

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

6/11/85

8:10 P.M.

Present: Supervisor Dusanenko  
Councilmen Holbrook, Maloney, Lettre (arrived 8:12 P.M.)  
(Councilman Carey absent due to illness)  
David Wagner, Deputy Town Attorney  
Patricia Sheridan, Town Clerk

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

Supervisor read the following proclamation:

WORLD RECORD DAY  
"GUM WRAPPER CHAIN"

June 22, 1985

- WHEREAS, The Town of Clarkstown is pleased to announce that its residents have constructed the World's Largest Chewing Gum Wrapper Chain; and
- WHEREAS, For the past year the residents have been busy cutting, folding, and hooking chewing gum wrappers together, for the purpose of acceptance and display at the Ripley's "Believe It or Not" Museum; and
- WHEREAS, The Town of Clarkstown has numerous programs and special events which its residents may take advantage of; and
- WHEREAS, Suitable and positive leisure experiences are vital to good physical and mental health as well as enhancing the quality of life for all peoples; and
- WHEREAS, It is in the best interest of our residents to take part in these many and varied activities which are offered through the Clarkstown Parks Board and Recreation Commission;

NOW, THEREFORE, BE IT RESOLVED THAT I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown do hereby proclaim the day of June 22, 1985 as a special day in recognition of the achievement by the many residents of our Town in their accomplishment of making the World's Longest Gum Wrapper Chain which will be displayed in the world famous Ripley's "Believe It or Not" Museum.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the seal of the Town of Clarkstown to be affixed this 11th day of June 1985.

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

Supervisor announced that the Town Pools would be open on June 22, 1985 instead of this Saturday because of repairs which are being made. Serendipity Saturday will also take place on June 22, 1985.

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The graduation exercises for the 8th Class of the Clarkstown Youth Court were conducted. Supervisor called the graduates to the dais and explained the responsibilities of the Youth Court. He called upon Detective Curt Settle who introduced the Chief of Police, George Schnakenberg. Chief Schnakenberg discussed the crimes handled by Youth Court. Detective Settle thanked the Town Board and also Pat Barad for their assistance. Chief Schnakenberg

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thanked Detective David Wedlick, Detective Curt Settle, Pat Barad, and the Town Board. He then awarded the diplomas to the graduates and gave them identification cards. Supervisor also congratulated the parents of the graduates.

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Supervisor gave an update of his meeting with Senator Levy and members of the State Department of Transportation. It was anticipated that the Tappan Zee Bridge renovation would start in March of 1986. Bridge traffic would be limited or curtailed at that time. In anticipation of that situation two parking lots would be provided for commuters, one at the south side of Route 59 at Exit 14 of the New York State Thruway on land currently owned by the New York State Department of Transportation and the other at Exit 12 of the New York State Thruway on or near Thomas Dexter's property. The State will build them and afterwards they will be maintained by the Town of Clarkstown. There will be one price for all commuters because Federal funds are being used and there cannot be one price for residents and another price for non-residents. Supervisor also said they were working at acquiring other sites.

Nanuet Train Station improvements should start about July 1, 1985. Commuter parking for our express bus routes are a disaster and the Town has been forced to vacate the Theatre-Go-Round on June 21st thus ending commuter parking for approximately 400 vehicles. The Board is looking ahead to the acquisition of two acres on Kemmer Lane in Nanuet. However, because the residents in the area wish a buffer zone there will be parking for only 169 cars.

Supervisor asked if there was anyone having any ideas as to where parking could be located even temporarily he would appreciate their contacting the Supervisor's office.

Councilman Holbrook asked if the Kemmer Lane project was going forward and the Supervisor said yes. Supervisor noted that he was able to get, through the cooperation of the Rockland County Legislature, the approval of the County to have a temporary license with the Town but that has not yet been signed because it has not been prepared by the proper attorneys. He stated that we were also working with the Environmental Department and the Highway Department along with several residents to expedite plans on the design. Mr. Costa has requested a SEQR process which will take approximately 15 days. He referred to Item 18 on the agenda which has two proposals for an engineering study. He suggested the higher price since it would be done quicker.

Supervisor wished it noted that Mr. David Wagner was covering tonight's meeting for the Town Attorney and that the next meeting would be covered by Mr. Harold MacCartney.

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Supervisor declared the public portion of the meeting open.

Appearance:

Mrs. Snyder  
West Nyack, New York

She spoke regarding the veteran's tax exemption. She said she was being unjustifiably penalized due to an error in the Assessor's Office. Supervisor noted that he had discussed this with the Assessor's Office but because they have been inundated with applications they did not have the time to go over each case in detail. There are four to six thousand veterans in this Town most of whose applications have gone smoothly. The United States Veterans' Office did not give proof positive of either service or service in a particular branch of the armed services or service during a particular war or that they were disabled during a particular war

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in combat. People had to wait up to eight weeks to receive that and in some cases they received it after the May 1st deadline.

Supervisor went on to say that he was very aggravated that people who filed properly before May 1st did not have their applications thoroughly scrutinized while they were there but because of the enormous amount of work in the Assessor's Office it was not possible. He said if these cases can be rectified he hoped he would have the support of the Town Board to do so. If their application was on file he would like those people to receive the exemption they are entitled to. Otherwise they will lose it for the whole year.

Appearance: Mr. Robert Granik  
Attorney for Mr. Shettino

Mr. Granik stated that his client's property had been the subject of a public hearing for a change of zone. A motion to change the zone was not carried at that time. Subsequent thereto a matter pending before the Planning Board came on for hearing for reapproval of a site plan which had been in existence for three years. The Town Attorney at that time had recommended to the Planning Board that it withhold action pending further application by the owner of the property through counsel to the Town Board for reinstatement of the special permit for access to a residentially classified Town road. He said he was asking the Town Board to place the matter on the agenda for the next Workshop Meeting.

He said they have a parcel of property zoned commercial which has been zoned commercial since at least 1967 and which has no other access other than the road on which it fronts and which it has always fronted on. He said that rather than take the matter to litigation with what will be a foregone result, since there is no other access, he said he would rather use that opportunity to meet with the Town Board in order to work out conditions for reinstatement of the special permit with conditions which would be of benefit to the entire community.

Councilman Lettre inquired as to what conditions Mr. Granik's client would be willing to accept since the Board has no legal right to impose conditions. Mr. Granik said he has no objections to the Board's imposing conditions even though they have no legal right to do so. His client will cooperate and do all that has to be done to enhance rather than detract from the community.

Supervisor thanked Mr. Granik for bringing this up this evening and asked Mr. Granik to get the necessary papers to his office as soon as possible and they will be forwarded to the Planning Board, to the Town Attorney and to his fellow Town Board members for their suggested input as to what restrictions or other items they would consider at workshop. Mr. Granik said it would be in the Supervisor's hands on Monday.

Appearance: Mr. Peter Krell  
24 South Park Avenue  
Nanuet, New York 10954

Mr. Krell said he was here as Chairman of a new committee which has been formed under the aegis of the Rockland Historical Society. This is the Committee for the Preservation of Rockland Cemeteries. He said their aim was to locate and identify every abandoned cemetery in the County and to preserve those cemeteries. Supervisor asked everyone in the audience if they knew of any cemeteries in addition to the list they already have to please contact Mr. Krell directly.

Mr. Krell said they have sent a letter to every Town Supervisor asking that every abandoned cemetery be located and they be told who owns the plots so that they can protect them in the

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future. He said investigation has revealed terrible conditions in some of these cemeteries and they want to correct them.

Mr. Krell said he understood that a condemnation was in progress for the property near East Evergreen across the road from Town Hall on Congers Road next to the gas station. He knew the Town could take over that property but wanted it known that this is a human burial plot with 16 graves.

Supervisor said the Town is in the process of acquiring land in the vicinity of East Evergreen. The two cemeteries, however, are being maintained by youth court graduates or people who were sentenced, and others. We are preserving them and they will not be desecrated. They will be perpetually maintained. Supervisor said that Mr. Krell's letter had been distributed to various town agencies who had been directed to make a search.

Mr. Krell said he could be contacted at the Rockland County Historical Society, 20 Zukor Road, New City, New York.

Appearance: Mr. Ross Pepe  
New City, New York

Mr. Pepe said he was Executive Director of the Contractors Association of Rockland and the Rockland County Apartment Owners Association. He urged the Board not to adopt either resolution before them which would affect and hamper the ability of apartment owners to convert their property to condominiums or cooperatives. As a representative of the Rockland Rental Industry and also as a representative of the Rent Guidelines Board he said they are finding there is a severe shortage of rental housing in Rockland County. This is being stimulated by overregulation in certain areas of the County. Continued regulation and increased hampering of the ability of owners to handle their properties in a manner that would be fit to assure affordable housing for persons who do not wish to own property, would only hamper further the ability of owners and builders to continue to create new housing. The shortage which is created is a result of builders being concerned about regulation and control that will be placed on their property like this. He urged that the Board not adopt the resolutions. Experience in the Town has shown that when conversions have taken place there has been great cooperation between builders and the Town. Neither seniors nor the disabled have been hurt in any way.

Appearance: Ms. Jean Mayer  
New City, New York

Mrs. Mayer said she had filed a petition with the Supervisor previous to this meeting regarding the load limit of trucks permitted on Prides Crossing. She said this is a very narrow residential road with up and down grades and no sidewalks. Children going to the New City Elementary School and also to the Clarkstown High School are walking there all the time. There has been commercial trucking through the area with 25 ton loads using that road into the Camelot Subdivision. She complained of the noise, the dust and the trucks coming in or going out every six minutes.

Mrs. Mayer referred to a Map note on Map No. 5731 in Book 103, Page 38, No. 18 which states that all traffic shall come off New City/Congers Road only. She also referred to Planning Board minutes dated February 14, 1984. She felt the road could have been constructed over a year ago. She referred to Planning Board minutes dated March 14, 1984 reiterating that all construction traffic shall come off New City/Congers Road. Heavy construction started into Camelot about that date and has continued up until last Friday afternoon when the Building Inspector came to see this and finally stopped the traffic into Prides Crossing.

She said they were petitioning the Town to have this road limited to five tons just so something like this will never happen to

the area again. The road has been heavily damaged and she hoped that they would get a new road there. Mr. Shulson has been notified to clean up the road but in all the time they have been taking the fill out of that area he has not once gone in and cleaned it up or put down any chemicals to keep the dust down.

Supervisor asked Deputy Town Attorney to confer with Mrs. Mayer and get whatever new information she had and then come back and report to the Town Board. Peace and tranquility in the neighborhood has been disturbed and this road should have been put in a long time ago.

Appearance: Sid Shulson,  
Builder and Developer

Mr. Shulson said his site approval was granted on March 14, 1984 and the first four building permits he received had no access from New City/Congers Road. Building began but was stopped because the Rockland County Highway Department would not grant a road opening permit until three weeks ago so there was no access to the development. Supervisor explained that Mr. Shulson could not legally cut that road through until he had the permit. Mr. Shulson said construction on Congers Road would begin this week. The road should be useable within a week to ten days.

Mr. Shulson said he wanted to discuss senior citizen rentals. He said he is currently renting a development in Clarkstown - the Bremer Apartments. The reason they were developed as a rental was because at some time in the future they hoped they would have the option to convert to condominiums should the market change. The apartments are presently being rented to young people. He stated that he has been building affordable housing. If the Board sees fit to pass the law as it is, it will force them to convert the entire development to condominiums removing 84 rental units.

In answer to a question from Councilman Holbrook Mr. Shulson said in order for them to convert to condominiums at a future date, requiring 51% for conversion, we would convert now and rent condominiums.

Councilman Lettre asked what the affordable rent was to which Mr. Shulson was referring? Mr. Shulson said they were charging \$650.00 per month rent which is below the market.

Councilman Lettre asked if wasn't true that before Mr. Shulson could convert to condominiums he would have to get a prospectus and be approved by the State? Mr. Shulson said yes. Councilman Lettre said he did not think it would be very profitable for Mr. Shulson to go that route because he would have all those buildings just sitting there for maybe a year or more before a prospectus was obtained from the State. Mr. Shulson said it would take approximately 5 weeks. Councilman Lettre said that was a debatable point.

Appearance: Mr. Louis Molnar  
35 North Route 9W  
Congers, New York 10920

Mr. Molnar said they are having a drainage problem, of which the Board is aware, with a developer next to their property. He asked why the planning map does not have the correct owner listed? The owner listed has been deceased for approximately three years. He said there is a compounding problem with the Planning Board and his questions have not been satisfactorily answered.

On May 16, 1985 Mr. Ross of the Planning Board (Mr. Molnar refers repeatedly to the Planning Board when in fact he means the Department of Environmental Control) indicated and verified to

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him twice that he had no stream on his property. On May 30th after inquiry by Mr. Molnar, Mr. Ross indicates that there is a stream - not a numbered stream but a stream.

On June 7, 1985 Mr. Molnar stated he was informed that the stream on his property was a numbered stream. Mr. Ross also said that to correct this problem no piping or drainage could be put in onto our property. Friday of last week he says he was informed that, at his cost, he could put in piping to correct this problem.

Mr. Molnar asked how could natural water falls which have flooded in the past be allowed to be concentrated from three streets into one location directly onto his property? Why is a drainage outlet approximately 12 inches below the established ground level of an inlet? Why must we allow an error to damage our home and why should this error, if not corrected now, cost the taxpayers later to correct? Why were they never contacted when any of this planning was going on? Why must they, at their cost, correct a problem which exists and has been recognized?

He said they have addressed this problem several times by certified mail and have received no response at all. Everytime the question is addressed he has gotten a new and strange answer - like we can't make water flow uphill. If that is the case why is the drainage 12 inches below ground?

Supervisor said that Mr. Molnar has been in contact with the Supervisor's Office and was scheduled for a workshop. The questions were not answered there. Mr. Molnar said they had been scheduled as Item No. 10 at a workshop and why did Mr. Bollman, who was supposed to present a report to that workshop, leave prior to the scheduled presentation? Supervisor said he could not answer that as he was not present at that meeting himself. Mr. Molnar said that all he would like is some simple answers.

Councilman Holbrook said that he had spoken to Mr. Bollman today about having some of the Town Board members and Mr. Bollman meeting at the site and discussing some of the problems so that everyone could take a look at what is going on. Supervisor asked Mr. Bollman what would be a good time for this. It was agreed that they would meet Thursday evening at 5:30 P.M.

Appearance: Mr. Kenneth Torso, Owner  
Normandy Village

Mr. Torsoe said he was appearing regarding Item No. 3. He inquired about a and b. Supervisor said if the Board acted on this tonight they would do either a or b but they could not adopt both. Mr. Torsoe said he would consider giving in writing to the Town Board the same protection as given by Section 352-e(2)a if and when he would convert to condominiums. He said he would never throw anyone out because of conversion. He said he had previously converted many units and the dependent people who were living there at that time are still living there. He said the other people who were living there at the time of conversion either moved or moved into other sections of Normandy Village.

Councilman Lettre said the problem appeared to be that people were fearful because they had received a letter stating that there might be a conversion to condominiums. These people might want to stay but would leave because they felt intimidated. Mr. Torsoe said that he was saying that they do not have to be afraid because he would never throw them out. He said the senior citizens he has in Normandy Village are the best tenants in the world. He said that there has not been a problem but Mr. Zuckerman is creating a problem by talking about rent control. The Town Board, in its wisdom, said we don't want rent control. There are only about four or five apartment house complexes left in Clarkstown - very few rental units. There is no problem at all.

Appearance: Mr. Jack Cuff  
West Nyack, New York

Mr. Cuff inquired about Item 19 regarding walking paths in Clarkstown. He wanted to know what they are, where they will be located and how much they will cost?

Supervisor said up to \$5,000.00. One will be located in New City and one at the Rockland County Health Complex. They will be opened to the public as well as employees. Mr. Cuff suggested that this money be used for sidewalks particularly for the young people who have to walk to school. Children walking to Strawtown Elementary School have sidewalks part of the way about 18" wide and then further along there are no sidewalks whatsoever. Let's look at our main thoroughfares in Clarkstown and take care of our young people walking back and forth to school.

Appearance: Ms. Sheila Glenn(?)  
37 Parkside Drive  
Congers, New York

She stated she was appearing with regard to Item 22 - parking on Parkside Drive in Congers and problems when there are ball games in Kings Park. She requested that parking laws be enforced from the northern corner and along the south side of the street. They would like "No Parking" signs and restricted parking signs on the north side of the street reading "No Parking from 4 P.M. through 9 P.M. Monday through Friday - No Parking all day Saturdays and Sundays." She requested that the parking area be enlarged at the south end of the park.

Appearance: Mr. Zuckerman  
Normandy Village  
Nanuet, New York 10954

Mr. Zuckerman spoke with regard to Item No. 3. He said he was not in favor of rent control but he would want Item No. 3 adopted. He said Section 352 eee of the General Business Law has been adopted by other municipalities in Nassau, Rockland and Westchester Counties and this just prevents a landlord from forcing tenants out and would protect all the residents of Clarkstown. He said he was representing 400 to 500 units. He stated that the Town Board had said they would decide tonight and he wanted them to live up to that. He further stated that the Town Attorney had recommended the adoption of this item.

David Wagner, Deputy Town Attorney said that the Town Attorney's office has not recommended any proposal. They did not have the authority to do so. They have given the Town Board options but have made no recommendations.

Appearance: Paul Levine, Esq.  
Attorney for Normandy Village  
154 South Middletown Road  
Nanuet, New York 10954

Mr. Levine submitted a letter regarding condominium conversion which was presented to the Town Board Members and which is on file in the Town Clerk's Office.

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On motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing re: Violation Proceedings under Chapter 31 of the Town Code - 4-6 Prospect Street, Nanuet, New York, was opened, time: 9:15 P.M.

On motion of Councilman Holbrook, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Violation

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Proceedings under Chapter 31 of the Town Code - 4-6 Prospect Street, Nanuet, New York, was closed, DECISION RESERVED, time: 9:21 P.M.

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RESOLUTION NO. (507-1985)

RESERVING DECISION RE:  
VIOLATION HEARING (MAP 13,  
BLOCK D, LOT 4 - 4-6  
PROSPECT STREET, NANUET, NEW  
YORK - ROCKLAND PAPER  
COMPANY)

Co. Holbrook offered the following resolution:

RESOLVED, that a Public Hearing was held on June 11, 1985 regarding Demolition of Building at Prospect Street, Nanuet, New York (Map 13, Block D, Lot 4) and thereafter it was unanimously agreed to RESERVE DECISION.

Seconded by Co. Maloney

All voted Aye.

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On motion of Councilman Holbrook, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Amendment to Local Law re: Vehicle & Traffic Law of the State of New York, was opened, time: 9:22 P.M.

On motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing re: Amendment to Local Law re: Vehicle & Traffic law of the State of New York, was closed, RESOLUTION ADOPTED, 9:25 P.M.

RESOLUTION NO. (508-1985)

ADOPTING LOCAL LAW NO.  
5-1985 RE: AMENDMENT TO  
LOCAL LAW NO. 9-1971 -  
PENALTIES AND FINES FOR  
PARKING IN HANDICAPPED SPACES

Co. Maloney offered the following resolution:

WHEREAS, a proposed local law entitled, "AMENDMENT TO LOCAL LAW NO. 9-1971, AS AMENDED, ENTITLED, 'A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN BOARD BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)'" was introduced by Councilman Holbrook, at a Town Board meeting held on May 14, 1985, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 14th day of May, 1985, directed that a public hearing be held on the 11th day of June, 1985 at 9:05 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on May 31, 1985, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of Supervisor Dusanenko, Councilman Carey, Councilman Holbrook, Councilman Lettre and Councilman Maloney, on May 10, 1985, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on June 11, 1985;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 5-1985, entitled, "AMENDMENT TO LOCAL LAW NO. 9-1971, AS AMENDED, ENTITLED, 'A LOCAL LAW PROVIDING

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RESOLUTION NO. (508-1985) Continued

FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN BOARD BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)" is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

Hon. Theodore R. Dusanenko.....aye  
Councilman William J. Carey.....absent  
Councilman Edward Lettre.....aye  
Councilman John R. Maloney.....aye  
Councilman Charles E. Holbrook.....aye

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (509-1985) RESCHEDULING PUBLIC HEARING  
RE: ACQUISITION OF PROPERTY  
LOCATED NORTHWEST CORNER  
ROUTE 304 AND CONGERS LAKE  
ROAD, NEW CITY, NEW YORK

Co. Holbrook offered the following resolution:

WHEREAS, an error was made by the Journal News in regard to the publication of a notice of public hearing pursuant to the Eminent Domain Procedure Law in connection with the above matter;

NOW, THEREFORE, be it

RESOLVED, that the public hearing set for June 11, 1985 be rescheduled by the Town Board to June 25, 1985 at 9:10 P.M., or as soon thereafter as possible, at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, to consider the acquisition of land located at the northwest corner of Route 304 and Congers Lake Road, New City, New York, designated on the Clarkstown Tax Map as Map 58, BLock G, Lot 16, as shown on the attached Schedule "A", for the purpose of providing land for the expansion of municipal parking in connection with the Clarkstown Town Hall, and be it

FURTHER RESOLVED, that the Town Attorney prepare and serve notice of such statutory hearing and that the Town Clerk cause 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.

Seconded by Co. Maloney All voted Aye.

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Supervisor said that he had some questions with regard to the following resolution. He said he knew that this had long been awaited. He asked if it was limited to \$2,500.00 and if it would be out of the existing budget because the drainage bond is gone? He asked which account this will come from? Councilman Holbrook said it would come out of the Highway budget.

RESOLUTION NO. (510-1985) AUTHORIZING THE  
SUPERINTENDENT OF HIGHWAYS  
TO PERFORM STABILIZATION  
WORK IN THE VICINITY OF  
PHILLIPS LANE, WEST NYACK -

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RESOLUTION NO. (510-1985) Continued

COST TO BE SUPPLIED BY THE  
HIGHWAY DEPARTMENT OUT OF  
HIGHWAY BUDGET

Co. Holbrook offered the following resolution:

RESOLVED, that Nicholas A. Longo, Superintendent of Highways is hereby authorized and directed to install railroad ties, or other appropriate material, to stabilize the bank on the Town drainage system in the vicinity of Phillips Lane, West Nyack, to the rear of the Maldonado residence and neighboring premises, and be it

FURTHER RESOLVED, that the cost for materials shall not exceed \$2,500.00, with labor to be supplied by the Highway Department out of Highway budget.

Seconded by Co. Maloney

All voted Aye.

Councilman Lettre asked if anyone had contacted the Highway Superintendent with regard to this and Councilman Holbrook stated that he had spoken with the Highway Superintendent recently and that he was not thrilled with it but if the Town Board wants it then it will be done. Councilman Lettre said he just wanted to know if the Highway budget was adequate to cover this. Councilman Holbrook said so far as he knew it was.

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Supervisor asked the Town Board members their wishes on Item 3a or 3b. Councilman Maloney referred to a memo from Mr. Geneslaw which had been requested by the Town Attorney, copies of which had been received by the Town Board members this evening. Town Attorney had asked Mr. Geneslaw to research this and give some sort of an opinion before action was taken. He requested the Supervisor to read the memo.

Supervisor read the following:

(Letterhead of Raymond, Parish, Pine &amp; Weiner, Inc.)

"June 10, 1985

TO: Supervisor Dusanenko &amp; Town Board

FROM: Robert Geneslaw

SUBJECT: TENANT PROTECTION FOR CONDOMINIUM & CO-OP

At the Town Board workshop meeting of June 6 we were asked to review this matter and to make an effort to have a report for the Town Board meeting of June 11.

We have reviewed the correspondence and the file in the Town Attorney's office, but have not had an opportunity to discuss the matter with Mr. Costa since reviewing the file. Based on this review and our general knowledge of conversions, we suggest that the minimum adequate protection needed for a given situation be pursued. This would appear to be an agreement such as that proposed by Mr. Torsoe at the workshop meeting, which would protect Normandy Village tenants, or adoption of Section 352-e2a, which would protect senior citizens and the handicapped in all conversions.

In working with the PB, it is our impression that several multi-family developments being reviewed as rentals are likely to be converted in several years. This suggests to us that any protection should apply to all senior citizens and the handicapped.

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We stress that we have not conducted a full evaluation of the subject. For example, 352-e2a protects all senior citizens, no matter the income level; adoption may discourage owners from renting to seniors or the handicapped; we have not had an opportunity to check with other municipalities. All of these items, and possibly others, can be evaluated if a thorough evaluation is decided by the Town Board to be needed. We note also that this matter has not been received by the Planning Board.

If the TB is anxious to act now, the Board should consider accepting Mr. Torsoe's private offer, while exploring the issue more comprehensively.

/s/RG

Town Board  
Town Attorney"

Supervisor asked if they wished to follow Mr. Geneslaw's guidelines or what? Councilman Holbrook said it would come down to what effects implementation would have on conversions - whether it would help or hurt. He said we should wait another week or so until Mr. Geneslaw gets this thing in and we find out that impact. On the face of it the proposals here seem to be okay but we have to wait and see what other municipalities have experienced.

Councilman Maloney said he would concur with Councilman Holbrook. We want to protect the people in Normandy Village and this is the minimum we could do right now in terms of Mr. Torsoe entering into a contract acceptable to the Town of Clarkstown to provide this protection for Normandy Village residents. We lose nothing by looking into the matter more fully to indicate whether we would take either of the steps to protect the rest of the Town. Right now, as far as we know, no one has said that they are going to convert immediately to condominiums or co-ops and what Mr. Geneslaw indicates here does make sense.

Councilman Holbrook said we must look and see what other municipalities have done. If they have implemented this what has been the track record? We said we would make a decision at this meeting but it is not a clear cut issue on adoption. We want to protect senior citizens and handicapped persons but we do not want to have a backlash effect. Let's wait until the next workshop meeting and maybe Mr. Geneslaw will have more information as to what has happened in other communities that have adopted this. We want to see rentals in the Town.

Supervisor asked Councilman Maloney, as liaison to Planning, to please get the figures regarding other communities. Councilman Maloney said in the meantime perhaps Mr. Torsoe would decide what type of agreement he would be willing to enter into if it was deemed necessary and fitting.

Councilman Lettre said in the interim we should accept a written agreement from Mr. Torsoe. (Supervisor said "Or any other apartment owner." He said he might be able to use Ross Pepe's help on this). Councilman Lettre went on to say that he thought the Town should speak to all property owners in the Town of Clarkstown who have rental units and see if they would be able to work out a cooperative venture the same as Mr. Torsoe. If it comes back that a majority of landlords in the Town of Clarkstown are hedging on the issue and are not willing to sign an acceptable agreement with the Town then we will know right off the top that they are looking to shanghai or give the handicapped and the senior citizens of this Town a raw deal. We then, as a Town Board, can act in a quick manner to be able to protect their interests. Many landlords will say things but as we know, talk is cheap, let them put their names down and sign on the dotted line. We will then know in what direction we ought to go.

Continued on Next Page

AAG517

Supervisor asked Mr. Torsoe to communicate the need for this information regarding agreements to Mr. Pepe and his association. Councilman Maloney said in the meantime we will get Mr. Geneslaw and the Planning Board to give us some feedback.

After repeated attempts by Mr. Zuckerman to get the floor and the Supervisor trying to move the agenda along Councilman Holbrook said what we are doing is waiting for additional information from other municipalities. These resolutions are still on for the Town Board to decide. We have not jettisoned these resolutions. Mr. Zuckerman asked when they would decide? Councilman Holbrook said it was to have been decided tonight. Councilman Lettre said more important than the information from other communities is to go out and solicit the landlords in this Town to find out if they are truly willing to work in a cooperative venture with the senior citizens and with the handicapped for their protection. If they are not then we have to enact this regardless of what the track record is in other communities.

Mr. Zuckerman said you are only talking about senior citizens and handicapped while every tenant in Clarkstown is concerned with this. Councilman Lettre said his main concern at this point was the senior citizens and the handicapped. Mr. Zuckerman said he did not think they should consider Mr. Torsoe's agreement. Councilman Holbrook said we are not going to consider anything at this point until we have more information. If the landlords want to sign letters, they can sign letters. The Town Board is concerned about the track record so we can make an intelligent decision. Hopefully we can have an answer by the next Town Board Meeting.

Supervisor said every member of this Town Board gave their best intention of when we expect an answer and everytime you make another deadline we make a liar out of the Board and that is not our intention.

\*\*\*\*\*

RESOLUTION NO. (511-1985)

RESOLUTION REFERRING  
PETITION FOR ANNEXATION OF  
TERRITORY IN CLARKSTOWN TO  
THE VILLAGE OF SPRING VALLEY

Co. Maloney offered the following resolution:

RESOLVED, that the Petition of Alan Yassky, George Faist, Karl F. Kirchner and Jerome Johnson, for the annexation of territory in the Town of Clarkstown, more specifically described on the Clarkstown Tax Map as Map 164, Block A, Lots 7, 8.01 and 8.02, and on attached Schedules "A" and "B," to the Village of Spring Valley, be referred to the Clarkstown Planning Board, Building Inspector, Superintendent of Highways, Tax Assessor and the Clarkstown Industrial Development Committee for their report and recommendations.

Seconded by Co. Holbrook

All voted Aye.

(Schedules A and B on file in Town Clerk's Office)

\*\*\*\*\*

Supervisor stated that the next item was either 5a or 5b. We can only do one. He stated that 5a eliminates the existing intersection of 9W and Long Clove Road and replacing same with new road intersecting with Route 304 at a location west of existing intersection and 5b disallows another connection or intersection along Route 304 between Ridge Road and 9W. Supervisor asked if they wanted to keep the existing, to have a new curb cut or to do nothing at this time. Supervisor said he would take this item off and perhaps come back to it later.

\*\*\*\*\*

Councilman Lettre asked if they could put Item No. 20 on at this time because many members of the ambulance corps are waiting and some of them may have to be on call until 4:00 A.M. Supervisor said there was no problem with that.

\*\*\*\*\*

RESOLUTION NO. (512-1985)

RESOLUTION OF INTENT TO FUND  
ADVANCED LIFE SUPPORT SYSTEM  
IN THE TOWN OF CLARKSTOWN  
FOR THE CALENDAR YEAR OF 1986

Co. Lettre offered the following resolution:

WHEREAS, a joint proposal to provide advanced life support service in addition to regular ambulance service has been made to the Town of Clarkstown by the Ambulance Corps and Nyack Hospital, and

WHEREAS, provision for such additional advanced life support service will require additional funding estimated to be no less than \$550,000.00, for the calendar year 1986;

NOW, THEREFORE, be it

RESOLVED, that the Town Board has viewed this proposal as beneficial and will provide potentially life saving services to the community and, therefore, it is the present intent of the Town Board to make adequate provisions in the 1986 Town Budget to provide the necessary funds for this program, subject to an appropriate agreement between the Ambulance Corps, Nyack Hospital and the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (513-1985)

TRANSFER OF FUNDS TO COVER  
COST OF CASSETTE RECORDER  
FOR GRIEVANCE HEARINGS -  
DECREASE APPROPRIATION  
ACCOUNT NO. A 1356-309 and  
INCREASE APPROPRIATION  
ACCOUNT NO. A 1356-204

Co. Holbrook offered the following resolution:

WHEREAS, the Assessor has requestd a transfer of funds to cover the cost of a cassette recorder for grievance hearings,

NOW, THEREFORE, be it

RESOLVED, to decrease Appropriation Account No. 1356-309 (copies of testimony) and increase Appropriation Account No. A 1356-204 (office machines) by \$100.00.

Seconded by Co. Maloney

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (514-1985)

DECREASING A 1990-505 AND  
INCREASING A 3510-203 (DOG  
WARDEN VEHICLE AND BODY)

Co. Holbrook offered the following resolution:

BE IT RESOLVED, to decrease A 1990-505 by \$2,200.00 and increase A 3510-203 by \$2,200.00 to cover the additional cost of the dog warden vehicle and body.

Seconded by Co. Maloney

All voted Aye.

\*\*\*\*\*

AAG517

RESOLUTION NO. (515-1985)

AUTHORIZING SPRING VALLEY  
WATER COMPANY TO INSTALL ONE  
FIRE HYDRANT ON BRENNER  
DRIVE, CONGERS

Co. Maloney 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 fire hydrant on Brenner Drive,  
Congers, Investigation No. 9728, and be it

FURTHER RESOLVED, that a certified copy of this  
resolution be forwarded to Tricia Balko, Service Investigation Clerk.

Seconded by Co. Holbrook

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (516-1985)

AUTHORIZING ATTENDANCE AT  
SEMINAR "COPING WITH  
TELECOMMUNICATIONS"  
(DUSANENKO, KOHLER,  
LOEFFLER, ANDRETTA) - CHARGE  
TO ACCOUNT NO. 1010-414

Co. Holbrook offered the following resolution:

RESOLVED, that Theodore R. Dusanenko, Supervisor,  
Lawrence Kohler, Director of Purchasing, Mary Loeffler, Personnel,  
Ralph Andretta, Director of Finance are hereby authorized to attend a  
Seminar on "Coping with Telecommunications" for the sum of \$95.00  
each, plus travel and other necessary expenses, and be it

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

Seconded by Co. Maloney

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (517-1985)

AWARDING BID FOR BID  
#47-1985 SALE OF SURPLUS  
VEHICLES (LIBERTY MOTORS,  
INC. AND VALDES)

Co. Holbrook offered the following resolution:

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

BID #47-1985  
SALE OF SURPLUS VEHICLES

is hereby awarded to

LIBERTY MOTORS, INC.,  
1705 KENNEDY BLVD.  
JERSEY CITY, N.Y. 07305

ROY VALDES  
129 CHURCH STREET  
NUTLEY, NEW JERSEY 07110

as per the following schedule of prices

(Schedule of Prices on file in Town Clerk's Office

Seconded by Co. Maloney

All voted All.

\*\*\*\*\*

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RESOLUTION NO. (518-1985)

AWARDING BID FOR BID  
#31-1985 FOR SOFT BODY ARMOR  
(TRI-COUNTY POLICE SUPPLY  
CO., INC.)

Co. Holbrook offered the following resolution:

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

BID #31-1985  
SOFT BODY ARMOR

is hereby awarded to

TRI-COUNTY POLICE SUPPLY CO., INC.  
76-78 SOUTH FRANKLIN STREET  
NYACK, NEW YORK 10960

N

for the SECOND CHANCE, MODEL B2 + 2 MC VEST, as per their low bid  
proposal of \$247.22 per vest.

Cost of these vests will be totally reimbursed by the New York State  
Division of Criminal Justice Service.

Seconded by Co. Maloney All voted Aye.  
\*\*\*\*\*

RESOLUTION NO. (519-1985)

AWARDING BID FOR BID  
#40-1985 TIRES/TUBES/WHEEL  
SERVICE (DALEY TIRE SERVICE  
INC., STATEWIDE TIRE,  
ROCKLAND TIRE SERVICE)

Co. Holbrook offered the following resolution:

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

BID #40-1985  
TIRES/TUBES/WHEEL SERVICE

is hereby awarded to

DALEY TIRE SERVICE INC.  
109 ROUTE 59  
MONSEY, NEW YORK 10952

STATEWIDE TIRE  
D.B.A. TIRES 303  
15 N ROUTE 303  
WEST NYACK, NEW YORK 10994

ROCKLAND TIRE SERVICE  
88 N MAIN STREET  
NEW CITY, NEW YORK 10956

as per schedule of prices on file in the Purchasing Department.

Seconded by Co. Maloney All voted Aye.  
\*\*\*\*\*

RESOLUTION NO. (520-1985)

AWARDING BID FOR BID  
#46-1985 (OBLATE/ROUND  
ALUMINIZED STEEL TYPE 2  
CULVERT PIPE (BRIGHTON STEEL  
CO., CHEMUNG SUPPLY CORP.)

Co. Holbrook offered the following resolution:

Continued on Next Page

AAG517

RESOLUTION NO. (520-1985) Continued

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

BID #46-1985  
OLBATE/ROUND ALUMINIZED STEEL TYPE  
2 CULVERT PIPE

is hereby awarded to

BRIGHTON STEEL CO.  
ROUTE 52  
HOPEWELL JUNCTION, NEW HORK 12533

CHEMUNG SUPPLY CORP.  
P.O. BOX 527  
ELMIRA, NEW YORK 14902

as per schedule of prices on file in the Purchasing Department.

Seconded by Co. Maloney

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (521-1985)

AWARDING BID FOR BID  
#45-1985 FOR OBLATE/ROUND  
RIVERTED CORRUGATED METAL  
CULVERT PIPE (CHEMUNG SUPPLY  
CORP.)

Co. Holbrook offered the following resolution:

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

BID #45-1985  
OBLATE/ROUND RIVETED CORRUGATED  
METAL CULVERT PIPE

is hereby awarded to

CHEMUNG SUPPLY CORP.  
P.O. BOX 527  
ELMIRA, NEW YORK 14902

as per schedule of prices on file in the Purchasing Department.

Seconded by Co. Hobrook

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (522-1985)

AWARDING BID FOR BID  
#44-1985 OBLATE/ROUND  
HELICALLY CORRUGATED METAL  
CULVERT PIPE (BRIGHTON STEEL  
CO.)

Co. Holbrook offered the following resolution:

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

BID #44-1985  
OBLATE/ROUND HELICALLY CORRUGATED METAL  
CULVERT PIPE

is hereby awarded to:

BRIGHTON STEEL CO.  
ROUTE 52  
HOPEWELL JUNCTION, NEW YORK 12533

as per schedule of prices on file in the Purchasing Department.

Seconded by Co. Maloney All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (523-1985) AWARDING BID FOR BID  
#43-1985 OBLATE/ROUND  
RIVETED ALUMINUM CULVERT  
PIPE (CHEMUNG SUPPLY CORP.)

Co. Holbrook offered the following resolution:

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

BID #43-1985  
OBLATE/ROUND RIVETED ALUMINUM  
CULVERT PIPE

is hereby awarded to

CHEMUNG SUPPLY CORP.  
P.O. BOX 527  
ELMIRA, NEW YORK 14902

as per schedule of prices on file in the Purchasing Department.

Seconded by Co. Maloney All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (524-1985) AWARDING BID FOR BID  
#42-1985 OBLATE/ROUND  
HELICALLY CORRUGATED  
ALUMINUM CULVERT PIPE  
(BRIGHTON STEEL CO., CHEMUNG  
SUPPLY CORP.)

Co. Holbrook offered the following resolution:

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

BID #42-1985  
OBLATE/ROUND HELICALLY CORRUGATED  
ALUMINUM CULVERT PIPE

is hereby awarded to

BRIGHTON STEEL CO.  
ROUTE 52  
HOPEWELL JUNCTION, NEW YORK 12533

CHEMUNG SUPPLY CORP.  
P.O. BOX 527  
ELMIRA, NEW YORK 14902

as per schedule of prices on file in the Purchasing Department.

Seconded by Co. Maloney All voted Aye.

\*\*\*\*\*

AAG517

RESOLUTION NO. (525-1985)

ACCEPTING PROPOSALS FROM  
ORANGE & ROCKLAND UTILITIES,  
INC., FOR STREET LIGHTING AT  
ROCKLAND CORPORATE CENTER,  
WEST NYACK, NEW YORK

Co. Maloney offered the following resolution:

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

Rockland Corporate Center      West Nyack, New York

Seconded by Co. Holbrook

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (526-1985)

ACCEPTING DECLARATION OF  
COVENANTS BY GEORGE WALD  
(NANUET PAVILION)

Co. Maloney offered the following resolution:

RESOLVED, that a Declaration of Covenants made by George  
Wald in connection with a Site Plan known as NANUET PAVILION  
gratuitously conveying a 30 foot road widening strip along Smith  
Street, Nanuet, New York, a State road, is hereby accepted and  
ordered recorded in the Rockland County Clerk's Office upon receipt  
of an Affidavit of clear title in a form acceptable to the Town  
Attorney.

Seconded by Co. Holbrook

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (527-1985)

AUTHORIZING PURCHASE OF  
PORTION OF PROPERTY OWNED BY  
BASSET AND GRAY/BROWN  
(ADJACENT TO HIGHWAY  
DEPARTMENT) (MAP 33, BLOCK  
B, LOT 20.0502 - CHARGE TO  
CAPITAL ACCOUNT NO. 2

Co. Holbrook offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to  
offer the sum of \$123,000.00 for an all cash purchase to Ms.  
Catherine Bassett and Ms. Margaret C. Gray Brown for the purchase of  
a portion of property described on the Clarkstown Tax Map as Map 33,  
Block B, Lot 20.0502, and be it

FURTHER RESOLVED, that the Supervisor of the Town of  
Clarkstown is hereby authorized to enter into a contract of sale in a  
form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the funds for the payment of said  
purchase be charged to Capital Account No. 2.

Seconded by Co. Maloney

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (528-1985)

AUTHORIZING TOWN ATTORNEY TO  
APPEAL DECISION OF SUPREME  
COURT (TEXACO, INC. V. ZBA)

Co. Holbrook offered the following resolution:

RESOLUTION NO. (528-1985) Continued

WHEREAS, the Supreme Court of Rockland County has rendered a decision in the matter of TEXACO, INC., v. ZONING BOARD OF APPEALS OF THE TOWN OF CLARKSTOWN, and

WHEREAS, it is deemed appropriate that the decision be appealed;

NOW, THEREFORE, be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (529-1985)

AUTHORIZING PAYMENT TO  
SPECIAL COUNSEL (PHILIP  
FURGANG, ESQ.)

Co. Maloney 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 \$1,248.90 to a total not to exceed \$59,307.27.

Seconded by Co. Holbrook

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (530-1985)

AUTHORIZING PAYMENT TO HENRY  
HOROWITZ, P.C., FOR  
PROFESSIONAL SERVICES  
RENDERED IN CONNECTION WITH  
ROUTE 45 BYPASS TRAFFIC  
STUDY - CHARGE TO CAPITAL  
FUND NO. 2

Co. Lettre offered the following resolution:

RESOLVED, that the authorized expenditure pursuant to Resolution No. 134/1985, and the Supplemental Agreement entered into with HENRY HOROWITZ, P.E., for professional services rendered in connection with the Route 45 Bypass Traffic Study be increased on the recommendation of the Director of the Department of Environmental Control by \$2,950.00 to a total not to exceed \$17,950.00, said sum to be charged to Capital Fund No. 2.

Seconded by Co. Maloney

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (531-1985)

MEMORIALIZING ASSEMBLY OF  
THE STATE OF NEW YORK TO  
PROHIBIT UTILITIES FROM  
MAKING CHARITABLE  
CONTRIBUTIONS WITH FUNDS  
DERIVED FROM RATEPAYER-BASED  
FUNDS

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RESOLUTION NO. (531-1985) Continued

Co. Holbrook offered the following resolution:

RESOLVED, that the Town of Clarkstown Town Board support the Assembly of the State of New York and Bill No. A 2040 prohibiting utilities, such as Orange and Rockland, from making charitable contributions with funds derived from ratepayer-based funds, and be it

FURTHER RESOLVED, that the Town Clerk is directed to send certified copies of this resolution to Senator Eugene Levy and our Assembly Representatives Coleman, Connor, McPhillips & Pataki - certified copies.

Seconded by Co. Maloney

All voted Aye.

\*\*\*\*\*

There was discussion regarding the preparation of a boundary line survey costing \$1,200.00 with the results back in our hands within seven to ten days. We could get one for almost half the price in three weeks. Supervisor said the commuter parking lot is an important rush and he did not mind going over a few hundred dollars so that we do not get delayed on having the work done once we get title. Councilman Lettre said a SEQR process would take longer than... - Supervisor said it would be finished in fifteen days. There is no impact. It would take just the time it would take the Town Attorney to prepare an agreement for the Supervisor and the other person to sign. Councilman Lettre said then we should spend the extra \$600.00. Councilman Holbrook asked if this would speed it up. Supervisor said he would hope so. Councilman Lettre said if SEQR hasn't been evaluated or approved it would not make any difference. It was decided to return to this item later in the evening.

\*\*\*\*\*

It was decided to bring Item 19 (walking paths) back to workshop.

\*\*\*\*\*

RESOLUTION NO. (532-1985)

AUTHORIZING ATTENDANCE AT  
REAL ESTATE TAX ASSESSMENT  
REVIEW (JOEL J. FLICK) -  
CHARGE TO ACCOUNT NO.  
1010-414

Co. Lettre offered the following resolution:

RESOLVED, that JOEL J. FLICK, Deputy Town attorney, is hereby authorized to attend a Real Estate Tax Assessment Review in Albany, New York on June 14, 1985, for the sum of \$40.00, plus travel 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. Holbrook

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (533-1985)

DIRECTING HIGHWAY DEPARTMENT  
TO REPLACE AND REPAIR ALL  
TRAFFIC CONTROL SIGNS ALONG  
PARKSIDE DRIVE AND DIRECTING  
CHIEF OF POLICE TO HAVE  
POLICE DEPARTMENT ENFORCE  
ANY AND ALL PARKING RULES AND  
REGULATIONS

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RESOLUTION NO. (533-1985) Continued

Co. Holbrook offered the following resolution:

WHEREAS, numerous residents have complained about safety problems adjacent to Kings Park and have received no satisfaction from Town agencies, and

WHEREAS, indiscriminate and illegal parking continues to take place along Parkside Drive,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown directs the Highway Department to replace and repair all traffic control signs along Parkside Drive previously authorized, and be it

FURTHER RESOLVED, that the Chief of the Clarkstown Police Department be directed to have his department enforce any and all parking rules and regulations.

Seconded by Co. Lettre

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (534-1985)

REAPPOINTING POSITION OF  
MEMBER - CLARKSTOWN DRUG  
ABUSE PREVENTION COUNCIL  
(RONALD COSTER)

Co. Maloney offered the following resolution:

RESOLVED, that Ronald Coster, 29 Concord Drive, New City, New York, is hereby reappointed to the position of Member - Clarkstown Drug Abuse Prevention Council - to serve without compensation - term effective and retroactive to June 9, 1985 and to expire on June 8, 1988.

Seconded by Co. Holbrook

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (535-1985)

ACCEPTING RESIGNATION OF  
COUNSELING AIDE - COUNSELING  
CENTER (CORINNE KATZ)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Corinne Katz, 101 Kennedy Drive, Spring Valley, New York - Counseling Aide - Counseling Center - is hereby accepted - effective and retroactive to May 28, 1985.

Seconded by Co. Holbrook

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (536-1985)

APPOINTING POSITION OF  
COUNSELING AIDE - COUNSELING  
CENTER (LINDA CANNON)

Co. Maloney offered the following resolution:

RESOLVED, that Linda Cannon, 14 Irion Drive, New City, New York, is hereby appointed to the position of Counseling Aide - Counseling Center - at the current 1985 salary of \$14,993.00, effective and retroactive to May 29, 1985.

Seconded by Co. Holbrook

All voted Aye.

\*\*\*\*\*

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Supervisor moved resolutions 23d through 23m but received no second on these. Councilman Lettre noted that all members of boards and commissions are active carry-overs until action is taken by this board. Supervisor said that was so.

\*\*\*\*\*

Item 24 on the agenda (Agreement for Supplemental Services Relating to Current Revaluation) was returned to workshop.

\*\*\*\*\*

Councilman Lettre stated that he now wished to move agenda Item 18b and the rationale for that is that since SEQR was only signed today and would take at least two or more weeks we may very possibly wind up with the same time frame. Councilman Holbrook said that he would like to bring this up with Les Bollman, Director of Environmental Control. Councilman Maloney said if we are going to save time fine, if not it will not be worth it. They decided to wait for Mr. Bollman at this point.

\*\*\*\*\*

Town Board called upon Mr. Geneslaw to straighten out the options on Items 5a and 5b. Supervisor said 5a makes a new road cut between Long Clove Road and Route 304 about halfway between Ridge Road and Route 9W. He stated that 5b keeps it the way it is so there is no interrupted curb cuts.

Mr. Geneslaw said at the workshop meeting the traffic engineer, who had been retained by Tilcon and Mr. Davies, raised several questions with respect to the road alignment we had all agreed upon previously. He said it was his impression that the members of the board present gave the traffic engineer approximately two weeks to come in with a traffic report so that we could schedule something for the next Town Board Meeting (two weeks from tonight). Supervisor asked if tonight was premature and Mr. Geneslaw said he believed that it was. He felt it should be on the next agenda. It was agreed that it would be brought up at the next workshop.

\*\*\*\*\*

Supervisor noted that Mr. Bollman had left the building and he asked the board what they wished to do regarding Item 18 - one for \$600.00 returnable within three weeks. Supervisor noted that SEQR had been instituted today at the suggestion of Town Attorney John Costa which would be 15 days at most. Mr. Geneslaw said you need to get reports from other agencies but you can go ahead with other things as long as you do not permit construction during that period of time.

Supervisor said this was necessary for the acquisition of the property and the design. He said we are talking about two things - one a boundary line survey and one is a topographical. In order to construct something you must have a topo. Boundaries are helpful but topo is more important. One is \$2,400.00 and the other is \$1,300.00. We spend \$2,400.00 to have it done in seven to ten days or we spend \$1,300.00 to have it done in three weeks.

RESOLUTION NO. (537-1985)

AUTHORIZING PREPARATION OF BOUNDARY LINE SURVEY (MAP 163, BLOCK A, LOT 18) FOR COMMUTER PARKING (ADLER & YOUNG) - DECREASING APPROPRIATION ACCOUNT NO. A 1990-505 AND INCREASING APPROPRIATION ACCOUNT NO. A 5650-409

RESOLUTION NO. (537-1985) Continued

Co. Holbrook offered the following resolution:

RESOLVED, that ADLER and YOUNG, 82 Demarest Mill Road, Nanuet, New York, is hereby authorized to prepare a boundary line survey depicting all installations and recorded easements for a sum not to exceed \$2,400.00 for use in specifically identifying the property owned by the County of Rockland, which is described on the Clarkstown Tax Map as Map 163, Block A, Lot 18, which property is proposed to be acquired by the Town of Clarkstown for commuter parking, and be it

FURTHER RESOLVED, that Appropriation Account No. A 1990-505 be decreased by \$2,400.00 and Appropriation Account No. A 5650-409 be increased by \$2,400.00.

Seconded by Co. Maloney

All voted Aye.

\*\*\*\*\*

Supervisor asked Town Clerk Patricia Sheridan if the minutes of April 23, 1985 had been adopted by the Town Board? Mrs. Sheridan said she could not give him an immediate answer. Supervisor asked her to refer to page 61 of the minutes. He stated that he had raised certain questions for the record and requested those answers for the record and they do not appear in the minutes. He asked her to check that tomorrow morning.

\*\*\*\*\*

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Holbrook, seconded by Supervisor Dusanenko and unanimously adopted, the Town Board Meeting was declared closed, time: 9:58 P.M.

Respectfully submitted,

*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk

AAG517

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

6/11/85

9:15 P.M.

Present: Supervisor Dusanenko  
Councilmen Holbrook, Lettre, Maloney  
(Councilman Carey absent due to illness)  
David Wagner, Deputy Town Attorney  
Patricia Sheridan, Town Clerk

RE: INSTITUTING PROCEEDINGS, CHAPTER 31 OF THE TOWN CODE  
4-6 PROSPECT STREET, NANUET, N.Y.

On motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted the Public Hearing was declared open. Deputy Town Attorney David Wagner explained that the Rockland Paper Products building had burned on Prospect Street. Mr. Wagner testified as to proper posting and publication stating that the requirements had been complied with. Mr. Wagner stated that the owner of the property had been served by certified mail on May 20, 1985 and that the property was posted with a notice of May 8, 1985 and that it was also mailed to the address 4-6 Prospect Street, Nanuet on May 9, 1985.

Mr. Wagner called upon Mark Papenmeyer, Fire Inspector to advise the Board as to the proceedings had hereto. Mr. Papenmeyer was sworn in by Mr. Wagner.

Appearance: Mark Papenmeyer, Fire Inspector  
Town of Clarkstown

Mr. Papenmeyer stated that on April 12, 1985 a structural fire occurred at the premises located at 4-6 Prospect Street, Nanuet, New York known as the Rockland Paper Products. There was a collapse of the roof into the interior of the building as well as a large amount of debris resulting from the stock stored in the building.

The Chief of the Nanuet Fire Department requested a machine to assist in the removal of the debris so that a final extinguishment of the fire could be made. In conjunction with the Chief of the Nanuet Fire Department, the County Fire Coordinator, Clarkstown Supervisor Dusanenko, Building Inspector Gerald Colucci and the undersigned (Mark Papenmeyer) it was decided that a crane with a clamshell should be brought in to remove that debris from the interior of the structure. Olori Crane Service was notified and responded. The building destroyed by fire presented an imminent danger to public health, safety and welfare and necessitated the immediate partial demolition of said building.

Mr. Papenmeyer showed pictures of the fire and stated that what they had to do was have the crane come in, remove some of the interior of the building so that final extinguishment could be made by the Fire Department and that is the purpose of the hearing tonight.

Supervisors asked if the Building Inspector was present there? Mr. Papenmeyer replied in the affirmative. Supervisor asked when? Mr. Papenmeyer said shortly after the Supervisor's arrival.

Mr. Wagner asked if that concluded Mr. Papenmeyer's report and he replied that it did. Mr. Wagner asked if there was anyone present representing Percy Auerbach or Rockland Paper Products or R.C.L. Associates or anyone else interested in this matter?

Mr. Wagner stated that he had been advised unofficially that the owner's insurance company has indicated that they are willing to pay the cost of the Olori Crane. He asked Mr. Papenmeyer if that was the only expense incurred by the Town? Mr. Papenmeyer said that was correct. Mr. Wagner said he would then recommend that this Board close the hearing and reserve decision. Should all the

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PH - Violation on Premises 4-6 Prospect Street, Nanuet, New York  
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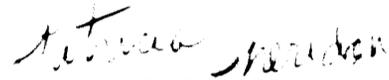
outstanding expenses be paid for then the matter can be closed with no further action required.

Mr. Papenmeyer stated that the building had been completely demolished and removed by the owner.

Supervisor called for a motion to close and reserve on the recommendation of the Deputy Town Attorney.

On motion of Councilman Holbrook, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, DECISION RESERVED, time: 9:21 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

6/11/85

9:22 P.M.

Present: Supervisor Dusanenko  
Councilmen Holbrook, Lettre, Maloney  
(Councilman Carey absent due to illness)  
David Wagner, Deputy Town Attorney  
Patricia Sheridan, Town Clerk

RE: AMENDMENT TO LOCAL LAW RE: VEHICLE & TRAFFIC LAW OF THE  
STATE OF NEW YORK - FINES FOR PARKING IN HANDICAPPED  
SPACES

On motion of Councilman Holbrook, seconded by Councilman Maloney the Public Hearing was open. Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Deputy Town Attorney explained that this was being done to bring our law into conformity with State law so that fines and penalites would be the same under both codes.

Supervisor asked if there was anyone wishing to speak in favor of the proposed local law.

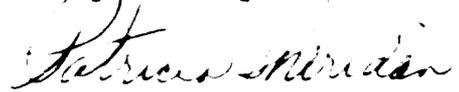
IN FAVOR: No one appeared.

Supervisor asked if there was anyone wishing to speak in opposition to the proposed local law.

IN OPPOSITION: No one appeared.

There being no one wishing to be heard on motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 9:25 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

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