

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

11/26/85

8:13 P.M.

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

Supervisor declared meeting open. Assemblage saluted the Flag.

Supervisor read the following proclamation:

FRIENDSHIP BOWL WEEKEND
(POP WARNER FOOTBALL TEAMS)
WEYMOUTH HAWKS (MASS.) - VALLEY COTTAGE INDIANS (N.Y.)
November 29, 30 December 1, 1985

ABE647

WHEREAS, the Weymouth Hawks, of Weymouth, Massachusetts and the Valley Cottage Indians, of the Town of Clarkstown, are joining in competition on the football field in a spirit of friendship and sportsmanship; and

WHEREAS, on behalf of the officers and members of the Valley Cottage Indians, the Town of Clarkstown is happy to extend a warm welcome to the Weymouth Hawks; and

WHEREAS, the Town of Clarkstown recognizes the outstanding efforts of the players of both these fine teams and, especially, acknowledges the good leadership, direction and dedication of the following team officers:

WEYMOUTH HAWKS

VALLEY COTTAGE INDIANS

Paul Alconada, President
James McCluskey, Vice Pres.
David Chandler
John M. Meany
Sharon Kendall, Treasurer
Ted Ware, Secretary

Marilyn Aurecchione, President
Bob Rovito, Vice Pres.
Rudy Damonti, Treasurer
Warren Haftel, Secretary
Bob DeSalvo, Football Director
Nancy Rivera, Cheerleading Director

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, on behalf of the Town Board, hereby proclaim November 29th through December 1st, 1985, as "FRIENDSHIP BOWL WEEKEND"; and be it

FURTHER RESOLVED, that the Town of Clarkstown, the Valley Cottage Indians, their parents, coaches and officers, hereby extend our hospitality and best wishes to the Weymouth Hawks, their parents, coaches and officers.

IN WITNESS WHEREOF, I HEREUNTO SET MY
HAND AND CAUSE THE SEAL OF THE TOWN OF
CLARKSTOWN TO BE AFFIXED THIS 26th DAY
OF NOVEMBER, 1985.

(SEAL)

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

Supervisor said the next item on the agenda was a public informational meeting which was cancelled because not enough information had been obtained for a public hearing on Clinton Square Plaza, West Nyack. Town Attorney, Mr. Costa, stated that the Town had originally scheduled a public hearing on a proposed zone change

Continued on Next Page

which would enable the construction of a new shopping center in the West Nyack area. The SEQRA process was not completed and would not be completed for tonight's public hearing so the Town Board was going to open the meeting and then certainly reserve decision on it. In the interim, he stated that he had been informed by Mr. Greenbaum, the petitioner's attorney, that his client would prefer not to present any information tonight and to wait and go with a single public hearing sometime at a later date, possibly in January as a proposed resolution drafted for consideration by the Town Board for tonight would provide. There will not be a public hearing and by the applicant's decision there won't be any presentation of information concerning the proposal.

Councilman Holbrook asked if there had been a question as to the notice in this particular public hearing. Town Attorney said that no notice had been mailed by the applicant to surrounding residents and no posting of the area had been done by the applicant. However, that is kind of a moot point since the public hearing was not going to go forward in any event. Had the Board intended to go forward with it then that situation would certainly have been commented on.

Supervisor said we would not have been able to have the public hearing without the proper posting and notification. Town Attorney said here is some disagreement on that point between himself and Mr. Greenbaum but it would not serve any purpose to get into at this point since it's moot.

Supervisor asked Mr. Greenbaum if he cared to make any additional comments at this time and Mr. Greenbaum said there would be some additional requests subject to the date that will be set for the public hearing. He said this Board does have on this agenda - Items 26 or 27 - matters concerning this application. If the Board would be inclined Mr. Greenbaum said he would request that the public hearing be scheduled for January 28, 1986. The reason for that request is as the Board may well be aware in addition to the public hearing in connection with a zone change, it will be necessary for this Board, after the completion by the applicant of a DEIS, to schedule a public hearing on the DEIS. In effect, that would duplicate the public hearing on a zone change both of which will be rather extensive and detailed in view of the nature of the proposal. It would therefore, with all due respect to the Board, save a great deal of time if that could be combined and we would, in effect, have you here once rather than on two occasions.

Supervisor inquired of the Town Attorney if it were possible to have both public hearings on the same night and Town Attorney replied in the affirmative.

Supervisor declared the Public Portion of the meeting open.

Appearance: Mr. Joseph Pantano,
New City, New York

Mr. Pantano had questions regarding the freezing of Highway Department funds. He also had questions regarding the impact of the proposed budget on the average homeowner. Mr. Profenna, Town Comptroller agreed to sit down with him and go over his questions.

Appearance: Ms. Marion Party

Mrs. Party requested some information on the proposed public hearing re: Clinton Square Plaza. Supervisor said it had been agreed that a full public hearing regarding the same would be held on January 28, 1986. She said it will be discussed but nothing will be voted on, is that correct? Councilmen said it would be up for discussion and possible vote.

Appearance: Mr. Alan Brenner
Central Nyack, New York

Mr. Brenner said there had not been enough notice given that the public hearing was to be cancelled tonight. It was an inconvenience to have to keep coming out over and over. Councilman Holbrook said that the Town wanted a full public airing of this. Although it is an inconvenience to come out expecting a public hearing at least the people who are hear know now what the date will be for the full public hearing. It is Town policy to be sure that the public knows and that is why we are not going ahead with this tonight. The notice was defective.

ABE647

Town Attorney said that it is the applicant's responsibility under the Town ordinance to provide the notices and to do the posting. He said he was not familiar with the reasons why that had not been done but it certainly was not the Town Board's doing or anyone on the Town staff that caused the need to postpone tonight's public hearing. It should also be pointed out, in fairness to the applicant, that tonight's public hearing could not have gone to a conclusion because the SEQRA process had not been completed. Since this is a major project it is required that an environmental impact statement be provided and that a public hearing be held on that and at this point of the processing of this application the draft environmental impact statement has yet to be accepted by the Town. There are many questions which have to be addressed by technical consultants regarding the environmental issues. This is not something that the Town Board was really responsible for. The Town Board is acting in the best interests of the community in fulfilling the requirements of the law and not going forward tonight with a public hearing.

Mr. Brenner asked if the applicant would explain why they were not ready tonight? Town Attorney said if they choose to comment. Councilman Carey stated that they may not choose to comment. Mr. Greenbaum was asked if the applicant would care to comment and he said no.

Councilman Holbrook said if some people had not been notified and they do not know that this is going on that is unfair to the public too. This way you know now and hopefully it will be posted properly the next time. Supervisor said that Mr. Brenner should not excuse himself until after the item referring to this particular matter (item 26 or 27 on the agenda) is adopted and then you will know for sure when it will be. Councilmen said that a concensus of opinion showed that January 28th would be the date and Mr. Brenner did not have to stay until that agenda item was reached.

With regard to the following resolution Town Attorney said that this was recommended against by the Town Planning Board and the Superintendent of Highways.

RESOLUTION NO. (991-1985) DENYING APPLICATION FOR
ABANDONMENT OF A PORTION OF
FOXWOOD ROAD, WEST NYACK

Co. Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 19th day of September, 1985, provided for a public hearing on the 12th day of November, 1985, at 8:05 P.M. to consider the abandonment pursuant to Section 205 of the Highway Law and the deletion from the Official Map of the Town of Clarkstown pursuant to Section 273 of the Town Law of a portion of Foxwood Road, West Nyack, New York, as described on the attached Schedule "A", and

RESOLUTION NO. (991-1985) Continued

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

NOW, THEREFORE, be it

RESOLVED, that the application to consider the abandonment pursuant to Section 205 of the Highway Law and the deletion from the Official Map of the Town of Clarkstown pursuant to Section 273 of the Town Law of a portion of Foxwood Road, West Nyack, New York, is hereby DENIED.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (992-1985)

DECLARING RESTRICTIVE COVENANT IMPOSED BY ZONE CHANGE TO BE EXTINGUISHED (HIGH TOR MEDICAL BLDG.)

Co. Maloney offered the following resolution:

WHEREAS, by action of the Town Board subsequent to a public hearing a resolution was adopted on August 17, 1964. which changed the zone on the premises described on Schedule "A" from a RA-1 district to an RO district subject to the filing of a Declaration of Restrictive Covenant, and

WHEREAS, by Covenant, the premises rezoned were limited in use to that of a medical office building under the requirments of the RO district, and

WHEREAS, Declaration provided for by the Town, dated November 11, 1964, was duly recorded in the Rockland County Clerk's Office on November 24, 1964 in Liber 784 at Page 394, and

WHEREAS, said Declaration of Restrictive Covenant provided that it would expire at such time as the subject premises may be rezoned to another use district less restrictive than the RO district, and

WHEREAS, the premises described in Schedule "A" is now in an LO district which permits office building for professional and governmental uses as of right, and

WHEREAS, the present use of the subject premises for medical offices is conforming to the LO district in all respects except lot area and as such its use as a medical office building may now be deemed to be a prior nonconforming use;

NOW, THEREFORE, be it

RESOLVED, that the Town Board determines that the covenant described above has been extinguished by the zone change referred to above, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized and directed to sign on behalf of the Town of Clarkstown

RESOLUTION NO. (992-1985) Continued

a release in a form approved by the Town Attorney, in recordable form, acknowledging the above facts, and be it

FURTHER RESOLVED, that this resolution shall constitute the Finding of Facts and decision of the Town Board pursuant to the public hearing provided for on October 22, 1985 at 8:20 P.M. and recessed to November 12, 1985.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

ABE647

RESOLUTION NO. (993-1985)

SETTING PUBLIC HEARING ON
PROPOSED LOCAL LAW RE:
LITTERING AND POSTING

Co. Maloney offered the following resolution:

WHEREAS, Councilman Maloney, member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"AMENDMENT TO LOCAL LAW NO. 4-1984
ENTITLED 'LITTERING AND POSTING' "

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the best interest of the Town that said local law be adopted;

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 14th day of January, 1986 at 8:10 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

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 file proof thereof in the Office of the said Clerk.

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.....	Yes

RESOLUTION NO. (994-1985)

REFERRAL TO CLARKSTOWN
PLANNING BOARD APPLICATION
FOR 280-a(4) (OPEN
DEVELOPMENT AREA - MARTIN
FELDI) - MAP 56, BLOCK A,
LOT 44.01

Co. Maloney offered the following:

WHEREAS, Martin Feldi, who is the developer for property known and designated on the Clarkstown Tax Map as Map 56, Block A, Lot 44.01, has sought approval pursuant to Town Law Section 280-a(4) for creation of an Open Development Area to permit subdivision of said premises into three lots for the construction of two one-family dwellings and issuance of a Certificate of Occupancy on the existing one family dwelling;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby refers the application of Martin Feldi for use of Town Law Section 280-a(4) to the Clarkstown Planning Board for its report and recommendation on or before December 31, 1985.

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.....Yes

RESOLUTION NO. (995-1985)

ADOPTING IDENTIFICATION
FORM FOR OPERATORS OF
VEHICLES USED BY LICENSED
REFUSE COMPANIES
(SANITATION COMMISSION
RECOMMENDATION)

Co. Carey offered the following resolution:

WHEREAS, the Sanitation Commission has recommended establishment of an Identification Procedure to insure that operators of vehicles engaged in the removal of refuse within the Town of Clarkstown are properly licensed;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recommends that the Sanitation Commission adopt the proposed identification form for operators of vehicles used by licensed refuse companies within the Town of Clarkstown pursuant to its authority contained in Chapter 5-16(D) of the Town Code.

Seconded by Councilman Maloney

On roll call the vote was as follows:

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

There was discussion regarding the freezing of 200 and 300 accounts within the Highway Department. Councilman Holbrook said the Comptroller had indicated that he has the situation under control. Supervisor said for the record he refuses to make any payments and he has asked the Comptroller to make transfers of funds prior to paying because he will not continue making payments for overencumbered lines. He said spending is not checked.

Supervisor moved a resolution to freeze 200 and 300 accounts but did not receive a second.

RESOLUTION NO. (996-1985)

SETTING PUBLIC HEARING RE:
EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT NO. 1 TO INCLUDE
HIDDEN RIDGE

ABE647

Co. Maloney offered the following resolution:

WHEREAS, a written Petition dated November 6, 1985 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

(Description on File in Town Clerk's Office)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 14th day of January, 1986 at 8:15 P.M. EST to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (997-1985)

DECREASING APPROPRIATION
ACCOUNT NO. B 8110-219
(SEWER-DEPT. - MISC.
EQUIPMENT) AND INCREASING
APPROPRIATION ACCOUNT NO. B
8110-424 (CONTRACTUAL
EXPENSES)

Co. Holbrook offered the following resolution:

RESOLVED, to decrease Appropriation Account No. B 8110-219 (Sewer Dept. - Misc. Equipment) and increase Appropriation Account No. B 8110-424 (Contractual Expenses) by \$6,000.00.

Seconded by Co. Maloney

On roll call the vote was as follows:

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RESOLUTION NO. (997-1985) Continued

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

RESOLUTION NO. (998-1985)

DECREASING APPROPRIATION
 ACCOUNT NO. B 8020-320
 (PLANNING - MASTER PLAN
 SUPPLIES & MAILING) AND
 INCREASING APPROPRIATION
 ACCOUNT NO. B 8020-414
 (CONFERENCES & SCHOOLS)

Co. Holbrook offered the following resolution:

RESOLVED, to decrease Appropriation Account No. B
 8020-320 (Planning-Master Plan Supplies & Mailing) and increase
 Appropriation Account No. B 8020-414 (Conferences & Schools) by
 \$221.56.

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.....Yes

RESOLUTION NO. (999-1985)

INCREASING APPROPRIATION
 ACCOUNT NO. A 5650-409
 (COMMUTER PARKING-FEES FOR
 SERVICES) AND 01-001 (MONEY-
 IN-LIEU-OF-TAXES),
 01-002401 (INTEREST
 EARNINGS) AND 01-002680
 (INSURANCE RECOVERIES)

Co. Holbrook offered the following resolution:

WHEREAS, we have expended approximately \$217,000.00 for
 the Kemmer Lane Commuter Parking Lot,

NOW, THEREFORE, be it

RESOLVED, to increase Appropriation Account No. A
 5650-409 (Commuter Parking - Fees for Services) by \$120,000.00 and
 the following Estimated Revenue Account Numbers:

01-001081 (Money-in-Lieu-of-Taxes).....\$ 28,000.00
 01-002401 (Interest Earnings)..... 70,000.00
 01-002680 (Insurance Recoveries)..... 22,000.00

Seconded by Co. Maloney

On roll call the vote was as follows:

Co. Carey.....Yes
 Co. Holbrook.....Yes
 Co. Lettre.....Yes
 Co. Maloney.....Yes
 Supervisor Dusanenko.....Yes

RESOLUTION NO. (1000-1985)

DECREASING APPROPRIATION
ACCOUNT A 1345-114 AND
INCREASING APPROPRIATION
ACCOUNTS: A 1345-201, A
1345-313, A 1345-319, A
1345-328, A 1345-407 AND A
1345-423

Co. Holbrook offered the following resolution:

WHEREAS, the following budgetary lines are overdrawn,
NOW, THEREFORE, be it

RESOLVED, to decrease Appropriation Account No. A
1345-114 by \$263.00 and increase the following Appropriation
Accounts:

- A 1345-201 by \$ 10.00
- A 1345-313 by \$171.00
- A 1345-319 by \$ 6.00
- A 1345-328 by \$ 40.00
- A 1345-407 by \$ 16.00
- A 1345-423 by \$ 20.00

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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.....Yes

RESOLUTION NO. (1001-1985)

INCREASING APPROPRIATION
ACCOUNT A 3120-313 AND
DECREASING APPROPRIATION
ACCOUNT A 3120-209

Co. Holbrook offered the following resolution:

RESOLVED, to increase Appropriation Account A 3120-313
by \$700.00 and decrease Appropriation Account A 3120-209 by the same
amount.

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.....Yes

RESOLUTION NO. (1002-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR ATHLETIC &
RECREATION SUPPLIES

Co. Holbrook offered the following resolution:

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

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BID #6-1986
ATHLETIC & RECREATION 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, December 23, 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

On roll call the vote was as follows:

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

RESOLUTION NO. (1003-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #7-1986
(UNIFORM MAINTENANCE FOR
CLARKSTOWN POLICE DEPARTMENT

Co. Holbrook offered the following resolution:

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

BID #7-1986
UNIFORM MAINTENANCE FOR
CLARKSTOWN POLICE DEPARTMENT

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, December 16, 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

On roll call the vote was as follows:

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

RESOLUTION NO. (1004-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #8-1986
(UNIFORMS FOR CLARKSTOWN
POLICE DEPARTMENT)

RESOLUTION (1004-1985) Continued

Co. Holbrook offered the following resolution:

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

BID #8-1986
UNIFORMS FOR CLARKSTOWN POLICE DEPARTMENT

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, January 3, 1986 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

On roll call the vote was as follows:

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

RESOLUTION NO. (1005-1985)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #9-1985 (WORK CLOTHING)

Co. Holbrook offered the following resolution:

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

BID #9-1986
WORK CLOTHING

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 Tuesday, January 7, 1986 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

On roll call the vote was as follows:

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

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ABE647

RESOLUTION NO. (1006-1985)

AMENDING RESOLUTION NO. 936-1985 (BID #65-1985 -SALE OF SURPLUS/ABANDONED VEHICLES) -(LIBERTY MOTORS INC., JOHN J. GOULD, MARK GOTTENBERG AND WOODSIDE MOTORS, INC.) AND AUTHORIZING DIRECTOR OF PURCHASING TO READVERTISE FOR BIDS FOR BID #65A-1985 (SALE OF SURPLUS/ABANDONED VEHICLES)

Co. Maloney offered the following resolution:

RESOLVED, that Town Board Resolution #936-1985 is hereby amended to read:

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

BID #65-1985 SALE OF SURPLUS/ABANDONED VEHICLES

is hereby awarded to:

- (A) LIBERTY MOTORS, INC. 1705 Kennedy Blvd. Jersey City NJ 07305
(B) JOHN J. GOULD 2 Suffern Lane Garnerville NY 10923
(C) MARK GOTTENBERG 6281-1 Route 32 Saugerties NY 12477
(D) WOODSIDE MOTORS INC. 67-02 Queens Blvd Woodside NY 11377

as per the attached schedule, and be it

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

BID #65A-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 Friday, December 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.

(Schedule on File in Town Clerk's Office)

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.....Yes

RESOLUTION NO. (1007-1985)

ACCEPTING ROADS AND RELATED IMPROVEMENTS IN THE TOWN OF CLARKSTOWN AT TIMOTHY ESTATES (TURNPIKE WOODS). - TIMOTHY COURT

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, deed from Turnpike Woods, Inc., dated August 1, 1984, conveying the road and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of Timothy Estates filed in the Rockland County Clerk's Office on August 28, 1984, in Book No. 102 at Page No. 36 as Map No. 5654, as follows:

TIMOTHY COURT 335 L.F.

is hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office upon receipt of a continuation report of clear title to date of recording, and be it

ABE647

FURTHER RESOLVED, that the agreement guaranteeing the road and improvements for a period of one (1) year, with security posted by the developer in the amount of \$1,825.00 is hereby accepted, and be it

FURTHER RESOLVED, that the written guarantee with security posted by the developer in the sum of \$10,000.00 for the completion of certain items is hereby accepted, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute a deed or other instrument in a form approved by the Town Attorney from the Town of Clarkstown to Turnpike Woods, Inc. to extinguish an existing drainage easement indicated on the filed map which has been relocated, and be it

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

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.....Yes

RESOLUTION NO. (1008-1985)

AWARDING BID FOR BID #66-1985 -COMPRESSED GASES & WELDING SUPPLIES (AMERICAN COMPRESSED GASES AND PATASONS WELDING DISTRIBUTORS

Co. Carey offered the following resolution:

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

BID #66-1985 COMPRESSED GASES & WELDING SUPPLIES

Continued on Next Page

RESOLUTION NO. (1008-1985) Continued

is hereby awarded to the following vendors as per the attached schedule of items and prices:

AMERICAN COMPRESSED GASES
310 Route 304
Bardonia NY 10954

PATASONS WELDING DISTRIBUTORS
Bayview Road
Peekskill NY 10566

(Schedule on file in Town Clerk's Office)

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.....Yes

RESOLUTION NO. (1009-1985)

AWARDING BID FOR BID
#2-1986 - PAPER & PLASTIC
SUPPLIES (BORDA PRODUCTS,
BURKE SUPPLY CO., INC.,
CALICO INDUSTRIES, CENTURY
PAPER & BOX CO., INC., AND
MT. ELLIS PAPER CO.)

Co. Carey offered the following resolution:

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

BID #2-1986
PAPER & PLASTIC SUPPLIES

is hereby awarded to the following vendors as per the attached schedule of items and prices:

Borda Products
80 Bruckner Blvd
Bronx, N.Y. 10454

Burke Supply Co., Inc.
880 Meeker Ave.
Brooklyn, N.Y. 11222

Calico Industries
25 Van Zant St.
Norwalk, Ct. 06855

Century Paper & Box Co., Inc.
25 Lincoln St.
Haverstraw, N.Y. 10927

Mt. Ellis Paper Co.
P.O. Box 4080
214 MacArthur Ave.
Newburgh, N.Y. 12550

(Schedule on File in Town Clerk's Office)

Seconded by Co. Maloney

RESOLUTION NO. (1009-1985) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (1010-1985)

AWARDING BID FOR BID
#3-1985 - PRINTING OF
ENVELOPES & STATIONERY
(MARCY PRINTING, LONG
ISLAND ENVELOPE, RAMAPO
GRAPHICS, PORT PRINTED
PRODUCTS AND PRONTO PRESS)

ABE647

Co. Carey offered the following resolution:

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

BID #3-1986
PRINTING OF ENVELOPES & STATIONERY

is hereby awarded to

MARCY PRINTING
170 Marcy Avenue
Brooklyn, N.Y. 11211

LONG ISLAND ENVELOPE
88-06 Van Wyck Expwy
Jamaica, N.Y. 11418

RAMAPO GRAPHICS
57 N. Main Street
Spring Valley, N.Y. 10977

PORT PRINTED PRODUCTS
45 E. 30th Street
New York, N.Y. 10016

PRONTO PRESS
29 Lafayette Ave.
Suffern, N.Y. 10901

as per the attached schedule of items and prices.

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.....	Yes

RESOLUTION NO. (1011-1985)

AWARDING BID FOR BID
#1-1986 - STATIONERY
SUPPLIES (ALLWIN
STATIONERS, SUFFERN
STATIONERY AND ORHAN PAPER
& ENVELOPE)

Continued on Next Page

RESOLUTION NO. (1011-1985) Continued

Co. Carey offered the following resolution:

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

BID #1-1986
STATIONERY SUPPLIES

is hereby awarded to

ALLWIN STATIONERS
15 E Central Ave
Pearl River, NY 10965

SUFFERN STATIONERY
68 Lafayette Ave
Suffern NY 10901

ORHAN PAPER & ENVELOPE
32 S Central Ave
Spring Valley NY 10977

(Schedule on file in Town Clerk's Office)

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.....Yes

RESOLUTION NO. (1012-1985)

SCHEDULING PUBLIC
INFORMATION MEETING RE
COMMUTER PARKING FACILITIES
- TOWN OF CLARKSTOWN

Co. Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown wishes to provide the residents an opportunity to express their opinions on the establishment of fees and permits for the use of the Town of Clarkstown's commuter parking facilities;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown shall hold a Public Informational Meeting concerning the commuter parking facilities on December 3, 1985, at 8:00 P.M., at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the Town Attorney shall publish notice of this meeting by display advertising in the Journal News on November 29, 1985.

Seconded by Co. Maloney

On roll call the vote was as follows

Co. Carey.....Yes
Co. Holbrook.....Yes
Co. Lettre.....Yes
Co. Maloney.....Yes
Supervisor Dusanenko.....Yes

RESOLUTION NO. (1013-1985)

SETTING PUBLIC HEARING RE
ZONE CHANGE REQUEST LO TO
LS, DEPAULIS 129A2.01 -
CONGERS, NY

Co. Lettre offered the following resolution:

WHEREAS, John DePaulis has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described from LO district to LS district;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 11th day of February, 1986 at 8:10 P.M., relative to the proposed amendment; and it is

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

Seconded by Co. Maloney

On roll call the vote was as follows:

- Co. Carey.....Yes
- Co. Holbrook.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Supervisor Dusanenko.....Yes

RESOLUTION NO. (1014-1985)

SETTING PUBLIC HEARING RE
ZONE CHANGE REQUEST LIO TO
R-10, WIDMAIER 127L2,
127P1, CONGERS

Co. Holbrook offered the following resolution:

WHEREAS, Ralph Widmaier and Patricia Widmaier has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described from LIO district to R-10 district;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 25 day of February, 1986 at 8:15 P.M., relative to the proposed amendment; and it is

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

Seconded by Co. Maloney

On roll call the vote was as follows:

- Co. Carey.....Yes
- Co. Holbrook.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Supervisor Dusanenko.....Yes

ABE647

RESOLUTION NO. (1015-1985)

DIRECTING MRS. PATRICIA BETZ, SERVICE INVESTIGATION CLERK TO OBTAIN PROPOSALS FROM O & R RE ADDITIONAL STREET LIGHTING KEMMER LANE COMMUTER LOT AND NEW COMMUNITY PARKING LOT IN CONGERS

Co. Holbrook offered the following resolution:

RESOLVED, that Mrs. Patricia Betz, Service Investigation Clerk, be directed to obtain proposals from Orange & Rockland for additional lighting at the Kemmer Lane commuter parking lot and the new community parking lot in Congers.

Seconded by Co. Lettre

On roll call the vote was as follows:

- Co. Carey.....Yes
- Co. Holbrook.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Supervisor Dusanenko.....Yes

RESOLUTION NO. (1016-1985)

GRANTING PERMISSION TO ATTEND CONFERENCE, JO ANNE OLDENBURGER, RECREATION SUPERVISOR

Co. Lettre offered the following resolution:

RESOLVED, that Jo Anne Oldenburger, Recreation Supervisor, is hereby authorized to attend the 1986 Revenue Sources Management School from March 8, 1986 through March 14, 1986, in Wheeling, West Virginia, and

FURTHER RESOLVED, that all necessary expenses not to exceed \$575.00 be charged as follows:

- 1985: A 7310-414 -- \$175.00
- 1986: A 7310-414 -- \$400.00

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.....Yes

RESOLUTION NO. (1017-1985)

AUTHORIZING PURCHASING AGENT TO ADVISE DIRECTOR OF COMMUNITY DEVELOPMENT OF ROCKLAND COUNTY ACCEPTANCE OF CLARKSTOWN AS LEAD AGENCY - 1985 COMMUNITY DEVELOPMENT PROJECT FOR RED CROSS CANTEEN VEHICLE

RESOLUTION NO. (1017-1985) Continued

Co. Carey offered the following resolution:

RESOLVED, that the Director of Purchasing, Lawrence Kohler, be authorized and directed to advise the Rockland County Community Development Director, Mrs. Doris F. Ulman that Clarkstown will act as the lead agency for the 1985 Community Development Project for the Red Cross Canteen vehicle and be it,

FURTHER RESOLVED, that the Town Clerk be directed to send a copy of this resolution to David Kamchi, Chairman of the Rockland County Red Cross.

Seconded by Co. Maloney

On roll call the vote was as follows:

- Co. Carey.....Yes
- Co. Holbrook.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Supervisor Dusanenko.....Yes

ABE647

RESOLUTION NO. (1018-1985)

AUTHORIZING FUNDS FOR
INSTALLATION OF OFF-SITE
DRAINAGE WORK - CARLTON
WOODS

Co. Maloney offered the following resolution:

WHEREAS, an off-site drainage condition exists in the vicinity of the Carlton Woods subdivision, and

WHEREAS, the applicant for the subdivision has agreed to install the off-site drainage if the Town supplies the pipe, and

WHEREAS, the Planning Board requested that the Town Board allocate the necessary funds,

NOW, THEREFORE, be it

RESOLVED, that based on the recommendations of the Planning Board and the Director of the Department of Environmental Control, the Director of Purchasing is authorized to purchase and have delivered to the site 540 linear ft. of 24" reinforced concrete pipe for a cost not to exceed \$6,500, and be it

FURTHER RESOLVED, that the cost for the above be charged against Capital 2 Drainage.

Seconded by Co. Holbrook

On roll call the vote was as follows:

- Co. Carey.....Yes
- Co. Holbrook.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Supervisor Dusanenko.....Yes

RESOLUTION NO. (1019-1985)

DECISION ON PROPOSED
MORATORIUM ON LAND USE RTE.
59

Co. Holbrook offered the following resolution:

WHEREAS, Councilman Holbrook, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"A LOCAL LAW TO IMPOSE A MORATORIUM ON SUBDIVISION AND SITE PLAN APPROVALS FOR THE ROUTE 59 CORRIDOR IN THE TOWN OF CLARKSTOWN FROM THE WESTERN TOWN LINE TO THE BONDARY OF THE PALISADES INTERSTATE PARKWAY DURING THE PERIOD OF SIX (6) MONTHS WHEN PLANNING ANAYSIS FOR THE ORDERLY GROWTH AND DEVELOPMENT WILL BE DONE."

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the best interest of the Town that said local law be adopted;

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 10th day of December, 1985 at 8:10 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

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 file proof thereof in the Office of the said Clerk.

Seconded by Co. Maloney

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

RESOLUTION NO. (1020-1985)

AUTHORIZING PAYMENT FOR
CORRECTIVE DRAINAGE WORK
WEST ST., WEST NYACK, NY-
CHARGE TO DRAINAGE BOND
CAPITAL ACCOUNT #2

Co. Holbrook offered the following resolution:

WHEREAS, Town Board Resolution #1083-1984 dated November 13, 1984 authorized corrective drainage in the vicinity of Eustis' property, West Street, West Nyack, and

WHEREAS, Town Board Resolution #626-1985 dated July 17, 1985 authorized Nicholas A. Longo, Superintendent of Highways, to complete the drainage project, and

WHEREAS, the drainage work has been completed;

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (1020-1985) Continued

RESOLVED that the amount of \$13,883. for additional fill, installation of a fence and regrading and repaving of the area is a proper charge, and be it

FURTHER RESOLVED, that this amount be charged to the Drainage Bond Capital Account #2.

Seconded by Co. Carey

On roll call the vote was as follows:

- Co. Carey.....Yes
- Co. Holbrook.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Supervisor Dusanenko.....Yes

ABE647

RESOLUTION NO. (1021-1985)

SETTING FORTH COVENANTS FOR
280-a (2) RICHARD H. AND
BARBARA L. PLESAK

Co. Holbrook offered the following resolution:

RESOLVED, that under provisions of Section 280-a(2) of the Town Law and pursuant to the recommendation of the Director of Environmental Control and the Superintendent of Highways, a Building Permit for the erection of a one-family residence may be issued to RICHARD H. and BRABARA L. PLESAK for property situate on the corner of Chester Avenue and Beacon Street, Congers, New York, more specifically designated on the Clarkstown Tax Map as - MAP 114, BLOCK A, LOT 31, provided, however, the certified record owner shall be required prior to the issuance of such Building Permit to execute and record a Declaration of Covenant, in a form satisfactory to the Town Attorney, which shall run with the land and shall provide:

1. That the property owner shall acknowledge that no Town services, including but not limited to maintenance, paving or snow removal, shall be provided along Beacon Street and Chester Avenue.
2. That the property owner irrevocably agrees to participate in a road improvement district for any frontage of said premises, on any mapped street when and if required by the Town Board of the Town of Clarkstown.
3. That the property owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the property owner in any mapped street fronting the premises to the designated street line to accomplish the widening of such mapped street, including Beacon Street and Chester Avenue to 50 feet in width.
4. That the intersection of Chester Avenue shall be improved and maintained, at the expense of the property owner, to the satisfaction of the Director of Environmental Control and the Superintendent of Highways.
5. That any deed of conveyance for the subject premises shall be subject to the Declaration of Covenant provided herein.
6. That the Certificate of Occupancy issued for said premises shall be conditioned upon and subject to observance of the Declaration of Covenant provided herein, and be it

Continued on Next Page

RESOLUTION NO. (1021-1985) Continued

FURTHER RESOLVED, that prior to the issuance of a Certificate of Occupancy for the subject premises, the owner shall:

(a) Install a sanitary sewer system including the spur at no expense to the Town.

(b) Install a paved roadway at least 25' in width from the west side of Old Haverstraw Road to the Intersection designated street line of Beacon Street, in accordance with the directions of the Director of Department of Environmental Control.

(c) Obtain written certification from the applicable fire department that Chester Avenue, as widened, will provide adequate ingress and egress means for fire department and other emergency vehicles.

(d) Restore any road damaged or deteriorated as a result of construction to its original condition as determined by the Director of the Department of Environmental Control.

Seconded by Co. Maloney

On roll call the vote was as follows:

Co. Carey.....Yes
Co. Holbrook.....Yes
Co. Lettre.....Yes
Co. Maloney.....Yes
Supervisor Dusanenko.....Yes

RESOLUTION NO. (1022-1985)

REFERRAL TO PLANNING BOARDS
AND SETTING DATE FOR PUBLIC
HEARING RE PROPOSED
AMENDMENT(S) TO THE ZONING
ORDINANCE OF THE TOWN OF
CLARKSTOWN - AMEND SECTION
106-10A, TABLE 16 AND
106-20 B (2)

Co. Maloney offered the following resolution:

WHEREAS, a comprehensive amendment to the Zoning Ordinance of the Town of Clarkstown was adopted on June 30, 1967, and further amended, and

WHEREAS, the Town Board of the Town of Clarkstown is considering an amendment to said Zoning Ordinance:

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 14th of January '86 at 8:20 P.M. to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown:

1. Amend Section 106-10A, Table 16 of General Bulk Regulations, to read as follows:

A. Amend Note 3 to read as follows:

"Note 3. When adjacent to a commercial district, none is required, but when provided shall be fifteen (15) feet."

Continued on Next Page

RESOLUTION NO. (1022-1985) Continued

B. Amend Note 4 to read as follows:

"Note 4. Required distance shall be increased by fifty (50%) percent when adjacent to a residential district."

C. In the Column designated as "Required Rear Yard" for lines "G," "J," and "M," add:

"See Note 14,"

D. Add new Note 14 to read as follows:

"14. A deck without a permanent roof attached to the rear of the main structure shall not be considered a projection into the required rear yard provided it does not exceed 308 square feet and does not extend out from the building line more than fourteen (14) feet."

ABE647

II. Amend Section 106-20 B(2) to read as follows

"(2) An awning or movable canopy may project not more than fifteen (15) feet. Cornices or eaves may project not more than eighteen (18) inches; and a window sill or belt course may project not more than six (6) inches into a required yard, court or usable open space." and be it

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

FURTHER RESOLVED, that the above proposed amendment(s) be referred to the Clarkstown Planning Board and Rockland County Planning Board for their recommendations and reports.

Seconded by Co. Holbrook

On roll call the vote was as follows:

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

RESOLUTION NO. (1023-1985)

AUTHORIZING TOWN ATTORNEY
TO HIRE HEARING OFFICER

Co. Lettre offered the following resolution:

WHEREAS, notice and statement of charges pursuant to Section 75 of the Civil Service Law may be served upon a permanent Civil Service employee for alleged misconduct;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized and directed to obtain services of a qualified attorney to serve as hearing officer should the charged employee seek a hearing on the allegations, and be it

FURTHER RESOLVED, that the sum of \$1,500.00 is hereby appropriated to pay the cost for said hearing officer to be charged at a rate not to exceed \$100.00 per hour, and charged to Account No. A-1420-409.

Continued on Next Page

RESOLUTION NO. (1023-1985) Continued

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.....Yes

RESOLUTION NO. (1024-1985)

AUTHORIZING SUPERVISOR TO
ENTER INTO AN AGREEMENT
WITH JOS. F. RASO, DOMINIC
RASO AND CLINTON SQUARE
PLAZA, INC. AND WITH
RAYMOND PARISH, PINE, &
WEINER AND JOHN KOZMA ASSOC.

Co. Lettre offered the following resolution:

WHEREAS, an application for a zone change has been made by JOSEPH F. RASO, DOMINIC RASO and CLINTON SQUARE PLAZA, INC., for property known and dsignated on the Clarkstown Tax Map as Map 89, Block A, Lots 4 and 12.2 and Map 106, Block A, Lots 46, 48 and 49, and

WHEREAS, it has been determined by the Town Board, as lead agency, that under the provisions of the State Environmental Quality Review Act, it is necessary for a long form Environmental Impact Statement to be prepared and submitted by the applicant before the zone change may be acted upon, and

WHEREAS, under the provisions of SEQRA, the applicant may be required to pay the costs associated with the investigation and analysis of the environmental review of the applicant' petition;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized and directed as agent for the Town Board to issue the Notice of Positive Declaration pursuant to SEQRA in the form annexed hereto as Exhibit "A," and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to enter into an agreement in a form acceptable to the Town Attorney to provide for the establishment of an escrow fund out of which the Town may charge the fees of technical consultants who will be engaged to review the draft Environmental Impact Statement in connection with said zone change, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to enter into an agreement in a form approved by the Town Attorney with the firm of Raymond, Parish, Pine, Wiener, Inc., to provide technical assistance for the review of said draft Environmental Impact Statement beyond the services normally provided to the Town. The hourly rate schedule for said review is listed on Exhibit "B" which is attached, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized and directed to enter into with John Kozma Associates as an engineering consultant familiar with the Hackensack River Basin in the vicinity of Route 59, West Nyack, New York, to provide technical consultant services with respect to review of draft Environmental Impact Statement. The hourly rate schedule for said review is listed on Exhibit "C."

RESOLUTION NO. (1024-1985) Continued

(Exhibits A, B, and C on file in Town Clerk's Office)

Seconded by Co. Maloney

On roll call the vote was as follows:

Co. Carey.....	Yes
Co. Holbrook.....	Yes
Co. Lettre.....	Yes
Co. Maloney.....	Yes
Supervisor Dusanenko.....	Yes

The Town Attorney was asked to explain to the public the above resolution. The Town Attorney said that the provisions of the State and Environmental Quality Review Act authorized the municipality to impose a fee for the review of the environmental impact statement and a project such as this which will require technical assistance beyond the Town's resources, the Town is going to receive an escrow deposit from the developer against those funds, initially \$10,000. It will charge the hourly rate by the two consultants that are going to be hired to review this and make recommendations and in the event that that sum proves to be insufficient, then the developer has agreed to put up additional sums until the job can be properly completed.

ABE647

Co. Holbrook said in other words the Town is not going to bear additional costs for the review of this application which will be borne by the proposed developer.

The Town Attorney said, in addition, this resolution also makes a positive declaration that a formal environmental impact statement shall be required with respect to this application.

RESOLUTION NO. (1025-1985)

RESCHEDULING PUBLIC HEARING
RE CLINTON SQUARE PLAZA

Co. Lettre offered the following resolution:

WHEREAS, JOSEPH F. RASO, DOMINIC RASO and CLINTON SQUARE PLAZA, INC., have applied for a zone change from an LIO district to an MRS. district, for property known and designated on the Clarkstown Tax Map as Map 89, Block A, Lots 4 and 12.2 and Map 106, Block A, Lots 46, 48 and 49, and

Whereas, it has been determined by the Town Board as lead agency that it is necessary for an Environmental Impact Statement to be prepared too;

NOW, THEREFORE, be it

RESOLVED, that the public hearing scheduled for November 26, 1985 at 8:10 P.M. is hereby rescheduled to January 28, 1986 at 8:10 P.M., and be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

Co. Carey	Yes
Co. Holbrook.....	Yes
Co. Lettre.....	Yes
Co. Maloney.....	Yes
Supervisor Dusanenko.....	Yes

RESOLUTION NO. (1026-1985)

AUTHORIZING COMPTROLLER TO
AMEND 1985 BUDGET

Co. Maloney offered the following resolution:

WHEREAS, pursuant to Section 112 of the Town Law, the Comptroller of the Town of Clarkstown is hereby authorized to amend the 1985 budget for transferring unexpended balance of appropriations among various accounts and by increasing and decreasing revenue accounts for the purpose of balancing all funds.

NOW, THEREFORE, be it

RESOLVED, that the 1985 budget is hereby amended.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes
Co. Holbrook.....Yes
Co. Lettre.....Yes
Co. Maloney.....Yes
Supervisor Dusanenko.....Yes

RESOLUTION NO. (1027-1985)

AMENDING RESOLUTION
#326-1985 RE IMPROVEMENTS
AND MAINTENANCE OF TOWN
CUL-DE-SACS

Co. Maloney offered the following resolution:

WHEREAS, the Town Board adopted Resolution #326-1985 at the Town Board meeting of March 26, 1985 which awarded Improvements and Maintenance of Town cul-de-sacs to Ira Wickes, Inc., and

WHEREAS, a contract has been let for the construction of a commuter parking facility in the hamlet of Congers, and

WHEREAS, the Town Board of the Town of Clarkstown desires that this parking lot be appropriately landscaped, and

WHEREAS, the Director of the Department of Environmental Control has recommended that pruning be done at Benton Court, New City, and

WHEREAS, this cul-de-sac and parking area will be added to future maintenance contracts.

NOW, THEREFORE, be it

RESOLVED, that based on the recommendation of the Director of the Department of Environmental Control, the proposal of Ira Wickes, Inc. for the landscaping of this parking lot and the pruning of the plantings on Benton Court be authorized at a cost not to exceed \$4,613, and be it

FURTHER RESOLVED, that this be an amendment to Resolution #326-1985 bringing the total cost authorized to \$25,000.

Seconded by Co. Holbrook

On roll call the vote was as follows:

Co. Carey.....Yes
Co. Holbrook.....Yes
Co. Lettre.....Yes
Co. Maloney.....Yes
Supervisor Dusanenko.....Yes

RESOLUTION NO. (1028-1985)

ACCEPTING PROPOSALS FROM
ORANGE AND ROCKLAND
UTILITIES FOR STREET
LIGHTING AT (a) GLENSIDE
DRIVE, (b) RAINBOW COURT,
(c) ROCHELLE DRIVE, NEW
CITY, NY

Co. Maloney offered the following resolution:

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

WHEREAS, a 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 proposals from Orange and Rockland Utilities, Inc. for street lighting at the following locations:

- (a) Glenside Drive New City
(Pole #59772/41353 - 1 5800 lumen sodium vapor)
- (b) Rainbow Court New City
(Underground - pole to be installed - 1 5800 lumen sodium vapor)
- (c) Rochelle Drive New City
(Underground - pole to be installed - 1 5800 lumen sodium vapor)

Seconded by Co. Holbrook

On roll call the vote was as follows:

Co. Carey.....Yes
 Co. Holbrook.....Yes
 Co. Lettre.....Yes
 Co. Maloney.....Yes
 Supervisor Dusanenko.....Yes

RESOLUTION NO. (1029-1985)

RESCHEDULING PUBLIC HEARING
- ROCKLAND COUNTY CENTER
FOR PHYSICALLY HANDICAPPED,
INC.

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Center for the Physically Handicapped, Inc., has petitioned the Town Board for a Special Permit to operate an Intermediate Care Facility for the developmentally disabled, pursuant to the Zoning Ordinance of the Town of Clarkstown for property located at 260 Little Tor Road North, New City, New York, Town of Clarkstown, Rockland County, State of New York, and

WHEREAS, a public hearing was scheduled for November 26, 1985 at 8:20 P.M. to consider the petition, and

Continued on Next Page

ABE647

RESOLUTION NO. (1029-1985) Continued

WHEREAS, the required posting and mailings were not performed by the Rockland County Center for the Physically Handicapped, Inc.;

NOW, THEREFORE, be it

RESOLVED, that the public hearing as scheduled is hereby rescheduled to December 10, 1985 at 8:20 P.M.

Seconded by Co. Holbrook

On roll call the vote was as follows:

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

RESOLUTION NO. (1030-1985)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE SNOW ON UNDEDICATED STREETS IN CLARKSTOWN

Co. Holbrook offered the following resolution:

WHEREAS, heavy snowfalls and other inclement weather may create hazardous conditions and a state of emergency in the Town of Clarkstown because of the danger of fire, sickness, lack of food and medical assistance to persons on unplowed or impassable streets;

NOW, THEREFORE, be it

RESOLVED, that pursuant to the authority granted under Executive Law, Section 24(4), the Supervisor of the Town of Clarkstown is hereby authorized to use any and all facilities, equipment, supplies, personnel under his control and direction and other resources of the Town of Clarktown in such a manner as may be necessary or appropriate to cope with any natural emergency created by an extraordinary fall of snow or other weather condition, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Superintendent of Highways to use personnel and equipment to plow undedicated streets in the Town of Clarkstown during such heavy snowfall or other conditions which may create imminent hazard to life and property.

Seconded by Co. Maloney

On roll call the vote was as follows:

- Co. Carey.....Yes
- Co. Holbrook.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Supervisor Dusanenko.....Yes

Co. Lettre asked the Town Attorney to explain why salting, sanding, etc. is not set out in the resolve clause.

The Town Attorney said that the Resolved clause does read that the Superintendent of Highways is authorized to use personnel and equipment to plow undedicated streets during heavy snow fall or other conditions so that would include everything.

RESOLUTION NO. (1031-1985)

ACCEPTING DOCUMENTS RE
MARAIA SUBDIVISION

Co. Holbrook offered the following resolution:

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control and the Town Attorney of the Town of Clarkstown, the following documents in connection with final approval of a subdivision known as "MARAIA SUBDIVISION" are hereby accepted and ordered recorded in the Rockland County Clerk's Office:

1. Conservation and Drainage Easement.
2. Declaration of Restrictive Covenants.
3. Declaration of Easement.

Seconded by Co. Maloney

On roll call the vote was a follows:

Co. Carey.....Yes
 Co. Holbrook.....Yes
 Co. Lettre.....Yes
 Co. Maloney.....Yes
 Supervisor Dusanenko.....Yes

RESOLUTION NO. (1032-1985)

APPOINTING PART-TIME BUS
DRIVER, AZARENOK - MINI
TRANS

Co. Carey offered the following resolution:

RESOLVED, that Robert Azarenok, 19 Fisher Avenue, Congers, New York, is hereby appointed to the position of part-time Bus Driver - Mini Trans Department - at the current hourly rate of \$6.74 - effective and retroactive to November 25, 1985.

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.....Yes

RESOLUTION NO. (1033-1985)

RECLASSIFYING TYPIST -
YOUTH COURT/POLICE
DEPARTMENT TO SENIOR TYPIST

Co. Carey offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on July 29, 1985 that the position of Typist - Youth Court/Police Department - can be reclassified to the position of Sr. Typist,

NOW, THEREFORE, be it

Continued on Next Page

ABE647

RESOLUTION NO. (1033-1985) Continued

RESOLVED, that the position of Sr. Typist - Youth Court/Police Department - is hereby established, effective and retroactive to November 25, 1985.

Seconded by Co. Maloney

On roll call the vote was as follows:

- Co. Carey.....Yes
- Co. Holbrook.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Supervisor Dusanenko.....Yes

RESOLUTION NO. (1034-1985)

APPOINTING PATRICIA BARAD,
SENIOR TYPIST, YOUTH
COURT/POLICE DEPARTMENT

Co. Carey offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Patricia Barad, 25 Scher Drive, New City, New York as Sr. Typist - Youth Court/Police Department from the RCNCP Sr. Typist Certification of Eligibles, at the annual salary for 1985 of \$14,360., effective and retroactive to November 25, 1985.

Seconded by Co. Maloney

On roll call the vote was as follows:

- Co. Carey.....Yes
- Co. Holbrook.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Supervisor Dusanenko.....Yes

RESOLUTION NO. (1035-1985)

APPOINTING (2nd
PROVISIONAL) EILEEN
CAVANAGH, EMPLOYMENT
ASSISTANT

Co. Carey offered the following resolution:

RESOLVED, that Eileen Cavanagh, 29 Deerfield Drive, New City, New York, is hereby granted a second provisional appointment to the position of Employment Assistant, Counseling Center - at the current 1985 annual salary of \$13,181., effective November 27, 1985.

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.....Yes

REQUESTING RECOMMENDATIONS
FROM CLARKSTOWN PLANNING
BOARD RE REQUEST FOR USE OF
TOWN LAW SECTION 281

Co. Lettre offered the following resolution:

WHEREAS, Demar Development Corp. has presently pending a plan for the development of property located on North Main Street, New City, New York, within Clarksville Terrace II Subdivision, which plan shall be known as Georgetown Office Plaza, and

WHEREAS, the developer may attempt to develop this property as fee simple offices with an office owners association in lieu of condominium offices;

RESOLUTION NO. (1036-1985) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown recommends to the Clarkstown Planning Board that consideration be given to the use of the provisions of Town Law Section 281, to permit the development of the parcel with an office owners association, and be it

FURTHER RESOLVED, that a recommendation be made to the Town Board on or before January 31, 1986.

Seconded by Co. Maloney

- On roll call the vote was as follows:
- Co. Carey.....Yes
- Co. Holbrook.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Supervisor Dusanenko.....Yes

The Supervisor clarified the location of the property as south of the Medical Building

RESOLUTION NO. (1037-1985)

AUTHORIZING THE TOWN
ATTORNEY TO SERVE AN ORDER
PURSUANT TO CHAPTER 37 OF
THE TOWN CODE TO REMOVE
OBSTRUCTION OF STREAM NO.
N.J. 1-12 (JAMES SEIDEL)

Co. Lettre offered the following resolution:

WHEREAS, the Director of the Dept. of Environmental Control has investigated a drainage complaint in the vicinity of 17 Buena Vista Road, New City, and has made a report to the Town Board indicating that a person or persons without authorization have installed a drain pipe in an existing watercourse which is apparently undersized and at an improper elevation on property known and designated on the Clarkstown Tax Map as Map 169, Block A, Lot 15.01, reputed to be owned by James Seidel and that said alteration and obstruction has adversely affected neighboring properties;

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 37-2, 37-3 and 37-9 of the Town Code, the Town Attorney is hereby authorized and directed to serve upon the property owner an 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, or in the alternative, obtain the approval of the Director of the Dept. of Environmental Control for the alterations as contemplated or as required by the Dept. of Environmental Control 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

RESOLUTION NO. (1037-1985)Continued

(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 offense.

Seconded by Co. Maloney

On roll call the vote was as follows:

- Co. Carey.....Yes
- Co. Holbrook.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Supervisor Dusanenko.....Yes

RESOLUTION NO. (1038-1985)

APPOINTING HANS BAZLAN AND
RICHARD HILLER TO THE
APARTMENT VACANCY RATE
COMMITTEE

Co. Carey offered the following resolution:

RESOLVED, that the following individuals be appointed to the Apartment Vacancy Rate Committee:

Hans Bazlan
9 Harold Court
Valley Cottage, New York 10989

Richard Hiller
265 Germonds Roads
West Nyack, New York 10994

Seconded by Co. Maloney

On roll call the vote was as follows:

- Co. Carey.....Yes
- Co. Holbrook.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Supervisor Dusanenko.....Yes

Co. Holbrook asked if the striping of Main Street had been done yet.

Supervisor said that Mr. Longo is requested to place no parking signs the length of Main Street so that Mr. Hornik can then unstripe what was done and restripe it properly.

Co. Holbrook asked if he could speak on behalf of the Board to ask the Highway Superintendent to put the no parking signs there so that we can get the stripes in. The Board said yes.

There being no further business to come before the Town Board, the Town Board meeting was closed, time: 8:55 P.M.

Respectfully submitted,
Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk