

PUBLIC HEARING

Town Hall

4/26/72

8:15 PM

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

RE: PROPOSED APPORTIONMENT AND ASSESSMENT OF THE COST OF CONSTRUCTION,
OPERATION & MAINTENANCE OF SANITARY SEWER & LATERALS:

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

Deputy Town Attorney stated based on Sewer Tax Roll for 1971. Roll being corrected. He added that testimony will be given by the assessor. In addition, he stated, there was a typographical error in the roll wherein the amounts to be raised in two districts were reversed; which was corrected by resolution two weeks ago.

Mr. George Mellersten, Town Assessor was sworn in and stated the following: Prepared the assessment roll upon which this special district roll is based. Said roll re-prepared in accordance with court order. (Assessor described technical details in connection with roll.) Presented as Exhibit I -- given to the Supervisor.

Mr. George Suttie, Consulting Engineer -- no comments.

In response to questions put by Martin Hurvitz, Assessor responded as follows:

Grand total of amount of tax to be collected for sewers for 1971 pursuant to roll just filed: \$1,676,858.50.

Amount to be raised for sewer tax purposes according to original estimates brought before the Town Board on 12/20/70: \$1,676,858.59. (9¢ diff.)

Re question on supposed double payment to county in spring of 1971; Supervisor stated question not germane to public hearing.

IN FAVOR: No one appeared.

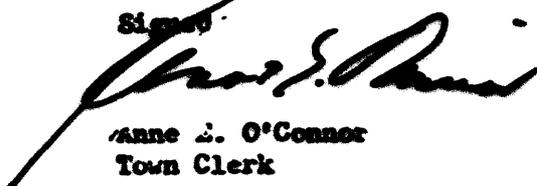
OPPOSED:

Martin Hurvitz, Attorney: Opposed to roll because in his opinion it does not reflect monies that were collected for sewers.

Supervisor replied that all monies collected for sewers, were spent on sewers. No one else appeared as being opposed.

On resolution offered by Councilman Niehaus, seconded by Councilman D'Antoni and unanimously adopted, public hearing was closed.

Signed



Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

4/26/72

8:30 PM

Present: Councilmen Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines
Deputy Town Attorney
Town Clerk

RE: PROPOSED AMENDMENT TO LOCAL LAW #9-1971 (VEHICLE & TRAFFIC LAW):

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

Deputy Town Attorney Martin S. Friedman stated this is amendment to LL #9-1971 -- two additions proposed as follows:

'SECTION 7A. (1) In addition to full compliance with the Vehicle and Traffic Law of the State of New York and all other traffic regulations set forth herein, the driver of any school bus carrying any school children or the driver of any bus carrying passengers shall, before crossing at any track or tracks of a railroad, in addition to stopping such vehicle as required by the Vehicle and Traffic Law of the State of New York, while so stopped, open the front entry door of said bus, and while such door is open, shall both listen and look in both directions along such track or tracks for any approaching train or trains, and shall not proceed to cross said track or tracks until he can do so safely.'

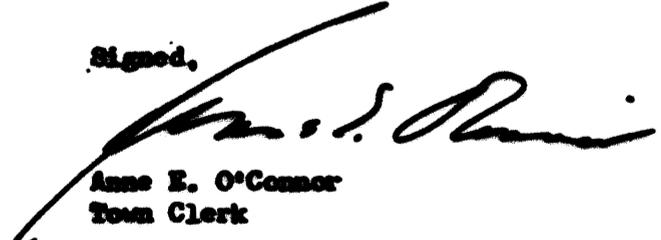
(2) In addition to the provisions of Article 19 of the Vehicle and Traffic Law of the State of New York, no person shall operate a school bus carrying school children and no person shall operate any bus carrying passengers unless within six (6) months prior to such date of operation, the operator of such school bus or bus shall have undergone a complete physical examination by a physician licensed to practice medicine in the State of New York and filed a certificate from such physician with the Town Clerk of Clarkstown attesting to such person's physical qualifications to operate such school bus or bus safely.'

IN FAVOR: No one appeared

OPPOSED: No one appeared

On resolution offered by Councilman D'Antoni, seconded by Councilman Pizzutello and unanimously adopted, public hearing was closed.

Signed,


Anne E. O'Connor
Town Clerk

10808

PUBLIC HEARING

Town Hall

4/26/72

8:35 PM

Present: Councilmen Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines
Deputy Town Attorney
Town Clerk

RE: PROPOSED EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT #1
TO INCLUDE "REINA HILLS SUBDIVISION": (LAKE DE FOREST HOMES, INC.):

Supervisor Vines called public hearing to order; Town Clerk testified as to proper posting and publication of notice of public hearing; also informing Town Board that Certificate received from Assessor noting that 51% of the assessed valuation was represented in the petition.

Mr. Charles Stowell, President of Lake DeForest Homes, Inc. appeared before the Town Board; was sworn in; and upon questioning by Deputy Town Attorney, stated the following:

Is developer; signed petition in this capacity. Proposed extension 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.

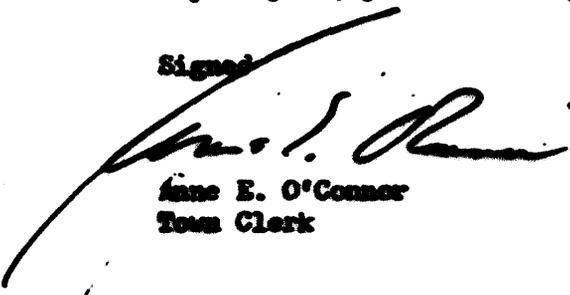
Would be in the best public interest to grant this proposed extension because it will benefit the property owner involved by providing fire protection for the safety and well-being of property and lives, and would bring about a reduction in fire insurance rates.

IN FAVOR: No one appeared

OPPOSED: No one appeared

On resolution offered by Councilman D'Antoni, seconded by Councilman Pizzutello and unanimously adopted, public hearing was closed.

Signed


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

4/26/72

8:45 PM

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

RE: PROPOSED IMPROVEMENT OF LATERAL SEWER FACILITIES IN AN AREA OF CLARKSTOWN,
IN THE VICINITY OF WEST CLARKSTOWN ROAD, TO BE INCLUDED AS PART OF THE
MASTER BENEFITED SEWERAGE IMPROVEMENT AREA OF THE TOWN OF CLARKSTOWN:

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

Joseph F. X. Nowicki, Attorney for Special Districts, appeared before the Town Board and stated the following:

This is proposed extension to the existing sewer district, taking in properties along West Clarkstown Road area. Amount of \$382,000.00 required to be raised. It is anticipated that the assessed valuations of the property which will be included in this district will offset. No tax rate will increase as result of this extension.

IN FAVOR: Mr. Ivan Cogan, 285 West Clarkstown Road:

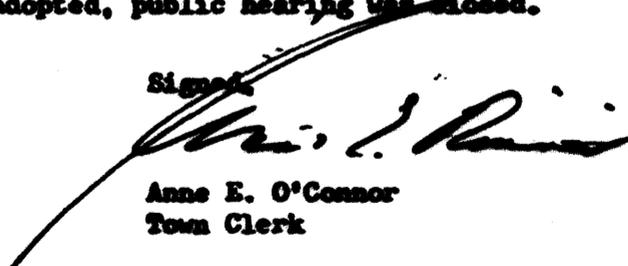
Proposed inclusion will improve property and sanitary conditions

OPPOSED: No one appeared

Councilman Niehaus stated matter should be reserved because it does not state that it would be at no cost to the town.

On resolution offered by Councilman Niehaus, seconded by Councilman D'Antoni, and unanimously adopted, public hearing was closed.

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

4/26/72

9:00 PM

Present: Councilmen Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines
Deputy Town Attorney M. S. Friedman
Town Clerk Lane E. O'Connor

RE: PROPOSED LOCAL LAW GOVERNING AIRCRAFT OPERATION & SAFETY & AIRPORT
OPERATION & SAFETY WITHIN THE TOWNSHIP:

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

John Tomicki Esq. appeared before the Town Board representing several civic associations and stated the following:

Facts substantiate that existing airport not legal (illegal use). Re other statements made by Mr. Tomicki, Supervisor Vines reminded him that his statements re occurrences at Court not germane to this public hearing.

IN FAVOR:

Mr. Gerald Schiendlein, 111 Tennyson Dr., Nanuet N Y: (Rep. 13 Civic Associations - Will supply list of same): Approves of proposed local law and implementation will also be considered by the Town Board.

Mr. Val Dagaev, 13 Broward Dr.: (Rep. Russian Orthodox Convent): Adopt; and also make provision for enforcement. Empower some specific agency to the enforcement.

Mr. S. Schulman, 8 Topaz Court: (Rep. Wedgewood Civic Association): Minimum height limits should be at least 1000 feet above the town. Would like more specifics re 'acrobatic flying'. Also, traffic along road near airport - road impossible to travel during the weekend. There should be limiting factors on airport traffic and parking along road parallel to airport. (Supervisor stated at this point that this could be handled under town's Traffic Law).

Mr. Gad Hakarem, 35 Birchwood Terrace, Nanuet: (Rep. Nanuet Civic Association): Specify as to number of takeoffs - noisy. Include a specific motion about permissible noise level. Requested restrictions as to number of takeoffs, hours of operation so people can endure.

Mrs. Irene Horowitz (Rep. Sturbridge Park Civic Association): Adopt.

Mr. Harold Carson, 6 Cranford Rd., Bardonia: Amend proposed town law to restrict traffic in and out of airport and enforce.

Mr. Bookstaber, 26 Vailshire Circle: (Rep. Vailshire Civic Association): Re Sunday morning regulations (one takeoff or landing per hour), he was told there was no such stipulation in proposed law, but that airport has placed some restrictions on their own in the past year.

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IN FAVOR: (continued)

Mrs. Ida Chung, 107 Tennyson Dr., Nanuet:

New resident; was told there would be no night flights. Suggested leaving land around airport - surrounding areas should not have been sold for her. Adopt and enforce.

(Show of hands revealed that 95% of audience favored proposed local law)

OPPOSED:

Mr. Joel Schienert, 59 Parker Dr., Monsey N Y: (Office: 7 South Madison Ave., Spring Valley N Y:)

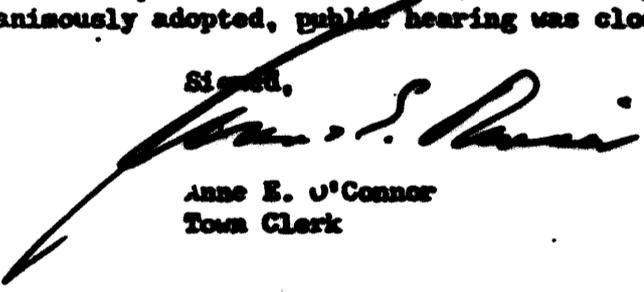
Appeared representing Town of Ramapo which has expressed interest in the airport and which may be subject to this proposed local law.

Numerous court decision (federal) have almost unanimously held that this area of regulation is federal. Proposed local law would be in violation of F.A.A. and would be subject to legal attack and declared invalid. He quoted citation (March 1972) -- Lockheed-Burbank. He stated Lockheed privately owned.

On no one else appearing as being opposed, Supervisor Vines stated that Town Board will give careful consideration to all suggestions made and is confident that proposed local law will be adopted.

On resolution offered by Councilman Michaus, seconded by Councilman Lodico and unanimously adopted, public hearing was closed.

Signed,



Anne E. O'Connor
Town Clerk

TOWN BOARD MEETING

Town Hall

4/26/72

8:00 PM

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

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

A group of Journal-News paper carriers appeared before the Town Board complaining of the newspaper's directive that they deliver newspapers on Sunday. Several have been fired because they will not comply; others have not had their newspapers delivered to them for re-delivery. (Attorney Harry Edelstein their representative.) They requested the Town Board to contact the management of the Journal-News with their grievances. The Town Attorney's office was instructed to frame a letter for the Town Board and send it to the management of the Journal-News stating strongly that their conduct not proper in this matter.

(1972-434) Councilman Niehaus offered the following resolution:

RESOLVED, that time for receiving bids for Food Concessions at Congers Lake and Lake Manuet be 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:

WARREN R. BRANDT

15 Laurel Road

New City N Y.....15% of Gross Receipts derived from the operation of the aforesaid license or a minimum annual license fee in the sum of \$100., whichever sum may be the greater.

(LAKE MANUET)

(CONGERS LAKE)

15% of the gross receipts derived from the operation of the aforesaid license or a minimum annual license fee in the sum of \$250., whichever sum may be the greater.

(1972-435) Councilman Niehaus offered the following resolution:

RESOLVED, that award of bid for Food Concessions at Congers Lake and Lake Manuet be RESERVED.

Seconded by Councilman D'Antoni.

All voted Aye.

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(1972-437) Councilman Kiehaus offered the following resolution:

RESOLVED, that Town Board meeting be adjourned in order to hold scheduled public hearings.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-438) Councilman D'Antoni offered the following resolution:

RESOLVED, that Town Board be resumed, scheduled public hearings having been held.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-439) Councilman D'Antoni offered the following resolution:

WHEREAS, a public hearing was held at the Board Room, Town Hall, 10 Maple Avenue, New City, New York, Town of Clarkstown, on the 26th day of April 1972 at 8:15 PM, to hear and consider any objections which may be made to the apportionment and assessment roll for sanitary sewer districts; and

WHEREAS, notice of filing of said apportionment and assessment roll and notice of public hearing have been published as required by law, and

WHEREAS, the Town Board has heard and considered objections made to the said apportionment and assessment roll, and

WHEREAS, the Town Board has duly deliberated thereon;

NOW THEREFORE, be it

RESOLVED, that the apportionment and assessment roll for and in connection with apportionment and assessment of the cost of construction, operation and maintenance of sanitary sewers and laterals within the following sanitary sewer districts within the Town of Clarkstown: 1, 2, 3, 4, 4B, 5, 6, 7, 8, 8 Ext. 6, 8 Ext. 7, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24 Ext. 1, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, RC and EX as filed with the Town Clerk of the Town of Clarkstown on the 28th day of March 1972, be and same hereby is ADOPTED.

Seconded by Councilman Pizzutello.

All voted Aye.

Town Board signed ORDER extending Clarkstown Consolidated Water Supply District #1 to include ROMA HILLS SUBDIVISION (INSERT-ORDER)

(1972-440) Supervisor Vines offered the following resolution:

WHEREAS, a proposed local law entitled "AMENDMENT TO LOCAL LAW NO. 9-1971, ENTITLED 'A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEPING OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)'" was introduced by Supervisor Vines, a member of the Town Board of the Town of Clarkstown at a Town Board meeting held April 5, 1972, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 5th day of April, 1972, directed that a public hearing be held on the 26th day of April, 1972, at 8:30 o'clock in the evening, to consider the adoption of said local law, and

WHEREAS, a notice of said public hearing was duly prepared and published in the Journal News on April 12, 1972, and posted on the sign board of the Town of Clarkstown on the 12th day of April, 1972, and

WHEREAS, copies of the proposed amendment to said local law were mailed to the members of the Town Board on the 12th day of April, 1972, and

WHEREAS, a public hearing was held by the Town Board on the 26th day of April, 1972, at 8:30 o'clock in the evening;

NOW THEREFORE, be it

RESOLVED, that Local Law No. 2-1972 entitled "AMENDMENT TO LOCAL LAW NO. 9-1971, ENTITLED 'A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEPING OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)'" is hereby ADOPTED and passed by an affirmative vote of the majority of voting power of the Town Board of the Town of Clarkstown, the vote for adoption of said local law being as follows:

Hon. William E. Vines, Supervisor.....AYE
Councilman William R. Niehaus.....AYE
Councilman Anthony D'Antoni.....AYE
Councilman John Lodico.....AYE
Councilman Vincent Pizzutello.....AYE

The Town Clerk of the Town of Clarkstown was directed to file said local law pursuant to Section 27 of Municipal Home Rule Law.

Seconded by Councilman D'Antoni.

All voted Aye.

ORDER
EXTENDING
DISTRICT

In the Matter of the Petition for
EXTENSION of the Clarkstown Consolidated Water Supply
District #1 to include REINA HILLS

In the Town of Clarkstown, Rockland County, New York

A petition in this matter for the extension of the Clarkstown Consolidated Water Supply District of the Town of Clarkstown, excluding any portion already in an existing district, having been duly presented to the Town Board, and an Order having been duly adopted by the Town Board on the 5th day of April, 1972, for the hearing of all persons interested in the matter on the 26th day of April, 1972 at 8:35 P.M. EST Time, at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, New York, and a Public Hearing by the said Town Board having been duly held at such time and place, and it having been duly resolved and determined, following such hearing, that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all property and property owners within the proposed extension were benefitted thereby, that all property and property owners benefitted were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved, is hereby,

ORDERED, that the Clarkstown Consolidated Water Supply District #1 of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town of Clarkstown, described as follows:

(INSERT DESCRIPTION)

DATED April 26, 1972

Anthony D. Anton
Councilman

William R. Nichols
Councilman

[Signature]
Supervisor

Vincent J. ...
Councilman

John ...
Councilman

STATE OF NEW YORK (OF COUNTY OF ROCKLAND)
TOWN OF CLARKSTOWN

) SS:

I, ANNE E. O'CONNOR, Town Clerk of the said Town of Clarkstown, County of Rockland, hereby certify that I have compared the foregoing copy of an Order Extng. Clrkstwn Cons. Wtr Spply Dist. #1 REINA HILLS with the original now on file in said office, and find same to be a true and correct transcript and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of said Town of Clarkstown this 26th day of April, 1972.

[Signature]
Town Clerk

SEAL

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(1972-441) Councilman Niehaus offered the following resolution:

(INSERT RESOLUTION RESERVING DECISION ON PROPOSED RESOLUTION AUTH. THE IMPROVEMENT OF LATERAL SEWER FACILITIES IN AREA OF TOWN IN VICINITY OF W. CLARKSTOWN ROAD TO BE INCLUDED AS PART OF MASTER BENEFITED SEWERAGE IMPROVEMENT AREA - Nowicki)

Seconded by Councilman D'Antoni. All voted Aye.
(1972-441) Councilman Niehaus offered the following resolution:
RESOLVED, that the decision on proposed Reso. Auth. the improvement of lateral sewer facilities in area of Town in Vicinity of W. Clarkstown Rd. be RESERVED.
Councilman Niehaus stated he preferred reserving decision on above because no mention made in proposed resolution that same would be 'at no cost to the town'.
Seconded by Councilman D'Antoni. All voted Aye.

(1972-442) Councilman D'Antoni offered the following resolution:

(INSERT RESOLUTION RESERVING DECISION RE PROPOSED LOCAL LAW 'GOVERNING AIRCRAFT OPERATION & SAFETY & AIRPORT OPERATION SAFETY WITHIN THE TOWN OF CLARKSTOWN - Roland)

Seconded by Councilman Pizzutello. All voted Aye.
(1972-442) Councilman D'Antoni offered the following resolution:
RESOLVED, that the decision re proposed Local Law 'Governing Aircraft Operation & Safety & Airport Operation Safety within the Town of Clarkstown - be RESERVED.
Seconded by Councilman Pizzutello. All voted Aye.

(1972-443) Councilman D'Antoni offered the following resolution:

WHEREAS an action has been instituted against the Town of Clarkstown entitled as follows:

CENTRAL NYACK FIRE DIST.-TOWN OF CLARKSTOWN, Plaintiff
vs.
VALLEY COTTAGE FIRE DIST.-TOWN OF CLARKSTOWN;
and THE TOWN OF CLARKSTOWN, NEW YORK, Defendants,

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to defend said action and take all necessary required proceedings in court in connection with same.

Seconded by Councilman Niehaus.

All voted Aye.

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On resolution offered by Councilman D'Antoni, seconded by Councilman Niehaus and unanimously adopted, Town Board meeting was adjourned until Wednesday, May the 3rd, 1972 at 8:00 PM, at which time, next regularly scheduled Town Board meeting will be held.

Signed



Anne E. O'Connor
Town Clerk