

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

10/8/85

8:15 P.M.

Present: Supervisor Dusanenko (arrived 8:23 P.M.)
Councilmen Carey, Holbrook, Lettre,
Maloney (arrived 8:17 P.M.)
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

Councilman Holbrook declared Town Board Meeting open. Assemblage saluted the Flag. Councilman Holbrook stated that Councilman Maloney and Supervisor Dusanenko would arrive shortly. He announced that the Public Portion would begin

Appearance: Orin Getz
5 Carlisle Court
Nanuet, New York

He appeared regarding the Nanuet Railroad Station and an existing drainage problem in the parking lot. Superintendent of Highways, Nicholas Longo, said that the drainage problem had been alleviated today and the condition had been corrected.

Appearance Mr. Dougherty
Swarthout Lake
Congers, New York

He inquired as to the number of units per dwelling that would be affected by E.T.P.A. Would two family homes be included under E.T.P.A.?

Co. Holbrook explained that the Board had only just established a committee to study E.T.P.A. and that he believed it would be six or more units that would be under consideration.

Appearance: Martin Bernstein
20 Woodglen Drive
New City, New York

He spoke regarding the Board's opposition to the striping of New City and the resolution passed that the Town Board post notice and he asked for assurances from the Town Board that this would be removed.

Supervisor said that Mr. Bernstein was correct that at the September meeting the Board did pass the resolution. Mr. Hornik was given the go ahead the same as in the past and that it had been done improperly and not in accordance with the wishes of the Town Board and Mr. Hornik would work with Mr. Longo.

Mr. Bernstein said he understood that the Post Office had withdrawn from the site in North New City and is now looking for other sites. They say they want two and a half acres in the middle of New City and he suggested that the Town Board direct Mr. Geneslaw to work with other agencies involved to find other sites.

The Supervisor said that he would direct the Assessor to work with Mr. Geneslaw.

Appearance: Lou Alpert, Chairman
Consumer Affairs

He told the Town Board that he was working with a Vacancy Rate Committee and explained about the survey they conducted with the chief executives of other Towns that have E.T.P.A.

Appearance: Kenneth Torsoe

He told the Board that he did not wish to serve on the committee to study E.T.P.A. since he was opposed to E.T.P.A.

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E.T.P.A. was rent control and that the survey should not ask the people who have enacted E.T.P.A. but ask the landlords and tenants because it is terrible. Mayor Rosenthal may say that it is wonderful but that he (Mr. Torseo) would take the Town Board through Spring Valley and show them the results. Mr. Torseo referred to an article in the Journal News of June 7 and read the excerpt from the paper where Mr. Zuckerman said the issue was resolved amicably.

Appearance: Edward Duffy
Grandview Avenue
Nanuet, New York

He spoke regarding a State Traffic Control study on Route 59 because he can't move on that road and another shopping center is being built there.

Supervisor said you could ask the State and the Town Planning Board and Mr. Geneslaw and Mr. Dixon of D.O.T. to do this.

Mr. Cary said that you could have the whole corridor in Nanuet examined.

Supervisor referred to the time when the State wanted to build a road and a by-pass by the then Town officials and the people voted to scrap that proposal. The millions of dollars that were supposed to go to that site then went to other areas. The State does not want to spend five to ten million dollars for a study and then have their plans scuttled.

Co. Holbrook said that they would ask the Planning Consultant to study the area.

Appearance: Dr. Yash Aggarwal
17 Tarry Hill Drive
New City, New York

He spoke regarding the investigation of the Trap Rock Quarry and the blasting problem. He carried out an investigation of the extent of blasting and the effects. He said the questionnaire sent out to the surrounding residents showed that 35% of the people found it intolerable and 65% said it was tolerable but that there was a high degree of concern among all of the people in the area. He then explained that the Town had no ordinance regarding blasting and that the quarry was operating under the Bureau of Mines regulations. He said that the area where the blasting is going on is not characteristic of what it should be but is very different than expected. He said that he recommends that the Town enact an ordinance to limit the blasting by the quarry. He said his recommendations are simple and no special people will be needed to investigate. He said he would have his report ready this Friday and has discussed the limitations with Trap Rock and the residents and says he has reconciled the issue.

The following Proclamation was presented to Nicole Zambri and Nicole presented a poster to the Town Board.

"NATIONAL DOWN'S SYNDROME MONTH
October, 1985

WHEREAS, President Regan has declared October as NATIONAL DOWN'S SYNDROME MONTH; and

WHEREAS, we, the Town Board of the Town of Clarkstown acknowledge:

- 1) the deep intrinsic worth of each individual with Down's Syndrome
- 2) the right of these individuals to be seen as total and complete people with a full range of emotions and abilities

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- 3) the value of the efforts made by involved groups such as THE ROCKLAND PARENTS ASSISTANCE COMMITTEE ON DOWN'S SYNDROME to eliminate negative stereotyping; and

WHEREAS, there is an increased awareness that Down's Syndrome is a chromosomal anomaly that leads to developmental delays;

Now, therefore, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, on behalf of the Town Board of the Town of Clarkstown, hereby join with the ROCKLAND PARENTS ASSISTANCE COMMITTEE ON DOWN'S SYNDROME in spreading the knowledge that Down's Syndrome does not define what he or she is capable of; and be it

FURTHER RESOLVED, that we, the Town Board of the Town of Clarkstown, declare OCTOBER as "DOWN'S SYNDROME MONTH IN THE TOWN OF CLARKSTOWN" and call upon all our residents to support the efforts of the ROCKLAND PARENTS ASSISTANCE COMMITTEE ON DOWN'S SYNDROME.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND CAUSE THE SEAL OF THE TOWN OF CLARKSTOWN TO BE AFFIXED THIS 8TH DAY OF OCTOBER, 1985.

(SEAL)

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

Duri Ebe, president of the Rockland Parent Assistance Committee on Down Syndrome expressed her appreciation for the Proclamation.

The Supervisor asked Leslie Bolman, Director of Environmental Control, about the necessity of excluding his department from the freeze since this has been the procedure for the last five years and the money is available upon justification of the department.

Leslie Bolman said that he could justify any expenditures his department might be required to make, however, it was very time consuming to have to write a letter on every item.

RESOLUTION NO. (826-1985) AMENDING AGENDA ITEM 1
REGARDING FREEZING OF 200
AND 300 ACCOUNT LINES

Co. Holbrook offered the following resolution:

RESOLVED, that Agenda Item 1 regarding freezing of all 200 and 300 account lines shall be amended to exclude Department of Environmental Conservation and Highway Department.

Seconded by Co. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (827-1985)

FREEZING SPENDING OF ALL
200 AND 300 ACCOUNTS
EXCLUDING DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
AND HIGHWAY DEPARTMENT

Co. Maloney offered the following resolution:

RESOLVED, that the spending of all 200 and 300 accounts be immediately frozen by any and all departments, excluding the Department of Environmental Conservation and the Highway Department, with the exception of those emergency purchases submitted in writing and authorized by the Comptroller.

Seconded by Co. Lettre

All voted Aye.

The Town Board set the following dates and times for Budget Review Meetings:

October 14, 1985 5-7 P.M. for the Highway
Department and the Department of Environmental Control.

October 15, 1985 5-7 P.M. for all other departments.

RESOLUTION NO. (828-2985)

AUTHORIZING AND DIRECTING
SUPERINTENDENT OF HIGHWAYS
TO INSTALL TRAFFIC SIGNS
BOTH SIDES OF PARKSIDE
DRIVE, CONGERS FROM KINGS
HIGHWAY TO EAST SIDE OF POND

Co. Maloney offered the following resolution:

RESOLVED, that the Superintendent of Highways is hereby authorized and directed to install traffic signs - "No Parking or Standing" on both sides of Parkside Drive, Congers, from Kings Highway up to the east side of the pond, approximately 400 feet.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (829-1985)

SETTING PUBLIC HEARING ON
PROPOSED LOCAL LAW NO.
6-1985 (RETIREMENT
INCENTIVE PROGRAM)

Co. Lettre offered the following resolution:

WHEREAS, Councilman Lettre, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled, "LOCAL LAW NO. 6-1985 Electing a Retirement Incentive Program as Authorized by Chapter 665, Laws of 1984" and

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the best interests of the Town to consider the adoption of a local law to provide the Retirement Incentive Program made available pursuant to Chapter 665 of the Laws of 1984;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on the 12th day of November, 1985, at 8:20 P.M., or as soon thereafter as possible relative to such proposed local law, and be it

RESOLUTION NO. (829-1985) Continued

FURTHER RESOLVED, that the notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published and posted as aforesaid and filed proof thereof in the Office of the said Clerk.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (830-1985)

REFERRAL TO PLANNING BOARD OF TOWN OF CLARKSTOWN FOR ACTION CONSISTENT WITH PROVISIONS OF SECTION A111-3 OF TOWN CODE RE: ROADS AND DRAINAGE (MARTIN FELDI AND PINE GLEN CONSTRUCTION, INC.)

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Co. Maloney offered the following resolution:

WHEREAS, an application has been made pursuant to Town Law Section 280-a(2) for permission to secure a building permit to construct two one-family residences on premises known and designated on the Clarkstown Tax Map as Map 114, Block A, Lot No. 30.11 and 30.12 by Martin Feldi and Pine Glen Construction, Inc., respectively; and

WHEREAS, Section A111-3 of Chapter A111 entitled "Building Permit Requirements" requires the applicant to secure the approval of the Planning Board for roads and drainage and the approval of the Board of Health for sewage disposal prior to the issuance of a permit;

NOW, THEREFORE, be it

RESOLVED, that the applicstions referred to herein are hereby referred to the Planning Board of the Town of Clarkstown for action consistent with the provisions of Section A111-3 of the Town Coce, and be it

FURTHER RESOLVED, that the applicants be directed to obtain the approvals required in Chapter A111 and meet all other requirements of law.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (831-1985)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO IMPLEMENT TRAFFIC AND TRAFFIC FIRE SAFETY ADVISORY BOARD'S RECOMMENDATIONS RE: BURDA AVENUE, NEW CITY)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendations of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways if hereby authorized to implement its recommendations" re: Burda Avenue, and be it

RESOLUTION NO. (831-1985) Continued

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

*(See recommendations on file in Town Clerk's Office.)

Seconded by Co. Holbrook All voted Aye.

RESOLUTION NO. (832-1985) AUTHORIZING FIRE LANE DESIGNATIONS AT TOWN HILL CONDOMINIUMS

Co. Maloney offered the following resolution:

WHEREAS, the Building Inspector and the Fire Inspector of the Town of Clarkstown recommend implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 102 Sec. 14, of the Code of the Town of Clarkstown, at TOWN HILL CONDOMINIUMS (Tax Map: 602, Block D, Lots 1-36) by the installation of fire lane designations, and

WHEREAS, HARRIET LAKE ECKERT, the owner and/or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said fire lane designations;

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector and the Fire Inspector with regard to the installation of certain fire lane designations shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

Seconded by Co. Holbrook All voted Aye.

RESOLUTION NO. (833-1985) AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO OBTAIN PROPOSALS FOR ELECTRICAL WORK ON ROCK SALT STORAGE DOME

Co. Lettre offered the following resolution:

WHEREAS, the Salt Storage Dome which serves the Town of Clarkstown was reconstructed during the spring of 1985, and

WHEREAS, certain electrical installations and modifications are necessary for the proper functioning of said facility;

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways is hereby authorized and directed to obtain competitive proposals for the installation and alteration of said facility for the necessary electrical services at a cost not to exceed \$6,990.00, and be it

FURTHER RESOLVED, that in the event the proposals to accomplish the necessary work indicate a contract price in excess of

RESOLUTION NO. (833-1985) Continued

\$7,000.00, the Director of Purchasing is hereby authorized and directed to prepare the necessary documents for bidding this project pursuant to General Municipal Law Section 103.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (834-1985)

AWARDING BID FOR BID
#55-1985 - PHOTOCOPIER
SUPPLIES (DEC COPIERS,
ATLANTIC BUSINESS PRODUCTS,
STATELINE BUSINESS
MACHINES, VISTA BUSINESS
PRODUCTS)

Co. Maloney offered the following resolution:

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

BID #55-1985
PHOTOCOPIER SUPPLIES

is hereby awarded to:

DEC Copiers
P. O. Box 356
Stony Point, N.U. 10980

Atlantic Business Products
134 W. 26th Street
New York, N.Y. 10001

Stateline Business Machines
1 Lethbridge Plaza
Mahwah, N.J. 07430

Boutons Business Machines
95 Route 304
Nanuet, N.Y. 10954

Vista Business Products
505 White Plains Road
Tarrytown, N.Y. 105919

as per the attached schedule.

(On file in Town Clerk's Office.)

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (835-1985)

AWARDING BID FOR BID
#61-1985 - OFFICE FURNITURE
(BOUTONS, INC., IRWIN KAHN
ASSOC., PRIDE OFFICE
FURNITURE)

Co. Maloney offered the following resolution:

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

BID #61-1985
OFFICE FURNITURE

is hereby awarded to

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RESOLUTION NO. (835-1985) Continued

Boutons Inc.
Route 59
Spring Valley, N.Y. 10977

Irwin Kahn Assoc.
10 Esquire Road
New City, N.Y. 10956

Pride Office Furniture
49 South Main Street
Spring Valley, N. Y. 10977

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

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (836-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #63-1985 - ONE
(1) TO THREE (3)
TRANSIT TYPE MINI BUSES

Co. Carey offered the following resolution:

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

BID #63-1985
ONE 91) to THREE (3) TRANSIT TYPE MINI BUSES

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, November 1, 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.

RESOLUTION NO. (837-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #65-1985 -
SALE OF SURPLUS/ABANDONED
VEHICLES

Co. Carey offered the following resolution:

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

BID #65-1985
SALE OF SURPLUS/ABANDONED VEHICLES

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 Wednesday, November 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. Holbrook

All voted Aye.

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RESOLUTION NO. (838-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #64-1985 -
SALE OF SURPLUS OFFICE
EQUIPMENT

Co. Carey offered the following resolution:

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

BID #64-1985
SALE OF SURPLUS OFFICE EQUIPMENT

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday,
November 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. Holbrook

All voted Aye.

RESOLUTION NO. (839-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #1-1986 -
STATIONERY SUPPLIES

Co. Carey offered the following resolution:

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

BID #1-1986
STATIONERY SUPPLIES

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Monday,
November 4, 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.

RESOLUTION NO. (840-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #2-1986 -
PAPER & PLASTIC SUPPLIES

Co. Carey offered the following resolution:

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

BID #2-1986
PAPER & PLASTIC 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, November
4, 1985 at which time bids will be opened and read, and be it

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RESOLUTION NO. (840-1985) Continued

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.

RESOLUTION NO. (841-1985)

AUTHORIZING ATTENDANCE AT
BUS ACCIDENT INVESTIGATION
SEMINAR AND EXPLOSIVES
INCIDENT MANAGEMENT SEMINAR
(JOSEPH LEWIS) - CHARGE TDO
ACCOUNT NO. A 5630-414

Co. Maloney offered the following resolution:

RESOLVED, that Joseph Lewis, Transit Operations Supervisor of the Town of Clarkstown, is hereby authorized to attend a Bus Accident Investigation Seminar and Explosives Incident Management Seminar on October 22, 23 and 25, 1985, and be it

FURTHER RESOLVED, that all proper charges not to exceed \$300.00 be charged against Account No. A 5630-414.

Seconded by Co. Lettre

All voted Aye.

RESOLUTION NO. (842-1985)

AUTHORIZING TOWN ATTORNEY
TO DEFEND PROCEEDING
AGAINST ASSESSOR OF TOWN OF
CLARKSTOWN (KASSEL)

Co. Maloney offered the following resolution:

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

Application of ROBERT P. KASSEL petitioner
for judgment pursuant to Article 78 of the
CPLR,

-against-

ROSS VALENZA, Tax Assessor in the Town of
Clarkstown,

Respondent.

NOW, THEREFORE, be it

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

Seconded by Co. Lettre

All voted Aye.

RESOLUTION NO. (843-1985)

AUTHORIZING ADDITIONAL WORK
AT GERMONDS PARK SWIMMING
POOL COMPLEX - CHARGE TO
APPROPRIATION ACCOUNT NO. A
7180-408

Co. Maloney offered the following resolution:

WHEREAS, Town Board Resolution No. 284 dated March 26, 1985 authorized needed renovations to Germonds Park Swimming Pool Complex in the amount of \$170,000.00, and

RESOLUTION NO. (843-1985) Continued

WHEREAS, additional work recommended by Gaston L. Raffaelli, P.E. and Edward J. Ghiazza, Superintendent of Recreation and Parks, including safety mats, sandblasting, inlets and removal of defective plaster is required,

NOW, THEREFORE, be it

RESOLVED, that funds in the amount of \$5,000.00 be allocated against Appropriation Account No. A 7180-408.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (844-1985)

AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT RE: NYACK MOTOR HOTEL, INC.

Co. Maloney offered the following resolution:

WHEREAS, Nyack Motor Hotel, Inc., Route 303, West Nyack, New York, has applied to the Rockland County Industrial Development Agency for financing of new commercial construction, and

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

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement on behalf of the Town of Clarkstown with the County of Rockland and/or the Rockland County Industrial Development Agency, the Clarkstown Central School District, and Nyack Motor Hotel, Inc. and any other necessary parties, which agreement shall be in a form satisfactory to the Town Attorney and shall provide for payment of money-in-lieu-of-taxes.

Seconded by Co. Lettre

All voted Aye.

RESOLUTION NO. (845-1985)

INCREASING APPROPRIATION ACCOUNT NO. DA 5130-447 (HIGHWAY-EQUIPMENT REPAIRS) AND DECREASING APPROPRIATION ACCOUNTS DA 5140-384 AND DA 5142-443

Co. Carey offered the following resolution:

RESOLVED, to increase Appropriation Account No. DA 5130-447 (Highway-Equipment Repairs) by \$25,683.00 and decrease the following Appropriation Account Numbers:

<u>Account Number</u>	<u>Amount</u>
DA 5140-384	\$19,500
DA 5142-443	6,183

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (846-1985)

DECREASING APPROPRIATION
ACCOUNT A 1640312 (TOWN
GARAGE-AUTO MAINTENANCE
SUPPLIES) AND INCREASING
APPROPRIATION ACCOUNT A
1640-209 (OTHER EQUIPMENT)

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A
1640-312 (Town Garage-Auto Maintenance Supplies) and increase
Appropriation Account No. A 1640-209 (Other Equipment) by \$1,645.00).

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (847-1985)

INCREASING AND DECREASING
VARIOUS ACCOUNTS (HIGHWAY
DEPARTMENT)

Co. Carey offered the following resolution:

WHEREAS, the following Appropriation Account numbers are
overdrawn,

NOW, THEREFORE, be it

RESOLVED, to make the following Appropriation Account
transfers:

<u>INCREASE</u>	<u>DECREASE</u>	<u>AMOUNT</u>
DB 5110-305	DB 5110-204	195
DB 5110-306	DB 5110-219	130
DB 5110-378	DB 5110-219	14,000
DB 5110-408	DB 5110-219	81
DB 5140-379	DA 5142-443	3,000

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (848-1985)

TRANSFER OF FUNDS FROM
FEDERAL REVENUE-INTEREST
EARNED (CF 850) TO CAPITAL
ACCOUNT NO. H 5110-33-209
(FEDERAL REVENUE SHARING
BUDGET FOR HIGHWAY
DEPARTMENT)

Co. Carey offered the following resolution:

WHEREAS, the 1984 Federal Revenue Sharing Budget for
Highway Equipment was approved by the Town Board for \$250,000.00, and

WHEREAS, the total expenditures for the year 1984 was
\$243,130.55 and the total revenue received was \$242,103.00,

NOW, THEREFORE, be it

RESOLVED, to transfer \$1,207.55 from Federal
Revenue-Interest Earned (CF 850) to Capital Account No. H
5110-33-209.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (849-1985)

DECREASING APPROPRIATION
ACCOUNT A 7180-114
(PART-TIME) AND INCREASING
APPROPRIATION ACCOUNT
7140-114 (PART-TIME)
(RECREATION AND PARKS)

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A
7180-114 (Part-time) by \$7,000.00 and to increase Appropriation
Account No. 7140-114 (Part-time) by \$7,000.00 for necessary expenses.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (850-1985)

DECREASING APPROPRIATION
ACCOUNT A 7140-222 (PARK &
RECREATION EQUIPMENT) AND
INCREASING APPROPRIATION
ACCOUNT A 7141-222 (PARK &
RECREATION EQUIPMENT)

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A
7140-222 (Park & Recreation Equipment) by \$800.00 and to increase
Appropriation Account No. A 7141-222 (Park & Recreation Equipment)
by \$800.00 for necessary equipment.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (851-1985)

DECREASING APPROPRIATION
ACCOUNT A 7180-4132 (TREES
& SHRUBBERY) AND INCREASING
APPROPRIATION ACCOUNT A
7180-323 (CHEMICALS)
(RECREATION AND PARKS)

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A
7180-413 (Trees & Shrubbery) by \$1,985.00 and to increase
Appropriation Account No. A 7180-323 (Chemicals) by \$1,985.00 for
necessary pool chemicals.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (852-1985)

DECREASING APPROPRIATION
ACCOUNT A 7310-404 (TRAVEL,
MILEAGE, MEALS) AND
INCREASING APPROPRIATION
ACCOUNT A 7210-404 (TRAVEL,
MILEAGE, MEALS) (RECREATION
AND PARKS)

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A
7310-404 (Travel, Mileage, Meals) by \$225.00 and to increase
Appropriation Account No. A 7210-404 (Travel, Mileage, Meals) by
\$225.00 for necessary expenses.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (853-1985)

DECREASING APPROPRIATION
ACCOUNT A 7141-408
(BUILDING REPAIRS & IM-
PROVEMENTS) AND INCREASING
APPROPRIATION ACCOUNT A
7210-408 (BUILDING REPAIRS
& IMPROVEMENTS) (RECREATION
AND PARKS)

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A
7141-408 (Building Repairs & Improvements) by \$550.00 and to
increase Appropriation Account No. A 7210-408 (Building Repairs &
Improvements) by \$550.00 for necessary repairs.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (854-1985)

INCREASING REVENUE ACCOUNT
01-002401 (INTEREST
EARNINGS) AND INCREASING
APPROPRIATION ACCOUNT A
1420-409 (TOWN ATTORNEY)

Co. Carey offered the following resolution:

RESOLVED, to increase Revenue Account No. 01-002401
(interest earnings) and increase Appropriation Account No. A
1420-409 by \$10,000.00.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (855-1985)

REFERRING PETITION FOR
CHANGE OF ZONE TO TOWN OF
CLARKSTOWN AND ROCKLAND
COUNTY PLANNING BOARDS
(JOHN DE PAULIS - LO TO LS)
AND DIRECTING DEPARTMENT OF
ENVIRONMENTAL CONTROL TO
ACT AS LEAD AGENCY WITH
RESPECT TO SEQRA

Co. Maloney offered the following resolution:

RESOLVED, that the application of John DePaulis for a
change of zoning from LO district to LS district, on property
described in Schedule "A" annexed hereto, be referred to the Town
Planning Board for report within 45 days pursuant to Section 106-32
of the Zoning Ordinance of the Town of Clarkstown and to the
Rockland County Planning Board, and other municipalities and
governmental bodies as required by Sections 239-1 and 239-m of the
General Municipal Law and other applicable provisions of law, and be
it

FURTHER RESOLVED, for the purposes of the New York State
Environmental Quality Review Act (SEQRA), the Town Board determines
that it shall act as lead agency and the Director of the Department
of Environmental Control is hereby authorized and directed to act as
agent for the Town Board with respect to SEQRA review.

Seconded by Co. Carey

All voted Aye.

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

RESOLUTION NO. (856-1985)

REFERRING PETITION FOR
CHANGE OF ZONE TO
CLARKSTOWN AND ROCKLAND
COUNTY PLANNING BOARDS
(WIDMAIER - LIO TO R-10)

Co. Maloney offered the following resolution:

RESOLVED, that the application of Ralph Widmaier and Patricia Widmaier, for a change of zoning from LIO district to R-10 district, on property designated on the Clarkstown Tax Map as Map 127, Block K, Lot 1 and Map 127, Block L, Lot 2, more fully described in Exhibits "A-1" and "A-2" annexed hereto, be referred to the Town Planning Board for report within 45 days pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board, and other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and the Director of the Department of Environmental Control is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

(Exhibits A-1 and A-2 are on file in Town Clerk's Office.)

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (857-1985)

AUTHORIZING ATTENDANCE AT
PUBLIC WORKS/PARK
MAINTENANCE SCHOOL (BRUCE
D. KNARICH) - CHARGE TO
APPROPRIATION ACCOUNT A
7310-414

Co. Maloney offered the following resolution:

RESOLVED, that Bruce D. Knarich, Maintenance Supervisor (Grounds), is hereby authorized to attend the 1985 Annual Public Works/Park Maintenance School from Sunday, October 20, 1985 to Wednesday, October 23, 1985 in Syracuse, New York, and

FURTHER RESOLVED, that all necessary expenses not to exceed \$300.00 be charged against Appropriation Account A 7310-414.

Seconded by Co. Carey

All voted Aye.

RESOLUTION NO. (858-1985)

REFERRING PETITION FOR
CHANGE OF ZONE TO
CLARKSTOWN AND ROCKLAND
COUNTY PLANNING BOARDS
(RIDGE NINE WEST, INC. -
LIO to MF-2 AND R-22 TO
MF-2)

Co. Maloney offered the following resolution:

RESOLVED, that the application of Ridge Nine West, Inc., for a change of zoning from LIO district to MF-2 district and from R-22 district to MF-2 district, on property described in Exhibits "A" and "B" annexed hereto, be referred to the Town Planning Board for report within 45 days pursuant to Section 106-32 of the Zoning

AAJ375

RESOLUTION NO. (858-1985) Continued

Ordinance of the Town of Clarkstown and to the Rockland County Planning Board, and other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and the Director of the Department of Environmental Control is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (859-1985)

AUTHORIZING 280-a(4) "OPEN DEVELOPMENT AREA" FOR MARVIN - MAP 17, BLOCK A, LOT 11

Co. Lettre offered the following resolution:

WHEREAS, Stuart R. Marvin and Sally Marvin have made application to the Town Board of the Town of Clarkstown for permission pursuant to Section 280-a(4) of the Town Law to establish an "Open Development Area" for property known and designated on the Clarkstown Tax Map as Map 17, Block A, Lot 11, to permit subdivision of said property into five (5) building lots pursuant to a proposed subdivision entitled, "Subdivision of property for Stuart R. and Sally Marvin, prepared by Atzl and Scatassa Associates, P.C., dated August 1, 1985," and

WHEREAS, pursuant to Section A11-3, the Town Board by resolution dated September 17, 1985, referred said application to the Clarkstown Planning Board for its review and recommendations, and

WHEREAS, the Planning Board of the Town of Clarkstown has duly considered the application pursuant to Town Law 280-a(4) referred to above and has recommended to the Town Board that said application not be approved because the Planning Board would prefer a Town owned and maintained right-of-way to service the proposed subdivision, and

WHEREAS, the Town Board, upon giving due consideration to this matter, believes it would be in the best interest of the public to grant permission to develop said property pursuant to Town Law 280-a(4) as an "Open Development Area;"

NOW, THEREFORE, be it

RESOLVED, that under the provisions of Section 280-a(4) of the Town Law, an "Open Development Area" for property shown on a proposed subdivision referred to above is hereby established provided, however, prior to the issuance of any Building Permit, the following conditions shall be met by the owner:

1. The "Open Development Area" shall consist of the area shown on a proposed subdivision entitled, "Subdivision of property of Stuart R. and Sally Marvin" last dated August 1, 1985 by Atzl and Scatassa Associates, P.C., which is described thereon as thirty (30) feet wide easement for ingress and egress for utilities for lots 1, 2, 3, 4 and 5, for which Building Permits may be issued for no more than one existing and four proposed one family dwellings upon obtaining final subdivision approval from the Clarkstown Planning Board for which access is given by right-of-way or easement to North Middletown Road, Nanuet.

RESOLUTION NO. (859-1985) Continued

2. The applicant shall obtain the review and approval of the proposed access and drainage improvements from the Rockland County Highway Department.

3. Pavement of the private right-of-way shall be required as part of subdivision approval and shall be a minimum of twenty-four (24) feet in width and conform to the specifications for Town roads in effect at the time of construction as determined by the Director of the Department of Environmental Control.

4. Interior drainage for the "Open Development Area" shall be designed in accordance with the directions of the Director of the Department of Environmental Control.

5. All utilities shall be underground.

6. A sewer easement, if required by the Director of the Department of Environmental Control, shall be provided to the Town of Clarkstown and all sewer lines and stubs shall be installed without any cost to the Town of Clarkstown.

7. A Declaration of Restrictive Covenants which shall run with the land in a form acceptable to the Town Attorney shall be recorded in the Rockland County Clerk's Office prior to the filing of an approved subdivision map for the subject property which declaration shall contain the following declarations and covenants:

(A) That the property owner acknowledges that access to the nearest public road has been obtained by private easement or right-of-way, and that the property owners shall not receive any municipal services consisting of road maintenance and resurfacing, snow removal or sanding, pothole repair, or other similar services provided to residents of the Town of Clarkstown whose properties front on a public road;

(B) That any deed of conveyance for the subject premises shall recite that the conveyance is subject to the Declaration of Covenants required herein;

(C) That the fee ownership of the easement or right-of-way shall be to the center line of same by the abutting lot owners;

(D) That the declaration shall contain provision for reciprocal easement and maintenance agreement to provide for regular maintenance, repair, snow plow and other necessary services on the right of way or easement by the owners and sharing of the cost of same on an equitable basis;

(E) That the Certificate of Occupancy issued for any premises shall be conditioned upon observance and subject to the Declaration of Covenants herein required.

(F) That in the event the property owner(s) at any time in the future shall request establishment of a road improvement district or otherwise seek to dedicate the private right-of-way or easement as a public street, the owner(s) shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown and any interest of the property owner in the easement or right-of-way and any property adjacent thereto to accomplish the widening of the easement or right-of-way to the then existing standards for public roads, and said owner(s) shall covenant in said Declaration of Covenants to participate in any such road improvement district at the request of the Town of Clarkstown by resolution duly adopted by the Town Board with the costs of such road improvement district being assessed in accordance with the provisions of Town Law.

8. That any subdivision map approved by the Planning Board shall contain a map note referring to the resolution

Continued on Next Page

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RESOLUTION NO. (859-1985) Continued

establishing the "Open Development Area" by date and number, which map note shall also state that the issuance of Building Permits and Certificates of Occupancy are subject to the Declaration of Covenants herein required.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (860-1985)

AUTHORIZING ATTENDANCE AT ANNUAL MEETING OF THE NEW YORK STATE BUILDING OFFICIALS (FLORENCE, McLEOD) - CHARGE TO ACCOUNT NO. B 3260-414

Co. Lettre offered the following resolution:

RESOLVED, that Peter Florence and David McLeod, Assistant Building Inspectors are authorized to attend the Annual Meeting of the New York State Building Officials at the Fallsview Hotel, Ellenville, New York on October 3, 1985, and be it

FURTHER RESOLVED, that all proper expenses be charged against Account No. B 3260-414.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (861-1985)

AUTHORIZING ATTENDANCE AT BUILDING CONSTRUCTION FOR THE FIRE SERVICE SEMINAR (PAPENMEYER AND BOWLER) - CHARGE TO ACCOUNT B 3620-414

Co. Maloney offered the following resolution:

RESOLVED, that Mark Papenmeyer and William Bowler, Fire Inspectors and David McLeod, Assistant Building Inspector be authorized to attend the "Building Construction for the Fire Service" seminar to be held on November 2, 1985 at the Rockland Community College, and be it

FURTHER RESOLVED, that all proper expenses be charged to Account No. B 3620-414.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (862-1985)

AUTHORIZING ATTENDANCE AT SEMINAR ON FIRE PREVENTION AND HANDICAPPED ACCESS (MILICH, CONKLIN AND PAPENMEYER)

Co. Maloney offered the following resolution:

RESOLVED, that Adolph Milich, Deputy Building Inspector, Arthur Conklin, Assistant Building Inspector and Mark Papenmeyer, Fire Inspector be authorized to attend the seminar on "Fire Prevention and Handicapped Access" to be held at the Tarrytown Hilton, Tarrytown, New York on November 22, 1985, and be it

Continued on Next Page

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RESOLUTION NO. (862-1985) Continued

FURTHER RESOLVED, that all proper expenses be charged to Account No. B 3620-414.

Seconded by Co. Holbrook All voted Aye.

RESOLUTION NO. (863-1985) ACCEPTING RESIGNATION OF DEPUTY TOWN ATTORNEY - TOWN ATTORNEY'S OFFICE (EUGENE CAVALLO)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Eugene Cavallo, 683 Waters Edge, Valley Cottage, New York - Deputy Town Attorney - Town Attorney's Office - is hereby accepted with regret - effective and retroactive to September 25, 1985.

Seconded by Co. Carey All voted Aye.

RESOLUTION NO. (864-1985) AMENDING RESOLUTION NO. (803-1985) RE: PROVISIONAL APPOINTMENT OF IRENE LOTITO

Supv. Dusanenko offered the following resolution:

RESOLVED, that Resolution #803 adopted at the Town Board Meeting of September 19, 1985 - covering the provisional appointment of Irene Lotito, P.O. Box 186, New City, New York, is hereby amended to read "annual salary of \$20,916.00."

Seconded by Co. Maloney All voted Aye.

RESOLUTION NO. (865-1985) CREATING POSITION OF STENOGRAPHER - TOWN JUSTICE DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on September 24, 1985 that the Stenographer position can be created,

NOW, THEREFORE, be it

RESOLVED, that the Stenographer position - Town Justice Department - is hereby established - effective October 9, 1985.

Seconded by Co. Holbrook All voted Aye.

RESOLUTION NO. (866-1985) APPOINTING PROVISIONALLY TO POSITION OF RECREATION INFORMATION CLERK - PARKS BOARD AND RECREATION COMMISSION (MADELINE NIGRO)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Parks Board and Recreation Commission, Madeline Nigro, 13 Acorn

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RESOLUTION NO. (866-1985) Continued

Terrace, New City, New York, is hereby appointed provisionally to the position of Recreation Information Clerk - Parks Board and Recreation Commission - at the 1985 annual salary of \$17,623.00, effective and retroactive to September 30, 1985.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (867-1985)

APPOINTING POSITION OF
SENIOR ACCOUNT CLERK TYPIST
(PERMANENT) - PARKS BOARD
AND RECREATION COMMISSION
(KATHERINE C. PRITCHARD)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Senior Account Clerk Typist #85054 which contains the name of Katherine C. Pritchard,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Parks Board and Recreation Commission, Katherine C. Pritchard, 32 Ruth Drive, New City, New York is hereby appointed to the position of Senior Account Clerk Typist (Permanent) - Parks Board and Recreation Commission, at the annual salary of \$14,360.00, effective and retroactive to September 26, 1985.

Seconded by Co. Lettre

All voted Aye.

RESOLUTION NO. (868-1985) (PROPOSED)

REAPPOINTING POSITION OF
MEMBER - ASSESSMENT AND
REVIEW BOARD (PATRICIA
BATTLES)

Co. Maloney offered the following resolution:

RESOLVED, that Patricia Battles, 5 Woodland Road, New City, New York, is hereby reappointed to the position of Member - Assessment and Review Board - term effective and retroactive to October 1, 1985 and to expire on September 30, 1990 - at the per diem rate of \$50.00, per meeting, when the Board is in session.

Seconded by Supv. Dusanenko

(No roll call vote as this was tabled by following resolution.)

RESOLUTION NO. (869-1985)

TABLING RESOLUTION NO.
(868-1985) REGARDING
REAPPOINTMENT OF MEMBER TO
ASSESSMENT AND REVIEW BOARD
(PATRICIA BATTLES)

Co. Carey offered the following resolution:

RESOLVED, that Agenda Item No. 27p (Resolution No. 868-1985) regarding reappointment of member to Assessment and Review Board - Patricia Battles) is hereby tabled.

Seconded by Co. Holbrook

RESOLUTION NO. (872-1985) Continued

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

In the Matter of the Application of the Residential Carting Association of Rockland County,

Petitioner,

For a Judgment Pursuant to Article 78 of thue Civil Practice Law and Rules

-against-

JOHN J. DANAHY, CHAIRMAN, and HAROLD SCHWEITZER, EDWARD J. HEED, and MARTIN MICHAELSON, Commissioners, Individually and as Members of the CLARKSTOWN SANITATION COMMISSION,

Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (873-1985)

ACCEPTING MINUTES OF REGULAR TOWN BOARD MEETINGS OF JULY 15TH AND AUGUST 12TH, 1985

Co. Carey offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board meetings of July 15th and August 12th, 1985 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (874-1985)

AUTHORIZING ATTENDANCE AT EMPIRE PLAN TRAINING SEMINAR (SECORA AND MALIHA)

Co. Lettre offered the following resolution:

RESOLVED, that Alice Secora and Julia Maliha, employees of the Town Personnel Office are hereby authorized to attend the Empire Plan Training Seminar at Binghampton, New York on October 16, 1985, and be it

FURTHER RESOLVED, that all proper charges not to exceed \$175.00, be charged against A 1010-414.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (875-1985)

REFERRAL TO CLARKSTOWN AND
ROCKLAND COUNTY PLANNING
BOARDS OF AMENDMENT OF
GENERAL USE REGULATIONS
REGARDING SPECIAL PERMIT
FOR RESTAURANT

Co. Maloney offered the following resolution:

AMEND SECTION 106-10A Table of General Use Regulations
Table 14 LIO District, Column 2 by adding Item 16 -
Restaurants except Drive-In Restaurants and deleting
Column 3 B Item 6 - Restaurant associated with indoor
tennis club or health club (Added 11-15-72)

OR

Change Column 3 B Item 6 - to -
Restaurant - except drive-in restaurant

The purpose of this proposed amendment is to permit a
restaurant by right in the LIO district or to permit a restaurant,
except a drive-in restaurant, by special permit of the Town Board.
Presently, a restaurant is permitted by special permit if associated
with indoor tennis club or health club. This presently prohibits
the services of a restaurant in the LIO District to serve the vast
number of employees employed in the LIO districts within the Town of
Clarkstown.

BE IT RESOLVED, that these two changes for the general
use regulations of the Town of Clarkstown be referred to the Town
Planning Board for report within 45 days pursuant to section 106-32
of the Zoning Ordinance of the Town of Clarkstown and to the
Rockland County Planning Board, and other municipalities and
governmental bodies as required by Sections 239-1 and 239-m of the
General Municipal Law and other applicable provisions of the law.

Seconded by Co. Carey

All voted Aye.

RESOLUTION NO. (876-1985)

AUTHORIZING SUPERVISOR TO
ENTER INTO CONTRACT RE:
MAP 126, BLOCK C, LOT 29.01
(PRATICCI) - CHARGE TO
MONEY-IN-LIEU-OF-LAND-ACCOUNT

Co. Maloney offered the following resolution:

WHEREAS, Simone Praticci, residing at 1723 Cleveland
Street, Hollywood, Florida, has offered to sell the property
described on the Clarkstown Tax Map as Map 126, Block C, Lot 29.01
which consists of vacant land contiguous to Town owned parklands
known as Congers Memorial Park, and

WHEREAS, the Department of Recreation and Parks
recommends acquisition of this property for \$15,000.00 plus costs
incidental to acquiring clear title and survey;

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that the Town Attorney is hereby
authorized to obtain a boundary line survey, title insurance and
incur other necessary expenses to obtain clear title to said
property as additional parklands, and be it

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RESOLUTION NO. (876-1985) Continued

FURTHER RESOLVED, that the above sums shall be charged to the money-in-lieu-of-land account.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (877-1985)

AUTHORIZING TOWN ATTORNEY TO SERVE ORDER PURSUANT TO CHAPTER 37 OF TOWN CODE TO REMOVE STREAM OBSTRUCTION NO. NJ1-S2 - MAP 142, BLOCK A, LOT 16 (JUAN GUZMAN)

Co. Maloney offered the following resolution:

WHEREAS, the Director of Environmental Control has investigated a drainage complaint in the vicinity of 107 Route 9W, Congers, and has made a report to the Town Board indicating that a person or persons without authorization have obstructed a numbered stream established for drainage purposes as shown on the Official Map of the Town of Clarkstown by erecting a fence which blocks said stream on property known and designated on the Clarkstown Tax Map as Map 142, Block A, Lot 16, reputed as being owned by JUAN GUZMAN, and that said obstruction is interfacing with drainage in the vicinity of 107 Route 9W, Congers;

NOW, THEREFORE, be it

RESOLVED, pursuant to Section 37-2, 37-3 and 37-9 of the Town Code of the Town of Clarkstown, the Town Attorney is hereby authorized and directed to serve upon the property owner and Order requiring said property owner to remove any obstruction, dam, diversion or other alterations of the natural flow of said numbered stream upon said property within sixty (60) days after receipt of such notice, and that all correction work to be performed to the satisfaction of the Director of Environmental Control, and be it

FURTHER RESOLVED, that the property owner shall be notified that failure to correct the condition complained of within the time limit so provided shall constitute an offense under the provisions of Chapter 37 of the Town Code, and be punishable by a fine not exceeding \$250.00, or imprisonment not to exceed fifteen (15) days or by both such fine and imprisonment. Further, that the continuation of an offense against the provisions of Chapter 37 constitute for each day the offense is continued a separate and distinct defense.

Seconded by Co. Holbrook

All voted Aye.

With regard to the following resolution Supervisor inquired if this bid was exactly the same as the original bid or was this a modified bid?

Larry Kohler, Director of Purchasing, said that there were changes made but that there was no change in the price.

Supervisor asked if there was sufficient security and a sufficient number of phone lines for a 911 line to be brought in?

Morty Leifer said that the 911 number would be separate and above this.

Supervisor then asked if this would change the status of the bid?

The Town Attorney answered that there was no problem.

The representative of the Telecommunication's System said that if the bid were awarded tonight, the system could be installed in 90 days from the signing of the contract.

Supervisor thanked Larry Kohler, Morty Leifer, Mr. Andretta, and the police for their cooperation in putting together this contract so quickly.

RESOLUTION NO. (878-1985)

AWARDING BID FOR BID
#54-1985 - NEW
TELECOMMUNICATIONS SYSTEM
FOR TOWN HALL (CORADIAN
CORPORATION) - CHARGE TO
ACCOUNT A 3020-230

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendations of the Town's Communications Consultant, and the Director of Purchasing that

BID #54-1985
NEW TELECOMMUNICATIONS SYSYTEM FOR
TOWN HALL

is hereby awarded to:

CORADIAN CORPORATION
6 British-American Boulevard
Airport Park
Latham, New York 12110

as per their low bid proposal of \$94,013.00, and be it

RESOLVED, that funds for same be charged to Account A 3020-230, and be it

FURTHER RESOLVED, that this award is subject to the following:

- a) A satisfactory report by the Town Comptroller after a review of current certified financial statements of Coradian,
- b) A satisfactory report from Chief of Police concerning satisfactory implementation of identical systems by other law enforcement agencies as provided by Coradian,
- c) Receipt of a Performance Bond and Insurance Certificates as detailed in bid specifications,
- d) Execution of a purchase contract between Coradian and the Town in a form acceptable to the Town Attorney.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (879-1985)

AUTHORIZING ATTENDANCE AT
PLANNING AND ZONING
INSTITUTE SEMINAR
(SQUILLACE AND LEONARD) -
CHARGE TO ACCOUNT NO.
A-1010-414

Co. Maloney offered the following resolution:

RESOLVED, that the following individuals are hereby authorized to attend a Planning and Zoning Institute seminar on

Continued on Next Page

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RESOLUTION NO. (879-1985) Continued

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

Elizabeth J. Squillace
Penny Leonard

Seconded by Co. Lettre

All voted Aye.

Supervisor inquired as to where this corrective drainage had been performed.

Superintendent of Highways, Nicholas Longo, said it was done on a drainage easement.

Supervisor asked to speak to Les Bolman. However Mr. Bolman was not available.

RESOLUTION NO. (880-1985) AUTHORIZING PAYMENT FOR DRAINAGE WORK PERFORMED ON PHILLIPS LANE, WEST NYACK - CHARGE TO CAPITAL NO. 2 ACCOUNT H 8730-25P85-02-409

Co. Holbrook offered the following resolution:

RESOLVED, that the Director of Purchasing and the Superintendent of Highways are hereby authorized and directed to pay, upon presentation of the proper voucher, a sum not to exceed \$6,800.00 for drainage work which has been completed on a Town owned easement in the vicinity of Phillips Lane, West Nyack, and be it

FURTHER RESOLVED, that the cost shall be charged to Capital No. 2 Account H 8730-25P85-02-409.

Seconded by Co. Maloney

On roll call the vote was as follows:

Co. CareyYes
Co. Holbrook.....Yes
Co. Lettre.....Yes
Co. Maloney.....Yes
Supervisor Dusanenko.....Abstain

Supervisor Dusanenko said that there was not enough information for him to make a determination so therefore he abstained.

RESOLUTION NO. (881-1985) AMENDING TENTATIVE BUDGET OF TOWN OF CLARKSTOWN FOR 1986 RE: PUBLISHING OF ELECTED OFFICIALS SALARIES

Co. Holbrook offered the following resolution:

RESOLVED, that the Tentative Budget of the Town of Clarkstown for 1986 is hereby amended re: Publishing of Elected Officials' Salaries to read as follows:

Supervisor (1)	\$53,000.00
Councilmen (4)	14,000.00
Town Clerk (1)	29,814.00
Justices (4)	25,000.00
Supt. of Highways (1)	37,500.00
Receiver of Taxes (1)	28,000.00

RESOLUTION NO. (881-1985) Continued

Seconded by Co. Carey

Town Attorney said that if the Board does not act tonight the tentative budget will become the preliminary budget.

Co. Holbrook said that he was putting up one amendment covering the elected officials salaries. He noted that state law prohibits increasing a municipality's tentative budget after October 10. He further explained that these figures could be lowered but not raised.

Co. Maloney said that it was his understanding that this was a legal requirement as the figures had to be published in the newspaper. He reiterated that the figures cannot be raised but the option is there to lower.

Co. Holbrook said that the salary schedule in the tentative budget was not clear.

Supervisor Dusanenko said that the gentleman to his right cut his salary in 1979 because he said he was not experienced.

Co. Holbrook said that was not so and that he did not support that action.

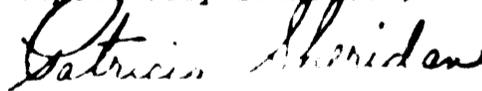
There was heated dialogue among the Town Board Members.

On roll call the vote was as follows:

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

There being no one further wishing to be heard and no further business to come before the Town Board, the Town Board Meeting was declared adjourned, time: 9:50 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

ABE647

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall 10/8/85 8:50 P.M.

Present: Supervisor Dusanenko arrived at 8:17 P.M.
Councilmen Carey, Holbrook, Lettre, Maloney
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: EXTENSION OF WATER DISTRICT - DUSTMAN HEIGHTS

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

Town Attorney asked that the record show that there is on file an affidavit as to the qualification in evidence which will enable the Town Board to grant a proposed extension and that an affidavit was submitted by Mr. Bollman to the sufficiency and need.

Supervisor asked if there was anyone wishing to be heard in favor of this proposed extension.

IN FAVOR: No one appeared.

Supervisor asked if there was anyone wishing to be heard in opposition to this proposed extension.

IN OPPOSITION: No one appeared.

There being on one wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared closed, ORDER SIGNED, time: 8:52 P.M.

Respectfully submitted,
Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

ABE647