

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

10/22/85

8:05 P.M.

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

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

Supervisor stated that the Public Hearing scheduled for this evening regarding the amendment of restrictive covenants at High Tor Medical Building, due to technical legal reasons, would be opened and recessed until the next regularly scheduled Town Board Meeting.

Supervisor requested Mr. Bollman to introduce Mr. William Loftus who would speak regarding the problems at the Independence Mews Subdivision.

Appearance: Mr. William Loftus, P.E.
Representing Mr. John Knutsen

Mr. Loftus spoke regarding Independence Mews Subdivision and the report he conducted at the site. He discussed the problems and the solutions to these problems. He said that the report on his findings was filed with the Department of Environmental Control today. It was requested that Mr. Bollman, Director of Environmental Control, provide the Town Board with a copy of Mr. Loftus' report. Mr. Bollman said he would and that he was awaiting word from Mr. Knutsen to see what he (Mr. Knutsen) intends to do.

Supervisor declared the Public Portion of the meeting open.

Appearance: Mr. Louis Jobrack
Normandy Village

Mr. Jobrack expressed the appreciation of the tenants of Normandy Village. He thanked the Board for forming a committee to study ETPA. He discussed ETPA as opposed to rent control.

Appearance: Mr. Sy Bart
Monsey, New York

Mr. Bart spoke regarding the 911 telephone system. He urged the Town Board to petition the County Legislature for this adoption.

Appearance: Mrs. Rita Znamirovski

She stated that she has managed properties in Spring Valley for the past twenty-two years. She spoke in opposition to the adoption of ETPA.

Appearance: Mr. John Lodico
Birch Drive
New City, New York 10956

Mr. Lodico stated that ETPA is rent control and he spoke in opposition to its adoption.

Appearance: Mrs. Lee Bernstein
20 Woodglen Drive
New City, New York 10956

She said that she was one of the four members appointed to the Rent Stabilization Board. She said of the four members three are impartial and one is not impartial with regard to the matter of

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ETPA. She said until the committee, after extensive investigation, comes up with some type of report the discussion which you are having tonight is premature.

Appearance: Mr. Brian Miller
Normandy Village
Nanuet, New York

He said he would not like to see rent control and was opposed to ETPA. He stated that Normandy Village is beautiful and he would like to see it remain that way.

Appearance: Mr. Anthony Caraballo
12 Phillips Lane
West Nyack, New York 10994

Mr. Caraballo said he lives in the Independence Mews development and is anxiously awaiting his problems being solved. He says right now he has no phone service and no toilet service.

Appearance: Mr. Ernest Maldonado
14 Phillips Lane
West Nyack, New York 10994

Mr. Maldonado is also a resident of the Independence Mews Subdivision. Mr. Maldonado stated that he had heard nothing new tonight from Mr. Loftus' report that was not known back in June. Mr. Maldonado wanted to know what corrective action was going to be taken? He felt they should know exactly what is causing their problem so that the proper action can be taken. The issue is being evaded.

Appearance: Mrs. Nancy Biederman
Kings Highway
Valley Cottage, New York 10989

She stated that people living in her area want to see sidewalks because cars are speeding and the area is growing. There are 75 to 80 walkers along Kings Highway either to the bus or to the school. She said she wants to see sidewalks from Casper Hill to the town. The school now has an evacuation policy for emergencies and the children will have to walk. This could be a disaster in itself. Condominiums being built and political signs have made the intersection even more dangerous. The signs are right out on the roadway and you cannot see. Trucks using that road are heavier in weight than what is legally allowed. She said the thought of Dexter Press going in makes the residents very frightened. She said then they will be the main route from Haverstraw, from New City to the shopping center.

Appearance: Mr. Kenneth Torsoe, owner
Normandy Village

Mr. Torsoe said that ETPA is not rent control just like Viet Nam was not a war. It is rent control. You can go anywhere that it is in effect and see the casualties. If this were to go into effect no one could force him to keep and maintain Normandy Village the way he keeps it now. He said if there is no investment for him then he would have to convert it all to rental apartments.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Amendment of Restrictive Covenants (High Tor Medical Building) was declared open, time: 8:50 P.M.

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

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of Restrictive Covenants (High Tor Medical Building) was recessed until November 12, 1985 after 8:00 P.M., time: 8:52 P.M.

With regard to Item No. 1 on the agenda (Authorizing Appointing Additional Members to Apartment Vacancy Rate Committee), Councilman Holbrook said a couple of names had been submitted and he wanted the Board's consideration of them. Supervisor said he had asked that names be submitted to his office many weeks ago. Councilman Lettre asked that a list of names be prepared by the Supervisor's office and submitted to the Councilmen at the next meeting. Supervisor said this would be brought up at the next workshop.

RESOLUTION NO. (882-1985)

AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT WITH L'AMBIANCE (MAP 37, BLOCK B, LOT 6)

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with L'Ambiance whereby L'Ambiance shall pay the water service charges of Spring Valley Water Company, Inc., rendered yearly to the Town of Clarkstown on a per hydrant basis in connection with the dwelling units to be located on the L'Ambiance property in Bardonia, designated on the Clarkstown Tax Map as Map 37, Block B, Lot 6, and the Comptroller is hereby authorized to bill L'Ambiance and collect water service charges so owed.

Seconded by Co. Carey

All voted Aye.

RESOLUTION NO. (883-1985)

ACCEPTING ROADS AND RELATED IMPROVEMENTS IN TOWN OF CLARKSTOWN - TORNE BROOK ESTATES (DORAL COURT, FAIR HAVEN COURT, INVERNESS DRIVE, PRESTWICK COURT, FENWAY COURT AND PECAN VALLEY DRIVE)

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways, the Director of the Department of Environmental Control and the Town Attorney of the Town of Clarkstown, deeds from: J.M.K Building Corp., dated March 9, 1979, and October 4, 1985, conveying roads and other improvements in the Town of Clarkstown as shown on Final Plat of Torne Brook Estates, Lot #3, filed in the Rockland County Clerk's Office on March 2, 1979, in Book 94 of Maps at Pages 7 and 8 as Map Nos. 5026 and 5027, as follows:

DORAL COURT	2290	L.F.
FAIR HAVEN COURT	225	L.F.
INVERNESS DRIVE	1063	L.F.
TURNBERRY COURT	467	L.F.
PRESTWICK COURT	452	L.F.
FENWAY COURT	1175	L.F.
PECAN VALLEY DRIVE	3170	L.F.

are hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office upon receipt of a continuation

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RESOLUTION NO. (883-1985) Continued

of report of clear title to date of recording; and a duly executed agreement with J.M.K. Building Corp. in a form approved by the Town Attorney, which agreement shall provide for maintenance of a pump station in said subdivision until such time as the Rockland County Sewer District No. 1 is expanded and capable of taking the increased flows from the subdivision; and be it

FURTHER RESOLVED, that Maintenance Bond No. 939732, J.M.K. Building Corp. and F.S.B. Properties, Inc., Principals, John Knutsen, Magny Knutsen and John Knutsen, Jr., as Co-Principals, and Republic Insurance Company, as Surety, is hereby accepted; and be it

FURTHER RESOLVED, that Certificate of Deposit No. 6389963231 in the sum of \$15,000.00 is hereby accepted as a cash guarantee for the cost of maintenance and operation of the sanitary sewer pump station, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute an agreement between J.M.K. Building Corp. and the Town of Clarkstown in a form approved by the Town Attorney referred to above, and be it

FURTHER RESOLVED, that the Town Clerk is directed to send copies of this resolution to the Superintendent of Highways and the New York State Department of Transportation.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (884-1985)

GRANTING RATE INCREASE TO A & R BURGLAR ALARM CORPORATION (CENTRAL NYACK COMMUNITY CENTER, CONGERS LAKE PARK, GERMONDS PARK REFRESHMENT STAND, GERMONDS PARK FLOOD CONTROL AND CENTRAL WAREHOUSE)

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown entered into an agreement with A & R Burglar Alarm Corporation on December 4, 1969, for burglar alarm facilities, maintenance and service, which agreement allows rate increases, and

WHEREAS, A & R Burglar Alarm Corporation has requested a \$5.00 per month rate increase at five (5) facilities in the Town of Clarkstown, namely, Central Nyack Community Center, Congers Lake Park, Germonds Park Refreshment Stand, Germonds Park Flood Control and the Central Warehouse, and

WHEREAS, the rate charged at these five facilities is the same in 1985 as it was in 1979, and

WHEREAS, the service provided by A & R Burglar Alarm Corporation has been satisfactory, and

WHEREAS, the rate increase requested is not substantial;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown consents to the rate increase requested by A & R Burglar Alarm Corporation in the sum of \$5.00 per month at the five above-named facilities, effective July 1, 1985.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (885-1985)

ACCEPTING CONSERVATION
EASEMENT FOR MOUNTAINDALE
ESTATES (LOTS 4, 5, 6, 7, 8
AND 9)

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Town Attorney and in accordance with a proposed subdivision plat entitled MOUNTAINDALE ESTATES prepared by Jack D. Boswell, a Conservation Easement affecting portions of Lots 4, 5, 6, 7, 8 and 9 on said subdivision map about to be filed is hereby accepted and ordered recorded in the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that this resolution is retroactive to September 16, 1985.

Seconded by Co. Lettre

All voted Aye.

RESOLUTION NO. (886-1985)

AUTHORIZING RETURN OF
ESCROW DEPOSIT WITH REGARD
TO SUBDIVISION KNOWN AS
COLONIAL VILLAGE, SEC. I

Co. Holbrook offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, escrow for incomplete items secured by a Certificate of Deposit in the sum of \$15,000.00 furnished to the Town in connection with dedication of the road(s) and improvements on February 14, 1984, in a subdivision known as COLONIAL VILLAGE, SEC. I is terminated and the Certificate of Deposit be released to the guarantor.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (887-1985)

AUTHORIZING RETURN OF
MAINTENANCE BOND WITH
REGARD TO SUBDIVISION KNOWN
AS COLONIAL VILLAGE,
SECTION II

Co. Carey offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, maintenance bond secured by a Certificate of Deposit in the sum of \$5,050.00 furnished to the Town in connection with dedication of the road(s) and improvements on October 6, 1983, in a subdivision known as COLONIAL VILLAGE, SEC. II is terminated and the sum of \$5,050.00 be released to the guarantor.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (888-1985)

AUTHORIZING PAYMENT TO
SPECIAL COUNSEL PHILIP
FURGANG, ESQ.,

Co. Lettre offered the following resolution:

RESOLVED, that the authorized expenditure contained in Resolution No. 1150 of December 27, 1983, to be paid to Philip

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RESOLUTION NO. (888-1985) Continued

Furgang, Esq., Special Counsel, be increased by \$1,945.12 to a total not to exceed \$81,489.90.

Seconded by Co. Holbrook All voted Aye.

RESOLUTION NO. (889-1985) ACCEPTING DEED FOR ROAD
WIDENING FROM LANDGREN
(EAST SIDE HARRISON AVENUE,
CONGERS)

Co. Lettre offered the following resolution:

WHEREAS, as a condition to the approval of the final map with regard to a site for Landgren Property, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along the east side of Harrison Avenue, Congers, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Department of Environmental Control, the Superintendent of Highways and the Town Attorney, deed dated October 9, 1985, from Carl H. Landgren and Katherine M. Landgren is hereby accepted and ordered recorded in the Rockland County Clerk's Office upon receipt of continuation report of clear title to date of recording.

Seconded by Co. Maloney All voted Aye.

RESOLUTION NO. (890-1985) ACCEPTING DEED FOR ROAD
WIDENING FROM VIPPOLIS FOR
SITE KNOWN AS BRUNO (SOUTH
SIDE THIRD STREET, NEW CITY)

Co. Maloney offered the following resolution:

WHEREAS, as a condition to the approval of the final map with regard to a site for Bruno, New City, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along the south side of Third Street, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Department of Environmental Control, the Superintendent of Highways and the Town Attorney, deed dated September 19, 1985, from Ambrogio B. Vippolis is hereby accepted and ordered recorded in the Rockland County Clerk's Office upon receipt of a continuation report of clear title to date of recording.

Seconded by Co. Holbrook All voted Aye.

RESOLUTION NO. (891-19850) ACCEPTING DEED FOR ROAD
WIDENING FROM RALPH
WIDMAIER (WESTERLY SIDE OF
OLD MILL ROAD, VALLEY
COTTAGE)

Co. Lettre offered the following resolution:

WHEREAS, as a condition to granting variances in connection with Appeal No. 1870 for Ralph Widmaier, the Board of

RESOLUTION NO. (891-1985) Continued

Appeals of the Town of Clarkstown requested a deed for road widening purposes along the westerly side of Old Mill Road, Valley Cottage, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Department of Environmental Control, the Superintendent of Highways and the Town Attorney, deed dated September 19, 1985, from Ralph Widmaier is hereby accepted and ordered recorded in the Rockland County Clerk's Office upon receipt of continuation report of clear title to date of recording.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (892-1985) AMENDING RESOLUTION NO.
837-1985 RE BID #64-1985
(SALE OF SURPLUS EQUIPMENT)

Co. Holbrook offered the following resolution:

RESOLVED, that Town Board Resolution No. 837-1985 is hereby amended to read:

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

BID #64-1985
SALE OF SURPLUS 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 20, 1985 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney All voted Aye.

RESOLUTION NO. (893-1985) AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #66-1985
(COMPRESSED GASES AND
WELDING SUPPLIES)

Co. Maloney offered the following resolution:

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

BID #66-1985
COMPRESSED GASES AND WELDING 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 Wednesday, November 13, 1985 at which time bids will be opened and read, and be it

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

Seconded by Co. Carey All voted Aye.

RESOLUTION NO. (894-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #3-1986
(PRINTING OF TOWN ENVELOPES)

Co. Maloney offered the following resolution:

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

BID #3-1986
PRINTING OF TOWN ENVELOPES

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 Thursday,
November 14, 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. Carey

All voted Aye.

RESOLUTION NO. (895-1985)

APPROVING SETTLEMENT OF
CLAIM (BOSTON OLD COLONY,
ET AL) AND AUTHORIZING
SUPERVISOR TO SIGN RELEASE

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown, is the Plaintiff in a
lawsuit against Boston Old Colony Insurance Company and Aetna
Casualty Insurance Company, and

WHEREAS, the matter has come on for trial in the Supreme
Court, Rockland County, and

WHEREAS, Aetna Casualty and Surety Company has made an
offer of \$45,000.00 for settlement of the Town's claim against it,
and

WHEREAS, Boston Old Colony Insurance Company has made an
offer of \$15,000.00 for settlement of the Town's claim against it,
and

WHEREAS, Special Counsel, Donald S. Tracy recommends the
acceptance of said settlement offers;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown
approves the settlement of \$45,000.00 to be paid by Aetna Casualty
Insurance Company and the settlement of \$15,000.00 to be paid by
Boston Old Colony Insurance Company, and be it

FURTHER RESOLVED, that the Supervisor of the Town of
Clarkstown is hereby authorized to sign appropriate releases in a
form approved by the Town Attorney.

Seconded by Co. Carey

All voted Aye.

RESOLUTION NO. (896-1985)

GRANTING EXTENSION OF TIME
TO ROCKLAND COUNTY PLANNING
BOARD FOR REVIEW OF ZONE

RESOLUTION NO. (896-1985) Continued

CHANGE PETITION (RASO -
CLINTON SQUARE PLAZA, INC.)

Co. Carey offered the following resolution:

WHEREAS, a Petition for a zone change requested by Joseph F. Raso, Dominic Raso and Clinton Square Plaza, Inc., was duly referred pursuant to the General Municipal Law to the Rockland County Planning Board for review purposes, and

WHEREAS, by letter dated October 11, 1985 by the Rockland County Planning Board, a request was made for an extension of time to provide such review;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby grants to the Rockland County Planning Board an extension of time to review the petition of Joseph F. Raso, Dominic Raso and Clinton Square Plaza, Inc., until November 7, 1985, and be it

FURTHER RESOLVED, that this resolution is retroactive to October 16, 1985.

Seconded by Co. Lettre

All voted Aye.

RESOLUTION NO. (897-1985)

AUTHORIZING EXPENDITURE OF
ADDITIONAL SUMS FOR
ATTENDANCE AT NEW YORK
PLANNING FEDERATION
CONFERENCE AT GROSSINGER'S
(PARIS, CUNNINGHAM AND
SMITH)

Co. Maloney offered the following resolution:

RESOLVED, that the additional amount of \$560.00 be charged against B8020-414 for expenses incurred for Richard J. Paris, Chairman, Members Robert Cunningham and Ann-Marie Smith for attendance at New York Planning Federation Conference at Grossinger's, held October 13 thru 15th, 1985.

Seconded by Co. Holbrook

All voted Aye.

Supervisor explained with regard to the following resolution that what is happening is that there will be the spending of extra millions of dollars for overtime in the larger municipalities. He stated that we have taken steps by increasing our overtime next year in many departments where comp time was given and we would request, by this resolution, that the federal government pass a bill which would rectify this so the discretion is there for both management and employee to use comp time if they so desire rather than being forced to work overtime.

RESOLUTION NO. (898-1985)

MEMORIALIZING FEDERAL
GOVERNMENT RE: LEGISLATION
AS TO COMPENSATORY TIME

Co. Holbrook offered the following resolution:

WHEREAS, the Supreme Court of the United States has determined in the case of Garcia v. San Antonio Mass Transit

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RESOLUTION NO. (898-1985) Continued

Authority that the mandates of the Fair Labor Standards Act including its overtime requirements may constitutionally be applied to local governments, and

WHEREAS, numerous agencies and governmental groups have determined that such overtime requirements which prohibit the practice of compensatory time will result in as much as one billion dollars in additional costs to local governments, and

WHEREAS, the Town of Clarkstown as well as a large majority of local governments in New York State have negotiated collective bargaining agreements with various public employee unions which contain overtime provisions protecting employees against excessive work hours by providing for compensatory time off, and

WHEREAS, the application of the existing provisions of the Fair Labor Standards Act would in most instances invalidate compensatory time practices thereby denying employees the flexibility of taking time off in lieu of payment thereby burdening the taxpayers with substantial additional costs, and

WHEREAS, a bill has been introduced in Congress in the form of S.1570 which would permit the continuance of compensatory time practices similar to those presently in existence in the Town;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby determines the passage of S.1570 by the Congress is in the best interest of the residents of the Town of Clarkstown as well as the taxpayers of the State of New York, strongly supports its passage and hereby urges its local federal representatives to support this legislation.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (899-1985)

AUTHORIZING TOWN ATTORNEY TO DEFEND PROCEEDING (KNUTSEN VS PLANNING BOARD OF TOWN OF CLARKSTOWN)

Co. Holbrook offered the following resolution:

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

JOHN KNUDSEN,

Petitioner,

For an Order pursuant to Article 78 of the CPLR and Section 274A of the Town Law of the State of New York

-against-

PLANNING BOARD TOWN OF CLARKSTOWN and the TOWN OF CLARKSTOWN,

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. Carey

All voted Aye.

RESOLUTION NO. (900-1985)

AUTHORIZING ATTENDANCE AT
INFORMATIONAL MEETING FOR
AFFORDABLE HOME OWNERSHIP
PROGRAM (PLANNING BOARD,
ZONING BOARD OF APPEALS,
TOWN BOARD AND TOWN
ATTORNEY)

Co. Holbrook offered the following resolution:

RESOLVED, that Members of the Planning Board, Members of the Zoning Board of Appeals, the Town Board and the Town Attorney are authorized to attend informational meeting for the new Affordable Home Ownership Development Program to be held on Saturday, October 26, 1985 from 10:00 A.M. to 12:00 Noon at the Dutchess County Office Building - 22 Market Street, Poughkeepsie, New York.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (901-1985)

AUTHORIZING AND DIRECTING
SUPERINTENDENT OF HIGHWAYS
TO INSTALL AND REPAIR
SIDEWALKS ON MIDDLETOWN
ROAD, NANUET

Co. Lettre offered the following resolution:

WHEREAS, sidewalks have been requested along Middletown Road in the vicinity of Middlewood Senior Citizens Complex, and

WHEREAS, Middletown Road is under the jurisdiction of control of the Rockland County Superintendent of Highways who has recommended installation of same for a distance of approximately 600 lineal feet of new sidewalk and 70 lineal feet of sidewalks to be repaired;

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways is hereby authorized and directed to utilize assigned personnel to the Town of Clarkstown Highway Department to install and repair said sidewalks in accordance with the plans and specifications provided by the Director of the Department of Environmental Control, and be it

FURTHER RESOLVED, that the sum of \$12,000.00 is hereby allocated from the Capital Account to pay the cost of this project, and be it

FURTHER RESOLVED, that if it is not possible to complete this project by using Town personnel, and materials already on hand, or for less than \$5,000.00 for new materials, the Superintendent of Highways is hereby directed to confer with the Director of Purchasing to prepare appropriate bid specifications to comply with provisions of General Municipal Law Section 103.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (902-1985)

ACCEPTING PROPOSAL FROM
ORANGE AND ROCKLAND
UTILITIES, INC., FOR STREET
LIGHTING AT HUTTON AVENUE,
NANUET

Co. Lettre offered the following resolution:

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RESOLUTION NO. (902-1985) Continued

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

WHEREAS, a survey of surrounding property owners directly affected by this proposed lighting was conducted by Patricia A. Betz, Service Investigation Clerk, and

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

NOW, THEREFORE, be it

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

Hutton Avenue Nanuet
(Existing pole number 58639/40198 - One
(1) 5800 lumen sodium vapor)

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (903-1985)

ACCEPTING PROPOSAL FROM
ORANGE AND ROCKLAND
UTILITIES, INC. FOR STREET
LIGHTING (ROUTE 59 AND
KEMMER LANE, NANUET)

Co. Lettre offered the following resolution:

WHEREAS, Nicholas A. Longo, Superintendent of Highways was authorized and directed by the Town Board of the Town of Clarkstown to take all necessary steps for the construction of a commuter parking lot on Kemmer Lane, Nanuet, and

WHEREAS, Nicholas A. Longo, Superintendent of Highways requested Patricia A. Betz, Service Investigation Clerk to seek proposals from Orange and Rockland Utilities, Inc. for the installation of street lighting at this site for the safety and welfare of commuters utilizing this facility, as well as the residents surrounding the immediate area,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown does hereby accept a proposal from Orange and Rockland Utilities, Inc., for street lighting at the following locations:

Route 59 (at the intersection of Kemmer Lane) Nanuet
(Existing pole number 58582/40092 - One (1) 9500 lumen sodium vapor street light)

Kemmer Lane Nanuet
(Existing pole number 58584/40119 - Remove One (1) 4000 lumen mercury vapor street light
Install One (1) 9500 lumen sodium vapor street light)

(Existing pole number 58589/40134 - One (1) 9500 lumen sodium vapor street light)

(Existing pole number 58594/40147 - One (1) 9500 lumen sodium vapor street light)

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (904-1985)

AUTHORIZING TOWN ATTORNEY TO
TAKE NECESSARY STEPS TO
COLLECT PARKS BOARD AND
RECREATION FEES
(CHRISTOPHER PAUL AND MARIA
CONCETTA DE MAIO)

Co. Holbrook offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to
take all steps necessary, including legal action, to collect the sum
of \$187.00 from Christopher Paul and Maria Concetta DeMaio to cover
the cost of Parks Board and Recreation fees, together with all other
costs and expenses incurred.

Seconded by Co. Maloney

All voted Aye.

AAG517

RESOLUTION NO. (905-1985)

DECREASING APPROPRIATION
ACCOUNT NO. A 7310-366
(YOUTH PROGRAMS-PHOTO-
GRAPHIC SUPPLIES) AND
INCREASING APPROPRIATION
ACCOUNT NO. A 7141-306
(COMMUNITY CENTERS- MAIN-
TENANCE SUPPLIES)

Co. Holbrook offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A
7310-366 (Youth Programs-Photographic Supplies) and increase
Appropriation Account No. A 7141-306 (Community Recreation
Centers-Maintenance Supplies) by \$1,000.00.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (906-1985)

DECREASING ACOUNT DB
5110-449 AND INCREASING DB
5110-391, DECREASING DA
5142-443 AND INCREASING DA
5130-447 AND DECREASING DA
5142-443 AND INCREASING DA
5130-312

Co. Holbrook offered the following resolution:

WHEREAS, the following Appropriation Account numbers are
overdrawn,

NOW, THEREFORE, be it

RESOLVED, to make the following Appropriation transfers:

<u>Decrease</u>	<u>Increase</u>	<u>Amount</u>
DB 5110-449	DB 5110-391	\$ 426.00
DA 5142-443	DA 5130-447	\$ 261.00
DA 5142-443	DA 5130-312	\$ 248.00

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (907-1985)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO EXTEND
SIDEWALKS ALONG KINGS
HIGHWAY, VALLEY COTTAGE

RESOLUTION NO. (907-1985) Continued

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendations of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to extend the sidewalks along Kings Highway, Valley Cottage, New York to meet the existing sidewalks, and be it

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

Seconded by Co. Lettre

All voted Aye.

RESOLUTION NO. (908-1985)

APPOINTING POSITION OF PART-TIME BUS DRIVER - MINI TRANS DEPARTMENT (PATRICK MALONEY)

Co. Holbrook offered the following resolution:

RESOLVED, that Patrick Maloney, 15 Staubitz Avenue, Pearl River, New York, is hereby appointed to the position of part-time Bus Driver - Mini Trans Department - at the current 1985 hourly rate of \$6.74 - effective October 22, 1985.

Seconded by Co. Carey

All voted Aye.

RESOLUTION NO. (909-1985)

RESCINDING RESOLUTION NO. 874-1985 RE: ATTENDANCE AT EMPIRE PLAN TRAINING SEMINAR (SECORA AND MALIHA)

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. (874-1985) (authorizing Alice Secora and Julia Maliha to attend Empire Plan Training Seminar) adopted at the Town Board meeting of October 8, 1985 - is hereby rescinded.

Seconded by Co. Carey

All voted Aye.

RESOLUTION NO. (910-1985)

APPOINTING (PERMANENT) POSITION OF PRINCIPAL CLERK STENOGRAPHER - POLICE DEPARTMENT (IRENE LOTITO)

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Principal Clerk Stenographer #85204 RC-NCP which contains the name of Irene Lotito,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Irene Lotito, P.O. Box 186, New City, New York is hereby appointed (permanent) to the position of Principal Clerk Stenographer - Police Department - at the annual salary of \$20,916.00, effective and retroactive to October 21, 1985.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (911-1985)

APPOINTING (PROVISIONALLY)
POSITION OF MAINTENANCE
SUPERVISOR (AUTOMOTIVE) -
TOWN GARAGE (JEFFREY BAKER)

Co. Holbrook offered the following resolution:

RESOLVED, that Jeffrey Baker, 19 Lake Road, Stony Point, New York, is hereby appointed (provisionally) to the position of Maintenance Supervisor (Automotive) - Town Garage - at the current 1985 annual salary of \$27,330.00, effective and retroactive to October 21, 1985.

Seconded by Co. Carey

All voted Aye.

RESOLUTION NO. (912-1985)

APPOINTING POSITION OF
DEPUTY TOWN ATTORNEY -TOWN
ATTORNEY'S OFFICE (RONALD
E. DeCHRISTOFORO)

Co. Maloney offered the following resolution:

RESOLVED, that Ronald E. DeChristoforo, 17 Fairview Avenue, Nanuet, New York, is hereby appointed to the position of Deputy Town Attorney - Town Attorney's Office - to fill the unexpired term of Eugene Cavallo, at the current 1985 salary of \$10,500.00, effective October 23, 1985 to expire December 31, 1985.

Seconded by Co. Holbrook

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. (913-1985)

REAPPOINTING POSITION OF
MEMBER - INDUSTRIAL
DEVELOPMENT COMMITTEE (NICK
F. BADAMI)

Co. Lettre offered the following resolution:

RESOLVED, that Nick F. Badami, 2 Ethel Drive, New City, New York, is hereby reappointed to the position of Member - Industrial Development Committee - to serve without compensation - term effective and retroactive to June 14, 1985 and to expire on June 13, 1988.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (914-1985)

REAPPOINTING POSITION OF
MEMBER - INDUSTRIAL
DEVELOPMENT COMMITTEE
(GERALD KRAUSE)

Co. Holbrook offered the following resolution:

RESOLVED, that Gerald Krause, 73 Highview Avenue, Nanuet, New York, is hereby reappointed to the position of Member - Industrial Development Committee - to serve without compensation -

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RESOLUTION NO. (914-1985) Continued

term effective and retroactive to June 14, 1985 and to expire on June 13, 1988.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (915-1985)(FAILED)

REAPPOINTING POSITION OF
MEMBER - INDUSTRIAL
DEVELOPMENT COMMITTEE
(WILLIAM E. VINES)

Co. Maloney offered the following resolution:

RESOLVED, that William E. Vines, 148 Sickletown Road, West Nyack, New York, is hereby reappointed to the position of Member - Industrial Development Committee - to serve without compensation - term effective and retroactive to June 14, 1985 and to expire on June 13, 1988.

Seconded by Supv. Dusanenko

On roll call the vote was as follows:

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

Councilman Maloney said he was voting yes because Mr. Vines had been a member of the Committee and was very faithful in coming to meetings.

RESOLUTION NO. (916-1985)

REAPPOINTING POSITION OF
MEMBER - INDUSTRIAL
DEVELOPMENT COMMITTEE
(GERALD COLUCCI)

Co. Holbrook offered the following resolution:

RESOLVED, that Gerald Colucci, 26 Lowerre Place, Valley Cottage, New York, is hereby reappointed to the position of Member - Industrial Development Committee - to serve without compensation - term effective and retroactive to June 14, 1985 and to expire on June 13, 1988.

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

Supervisor Dusanenko asked Councilman Maloney if he chaired this committee and Councilman Maloney said yes. Supervisor Dusanenko asked if Mr. Colucci had attended every monthly meeting? Councilman Maloney said no but that Mr. Colucci is an ex officio member and attended every meeting that he could possibly attend.

The next resolution was one reappointing Mr. Stanley Dale to the Industrial Development Committee. Councilman Lettre announced that Mr. Dale had requested that his name not be given consideration due to business commitments which put him on the road and make him unavailable to serve. This resolution (Item 27j) was removed from consideration.

RESOLUTION NO. (917-1985) REAPPOINTING POSITION OF MEMBER - INDUSTRIAL DEVELOPMENT COMMITTEE (WILLIAM GRIFFIN)

Co. Maloney offered the following resolution:

RESOLVED, that William Griffin, 2 Berry Court, Congers, New York, is hereby reappointed to the position of Member - Industrial Development Committee - to serve without compensation - term effective and retroactive to June 14, 1985 and to expire on June 13, 1988.

Seconded by Co. Holbrook All voted Aye.

RESOLUTION NO. (918-1985) REAPPOINTING POSITION OF MEMBER - ASSESSMENT AND REVIEW BOARD (PATRICIA BATTLES)

Supv. Dusanenko 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 Co. Holbrook

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

RESOLUTION NO. (919-1985) REAPPOINTING POSITION OF MEMBER - ASSESSMENT AND REVIEW BOARD (ARISTO J. FONTANA)

Co. Lettre offered the following resolution:

RESOLVED, that Aristo J. Fontana, 163 South Harrison Avenue, Congers, 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

On roll call the vote was as follows:

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

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RESOLUTION NO. (920-1985)

REAPPOINTING POSITION OF
MEMBER - ARCHITECTURAL
REVIEW BOARD (ROBERT ORTH)

Co. Lettre offered the following resolution:

RESOLVED, that Robert Orth, 9 Grand Street, New City, New York, is hereby reappointed to the position of Member - Architectural Review Board - at the current 1985 annual salary of \$1,000.00, term effective and retroactive to June 10, 1985 and to expire on June 9, 1990.

Seconded by Co. Carey

All voted Aye.

Supervisor moved Agenda Item 27o (reappointment of Edward Graybow as Member of the Zoning Board of Appeals) but receiving no second, motion failed.

RESOLUTION NO. (921-1985)

AUTHORIZING DIRECTOR OF
ENVIRONMENTAL CONTROL (LES
BOLLMAN) AND TOWN ATTORNEY
(JOHN COSTA) TO PREPARE
UPDATED LAWS RE MONITORING
AND CONTROLLING QUARRY
OPERATIONS

Co. Holbrook offered the following resolution:

Authorizing Les Bollman of Department of Environmental Control and John Costa, Town Attorney to work together to prepare updated law to monitor and control quarry operations within the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (922-1985)

AUTHORIZING TOWN BOARD TO
APPROVE CONCEPT OF 911
EMERGENCY TELEPHONE SYSTEM

Co. Maloney offered the following resolution:

RESOLVED, that the Clarkstown Town Board hereby approves the concept of the 911 Emergency Telephone System and is in full support of its timely approval by the County of Rockland Legislature, and be it

FURTHER RESOLVED, that the Town Clerk send certified copies of this resolution to the Clerk to the Legislature in order for her to send to the appropriate committees.

Seconded by Supv. Dusanenko

All voted Aye.

Councilman Lettre stated that the 911 system, if enacted, would also become a tool to help with the health, safety and welfare of the people in the Town of Clarkstown especially in view of the fact we are helping to subsidize the establishment of paramedics in the Town of Clarkstown starting in January. The 911 system in conjunction with the paramedics will be of great assistance to the people of the Town and he hopes that the 911 goes through.

Supervisor stated that he would like to thank all the Councilmen for their cooperation in pushing this forward.

RESOLUTION NO. (923-1985)

SETTING DATES FOR PUBLIC
HEARINGS RE PRELIMINARY
BUDGET AND FEDERAL REVENUE
SHARING

Co. Holbrook offered the following resolution:

RESOLVED, that the Public Hearing for the 1986 Preliminary Budget be held on October 31, 1985 at 8:05 P.M. in the Clarkstown Town Hall Auditorium, and be it

FURTHER RESOLVED, that the Public Hearing for the 1986 Federal Revenue Sharing expenditures be set for November 6, 1985 at 8:00 P.M. at the Clarkstown Town Hall Auditorium.

Seconded by Co. Maloney

All voted Aye.

Supervisor said the reason for the difference in dates is that one necessitates ten days of publication prior to a public hearing and that is the latter one.

Councilman Maloney asked if these dates were fixed and if we had to hold them on those days? Supervisor said if the gentlemen of the Town Board would like to adopt a budget prior to Election, as has been the tradition for the last five years, you have to set these dates because October 31st, November 1st, 2nd, and 3rd present problems and the 4th is Election Eve.

Councilman Holbrook said he had no problem with the date but would like to set up a couple of more meetings so that the Board can discuss the budget. Supervisor said absolutely.

Councilman Lettre wanted it noted for the record that he would be away on the 6th of November but would be present on the 31st of October.

Councilman Maloney said he would be present on the 31st of October but not on the 6th of November.

RESOLUTION NO. (924-1985)

REJECTING ALL PROPOSALS FOR
BID #56-1985 - ELECTRICAL
WORK ON THE SALT STORAGE
DOME AT THE CLARKSTOWN
HIGHWAY DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Town Board has adopted resolution No. 833-1985, regarding the obtaining of competitive proposals for the electrical work on the salt storage dome at Clarkstown Highway Department,

NOW, THEREFORE, be it

RESOLVED, that all proposals received for

BID #56-1985
ELECTRICAL WORK ON THE SALT STORAGE DOME
AT THE CLARKSTOWN HIGHWAY DEPARTMENT

are hereby rejected.

Seconded by Co. Holbrook

All voted Aye.

There being no further business to come before the Town Board and no one further wishing to be heard, Supervisor declared

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the Town Board Meeting closed, time: 9:13 P.M.

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

10/22/85

8:56 P.M.

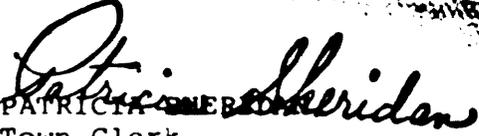
Present: Supervisor Dusanenko
Councilmen Carey, Holbrook, Lettre, Maloney
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: AMENDMENT OF RESTRICTIVE COVENANTS RE: HIGH TOR MEDICAL
BUILDING, INC.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared open. Town Clerk read notice calling Public Hearing. Town Attorney testified as to proper posting and publication in the Journal News on October 10, 1985 and said the hearing would be recessed until November 12, 1985.

On motion of Councilman Holbrook, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared recessed, time: 8:52 P.M.

Respectfully submitted,


PATRICIA SHERIDAN
Town Clerk