

PUBLIC HEARING

Town Hall

7/26/72

1:30 P.M.

Present: Councilmen Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines  
Frederick P. Roland, Town Attorney  
Martin S. Friedman, Deputy Town Attorney  
Jean Overmeyer, Deputy Town Clerk

RE: PROPOSED EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT #1  
TO INCLUDE: RELTA REALTY EAST

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

Walter Siemens, 30 S. Cole Avenue, Spring Valley, New York, sworn in by Supervisor and upon being questioned by Town Attorney, stated the following:

Is familiar with petition. All property owners within the proposed extension will be benefited. All property owners who will benefit are included within the limits of the proposed extension.

Would be in the public interest to grant because it will benefit the property owners 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.

Proposed extension would be at no expense to the town, total cost being borne by petitioner.

IN FAVOR: No one appeared.

OPPOSED: No one appeared.

There being no further questions, public hearing was closed on resolution offered by Councilman Niehaus, seconded by Councilman Lodico and unanimously adopted.

Signed,

*Jean Overmeyer*  
Jean Overmeyer  
Deputy Town Clerk

PUBLIC HEARING

Town Hall

7/26/72

1:35 P.M.

Present: Councilman Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines  
Frederick P. Roland, Town Attorney  
Martin S. Friedman, Deputy Town Attorney  
Jean Overmeyer, Deputy Town Clerk

RE: PROPOSED EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT #1  
TO INCLUDE: DAVID HOFFMAN SUBDIVISION

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

John M. Hecker, 53 Burd Street, Nyack, New York, Attorney for petitioner, sworn in by Supervisor and upon being questioned by Town Attorney, stated the following:

When petition was filed owner was David Hoffman, since that time property has been sold to George Faist. Is familiar with petition. All property owners within the proposed extension will be benefited. All property owners who will benefit are included within the limits of the proposed extension.

- Would be in the public interest to grant because it will benefit the property owners 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.

Proposed extension would be at no expense to the town, total cost being borne by petitioner.

IN FAVOR: No one appeared.

OPPOSED: No one appeared.

There being no further questions, public hearing was closed on resolution by Councilman D'Antoni, seconded by Councilman Lodico and unanimously adopted.

Signed,



Jean Overmeyer  
Deputy Town Clerk

**PUBLIC HEARING**

Town Hall

7/26/72

1:40 P.M.

**Present:** Councilmen Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines  
Frederick P. Roland, Town Attorney  
Martin S. Friedman, Deputy Town Attorney  
Jean Overmeyer, Deputy Town Clerk

**RE: PROPOSED REPEAL OF CHAPTER 30 (PEDDLING & HAWKING) OF THE TOWN OF CLARKSTOWN**

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

Town Attorney Roland stated that a new Peddling & Hawking Ordinance has been adopted and the purpose of this hearing is to repeal prior ordinance.

**IN FAVOR:** No one appeared.

**OPPOSED:** No one appeared.

There being no further questions, public hearing was closed on resolution offered by Councilman D'Antoni, seconded by Councilman Pizzutello and unanimously adopted.

Signed,

*Jean Overmeyer*  
Jean Overmeyer  
Deputy Town Clerk

TOWN BOARD MEETING

Town Hall

7/26/72

1:30 P.M.

Present: Councilmen Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines  
Frederick P. Roland, Town Attorney  
Martin S. Friedman, Deputy Town Attorney  
Jean Overmeyer, Deputy Town Clerk

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

1972-673 Councilman D'Antoni offered the following resolution:

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

Seconded by Councilman Lodico.

All voted Aye.

1972-674 Councilman Niehaus offered the following resolution:

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

Seconded by Councilman Pizzutello.

All voted Aye.

1972-675 Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 21st day of June, 1972, provided for a public hearing on the 26th day of July, 1972, at 1:40 P.M. to consider the repeal of Chapter 30 of the Code of the Town of Clarkstown entitled "Peddling and Hawking", 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 Chapter 30 of the Code of the Town of Clarkstown (the General Ordinances of the Town) entitled "Peddling and Hawking" is hereby repealed.

Seconded by Councilman Pizzutello.

All voted Aye.

Town Board signed ORDERS extending Clarkstown Consolidated Water Supply District #1 to include:

DELTA REALTY EAST  
DAVID HOFFMAN SUPERVISION

1972-676 Councilman Pizzutello offered the following resolution:

RESOLVED, that all bids for the supplying of the Sanitation Dumpsters to the Town of Clarkstown be and are hereby rejected.

Seconded by Councilman Michaus.

All voted Aye.

1972-677 Councilman Michaus offered the following resolution:

RESOLVED, that the minutes of the Town Board meeting of July 5, 1972 and July 21, 1972 are hereby accepted.

Seconded by Councilman Pizzutello.

All voted Aye.

1972-678 Councilman Michaus offered the following resolution:

WHEREAS, a sanitary sewer line has been installed on property owned by Anna Burnweit, north of Lake Road and east of Green Road, Valley Cottage and the said Anna Burnweit has agreed to convey a 10 foot wide easement approximately 600 feet long for this purpose, and

WHEREAS, Anna Burnweit has agreed to convey an easement for the sum of Four Thousand (\$4,000.00) Dollars, 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 pay the sum of Four Thousand (\$4,000.00) Dollars for said easement.

Seconded by Councilman D'Antoni.

All voted Aye.

1972-679 Councilman Lodico offered the following resolution:

WHEREAS, Reynolds Metals Development Corporation, Reynolds Metals Building, Richmond, Virginia 23261, have executed an easement for a strip of land approximately 20 feet wide by 976 feet long, and are offering it to the Town for Sewer District No. 35B in consideration of the sum of One Thousand (\$1,000.) 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

Resolution #679 - continued

**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 One Thousand (\$1,000.) Dollars for said easement.

Seconded by Councilman Niehaus.

All voted Aye.

1972-680 Councilman Pizzutello offered the following resolution:

WHEREAS, Joseph A. Petee and Marie Petee, his wife, residing at 14 Esther Avenue, Congers, New York 10920, have executed an easement for a strip of land approximately 20 feet wide by 160 feet long and are offering it to the Town for Sewer District No. 35B in consideration of the sum of Four Hundred Eighty (\$480.) 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 the Master Benefited Sewerage Improvement Area account pay the sum of Four Hundred Eighty (\$480.) Dollars for said easement.

Seconded by Councilman Niehaus.

All voted Aye.

1972-681 Councilman D'Antoni offered the following resolution:

**RESOLVED,** that the Town Board of the Town of Clarkstown does hereby elect, as provided in Chapter 952 Laws of 1972, to permit participation in the Twenty year or Twenty-five year retirement plan available, by those members of its Police or Fire Department who, through no negligence of their own, failed to join during the prescribed period of eligibility.

Seconded by Councilman Niehaus.

All voted Aye.

Monthly report of the Building Inspector and Zoning Board of Appeals for June 1972 noted by Town Board and filed in the Town Clerk's Office.

1972-682 Councilman D'Antoni offered the following resolution:

RESOLVED, that the two part payment of tax bills for Town, County and Special Districts be and is hereby abolished.

Seconded by Councilman Nicholas.

All voted Aye.

1972-683 Councilman D'Antoni offered the following resolution:

WHEREAS, Anthony D'Antoni, a member of the Town Board of the Town of Clarkstown, has introduced an amendment to Local Law No. 3-1966, and as amended, entitled "LOCAL LAW PROVIDING FOR THE GRANTING OF PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION FOR REAL PROPERTY OWNED BY CERTAIN PERSONS WITH LIMITED INCOME WHO ARE SIXTY-FIVE YEARS OF AGE OR OVER", which law is designated in the Code of the Town of Clarkstown as Chapter 61. Said amendment is as follows:

Amend Section 61-3 to read as follows:

61-3. Statutory qualifications.

D. The combined income of all of the owners of the property must have been Six Thousand Dollars (\$6,000.00) or less during the twelve (12) consecutive months immediately preceding the date of making the application for exemption. Where title to property is vested in either a husband or wife, the combined income of the husband and wife may not exceed Six Thousand Dollars (\$6,000.00). "Income" includes all social security and retirement payments, interest, dividends, net rental income, salaries or other earnings, including net income for self-employment. "Income" does not include gifts or inheritances.

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law be had at the Board Room of the Town Hall, 10 Maple Avenue, New City, New York, on the 13<sup>th</sup> day of September, 1972, at 8:12 P.M., relative to such proposed amendment, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the official newspaper of the Town, and posted in the manner proved by law, and be it

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

Seconded by Councilman Nicholas.

All voted Aye.

1972-684 Councilman Nicholas offered the following resolution:

WHEREAS, ENLAN REALTY CORP. (KNAPP PROPERTY) 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-15 district to RS district;

Resolution #684 - continued

**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 27<sup>th</sup> day of September, 1972 at 8:05 P.M., 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 D'Antoni.

All voted Aye.

Town Board signed **ORDER CALLING PUBLIC HEARING** for the Proposed Extension of the Clarkstown Consolidated Water Supply District #1 to include SILVERSTONE - September 13, 1972 - 8:17 P.M.

1972-685 Councilman Niehaus offered the following resolution:

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

**WHEREAS**, it has been brought to the attention of the Town Board of the Town of Clarkstown that an error appears on the Zoning Map of the Town of Clarkstown, and

**WHEREAS**, the Town Board desires to correct said error which appears on the Zoning Map of the Town of Clarkstown for property located to the east of Mountain View Avenue in Central Nyack, New York, more particularly described as follows:

Map 135, Block D, Lot 16.01

by changing said property from an BG-2 district, as it presently appears on the said Zoning Map, to an 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 27<sup>th</sup> day of September 1972, at 8:10 P.M., relative to such proposed map correction; and it is

**FURTHER RESOLVED**, that the Town Attorney prepare notice of such statutory hearing and 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.

1972-686 Councilman D'Antoni offered the following resolution:

WHEREAS, an application for a search warrant was made to the Honorable Judge Flynn, Justice of the Town of Clarkstown, requesting permission to search premises located at 232 Townline Road, West Hyack, New York, on the ground that the same was maintained in a condition dangerous to human habitation, and

and WHEREAS, said search warrant was executed on the 28<sup>th</sup> day of June 1972,

and WHEREAS, as a result of said search warrant, violations of Section 260.10 and 260.20 of the Penal Law of the State of New York, the Multiple Residence Law of the State of New York, Section 10 and 12 of Article II and Section 26 and 27 of Article III, Building Code and Fire Code of the Town of Clarkstown, Chapter 15, Section 15-9, were observed by the office of the Building Inspector, and

WHEREAS, the Building Inspector has advised the Town Board that the said premises are unfit for human habitation;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney's office be and is hereby authorized to take all necessary legal steps to prohibit the use of the aforesaid premises for human habitation.

Seconded by Councilman Nicholas.

All voted Aye.

1972-687 Councilman D'Antoni offered the following resolution:

RESOLVED, that Bond Numbers 907877 and 907878 issued by Republic Insurance Company, 129 Fulton Street, New York, New York 10038 to RALEIGH ESTATES, INC., 162 South Main Street, New City, New York, as Principal and ALEX WEISFELD and BERNARD FISHER, as Co-Principals in connection with subdivision known as RALEIGH ESTATES (dated Feb. 3, 1968, Rev. June 26, 1968) in favor of the Town of Clarkstown, be declared in default, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown be directed to take all necessary proceedings against said bonds to insure compliance with the requirements of the aforementioned maintenance bonds, and be it

FURTHER RESOLVED, that the Town Engineer, Town Superintendent of Highways and all other departments or agencies furnish all necessary data to the Town Attorney in order to implement this resolution.

Seconded by Councilman Lodico.

All voted Aye

1972-688 a Councilman Niehaus offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deed from: JACK GREENBERG, dated December 28, 1971 conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on a certain map entitled "Amended Subdivision Plat, Section 8, Lots 1, 1A and 2, Demarest Hills" and filed in the Rockland County Clerk's Office on July 11, 1969, in Book 78 of Maps at Page 44 as Map #3893 and also on map entitled "Demarest Hills Homes Section 8," and filed in the Rockland County Clerk's Office on July 21, 1967 in Book 73 at Page 36 as Map #3590 as follows: LONG MEADOW DRIVE is hereby accepted by the Town of Clarkstown and ordered filed in the Rockland County Clerk's Office; and be it

FURTHER RESOLVED, that Performance Bonds No. 900739 and 900740 dated the 7th day of June, 1967, RUEL REALTY CORP. as Principal and Jack Greenberg as Co-principal and REPUBLIC INSURANCE CO., as Surety, for the benefit of the Town of Clarkstown, are hereby released.

Seconded by Councilman D'Antoni.

All voted Aye.

Highway Supt. stated he did not feel roads should be accepted as there was drainage work still to be done. Supervisor informed the Highway Supt. that money has been held in escrow for completion of same.

A resident in area stated his concern over the problem. Town Engineer stated new pipe to be put in and also stream embankment to be corrected.

Town Board signed ORDER EXTENDING DISTRICT - Vicinity of Lake Mamet.

1972-688b Councilman D'Antoni offered the following resolution:

(INSERT RESOLUTION DECLARING BONDS IN DEFAULT - VALLEY COTTAGE HEIGHTS, SEC III)

Seconded by Councilman Lodico.

All voted Aye.

1972-689 Councilman Niehaus offered the following resolution:

WHEREAS, a proceeding has been instituted against the Receiver of Taxes of the Town of Clarkstown entitled as follows:

THEOPILUS ALEXANDER SWABY,

Plaintiff,

-against-

GRETA ROSE SWABY; SPRING VALLEY SAVINGS and  
LOAN ASSOCIATION; RECEIVER OF TAXES, TOWN OF  
CLARKSTOWN; TREASURER OF ROCKLAND COUNTY;  
JOHN DOE and JOHN DOE (1) through JOHN DOE  
(10) inclusive.

The last ten names being fictitious and un-  
known to plaintiff; the person or persons  
intended, being the tenants, occupants,  
persons or corporation, if any, having or  
claiming to have interest in or lien upon  
the premises described in the complaint.

Defendant.

Resolution #689 - continued

**NOW THEREFORE, be it**

**RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to defend said action.**

Seconded by Councilman D'Antoni.

All voted Aye.

1972-690 Councilman D'Antoni offered the following resolution:

**RESOLVED, that resolution #504 adopted at the Town Board meeting of May 17, 1972, be and is hereby rescinded.**

Seconded by Councilman Lodico.

All voted Aye.

1972-691 Councilman Lodico offered the following resolution:

**WHEREAS, an emergency exists wherein raw sewerage is overflowing on certain properties located on Mitchell Drive and Sherry Drive in a subdivision known as Valley Cottage Heights, Valley Cottage, New York, and**

**WHEREAS, the Town Board has been petitioned by the homeowners in this vicinity to install 58 feet of pipe which will remedy the emergency;**

**NOW THEREFORE, be it**

**RESOLVED, that a state of emergency is declared to exist in the aforementioned vicinity and the Superintendent of Highways is directed to install the required 58 feet of pipe and the work incidental thereto.**

Seconded by Councilman Michans.

All voted Aye.

Proposed resolution re Town Law 261 - Brock Houses - deleted from agenda.

1972-692 Councilman D'Antoni offered the following resolution:

**WHEREAS, some confusion exists in connection with signs indicating Cottage Lane and Old Mill Road in a subdivision entitled "Valley Acres", Valley Cottage, New York, and**

**WHEREAS, it appears that the signs on said highway should read Old Mill Road;**

**NOW THEREFORE, be it**

**RESOLVED, that the Superintendent of Highways be and he hereby is directed to remove the sign on Old Mill Road indicating the location of Cottage Lane and replacing same with a sign reading Old Mill Road.**

Seconded by Councilman Michans.

All voted Aye.

1972-693 Councilman Nicholas offered the following resolution:

RESOLVED, that the Supervisor be and is hereby authorized to retain two qualified Appraisers for the purpose of submitting an appraisal to the Town Board of the Turnbow Property, Gilchrest Road, Congers, New York, for the purpose of completing the Congers Lake Park and be it

FURTHER RESOLVED, that the fee schedule be in accordance with the standard set by Realtors, and be it

FURTHER RESOLVED, that said appraisal be returned to the Town prior to the Town Board meeting of August 16, 1972.

Seconded by Councilman D'Antoni.

All voted Aye.

Town Board received letter of resignation from Merton E. Rawson, member of Clarkstown Planning, Town Board accepted his resignation, with regret.

1972-694 Councilman Nicholas offered the following resolution:

RESOLVED, that the resignation of Merton Rawson as Member of the Clarkstown Planning Board is hereby accepted with regret, effective July 31, 1972.

Seconded by Councilman D'Antoni.

All voted Aye.

1972-695 Councilman Nicholas offered the following resolution:

RESOLVED, that the Building Inspector be and is hereby authorized to dispose of all records which have been microfilmed for the Building Inspector's office and the Zoning Board of Appeals.

Seconded by Councilman D'Antoni.

All voted Aye.

1972-696 Councilman Pizzutelle offered the following resolution:

RESOLVED, that the Supervisor be and is hereby authorized to execute a Lease Agreement between the Town of Clarkstown and H.O. Penn Machinery Co., Inc., 140<sup>th</sup> Street & East River, Bronx, New York, for a one month period at a cost not to exceed \$5,000.00.

Seconded by Councilman Nicholas.

All voted Aye.

1972-677 Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic Advisory Board, the Supt. of Highways is hereby authorized to erect a full "STOP" sign to replace the "YIELD" sign that is presently on the northwest corner of Calvary Drive and North Main Street, New City, New York.

Seconded by Councilman Pizzutello.

All voted Aye.

1972-698 Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic Advisory Board, the Supt. of Highways is hereby authorized to erect a "STOP" sign on the southwest corner of Glenside Drive, where it intersects with Laurel Road, New City, New York.

Seconded by Councilman Pizzutello.

All voted Aye.

1972-699 Councilman Lodico offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for one Sanitary Landfill Compactor, said bids to be returnable at the Town Board meeting of August 16, 1972 at 8:05 P.M., and be it

FURTHER RESOLVED, that specification be obtained from the Town Clerk's office.

Seconded by Councilman Niehaus.

All voted Aye.

1972-700 Councilman Lodico offered the following resolution:

RESOLVED, that Harold Roth and Joseph King are hereby authorized to attend a conference re: Voting Machines, at Jamestown, New York, on August 7, 8, 9, 1972, and be it

FURTHER RESOLVED, that all expenses up to \$200.00 per man be made a proper Town charge.

Seconded by Councilman Niehaus.

All voted Aye.

1972-701 Councilman Niehaus offered the following resolution:

RESOLVED, that the Supt. of Highways be and is hereby authorized to install the necessary drainage pipes along Millturn Court, Valley Cottage, at a cost not to exceed \$3,700.00.

Seconded by Councilman D'Antoni.

All voted Aye.

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1972-702 Councilman Pizzutello offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for the furnishing and installation of gates and flashing lights at the railroad crossing at Prospect Street, Kenast and Gilchrest Road, Congers, said bids returnable at the Town Board meeting of August 16, 1972, 8:07 P.M., and be it

FURTHER RESOLVED, specifications may be obtained from the Town Clerk's office.

Seconded by Councilman D'Antoni.

All voted Aye.

1972-703 Councilman D'Antoni offered the following resolution:

WHEREAS, only one Town Justice has been conducting the Town Justice Court of the Town of Clarkstown, and

WHEREAS, as a result, the calendar of the Town Justice Court of the Town of Clarkstown has become extremely congested, and

WHEREAS, it is in the public interest to expedite the trial of matters, both civil and criminal, on the calendar of the Town Justice Court of the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby consents, pursuant to Sec. 12(b) of the Judiciary Law, to the temporary assignment, by the Appellate Division of the Supreme Court of the Second Judicial Department, of any Town, Village or City Court Judge within the 9th Judicial District to the Town Justice Court of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown be and he hereby is authorized to take all steps necessary to procure the temporary assignment of additional judicial personnel to the Town Justice Court of the Town of Clarkstown.

Seconded by Councilman Pizzutello.

All voted Aye.

1972-704 Councilman Michaus offered the following resolution:

RESOLVED, that six members of the Clarkstown Planning Board and the Town Planner are hereby authorized to attend the New York Planning Federation Seminar to be held at Monticello, New York, on October 15, 16 and 17, 1972, at a maximum total cost to the Town of \$300.00.

Seconded by Councilman Pizzutello.

All voted Aye.

Building Inspector gave report of Congers Property - filed in Town Clerk's office.

1972-705 Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 21st day of June, 1972, provided for a public hearing on the 5th day of July, 1972, to consider an amendment to the Zoning Ordinance of the Town of Clarkstown, to wit, to permit indoor tennis facilities in the IJO zone by Special Permit of the Town Board 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 aforesaid proposed amendment to the Zoning Ordinance of the Town of Clarkstown is hereby DENIED.

Seconded by Councilman Pizzutello.

All voted Aye.

1972-706 Councilman Niehaus offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 17th day of May, 1972, provided for a public hearing on the 28th day of June, 1972, at 8:00 P.M., to consider the application of MOBIL OIL CORPORATION to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an CS district to a RS district; 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 Lodico.

All voted Aye.

1972-707 Councilman D'Antoni 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 Councilman D'Antoni, a member of the Town Board of the Town of Clarkstown at a Town Board meeting held May 3, 1972, and

Resolution #707 - continued

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 3rd day of May, 1972, directed that a public hearing be held on the 14th day of June, 1972, at 8:00 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 May 31, 1972, and posted on the zigboard in the Town of Clarkstown on the 31st day of May, 1972, and

WHEREAS, copies of the proposed amendment to said local law were on the desks of the members of the Town Board on the 3rd day of May, 1972, and

WHEREAS, a public hearing was held by the Town Board on the 14th day of June, 1972, at 8:00 o'clock in the evening;

NOW THEREFORE, be it

RESOLVED, that Local Law No. 5-1972 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 is directed to file said Local Law pursuant to Sec. 27 of the Municipal Home Rule Law.

Seconded by Councilman Lodico.

All voted Aye.

1972-708 Councilman Niehaus offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 17th day of May, 1972, provided for a public hearing on the 14th day of June, 1972, at 8:10 P.M. 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:

Resolution #703 - continued

Amend Sec. 3.11, Table of General Use Regulations  
as follows:

RS Zone, Column 3, delete Item 6 under A.  
Board of Appeals and add Item 4 under B.  
Town Board as follows:

"4. Auto Laundries, subject to Sec. 4.32 (c)."

LIO Zone, Column 3 under B. Town Board, Item 2  
to read as follows:

"2. Same as Nos. B 2 and 4 of RS."

Seconded by Councilman Lodico.

All voted Aye.

1972-709 Councilman Michaus offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 16<sup>th</sup> day of February, 1972, provided for a public hearing on the 22<sup>nd</sup> day of March, 1972, at 8:45 P.M., to consider the application of ARSENIO CARAMATTI to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an CS district to a RS district; 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 application be DENIED.

Seconded by Councilman Lodico.

All voted Aye.

1972-710 Councilman Pizzutello offered the following resolution:

RESOLVED, the Building Inspector be and is hereby authorized to issue a Building Permit to KARL VAINE, South Lane, New City, New York, pursuant to Section 280 (a) of the Town Law, and be it

FURTHER RESOLVED, that all recommendations from both the Town Engineer and the Building Inspector be adhered to prior to said issuance of Building Permit, and be it

FURTHER RESOLVED, that prior to the issuance of said Building Permit KARL VAINE shall furnish to the Town a Declaration of Restrictive Covenant wherein KARL VAINE covenants to participate in a road improvement district when and as required by the Town Board of the Town of Clarkstown and acknowledges the fact that KARL VAINE or his successors in title are not entitled to Town services, road maintenance and other such services, and the Declaration of Restrictive Covenant to be recorded in the Rockland County Clerk's Office.

Seconded by Councilman D'Antoni.

All voted Aye.

Mr. H. Guerriero, 15 Grove Court, Bardonia, N.Y. appeared before the Town Board. Purchased home in Royal Crest Development in 1971. Filed map showed center island of cul-de-sac to be landscaped. To this date nothing has been done. Supervisor instructed Town Planner to find out why this has not been done.

Mr. Pantano, Strawtown Road, West Nyack appeared before the Board re drainage on Strawtown Road. Wished to stress the urgency of problem. In the past two years has been flooded out twice. Supervisor advised that problem is being looked into. Town wide drainage study is underway.

1972-711 Councilman D'Antoni offered the following resolution:

RESOLVED, that W. Reginald Herdman is hereby reappointed as Chairman of the Zoning Board of Appeals for the year June 19, 1972 to June 18, 1973 at the annual salary for 1972 of \$850.00.

Seconded by Councilman Pizzutello.

On roll call the vote was as follows:

Councilman Niehaus .....Abstain  
Councilman D'Antoni.....Aye  
Councilman Lodico.....Aye  
Councilman Pizzutello.....Aye  
Supervisor Vinas.....Aye

MOTION CARRIED

1972-712 Councilman Lodico offered the following resolution:

RESOLVED, that Eugene Quaglia, 2 Brookside Drive, Mannet, New York is hereby appointed a member of the Zoning Board of Appeals for a five year term to expire on June 18, 1977, at the annual salary for 1972 of \$600.00.

Seconded by Councilman Niehaus.

On roll call the vote was as follows:

Councilman Niehaus.....Aye  
Councilman D'Antoni.....No  
Councilman Lodico.....Aye  
Councilman Pizzutello.....Aye  
Supervisor Vinas.....Aye

MOTION CARRIED

1972-713 Councilman Pizzutello offered the following resolution:

RESOLVED, that Eugene Grogan, 10 Glenn Lane, New City, New York is hereby appointed a member of the Clarkstown Planning Board to fill the unexpired term of Martin Hanson, to January 4, 1973, at the annual salary for 1972 of \$1,500.00, effective August 1, 1972.

Seconded by Councilman Lodico.

On roll call the vote was as follows:

Councilman Richards.....Aye  
Councilman D'Antoni.....Abstain  
Councilman Lodico.....Aye  
Councilman Pizzutello.....Aye  
Supervisor Vines.....Aye

**MOTION CARRIED**

1972-714 Councilman Pizzutello offered the following resolution:

RESOLVED, that Richard G. Campbell, 859 Mullberry Road, Valley Cottage, New York is hereby appointed a member of the Architectural Review Board, term to expire on May 24, 1975, at the annual salary for 1972 of \$625.00 per annum, effective immediately.

Seconded by Councilman D'Antoni.

All voted Aye.

1972-715 Councilman Richards offered the following resolution:

RESOLVED, that Lawrence H. Wieser, #2 Congers Road, New City, New York, is hereby appointed as a Cleaner, part-time, at the hourly wage of \$2.50, retroactive and effective July 10, 1972.

Seconded by Councilman Pizzutello.

All voted Aye.

1972-716 Councilman D'Antoni offered the following resolution:

WHEREAS, Chief of Police Ernest Wiebicke has recommended that Patrolman Florence J. Sullivan be appointed to the rank of Detective at an increase in salary of \$500.00 per annum,

NOW THEREFORE, be it

RESOLVED, that Patrolman Florence J. Sullivan, 67 South Congers Ave., Congers, New York, is hereby appointed to the position of Detective, at the annual salary for 1972 of \$15,350.00, effective immediately.

Seconded by Councilman Lodico.

All voted Aye.

Supervisor Vines extended his congratulations to Patrolman Sullivan through Captain Nieman, reminding him that he was filling the shoes of one of the best policemen Clarkstown has ever had-Detective Smith who recently passed away.

On resolution offered by Councilman Lodico, seconded by Councilman Richards, all voted Aye. Motion carried. Motion was seconded until August 10, 1972 at which

*John J. Vines*  
John J. Vines, Deputy Town Clerk