to the position of Member - Architectural Review Board - at the current 1984 annual salary of \$1,000., term to commence on October 24, 1984 and to expire on October 23, 1989.

Seconded by Councilman Maloney All voted Aye

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RESOLUTION NO.(1045-1984)

RE-APPOINTING SHEILA  
DEUTSCH TO POSITION OF  
MEMBER - TRAFFIC AND  
TRAFFIC SAFETY ADVISORY  
BOARD

Councilman Holbrook offered the following resolution:

RESOLVED, that Sheila Deutsch, 9 Pelham Avenue, Nanuet, New York is hereby re-appointed to the position of Member - Traffic and Traffic Safety Advisory Board - at the current 1984 salary of \$1,100., per annum, term effective and retroactive to April 1, 1984 and to expire on March 31, 1989.

Seconded by Councilman Maloney All voted Aye

RESOLUTION NO. (1046-1984)

APPOINTING FRANCIS PANDOLFI  
- MEMBER, CODE OF ETHICS  
BOARD

Councilman Holbrook offered the following resolution:

RESOLVED, that Francis Pandolfi, 132 North Middletown Road, Nanuet, New York is hereby appointed to the position of Member - Code of Ethics Board - to serve without compensation - term to commence on October 24, 1984 and to expire on October 23, 1989.

Seconded by Councilman Maloney

All voted Aye

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RESOLUTION NO. (1047-1984)

APPOINTING STEVEN SMITH,  
(PROVISIONAL) REAL PROPERTY  
DATA COLLECTOR - ASSESSOR'S  
OFFICE

Councilman Holbrook offered the following resolution:

RESOLVED, that Steven Smith, 7 Mazza Leone Court, Pomona, New York is hereby appointed to the position of (provisional) Real Property Data Collector - Assessor's Office - at the current 1984 salary of \$10,741., effective October 29, 1984.

Seconded by Councilman Maloney

All voted Aye

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RESOLUTION NO. (1048-1984)

APPOINTING LORRAINE  
WEIGOLD, MEMBER LITTER  
CONTROL BUREAU

Councilman Holbrook offered the following resolution:

RESOLVED, that Lorraine Weigold, 8 Greendale Road, New City, New York is hereby appointed to the position of Member- Litter Control Bureau (to fill the unexpired term of Diane Jones) - to serve without compensation - term to commence on October 24, 1984 and to expire on December 31, 1985.

Seconded by Councilman Maloney

All voted Aye

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RESOLUTION NO. (1049-1984)

APPOINTING RUDY DAMONTI,  
MEMBER PARKS BOARD AND  
RECREATION COMMISSION

Councilman Holbrook offered the following resolution:

RESOLVED, that Rudy Damonti, Stockton Road, Valley Cottage, New York, is hereby appointed to the position of Member - Parks Board and Recreation Commission - to serve without compensation - term to commence on October 24, 1984 and to expire on October 23, 1989.

Seconded by Councilman Lettre

On roll call the vote was as follows:

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

\*\*\*\*\*

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Page 27

RESOLUTION NO. (1050-1984)

TABLING RESOLUTION  
APPOINTING DEPUTY TOWN  
ATTORNEY

Councilman Carey offered the following resolution:

RESOLVED, that Resolution appointing Deputy Town Attorney is hereby tabled.

Seconded by Councilman Holbrook

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (1051-1984)

AUTHORIZING SUPERVISOR TO  
ENTER INTO CONTRACT WITH  
C.A.N.D.L.E. AND ALLOCATING  
\$500. FOR WORKSHOP  
PROGRAMS. TAKEN FROM  
ACCOUNT NO. 01-2680 AND  
TRANSFERRED TO ACCOUNT NO.  
4210-409

Councilman Holbrook offered the following resolution:

WHEREAS, C.A.N.D.L.E., by a proposal dated October 23, 1984, has offered to provide the Clarkstown Drug Abuse Prevention Council with workshop programs dealing with the subject of drug addiction and drug abuse awareness in the Community, and

WHEREAS, the organization has requested payment for such services in the amount of \$500.00;

NOW, THEREFORE, be it resolved that the Supervisor of the Town of Clarkstown is authorized to enter into a Contract in a form approved by the Town Attorney with C.A.N.D.L.E. to provide for the allocation of the sum of \$500.00 for workshop programs dealing with the subject of drug addiction and drug abuse awareness in the Community.

FURTHER RESOLVED, that the funds for the program shall be taken from Account No. 01-2680 and transferred to Account No. 4210-409.

Seconded by Councilman Carey

All voted Aye.

\*\*\*\*\*

There being no further business to come before the Town Board, on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Town Board Meeting was closed, time: 11:32 P.M.

Respectfully submitted,

*Patricia Sheridan*  
PATRICIA SHERIDAN  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

10/23/84

9:05

Appearance: Supervisor Dusanenko  
Councilman Carey, Holbrook, and Lettre  
John Costa Town Attorney  
Patricia Sheridan, Town Clerk

RE: PETITION FOR SPECIAL PERMIT TO CONDUCT A LANDFILL - BRADLEY INDUSTRIAL PARK

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared open. Town Clerk read notice calling Public Hearing. The Town Attorney testified as to proper posting and publication. He said there was also an affidavit of service of notice of this Public Hearing in connection with the proposed special permit upon the various municipalities and agencies within the County of Rockland and that's dated October 3, 1984. He also said he has correspondence on file and had a letter dated October 15th from the New York State Environmental Conservation addressed to himself, as Town Attorney. This letter is on file in the Town Clerk's Office. The Town Attorney said he also had attached to this letter correspondence to Kurian L. Malarichal, Department of Environmental Control, from Alec Ciesluk, Environmental Analyst, New Paltz, NY, Dated September 24, 1984 which is on file in the Town Clerk's Office

Supervisor asked if it was safe to say that there is a difference of opinion as to who will have jurisdiction as lead agency for environmental impact purposes whether it be the Town or the State.

The Town Attorney said unless our Town Agency, the Department of Environmental Control, has conceded the point, which I am unaware of, there would be such a conflict.

Supervisor told the applicant of the petitioner Mr. Werner that in order to save yourself and your client some discomfort, we could go on with the Public Hearing on this matter and hear from you, the petitioner, from your client and from the public and at the same time with the information that has yet to be resolved at least in discussions with my colleagues on the Town Board that this might have been precipitous to schedule at this time since we haven't established a clear cut fact about lead agency and also since the Town has spent to date, unanimously, an excess of \$100,000 for engineering to eliminate flooding and drainage problems in West Nyack and we haven't had those improvements in and that this petition might be premature at this time

Mr. Werner said it was his request that the advocates be considered and it would prove that it could be created subject to the PEC approval. I think there has been a misunderstanding with regard to the location of this particular site and I am prepared to submit proof in that regard. The situation is not dissimilar from an application that was recently submitted to the Town Board on Route 59 simply to permit the filling in with clean fill in order to permit construction of a building. We are not looking to have a general landfill operation. We are simply seeking to prepare ground upon which to construct proper ratables. The location is adjacent to the landfill - between the landfill area and a railroad, at the southerly end of the Town. We don't believe it will have an impact on anybody.

At this time, the Supervisor said he would like to hear from his colleagues on the Town Board as to whether they should have this Public Hearing tonight or not. Otherwise, there will be a lot of wasted time and energies.

Continued on next page

Councilman Holbrook said that until the agency is resolved that it was premature.

Councilman Carey asked if we've already opened it, can we recess it?

Supervisor said, "yes."

Councilman Carey said then that is what we should do - recess it.

Councilman Maloney also agreed to recess.

Supervisor said that we will recess this Public Hearing until the lead agency is established.

Town Attorney, Costa said that if the Board recesses without setting a date for the reconvening of the hearing it will be necessary to republish this as though it were a new Public Hearing.

Supervisor said then this would become a mute issue.

Mr. Costa said, "yes."

Councilman Carey said we can't set a date because we don't know how long that information is going to take to get here. We might be better off to close this and start from scratch at a future date.

Mr. Werner said that would be highly prejudicial to the applicant. He said this is a multi-million dollar expenditure. There is a question of financing, expiration of financing, and there is a question of extension of what is now known as Bradley Corporate Park into Clarkstown which will bring substantial ratables. He said he believed the Town has the power to establish itself now as the lead agency.

Councilman Holbrook said that what they are concerned about is that it infringes on environmental land in that vicinity. We would like to have ratables but not at the expense of the environment.

Supervisor said that we will recess this Public Hearing to November 27th at 8:15 P.M.

Appearance:

Patrick McGee

He said he was a partner in Bradley Corporate Park and he has been in Bradley Corporate Park for the past twenty-two years. We purchased the property about eight months ago. He said they have eighty-five young people employed there and he thought sixty-five of them live in Clarkstown. He said he would like not to hesitate tonight because he felt they have a viable situation here. Especially with the landfill on one side and the west shore line on the other side. We have industry that is looking to come into Clarkstown. We have only four residents on the tip of our land who should be concerned about what we are doing. We have a landfill that is 125 feet above our elevation. He said they have done nothing wrong and they need the Board's approval tonight to proceed. He said our Town is protected by a landfill but our park doesn't have a gully between the landfill and these fifteen homes.

Supervisor said we don't know who the lead agency is going to be at this point, therefore we will put this off until November 27.

Continued on next page

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Mr. McGee said I would like to get the approval from this Town Board. It was explained that perhaps what Mr. McGee is saying is perhaps this Board can use its power if it is to grant the application and make it subject to lead agency approval which could be the Town Board itself and that would make it academic.

There being no one further wishing to be heard, on motion of Councilman Holbrook, seconded by Councilman Lettre and unanimously adopted, the Public Hearing was declared recessed until November 27, 1984, time: 9:22 P.M.

Respectfully submitted,



PATRICIA SHERIDAN  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

10/23/84

9:05

Appearance: Supervisor Dusanenko  
Councilman Carey, Holbrook, and Lettre  
John Costa Town Attorney  
Patricia Sheridan, Town Clerk

RE: PETITION FOR SPECIAL PERMIT TO CONDUCT A LANDFILL - BRADLEY INDUSTRIAL PARK

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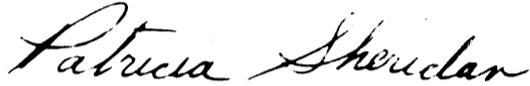
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There being no one further wishing to be heard, on motion of Councilman Holbrook, seconded by Councilman Lettre and unanimously adopted, the Public Hearing was declared recessed until November 27, 1984, time: 9:22 P.M.

Respectfully submitted,



PATRICIA SHERIDAN  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

10/23/84 9:23 P.M

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

RE: AMENDMENT TO OFFICIAL MAP TO DELETE CONRAD LANE, NEW CITY

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted the public hearing was declared open. Town Clerk read notice calling Public Hearing. Town Attorney stated that there is on file an Affidavit of Publication from the Journal News indicating that the Notice of Public Hearing was published as required by law on October 10, 1984 as well as an affidavit of posting of this notice of Public Hearing indicating that on October 5th, it was posted as required by law.

Supervisor asked do you have any indications that the Rockland County Planning Board concurred? The Town Attorney said that the Town Planning Board is now involved in processing a new subdivision which would eliminate the problems. We do not have any opposition from the Rockland County Planning Board. Just an indication that it was for local determination. Supervisor said they were against the road at its present location. The Town Attorney said yes they were opposed to it.

Supervisor asked if there was any input from the public on the Hearing? Basically it was a subdivision that was approved many years ago. The Planning Board said it wanted it their way. The Superintendent of Highways and the County Planning Board said no -that we have to give preference to county roads. Whoever owned the property went subsequently bankrupt and other people bought it and tried. It went to court and now they are going to put the subdivision in where they should have many years ago. In order to do so this road has to be removed.

There being no one wishing to be heard, on motion of Councilman Holbrook, seconded by Councilman Carey and unanimously adopted the Public Hearing was closed, time: 9:27 P.M.

Respectfully submitted



PATRICIA SHERIDAN  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

10/23/84

9:27 P.M.

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

RE: PROPOSED AMENDMENT TO ZONING ORDINANCE, LS TO PO - MAP 34,  
BLOCK A, LOT 20

On motion of Councilman Holbrook, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared open. Town Clerk read notice calling Public Hearing. Town Attorney stated that there is on file an Affidavit of Publication from the Journal News indicating that the Notice of Public Hearing was published as required by law on October 10, 1984. There is also an Affidavit of Service of Notice of the Public Hearing upon the various municipalities in state and local agencies within the Town of Clarkstown dated October 3, 1984 and in addition there is an Affidavit of Service of Notice by ordinary mail on all those persons who reside within 500 feet of the proposed zone change location and that Affidavit indicates that the notice was served on October 3, 1984. In addition, there is an Affidavit of Posting. It is sworn on October 3, 1984 by the Building Department that it was posted at the site as required by law.

There is a letter from the Rockland County Planning Board dated October 9, 1984 indicating that the Rockland County Planning Board review the above items at its meeting of 10/9/84 and has disapproved on the basis of "lack of information on zoning requested." There is also on file in the Town Clerk's Office a letter from the Town of Clarkstown Planning Board dated October 22, 1984 addressed to the Town Board, re: Request for Planning Board recommendation to change from LS Zone to a PO Zone, or in the alternative an MF-2 Zone, for Parcel 34-A-20 Bardonia Shopping Center.

Supervisor asked if Mr. Costa had anything on file from the School District or P.T.A. regarding such. Mr. Costa said, "No." Supervisor inquired as to who employed the Court Reporter. Mr. Costa said she was employed by the Town at his request.

Supervisor said that Natalie Dente has a letter on file in the Town Clerk's Office.

Supervisor asked Mr. Geneslaw to speak on the merits of the issue. Mr. Geneslaw said that usually he makes a recommendation to the Board in favor of the change on which the Planning Board has taken favorable action. In this case the zone change was initiated by the Town Board as a referral to the Planning Board and we've prepared a report to the Planning Board on the subject. We first reviewed the history, which has already been covered so I won't repeat that and then we followed by evaluating potential traffic impacts because we thought those were among the major effects that could result in the change of zone or leaving the zoning as it is and I'd like to summarize that.

We used general standards from the Institute of Transportation Engineers which is a recognized organization of professional traffic engineers which is used on a regular basis for projecting traffic generation figures. We broke it down into four categories. The first was general retail uses which would be permitted in an LS zone. Their figures indicate that 118 trips per day per thousand square feet of gross floor area could be generated as an average. That would result in about 1650 trips per day. Most of those vehicles would already be in the road system. They would be vehicles that were being used to travel from one place to another. That would be an additional stop. It would not be so much more traffic on the roads. It would mean more turning maintenance to and from the site itself.

Continued on Next Page

Councilman Lettre said more than likely the traffic on 304 would be taken up on the secondary roads. Mr. Geneslaw said it would be diverted a little bit but it would not be new traffic on the system. General offices in this development similar to the PO would produce about 18 trips per day, per thousand square feet which would result in about 252 trips but those would be mostly new trips. Medical Offices would total about 770. These vary a lot depending upon the nature of the practice and the kind of practitioner that is in the building. That is an average that is used overall for medical offices.

The last category is multi-family and we assumed for that, about 13 units could be built -probably a little less - and that would generally be 80 trips a day. Those are new trips. Looking at it from a point of view of traffic, the residential alternative was the best. However, you can't look at it strictly from the point of view of traffic. It would not be a desirable residential environment with about a dozen units surrounded by an active restaurant with evening hours on one side, a post office on the other side, and a school behind. It is our feeling that the PO as an alternative would be less likely to produce problems in the neighborhood with respect to traffic, possible debris, rubbish in the area because sometimes that is a problem with retail stores - although not always. Those are what we thought to be the major issues between the two alternates.

Supervisor asked if anyone would like to speak in favor of such change.

Appearance: John Ferrandino  
Bardonia

He said the Bardonia area has developed tremendously since the '69 general plan was put up. Many of the residents who live there at the present time were never informed about all this historical change that we were informed of tonight. We found out about it recently at subsequent Planning Board Meetings. The volume of homes and the density of population in that area has changed drastically. Bardonia Elementary School is one of the largest elementary schools in the all of Clarkstown. The safety factor going up and down Bardonia Road for the school children must be taken into consideration. A shopping center would not only affect traffic but affect the quality of education in the school itself since it would be only 30 feet away from two of the classrooms that would border it.

The Town Board must take into consideration the general affect on Bardonia Road itself. Bardonia Road is a fairly narrow road. Everything up and down the entire road to the Post Office is residential. On the other side of the road it is entirely residential all the way up to the corner of 304. The impact on the quality of life in the neighborhood and the amount of traffic that would increase would have a detrimental effect in general on the people in the area. He thanked the Town Board for considering their petition. He asked the Town Board to take into consideration the concept of the increase in population in the area, the safety for the school children and the quality of education in the school in the area.

Appearance: Richard Shustrin  
45 Jay Street  
Bardonia

He said he has been a resident of the community for nine years. He thanked Councilman Lettre for pointing out that the traffic volume would be diverted to Bardonia Road. He said he would

Continued on Next Page

PH - Amendment to Zoning Ordinance Map 34, Block A, Lot 20  
Page 3

like to maintain the community as residential. Changing the area even to a professional office building would bring in other traffic and people that are not residents of the area. He said he would like to change the zoning from light shopping to multi-family housing.

Appearance: John Totani  
4 Ash Road  
Bardonia

He said he was a chairman in 1977 when they were opposing the Montessori School. He thanked Councilman Holbrook and Carey when they were on the ZBA for voting no in not allowing it in. At that time the Traffic Advisory Board took a count of the traffic on Bardonia Road and came up with a ridiculous figure of 350. The Highway Department came up with a figure of 1145. Another count was taken by the ZBA and one member of the Bardonia citizens. In 1978 from the time school opened and closed, the count was 2400 cars.

Since that time Whispering Court has been built. Also additional homes on Germonds Road. Future development of homes on Schweitzer Lane and Dustman Lane will bring additional traffic into these shopping centers. Two other office buildings on 304 bring in more traffic. The Lock Stock & Barrel between the businessman's lunch, the happy hour and their evening hours bring in more traffic. Additional traffic is hazardous to the safety of the children. Two years ago we opposed a group home for the Bardonia area. You have physicians, nurses, caretakers, and buses going through the area. Aside from the pool and the Clarkstown commuter buses that go through there, how much burden do you want to put on a two-lane road? If in 1978 there was a traffic count of 2400 cars, he said he would like to sit with anyone of the Board members and on any school day take a count today. His preference would be for PO.

Appearance: Natalie Dente  
4 Northland Court  
Bardonia

She said she was a member of the Clarkstown School Board. She said she was not here to discuss what you should do or which one to pick but what would be appropriate. She read the following letter from the Board of Education, Clarkstown Central School District:

"THIS LETTER WAS SENT TO ALL MEMBERS OF THE CLARKSTOWN PLANNING BOARD

October 3, 1984

Mr. Richard Paris, Chairman  
Clarkstown Planning Board  
10 Maple Avenue  
New City, NY 10956

Dear Mr. Paris

Within the Clarkstown community the safety and welfare of children is a matter of primary interest to the Board of Education. After an urgent plea on the part of parents of children who are attending the Bardonia School, at its October 1st workshop meeting the Board discussed the plans for the construction of a shopping center consisting of eleven stores to be placed on the property adjacent to the school and which faces on Bardonia Road.

Following study of the plans for this site and the strongly expressed views of parents against the construction, the Board of Education must express concern about the added congestion which a shopping center will bring to Bardonia Road and the impact that such congestion will have on the safety of more than 100 students who walk to school and the many others who travel on buses that enter and exit school property at this road.

Continued on Next Page

The above position is based on the fact that Bardonia Road is made up of only two lanes, with no room for expansion. Sidewalks are extremely narrow and often indistinguishable from the road. At times heavy bus traffic makes movement most difficult.

Since this is a subject of mutual concern to both our boards, it is our hope that the Planning Board will utilize our expressed position in its discussions and on future occasions notify the Board of Education early in its deliberations with regard to any anticipated construction in the vicinity of schools which may impact the safety and welfare of children. The Board of Education is in a key position to give input on this matter.

In addition, it is important to note that at the present time drainage remains a problem in the area of the Bardonia School. The school has three pumps operating in its basement to remove water. It is hoped that if construction of any kind results at this site, adequate provision will be made for drainage so that this problem can be alleviated rather than increased.

If you are in need of additional information with regard to the above, please call Dr. Donald Van Wagenen, Superintendent of Schools, at 634-4941, Extension 218.

Thank you for giving consideration to the safety and welfare of Clarkstown's children. It is in the best interests of both our boards to work together as services are rendered to the public, especially the children and youth of our community.

Sincerely,

(s)Barbara Flagg  
Barabara Flagg  
Vice President

BF:hf

cc: Mr. T. Dusanenko  
Mr. W. Carey  
Mr. C. Holbrook  
Mr. E. Lettre  
Mr. J. Maloney"

Mrs. Dente said as a resident of 14 years in Bardonia, she also remembered in 1978 when the Montessori School was brought up and the PTA of the Bardonia School was involved and they were there when they counted the cars and it was 2400. She said living on 304 is like living on the Long Island Expressway. Rarely can you make a turn into New City from 2:00 P.M. through 7:00 P.M. She felt you don't need anymore traffic than the roads can handle. If you want shopping centers for the ratables, put them where they would not serve as congestion spots in residential areas.

Appearance: Joseph Pantano  
265 Little Tor Road  
New City

He said the LS zone is a very good for the Town of Clarkstown but not in Bardonia. He felt the safety of children should be put above ratables, taxes or anything else. He said for the reasons of traffic problems, drainage problems and other things that would be undesirable for the community and he urged the Board to support the change from LS to PO.

Appearance: Diane O'Looney  
Bardonia

She said she was chairman for the Safety Committee for the P.T.A. She also spoke of the traffic problem through the years driving her children to and from school.

Continued on Next Page

Appearance: Ruben Levinton  
36 Renee Lane  
Bardonia

He said he has a problem with traffic getting in and out of Renee Lane and also with the shopping centers. He said you can go a little further and shop on Route 59 at the existing stores.

Mr. Carey asked Mr. Geneslaw if the angle at which Route 304 meets Bardonia Road is a true 90 degree corner. He said that the point of his question is that this fortifies the traffic problem. The answer to his question was yes.

The Supervisor asked if there was anyone wishing to speak in opposition.

Appearance: Morton Marcus  
Architect for the Project

He said that at one point in time they offered the school board the right-of-way to the east of the Post Office and after much discussion the school board rejected it so there would have been no students walking in front of this shopping center.

Councilman Lettre asked if there was any written correspondence to that effect. Mr. Marcus said that he recalled that Mr. Costa read correspondence to that effect at the Planning Board Meeting. Mr. Costa said he was not at that meeting. Mr. Marcus said not at that meeting requesting the zone change but at a meeting before the Board for reinstatement and reapproval for the Center.

The question came up whether the original Planning Board permit had expired so we went in for reinstatement. We were given the reinstatement with a number of conditions. One of the conditions was that they put a six foot fence behind the school even though there is a four foot fence there now so we're putting a six foot fence on our side of the property. The present shopping center has dumpsters immediately next to the driveway of the school and there are openings between the fence of the school and the shopping center. The P.T.A.'s concern of the dumpsters in relation to the shopping center I think is more critical on the other side than would be on ours.

We have made every attempt to take care of all the things the Planning Board requested as far as the center goes. A one story office building is really not viable. Considering the cost of the land and the operation of the building, etc., to limit it to one story when if you have a P.O. zone you are only limited by zoning why specifically should this one be a one story building. As far as the zoning in the immediate area, it is L.S. all the way to the corner on the north side of the street and across the street if you go just past Jay Street, it's L.S. on the other side of the street. There is a piece of property on Jay Street that is also zoned L.S.

If the Board decides on a P.O. I don't think it's fair to limit us to a one story. The shopping center including the Post Office was put up as a unit not as individuals - the Post Office was not intended to be built as an individual building. It was intended as the end link of the shopping center. He showed the map of 1972 which showed a walkway which was never accepted. He also indicated on the map where they were going to give a piece of land to make a better left turn where they came out of the school property. This is the only property that has given land to road widening in this area. It's already been given prior to this application. Your highway map indicates a 60 foot right-of-way on Bardonia Road. This is not a two lane road. This is a 60 foot road. It is a two lane road because it has never been developed. Serious consideration

Continued on Next Page

should be given to the widening of Bardonia Road to its proper size to accept the traffic.

Supervisor Dusanenko said that this Town Board has spent a lot of money resolving drainage problems around Germonds and other cul-de-sacs. We have just resurfaced it within the last two years. I don't think this Town Board or Town Boards in the near future are going to spend any more money in the widening of that road. Mr. Marcus said the road is wider in front of the shopping center because in the process of building 304, the state also was involved in it because the state is using the drainage on this property.

Supervisor asked Mr. Marcus if this is changed to P.O. are you asking that it not be limited to one story? Mr. Marcus said that is correct.

Supervisor said that as you go down 304 into New City, there are many professional office buildings. Some of them built them near adjacent residential zones with a Dutch Colonial look where you have the use of two stories but it blends in with the adjacent homes and character of the neighborhood. Others have built them like south Bronx specials with flat roofs. The Supervisor asked if the two stories were to be granted, would you be willing to build with a Dutch Colonial to blend in with the neighborhood or would they opt for a flat roofed building such as the other builders have opted for.

Mr. Marcus said the question of the facade and the design of the building would be subject to what we have to do to make this viable. When the property was bought this was checked with the Town Building Department and it was zoned. We have a final approval of the Planning Board. We have taken care of all the stipulations the Planning Board wants and now we are faced with having to start all over again with a completely different type of project. The question of one story or two stories is a question of economics. The land was bought as a shopping center at a premium price. It wasn't bought as two residential lots. You have to take that into consideration.

Supervisor said that the Town Board was trying to be sensitive to the residents and that's why the suggestions were of comparable value as to an alternative use with less income.

Councilman Maloney asked how many acres are there? Mr. Marcus said 1.25.

Appearance:

Nicholas R. Alessandro  
2244 Esplanade  
Bronx, N.Y. 10461

Mr. Alessandro said he is the attorney for the developer. He gave to the Councilmen and Mr. Geneslaw copies of a letter dated October 16, 1984 addressed to the Planning Board from Alessandro & Alessandro, Counselors At Law which is on file in the Town Clerk's Office. When Mr. Virgilio Saglimbeni purchased the property, the first thing he did was to contact the Building Department and he was advised that it was an L.S. zone and shopping could be brought about in that area and that is why we bought the property. We were told we had a plot plan. We were told that pursuant to that plot plan, we could get a permit without problems. Your Building Inspector, clearly and without reservation, in his letter that you have before you, reassured us that as long as we complied with local law, a local shopping center could be built there. We also checked the plot plan at the time and the plot plan very clearly designated the area of the shopping center. All these papers you have in your files; if not the Planning Board has them. Supervisor said that the Building Inspector that you referred to in this letter is no longer here.

Continued on Next Page

PH - Amendment to Zoning Ordinance Map 34, Block A, Lot 20  
Page 7

Mr. Alessandro said that for one year they had been going from board to board to get the permit for this particular property which was referred to in that letter. However, we were approved only about a month ago and now we are here before you on a different issue - that you can't build a shopping center when we purchased the property to build a shopping center because the developer has enough money to go along with that particular proposition. An office building would be ruinous to the man as it would take more capital and it would be an entirely different proposition than we went into. We have checked the neighborhood and we have found an overabundance of offices. He was asked if he checked the stores too. He said there were no stores in that area. If this were New City, office buildings would be another story. He felt there would be no safety problem as far as the school children are concerned. He suggested a traffic light on 304.

Supervisor said that there are two office buildings in that area that have a 100% occupancy.

Appearance: Mr. Marcus, Architect

Mr. Marcus said they have made high fences to protect the children. He said there is more danger of traffic on the block where the school is from the other stores than there would be on Bardonia Road because Bardonia Road is identically in back of the school. He said that leaf pamphlets were given to all children in the school to have their parents come here and protest. It was also said the developers did not live here and that isn't true because the builder has children going to school in New City.

Supervisor read the letter dated October, 1984, given to the children of the Bardonia School which is on file in the Town Clerk's Office. Supervisor commented on the letter which mentioned that there would be increased traffic on Bardonia Road if the L.S. shopping center is retained. He said that our Town Planner said we went from 1650 trips with light shopping to professional office of 252 and multi-family was 80 new trips. Supervisor wanted to know if the delivery for the proposed stores is in the rear of the building facing the schools.

Mr. Marcus said the deliveries are at the rear. The smaller deliveries are at the front. He said we are not 30 feet from the school. We are 30 feet from the school property. We are fencing three sides of the property.

Supervisor said that you and the owner of the property have stated that while this doesn't affect the school children on Bardonia Road, all those people have to come up Bardonia Road in front of this piece of property to walk into that school so it does have some impact.

Councilman Lettre said that all concerned parties have a right to be at the Town Board Meeting and that includes the people that live in Bardonia.

Mr. Alessandro said he objected to the letter stating that people from out of town were coming in to build here.

Mr. Marcus said that in your Town ordinance you have to be 30 feet away for the parking area. The loading area actually is 50 feet away because the building is over 50 feet from the property line. He indicated on the map that the parking is against the building because of the requirement of the zoning ordinance that we have to have a minimum of 30 feet. So we have 30 feet and then we have the parking. So actually that's where the trucking takes place, not in that 30 feet area. The 30 feet area is the driveway.

Supervisor asked if there was anyone further wishing to be heard against the zone change.

No one appeared

PH - Amendment to the Zoning Ordinance MKap 34, Block A, Lot 20  
Page 8

There being no one wishing to be heard, on motion of Councilman Lettre, seconded by Councilman Maloney and unanimously adopted to change the zone from L.S. to MF-2, RESOLUTION ADOPTED, the Public Hearing was declared closed, time: 10:40 P.M.

Respectfully submitted,



PATRICIA SHERIDAN  
Town Clerk

Supervisor said that most Senior Citizens have trouble getting their social security checks and their mail properly delivered and would like to live in a facility next to a post office; a school to visit their grandchildren; shopping around the corner and to ride the mini bus available around the corner.

Mr. Alessandro asked if there would be any objection to putting group homes here? Councilman Maloney said the Padavan Law would exclude another resident group home in that area because there would be saturation in the area.

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

10/23/84

10:55 P.M.

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

RE: PETITION FOR THE EXTENSION OF THE CLARKSTOWN WATER DISTRICT #2  
TO INCLUDE REGENT PARK

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

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

The Town Attorney asked if the Town Clerk had a certificate of necessity on file in the Town Clerk's Office and she said "yes." The Town Attorney said all the requirements of law would be met.

Supervisor Dusanenko asked if there was anyone wishing to be heard contrary to the extension of the Clarkstown Water District.

No one appeared.

There being no one wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared closed, ORDER SIGNED, time: 10:57 P.M.

Respectfully submitted

*Patricia Sheridan*  
PATRICIA SHERIDAN  
Town Clerk

TOWN OF CLARKSTOWN  
BUDGET HEARING AND FEDERAL REVENUE SHARING

Town Hall

10/30/84

8:05 P.M.

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

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

Supervisor Dusanenko gave a detailed explanation of the two sided 1985 budget fact sheet (attached hereto) which included proposed expenditures, elected officials salaries, state revenue sharing and revenue received by the Town. (This fact sheet is made a part of these minutes and included at the end of this budget meeting.) Supervisor also spoke about the CSEA contract and the vacation buy back plan, the Special Districts, the 10 volunteer Fire Districts and the 4 volunteer Ambulance Districts. He said the Town will have an outside facility so people can call and get information regarding their assessments.

Supervisor then stated that he would answer questions and receive comments. Supervisor said that comments from residents would be taken into consideration and the final vote would take place on this budget on November 13, 1984. He also urged all residents to please vote for a better America on Tuesday, November 6, 1984 - Election Day.

Appearance: Mr. David Fromson  
139 Brewery Road  
New City, New York

Mr. Fromson spoke regarding the veteran's exemption and how the new assessment in Clarkstown was going to affect that exemption. Supervisor said that the question of the veteran's exemption is a completely different issue from the budget hearing. He said that the Town Board had opted to go along with the law which the State of New York passed regarding the extension of the veteran's exemption.

Mr. Fromson asked about the letter which had been mailed to all homeowners in Clarkstown regarding their homes with respect to the new assessment. He felt that the Town would be penalizing people if they admitted that they had improved their property and so many people would not admit that they had made such improvements.

Supervisor said that people were not asked to assess their own property but only given a list of certain items which appeared on their assessment card and if they disagreed they should check that item and they would receive a reassessment. He said the basis of this reassessment was going to be on resale value of the market price.

Mr. Fromson said that the Supervisor had mentioned that the bonded indebtedness had been reduced from \$40,000,000.00 to \$33,000,000.00 - wouldn't that have been reduced by making payment under normal circumstances? Supervisor said in some cases yes, as Mr. Holbrook had indicated, but at the same time we did not add to it because we put new debts and new funds in to pay as you go rather than adding at the same level of replacement.

Appearance: Mr. Joseph Pantano  
265 South Little Tor Road  
New City, New York

Mr. Pantano stated that he was representing the Committee for Responsible Government. He questioned various budget lines in the Highway Department budget.

Appearance: Mr. Jack Cuff  
5 Pheasant Drive  
West Nyack, New York

Continued on Next Page

Mr. Cuff said that he was interested in seeing the basic services provided. Extra services should be paid for by the people using them. He said he wanted to see the taxes cut down so our children can continue to live here.

Appearance: Mr. Stanley Feld  
1 Fawn Court  
West Nyack, New York

He complained about three potholes on Deermeadow Drive and a catch basin that was caving in and he would like to see this taken care of. He said he was informed that a work order was necessary in order to fix the potholes and catch basin.

Appearance: Mrs. Connie Bosco  
Short Street  
West Nyack, New York

Mrs. Bosco spoke regarding the increase in the budget and suggested that another Public Hearing be held. She also suggested that all elected officials keep their salaries as they are this year.

Supervisor said regarding salary increases for the elected officials even during the years when the debts were reduced and the taxes were down they had deprived themselves of any kind of rate of increase. He said that elected officials cannot always be the ones to be asked to take a cut in their salaries. When it comes to black topping needs, civil service needs, etc., the elected officials are always the last ones to provide for themselves. He said it would be like a father or mother giving away everything for allowances for their children instead of groceries as well. Mrs. Bosco said then maybe the CSEA doesn't need \$1,000.00 plus 6% plus increments. Supervisor said they are working people too but that he was not here to debate but only receive suggestions and comments.

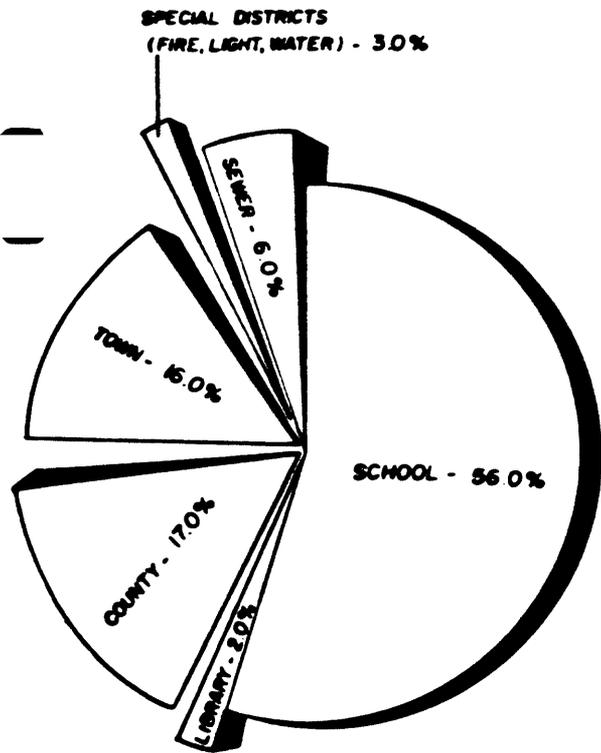
Appearance: Mr. Nicholas Longo  
Pondview Drive  
Congers, New York

Mr. Longo said of the total tax dollar the Highway Department received 2-1/2%. He listed the various services and responsibilities of the Highway Department. There was a heated exchange between the Supervisor and the Highway Superintendent regarding the Highway Department's budget.

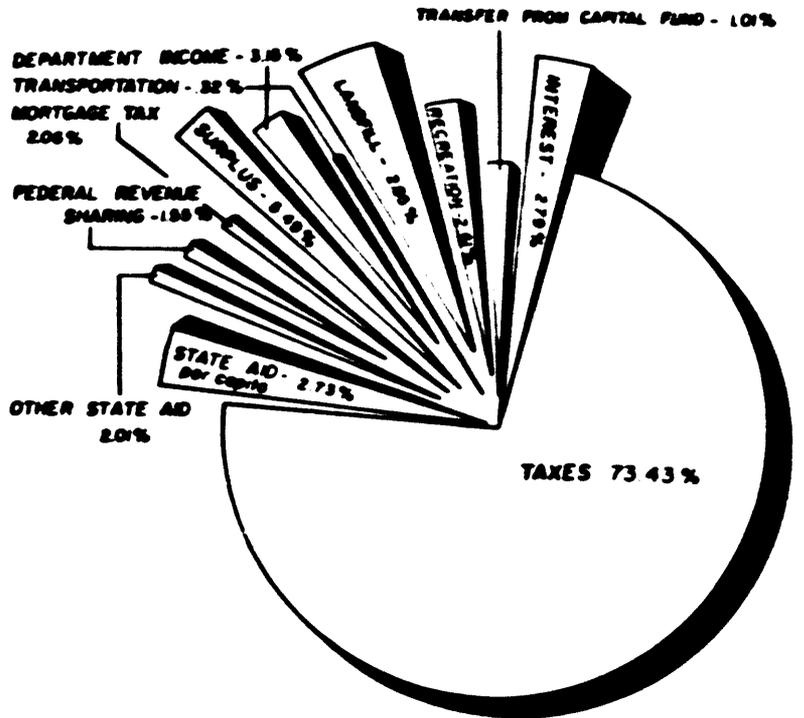
On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the Public Hearings re: 1985 Budget and Federal Revenue were closed, time: 9:41 P.M.

Respectfully submitted,

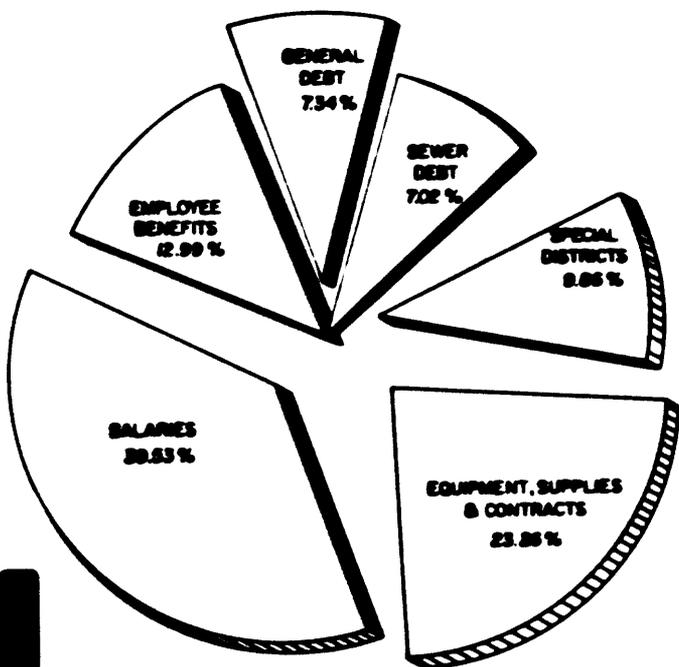
*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk



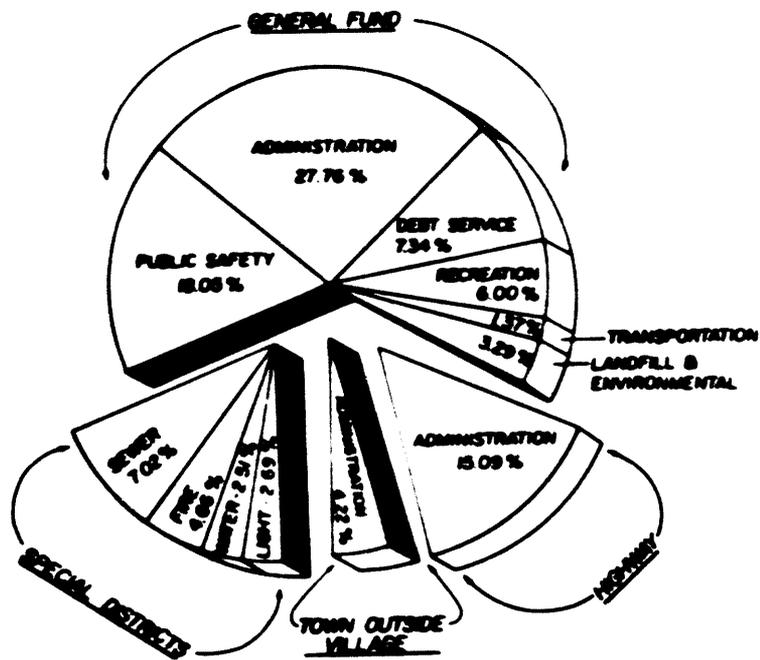
① 1985 TOTAL TAXES



② 1985 - REVENUE



③ 1985 APPROPRIATIONS



④ APPROPRIATIONS BY FUND - 1985

PRELIMINARY BUDGET

The 1985 Budget is appropriated as follows:

<u>CATEGORY</u>	<u>PROPOSED 1985 EXPENDITURES</u>	<u>ORIGINAL 1984 EXPENDITURES</u>	<u>% CHANGE</u>
General Government	\$ 9,442,140	\$ 8,472,293	11.44
Police & Public Safety	5,255,238	4,650,892	12.99
Highway	4,392,831	3,601,147	21.98
Debt Service-General	2,136,309	2,512,105	(14.96)
Sewer Debt Service	2,043,681	2,194,698	( 6.88)
Recreation	1,746,639	1,471,066	18.73
Town Outside Village	1,227,517	1,194,843	2.73
Water & Light	1,514,679	1,514,131	Nil
Fire Protection	1,355,566	1,140,541	18.85
	<u>\$29,114,600</u>	<u>\$26,751,716</u>	<u>8.83%</u>

(Pie Chart 4)

REVENUE SOURCES

	<u>1985</u>	<u>1984</u>	<u>(Required Increase in Real Estate Taxes) % Difference</u>
Real Estate Taxes	\$21,380,037	\$19,379,014	10.33
Landfill	829,400	771,410	7.51
Departmental Income	917,136	791,555	15.87
Transferred from Other Funds	293,382	341,282	(14.04)
Interest Income	813,000	752,000	8.11
Mortgage Tax	600,000	400,000	50.00
Transportation	92,000	90,000	2.22
Surplus	1,600,000	2,100,000	(23.80)
Federal Revenue Sharing	450,000	200,000	125.00
Recreation	759,000	739,000	2.71
State Aid Per Capita (State Aid-Other)	794,953 510,692	636,300 376,155	2.49 35.77
UMTA (Fed Trans Aid)	75,000	175,000	(57.14)
	<u>\$29,114,600</u>	<u>\$26,751,716</u>	<u>8.83</u>

(Pie Chart 2)

ELECTED OFFICIALS SALARIES

	<u>1985</u>
Town Justice	Ea. \$22,898
Town Clerk	26,814
Receiver of Taxes	26,814
Superintendent of Highways	34,347
Councilmen	Ea. 12,600
Supervisor	50,000
Registrar of Vital Statistics	5,000