

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall 2/11/85 8:15 P.M.

Present: Supervisor Dusanenko
Councilman Carey, Holbrook, Lettre
Councilman Maloney arrived 8:35 P.M.
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

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

Supervisor said the West Nyack Fire Department had requested a meeting with the Town Board and he asked the members of the Town Board to agree upon a date for such meeting.

Supervisor requested that for the remainder of this year no public hearings be scheduled before 9:00 P.M.

Supervisor announced that Anthony D'Antoni, Receiver of Taxes, had acted as Deputy Supervisor last year and for a portion of this year. He noted that Mr. D'Antoni had retired and that there was to be a dinner for him on February 15, 1985. The price is \$20.00 per person for dinner and a gift.

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Supervisor called upon Eugene Grogan, who is a member of the Rockland County Legislature. He noted Mr. Grogan's membership on numerous commissions and committees. Supervisor introduced Mr. Grogan and announced that he was to be the new Deputy Supervisor.

Legislator Grogan said he hoped he would not have to assume the Supervisor's position due to any unfortunate situation. He stated that next year it might be different.

Supervisor declared the public portion of the meeting open.

Appearance: Mr. Alex Rosensweig
Congers, New York 10920

Mr. Rosensweig appeared regarding Item No. 3 on the agenda (deletion of 60 foot planned but unbuilt right-of-way for industrial road in Valley Cottage). He stated that he was in favor of the deletion of that road.

Appearance: Mr. Louis Sibbio
Nanuet, New York 10954

Mr. Sibbio said he was here representing "Free Nanuet." He said he was representing those looking to the future of Nanuet and they would like to make Nanuet a village. He stated that this was brought to his attention by Mr. Armand Miele and he would like the cooperation of the Town Board in a bi-partisan effort to look at this problem and he requested their input especially regarding the problem of Middletown Road.

Councilman Holbrook suggested that possibly it would be a good idea to discuss these problems at a workshop and bring a list of suggestions to the Town Board.

Supervisor said the Board is here to resolve problems and he requested that Mr. Sibbio cite specific situations. He stated that the Town is blessed with only one village, that of Upper Nyack, and a portion of Spring Valley. More government means more money in taxes.

Appearance: Mr. Armand Miele
59 Montebello Road
Suffern, New York 10901

Mr. Miele stated that he was a property owner in Nanuet and he read from a prepared statement, a copy of which he did not give to the Town Clerk. He said he felt Clarkstown had gotten too big for itself with all of its commissions, committees and agencies. He stated these agencies become judge, jury and hangman because they really do not know their own function. He stated that he thought to serve on these boards was just an ego trip, a political trip or a night-out trip. He complained about the Clarkstown government and stated that in his opinion all the government could do was waste money. He said the Town government does not represent all of the people. He said Nanuet had no representation in Clarkstown and it was time for them to cut loose and become their own village. He cited examples of poor government (at least in his opinion). He suggested a police booth be located in downtown Nanuet. He hoped for better services and prestige for Nanuet.

Appearance: Mr. Joseph Pantano
265 South Little Tor Road
New City, New York 10956

Mr. Pantano inquired as to when the extension granted by Loeb House ended. Town Attorney answered that it would be February 16th. Mr. Pantano asked how many new sites had been proposed? Supervisor said there were five alternate sites proposed. They were rejected and no new sites have been brought forward. Mr. Pantano then asked how many new sites had the Town Board proposed? Councilman Holbrook answered "None." He then inquired of Mr. Pantano how many sites he had suggested. There was extensive dialogue between Councilman Holbrook and Mr. Pantano along these same lines but it was determined that no new acceptable sites had been proposed for the area in question.

Appearance: Mr. Eugene Grogan, Legislator
Rockland County Legislature

Mr. Grogan said he did not know whose responsibility it was to find new sites. He inquired about the site commission. He made some inquiries about the group home that was put on Svahn Drive in Valley Cottage.

Councilman Lettre explained how the site selection committee worked and how the site was selected on Svahn Drive. Mr. Grogan said it was his understanding that the five alternate sites were rejected because they had to be bought while the one being considered is a rental. He suggested that request be made for another thirty (30) day extension. Mr. Grogan said that as his first duty as Deputy Supervisor he will ask the residents in the surrounding area if they will suggest some alternate sites which can be brought to the site selection committee.

Appearance: Mr. Shah
2 Amethyst Court
West Nyack, New York 10994

Mr. Shah spoke regarding problems he was having with his house. He said he had no driveway, no landscaping and there were cracks in the foundation. He stated that he also has water in the basement. He mentioned that he has been in the house for nine (9) months.

Supervisor referred Mr. Shah to the Building Inspector, Mr. Colucci.

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Councilman Lettre said he would not allow this forum to be turned into a debate between a homeowner and the builder (Michael Lettre). Councilman Lettre stated that he worked for his brother and that the suggestion that any problems be taken to the Building Inspector is a good one.

Supervisor referred to the first resolution on the agenda which had to do with amending the salaries of the Director of Finance and the Budget Officer. He moved the resolution but received no second.

Supervisor said the persons who are the supervisor's appointment did not receive a raise and in fact they had their compensation reduced. He stated he was appealing to his colleagues to have their salaries be made the same regardless of the administration and in the event you can't vote for the replacement salary which was adopted in the 1985 budget he would expect a commitment from Councilman Holbrook, if he is successful in his bid for the Supervisor's job, to keep these salaries at the very same level for his (Councilman Holbrook's) appointments.

Councilman Holbrook said that he felt the Town Board thought the salaries were commensurate with the responsibilities and the experience of the people involved. He said it was ridiculous for this to come up time and time again in order for the Supervisor to expound more political rhetoric. He said he was not prepared to second it.

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With regard to the following resolution Supervisor said that they could give raises upon raises to 88 people. They could increase the salaries of 110 employees - again raises on top of raises. This motion could also be tabled and these are the three options.

Late this afternoon Mr. Mascola had requested that this item be pulled. Supervisor said we still had to take some sort of action on this item.

RESOLUTION NO. (110-1985) AUTHORIZING AND DIRECTING SUPERVISOR TO CONFIRM MEMORANDUM OF AGREEMENT REGARDING UPGRADES (CSEA)

Co. Holbrook offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized and directed to confirm the memorandum of agreement regarding upgrades described in the report of the Town of Clarkstown negotiating team dated January 18, 1985.

Seconded by Co. Carey

On roll call the vote was as follows:

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

Councilman Lettre said there was a proposal made by department heads working in conjunction with our negotiators which he thought was a better proposal. He felt that would have served the town more appropriately. That is the proposal which he would like to take under consideration.

Supervisor said this Town Board concluded successful negotiations with the CSEA in August or September of 1984. Part of that agreement was within a ninety (90) day period of ratification of that contract

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RESOLUTION NO. (110-1985) Continued

by the five persons of this Town Board and the CSEA that we would have a joint committee and agree to mutual upgradings. That did take place and approximately thirty-five (35) positions and/or persons were ungraded with an automatic freeze that for the remainder of this contract there would be no requests for further upgradings. As a result of that satisfied agreement, various individuals asked for openers upon openers over the last several months. The item which has just received three votes is for eighty-eight (88) persons to receive salary raises on top of the negotiated salary raises by virtue of upgrading. This matter was tabled at the last meeting and since then with the input of department heads approximately one hundred and ten (110) persons were recommended to be included. He said, like his colleague Mr. Lettre, he had every intention of abstaining on this vote since there are many people who have been overlooked, in his opinion, and there are some persons who have been included because of personal or political contacts. At the same time it is not the original agreement which was ratified by the CSEA leadership and this Town Board some months ago.

Councilman Holbrook asked the Supervisor if his (Supervisor's) remarks meant that he supported the one hundred and ten (110) or the thirty-five (35)? Supervisor said he supported the thirty-five (35).

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RESOLUTION NO. (111-1985)

AMENDING OFFICIAL MAP OF TOWN OF CLARKSTOWN BY DELETING 60 FOOT PLANNED BUT UNBUILT RIGHT-OF-WAY FOR INDUSTRIAL ROAD ADJACENT TO LAKE RIDGE SHOPPING CENTER, VALLEY COTTAGE

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 27th day of March, 1984, provided for a public hearing on the 22nd day of May, 1984, at 8:00 P.M., to consider an amendment to the Official Map of the Town of Clarkstown to delete the 60 foot planned but unbuilt right-of-way for an industrial road as shown on the Official Map of the Town of Clarkstown as located in the hamlet of Valley Cottage adjacent to the Lake Ridge Shopping Center and which is also shown on the Subdivision Map of Rockland Corp., dated October 22, 1974, filed in the Rockland County Clerk's Office as Map No. 4559 in Liber 87 of Maps at Page 62, which continues in a northerly direction through lands of Clarkstown Executive Park (formerly Associates of Rockland County) to its terminus as depicted on Clarkstown Tax Map 123.

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 Official Map of the Town of Clarkstown is hereby amended by deleting the above described 60 foot planned but unbuilt right-of-way for an industrial road.

Seconded by Co. Lettre

On roll call the vote was as follows:

RESOLUTION NO. (111-1985) Continued

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

Councilman Holbrook said he was voting no because the Planning Board recommends against it. The Civic Associations in Valley Cottage, in particular the Citizens for Sensible Zoning, are against it.

Councilman Lettre said he was seconding this motion because in going back and reviewing it seems an awful lot of people who came up in opposition to deleting it whose main concern was traffic congestion at that intersection - to me that seems quite contradictory. This road, if ever implemented, would add a tremendous amount of heavy commercial traffic out onto Route 303 going through a shopping center. He felt it would be detrimental to the general populace in the Valley Cottage area. We have an industrial park beginning to develop. The main ingress and egress of this industrial park is north of this road. He believed that we can isolate the commercial traffic to come out of one place which would be better for the area. He supports the deletion.

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Councilman Maloney said he read the engineer's report again and again and also the minutes of the Planning Board. He felt deleting the road would make for safe access for people trying to get in and out of the shopping area. He saw no viable reason for leaving that particular road on the map now.

Supervisor said that Councilman Maloney and Councilman Lettre have expressed most of the comments he would have given himself. He said the Town Board had worked to get the State of New York to plan an intersection improvement at the location of this shopping center. Hopefully the state will go out to bid to improve the five corners intersection in a few short months. If that intersection were to be backed up because of two entrances and exits to the Lake Ridge Shopping Center with trailer traffic, additional employees, etc. on seventy-five acres of LIO development to the north - he did not want any one trying to negotiate going to a shopping mall dodging trailer trucks and extra traffic of perhaps hundreds of cars. He would prefer to see that amount and type of traffic enter Route 303 at another location away from the five corners intersection.

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RESOLUTION NO. (112-1985)

RESCINDING RESOLUTION NO. (859-1981) RE: GRANTING OF ACCESS TO ALBERT LAMBORN TO OLD LAKE ROAD, CONGERS

Co. Holbrook offered the following resolution:

RESOLVED, that Resolution 859-1981 is hereby rescinded.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (113-1985)

AUTHORIZING TOWN ATTORNEY TO DEFEND PROCEEDING - JONATHAN REISS V. HARRY WAITZMAN - TOWN BOARD AGREES TO INDEMNIFY AND HOLD HARMLESS TOWN JUSTICE HARRY WAITZMAN

Co. Maloney offered the following resolution:

RESOLUTION NO. (113-1985) Continued

WHEREAS, an action entitled, JONATHAN REISS v. HARRY WAITZMAN has been served upon the defendant, and

WHEREAS, the complaint alleges that as a result of actions taken by the defendant as Town Justice of the Town of Clarkstown the plaintiff has suffered loss and seeks civil damages, and request has been made by the affected public official for defense pursuant to Section 18 of the Public Officers Law;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take whatever steps necessary to defend any proceeding that may be commenced including obtaining the services of the Town's public officer's liability insurance carrier in the defense of this action, and be it

FURTHER RESOLVED, that the Town Board hereby agrees to indemnify and save harmless Town Justice Harry Waitzman from any liability as a result of any action he may have taken which was in good faith and consistent with his duties and obligations as Town Justice.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (114-1985)

AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH DEGENSHEIN DENKER ASSOCIATES, P.C., (CLARKSTOWN HIGHWAY DEPARTMENT "BARN") - CHARGE TO ACCOUNT NO. A 5132-409

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to enter into an agreement in a form satisfactory to the Town Attorney to obtain architectural services from Degenshein Denker Associates, P.C., 151 South Main Street, New City, New York, for design, preparation of bid documents and construction phase services for repairs to the roof of the Clarkstown Highway Department "Barn" as outlined in their proposal dated February 7, 1985, for a sum not to exceed \$8,500.00, and be it

FURTHER RESOLVED, that the professional fees shall be charged to Account No. A 5132-409.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (115-1985)

RESCHEDULING PUBLIC HEARING IN CONNECTION WITH ACQUISITION OF PROPERTY FOR CONSTRUCTION OF SIDEWALKS ALONG NORTH SIDE OF LAKE ROAD, CONGERS

Co. Lettre offered the following resolution:

WHEREAS, on December 11, 1984, the Town Board of the Town of Clarkstown scheduled a public hearing pursuant to the Eminent Domain Procedure Law to consider the acquisition of portions of the parcels along the north side of Lake Road, from Old Haverstraw Road to North Grant Avenue, Congers, New York, described on the attached Schedule "A"

RESOLUTION NO. (115-1985) Continued

for the purpose of providing sidewalks along the north side of Lake Road, from Old Haverstraw Road to North Grant Avenue, Conners, New York, and

WHEREAS, notice of such public hearing as required by law has not been properly published;

NOW, THEREFORE, be it

RESOLVED, that the public hearing scheduled for January 22, 1985, at 8:15 P.M., in connection with the above matter is hereby re-scheduled to February 26, 1985, at 8:25 P.M., or as soon thereafter as possible, at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the Town Attorney prepare and serve notice of such statutory hearing and that the Town Clerk cause the same to be published at least five consecutive days in the official newspaper of the Town of Clarkstown and file proof thereof in the office of the said Town Clerk, and be it

FURTHER RESOLVED, that this resolution is retroactive to January 22, 1985.

(Schedule A on file in Town Clerk's Office)

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (116-1985) DIRECTING TOWN ATTORNEY TO PREPARE MEMORIALIZING RESOLUTION TO COUNTY OF ROCKLAND RE: EXPENSES FOR TOWN AND VILLAGE ELECTIONS

Co. Holbrook offered the following resolution:

RESOLVED, by the Town Board of the Town of Clarkstown that the Town Attorney be directed to prepare a proper and appropriate resolution memorializing the County of Rockland to assume all responsibilities and take over all expenses for Town and Village elections in the County of Rockland, and be it

FURTHER RESOLVED, that each of the Towns to wit, Orangetown, Stony Point, Ramapo and Haverstraw and all the villages located in the County of Rockland, be hereby requested to adopt a similar resolution.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (117-1985) AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL TWO-HOUR PARKING SIGNS ALONG MAIN STREET, NANUET

Co. Holbrook offered the following resolution:

Authorizing Superintendent of Highways to install two-hour parking signs along public areas where appropriate, Main Street, Nanuet. Town Clerk to forward copy of this resolution to Nicholas Longo, Superintendent of Highways and to Traffic and Traffic Fire Safety Advisory Board.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (118-1985)

AUTHORIZING DEAD-END SIGN
(BROOKSIDE DRIVE OFF BIRCHWOOD
DRIVE, NANUET)

Co. Holbrook offered the following resolution:

Authorizing dead-end sign at Brookside Drive off Birchwood Drive, Nanuet at the entrance to Brookside Drive. Town Clerk to forward copy of this resolution to Nicholas Longo, Sunerintendent of Highways and to Traffic and Traffic Fire Safety Advisory Board.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (119-1985)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL TWO
"NO PARKING HERE TO CORNER"
SIGNS - ONE 20 FEET SOUTH OF
INTERSECTION OF MAPLE AVENUE
AND DEMAREST AVENUE WEST SIDE
OF MAPLE AVENUE AND ONE 20
FEET SOUTH OF INTERSECTION ON
EAST SIDE OF MAPLE AVENUE,
NEW CITY

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install two signs to read, "No Parking Here to Corner". One sign should be erected 20 feet south of the intersection of Maple Avenue and Demarest Avenue on the west side of Manle Avenue, New City and the second, 20 feet south of this intersection on the east side of Maple Avenue, New City, and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Nicholas A. Longo, for implementation.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (120-1985)

AUTHORIZING SUPERINTENDENT OF
HIGHWAYS TO INSTALL TWO SIGNS
"NO PARKING BETWEEN SIGNS" -
ONE WHERE PATH ENDS AT INWOOD
DRIVE AND ONE AT DEMAREST MILL
ROAD, WEST NYACK

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install two signs "No Parking Between Signs" with arrows right and left. The first set to be erected where the path ends at Inwood Drive. The second set to be erected at Demarest Mill Road, West Nyack, and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Nicholas A. Longo, for implementation.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (121-1985)

AUTHORIZING TOWN ATTORNEY TO
ENGAGE SERVICES OF TRAFFIC
CONSULTANT TO CONDUCT TRAFFIC
IMPACT STUDY RE: GROUP HOME
PROPOSED FOR 285 NEW HEMPSTEAD
ROAD, NEW CITY (SUMMIT SCHOOL
AND CHILDREN'S RESIDENCE CENTER)
CHARGE TO ACCOUNT NO. A 1420-409

Co. Carey offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized and directed to engage the services of a traffic consultant to conduct a traffic impact investigation of the group home proposed to be located at 285 New Hempstead Road, New City, New York, to be operated by Summit School and Children's Residence Center, for a sum not to exceed \$800.00 without further authorization of the Town Board, and be it

FURTHER RESOLVED, that the fees for said services shall be charged to Account No. A 1420-409, and be it

FURTHER RESOLVED, that the authorization is retroactive to January 10, 1985.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (122-1985)

AUTHORIZING RETURN OF
MAINTENANCE BOND WITH REGARD
TO SUBDIVISION (PELLEGRINO
SUBDIVISION)

Co. Holbrook offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, maintenance bond secured by a Passbook, in the sum of \$1,415.00 furnished to the Town in connection with dedication of the road(s) and improvements on January 10, 1984, in a subdivision known as Pellegrino Subdivision is terminated and the sum of \$1,415.00 be released to the guarantor.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (123-1985)

SETTING PUBLIC HEARING FOR
EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT (MACDONALD DEMING
SUBDIVISION)

Co. Lettre offered the following resolution:

WHEREAS, a written Petition dated December 5, 1984 in due form and containing the required signatures has been presented to and filed with the Town Board of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

(Description on file in Town Clerk's Office)

NOW, THEREFORE, be it

RESOLUTION NO. (123-1985) Continued

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 12th day of March, 1985, at 9:00 P.M. EST time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (124-1985)

AUTHORIZING PREPARATION OF PROPOSED TAKING MAP BY WILLIAM YOUNGBLOOD ASSOCIATES (MAP 33, BLOCK B, LOT 20.0502) - CHARGE TO ACCOUNT A 1420-409

Co. Holbrook offered the following resolution:

RESOLVED, that upon the recommendation of the Town Attorney, William Youngblood Associates, 244 Route 59, Monsey, New York, is engaged to provide necessary survey services to prepare a metes and bounds description and proposed taking map for condemnation in connection with the proposed acquisition of a portion of the premises designated on the Clarkstown Tax Map as Map 33, Block B, Lot 20.0502 for the sum of \$1,000.00, and be it

FURTHER RESOLVED, that the sum of \$1,000.00 shall be a charge against Account No. A 1420-409.

Seconded by Supv. Dusanenko All voted Aye.

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RESOLUTION NO. (125-1985)

AUTHORIZING ATTENDANCE AT LAND USE LAW WORKSHOP (JOHN COSTA) - CHARGE TO ACCOUNT NO. 1010-414

Co. Holbrook offered the following resolution:

RESOLVED, that John A. Costa, Town Attorney, is hereby authorized to attend a Land Use Law Workshop in Philadelphia, Pennsylvania on May 9 and May 10, 1985, for the sum of \$250.00 plus travel, lodging and other necessary expenses, and be it

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

Seconded by Co. Carey All voted Aye.

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RESOLUTION NO. (126-1985)

AMENDING RESOLUTION NO. 20-1985 AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #13-1985 -T40 (2) FOUR WHEEL DRIVE TRUCKS EQUIPPED WITH SNOW PLOW AND SALT/SAND SPREADERS

Co. Holbrook offered the following resolution:

RESOLVED, that resolution #20-1985 is hereby amended to read:

RESOLUTION NO. (126-1985) Continued

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

BID #13-1985
TWO (2) FOUR WHEEL DRIVE TRUCKS EQUIPPED
WITH SNOW PLOW AND SALT/SAND SPREADERS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:15 A.M. on Friday, February 22, 1985 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (127-1985)

AMENDING RESOLUTION NO. 21-1985 AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #12-1985 FIVE (5) OR SIX (6) NEW 1985 FORD LOUISVILLE DUMP TRUCKS EQUIPPED WITH SNOW PLOWS AND SALT/SAND SPREADERS

Co. Holbrook offered the following resolution:

RESOLVED, that Town Board Resolution #21-1985 is hereby amended to read:

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

BID #12-1985
FIVE (5) OR SIX (6) NEW 1985 FORD LOUISVILLE
DUMP TRUCKS EQUIPPED WITH SNOW PLOWS AND
SALT/SAND SPREADERS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, February 22, 1985 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (128-1985)

AMENDING RESOLUTION NO. 63-1985 AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID NO. 18-1985 ONE (1) USED REFUSE COMPACTOR FOR CLARKSTOWN HIGHWAY DEPARTMENT

Co. Holbrook offered the following resolution:

RESOLVED, that resolution 63-1985 is hereby amended to read:

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

RESOLUTION NO. (128-1985) Continued

BID #18-1985
ONE (1) USED REFUSE COMPACTOR
FOR CLARKSTOWN HIGHWAY DEPARTMENT

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, February 25, 1985 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (129-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID NO. 19-1985
TOWN HALL ROOF RESTORATION

Co. Holbrook offered the following resolution:

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

BID #19-1985
TOWN HALL ROOF RESTORATION

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, March 6, 1985 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (130-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID NO. 20-1985
ARTS AND CRAFT SUPPLIES

Co. Holbrook offered the following resolution:

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

BID #20-1985
ARTS & CRAFT SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 2:00 P.M. on Monday, March 11, 1985 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (131-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID NO. 21-1985
OFFICE FURNITURE

Co. Holbrook offered the following resolution:

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

BID #21-1985
OFFICE FURNITURE

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, March 13, 1985 at which time bids will be opened and read, and be it

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

Seconded by Co. Holbrook

All voted Aye.

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ABE664

RESOLUTION NO. (132-1985)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH TOWN
OF ORANGETOWN FOR USE OF
CLARKSTOWN SANITARY LANDFILL

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement with the Town of Orangetown for their use of the Clarkstown Sanitary Landfill in the form signed by the Town of Orangetown.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (133-1985)

ACCEPTING DEED FOR ROAD
WIDENING (MACDONALD DEMING
SUBDIVISION)

Co. Holbrook offered the following resolution:

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as MACDONALD DEMING SUBDIVISION, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along South Mountain Road, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Department of Environmental Control and the Superintendent of Highways and the Town Attorney of the Town of Clarkstown, deed dated September 28, 1984, from Katherine S. Deming, MacDonalD Deming and Judith F. Deming gratuitously conveying a strip of land along South Mountain Road is hereby accepted and ordered recorded in the Rockland County Clerk's Office, upon receipt of continuation report of clear title to date of recording.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (134-1985)

AUTHORIZING DIRECTOR OF
DEPARTMENT OF ENVIRONMENTAL
CONTROL TO HIRE NECESSARY
PROFESSIONALS TO CONDUCT STUDY
RE: PASCACK VALLEY ROAD TUNNEL
BYPASS - CHARGE TO CAPITAL
FUND NO. 2

Co. Lettre offered the following resolution:

WHEREAS, proposals have been submitted to the Clarkstown Planning Board for site plan approval which would result in a development of phases C, D, E-1 and E-2 on a plan of condominium commonly known as Kingsgate lying within the hamlet of Nanuet, in the Town of Clarkstown, and

WHEREAS, the attorney for the developer of phases C, D, E-1 and E-2 has informed the Town Board of his client's willingness to contribute towards the cost of a needed road improvement, shown on a map as a 60 foot right-of-way, adjacent to and otherwise in the vicinity of said planned site development, and

WHEREAS, a proposal has been made by the Town Board of the Town of Clarkstown to provide for the construction of a 60 foot wide road shown on the Official Map of the Town of Clarkstown as amended by Resolution No. 540 adopted on June 6, 1983, for the following described area in the Town:

"A north-south road beginning at West Clarkstown Road at or near its intersection with Mirror Lake Road running in a southerly direction through lands owned by the State of New York formerly intended and designated as the Route 45 By-pass adjacent to or near property designated on the Clarkstown Tax Map as Map 165, Block A, Lots 4.01, 4.03, 4.04, 4.05, 4.06, 4.07, 4.08, 4.09, 4.10, 4.11, 4.12, 4.13 and Map 165, Block B, Lots 3 and 4 and then through the westerly portion of the parcel designated on the Clarkstown Tax Map as Map 164, Block A, Lot 32 to intersect with Smith Road."

WHEREAS, the sum of \$75,000.00 (without signalization and traffic studies) was appropriated to pay the cost of preparing a plan with contract drawings and specifications, report, map and survey(s) for planning for said improvement in the above described area of the Town of Clarkstown and to identify the parcels or portions of parcels of property benefited and those parcels or portions which must be acquired for the purpose of constructing said roadway, and

WHEREAS, the Director of the Department of Environmental Control of the Town of Clarkstown was authorized and directed to hire necessary professionals and to supervise the preparation of the general plan, report, contract drawings and specifications, map and survey within the limits of the amounts appropriated therefore and upon completion thereof to file the same in the Office of the Town Clerk of the Town of Clarkstown, and

WHEREAS, the Town Board has also petitioned the New York State Department of Transportation to permit construction of an at grade railroad crossing and the New York State Department of Transportation has scheduled a public hearing for March 15, 1985, to consider same, the approval of which would permit construction of a north-south road to eliminate a traffic bottleneck at the Pascack Valley Road railroad tunnel underpass, and

WHEREAS, a traffic study is necessary prior to the public hearing;

Continued on Next Page

RESOLUTION NO. (134-1985) Continued

NOW, THEREFORE, be it

RESOLVED, that the sum of \$25,000.00 is hereby appropriated to pay the cost of the Pascack Valley Road tunnel bypass traffic study, including the necessary engineering, mapping and surveying, and be it

FURTHER RESOLVED, that the Director of the Department of Environmental Control of the Town of Clarkstown is hereby authorized and directed to hire the necessary professionals by agreement in a form satisfactory to the Town Attorney to conduct the study and upon completion thereof to file same in the Office of the Town Clerk of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the fees for the above shall be charged to Capital Fund No. 2.

Seconded by Co. Maloney

All voted Aye.

* * * * *

ABE664

RESOLUTION NO. (135-1985)

AUTHORIZING TOWN ATTORNEY TO GIVE NOTICE THAT THE TOWN BOARD WILL HOLD A PUBLIC INFORMATIONAL MEETING RE CLOSING OLD MILL ROAD FOR PURPOSE OF RECONSTRUCTION OF SNAKE HILL ROAD AND OLD MILL ROAD IN WEST NYACK

Co. Maloney offered the following resolution:

WHEREAS, the presently planned reconstruction of the Snake Hill Road Bridge in West Nyack will result in the necessity of closing Old Mill Road for a period of many months in the vicinity of Snake Hill Road and Old Mill Road in West Nyack,

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is authorized to give notice that the Town Board will hold a public informational meeting concerning this subject on February 27, 1985 at 8:00 P.M., or as soon thereafter as possible, at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, to inform the community regarding this proposed detour, and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to transmit copies of this resolution to Mr. Albert E. Dickson of the New York State Department of Transportation with a request that he attend such meeting.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (136-1985)

MEMORIALIZING RESOLUTION CALLING FOR CONTINUATION OF FEDERAL REVENUE SHARING PROGRAM

Co. Holbrook offered the following resolution:

WHEREAS, the Administration has attempted to cut deficit spending, and

WHEREAS, the Administration has suggested the elimination of Federal Revenue Sharing to local communities, and

RESOLUTION NO. (136-1985) Continued

WHEREAS, local government, especially at the County and Town levels, will be deprived of the most successful, non-bureaucratic assistance, and

WHEREAS, the five Towns within Rockland will be deprived of approximately \$1,446,100.00 in addition to the County government losing about \$1,300,000.00, and

WHEREAS, this loss will mean a compensating increase in local property taxes, and

WHEREAS, Congressman Horton has introduced HR 796, which calls for a continuation of Federal Revenue Sharing,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown wholeheartedly endorses the actions of Congressman Horton with respect to HR 796, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown memorializes all Federal elective officials to support HR 796 for the continuation of Federal Revenue Sharing, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown forward certified copies of this resolution to the Chairman of the Rockland Legislature, the Supervisors of the four other towns within Rockland County, Congressman Gilman, Senator Al D'Amato, Senator Patrick Moynihan and Congressman Horton for their consideration and implementation.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (137-1985)(FAILED)

AUTHORIZING ATTENDANCE AT ASSOCIATION OF TOWNS' CONVENTION FOR MEMBERS OF ZONING BOARD OF APPEALS (ELIZABETH J. SQUILLACE AND PENNY LEONARD)

Co. Holbrook offered the following resolution:

WHEREAS, certain members of the Zoning Board of Appeals have advised that they will be able to attend the Association of Towns' Convention, and it would be in the best interest of the Town to have representatives from the Zoning Board of Appeals in attendance,

NOW, THEREFORE, be it

RESOLVED, Elizabeth J. Squillace, Chairperson, Zoning Board of Appeals, and Penny Leonard, Member of the Zoning Board of Appeals, are hereby authorized to attend the Association of Towns' Convention to be held in New York City on February 18th, 19th and 20th, and expenses incurred for such attendance to be made proper Town charges.

Seconded by Co. Carey

On roll call the vote was as follows:

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

* * * * *

RESOLUTION NO. (138-1985)

SETTING PUBLIC HEARING RE
AMENDING ZONING ORDINANCE
OF TOWN OF CLARKSTOWN FROM
R-80 TO R-22 ZONING DISTRICT
(SOUTH SIDE MOUNTAIN ROAD,
NEW CITY - MAP 81, BLOCK B,
LOT 6)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board wishes to consider amending the Zoning Ordinance of the Town of Clarkstown to change from an R-80 zoning district to an R-22 zoning district property to the south side of South Mountain Road, New City, New York, located to the east of Sandstone Trail, more particularly described and designated on the Clarkstown Tax Map as Map 81, Block B, Lot 6;

NOW, THEREFORE, be it

RESOLVED, that a public hearing shall be held on the 23rd day of April, 1985, at 9:00 P.M., or as soon thereafter as possible, at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, in connection with said proposed amendment, and be it

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

FURTHER RESOLVED, that this resolution be referred to the Clarkstown Planning Board and the Rockland County Planning Board for their report and recommendations.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (139-1985)

AUTHORIZING USE OF TOWN OF
CLARKSTOWN SHOWMOBILE
(ALERT HOOK, LADDER AND
ENGINE COMPANY OF CONGERS
NEW YORK)

Co. Holbrook offered the following resolution:

WHEREAS, the Alert Hook, Ladder and Engine Company of Congers, New York, has requested use of the Town of Clarktown showmobile on Saturday, August 17, 1985 for a Firemens Parade,

NOW, THEREFORE, be it

RESOLVED, that permission is hereby granted to the Alert Hook, Ladder and Engine Company of Congers, New York, to use the Town of Clarkstown showmobile on August 17, 1985, subject to the provisions of the necessary insurance policies.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (140-1985)

AUTHORIZING USE OF TOWN OF
CLARKSTOWN SHOWMOBILE (UNITED
JEWISH APPEAL OF ROCKLAND
COUNTY - ANNUAL WALKATHON)

Co. Holbrook offered the following resolution:

ABE664

RESOLUTION NO. (140-1985) Continued

WHEREAS, the United Jewish Appeal of Rockland County, New City, New York, has requested use of the Town of Clarkstown showmobile on Sunday, October 27, 1985 for their Annual Walkathon,

NOW, THEREFORE, be it

RESOLVED, that permission is hereby granted to the United Jewish Appeal of Rockland County to use the Town of Clarkstown showmobile on October 27, 1985, subject to the provisions of the necessary insurance policies.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (141-1985)

AUTHORIZING ATTENDANCE AT
MID-YEAR MEETING OF NATIONAL
RECREATION AND PARK ASSOCIATION
(EDWARD J. GHIAZZA)-CHARGE TO
ACCOUNT NO. 7020-414

Co. Holbrook offered the following resolution:

RESOLVED, based upon the recommendation of the Clarkstown Parks Board and Recreation Commission, that Edward J. Ghiazza, Supt. of Recreation and Parks, is hereby authorized to attend the Mid-year meeting of the National Recreation and Park Association to be held in Arlington, Virginia, from February 22, 1985 through February 26, 1985, and

FURTHER RESOLVED, that expenses not to exceed \$600.00 be allocated from Appropriation Account 7020-414.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (142-1985)

AUTHORIZING ATTENDANCE AT
SEMINAR ON ASSESSOR'S TRAINING
PHASE I (STEVEN SMITH)

Co. Lettre offered the following resolution:

RESOLVED, that Steven Smith of the Assessor's Office is hereby authorized to attend a seminar on Assessor's Training Phase I. It will be held in Goshen, New York from February 25th to March 1st at no cost to the town.

Seconded by Co. Maloney

All voted Aye.

* * * * *

With regard to the following resolution Town Attorney stated that this was an amendment to a previous resolution for the purpose of encumbering funds from last year's budget. There was discussion as to the encumbering of funds and the actual spending and Supervisor requested the last resolved clause "subject to further Board approval" be added.

RESOLUTION NO. (143-1985)

AMENDING RESOLUTION NO. 1241 OF
DECEMBER 28, 1984 REGARDING
CONSULTING SERVICES FOR INVESTI-
GATION OF BUILDING DEPARTMENT
REORGANIZATION - CHARGE TO
ACCOUNT NO. B 3620-409 -
INCREASE REVENUE ACCOUNT 02-3090
AND APPROPRIATION ACCOUNT B
3620-409

Co. Maloney offered the following resolution:

RESOLUTION NO. (143-1985) Continued

RESOLVED, that Resolution No. 1241 adopted on December 28, 1984, is hereby amended as follows:

"RESOLVED, that Building Code Administrators International, Inc., is authorized to meet with the Building Inspector and other officials of the Town of Clarkstown to conduct a preliminary investigation for the purpose of developing a proposal for consulting services as described herein for a sum for such investigation and review and traveling expenses not to exceed \$675.00, and be it

FURTHER RESOLVED, that the expenditures authorized pursuant to this resolution shall be charged to Account No. B3620-409, and be it

FURTHER RESOLVED, to increase Revenue Account No. 02-3090 and increase Appropriation Account B 3620-409 by \$15,675.00," and be it

FURTHER RESOLVED, that this shall be subject to further Board approval.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (144-1985)

AUTHORIZING PLANNING BOARD
TO APPLY TOWN LAW SECTION
281 (REGENT PARK SUBDIVISION)

Co. Maloney offered the following resolution:

WHEREAS, Atzl & Scatassa Associates, P.C., agent for the applicant has made written application for the use of Town Law Section 281 in connection with a subdivision known as Regent Park, Nanuet, New York, and

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

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law Section 281 is used in this subdivision as shown on a map entitled, "Subdivision of Property for Regent Park, Town of Clarkstown, County of Rockland, New York," dated March 14, 1984, last revised November 9, 1984, prepared by Atzl & Scatassa Associates, P.C., subject to the following provisions:

1. Addition of a map note advising that the subdivision has been processed pursuant to Section 281 of the Town Law in a form subject to the approval of the Planning Board.

NOW, THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law Section 281 in connection with this subdivision as shown on a map entitled, "Subdivision of Property for Regent Park, Town of Clarkstown, County of Rockland, New York" dated March 14, 1984, last revised November 9, 1984, prepared by Atzl & Scatassa Associates, P.C., subject to the condition stated above, all other subdivision requirements, and requirements of law.

Seconded by Co. Lettre

All voted Aye.

* * * * *

ABE664

RESOLUTION NO. (145-1985)

AUTHORIZING TOWN ATTORNEY
TO OFFER SUM TO MARY MAYO
FOR PURCHASE OF PROPERTY -
FUNDS TO BE TRANSFERRED FROM
MONEY-IN-LIEU-OF-LAND TO
PARKLANDS AND IMPROVEMENTS

Co. Maloney offered the following resolution:

WHEREAS, Town Board Resolution No. 1232-1984 states that the
Town Attorney is hereby authorized to offer the sum of \$11,000.00
for an all cash purchase to Mary Mayo for the purchase of property,

NOW, THEREFORE, be it

RESOLVED, the funds be transferred from Money-in-Lieu-of-Land
account to Parklands and Improvements for payment.

Seconded by Supv. Dusanenko

All voted Aye.

* * * * *

RESOLUTION NO. (146-1985)

TRANSFERRING MINI-TRANS BUSES
NOS. 10 AND 11 TO CLARKSTOWN
HIGHWAY DEPARTMENT

Co. Holbrook offered the following resolution:

RESOLVED, that Mini-Trans buses 10 and 11 are to be trans-
ferred to the Clarkstown Highway Department.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (147-1985)

DENYING SPECIAL PERMIT TO
OPERATE GROUP HOME (SUMMIT
SCHOOL AND CHILDREN'S RESID-
ENCE CENTER)

Co. Lettre offered the following resolution:

WHEREAS, the Summit School and Children's Residence Center
has petitioned the Town Board of the Town of Clarkstown for a special
Permit for the purpose of operating an agency group home for up to
nine boys between the ages of 14 to 18 years at 285 New Hempstead
Road, New City, New York, and

WHEREAS, after due notice published and posted, a public
hearing was held before the Town Board on the 24th day of April,
1984, at 8:45 P.M., to consider such application, and

WHEREAS, by Resolution No. 500-1984, dated May 8, 1984, the
Town Board of the Town of Clarkstown denied the application upon the
grounds such activity at the subject location would constitute a
hazard, and

WHEREAS, the applicant petitioned to the Suopreme Court,
Rockland County, and obtained a ruling which authorized an additional
public hearing to reconsider said application, which hearing was duly
noticed and held on January 22, 1985, at which time additional evidence
and information concerning the proposed use and traffic conditions
existing in the vicinity of 285 New Hempstead Road, New City, New York,
was presented by applicant and other interested parties;

RESOLUTION NO. (147-1985) Continued

NOW, THEREFORE, the Town Board pursuant to its authority under Section 106-14B of the Zoning Ordinance of the Town of Clarkstown, upon consideration of the entire record, makes the following findings of fact:

1. The proposed group home shall contain up to nine (9) adolescent boys between the ages of 14 to 18 years of age who have various emotional problems which require twenty-four hour round the clock supervision of at least two adult staff members at all times;
2. That the proposed adolescent occupants may be persons who are depressed, despondent and who exhibited suicidal gestures;
3. That the children who would occupy the premises would probably receive special educational programs at Summit School in Upper Nyack, New York, and be transported to and from there by one or more vehicles owned and operated by the applicant;
4. That the proposed group home premises would be serviced by the above mentioned vehicles to transport the children in staff operated private vehicles on a daily basis;
5. That sight distances on New Hempstead Road are so poor as to constitute a grave hazard to any pedestrian or vehicle which enters the roadway adjacent to the proposed facility;
6. That the traffic hazard at the location is conceded by the applicant who asserts that it alone shall determine the hazard and the extent to which it shall expose the children in its care to same;
7. That the proposed use would result in a more intense use of the subject premises than would be the case if the premises are occupied by a smaller family unit;
8. That the proposed group home will generate approximately four times the expected vehicle and pedestrian traffic should the premises be occupied by a family unit of one or two adults and two to four children;
9. That the applicant was unable or unwilling to establish that the adolescent residents who would use the premises would not expose themselves to the traffic hazards existing at said location and, therefore, based on the above findings of fact it is;

RESOLVED, the proposed use is more dangerous and objectionable than the use for which the premises are legally permitted to be used as of right, to wit, a single-family residence; and be it

FURTHER RESOLVED, the proposed use shall impair the public health, safety, and general welfare of the intended inhabitants and passersby; and be it

FURTHER RESOLVED, that the application for a special permit to operate an agency group home pursuant to Section 106-14B of the Zoning Ordinance of the Town of Clarkstown, upon the record and for the reasons stated above, is DENIED, and be it

FURTHER RESOLVED, that the within Special Findings and Resolution setting forth the reasons for denying such special permit application shall constitute a written report to be filed with the Town Clerk.

Continued on Next Page

ABE664

RESOLUTION NO. (147-1985) Continued

TOWN BOARD OF THE TOWN OF CLARKSTOWN

By: /s/ Theodore R. Dusanenko
Theodore R. Dusanenko, Supervisor

Dated: February 11, 1985

Seconded by Co. Holbrook

On roll call the vote was as follows:

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

Councilman Maloney said we had to prove that this group home would ascerbate the traffic already there and this has not been shown. These people have right to move in as a family. No one would object if he and his family moved in and each one drove a car.

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RESOLUTION NO. (148-1985)

ACCEPTING PROPOSALS FROM
ORANGE & ROCKLAND UTILITIES,
INC. FOR STREET LIGHTING AT
CLARKSTOWN EXECUTIVE PARK -
PHASE I

Co. Holbrook offered the following resolution:

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

Clarkstown Executive Park - Phase I

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (149-1985)

AUTHORIZING PAYMENT FOR
ARCHITECTURAL SERVICES
RE: 3 WILLIAM STREET, NEW
CITY, NEW YORK (MR. GEORGE P.
KRUMENAKER) - CHARGE TO
ACCOUNT A 1420-409

Co. Lettre offered the following resolution:

WHEREAS, an architectural consultant was requested to investigate the premises at 3 William Street, New City, New York, and prepare a report, and

WHEREAS, said architectural consultant, Mr. George P. Krumenaker, 222 Mamaroneck Avenue, White Plains, New York, has made his report;

NOW, THEREFORE, be it

RESOLVED, that a sum not to exceed \$2,300.00 is hereby appropriated to pay for the professional services rendered, and be it

FURTHER RESOLVED, that the fees for such services shall be charged to Account No. A 1420-409.

Seconded by Co. Carey

All voted Aye.

* * * * *

RESOLUTION NO. (150-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO SOLICIT
PROPOSALS FOR REMOVAL OF
DAMAGED FUEL STORAGE
TANKS AND REPLACEMENT OF
SAME AT THE TOWN HIGHWAY
DEPARTMENT - CHARGE
ACCOUNT A 5132-219

Co. Holbrook offered the following resolution:

WHEREAS, by notice dated February 8, 1985, the Rockland County Health Department has determined that there is a condition which affects the public health, safety and welfare of the inhabitants of the Town of Clarkstown as a result of leakage in two subterranean fuel storage tanks located at the Town of Clarkstown Highway Department and has by such notice required the immediate removal of same, and

WHEREAS, insufficient time exists within which to comply with the provisions of Section 103 of the General Municipal Law to obtain bids for a public works project although the estimate for the amount of work involved exceeds \$7,000.00;

NOW, THEREFORE, be it

RESOLVED, that due to the existence of a condition affecting life, health and safety of the inhabitants of the Town of Clarkstown, the Director of Purchasing is hereby authorized and directed to solicit proposals for the removal of the damaged fuel storage tanks and replacement of same with tanks installed in accordance with the Rockland County Health Department specifications and all other requirements of law, and be it

FURTHER RESOLVED, that any incidental work required to be done immediately by the Rockland County Health Department or any other agency having jurisdiction shall also be authorized on an emergency basis, and be it

FURTHER RESOLVED, that all charges reasonable and necessary to correct the condition shall be charged to Account No. A 5132-219.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (151-1985)

AUTHORIZING ATTENDANCE AT
ASSOCIATION OF TOWNS'
CONVENTION (DAY TIME SESSIONS
ONLY) - DORIS FOGEL AND DOLORES
LODICO

Co. Lettre offered the following resolution:

RESOLVED, that Doris Fogel and Dolores Lodico, Comptroller's Office, are hereby authorized to attend the Association of Towns' Convention (day time sessions only) to be held in New York City on February 18th, 19th and 20th, and expenses incurred for such attendance are to be made proper Town charges.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (152-1985)

AUTHORIZING TRANSCRIPTION OF
ZBA TAPES FROM PUBLIC HEARINGS
(BRODSKY AND CHRISTY) - CHARGE
TO ACCOUNT B 8010-459

Co. Maloney offered the following resolution:

ABE664

RESOLUTION NO. (152-1985) Continued

RESOLVED, that the Town Attorney is hereby authorized to obtain the services of a court stenographer to transcribe the tapes of the public hearing held before the Zoning Board of Appeals on January 7, 1985, in the matter of Ann Brodsky and Frederick Christy (Appeal No. 1859) in order to assist in the prosecution of a Justice Court Violation, for a sum not to exceed \$500.00, and be it

FURTHER RESOLVED, that all fees for the above shall be charged to Account No. B 8010-459.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (153-1985)

AUTHORIZING SPRING VALLEY WATER COMPANY TO INSTALL HYDRANTS AT SCHWEITZER LANE AND SOUTH CRANFORD ROAD, BARDONIA, NEW YORK

Co. 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 five (5) fire hydrants at the following locations:

- 1. West side of Schweitzer Lane approximately 20 feet south of center line of Ludvigh Road.
- 2. West side of Schweitzer Lane approximately 630 feet south of center line of Ludvigh Road.
- 3. West side of Schweitzer Lane approximately 30 feet north of the center line of South Cranford Road.
- 4. West side of South Cranford Road approximately 270 feet south of the center line of Hillburg Court.
- 5. West side of South Cranford Road approximately 330 feet north of the center line of Hillburg Court.

Investigation Number: 9612

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (154-1985)

AWARDING BID FOR BID NO. 14-1985 - PRINTING OF 1985 RECREATION AND PARKS ACTIVITIES FACILITIES BROCHURE (NORMAN REED ASSOCIATES, INC.)

Co. Lettre offered the following resolution:

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

BID #14-1985
PRINTING OF 1985 RECREATION & PARKS
ACTIVITIES/FACILITIES BROCHURE

is hereby awarded to:

RESOLUTION NO. (154-1985) Continued

NORMAN REED ASSOCIATES, INC.
155 AVENUE OF THE AMERICAS
NEW YORK, NEW YGRK 10013

as per the attached proposal, and be it

FURTHER RESOLVED, that this award is subject to final selection of stock after consultation with the Towns Art and Layout consultant.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

ABE664

RESOLUTION NO. (155-1985)

AUTHORIZING ISSUANCE OF
BUILDING PERMIT FOR ONE-
FAMILY RESIDENCE (HEGARTY
HOMES) (MAP 12, BLOCK K,
LOT 6.01)

Co. Carey offered the following resolution:

RESOLVED, that under the provisions of Section 280-a(2) of the Town Law and pursuant to the recommendation of the Director of Environmental Control and Superintendent of Highways, a building permit for the erection of a one-family residence may be issued to Hegarty Homes for property situate on the south side of Yonkers Avenue, in the hamlet of Nanuet, New York, more specifically designated on the Clarkstown Tax Map as Map 12, Block K, Lot 6.01, provided, however, the certified 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 shall provide:

1. That the property owner shall acknowledge that no town services consisting of maintenance, paving or snow removal shall be provided along Yonkers Avenue, Nanuet, New York.
2. That the property owner irrevocably agrees to participate in a road improvement district for any frontage of said premises, on any unimproved mapped street when and if required by the Town Board of the Town of Clarkstown.
3. That the property owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the property owner in Yonkers Avenue, an unimproved, mapped street fronting the premises to the designated street line to accomplish the widening of Yonkers Avenue to 50 feet in width.
4. That any deed of conveyance for the subject premises shall be subject to the declaration of covenant provided herein.
5. That the common driveway in Yonkers Avenue and turnaround shall be maintained in accordance with the direction of the Superintendent of Highways.
6. That the certificate of occupancy issued for said premises shall be conditioned upon and subject to observance of the declaration of covenant provided herein, and be it

FURTHER RESOLVED, that before the issuance of a building permit or certificate of occupancy, as the situation requires, the owner or his agent shall cause the following items to be completed to the satisfaction of the Director of the Department of Environmental Control.

RESOLUTION NO. (155-1985) Continued

1. Applicant shall eliminate the proposed sanitary sewer pump and replace same with gravity sewer connection by raising the floor elevation of the proposed dwelling in accordance with the direction of the Director of the Department of Environmental Control.

2. The proposed common driveway within Yonkers Avenue shall be paved from Middletown Road to the proposed garage for a width of at least 18 feet in width in accordance with the direction of the Director of Environmental Control.

3. Applicant shall install a sanitary sewer house connection, including the spur, at no cost to the Town of Clarkstown.

4. Applicant shall establish to the satisfaction of the Building Inspector that the premises upon which the proposed one family residence is to be constructed constitutes a validly pre-existing lot or that subdivision approval has been obtained.

5. All other requirements of law are met.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (156-1985)

ACCEPTING RESIGNATION OF
TYPIST - TOWN CLERK'S OFFICE
(ELEANOR O'BRIEN)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Eleanor O'Brien, 9 Shannon Lane, West Nyack, New York - Typist - Town Clerk's Office - is hereby accepted - effective and retroactive to January 25, 1985.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (157-1985)

ACCEPTING RESIGNATION OF
SECRETARY (PART-TIME) -
CONDOMINIUM INFORMATION BOARD
(DOLORES LODICO)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Dolores Lodico, 2 Birch Lane, New City, New York - Secretary (part-time) - Condominium Information Board - is hereby accepted, effective and retroactive to February 1, 1985.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (158-1985)

APPOINTING POSITION OF
CROSSING GUARD - POLICE
DEPARTMENT (MARSHA M. BAUMANN)

Co. Maloney offered the following resolution:

RESOLVED, that Marsha M. Baumann, 48 Klein Avenue, West Nyack, New York is hereby appointed to the position of Crossing Guard (substitute) - Police Department - at the rate of \$5.00 per post covered, effective and retroactive to January 24, 1985.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (159-1985)

APPOINTING POSITION
OF RADIO OPERATOR PART-
TIME - POLICE DEPARTMENT -
(AGNES C. PISCITELLI)

Co. Maloney offered the following resolution:

RESOLVED, that Agnes C. Piscitelli, 111A Brewery Road, New City, New York is hereby appointed to the position of Radio Operator, part-time - Police Department - at the hourly wage of \$5.14, effective and retroactive to January 24, 1985.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

ABE664

RESOLUTION NO. (160-1985)

CREATING FOUR (4)
POLICE OFFICER POSITIONS -
POLICE DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on January 29, 1985 that four (4) Police Officer positions can be created,

NOW, THEREFORE, be it

RESOLVED, that four (4) Police Officer positions - Police Department - are hereby created, effective February 1, 1985.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (161-1985)

APPOINTING PROVISIONALLY
POSITION OF STOCK CLERK -
PARKS BOARD AND RECREA-
TION COMMISSION (ANTONIO
LETO)

Co. Maloney offered the following resolution:

RESOLVED, that Antonio Leto, 96 South Conger Avenue, Congers, New York is hereby appointed provisionally to the position of Stock Clerk - Parks Board and Recreation Commission - at the annual salary of \$12,388.00, effective February 19, 1985.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (162-1985)

APPOINTING POSITION OF
SENIOR ACCOUNT CLERK-
TYPIST (PROVISIONAL) -
PARKS BOARD AND RECREA-
TION COMMISSION (KATHERINE
PRITCHARD)

Co. Maloney offered the following resolution:

RESOLVED, that Katherine Pritchard, 32 Ruth Drive, New City, New York is hereby appointed to the position of Senior Account Clerk-Typist (provisional) - Parks Board and Recreation Commission, at the annual salary of \$13,757.00, effective and retroactive to February 4, 1985.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (163-1985)

APPOINTING (PERMANENT)
POSITION OF SENIOR
RECREATION LEADER - PARKS
BOARD & RECREATION COMMISS-
ION (JOHN YACIUK)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Senior Recreation Leader #84162 which contains the name of John Yaciuk,

NOW, THEREFORE, be it

RESOLVED, that John Yaciuk, 59 North Pascack Road, Spring Valley, New York is hereby appointed (permanent) to the position of Senior Recreation Leader - Parks Board & Recreation Commission, at the annual salary of \$18,360.00, effective and retroactive to January 28, 1985.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (164-1985)

GRANTING ONE (1) YEAR
LEAVE OF ABSENCE TO
TYPIST - ASSESSOR/
RECEIVER OF TAXES OFFICE
(MARIE GERONIMO)

Co. Maloney offered the following resolution:

WHEREAS, Marie Geronimo, has requested a one year leave of absence, without pay,

WHEREAS, Article XIX, Section 1, of the Town of Clarkstown Labor Agreement of January 1, 1984 provides for a leave of absence without pay,

NOW, THEREFORE, be it

RESOLVED, that Marie Geronimo, 55 Bluebird Drive, Congers, New York, Typist (six months in the Assessor's Office and six months in the Receiver of Taxes Office) - is hereby granted a one year leave of absence, without pay, effective February 16, 1985.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (165-1985)

CREATING TEMPORARY
POSITION OF CLERK -
ASSESSOR'S OFFICE

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on February 7, 1985 that the temporary position of Clerk can be created,

NOW, THEREFORE, be it

RESOLVED, that the temporary position of Clerk - Assessor's Office - is hereby created - effective February 11, 1985 - for a period not to exceed three (3) months.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (166-1985)

APPOINTING POSITION OF
CLERK (TEMPORARY) -
ASSESSOR'S OFFICE (ELAINE
NOTARO)

Co. Maloney offered the following resolution:

RESOLVED, that Elaine Notaro, 88 Wisconsin Avenue, Congers, New York, is hereby appointed to the position of Clerk (temporary) - Assessor's Office - at the hourly rate of \$5.00, effective February 11, 1985, for a period not to exceed three (3) months.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (167-1985)

AUTHORIZING INCREASE
TO BE PAID TO PHILIP
FURGANG, ESQ. - CHARGE
TO ACCOUNT NO. 1420-409
AND ORDERING PAYMENT TO
ROCKLAND & ORANGE REPORT-
ING, INC.

Co. Lettre offered the following resolution:

RESOLVED, that the authorized expenditure contained in Resolution No. 1150 of December 27, 1983, to be paid to Philip Furgang, Esq., Special Counsel, be increased by \$1,831.50 to a total not to exceed \$51,230.54, said sum to be charged to Account No. 1420-409, and be it

FURTHER RESOLVED, that the sum of \$498.00 be paid to Rockland & Orange Reporting, Inc. for the transcription of pre-trial statements.

Seconded by Co. Maloney

All voted Aye.

* * * * *

There was discussion regarding parking at the Nanuet Railroad Station. Councilman Holbrook suggested that Lederle be invited in and talk to the entire Town Board. It would appear that negotiations are going nowhere. John Costa stated what Lederle's position was citing that their last position was that they wanted \$75,000.00 rent.

Supervisor asked that the following letter be read into the minutes correcting the second paragraph to read 20 year lease rather than 15 year lease. In jeopardy is approximately \$1,000,000.00 of Federal, State and County funds for a parking lot and several hundred thousand of MTA funds for a new station. If we cannot build this residents and commercial places on Main Street in Nanuet are still going to have commuter parking even with meters and two hour parking. We can take several hundred cars off our streets, put them in the commuter lot and get the people to work safely.

Councilman Carey said that can be done with condemnation and that should be considered.

Councilman Lettre said these negotiations have become open negotiations and Lederle Laboratories is obviously not a small town boy - they are not stupid people. They want to play hard ball and they are looking to get the most they can from the Town of Clarkstown. It is not advantageous to the Town to bounce this thing around publicly.

Councilman Holbrook said we should set up a meeting with Lederle.

ABE664

Supervisor asked Councilman Lettre what suggestion he would make so that we can acquire this from Lederle at a reasonable price. Councilman Holbrook said that the members of the Town Board, the Town Attorney and representatives from Lederle should meet here at Town Hall and we should set the date.

Town Attorney was directed to deal with Lederle's attorneys to set a date for such meeting.

(Letterhead of Town of Clarkstown Town Attorney's Office)

"January 31, 1985

Mr. Bruce F. Avery
Senior Transportation Analyst
State of New York
Department of Transportation
4 Burnett Boulevard
Poughkeepsie, New York 12603

Re: PIN 8752.05 - Agreement for Nanuet Railroad Station
Parking Improvement - Our File No. 83-153

Dear Mr. Avery:

This is a follow-up to our letters of November 30, 1984, and January 7, 1985, regarding the above matter. Since we last wrote to you, there has been a development concerning the Town's ability to acquire either title or a long term lease to the property adjacent to the Nanuet Railroad Station which you should be aware of.

As Town Attorney, I was authorized to negotiate with the property owner, American Cyanamid Company, to obtain a minimum 15 year lease* so as to provide for parking adjacent to the to be (sic) constructed Nanuet Railroad Station. The Town Board authorized me to offer the sum of \$20,000.00 per year as rent plus reimbursement of property taxes. Recently the property owner has counteroffered with the request for \$75,000.00 annual rent plus property taxes. The appraisal obtained by the Town would not under any circumstances support such a rental, nor is it my understanding that the Town Board is prepared to commit such funds for the acquisition of the necessary property. Therefore, I wish to put your department on notice that the Town of Clarkstown may not be able to fulfill its obligation to acquire a long term lease or fee ownership of the parking lot as part of its contribution to the overall project. Although condemnation is possible, the funding for same may not be forthcoming. The Town Board has further authorized me to obtain another appraisal which I am in the process of doing.

If you have any questions, please advise.

Very truly yours,

/s/ John A. Costa

John A. Costa
Town Attorney

JAC:cln
cc: Town Board
0609A"

*(should be 20 years as per Supervisor Dusanenko.)

* * * * *

RESOLUTION NO. (168-1985)

GRANTING CERTIFICATES OF
REGISTRATION (HENRY SMITH,
INC. AND GIANGRECO AND D'ANGELO
CONSTRUCTION CO.)

Co. Maloney offered the following resolution:

RESOLUTION NO. (168-1985) Continued

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

HENRY SMITH, INC.
Henry Smith
Spookrock Road
Tallman, New York 10982

GIANGRECO and D'ANGELO CONSTRUCTION CO.
P.O. BOX 305
Yonkers, New York 10704

RESOLVED, that the contractors mentioned above shall fulfill the requirements of the Town Code and provide the necessary information to the Town in a form that will be acceptable to the Town Attorney, prior to the issuance of the Certificates of Registration.

NOW, THEREFORE, be it

RESOLVED, that the following Certificates be registered after the Town Code requirements are satisfied.

No. 85-16 issued to HENRY SMITH, INC.
No. 85-17 issued to GIANGRECO AND D'ANGELO CONST. CO.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (169-1985)

GRANTING CERTIFICATES OF REGISTRATION (W. HARRIS & SON, INC., PETER J. MAYER, KEVIN STOKES EXCAVATING, INC. AND PAUL DESIMONE)

Co. Maloney offered the following resolution:

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

W. HARRIS & SON, INC.
William V. Harris, Jr.
37 W. Washington Avenue
Pearl River, New York

KEVIN STOKES EXCAVATING, INC.
Kevin H. Stokes
Box 812
Pearl River, New York

PETER J. MAYER
27 Old Hempstead Road
New City, New York

PAUL DE SIMONE
35 Madison Avenue
Garnerville, New York

NOW, THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

No. 85-11 issued to W. Harris & Son, Inc.
No. 85-13 issued to Peter J. Mayer
No. 85-14 issued to Kevin Stokes Excavating, Inc.
No. 85-15 issued to Paul DeSimone

Seconded by Co. Holbrook

All voted Aye.

* * * * *

ABE664

RESOLUTION NO. (170-1985)

GRANTING ONE MONTH LEAVE OF
ABSENCE TO DOG CONTROL
OFFICER - POLICE DEPARTMENT
(EVELYN CLARK)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Evelyn Clark, 15 Stern Place, Congers, New York - Dog Congrol Officer - Police Department - is hereby granted a one month extension of Sick Leave of Absence at one-half pay, effective February 14, 1985.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (171-1985)

ACCEPTING MINUTES OF TOWN
BOARD MEETING OF DECEMBER
11, 1984

Co. Carey offered the following resolution:

RESOLVED, that the minutes of the regular Town Board Meeting of December 11, 1984 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

There being no further business to come before the Town Board and no one wishing to be heard, the Town Board meeting was adjourned on motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, time: 9:34 P.M.

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk