

TOWN BOARD MEETING

Town Hall

6/21/72

8:00 PM

Present: Councilmen Nichaus, D'Antoni, Lodico, Fizzutello, 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.

(1972-596) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 3rd day of May 1972 provided for a public hearing on the 24th day of May 1972, at 8:25 PM to consider a correction to the zoning map of the Town of Clarkstown to conform with the Clarkstown Tax Map for certain property located in Central Nyack, and

WHEREAS, a notice of said public hearing was duly published 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 for reasons of public health, safety and welfare, the said Zoning Map of the Town of Clarkstown be and it hereby is amended as follows:

Tax Map 135, Block D, Lot 14.02; that portion indicated as R-22 District changed to RG-2 District; and

That the zone line, which was shown on the previous official zoning map for the Town of Clarkstown and designated on the 1964 Tax Map, be amended to conform with the boundary of the present Tax Map No. 135, Block D, Lot 25, and more particularly the most easterly boundary line thereof, making all of the said property into an RG-2 District.

and be it

FURTHER RESOLVED, that the additional number of dwelling units permitted to be constructed as a result of the foregoing correction to the Zoning Map of the Town of Clarkstown shall not exceed 96.

Seconded by Councilman Lodico.

All voted Aye.

EFC855

(1972-597) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 19th day of April 1972 provided for a public hearing on the 24th day of May 1972 at 8:05 PM to consider the application of RONALD J. ANDERSON & RALPH P. MOORE to amend the zoning ordinance of the Town of Clarkstown by redistricting the property of the said petitioners from an R-15 Dist. to an LS Dist., and

WHEREAS, Notice of said Public Hearing was duly published 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 for reasons of public health, safety and welfare, the application be DENIED.

Seconded by Councilman Pizzutello.

On roll call the vote was as follows:

AYES: Councilmen D'Antoni, Lodico, Pizzutello, Supervisor Vines  
ABSTENTION: Councilman Niehaus.

(1972-598) Councilman Pizzutello offered the following resolution:

RESOLVED, that minutes of Town Board meetings held on 6/7/72 and 6/14/72 are hereby approved with correction to be made in minutes of Public Hearing re Proposed Amendment to the Zoning Ordinance (Amend Sec. 4.32 (G) (4); change testimony of Theodore Zollendeck to read '.....on opposite side of divided highway, except on divided highways when.....' instead of '.....on opposite side of street, especially on divided highways.....'.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-599) Councilman Pizzutello offered the following resolution:

RESOLVED, that Nathan Schneider, 28 Scott Drive, New City N Y is hereby reappointed A MEMBER OF THE Board of Architectural Review, term to expire on May 24, 1977 at the annual salary for 1972 of \$625.00.

Seconded by Councilman D'Antoni.

All voted Aye;

(1972-600) Councilman Pizzutello offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on June 13, 1972 that the position of Senior Recreation Leader in the Parks Board & Recreation Commission can be created,

NOW THEREFORE, be it

RESOLVED, that the position of Senior Recreation Leader is hereby created, effective immediately.

Seconded by Councilman Lodico.

All voted Aye.

(1972-601) Councilman D'Antoni offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on September 2, 1970, that the position of Police Surgeon (Part-Time) in the Police Department can be created,

NOW THEREFORE, be it

RESOLVED, that the position of Police Surgeon (Part-Time) is hereby created, effective immediately.

Seconded by Councilman Niehaus.

All voted Aye.

EFC855

(1972-602) Councilman Lodico offered the following resolution:

RESOLVED, that the resignation of Elliot Wiener as Narcotic Counselor is hereby accepted with regret, effective July 1st, 1972.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-603) Councilman Niehaus offered the following resolution:

RESOLVED, that the resignation of Kenneth Patraha as Custodian in Town Hall is hereby accepted with regret, effective and retroactive to May 12, 1972.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-604) Councilman Pizzutello offered the following resolution:

WHEREAS, there is a vacancy in the position of Senior Recreation Leader in the Parks Board & Recreation Commission,

NOW THEREFORE, be it

RESOLVED, that Kenneth Wekas, 52 Jolen Drive, New City N Y is hereby appointed provisionally to the position of Senior Recreation Leader, at the annual salary for 1972 of \$8,742.00, effective June 26, 1972.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-605) Councilman Lodico offered the following resolution:

WHEREAS, an application has been received on behalf of JOHN KNUTSEN & CO., INC. for the diversion of a numbered stream in the Town of Clarkstown on premises located in Valley Cottage, on land lying between the west end of Branchfield Road and the Maple/Old Mill Road intersection in a subdivision known as "Swan Manor", and

WHEREAS, plans indicating the proposed diversion of said water-course have been reviewed by the Town Engineer and the Planning Board, pursuant to the requirements of Sec. 5 of Local Law No. 2-1965 entitled "Local Law Regulating the Use, Obstruction and Diversion of Streams or Water Courses in the Town of Clarkstown, County of Rockland, State of New York", and

WHEREAS, the Town Engineer and the Clarkstown Planning Board approve the diversion of said water course as indicated on the plans submitted in connection with the subdivision known as Swan Manor;

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves the application of John Knutsen & Co., Inc. for the diversion of said stream, bearing a map number MJ 1-3-8 on the premises located on land lying between the west end of Branfield Road and the Maple/Old Mill Road intersection in a subdivision known as "Swan Manor", and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown be and she hereby is authorized to issue the permit required by Local Law No. 2-1965 entitled "Local Law Regulating the Use, Obstruction and Diversion of Streams or Water Courses in the Town of Clarkstown, County of Rockland, State of New York.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-606) Councilman Niehaus offered the following resolution:

WHEREAS, Michael Yuda and Elsie Yuda, his wife, residing at Cairnsmuir Lane, New City N Y have executed an easement for a strip of land approximately 10 feet wide by 65<sup>4</sup> feet long and are offering it to the town for Sewer District No. 39D in consideration of the sum of Two Thousand Twenty Five (\$2,025.) Dollars, and a copy of the Easement Agreement survey and description having been examined by the members of the Town Board present

(continued)

EFC855

(1972-606-cont)

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 the Master Benefited Sewerage Improvement Area account pay the sum of Two Thousand Twenty Five (\$2,025.) Dollars for said easement.

Seconded by Councilman Lodico.

All voted Aye.

(1972-607)

Councilman Niehaus offered the following resolution:

WHEREAS, Valley Cottage Properties, C/o Ford Products Corp., Van Doren Court, Valley Cottage, New York have executed an easement for a strip of land approximately 50 feet long by 25 feet wide, and are offering it to the Town for Sewer District No. 33C in consideration of the sum of One Thousand Nine Hundred Fifty (\$1,950.) 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 the said easement on behalf of the Town, and
2. That the Master Benefited Sewerage Improvement Area account is hereby authorized to pay the sum of One thousand Nine Hundred Fifty (\$1,950.) Dollars for said easement.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-608) Councilman Niehaus offered the following resolution:

WHEREAS, Valley Cottage Industrial Park, Inc., c/o Mr. Nat L. Solomon, P.O. Box 550, Englewood, New Jersey have executed an easement for a strip of land approximately 10 feet wide by 59 feet long, and another strip of land approximately 10 feet wide by 222 feet long, and are offering it to the Town for Sewer District No. 33C in consideration of the sum of One Thousand One Hundred Twenty Three (\$1,123.) 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 Sewerage Improvement Area account pay the sum of One Thousand One Hundred Twenty Three (\$1,123.) Dollars for said easement.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-609) Councilman D'Antoni offered the following resolution:

RESOLVED, that NATIONAL BANK OF WESTCHESTER is hereby designated as a depository for funds deposited by the Supervisor, Town Clerk, Receiver of Taxes, Town Justices, Building Inspector and Town Comptroller.

Seconded by Councilman Lodico.

All voted Aye.

EFC855

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(1972-610) Councilman D'Antoni offered the following resolution:

WHEREAS, the Supt. of Highways recommends the acceptance of Besso St. in West Nyack into the Town of Clarkstown Highway system;

NOW THEREFORE, be it

RESOLVED, that deed dated January 14, 1972 from NED A BESSO conveying BESSO STREET in West Nyack, Town of Clarkstown, is hereby accepted by the Town of Clarkstown and ordered filed in the Rockland County Clerk's Office.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-611) Councilman Pizzutello 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, to wit, by permitting indoor tennis facilities in the LIO zone by Special Permit of the Town Board;

NOW THEREFORE, be it

RESOLVED, that a public hearing be had at the Board Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, N.Y. on the 5th day of July, 1972 at 8:00 PM relative to said proposed amendment, and be it

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

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-612) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the public interest to improve that portion of Prospect Street in Nanuet, New York crossing the Erie Lackawanna Railroad tracks,

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown will hold a public hearing, pursuant to the provisions of Sec. 90 of the Railroad Law, 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 5th day of July, 1972 at 8:15 PM to consider the necessity for laying out as a public highway, that portion of Prospect Street in Nanuet, New York which crosses the Erie Lackawanna Railroad tracks at railroad mileage marker JC 28 and is approximately 40 feet east of New York Telephone Pole No. 5 and approximately 51 feet north of the railroad depot, together with the necessity of installing warning devices including, but not limited to, automatic gates, signal lights, bells and any and all other such devices to give public notice of the approach of trains, 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 Niehaus.

All voted Aye.

(1972-613) Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install two (2) 22,500 lumen mercury vapor street lights and remove two (2) 4,000 lumen mercury vapor street lights on Pipetown-South Pascack Road intersection at increase in cost to the town annually-\$104.92.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-614) Councilman Niehaus offered the following resolution:

**RESOLVED**, that Orange & Rockland Utilities, Inc. is hereby authorized to install one (1) 7900 Lu 8'Ups Mercury Vapor Street Light in Subdivision of Property for Josef Walentin (Hanuet), at cost of \$54.60 Per Annum.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-615) Councilman Pizzutello offered the following resolution:

**RESOLVED**, that the Town Attorney be and is hereby authorized to prepare and the Supervisor authorized to execute an easement between the County of Rockland and the Town of Clarkstown for the erection of a bus shelter on town-owned property at no cost to the town, and be it

**FURTHER RESOLVED**, that a copy of this resolution be sent to the County Attorney.

Seconded by Councilman Lodico.

All voted Aye.

(1972-616) Councilman Lodico offered the following resolution:

**WHEREAS**, the following has applied to the town for a Certificate of Registration in compliance with Sec. 34-6 of the Code of the Town of Clarkstown:

P & G Excavating Corp. (Anthony Pieri, Pres.)  
Route 303, Valley Cottage, New York

**NOW THEREFORE**, be it

**RESOLVED**, that the following Certificate of Registration be issued:

No. 72-42 to P & G Excavating Corp.

Seconded by Councilman Pizzutello.

All voted Aye.

Monthly Reports for May 1972 received from Building Inspector and Zoning Board of Appeals. Noted by the Town Board; ordered filed in the Town Clerk's Office.

(1972-617) Councilman D'Antoni offered the following resolution:

RESOLVED, based upon the recommendation of the Town Engineer, that the Town Clerk be authorized to expedite Hydrant Order (Inves. #7483 Suppl.) for installation by Spring Valley Water Company, Inc. of one (1) hydrant on the west side of Scarlett Court, approximately 245 feet north of the center line of Second Street, New City.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-618) Councilman D'Antoni offered the following resolution:

RESOLVED, based upon the recommendation of the Town Engineer, that the Town Clerk be authorized to expedite Hydrant Order (Inves. #7472) for installation by Spring Valley Water Company, Inc. of five (5) hydrants in vicinity of Lake Nanuet Drive and Chimney Ridge Drive, Nanuet.

Seconded by Councilman Niehaus.

All voted Aye.

Town Board signed ORDER setting date of public hearing re proposed extension of Consolidated Water Supply District #1 to include BELTA REALTY EAST SUBDIV. -- 7/26/72 - 1:30 PM. (INSERT ORDER)

Town Board signed ORDER setting date of public hearing re proposed extension of Consolidated Water Supply District #1 to include DAVID N. HOFMANN SUBDIVISION -- 7/26/72 - 1:35 PM. (INSERT ORDER)

(1972-619) Councilman Niehaus offered the following resolutions:

RESOLVED, that resolution #464 adopted at the Town Board meeting of May 3, 1972 is hereby rescinded.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-620) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Supt. of Highways is hereby authorized to erect a sign to read "NO PARKING-LOADING ZONE 7:00 AM to 4:00 PM, MON. thru FRI.", on the east side of Main St., New City at a distance of thirty feet from the intersection of Congers Road.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-621) Councilman Lodico offered the following resolution:

RESOLVED, that the Town Clerk is authorized to advertise for bids for the supplying of sanitation dumpsters and disposing of refuse accumulated therein for the Town of Clarkstown, and be it

FURTHER RESOLVED, that said bids be returnable at the Town Board meeting of July 5th 1972 at 7:55 PM, and be it

FURTHER RESOLVED, that bid specifications be obtainable from the Office of the Supervisor.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-622) Councilman D'Antoni offered the following resolution:

RESOLVED, that the application of ARSENIO CARAMATTI for a Special Permit for the erection of a gasoline filling station pursuant to the requirements of Sec. 3.11, Sec. 4.3 and Sec. 8.333 of the Zoning Ordinance of the Town of Clarkstown, for property located on the west side of Route 303 and the north side of Lake Road, Congers, New York, be referred to the Planning Board of the Town of Clarkstown for report and also to the Rockland County Planning Board, pursuant to Secs. 239(1) and 239(m) of the General Municipal Law.

Seconded by Councilman Lodico.

On roll call the vote was as follows:

AYES: Councilmen D'Antoni, Lodico, Pizzutello, Supervisor Vines  
ABSTENTION: Councilman Niehaus.

(1972-623) Councilman Pizzutello offered the following resolution:

WHEREAS, the Town of Clarkstown, in the interest of protecting a large old Oak Tree, known as the CHARTER OAK, well over 250 years in age, which otherwise would be destroyed by the development of a subdivision known as PHILLIPS HILL PARK, and

WHEREAS, KOMAN DEVELOPERS, INC., developers of said subdivision, has agreed to convey a parcel of land containing said tree, along with a conservation easement to protect the root structure of said tree, and

WHEREAS, the developer has furnished a deed of conveyance for said parcel of land and a conservation easement in form satisfactory to the Town Attorney;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown accept said deed and conservation easement from Koman Developers, Inc. covering the premises located at Lot 8, Block B in said subdivision known as Phillips Hill Park, and more particularly described in said deed dated June 5, 1972.

Seconded by Councilman Lodico.

All voted Aye.

(1972-624) Councilman D'Antoni offered the following resolution:

WHEREAS, in order that the peace, health, safety, welfare and good order of the Town of Clarkstown be preserved by the regulation of local activities of itinerant sellers and solicitors of orders for sale, the Town Board of the Town of Clarkstown, by resolution dated the 14th day of June 1972, adopted a new ordinance regulating peddling and hawking, and

WHEREAS, our present ordinance pertaining to peddling and hawking, to wit, Chapter 30 of the Code of the Town of Clarkstown, now must be repealed;

NOW THEREFORE, be it

RESOLVED, that a public hearing 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 26th day of July, 1972, at 1:40 PM, relative to such proposed repeal of Chapter 30 of the Code of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Town Attorney prepare such notice of 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.

Seconded by Councilman Niehaus.

All voted Aye.

EEC856

(1972-625) Councilman Niehaus offered the following resolution:

RESOLVED, that based upon the recommendation of the Town Engineer, the Supt. of Highways be and is hereby directed to clean and dredge a stream listed as NJ 1-98, and be it

FURTHER RESOLVED, that said dredging operations be done on only those portions having proper town easements, and be it

FURTHER RESOLVED, that the cost of said dredging be charged against the Drainage Improvement Account.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-626) Councilman D'Antoni offered the following resolution:

RESOLVED, that St. Agatha Home for Children, Nanuet New York, having obtained proper insurance coverage, be granted permission for a public display of fireworks at St. Agatha Home for Children, Nanuet, on July 4, 1972 from approximately 9:30 PM to 10:15 PM, said display to take place on the football field of St. Agatha Home for Children.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-627) Councilman Niehaus offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 43 of the Code of the Town of Clarkstown to rectify violation on premises owned by

ALBERT LAMBORN

in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as Map 142, Block A, Lot 7.01

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-628) Councilman Niehaus offered the following resolution:

**RESOLVED**, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 43 of the Code of the Town of Clarkstown to rectify violation on premises owned by

**E & B Ambrose**

in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as Map 129, Block A, Lot 9.02

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-629) Councilman D'Antoni offered the following resolution:

**RESOLVED**, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 43 of the Code of the Town of Clarkstown to rectify violation on premises owned by

**ANDREW SABO**

in the Town of Clarkstown, more particularly described on the Tax Map of the town as Map 127, Block C, Lot 6

Seconded by Councilman Lodico.

All voted Aye.

(1972-630) Councilman Niehaus offered the following resolution:

**RESOLVED**, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 43 of the Code of the Town of Clarkstown to rectify violation on premises owned by

**STANLEY HUESTED**

in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as Map 14, Block C, Lot 30

Seconded by Councilman D'Antoni.

All voted Aye.

EFC856

(1972-631) Councilman D'Antoni offered the following resolution:

WHEREAS, an Order of the Town Board dated the 7th day of April, 1971 directed to Mr. & Mrs. Charles Cayot, 71 Blauvelt Road, Blauvelt, New York, to remove the building presently existing upon the premises designated on the Clarkstown Tax Map as Map 120, Block M, Lot 7, and to commence cleaning up of all rubbish and debris within fifteen (15) days from the date thereof, and

WHEREAS, the said Order required completion of the removal of the building and the cleanup of all rubbish and debris within sixty (60) days from the date of service thereof, and

WHEREAS, said Order was duly served upon Mr. and Mrs. Charles Cayot on the 13th day of April, 1971, and

WHEREAS, the said Mr. and Mrs. Charles Cayot have failed to comply with same;

NOW THEREFORE, be it

RESOLVED, that pursuant to Chapter 43 of the Code of the Town of Clarkstown and Section 130, subd. 16 d. of the Town Law of the State of New York, the Building Inspector of the Town of Clarkstown and Marvin Flamm, an architect, are hereby named to conduct a survey of the premises pursuant to law and to render a report of such survey in writing, and that the architect's fee, be in accordance with the AIA schedule of minimum fees, and that Mr. and Mrs. Charles Cayot be notified in writing by certified mail return receipt to appoint either a practical builder, engineer or architect to serve as their representative on such survey, and be it

FURTHER RESOLVED, that the said Mr. and Mrs. Charles Cayot be notified that in the event the building or other structure shall be reported unsafe or dangerous in such survey, an application will be made at Special Term of the Supreme Court held in and for the County of Rockland for an Order determining that the building or other structure is a public nuisance and directing that it shall be repaired and secured or taken down and removed as the Court may determine, and be it

FURTHER RESOLVED, that a copy of this resolution be served on the said Mr. and Mrs. Charles Cayot.

Seconded by Councilman Lodico.

All voted Aye.

(1972-632) Councilman D'Antoni offered the following resolution:

WHEREAS, an Order of the Town Board dated the 7th day of April 1971 directed to Benjamin Koehl, 6 Harbour Road, Great Neck, New York, to remove the building presently existing upon the premises designated on the Clarkstown Tax Map as Kap 129, Block A, Lot 42.01, and to commence cleaning up of all rubbish and debris within fifteen (15) days from the date thereof, and

WHEREAS, the said Order required completion of the removal of the building and the cleanup of all rubbish and debris within sixty (60) days from the date of service thereof, and

WHEREAS, said Order was duly served upon Benjamin Koehl on the 13th day of April, 1971, and

WHEREAS, the said Benjamin Koehl has filed to comply with same;

NOW THEREFORE, be it

RESOLVED, that pursuant to Chapter 43 of the Code of the Town of Clarkstown and Section 130, subd. 16d. of the Town Law of the State of New York, the Building Inspector of the Town of Clarkstown and Marvin Flamm, architect, are hereby named to conduct a survey of the premises pursuant to law and to render a report of such survey in writing, and that the architect's fee be in accordance with the AIA schedule of minimum fees, and that Benjamin Koehl be notified in writing by certified mail, return receipt, to appoint either a practical builder, engineer or architect to serve as his representative on such survey, and be it

FURTHER RESOLVED, that the said Benjamin Koehl be notified that in the event the building or other structure shall be reported unsafe or dangerous in such survey, an application will be made at Special Term of the Supreme Court held in and for the County of Rockland for an Order determining that the building or other structure is a public nuisance and directing that it shall be repaired and secured or taken down and removed as the Court may determine, and be it

FURTHER RESOLVED, that a copy of this resolution be served on the said Benjamin Koehl.

Seconded by Councilman Lodico.

All voted Aye.

EFC855

(1972-633) Councilman D'Antoni offered the following resolution:

WHEREAS, an Order of the Town Board dated the 17th day of February, 1971, directed to Scotlabd Hill Investment, Ltd., 9403 Leader Street, Houston, Texas, to remove the building presently existing upon the premises designated on the Clarkstown Tax Map as Map 129, Block A, Lot 39, and to commence cleaning up of all rubbish and debris within fifteen (15) days from the date thereof, and

WHEREAS, the said Order required completion of the removal of the building and the cleanup of all rubbish and debris within sixty (60) days from the date of service thereof, and

WHEREAS, said Order was duly served upon Scotland Hill Investment, Ltd. on the 19th day of February, 1971, and

WHEREAS, said Scotland Hill Investment, Ltd. has failed to comply with same;

NOW THEREFORE, be it

RESOLVED, that pursuant to Chapter 43 of the Code of the Town of Clarkstown and Section 130, subd. 16 d. of the Town Law of the State of New York, the Building Inspector of the Town of Clarkstown and Marvin Flama, an architect, are hereby named to conduct a survey of the premises pursuant to law and to render a report of such survey in writing, and that the architect's fee be in accordance with the AIA schedule of minimum fees, and that Scotland Hill Investment, Ltd. be notified in writing by certified mail and return receipt, to appoint either a practical builder, engineer or architect to serve as its representative on such survey, and be it

FURTHER RESOLVED, that the said Scotland Hill Investment, Ltd. be notified that in the event the building or other structure shall be reported unsafe or dangerous in such survey, and application will be made at Special Term of the Supreme Court held in and for the County of Rockland for an Order determining that the building or other structure is a public nuisance and directing that it shall be repaired and secured or taken down and removed as the Court may determine, and be it

FURTHER RESOLVED, that a copy of this resolution be served on the said Scotlabd Hill Investment, Ltd.

Seconded by Councilman Pizzutello.

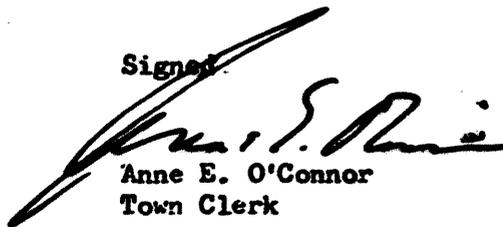
All voted Aye.

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As requested, (see resolution #588 adopted 6/7/72), the Building Inspector's Office submitted reports re violations of the Building Code which exist on Routes 94 and 303, Congers.

On resolution offered by Councilman Niehaus, seconded by Councilman D'Antoni, and unanimously adopted, Town Board meeting was adjourned until Wednesday, June the 28th, 1972 at 8:00 PM, at which time scheduled public hearings will be held in the Board Room of the Town Hall.

Signed



Anne E. O'Connor  
Town Clerk

EFC855