

PUBLIC HEARING

Town Hall

2/16/72

8:00 PM

Present: Councilmen Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines
Town Clerk Anne E. O'Connor
Town Attorney Frederick P. Roland
Deputy Town Attorney Martin S. Friedman

RE: PROPOSED EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT #1
to INCLUDE NORTHERLY ACRES SUBDIVISION, NEW CITY, NY:

Supervisor declared public hearing in session; Town Clerk testified as to proper posting and publication of notice of hearing and as to receipt of Certificate from the Assessor ascertaining that 51% of assessed valuation was represented.

John M. Hekker, Esq., 53 Burd Street, Nyack N Y appeared before the Town Board as attorney for petitioner and Vice-President for Uranus Construction Corp. and testified as follows: (Questions put by Town Attorney)

Petition signed by John Booth, President of Uranus Construction Corporation. Mr. Hekker identified himself as being attorney and vice-president of same corporation.

Proposed extension, Mr. Hekker stated, would benefit all the property owners within the proposed extension; all the property owners who will benefit from this proposed extension are included within the limits of the proposed extension.

He stated, that in his opinion, it would be in the public interest to grant proposed extension because it would benefit the property owners involved because it would provide fire protection for the safety and well-being of property and lives, and would bring about a reduction in fire insurance rates.

Proposed extension would not cost the Town of Clarkstown anything; Would be at total expense of property owners within the district.

There being no further questions and no further witnesses, public hearing was closed.

Signed,



Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

2/16/72

8:15 PM

Present: Councilmen Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines
 Town Clerk Anne E. O'Connor
 Town Attorney Frederick P. Roland
 Deputy Town Attorney Martin E. Friedman

RE: PROPOSED EXTENSION OF CONSOLIDATED WATER SUPPLY DISTRICT #1
 TO INCLUDE THORNWOOD HILLS SUBDIV., CONGERS N Y:

Supervisor called public hearing to order; Town Clerk testified as to proper posting and publication of notice of hearing.

John M. Hekker, Esq., Nyack N Y appeared as attorney for petitioner.

Town Attorney Frederick P. Roland questioned fact that 51% of assessed valuation was represented as being within the district to be extended. Mr. Hekker stated his computation says it is.

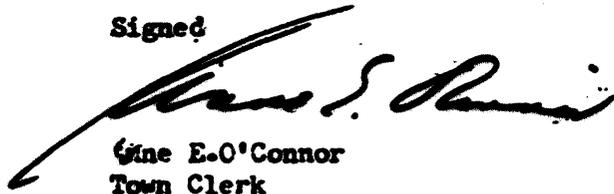
Mr. Hekker continued; petition prepared by him. Petition signed by Sydney Kent, President of Lake DeForest Development Corporation. Names, he stated, of people shown on this petition accurate. They are property owners shown on last assessment roll at time petition was prepared. Signatures obtained by J. Fuchs, who is employe of Lake DeForest Development Corp. who knew each of the individuals who executed the petition; they were executed in his presence (46 signatures).

Existing development; names on petition homeowners. Includes all property owners who will benefit; all property owners who will benefit are included in the proposed district. All of those who will benefit, Mr. Hekker continued, are included. Would be in the public interest to grant because proposed extension would provide fire protection for the safety and well-being of property and lives and would bring about a reduction in fire insurance rates.

Proposed extension would be at no expense to the town;

There being no further questions; Town Board stating that it would approve with condition that assessor certify that 51% represented, public hearing was closed.

Signed



Anne E. O'Connor
 Town Clerk

TOWN BOARD MEETING

Town Hall

2/16/72

8:00 PM

Present: Councilmen Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines
Town Attorney Frederick P. Roland
Deputy Town Attorney Martin S. Friedman
Town Clerk Anne E. O'Connor

Supervisor Vines called Town Board meeting to order; assemblage saluted the flag.

(1972-198) Councilman Niehaus offered the following resolution:

RESOLVED, that the bid for receiving bids for the Purchase of One (1) 1972 Automobile is closed, and be it

FURTHER RESOLVED, that any and all bids received up to and including this time be opened.

Seconded by Councilman D'Antoni.

All voted Aye.

The following bids were received:

KURLAND CADILLAC-OLDSMOBILE, INC.
Route 9W at 6th Ave., Nyack N Y.....\$4500.00 Net Bid

BURNWEIT PONTIAC, INC.
Main St. & Midland Ave., Nyack N Y\$4,319.50 Net Bid

DRISCOLL CHEVROLET, INC.
Route 59, Spring Valley N Y\$4,138.00 Net Bid

SCHMIDT CHEVROLET, INC.
Route 9W, West Haverstraw N Y\$4,106.00 Net Bid

(1972-189) Councilman Niehaus offered the following resolution:

RESOLVED, that decision on award of bid for the Purchase of One (1) 1972 Automobile be reserved.

Seconded by Councilman D'Antoni.

All voted Aye

TEM - 2/16/72
Page 2

(1972-190) Councilman Niehaus offered the following resolution:

RESOLVED, that time for receiving bids for Construction of a Swimming Pool Complex - Traphagen Park, West Nyack N Y is closed, and be it

FURTHER RESOLVED, that any and all bids received up to and including this time be opened.

Seconded by Councilman D'Antoni.

All voted Aye.

The following bids were received:

CONTRACT #1 - BUILDING CONTRACT:

O'B Construction Co., Inc. Westwood, N.J.....	\$169,000.00
Edward M. Swallow & Sons, Inc. Port Chester, N. Y.	\$174,000.00
Romani & Picco, Inc. Mamaroneck, N. Y.	\$146,250.00
Sullivan, McGee & Sullivan Orangeburg, N. Y.	\$139,395.00 C-1 \$369,330.00 <u>Combined C-1 & 2</u>
Louisa Construction Co. Carle Place, N Y	\$452,332.00 <u>Combined C-1 & 2</u>
O'B Construction Co., Inc. Westwood, N J	\$724,000.00 <u>Comb. C-1,2 & 3</u>

CONTRACT #2 - SITE CONTRACT:

Labriola Construction Corp. Scarsdale, N Y	\$240,259.00
Maggiolo Corp. Spring Valley, N Y	\$169,745.00

CONTRACT #3 - POOL SHELL & EQUIPMENT:

O'B Construction Co., Inc. Westwood, N J	\$309,000.00
E. L. Wagner Co. Darien, Conn.	\$325,900.00

Contract #3 bids - continued

TRM - 2/16/72
Page 3

(Contract #3 - continued)

Paddock Pool Bldrs.,
Albany, N Y \$337,667.00

CONTRACT #4 - PLUMBING WORK:

D'Onofrio & Jatkoff
Spring Valley N Y\$78,760.00

J & R D'Onofrio
Manuet N Y \$77,870.00

Thos. Kempton
New City N Y \$66,500.00

Geo. T. Renart
New City N Y \$72,700.00

CONTRACT #5 - ELECTRICAL WORK:

Lightmore Co.
Spring Valley N Y \$61,240.00

Finest Wiring
Bardonia, N Y \$59,950.00

G. C. Monaco Elec.
Mt. Vernon, N Y \$57,459.00

M. Eisenberg & Bros.
West Nyack N Y \$65,776.00

JEB Electric
Park Ridge N J \$60,807.00

Lagana Electric
Spring Valley N Y \$62,777.00

(1970-191) Councilman D'Antoni offered the following resolution:

RESOLVED, that all bids received for Construction of Swimming Pool - Traphagen Park, be referred to Planning Associates.

Seconded by Councilman Niehaus.

All voted Aye.

(1970-1972) Councilman Niehaus offered the following resolution:

WHEREAS, Henry Ramcke, residing at Kings Highway, Valley Cottage, New York 10989, has executed an easement for a strip of land approximately 10 feet wide by 84 feet long and is offering it to the Town for Sewer District No. 33B in consideration of the sum of One Hundred Twenty Five (\$125.) Dollars, and a copy of the easement agreement, survey and description having been examined by the members of the Town Board present at the adoption of this resolution; and

WHEREAS, Joseph F. X. Nowicki, Counsel for Sewer and Improvement Districts, recommends that said easement be accepted by the Town of Clarkstown and said fee paid;

NOW, THEREFORE, be it
RESOLVED,

1. That the Supervisor of the Town of Clarkstown is hereby authorized to accept said easement on behalf of the Town, and

2. That Master Benefited Sewer Improvement Area account pay the sum of One Hundred Twenty Five, (\$125.) Dollars for said easement.

Seconded by Councilman D'Antoni.

All voted Aye.

(1970-1973) Councilman Niehaus offered the following resolution:

WHEREAS, Aslak Javanes and Berget Javanes, his wife, residing at 6 West Clarkstown Road, New City, N. Y., have executed an easement for a strip of land approximately 23 feet wide by 75 feet long and are offering it to the Town for Sewer District No. 18 in consideration of the sum of Three Hundred (\$300.) Dollars, and a copy of the easement agreement, survey and description having been examined by the members of the Town Board present at the adoption of this resolution; and

WHEREAS, Joseph F. X. Nowicki, Counsel for Sewer and Improvement Districts, recommends that said easement be accepted by the Town of Clarkstown and said fee paid;

NOW, THEREFORE, be it
RESOLVED,

1. That the Supervisor of the Town of Clarkstown is hereby authorized to accept said easement on behalf of the Town, and

2. That Master Benefited Sewer Improvement Area is hereby authorized to pay the sum of Three Hundred (\$300.) Dollars for said easement.

Seconded by Councilman D'Antoni.

All voted Aye.

(1970-1974) Councilman Niehaus offered the following resolution:

WHEREAS, Martin M. Pignatelli and Eleanor Pignatelli, his wife, residing at Pinecrest Road, Valley Cottage, New York 10989, have executed an easement for a strip of land approximately 10 feet wide by 110 feet long and are offering it to the Town for Sewer District No. 33C in consideration of the sum of Five Hundred Ninety Eight (\$598.) Dollars, and a copy of the easement agreement, survey and description having been examined by the members of the Town Board present at the adoption of this resolution; and

WHEREAS, Joseph F. X. Nowicki, Counsel for Sewer and Improvement Districts, recommends that said easement be accepted by the Town of Clarkstown and said fee paid;

NOW, THEREFORE, be it
RESOLVED,

1. That the Supervisor of the Town of Clarkstown is hereby authorized to accept said easement on behalf of the Town, and

2. That Master Benefited Sewer Improvement Area account is hereby authorized to pay the sum of Five Hundred Ninety Eight (\$598.) Dollars for said easement.

Seconded by Councilman D'Antoni.

All voted Aye.

(1970-196) Councilman D'Antoni offered the following resolution:

RESOLVED, based upon Resolution of the Town Engineer that the Spring Valley Water Company be authorized to install one (1) hydrant on the north side of Spring Brook Road approximately thirty (30) feet west of the west curb line of Blackvale Court in Hamlet, - Invas. #7191H.

Seconded by Councilman Niehaus.

All voted Aye.

Monthly Report for the month of January 1972 received by the Town Board, files in the Town Clerk's Office.

(1972-196) Councilman Niehaus offered the following resolution:

RESOLVED, that minutes of Special Town Board meeting held on 2/5/72 at Planning Board meeting room at Town Hall Annex re Sandstone Farms III, New City, are hereby approved and accepted.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-197) Councilman Piazutello offered the following resolution:

WHEREAS, the Town of Clarkstown has experienced extensive residential, business and transportation development over the past two decades, and

WHEREAS, the Town Board is seeking professional engineering service to assist the Town in undertaking a comprehensive drainage program, and

WHEREAS, the Town Board is interested in the establishment of a Storm Water Drainage District and the preparation of a Township Wide plan for the relief and prevention of storm water flooding, and

WHEREAS, the Town Board feels that there be a guide to the future development of the community to prevent further flooding and to insure the preservation and development of adequate waterways and storm facilities, and

WHEREAS, the Town by undertaking a comprehensive drainage program would become eligible for State and Federal financial aid,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be and is hereby authorized to sign an agreement between the Town of Clarkstown and Goodkind and O'Dea Inc. 257 Park Avenue, So., New York N Y to undertake a study and make recommendation for the establishment of a Storm Water Drainage District to obtain financing and to manage and control operations related to storm water drainage, and be it

FURTHER RESOLVED, Goodkind and O'Dea, Inc. undertake studies and prepare a consolidated report covering each of the drainage basins within the Township or which effect the Township Drainage System including a work priority list and cost, and be it

(continued)

2/16/72
Page 6

(1972-197 - continued)

FURTHER RESOLVED, that Goodkind & O'Dea, Inc. prepare plans and specifications, cost estimates and capital programming for the Townwide Drainage District, and be it

FURTHER RESOLVED that all work be done in conjunction with the Town Engineer of the Town of Clarkstown, and be it

FURTHER RESOLVED, that all fees for services from Goodkind & O'Dea, Inc. be expended from the Surface Drainage & Improvement Account at a cost not to exceed \$30,000.00

Seconded by Councilman Lodico

All voted Aye.

(1972-198) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Town Attorney's Office is hereby authorized to defend Ptl. Syvarth in an action brought against him in the Ramapo Justice Court by a Lane J. Schnell, if he desires such representation.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-199) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic Advisory Board, that the Supt. of Highways erect a sign to read "NO PARKING- November 15 to April 1 between Midnight & Sunrise" at the following locations.

1. The exits off Palisades Parkway and New York State Thruway.
2. All State & County Roads which come into the Town of Clarkstown.

Seconded by Councilman Niehaus.

All voted Aye.

TEM - 2/16/72
Page 7

(1972-200) Councilman D'Antoni offered the following resolution:

RESOLVED, that American Data Film, 55 East Street, West Nyack NY be retained to microfilm the Tax Receipts in the Receiver of Taxes office for the years 1965 through 1972, at a cost to the town not to exceed \$500.00, said amount to be paid from Receiver of Taxes Account.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-201) Councilman D'Antoni offered the following resolution:

WHEREAS, the Rockland County Personnel office has furnished Cert. of Eligibles #71128 Senior Account Clerk-Typist (Prom) which contains the name of Evelyn Knerr,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Evelyn Knerr, 23 Elm Street, Garnerville N Y to the position of Senior Account Clerk-Typist - Receiver of Taxes office, at a salary of \$7,260.00 per annum; effective immediately.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-202) Councilman Lodico offered the following resolution:

RESOLVED, that Louis Sadallo, 249 North Middletown Road, Nanuet, N Y is hereby appointed a Sanitation Inspector, part-time, at the annual salary of \$1,600.00, effective immediately.

Seconded by Councilman Pizzutello.

All voted Aye.

TBM - 2/16/72
Page 8

(1972-203) Councilman D'Antoni offered the following resolution:

WHEREAS, there is a vacancy in the position of Clerk, part-time in the Assessor's Office,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the provisional appointment, pending examination of Margaret Evans, 138 Old Haverstraw Rd., Congers N Y to the position of Clerk, part-time, Assessor's Office, at a salary of \$3.20 per hour, effective immediately.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-204) Councilman Niehaus offered the following resolution:

RESOLVED, that the resignation of Frank Steffens as member and chairman of the Clarkstown Planning Board is hereby accepted with regret, effective February 29, 1972.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972 205) Councilman D'Antoni offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Cert. of Eligibles #71142 Sr. Eng. Technician (Prom) which contains the name of Alexander DeBok,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Alexander DeBok, So. Pascack Rd., Spring Valley N Y to the position of Senior Engineering Technician-Town Engineer's Office, at a salary of \$10,536.00 per annum, effective immediately.

Seconded by Councilman Niehaus.

All voted Aye.

Proposed appointment - Highway Department - deferred.

TRK - 2/16/72
 PAGE 9

(1972-206) Councilman Pizzutello offered the following resolution:

WHEREAS, Versland Rhodes Contemporaries, Inc. is the owner of 29.9 acres, zoned two acre on the north side of South Mountain Road, New City, Town of Clarkstown, New York, and

WHEREAS, Versland Rhodes Contemporaries, Inc. has requested the Town Board of the Town of Clarkstown to establish by resolution an "Open Development Area" consisting of the parcel owned by it pursuant to Section 280-a(4) of the Town Law, and

WHEREAS, the Planning Board of the Town of Clarkstown has reviewed the proposed use of said parcel, together with the offices of the Town Engineer, Building and Zoning Inspector, Supt. of Highways, Town Planner and other applicable municipal agencies, and

WHEREAS, the Planning Board of the Town of Clarkstown has recommended the approval of the establishment of said "open development area" pursuant to said Section 280-a(4) of the Town Law;

NOW THEREFORE, be it

RESOLVED, that in accordance with the provisions of Sec. 280-a(4) of the Town Law an "open development area" for the area on a certain map entitled "Site Plan, Mountainside Estates, Town of Clarkstown, Rockland County, N Y" last dated December 1, 1971, made by Adler, Caruso and Young, is hereby established wherein permits may be issued for the erection of structures, dwellings and buildings, to which access is given by right of way or easement, subject to any limitations prescribed by the Clarkstown Planning Board as indicated on the aforementioned map, and be it

FURTHER RESOLVED, that the application of Versland Rhodes Contemporaries, Inc. is granted only upon compliance by Versland Rhodes Contemporaries, Inc. with the following express conditions:

1. Versland Rhodes Contemporaries, Inc., its agents, employees, successors and/or assigns, shall comply with all applicable building and zoning ordinances and all requirements of the Planning Board of the Town of Clarkstown as set forth by it on the aforementioned map and on the site plan dated April 29, 1971 and last revised January 19, 1972, made by Adler, Caruso and Young, with specific reference to the installation of all public improvements shown on said maps, to wit: roads and extruded bituminous curbs, storm and sanitary sewers.

2. Versland Rhodes Contemporaries, Inc., its agents, employees, successors and assigns, shall record a declaration in the Rockland County Clerk's Office affecting the premises shown on the aforementioned map and the premises to the west known as Tax Map 44 Lots 3.05 and 3.02 with the consent of the owners thereof, which declaration shall obligate the owners of the several parcels to maintain the said road and to pay therefor, including the snow plowing and maintenance of the road, the storm and sanitary drainage and sewers, and each and all contracts of sale and deeds of conveyance shall specifically state that they are subject to said declaration and shall be signed by the purchaser and grantee acknowledging consent to the declaration. A copy of said recorded declaration shall be filed with the office of the Building Inspector.

(continued)

2/15/72
Page 10

(1972-206 - continued)

Versland Rhodes Contemporaries, Inc., its agents, employees, successors and assigns, shall file a notification signed by the prospective purchaser, indicating that the prospective purchaser is fully aware of the contents of said declaration and in particular that he will be an owner of a part of the private road with all of the responsibilities appertaining to that ownership. This notification shall be filed with the office of the Building Inspector within ten days after the execution of a contract of sale;

(3) Versland Rhodes Contemporaries, Inc., its agents, employees, successors and assigns, shall comply with the conservation measures set forth in a letter from the United States Department of Agriculture, Soil Conservation Service, to Supervisor Wm. E. Vines, dated 2/15/72, by George E. Lee, Resource Conservationist, except for the words "....and be paved or piped to the stream" in Item No. 4, and except for Item No. 11 of said letter, a copy of which letter is attached hereto and made a part hereof, and be it

FURTHER RESOLVED, that in the event there is a violation by Versland Rhodes Contemporaries, Inc., its agents, employees, successors or assigns, of any of the above conditions, then the Building Inspector be authorized to withhold the issuance of certificates of occupancy during the period in which the violation continues.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-207)

Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic Advisory Board, and the Town Planner, and the Town Planning Board, that A. Tiso be granted an ingress entrance only to commercial property located on Greenbush Road, West Nyack, New York, and be it

FURTHER RESOLVED, that the Supt. of Highways install a sign to read "TRUCKS OVER 4 TONS EXCLUDED", said sign to be installed at the expense of A. Tiso Development Corporation.

Seconded by Councilman Pizzutello.

All voted Aye.

TEM - 2/16/72
Page 11

(1972-208) Councilman Niehaus offered the following resolution:

WHEREAS John F. Poletto is the owner of a parcel of real estate located on the westerly side of Main Street in the Hamlet of Manuet known as 181 S. Main St., Manuet N Y and designated on the Tax Map as Map 13, Block D, Lot 8, and

WHEREAS, when the lateral sewer line was installed on the easterly side of the said Main Street in 1967 it was not possible to provide a house connection to the Poletto property, and

WHEREAS, the Town is required to provide a house connection to the Poletto property,

NOW THEREFORE, be it

RESOLVED, that Edward Barbour be authorized to prepare engineering drawings to provide for a house connection to the Poletto property, and upon completion of the said drawings, the Town Supt. of Highways be and he hereby is authorized to do all of the construction work and to purchase the necessary pipe in order to provide a house connection to the Poletto property in accordance with the plans prepared by Edward Barbour, at a cost not to exceed \$2,000.00; said amount to be paid out of Sewer Benefitted Area Account.

Seconded by Councilman Lodico.

All voted Aye.

(1972-209) Councilman D'Antoni offered the following resolution:

WHEREAS, the UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, LOCAL 964, made application for a Special Permit for the erection of Senior Citizen Housing located on the easterly side of North Middletown Road in the Hamlet of Manuet, Town of Clarkstown, New York, pursuant to Sec. 8.3334 of the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board on the 9th day of February 1972 at 8:30 PM in the Town Hall, Town of Clarkstown, to consider such application;

NOW THEREFORE, the Town Board makes the following Special Findings pursuant to Sec. 4.31 of the Zoning Ordinance of the Town of Clarkstown:

THAT, the proposed use as described and represented by the applicant

(1) will be properly located with respect to transportation, water supply, waste disposal, fire and police protection, and other public facilities;

(continued)

Page 12

(1972-709 - continued)

(2) will not cause undue traffic congestion or create a traffic hazard;

(3) will not create at any point of determination set forth in Sections 4.16, 4.17 and 4.18 of the Zoning Ordinance of the Town of Clarkstown any more dangerous and objectionable elements referred to in Sec. 4.11 than is characteristic of the use expressly permitted as of right in the same district;

(4) will not adversely affect the character of, or property values in the area;

and the Town Board further finds:

THAT, the application for Special Permit for the erection of Senior Citizen Housing complies with all of the requirements of Sec. 4.32 (c) of the Zoning Ordinance of the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that a Special Permit for the erection of Senior Citizen Housing pursuant to said application is hereby granted to UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, LOCAL 964, subject to the following express conditions in addition to those set forth in Sec. 4.32 (c) of the Zoning Ordinance of the Town of Clarkstown:

(1) No construction equipment or vehicles are to use Palmer Avenue or Svenson Place under any conditions or for any reason.

(2) Monthly rental charges and tenant income limits shall not exceed those established by Sec. 236 of the National Housing Act.

(3) Petitioners shall submit the plans and specifications to the Planning Board of the Town of Clarkstown and all other concerned agencies of the Town as and for normal processing under the appropriate Town laws, ordinances, regulations and rules.

(4) Violation of the conditions of this Special Permit shall be considered a violation of the Zoning Ordinance of the Town of Clarkstown. In addition, failure to abate any violation of such conditions within ten (10) days after receiving written notice shall cause said Special Permit to be void and a new Special Permit must be obtained before the use can be resumed.

Seconded by Councilman Niehaus.

All voted Aye.

TBM - 2/16/72
Page 13

(1972-210) Councilman Niehaus offered the following resolution:

WHEREAS, J. KNUTSEN & CO., INC. has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the said Town be amended by redistricting property of the said petitioner described from R-40 district to R-22 district;

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York in the said Town of Clarkstown on the 22nd day of March, 1972 at 8:00 PM relative to such 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 said Town Clerk.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-211) Councilman Pizzutello offered the following resolution:

WHEREAS, ROCK LAKE PARK PROPERTIES has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the said Town be amended by redistricting property of the said petitioner described from L10 district to LS district;

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the said Town of Clarkstown, on the 22nd day of March, 1972, at 8:15 PM relative to such 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 said Clerk.

Seconded by Councilman Lodico.

All voted Aye.

TBM - 2/16/72
Page 14

(1972-212) Councilman Niehaus offered the following resolution:

WHEREAS, ALBERT G. LAMBORN has petitioned the Town Board of the Town of Clarkstown for a Special Permit for the erection of a gasoline filling station on premises described in said petition pursuant to the Zoning Ordinance of the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to said Ordinance be had at the Board Room of the Town Hall of the Town of Clarkstown at 10 Maple Avenue, New City, Rockland County, New York, on the 22nd day of March, 1972 at 8:30 PM in the evening, to consider the application of ALBERT G. LAMBORN relative to said Special Permit, 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 said Clerk.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-213) Councilman Niehaus offered the following resolution:

WHEREAS, ARSENIO CARAMATTI, has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the said Town be amended by redistricting property of the said petitioner described from an CS district to an RS district; and

WHEREAS, a public hearing has been scheduled to be held by the Town Board of the Town of Clarkstown on the 23rd day of February 1972 at 8:15 PM relative to such proposed amendment; and

WHEREAS, the applicant has failed to comply with the legal requirements of posting and mailing of notices to adjacent property owners within the statutory time limit pursuant to Sections 8.334 and 8.43 of the Zoning Ordinance of the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that the public hearing scheduled for the 23rd day of February 1972 at 8:15 PM is hereby cancelled, and be it

FURTHER RESOLVED, that a public hearing be rescheduled and that said public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, on the 22nd day of March 1972 at 8:45 PM, relative to such proposed amendment; and be it

(continued)

TEM - 2/16/72
Page 15

(1972-213 - continued)

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 Journal News, the official newspaper of the town, as aforesaid, and file proof thereof in the office of the said Clerk, and that the expense of said publication be borne by the petitioner.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-214) Councilman Kiehaus offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 15th day of December 1971, provided for a public hearing on the 26th day of January 1972 at 8:00 PM, to consider an 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 Sec. 3.11, Table of General Use Regulations for the LS Zone, Column 2, Item 4 by adding thereto as follows:

"except that drive-in restaurants shall be located only along major roads as classified on the Official Map (See Sec. 1.4)."

Amend Sec. 3.11, Table of General Use Regulations, for the CS Zone, Column 2, Item 1, by adding thereto as follows:

"except that drive-in restaurants shall be located only along major roads as classified on the Official Map (See Sec. 1.4)."

Seconded by Councilman D'Antoni.

All voted Aye.

TBM - 2/16/72
Page 16

(1972-215) Councilman Lódico 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 desires to further amend the Zoning Ordinance;

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sec. 264 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown at 10 Maple Avenue, New City, Rockland County, New York, on the 8th day of March 1972 at 8:00 PM to consider the adoption of the following proposed amendment to the Clarkstown Zoning Ordinance of 1967:

Amend Sec. 1.36 (Defined words) by adding thereto as follows:

DRIVE-IN RESTAURANT -- An establishment for the quick service of food in a package form, where the patron has the option to consume the packaged food on or off the premises, open to the general public and designed for patrons primarily travelling to the site by private automobile, except those establishments which are included in a shopping center containing ten or more establishments, stores or businesses.

and be it,

FURTHER RESOLVED, that the Town Attorney prepare notice of 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 said Town Clerk.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-216) Councilman Pizzutello offered the following resolution:

WHEREAS, by agreement dated February 2, 1970, John V. Palermo and Cynthia Fava Palermo conveyed to the Town of Clarkstown a temporary easement and right-of-way for sewer and drainage purposes until such time as the initial installation of sewer lines and appurtenances and said sewer construction was completed upon their property, and

(continued)

(1972-216 - continued)

WHEREAS, the said sewer construction work has been completed and the purposes for which the said temporary easement was given have been accomplished,

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown be authorized to release, remit and quit-claim to the said John V. Palermo and Cynthia Fava Palermo the said temporary easement and right-of-way upon the property as aforesaid, and be it

FURTHER RESOLVED, that the Supervisor be authorized to execute a release of the said easement on behalf of the Town of Clarkstown.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-217) Councilman Niehaus offered the following resolution:

WHEREAS, violence which threatens every citizen of New York State is ever increasing at an alarming rate, much of which violence has been directed at the police officers of New York State who are being ambushed and attacked with increasing impunity, and

WHEREAS, an attack upon the police of this state who are our first line of defense against anarchy and chaos is consequently an attack upon the citizenry the police represent, and

WHEREAS, it has become apparent that these attacks on our police are planned and executed by a militant minority, and

WHEREAS, because our present penal law does not serve as a deterrent to those who would perpetrate these acts of violence against our police and because of judicial clemency and a reluctance on the part of the judiciary to order the execution of those who, with pre-meditation or reckless disregard, slay our policemen in the line of duty, and

WHEREAS, because it is the primary obligation of government to protect the lives and property of its citizens, and because it is the responsibility of the State Legislature to enact appropriate legislation which will mandate swift and certain punishment upon those who would perpetrate such acts, and

WHEREAS, legislation has been presented to the New York State Legislature to restore capital punishment,

(continued)

TBM - 2/16/72
Pg 18

(1972-217 - continued)

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown supports such legislation which would restore capital punishment to the perpetrator of the crime of killing a policeman and the Town Clerk is directed to forward a copy of this resolution to Assemblyman Levy and Senator Schermerhorn.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-218) Councilman Niehaus offered the following resolution:

WHEREAS, the Supreme Court has rendered a decision adverse to the Town of Clarkstown in the matter of Zebrowski against W. Reginald Herdman, et al, and

WHEREAS, it is the recommendation of the Town Attorney that said decision be appealed;

NOW THEREFORE, be it

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

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-219) Councilman D'Antoni offered the following resolution:

(INSERT BOND RESOLUTION AUTHORIZING THE EMPLOYMENT OF EXPERTS TO APPRAISE THE VALUE OF REAL PROPERTY IN SAID TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$160,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATIONS ALSO RESOLUTION AUTHORIZING PUBLICATION OF SAID) See following page.

Seconded by Councilman Niehaus.

All voted Aye.

EXTRACT OF MINUTES

**Meeting of the Town Board of the Town of Clarkstown,
in the County of Rockland, New York.**

February 16, 1972

* * *

**A regular meeting of the Town Board of the Town of Clarkstown,
in the County of Rockland, New York, was held at the Town Hall,
10 Maple Avenue, New City, New York, in said Town, on February 16,
1972, at 8:00 o'clock P.M. (E.S.T.).**

**There were present: Honorable William E. Vines, Supervisor,
and
Councilman Vincent Pissutello
Councilman John Lodico Sr.
Councilman Anthony D'Antoni
Councilman William R. Niehaus**

**There were absent:
None**

**Also present: Anne E. O'Connor, Town Clerk
Frederick P. Roland, Town Attorney**

* * *

**Councilman D'Antoni offered the following resolution
and moved its adoption:-**

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED FEBRUARY 16, 1972,
AUTHORIZING THE EMPLOYMENT OF EXPERTS TO
APPRAISE THE VALUE OF REAL PROPERTY IN SAID
TOWN, STATING THE ESTIMATED MAXIMUM COST
THEREOF IS \$160,000, APPROPRIATING SAID AMOUNT
THEREFOR, AND AUTHORIZING THE ISSUANCE OF
\$160,000 SERIAL BONDS OF SAID TOWN TO FINANCE
SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE
COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable
vote of not less than two-thirds of all the members of said Board) AS
FOLLOWS:

Section 1. The Town of Clarkstown (herein called "Town"), in the
County of Rockland, New York, is hereby authorized to employ experts to
appraise the value of real property in the Town, to assist in the assessment
thereof for taxation. The estimated maximum cost of said specific object
or purpose is \$160,000, including preliminary costs and costs incidental
thereto and the financing thereof, and the said amount is hereby appropriated
therefor. The plan of financing is the issuance of \$160,000 serial bonds of
the Town to finance said appropriation and the levy of a tax upon all the tax-
able real property in the Town to pay the principal of and the interest on
said bonds when due.

Section 2. Serial bonds of the Town in the principal amount of
\$160,000 are hereby authorized to be issued pursuant to the provisions of
the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws

of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00 a. 53 of the Law, is five (5) years.

(b) Pursuant to the provisions of subdivision 5 of paragraph d of Section 107.00 of the Law, current funds, as defined pursuant to said Section, are not required to be provided prior to the issuance of the bonds authorized by this resolution or of any notes issued in anticipation of said bonds.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of such bonds, shall contain the recital of validity prescribed by §53.00 of the Law and said bonds and any notes issued in anticipation thereof, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation thereof, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of §50.00 and §§56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by

Councilman Niehaus and duly put to a vote on roll call,

which resulted as follows:

AYES:

Messrs. Vines, D'Antoni, Niehaus,
Lodico and Pizzutello

NOES:

None

TBM 2/16/72

The resolution was declared unanimously adopted.

Councilman D'Antoni offered the following resolution
and moved its adoption:

**RESOLVED BY THE TOWN BOARD OF THE TOWN OF
CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, AS
FOLLOWS:**

**Section 1. The Town Clerk of the Town of Clarkstown, in the
County of Rockland, New York, is hereby directed to publish the foregoing
"NYACK JOURNAL"
bond resolution, in full, in the "~~ROCKLAND HERALD~~
Nyack
a newspaper published in ~~SPRING VALLEY~~, New York, and having a general
circulation in said Town, which newspaper is hereby designated as the
official newspaper of the Town for such publication, together with the Town
Clerk's statutory notice in substantially the form prescribed by Section 81.00
of the Local Finance Law of the State of New York.**

Section 2. This resolution shall take effect immediately.

*

*

*

**The adoption of the foregoing resolution was seconded by
Councilman Niehaus and duly put to a vote on roll call,**

which resulted as follows:

**AYES: Messrs. Vines, NOES: None
D'Antoni, Niehaus, Lodico
and Pizzutello**

The resolution was declared unanimously adopted.

General - No Veto

7/1/71 (3M)

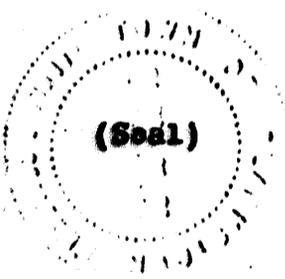
CERTIFICATE

I, ANNE E. O'CONNOR, Town Clerk of the Town of Clarkstown,
in the County of Rockland,

State of New York, HEREBY CERTIFY that the foregoing
annexed extract from the minutes of a meeting of the _____
Town Board of said Town,
duly called and held on February 16, 19 72, has been
compared by me with the original minutes as officially recorded in my
office in the Minute Book of said Town Board
and is a true, complete and correct copy thereof and of the whole of said
original minutes so far as the same relate to the subject matters referred
to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
corporate seal of said Town
this 16th day of February, 19 72

Anne E. O'Connor
Town Clerk



(1972-220) Councilman Niehaus offered the following resolution:

RESOLVED, that all bids received on 2/9/72 for the furnishing of one (1) High Velocity Sewer Cleaner and Truck (Flusher Type) are hereby rejected, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized to re-advertise for bids for the furnishing of same, specifications to be obtained at the office of the Town Engineer, and be it

FURTHER RESOLVED, that said bids be returnable on March 1st, 1972 at 8:00 PM.

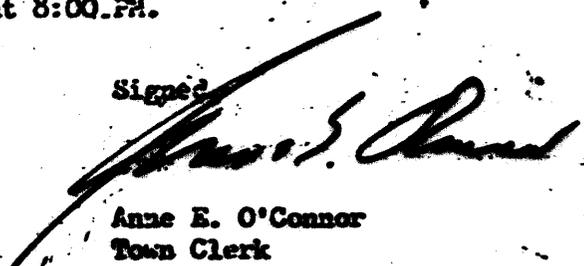
Seconded by Councilman D'Antoni,

All voted Aye.

Monthly Reports for the month of January 1972 from the Building Inspector, received, and noted by the Town Board; filed in the Town Clerk's Office.

On resolution offered by Councilman Lodico, seconded by Councilman Pizzutello and unanimously adopted, Town Board meeting was adjourned until Wednesday, February 23rd, at 8:00 PM.

Signed



Anne E. O'Connor
Town Clerk