

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

3/10/92

8:12 P.M.

Present: Supervisor Holbrook
Council Members Dusanenko, Maloney, Mandia & Smith
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

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

Supervisor said there will be a special Town Board Workshop with New Haven Recycling, representatives from DEC and the Health Department on March 30th regarding the Petroleum Reclamation Project and all questions with reference thereto will be addressed at that preliminary meeting. There will be no resolution on this tonight.

Supervisor then opened the public portion of the meeting.

Appearance: Frank Avila
12 Grandview Avenue
Nanuet, New York

He spoke in opposition to Agenda Item #3 - Pritz Zone Change.

Appearance: Martin Feldi

He suggested naming the Park at Street Community Center after Edward Ghiazza.

Appearance: Lucille Bifano
West Nyack, New York

She was opposed to the Petroleum Reclamation Burn project.

Appearance: Anthony D'Antoni
Congers, New York

He spoke regarding Highway Department matters and suggested forming a three man commission to oversee spending.

Appearance: Mr. Duffy
Grandview Avenue
Nanuet, New York

He was opposed to Agenda Item #3 - Pritz Zone Change. He suggested a Town Board resolution for study to rescind bid award on New York State Thruway to non-union workers.

Appearance: Mr. Jack Cuff
West Nyack, New York

Mr. Cuff made an inquiry regarding Agenda Item #6 (Construction of Commuter Parking Lot) and also spoke regarding Highway Department overtime and the number of supervisors per employee.

Appearance: Mr. Leon Widley
West Nyack, New York

Mr. Widley spoke regarding Agenda Item #8 - Tomkins Avenue clean-up.

Appearance: Ms. Marie Bouchard
Congers, New York

Continued on Next Page

118

She spoke regarding the Assessor and also noted that she was in favor of cut rate stores at the proposed new mall.

Appearance: Mr. Bruce Stokes
West Nyack, New York

He was in opposition to the Petroleum Reclamation Burn project.

Appearance: Mr. John Lodico
New City, New York

Mr. Lodico spoke regarding accidents on Red Hill Road. He suggested the Town Board memorialize the Assembly to support a bill that would place liens on property of felons.

Appearance: Mr. Daniel Cea
Congers, New York

He inquired about the study he had asked for on January 14th regarding Town vehicles.

Appearance: Ms. Arlene Owens
Congers, New York

She spoke in opposition to the Petroleum Reclamation Burn project and also about the Highway Department.

Appearance: Ms. Marie Bradley
West Nyack, New York

She spoke in opposition to the Petroleum Reclamation Burn project.

Appearance: Mr. George Petrovis
West Nyack, New York

He spoke in opposition to the Petroleum Reclamation Burn project.

Appearance: Mr. Joseph Pantano
New City, New York

He spoke regarding mileage rates for Town cars. He also spoke regarding Safety Kleen.

Appearance: Mr. Joseph Centra
West Nyack, New York

He spoke in opposition to the Petroleum Reclamation Burn project.

Appearance: Ms. Carole Crowfort
West Nyack, New York

She spoke in opposition to the Petroleum Reclamation Burn project and asked who would be in attendance?

Appearance: Mr. Steve Hoffman
New City, New York

He stated that the Town whould be run like private industry.

Appearance: Ms. Claire Ward
West Nyack, New York

She spoke in opposition to the Petroleum Reclamation Burn project.

On motion of Councilman Dusanenko, seconded by Councilman Mandia and unanimously adopted, the public hearing re: Road Improvement for portion of Medway Avenue, Congers, was opened, time: 9:45 P.M.

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing re: Road Improvement for portion of Medway Avenue, Congers, was closed, time: 10:30 P.M.

RESOLUTION NO. (180-1992)

ACCEPTING MINUTES OF TOWN BOARD MEETINGS OF FEBRUARY 24, 1992 AND FEBRUARY 25, 1992

Co. Mandia offered and Co. Maloney seconded

The minutes of the Town Board meetings of February 24, 1992, and February 25, 1992, are hereby accepted as amended and submitted by the Town Clerk.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (181-1991)

SETTING PUBLIC HEARING AND REFERRING TO CLARKSTOWN PLANNING BOARD AND ROCKLAND COUNTY COMMISSIONER OF PLANNING PROPOSED AMENDMENT TO ZONING ORDINANCE OF TOWN OF CLARKSTOWN (PROPOSED AMENDMENTS REFERRED TO PLANNING BOARD)

Co. Maloney offered and Co. Smith seconded

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

WHEREAS, the Town Board of the Town of Clarkstown desires to consider further amendment to said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that the following proposed amendment to the Zoning Ordinance be referred to the Clarkstown Planning Board and the Rockland County Commissioner of Planning for their recommendation and report:

Amend Section 106-32(A). Amendments, to read as follows

"A. Proposed amendments referred to Planning Board. The Town Board may, from time to time, on its own motion or on petition or on recommendation of the Planning Board, after public notice (as specified in Subsection B) and hearing, amend, supplement, modify or repeal this chapter pursuant to provisions of the Town Law. Any proposed amendment may be referred to the Planning Board, which shall submit a written report to the Town Board, prior to public hearing thereon by the Town Board. The Planning Board shall make

RESOLUTION NO. (181-1992) Continued

such report within ninety (90) days after receiving notice from the Town Clerk. The Planning Board's failure to make such report within such period shall be deemed to be a favorable report."

and be it

FURTHER 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 April 28, 1992, at 8:35 P.M., to consider the adoption of the proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown, 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 clerk, and be it

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

On roll call the vote was as follows:

- Councilman Dusanenko.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (182-1992)

MEMORIALIZING RESOLUTION TO
THE STATE LEGISLATURE WITH
REGARD TO CHIPS O&M FUNDS

Co. Dusanenko offered and Co. Smith seconded:

WHEREAS, the current State Budget proposes a 20 million dollar reduction in CHIPS O&M funds, which represents an overall 24% reduction to the 1991 CHIPS O&M funding level; and

WHEREAS, the Town of Clarkstown is responsible for the maintenance and operation of 267.7 centerline miles of highways which the CHIPS money has been an integral part of the Town's operation and maintenance effort; and

WHEREAS, any reduction of this assistance at this time would deny the residents of the Town of Clarkstown with essential maintenance that promotes their health, safety and overall economic well being; and

WHEREAS, the Town Board of the Town of Clarkstown represents a total population of approximately 85,000 persons and if current CHIPS funding is reduced by the proposed amount it would seriously affect the local maintenance of Town roads;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby memorializes and requests that the State of New York continue to provide the Town of Clarkstown with the current level of 1991 CHIPS O&M Funds, to allow for the essential maintenance of the roads in the Town of Clarkstown, and be it

TBM - 3/10/92
Page 5

RESOLUTION NO. (182-1992) Continued

FURTHER RESOLVED, that the State of New York should provide for a long term dedicated highway fund to become a permanent component of the State Highway Assistance Program..

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (183-1992)

APPROVING REDUCTION IN
AMOUNT OF PERFORMANCE BOND
(586 BREWERY ROAD
SUBDIVISION (THE WOODS)

Co. Dusanenko offered and Co. Smith seconded

WHEREAS, Performance Bond No. 835010 in the amount of \$284,000, Jakla Construction Corporation, as Principal, and International Fidelity Insurance Company, as Surety, covering the improvements and other facilities as shown on the Final Plat of "Subdivision of Property for 586 BREWERY ROAD" filed in the Rockland County Clerk's Office on July 12, 1989, in Book No. 110 at Page No. 85 as Map No. 6353, was furnished to the Town of Clarkstown, and

WHEREAS, the Department of Environmental Control of the Town of Clarkstown has reported that said bond may be reduced to \$106,000 as much of the work has been completed to Town specifications, provided the Surety shall acknowledge that the bond otherwise remain in full force and effect for a period not less than two years from the date hereof;

NOW, THEREFORE, be it

RESOLVED, that Performance Bond No. 835010 may be reduced to \$106,000, subject to receipt of written acknowledgement from the Surety as provided above.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (184-1992)

APPROVAL OF CONSTRUCTION OF
200 SPACE COMPUTER PARK AND
RIDE LOT (NANUET RAILROAD
STATION) AND APPROVAL OF
ENTRY INTO CONTRACT WITH
COUNTY OF ROCKLAND RE SAME

Co. Maloney offered and Co. Dusanenko seconded:

WHEREAS, the Legislature of Rockland County stated its support for a new parking facility at the Nanuet Railroad Station of the Pascack Valley Line, at the intersection of Fisher and Prospect Avenues, Nanuet, within the Town of Clarkstown,

Continued on Next Page

RESOLUTION NO. (184-1992) Continued

WHEREAS, the Legislature of Rockland County approved the execution of a parking program agreement for the Nanuet Railroad station parking facility with Metro-North Commuter Railroad Company, and

WHEREAS, the purchase of land and construction is at no cost to the County or Town with 60% of the project costs to be reimbursed by the New York State Suburban Transportation Fund, and 40% of the project costs to be reimbursed by Metro-North Commuter Railroad, and

WHEREAS, the Town of Clarkstown recognizes the need to develop a 200-space park and ride facility serving the commuter transit needs of its residents, and

WHEREAS, it is the intent of the Town of Clarkstown to enter into a contract with the County of Rockland to provide for the maintenance and operation of this facility. (Said contract now being reviewed by Deputy Town Attorney, Ronald DeChristoforo and the Office of the County Attorney), and

WHEREAS, this project and the preliminary plans for such entitled Nanuet RR Station Parking Lot Sketch C, prepared by Joseph T. Caruso, has been reviewed by the Technical Advisory Committee and the Town Planning Board, and

WHEREAS, the Town Board of the Town of Clarkstown has met, considered and therefore, be it

RESOLVED, that the Town Board of the Town of Clarkstown herein approves the building of a 200 space commuter parking facility by the County of Rockland to be situated in Nanuet, New York, and be it

FURTHER RESOLVED, that the Town Board, Town of Clarkstown agrees to enter into a contract with the County of Rockland to provide for the maintenance and operation of this facility, and subject to approval of said contract by the Town Attorney and Department of Environmental Control.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (185-1992)

RESCINDING RESOLUTION NO.
(105-92) CONCERNING
ESTABLISHMENT OF
PERCENTAGES FOR LEVY OF
TAXES ON 1992 ASSESSMENT
ROLL

Co. Dusanenko offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby rescinds Resolution No. 105-1992 concerning the establishment of base percentages, current percentages and current base proportions for the levy of taxes on the 1992 Assessment Roll for the Town of Clarkstown.

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (185-1992) Continued

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (186-1992)

AUTHORIZING TOWN TO ADOPT
ADJUSTED BASE PROPORTION
FOR CERTIFICATE TO NEW YORK
STATE

Co. Dusanenko offered and Co. Mandia seconded

RESOLVED, that the Town Board, in accordance with the provisions of Section 1903 of the Real Property Tax Law, hereby establishes the base percentages, current percentages and current base proportions for the levy of taxes on the 1992 Assessment Roll for the Town of Clarkstown, and be it

FURTHER RESOLVED, that said figures for percentages and proportions are attached.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (187-1992)

AUTHORIZING BUILDING
INSPECTOR TO TAKE NECESSARY
STEPS RE CHAPTER 216 TO
CORRECT CONDITIONS AT MAP
88, BLOCK D, LOT 3 (NYACK
SOCIETY EVANGELICAL
WESLEYAN CHURCH)

Co. Dusanenko offered and Co. Mandia seconded

WHEREAS by Resolution No. 881 dated November 26, 1991, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 216 (formerly Chapter 79) of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as MAP 88, BLOCK D, LOT 3, to remove or rectify violations which are unsafe, dangerous and a t reat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on the 14th day of January, 1992 after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises as provided by law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice pursuant to Chapter 216 (formerly Chapter 79) of the Code of the Town of Clarkstown dated November 26, 1992 have not been corrected, and be it

FURTHER RESOLVED, that the Building Inspector of the Town of Clarkstown is hereby authorized and directed to take whatever steps as are necessary to correct the conditions complained

RESOLUTION NO. (187-1992) Continued

of in the Order and Notice, if such condition continues to be uncorrected on or after the 26th day of March, 1992, and be it

FURTHER RESOLVED, that the expenses incurred by the Building Inspector and the Town Attorney with respect to such corrective measures, including the removal of debris and the costs of this proceeding and all other necessary action be assessed as a lien against the property, and be it

FURTHER RESOLVED, that the Receiver of Taxes is hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Building Inspector, the Town Attorney and any other expenses.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (188-1992)

GRANTING PERMISSION TO
DISPENSE ALCOHOLIC
BEVERAGES - ANNUAL SENIOR
CITIZEN SHOW CAST PARTY AND
ANNUAL SENIOR CITIZEN PICNIC

Co. Dusanenko offered and Co. Smith seconded

WHEREAS, Section 22-2A of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the Clarkstown Parks Board and Recreation Commission to dispense alcoholic beverages in accordance with and subject to Section 22-2A and 2B of the Town Code at:

Annual Senior Citizen Show Cast Party
April 25, 1992
Congers Community Center
Gilcrest Road
Congers, NY

and

Annual Senior Citizen Picnic
June 9, 1992 (Raindate: June 10th)
Congers Lake Memorial Park
Gilchrest Road
Congers, NY

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (189-1991)

AMENDING RESOLUTION NO.
(157-1992) RE: SIGNING ON
OLD HAVERSTRAW ROAD, CONGERS

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, Resolution 157-1992, dated 2/25/92, did not indicate the name of the street on which warning signs were to be erected;

NOW, THEREFORE, be it

RESOLVED, that Resolution 157-1992 be amended to read as follows:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

A "Left Turn, 20 MPH" (W1-1C and W9-1X) sign on Old Haverstraw Road, northbound 150 ft. north of Old Clave Road.

A "Right Turn, 20 MPH" (W1-2C and W9-1X) sign on Old Haverstraw Road, southbound 150 ft., south of Route 304 (replacement for Town Speed Limit 30 sign).

"Town Speed Limit - 30" (R-63) sign on Old Haverstraw Road, southbound 350 ft. north of Old Clave Road (relocated from 150 ft. south of Route 304).

"School Bus Stop Ahead" (W6-4C) sign on Old Haverstraw Road, southbound 300 ft., north of Old Clave Road.

"Stop Ahead" (W2-15B) sign on Old Haverstraw Road, northbound 200 ft., south of Stop sign at Route 304, and be it

FURTHER RESOLVED, that the Town Clerk is directed to forward copies of this resolution to the Superintendent of Highways, John Mauro, for implementation.

On roll call the vote was as follows:

- Councilman Dusanenko.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (190-1992)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL
STREET SIGNS AT ELMWOOD
DRIVE AND CRESTWOOD DRIVE,
NEW CITY (VICINITY OF NEW
CITY ELEMENTARY SCHOOL)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, Howard L. Lampert, Traffic & Highway Engineering Consultant in a report dated November 7, 1990 recommended the installation of various signs on Elmwood Drive, and Crestwood Drive, New City in the vicinity of New City Elementary School, and

WHEREAS, on January 7, 1991, Town of Clarkstown Traffic and Traffic Fire Safety Advisory Board concurred with the majority of the sign installations recommended by Howard L. Lampert, Traffic & Highway Engineering Consultant in the above mentioned report,

RESOLUTION NO. (190-1992) Continued

NOW, THEREFORE, be it

RESOLVED, that John F. Mauro, Superintendent of Highways is hereby authorized to install the following signs at the numbered locations as indicated on the attached sketch:

<u>Location No.</u>	<u>Legend</u>	<u>NYS Sign #</u>
1	No Standing/Anytime	P1-5
2,3,4	No Standing/Anytime	P1-5
5 - 10	No Standing 8 AM - 4 PM School Days	P1-6
11, 12	No Standing/Anytime	P1-5
20	School Speed Limit 15	W6-3C R2-1C

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (191-1992)

AUTHORIZING INSTALLATION OF
STREET SIGNS AT DURYEA
LANE, NANUET

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, Howard L. Lampert, Traffic & Highway Engineering Consultant in reports dated January 25, 1992 and March 4, 1992 recommended the installation of various signs on Duryea Lane, Nanuet in the vicinity of the Clarkstown/Orangetown border (reference Tri-Town Estates Subdivision, Town of Orangetown),

NOW, THEREFORE, be it

RESOLVED, that John F. Mauro, Superintendent of Highways is hereby authorized to install the following signs as indicated on the attached sketch:

INSTALL:

<u>Location</u>	<u>Legend</u>	<u>NYS Sign #</u>
Southbound Duryea Lane, (opposite Duryea Lane ext.), Nanuet (Note: Install stop bar pavement markings to augment Yield)	YIELD	R1-2C
Eastbound Duryea Lane, (approx. 240' west of Duryea Lane ext.) Nanuet	CURVE 10 MPH	W1-1C W9-1X
East side Duryea Lane (just north of Duryea Lane ext.), Nanuet		W2-18C
Northbound Duryea Lane (approx. 100 feet north of Duryea Lane ext.), Nanuet	TOWN SPEED LIMIT 30	R2-6C

REMOVE:

Southbound Duryea Lane (approx. 350' north of Duryea Lane Ext.), Nanuet	CURVE 20 MPH	W1-2C W9-1X
--	-----------------	----------------

Continued on Next Page

RESOLUTION NO. (191-1992) Continued

On roll call the vote was as follows:

- Councilman Dusanenko.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (192-1992)

AUTHORIZING REPLACEMENT OF
SEWER DEPARTMENT TRUCK #5 -
INCREASE APPROPRIATION
B-8110-203 AND INCREASE
REVENUE ACCOUNT -
UNEXPENDED BALANCE 299

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has recovered \$6,166.
from the loss of a pick up truck; and

WHEREAS, the replacement of such loss is necessary for
the efficient operation of the Sewer Maintenance Department;

NOW, THEREFORE, be it

RESOLVED, that the Director of Environmental Control
and the Director of Purchasing are authorized to purchase one
vehicle described as Item 10 on the current New York State "small
trucks" purchase contract; and be it

FURTHER RESOLVED, that the Comptroller is authorized to
increase Appropriation Account Number B-8110-203 to \$14,526.00 and
increase Revenue Account 299 - Unexpended Balance by \$8,360. The
remaining \$6,166. to be obtained from the loss control fund.

On roll call the vote was as follows:

- Councilman Dusanenko.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (193-1992)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #25-1992 -
MOBILE DATA COMPUTER SYSTEM
FOR CLARKSTOWN POLICE
DEPARTMENT

Co. Dusanenko offered and Co. Maloney seconded

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

BID #25-1992
MOBILE DATA COMPUTER SYSTEM
FOR THE
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 Wednesday,
April 8, 1992 at which time bids will be opened and read, and be it

Continued on Next Page

RESOLUTION NO. (193-1992) Continued

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

On roll call the vote was as follows:

- Councilman Dusanenko.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (194-1992)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #26-1992 - FOOD PROVISIONS FOR TOWN SUMMER REFRESHMENT STANDS

Co. Dusanenko offered and Co. Maloney seconded

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

BID #26-1992
FOOD PROVISIONS FOR TOWN SUMMER REFRESHMENT STANDS

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, April 9, 1992 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.

On roll call the vote was as follows:

- Councilman Dusanenko.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (195-1992)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #27-1992 - ICE CREAM FOR TOWN SUMMER REFRESHMENT STANDS

Co. Dusanenko offered and Co. Maloney seconded

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

BID #27-1992
ICE CREAM FOR TOWN SUMMER REFRESHMENT STANDS

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:30 A.M. on Thursday, April 9, 1992 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.

RESOLUTION NO. (195-1992) Continued

On roll call the vote was as follows:

- Councilman Dusanenko.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (196-1992)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #28-1992 -
SOFT DRINKS FOR TOWN SUMMER
REFRESHMENT STANDS

Co. Dusanenko offered and Co. Maloney seconded

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

BID #28-1992
SOFT DRINKS FOR TOWN SUMMER REFRESHMENT STANDS

bids to be returnable to the office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:30 A.M. on Thursday, April
9, 1992 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.

On roll call the vote was as follows:

- Councilman Dusanenko.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (197-1992)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #30-1992 -
SWIMMING POOL & MISC.
CHEMICALS

Co. Dusanenko offered and Co. Maloney seconded

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

BID #30-1992
SWIMMING POOL & MISC. CHEMICALS

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,
April 15, 1992 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.

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (197-1992) Continued

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (198-1992)

CORRECTING TOWN BOARD
RESOLUTION NO. 138-1992 AND
AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #21-1992 -
SALE OF SURPLUS DATA
PROCESSING AND OFFICE
EQUIPMENT

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that Town Board Resolution No. 138-1992 is hereby corrected to read:

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

BID #21-1992
SALE OF SURPLUS DATA PROCESSING AND
OFFICE EQUIPMENT

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, April 3, 1992 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.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (199-1992)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #31-1992 -
MOTOROLA MSF 5000 DIGITAL
COMPATABLE REPEATER - 800 MG

Co. Dusanenko offered and Co. Maloney seconded

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

BID #31-1992
MOTOROLA MSF 5000 DIGITAL
COMPATABLE REPEATER - 800 MG

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, March 24, 1992 at which time bids will be opened and read, and be it

Continued on Next Page

RESOLUTION NO. (199-1992) Continued

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

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (200-1992)

AWARDING BIDS FOR BID
#14-1992 - FIRST AID
SUPPLIES (GARDNER SURGICAL
SUPPLY, EVER READY FIRST
AID & MEDICAL CORP., JOHN
B. GARRETT, JR., MICRO
BIO-MEDICS AND V.E. RALPH &
SON, INC.

Co. Mandia offered and Co. Maloney seconded

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

BID #14-1992
FIRST AID SUPPLIES

is hereby awarded to

GARDNER SURGICAL SUPPLY
382 BROADWAY
BROOKLYN, N.Y. 11211
PRINCIPALS: FANNIE GARDNER
JUDITH SILVERSTEIN
ROBERT SILVERSTEIN

EVER READY FIRST AID & MEDICAL CORP
385 UNION AVENUE
BROOKLYN, N.Y. 11211
PRINCIPALS: EVA SILBERSTEIN
HERMAN JACOBS
JACK JACOBS

JOHN B. GARRETT, JR.
669 RIVER STREET
TROY, N.Y. 12181
PRINCIPAL: JOHN B. GARRETT, JR.

MICRO BIO-MEDICS
717 SOUTH THIRD AVENUE
MT. VERNON, N.Y. 10550
PRINCIPAL: BRUCE J. HABER

V. E. RALPH & SON, INC.
320 SCHUYLER AVE.
KEARNY, N.J. 07032
PRINCIPALS: VERNON J. RALPH
ESTATE OF WM. RALPH

as per attached price schedule

(Item/price schedule on file in Town Clerk's Office)

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (201-1992)

AWARDING BID FOR BID
#15-1992 - STORAGE &
DELIVERY OF TOWN VOTING
MACHINES (NYACK EXPRESS
COMPANY, INC.)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the
custodian of voting machines and the Director of Purchasing that

BID #15-1992
STORAGE & DELIVERY OF TOWN VOTING MACHINES

is hereby awarded to

NYACK EXPRESS COMPANY, INC.
32-38 HIGH AVENUE
NYACK, N.Y. 10960
PRINCIPAL: WILLIAM A. PERRY

as per their low bid proposal of \$26,600 per year, and be it

FURTHER RESOLVED, that said award is subject to the
receipt of the Performance Bond and Certificates of Insurance as
outlined in the bid specifications.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (202-1992)

AWARDING BID FOR BID
#19-1992 - REFUSE AND
PICK-UP SERVICE - TOWN
FACILITIES

Co. Mandia offered and Co. Maloney seconded

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

BID #19-1992
REFUSE PICK-UP SERVICE
TOWN FACILITIES

is hereby awarded to:

PAT NAZZARO DISPOSAL, INC.
P.O. BOX 481
VALLEY COTTAGE, N.Y. 10989
PRINCIPAL: PAT NAZZARO

as per their low bid proposal attached.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (203-1992)

AWARDING BID FOR BID
#17-1992 - ELECTRONIC
PHOTOGRAPHY EQUIPMENT FOR
CLARKSTOWN POLICE
DEPARTMENT (VIDEO
CORPORATION OF AMERICA)

Co. Mandia offered and Co. Maloney seconded

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

BID #17-1992
ELECTRONIC PHOTOGRAPHY EQUIPMENT
FOR CLARKSTOWN POLICE DEPARTMENT

is hereby awarded to:

VIDEO CORPORATION OF AMERICA
7 VERONICA AVENUE
P.O. BOX 5480
SOMERSET, N.J. 08875
PRINCIPALS: ALBERT BERLIN
DOLORES BERLIN

as per their low bid proposal as follows

ITEM #1 - OFFERING	STILL VIDEO CAMERA/RECORDER SONY MVC 2000	PROPOSED COST	\$2,263.14
ITEM #2 - OFFERING	STILL VIDEO RECORDER/PLAYER SONY MVR 5300	PROPOSED COST	\$2,546.55
ITEM #3 - OFFERING	COLOR VIDEO PRINTER SONY UP 5000	PROPOSED COST	\$5,158.63
ITEM #4 - OFFERING	COLOR VIDEO SCANNER SONY UY T55	PROPOSED COST	\$4,525.05

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (204-1992)

ACCEPTING RESIGNATION (BY
RETIREMENT) OF LABORER -
SANITARY LANDFILL (RAMUNDO
M. SAMALA, JR.)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the resignation (by retirement) of
Ramundo M. Samala, Jr., 84 Fullerton Avenue, Newburgh, New York -
Laborer - Sanitary Landfill - is hereby accepted - effective and
retroactive to March 2, 1992.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (205-1992)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION TO
POSITION OF POLICE RADIO
DISPATCHER - POLICE
DEPARTMENT (ROBERT D.
BARNES)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Rockland County Personnel Office has
furnished Certification of Eligibles #91038 Police Radio Dispatcher
- which contains the name of Robert D. Barnes,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the
appointment by the Police Commission of Robert D. Barnes, 19 Renfrew
Road, New City, New York, to the position of Police Radio Dispatcher
- Police Department - at the current 1992 annual salary of \$23,999.,
effective and retroactive to February 11, 1992.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (206-1992)

AUTHORIZING KARL KIRCHNER TO
PREPARE TRIAL APPRAISAL ON
BANK OF NEW YORK (MAP 58,
BLOCK F, LOT 11.1)

Co. Mandia offered and Co. Smith seconded

WHEREAS, Bank of New York as commenced tax certior
proceedings against the Town of Clarkstown affecting parcel
designated as Map 58, Block F, Lot 11.1 for the years 1986, 1987,
1988, 1989, 1990 and 1991, and

WHEREAS, it is desirable to have a trial appraisal
prepared for the years 1989, 1990 and 1991 for the purpose of
negotiating and/or trying the aforesaid matter.

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the
purpose of preparing such trial appraisal at a fee not to exceed
\$5,000.00.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (207-1992)

AUTHORIZING SUPERVISOR TO
MAKE APPLICATION TO COUNTY
OF ROCKLAND FOR EXTENSION
OF TIME TO COLLECT 1992
TAXES

TBM - 3/10/92
Page 19

RESOLUTION NO. (207-1992) Continued

Co. Smith offered and Co. Maloney seconded

RESOLVED, that pursuant to Section 938 of the Real Property Tax Law of the State of New York, the Supervisor of the Town of Clarkstown is hereby authorized to make application to the Rockland County Commissioner of Finance for an extension of time for the collection of 1992 taxes by the Clarkstown Receiver of Taxes from April 1, 1992 to June 1, 1992.

On roll call the vote was as follows:

- Councilman Dusanenko.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (208-1992)

AMENDING ZONING ORDINANCE
OF TOWN OF CLARKSTOWN RE:
SECTION 106-19(A) - CROWS
FOOT LOT

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 22nd day of January, 1991, provided for a public hearing on the 26th day of February, 1991 at 8:05 P.M., to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

Amend Section 106-19(A). Additional Bulk Regulations, to add Item 3 as follows:

"A.(3) Crows Foot Lot. No portion of a lot, along the access route from its frontage into the lot shall be narrower than the approved frontage."

and be it

FURTHER RESOLVED, that based upon the report of Reobert Geneslaw, dated January 15, 1991, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the Amendment to the Zoning Ordinance shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to prepare notice of this Amendment to the Zoning Ordinance and that the Town Clerk cause the same to be published in the official newspaper of the Town and file proof thereof in the office of the Town Clerk, as required by law.

On roll call the vote was as follows:

RESOLUTION NO. (208-1992) Continued

Councilman Dusanenko.....No
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing re: Community Development Funds - 1992 Program, was opened, time: 10:45 P.M.

On motion of Councilman Dusanenko, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Community Development Funds - 1992 Program, was closed, time: 10:50 P.M.

RESOLUTION NO. (209-1992)

AUTHORIZING USE OF DECALS
INDICATING TOWN OWNERSHIP
OF ALL TOWN OWNED VEHICLES

Co. Dusanenko offered and Co. Maloney seconded

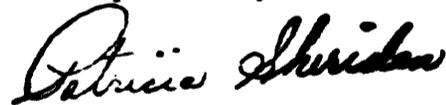
RESOLVED, that decals indicating ownership by the Town of Clarkstown be placed on all vehicles owned by the Town of Clarkstown, except the automobile used by the Supervisor of the Town of Clarkstown and any unmarked vehicles used by the Police Department.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

There being no further business to come before the Town Board and no one further wishing to be heard on motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Town Board Meeting was declared closed, time: 10:52 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

137

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/10/92

9:45 P.M.

Present: Supervisor Holbrook
Council Members Dusanenko, Maloney, Mandia and Smith
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

RE: ROAD IMPROVEMENT FOR PORTION OF MEDWAY AVENUE, CONGERS

On motion of Councilman Dusanenko, seconded by Councilman Mandia and unanimously adopted, the public hearing was declared open. Town Clerk read notice calling public hearing and testified as to proper posting and publication.

Les Bollman, Director of the Department of Environmental Control of the Town of Clarkstown explained the plans for the proposed road improvement for Medway Avenue noting that there are two sets of records - one primary and one secondary. He stated that the \$125,000.00 price is the maximum price right now and it will not exceed that amount if it is done by our Highway Department. It would be \$50,000.00 more if it is done by outside contractor(s).

Supervisor said if this were to go ahead people would have the option of paying for this all at once or over a fifteen year period. If we go ahead with it we would also have to decide in regard to the Romolo property as to whether or not that would be primary or secondary. If it were to be a primary use of the road it would be difficult for the Town Board to deny access to that road if he is going to pay the primary price.

Supervisor asked if there was anyone present wishing to make a comment or ask a question?

Appearance: Ms. Debra Macalina
Medway Avenue
Congers, New York

Ms. Macalina asked how much it would cost and who is doing the work? Mr. Bollman reiterated that it would be \$125,000.00 if our Highway Department does it and \$50,000.00 more if it is done by outside contractor(s). Mr. Bollman said the cost estimate is based on the fact that the Highway Department is doing it. Councilman Mandia said the people are appropriately concerned that if the Highway Department for some reason can't do it are they going to be hit with a surprise that now it is \$175,000.00? Supervisor said no, because the bond that we would approve would be up to a certain amount and it would take another public hearing to amend that bond to a higher amount. If we were to act on this tonight it would be up to \$125,000.00 but that did not mean that we would have to spend that amount.

Ms. Macalina said she is opposed to this. She said we have x number of people on the road. Is it the amount of property you have that determines this or the amount of people on the road? Supervisor said the Town Board could approve it if nobody wanted it. However, that is very unlikely. If you have a situation where you have three quarters of the people in favor of this, generally speaking, the Town Board has gone ahead. He said we have never had unanimity. There have always been people who have been opposed to it. Councilman Dusanenko said usually if it is more than 51% the Town Board condescends to the majority of the people. That is 51% of the people having the vote based upon frontage. Not 51% of the people necessarily because it could be one person owning three quarters of the property - that would be one vote and 17 other people saying no. That would constitute a majority of the people because that would be a majority of the frontage. Supervisor said it is not dependent on frontage; it is dependent on number of people.

Continued on Next Page

Town Attorney said for example if everyone except one person didn't want it the Town Board is not going to do it but if two thirds of the people want it and one third don't, then they make a decision whether they want to do it.

Appearance: Ms. Cathy DeMarino
Medway Avenue
Congers, New York

Ms. DeMarino said she is favor of the proposal.

Appearance: Mr. Frank Rogus
Medway Avenue
Congers, New York

He asked if it was going to be a dedicated street? He also asked if the Town owned it? He asked where they were going to get the 24 feet from? Mr. Bollman said there is a 40 foot right of way. Mr. Rogus said then you are going to take some of the property away? Mr. Bollman said the right of way right now is 40 feet between the property line of the people who front Route 303 and the property line of those people who front Medway. He said we have 40 feet and we are putting in a 24 foot road in the 40 feet. Supervisor said there will be 24 feet of pavement and he did not believe it was necessary to make it 40 feet of pavement. It would be more expensive. What we are trying to do is to get a road analagous to other roads in Congers in terms of width. Councilman Dusanenko said it would be two feet wider than Congers Road.

Appearance: Ms. Jenny Macalina
Medway Avenue
Congers, New York

She asked if the width of the road was going to be the same width as Medway on the other side? Mr. Bollman said it would be the same as Lenox Avenue. He said the old roads usually run around 20 to 22 to 23 feet so it will be slightly bigger. Ms. Macalina said then in other words the dirt road of Medway - is that going to be the same size as that or a little larger. She was told a little larger. Ms. Macalina asked how much property was going to be taken away from her frontage? Mr. Bollman said we are not taking any. Our survey shows there is a 40 foot right of way running down from the dirt road in front of your house - actually you will be gaining a little more. He said we are not taking anybody's property.

Appearance: Ms. Theresa Maciurzynski
Medway Avenue
Congers, New York 10920

She said she knows the money they are talking about is a lot right now but we have to let the Town come in and put in this road and pay it off however each one can do it. She said she was in favor of the road.

Appearance: Mr. Rudolph Palestro
Medway Avenue
Congers, New York

He asked why do they have to pay for this road and why shouldn't it be a continuation of Medway Avenue which was supposed to go all the way through and come out parallel to Route 303 and come out at a confectionary store at the time? Supervisor said he did not have the answer to that but he did know that over time some of these roads, in Congers particularly, were laid out long before there was any zoning or planning and for one reason or another over the years some of them were acquired by the Town and other portions of them not. He said he used to live on Snedecker Avenue and there is a paved portion on the north and a paved portion on the south and an unpaved portion in the middle. We did the research to see if the

Continued on Next Page

bed of the road had at some time been dedicated to the Town of Clarkstown. If that had been the case it might have been different here but it is the Boston Improvement Company or their heirs and you will never find them again. That is why we have to go this way. If we proceed with it we are going to try and do it at the minimum amount that we can possibly do it for.

Mr. Palestro said he couldn't understand why he had to pay for it. Supervisor said years ago private roads were an advantage; but then as property values increased and more lots were built on these private roads, more houses and traffic created more of the problems. You started out having one house on the private road and then you have seven and then you have sevenfold traffic. With regard to North Fairview Avenue we went three times to a public hearing before people finally said they had enough and they went for it.

In response to a question about taxes and assessments Supervisor said by improving the road the value of your houses will be enhanced not the assessment. It is important that you make that distinction between the value and the assessment.

Mr. Palestro inquired about the utilities and the Supervisor said the utilities are there for a public benefit and it is unfortunate that over the years the road wasn't taken over.

Appearance: Ms. Crocitto
41 Medway Avenue
Congers, New York

She asked how long is this going to take? Supervisor said if we were going to make a decision tonight or say in two weeks, it's likely it could be done this building season. We'd like to get it done as soon as we could. She said she wanted to know in years. Supervisor said he would say by next winter the road should be completed. She asked how many years do they have to pay back? Town Attorney said up to fifteen years. She said the traffic on the road is very minimal right now. She asked will there be signs posted "Children at Play"? Supervisor said if the V & T Law permits, yes. It can be posted for the speed limit for the Town - 30 miles per hour.

Appearance: Mr. Romolo Mignone,
representing Glomar Realty

He noted that the address for Romolo's Restaurant is 77 Route 303, Congers, New York which has, he believes, 120 feet of the property in question. He said he is not allowed to use the road and there is no primary or secondary access or anything to do with his property other than the piece at 44 Medway Avenue which is a two family rented home. He said that is the only thing, if this goes through, that he would be justified in paying for. Supervisor said all of the contiguous property owners to the road have to pay - front yards and back. Mr. Mignone said he would like to say that he is opposed to the road. He said if the road is paved and he is a primary user he wants a cut so that he can use the road as well as anyone else and his vehicles can go in and out of his property just like anyone else.

Supervisor said there are two questions we have to decide. The first one is do we want to do the road? Now if consensus says we want to do the road then the next thing that we have to decide is do you want Romolo's to be a primary or secondary user? That question does not have to be answered tonight on the spot. We can make that decision in a couple of weeks.

Appearance: Ms. Millie Rogus
Route 303

She said they have no access to Medway Avenue. She said her driveway, her mailbox, everything is on Route 303. She

Continued on Next Page

said she has the most property of anyone on that street - 320 feet. She said it is unfair. She is opposed to the road improvement.

Appearance: Mr. John Callan,
Grandson of Wiegands
24 Medway Avenue
Congers, New York

He asked if this was the lowest price we could get for this project? Supervisor said this is an upset price. If the Town could spend less doing it and sometimes that has been the case, we are only going to charge you what it costs up to that amount. Before we go ahead you people have to know that the law requires that you know exactly what it could cost at the outset and if we were to find solid rock and had to blast, etc. we would have to come back here with another public hearing to amend the bond or not do the project if it was so prohibitive.

Mr. Callan said in regard to it becoming a main thoroughfare would it be possible to make it a dead end toward the Route 303 side? He said he did not know how the people at that end would feel about it. He said it might be a better way for us to go. Supervisor said once the road is there, after people get the opportunity to get to know the flow of traffic they could have the Traffic Board take a look at that and make recommendations based upon what the residents there wanted. You could almost anticipate what would happen but you never know for sure until its open and the pattern develops. The Town could always put up a sign and that would be no problem. It could be one-way, etc. The major thing is to go ahead with the road and work on signing later.

Appearance: Mrs. Callan
24 Medway Avenue
Congers, New York

She said Medway Avenue is their home address but they have been using Route 303 for years. She thinks \$125,000.00 is a lot of money. She said some people don't even use the road. Supervisor said he is not familiar with the property per se but if the road is in it could improve the value of the property by having access to a public street. He said if Medway were to go in they would then have access to Medway if they wanted it.

Appearance: Ms. Barbara Barlow
11 Medway Avenue
Congers, New York

It has been filled in a number of times but if you hit the bottom of the street it just washes the gravel down into the sewer and she has to call the State to have it cleaned out. It is a continual problem. She said even though she likes having a country road and she likes having a private access at the point we are at we need to make that improvement and she is in favor of it.

Supervisor asked Comptroller if the road were to be done this year and completed in fiscal year 1992 when would the first bills be sent to the residents if they wished to pay it all at once or on an installment plan? Comptroller said generally we give about sixty days to the person if they want to make a full payment. Supervisor said would the bill go out this year or would they not get the bill until 1993? Comptroller said January 1993. There was discussion regarding the cost per foot and Mr. Bollman again gave a detailed explanation of the costs involved.

Appearance: Mr. Ed Macluarznski
21 Medway Avenue
Congers, New York

He asked can you begin paying in installments and then at some point down the road pay in a lump sum? Comptroller said no,

you would be given a one time option. Comptroller went into detail as to why this had to be. In response to a question from the audience regarding taxes there was discussion regarding taxes, assessments, etc. It was determined that once this was a dedicated road all services went with it to the residents of that road.

There was extensive discussion among people in the audience and Council Members regarding taxes.

Supervisor called the names of the residents and asked them to respond if they were for or against the road improvement. He noted that to date there were 8 for and 5 against said improvement. He said they would have a resolution for the March 24, 1992 meeting. He said he would expect an affirmative vote on that date.

There being no one further wishing to be heard on motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing was declared closed, time: 10:30 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

143

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/10/92

10:45 P.M.

Present: Supervisor Holbrook
Council Members Dusanenko, Maloney, Mandia and Smith
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

RE: COMMUNITY DEVELOPMENT FUNDS - 1992 PROGRAM

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing was declared open.

Supervisor said from the Town's point of view he has asked John Shankey to investigate the possibility of purchase of mini-trans buses that would be equipped with handicapped facilities to meet the American Disabilities Act which recently went into effect and also at the same time enable us to replenish our fleet without having to use property tax dollars on it. He is presently researching that and we will see what comes out of that. In any event he said that would be the request he would suggest putting forward.

Supervisor asked if any Board Members had any comments. No one did.

Supervisor asked if anyone present in the audience wished to make a comment or ask a question?

Appearance: Mr. John Lodico
2 Birch Lane
New City, New York

Mr. Lodico spoke regarding Dutch Gardens and said in view of the fact that the parking lot creates a problem for pedestrians to get to the park a proposal has been suggested to put sidewalk from Main Street on the north property line back to the Tea House. He asked the two County Legislators on this Board (Supervisor Holbrook and Councilman Dusanenko) to keep in mind that Dutch Gardens was the first County park and perhaps remind the County to continue to keep the park up. New parklands are continually being bought but the older parklands are neglected.

There being no one further wishing to be heard on motion of Councilman Dusanenko and seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, time: 10:45 P.M.

Respectfully submitted


PATRICIA SHERIDAN,
Town Clerk