

TOWN BOARD MEETING

Town Hall

9/20/72

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

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

(1972-783) Councilman Niehaus offered the following resolution:

RESOLVED, that time for receiving bids for furnishing Winter Police Uniforms 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:

MERSON UNIFORM CO.  
254-8 Canal Street,  
New York, New York 10013.....TOTAL BID PRICE: \$4033.25

BEST UNIFORM CO, INC.  
18 West 18th St.,  
New York, N Y 10011.....TOTAL BID PRICE: \$4095.60

LOU TEMCO UNIFORMS, INC.  
40 East Central Ave.,  
Pearl River, N Y 10965.....TOTAL BID PRICE: \$2334.00

(1972-784) Councilman Niehaus offered the following resolution:

RESOLVED, that decision on award of bid for furnishing Winter Police Uniforms be reserved; all bids to Chief of Police for recommendation.

Seconded by Councilman D'Antoni.

All voted Aye.

Bid Award - Sanitary Landfill Compactor -- deferred.

(1972-785) Councilman Niehaus offered the following resolution:

RESOLVED, that based upon the recommendation of Seymour Gurwitz, Architect for the Town Hall Addition, the bid for Contract #1 - General Construction - be and is hereby awarded to the low bidder, Sullivan, Magee, & Sullivan, Inc., Park 80 Plaza West - One, Saddle Brook, New Jersey, at a net bid of \$965,000.00.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-786) Councilman Niehaus offered the following resolution:

RESOLVED, that based upon the recommendation of Seymour Gurwitz, Architect for the Town Hall Addition, the bid for Contract #2 - Heating, Ventilating and Air Conditioning - be and is hereby awarded to the low bidder, Warriner Smith Utilities, Inc., 320 North Main St., Spring Valley, N Y at a net bid of \$284,906.00.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-787) Councilman Lodico offered the following resolution:

RESOLVED, that based upon the recommendation of Seymour Gurwitz, Architect for the Town Hall Addition, the bid for Contract #3 - Plumbing - be and is hereby awarded to the low bidder, Thomas J. Kampton, Jr., 89 South Main St., New City N Y at a net bid of \$59,614.00.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-788) Councilman Lodico offered the following resolution:

RESOLVED, that based upon the recommendation of Seymour Gurwitz, Architect for the Town Hall Addition, the bid for Contract #4 - Electrical - be and is hereby awarded to the low bidder, Finest Wiring Corp., 300 Route 304, New City N Y at a net bid of \$162,900.00.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-789) Councilman Niehaus offered the following resolution:

RESOLVED, that minutes of Town Board meeting held on 9/6/72 are hereby accepted.

Seconded by Councilman Pizzutello.

All voted Aye.

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

(1972-790) Councilman D'Antoni offered the following resolution:

WHEREAS, Penn Central Transportation Company, Six Penn Center Plaza, Philadelphia, Pa. has met specifications for installation of flashing light signals and short arm gates at the Gilchrest Road grade crossing;

NOW THEREFORE, be it

RESOLVED, that award of bid for same be awarded to Penn Central Transportation Co. at cost to town of \$34,575.00, pending examination.

Seconded by Councilman Lodico.

All voted Aye.

Proposed resolution appointing Kenneth W. Warren to position of Laborer - Sewer Department -- deferred.

(1972-791) Councilman D'Antoni offered the following resolution:

RESOLVED, that Robert W. Moulond, 7 Grand St., New City N Y is hereby appointed a member of the Traffic Advisory Safety Committee to fill the unexpired term of Joseph A. Murphy, term to expire March 1973, at the annual salary for 1972 of \$400.00, effective immediately.

Seconded by Councilman Niehaus.

On roll call the vote was as follows:

AYES: Co. Niehaus, D'Antoni, Supervisor Vines

NOES: Co. Lodico

ABSENT: Co. Pizzutello.

Motion carried

(1972-792) Councilman Niehaus offered the following resolution:

RESOLVED that the resignation of Dr. Donald Winikoff, 12 Woodward Road, West Nyack N Y as Chairman of the Clarkstown Narcotics Guidance Council is accepted with regret, effective immediately.

Seconded by Councilman Pizzutello.

All voted Aye.

Supervisor Vines stated Dr. Winikoff's resignation great loss to town because of outstanding job he has done with the Narcotics Council; his resignation tendered because of additional work for hospital making him unable to serve the town further.

(1972-793) Councilman Pizzutello offered the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the second provisional appointment, pending examination, of JAMES R. SHERIDAN, 52 South Conger Ave., Congers N Y to the position of Custodian (4 PM to 12M - Town Hall) at a salary of \$7,671.40 per annum, effective and retroactive to August 10, 1972.

Seconded by Councilman Lodico.

All voted Aye.

(1972-794) Councilman Pizzutello offered the following resolution:

RESOLVED, that Brian E. O'Hara, 93 Old Haverstraw Road, Congers N Y is hereby appointed as a Cleaner - Town Hall, for a period not to exceed four months, at the hourly wage of \$2.50, effective and retroactive to September 5, 1972.

Seconded by Councilman Lodico.

All voted Aye.

(1972-795) Councilman Niehaus offered the following resolution:

RESOLVED, that John Procelli, 503 North Midland Ave., Upper Nyack N Y is hereby appointed to the position of Crossing Guard - Police Department at a salary of \$9.00 or \$7.00 per day, depending on the post covered, effective and retroactive to September 6, 1972.

Seconded by Councilman D'Antoni.

All voted Aye.

Proposed resolution appointing Joan, Barbara, West Nyack to position of Narcotics Counselor p/t -- deferred.

Proposed resolution appointing Dr. Isidor J. Rosen, West Nyack to position of Police Surgeon p/t -- deferred.

(1972-796) Councilman D'Antoni offered the following resolution:

**RESOLVED**, that the following persons are hereby appointed to serve as Dog Enumerators for the licensing year 1973:

Evelyn McKeegan, 11 DeForest Avenue, New City, N Y  
Loretta Hauser, 19 So. Park Ave., Manast N Y  
Kathleen Murphy, 29 Windmill Lane, New City N Y  
Lydia M. Lediger, 26 Windmill Lane, New City N Y  
Oona Quigley, 12 Windmill Lane, New City, N Y  
Eileen Hughes, 21 Marcia Lane, New City N Y

and be it

**FURTHER RESOLVED**, that the Enumerators be paid at the rate of \$3.50 per dog, to be paid by the County, and \$.12 per mile, to be paid by the town.

Seconded by Councilman Fizzutello.

All voted Aye.

(1972-797) Councilman Lodico offered the following resolution:

**WHEREAS**, Philip Meisner, Asst. Building Inspector in the Bldg. Inspector's Office has requested a leave of absence,

**NOW THEREFORE**, be it

**RESOLVED**, that based upon the recommendation of the Building Inspector, a six months leave of absence be granted to Philip Meisner, 10 Glenbrook Road, Monsey, N Y, effective 10/1/72, without compensation.

Seconded by Councilman D'Antoni.

All voted Aye.

Proposed resolution appointing Ralph Lombardi, New N Y to position of Clerk of the Works -- deferred.

(1972-798) Councilman Niehaus offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for the purchase of Automotive Parts and Supplies, said bids to be made on a unit basis for a one year period commencing on the date of the bid award, and be it

FURTHER RESOLVED, that said bids be returnable at the Town Board meeting of October 5, 1972 at 8:05 PM, specifications to be obtained at the Supervisor's Office.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-799) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for the purchase of Sixteen (16) Patrol Cars for the Police Dept., and be it

FURTHER RESOLVED, that said bids be returnable at the Town Board meeting of 10/4/72 at 8:07 PM, specifications to be obtained at the Supervisor's Office.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-800) 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 remove a "YIELD" sign from the northwest corner of Maple Ave. at the intersection of Third St., New City N Y, and be it

FURTHER RESOLVED, that a "STOP" sign be installed at the same location.

Seconded by Councilman Lodico.

All voted Aye.

(1972-801) Councilman D'Antoni Offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for equipment for the Town Hall Garage, and be it

FURTHER RESOLVED, that said bids be returnable at the Town Board meeting of 10/4/72 at 8:09 PM, specifications to be obtained from the Supervisor's Office.

Seconded by Councilman Lodico.

All voted Aye.

(1972-802) 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 install a "STOP" sign on Freedman Ave., Nanuet N Y, where it intersects with Old Nyack Turnpike, Nanuet N Y.

Seconded by Councilman Lodico.

All voted Aye.

(1972-803) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic Advisory Board, the Supt. of Highways be and is hereby authorized to install the following signs:

1. "NO PARKING" signs on the west side of Harrison Ave., from the fire house to Congers Lake Rd., Congers N Y,
2. "NO PARKING" signs to be erected on the east side of Friend St. from Fisher Ave., to Congers Lake Rd., Congers N Y.
3. "NO PARKING" FROM HERE TO THE CORNER" signs to be erected on the south side of Congers Lake Road, fifty (50) feet east and west of Harrison Ave., Congers N Y

Seconded by Councilman Lodico.

All voted Aye.

(1972-804) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic Advisory Board, the Supt. of Highways be and is hereby authorized to install the following signs:

1. A "STOP" sign on the southwest corner on Woodhaven Drive at the intersection of Zukor Road.
2. Signs to read "KEEP RIGHT" on the east and west end of the traffic islands in Woodhaven Drive between the traffic circle and Zukor Road.
3. Reflectorized, directional arrows to be installed on the traffic circle to direct traffic in a counter clockwise direction.

Seconded by Councilman Lodico.

All voted Aye.

Proposed resolution regarding removal of fence on town property -- (Freemont Ave., Nanuet) -- deferred.

Proposed resolutions setting hearings re (1) Proposed Local Law Creating a Narcotic Guidance Council -- deferred; (2) Proposed Local Law Regulating the Sale of Soft Drinks in Certain Containers -- deferred; (3) Proposed Local Law Creating an Office of Consumer Protection -- deferred;

(1972-805) Councilman Lodico offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for a Sewer Interceptor at Beatrice Lane, New City N Y and be it

FURTHER RESOLVED, that said bids be returnable at the Town Board meeting of 10/11/72 at 8:00 PM, specifications obtained from Town Clerk's Office.

Seconded by Councilman Pizzutello.

All voted Aye.

EFC891

(1972-806) Councilman Niehaus offered the following resolution:

**RESOLVED,** that the Town Clerk is hereby authorized to advertise for bids for a Sewer Interceptor at Strawberry Hill, West Nyack N Y and be it

**FURTHER RESOLVED,** that said bids be returnable at the Town Board meeting of 10/11/72 at 8:02 PM, specifications to be obtained from the Town Clerk's Office.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-807) 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 B-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 11th day of October 1972 at 8:05 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 D'Antoni.

All voted Aye.

(1972-808) Councilman Niehaus offered the following resolution:

WHEREAS, J. H. DEW, 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 Ave., New City, Rockland County, New York, in the said Town of Clarkstown, on the 11th day of October 1972 at 8:10 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 D'Antoni.

All voted Aye.

(1972-809) Councilman D'Antoni offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deed from Arner Construction Corp dated July 8, 1971 and Easement Agreement from Lloyd & Elaine Bachman conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "ARROW HOMES" filed in the Rockland County Clerk's Office on 11/26/69 in Book 79 of Maps at Page 44 as Map No. 3967 as follows: Arrow Lane, are 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 Nos. 904408 and 904409 dated the 31st day of October 1969, ARNER CONSTR. CORP. as Principal, and JOSEPH ARNER & BELLA ARNER, as Co-Principals, and REPUBLIC INSURANCE CO. as Surety, for the benefit of the Town of Clarkstown, are hereby released.

Seconded by Councilman Pizzitello.

All voted Aye.

EEC891

EEC140

Town Board signed the following Maintenance Bonds, approving same as to form and sufficiency:

Republic Insurance Co. Bond #907253 (Supercedes #904409)  
Arner Constr. Corp., Princ. (J. Arner & Bella Arner, Co-Princ.)  
Amount: \$230.00  
Covers: Sewer Imp.  
Pd: One year.

Republic Insurance Co. Bond #907252 (supercedes #904408)  
Arner Constr. Corp., Princ. (J. Arner & Bella Arner, Co-Princ.)  
Amount: \$855.00  
Covers: Roads  
Pd: One year.

(1972-810) Councilman Niehaus offered the following resolution:

WHEREAS, GEORGE SOKOLAY has made written application for the use of Town Law, Sec. 281 in connection with subdivision known as MONA PARK ESTATES, and

WHEREAS, the Planning Board of the Town of Clarkstown recommends the approval of the use of Town Law 281 in connection with this subdivision, and

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law 281 is used in this subdivision for the reasons that:

1. It will preserve tree cover on the existing large home site.
2. It will allow a substantial harmony of lot size between the three zoning districts covered by this property.
3. It contains a special cul-de-sac area providing a desirable quiet and secluded environment.
4. The design complements and harmonizes with existing surrounding developments.
5. It reduces, from eight to one only, the number of driv ways required on North Little Tor and Saw Mill Roads.
6. The improvement in design as regards safety, quality, harmony, pleasing design and preservation of natural features taken jointly, clearly will benefit the Town.

(continued)

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(1972-810 -- continued)

**NOW THEREFORE, be it**

**RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law, Sec. 281 in connection with this subdivision per Sketch Flat, Mona Park, Town of Clarkstown, Rockland County, New York, last dated August 7, 1972, made by Ostertag and McDougal.**

**Seconded by Councilman Lodico.**

**All voted Aye.**

(1972-811) **Councilman D'Antoni offered the following resolution:**

**WHEREAS, by resolution of the Town Board of the Town of Clarkstown adopted on 9/18/68, a fee of \$75.00 was authorized on all applications for creation and extension of water and sewer districts in order to defray the cost of publication and posting of legal notices, and**

**WHEREAS, the cost of said publication and posting of legal notices has considerably increased, and**

**WHEREAS, to keep up with these increased costs, the Town Board of the Town of Clarkstown feels that it is necessary that the aforesaid fee be increased at this time;**

**NOW THEREFORE, be it**

**RESOLVED, that the Town of Clarkstown will charge \$150.00 as a fee for the creation and extension of water and sewer districts, in order to defray the increased cost of publication and posting of legal notices; said fee to become effective immediately.**

**Seconded by Councilman Lodico.**

**All voted Aye.**

EEC140

(1972-812) Councilman D'Antoni offered the following resolution:

WHEREAS, a comprehensive amendment to the Zoning Ordinance of the Town of Clarkstown was adopted on 6/30/67 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 Co., New York on the 11th day of October 1972 at 8:20 PM to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown:

Amend Sec. 8.44 as follows:

Sec. 8.44 Fee. Every petition for any amendment or change to this ordinance shall be accompanied by a fee of one hundred fifty dollars (\$150) to help defray the cost of processing.

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 newspapers of the town, as aforesaid, and file proof thereof in the office of said Town Clerk.

Seconded by Councilman Pizzutello.

All voted Aye.

(1978-813) Councilman Michaus offered the following resolution:

RESOLVED, that Bond Numbers 900178 & 900179 issued by Republic Insurance Company to Capall Builders, Inc. as Principal & Robert E. Aull, Sr. and Sisto J. Capolino as Co-Principal in connection with subdivision known as Capall Builders, Inc. Sec. I, dated November 5, 1966 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 construction and completion of roads, improvements, et al, in accordance with the Town Specifications, 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.

(1972-814) Councilman Niehaus offered the following resolution:

RESOLVED, that Bond Numbers 902672 and 902673 issued by Republic Insurance Company to Sydney Kent and Ben Sherman as Principals in connection with subdivision known as Capall Builders, Inc. Sec. II dated 9/3/69 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 construction and completion of roads, improvements, et al, in accordance with the Town Specifications, 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.

(1972-815) Councilman Pizzutello offered the following resolution:

RESOLVED, that Edwin F. Murdock, Sr., Fire Inspector is hereby authorized to attend the Fire Marshals' and Inspectors' Seminar to be held at the Academy of Fire Science on October 17, 18, 19, 1972 at Montour Falls, New York, and be it

FURTHER RESOLVED, that all actual and necessary expenses not exceed amount of \$50.00, said charges to be made a proper town charge.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-816) Councilman D'Antoni offered the following resolution:

RESOLVED, that George K. Mellersten, Assessor, is hereby authorized to attend Session 9 of Phase II of the New York State Assessor Training Course to be held October 2nd through October 6th, 1972 in White Plains, New York, and be it

FURTHER RESOLVED, that all actual and necessary expenses not to exceed \$100.00 be made a proper town charge.

Seconded by Councilman Lodico.

All voted Aye.

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(1972-817) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Supt. of Highways, the bid for furnishing five Sand & Salt Spreaders be and is hereby awarded to Trius, Inc., 369 Duffy Ave., Hicksville, New York, at a net bid of \$17,315.00.

Seconded by Councilman Lodico.

All voted Aye.

(1972-818) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Supt. of Highways, the bid for the furnishing of three Snow Plows be and is hereby awarded to Ken Smith Machinery Co., Inc., 25 Sand Creek Road, Albany, N Y at a net cost of \$7,395.00.

Seconded by Councilman Lodico.

All voted Aye.

Mr. A. Barkoe (Silver Heights Homeowners Association) presented petition to the Town Board requesting elimination of entry of Duke Lane on to Germonds Road; slower speeds (to 15mph) to stop speeding through their development; to extend metal fence along entire border of the Traphagen property to prevent entry through their community; to increase police supervision of former Traphagen property to prevent its becoming a 'hangout' for undesirable elements, etc. He reported that fence installed by town has been cut, mail boxes ripped out, street sign on Cornell Drive torn down, beer cans on lawn, etc. Duke Lane not dedicated as yet. Cornell Drive being used as drag strip.

Supervisor Vines stated, re closing Duke Lane, that builder will be asked to do so immediately; matter will be taken up with Planning Board. Mr. Theodore Zollendeck, Town Planner, was asked to prepare necessary papers for whatever has to be done in conjunction with this problem.

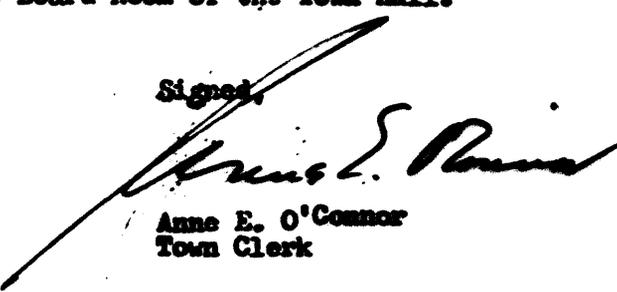
Building Inspector Robert Bowman made report re Congers situation. Six additional properties now under investigation, seven additional pending in Justice Court; three additional being filed with court; six of previous outstanding violations removed and decision on two violations still pending with the Board of Appeals. Supervisor requested that Building Inspector give a complete rundown by the second meeting next month of all complaints and what has happened since their inception.

EEC140

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On resolution offered by Councilman Lodico, seconded by Councilman Pizzutello, and unanimously adopted, Town Board meeting was adjourned until Wednesday, September 27th, 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