

TOWN BOARD MEETING

Town Hall

12/6/72

8:00 PM

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

Absent: Councilman Niehaus.

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

(1972-977) Councilman D'Antoni offered the following proclamation:

"CLARKSTOWN RECOGNITION MONTH"

WHEREAS, the Town of Clarkstown has many citizens who have distinguished themselves in service to their community and their fellowman; and

WHEREAS, they have given of themselves above and beyond the call of neighborliness and duty, bringing honor and recognition to their families and their community; and

WHEREAS, we in the Town of Clarkstown would like to make each and every resident cognizant of the love and devotion they have displayed toward their fellowman;

NOW THEREFORE, BE IT RESOLVED, THAT I, WILLIAM E. VINES, Supervisor of the Town of Clarkstown do hereby proclaim that the month of January 1973 be known as "CLARKSTOWN RECOGNITION MONTH" in "Our Town of Clarkstown".

Seconded by Councilman Lodico.

All voted Aye.

Decision on zone change application made by Elinor Hoes,
Spring Valley (L10 to RG-2) -- deferred.

Decision on zone change application made by J. Knutsen & Co.,
Lake Road, Valley Cottage (R-15 to RG-2) -- deferred.

(1972-978) Councilman Pizzutello offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 16th day of February 1972, provided for a public hearing on the 22nd day of March 1972 at 8:00 PM, to consider the application of J. KNUTSEN & CO., INC. to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an R-40 district to an R-22 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 D'Antoni.

All voted Aye.

(1972-979) Councilman Pizzutello offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 20th day of September 1972 provided for a public hearing on the 11th day of October 1972 at 8:05 PM, to consider the application of J. KNUTSEN & CO., INC. to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an R-40 district to an R-22 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.

(1972-980) Councilman Pizzutello offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 20th day of September 1972, provided for a public hearing on the 11th day of October 1972 at 8:10 PM, to consider the application of J. H. DEW, INC. to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an R-40 district to an R-22 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 LodiO.

All voted Aye.

(1972-981) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 4th day of October 1972, provided for a public hearing on the 25th day of October 1972 at 8:10 PM, to consider the application of JOSEPH SUTERA to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an R-15 district to an L10 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 Pizzutello.

All voted Aye.

Acceptance and approval of minutes of Town Board meetings of 11/15/72 and 11/20/72 -- deferred.

(1972-982) Councilman Pizzutello offered the following resolution:

RESOLVED, based upon the recommendation of the Town Engineer, that the Town Clerk is hereby authorized to expedite Hydrant Investigation No. 7643 authorizing the Spring Valley Water Co. to install one (1) hydrant on the north side of Park Terrace, approximately 150 feet west of the center line of Pine Tree Court, Valley Cottage, New York.

Seconded by Councilman D'Antoni.

All voted Aye.

Monthly Reports received from the Building Inspector (October 1972) and the Zoning Board of Appeals (November 1972). Filed in the Town Clerk's Office.

(1972-983) Councilman Lodico offered the following resolution:

RESOLVED, that the sum of \$46,507.14 be transferred from Sewer District Operating Account to the General Fund.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-984) Councilman Lodico offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on 11/14/72, that two Pump Station Operator positions can be created,

NOW THEREFORE, be it

RESOLVED, that two Pump Station Operator positions - Sewer Department, are hereby created, effective immediately.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-985) Councilman Lodico offered the following resolution:

RESOLVED, that the Supervisor be and is hereby authorized to sign an agreement annexed hereto between the Town of Clarkstown and Robert C. Frost, 18 Aspen Road, Sloatsburg, New York, as Consultant for Data Processing Services.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-986) Councilman Pizzutello offered the following resolution:

RESOLVED, that Resolution #1972-759 be and is hereby rescinded.

Seconded by Councilman Lodico.

All voted Aye.

(1972-987) Councilman Lodico offered the following resolution:

RESOLVED, that John F. Eterno, 63 Verdin Drive, New City N Y is hereby appointed to the position of Laborer - Sewer Department - at the annual salary for 1972 of \$6,974.00, effective December 26, 1972.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-988) Councilman Pizzutello offered the following resolution:

RESOLVED, that Henry L. Peaks, 24 West Broadway, Central Nyack N Y is hereby appointed to the position of Cleaner - Town Hall - hours 4:00 PM to 12:00 PM, at the annual salary for 1972 of \$6,662.00 per annum, effective December 18, 1972.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-989) Councilman Pizzutello offered the following resolution:

WHEREAS, Regulation 2.3j of the Town of Clarkstown Labor Agreement of January 1, 1971 provided for an extension of sick leave with pay to any permanent employee who has used up all his sick leave, vacation, holidays, overtime and personal leave credits, provided, however, that compensation for such extended sick leave at one-half (1/2) the normal salary, and

WHEREAS, Robert Kimbark has used all his available sick leave, vacation, holidays, overtime and personal leave credits,

NOW THEREFORE, be it

RESOLVED, that Robert Kimbark be paid one-half (1/2) his normal salary not to exceed two months (2) retroactive to 12/4/72.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-990) Councilman Lodico offered the following resolution:

RESOLVED, that Margaret Fella, 9 Parkway Drive, West Nyack N Y is hereby appointed to the position of Narcotics Counselor, Part-Time - Narcotic Council, at the annual salary for 1972 of \$4,500.00, effective December 26, 1972.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-991) Councilman Pizzutello offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on 12/6/72 that the position of Typist - Budget Office - can be created,

NOW THEREFOR, be it

RESOLVED, that the position of Typist in the Budget Office is hereby created, effective immediately.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-992) Councilman D'Antoni offered the following resolution:

RESOLVED, that the following members are hereby appointed to the Traffic and Traffic Fire Safety Advisory Board:

John J. Moran, Chairman, 9 James Drive, Nanuet, New York -
- term to expire March 1974.

Herman N. Bergman, 7 Parkway Drive, Nanuet, New York
- term to expire March 1973.

David B. Hobbs, 21 Fernwood Drive, New City, New York;
- term to expire March 1977.

Robert W. Monholland, 7 Grand Street, New City, New York;
- term to expire March 1973.

Ralph Contento, 47 Beechwood Drive, Congers, New York;
- term to expire March 1977.

Norman B. Peachey, 260 Germonds Road, West Nyack, New York;
- term to expire March 1975.

and be it

FURTHER RESOLVED, that the salary for the year 1972 is \$500.00 for the Chairman and \$400.00 for each Member.

Seconded by Councilman Pizmitello.

All voted Aye.

(1972-993) Councilman Pizmitello offered the following resolution:

RESOLVED, that the resignation of James Sheridan, 52 South Conger Avenue, Congers N Y as Custodian in the Town Hall, is hereby accepted with regret, effective immediately.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-994) Councilman Lodico offered the following resolution:

RESOLVED, that upon the recommendation of the Town Engineer and the Highway Superintendent, the escrow funds in the sum of \$4,300.00 presently on deposit with the Town of Clarkstown by the Candlewood Construction Corporation in connection with Clover Hill Estates Subdivision are to be applied by the offices of the Town Engineer and the Town Highway Superintendent for the purpose of placing the roads ^{and} improvements in the aforesaid subdivision in proper and safe condition for use by the citizens of the Town of Clarkstown and to secure compliance with all the terms and conditions contained on the subdivision map including but not limited to, paving, drainage, landscaping, etc., and be it

FURTHER RESOLVED, that any sums not expended for this purpose are to be returned to Candlewood Construction Corporation.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-995) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendations of the Traffic and Traffic Fire Safety Board, the Superintendent of Highways be and is hereby authorized to install two (2) signs on Broward Drive, New City, as follows:

"NO PARKING BETWEEN SIGNS" to be erected fifty (50) feet on either side of the easement.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-996) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Board, the Superintendent of Highways is hereby authorized to install two (2) signs on Lexington Road, warning of a curve and beneath this sign, a sign to read, "20 MPH", and be it

FURTHER RESOLVED, that the Superintendent of Highways be authorized to install a "STOP" sign on the southeast corner on Lexington Road, where it intersects with Concord Drive. (New City)

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-997) Councilman D'Antoni offered the following resolution:

RESOLVED, that upon recommendation of the Town of Clarkstown Highway Superintendent and the Town Engineer deed from VANITY FAIR CONSTRUCTION CORP., dated 12/15/1969, conveying road and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "TAMARAC KNOLLS, Section 2, New City, Town of Clarkstown, Rockland County, New York", made by William A. Yuda, P.E. dated December 11, 1963 and filed on 7/14/65 in Book 69 of Maps at Page 74 as Map No. 3357, 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 the Town Comptroller be and he hereby is directed to release to the depositor Savings Account Passbook No. 35340 in the amount of \$8,260 and Savings Account Passbook No. 35341 in the amount of \$600, owned by Charles P. Cattaneo, of the Highland National Bank, Newburgh, N Y, and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed, by certified copy of this resolution, to notify the Highland National Bank, Newburgh, N Y of the release of the before-mentioned Assignment of Savings Account Passbook No. 35340 and 35341 owned by Charles P. Cattaneo.

Seconded by Councilman Lodico.

All voted Aye.

(1972-998) Councilman D'Antoni offered the following resolution:

RESOLVED, that upon recommendation of the Highways Superintendent and the Town Engineer, deed from SANDSTONE FARMS, INC. dated 2/29/72 conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "Sandstone Farms, Section One", made by Henry Horowitz, P.E. and filed in the Office of the Clerk of the County of Rockland on the 25th day of July 1969 in Book 78 of Maps, Page 57 as Map No. 3906, as follows:

Northlyn Court
Eastlyn Court

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 Bond Nos. 903844 & 904845 dated the 13th day of June 1969, GEMMONDS HOLDING CORPORATION, as Principal and GEORGE & DOLORES FAIST, as Co-Principals, and REPUBLIC INSURANCE CO. as Surety, for the benefit of the Town of Clarkstown, are hereby released, and be it

FURTHER RESOLVED, that Maintenance Bond Nos. 905271 & 908270 dated the 13th day of March 1972, SANDSTONE FARMS, INC. as Principal and GEORGE & DOLORES FAIST, Co-Principals, and REPUBLIC INSURANCE CO., as Surety, are hereby accepted.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-999) Councilman D'Antoni offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deed from T.H.M. REALTY CORPORATION, dated 11/28/69 conveying roads and other improvements to the Town of Clarkstown in a subdivision Plat, Rolling Hedge, New City, Town of Clarkstown, Rockland Co., N Y" made by Henry Horowitz and filed in the Rockland County Clerk's Office on 11/20/67, in Map Book 74, Page 28, as Map No. 3648, as follows:

Lisa Court
Lisa Lane

(continued)

(1972-999 - continued)

are hereby accepted by the Town of Clarkstown and ordered filed in the Rockland County Clerk's Office; and b e it

FURTHER RESOLVED, that Performance Bond Nos. 2237502 and 2237503 dated the 1st day of November 1967, WILLIAM W. LANDA, as Principal and GREAT AMERICAN INSURANCE COMPANY, as Surety, for the benefit of the Town of Clarkstown, are hereby released, and be it

FURTHER RESOLVED, that Maintenance Bond Nos. 2826272 & 2826273 dated the 6th day of December 1972, WILLIAM W. LANDA, as Principal and GREAT AMERICAN INSURANCE COMPANY, as Surety, are hereby accepted.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-1000) Councilman Pizzutello offered the following resolution:

RESOLVED, that based upon the recommendation of Edward J. Ghiassa, Superintendent of Parks Board and Recreation, the Supervisor is hereby authorized to file a Recreation Project Application with the State of New York, Executive Department, Division for Youth, for the period commencing January 1st, 1973 through December 31st, 1975, and be it

FURTHER RESOLVED, that the total aid for this period will be \$11,236.80.

Seconded by Councilman Lodi.

All voted Aye.

(1972-1001) Councilman Pizzutello offered the following resolution:

RESOLVED, that a Petty Cash Fund in the amount of Twenty-five (\$25.00) dollars be established for the Traffic Violations Bureau.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-1002) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Town Clerk be and is hereby authorized to advertise for bids for the purchase of two (2) Refuse Compactors for the Highway Department, and be it

FURTHER RESOLVED, that Specifications be obtained from the office of the Superintendent of Highways, Seeger Drive, Mamet N Y and be it

FURTHER RESOLVED, that all bids be returnable at the Town Board Meeting of 12/20/72 at 8:00 PM.

Seconded by Councilman Lodico.

All voted Aye.

(1972-1003) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Town Clerk be and is hereby authorized to advertise for bids for the purchase of four (4) - 1/2 ton pickup Trucks for the Highway Department, and be it

FURTHER RESOLVED, that specifications be obtained from the office of the Superintendent of Highways, Seeger Drive, Mamet N Y and be it

FURTHER RESOLVED, that all bids be returnable at the Town Board Meeting of January 3rd, 1973 at 8:00 PM.

Sec onded by Councilman Lodico.

All voted Aye.

(1972-1004) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Town Clerk be and is hereby authorized to advertise for bids for the purchase of one (1) $\frac{3}{4}$ ton pickup truck for the Highway Department, and be it

FURTHER RESOLVED, that specifications be obtained from the office of the Superintendent of Highways, Seeger Drive, Mamet N Y, and be it

FURTHER RESOLVED, that all bids be returnable at the Town Board Meeting of 1/3/73 at 8:02 PM.

Seconded by Councilman Lodico.

All voted Aye.

(1972-1005) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Town Clerk be and is hereby authorized to advertise for bids for the purchase of three (3) dump trucks for the Highway Dept., and be it

FURTHER RESOLVED, that specifications be obtained from the office of the Supt. of Highways, Seeger Dr., Mamet N Y, and be it

FURTHER RESOLVED, that all bids be returnable at the Town Board Meeting of 1/3/73 at 8:03 PM.

Seconded by Councilman Lodico.

All voted Aye.

(1972-1006) Councilman Pizzutello offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for the purchase of one (1) $\frac{3}{4}$ ton pickup truck for the Parks Board & Recreation Commission, and be it

FURTHER RESOLVED, that specifications be obtained from the office of the Parks Board & Recreation Commission, 151 South Main St., New City N Y, and be it

FURTHER RESOLVED, that all bids be returnable at the Town Board Meeting of 1/3/72 at 8:04 PM.

Seconded by Councilman Lodico.

All voted Aye.

(1972-1007) Councilman Lodico offered the following resolution:

RESOLVED, that the Town Clerk be and is hereby authorized to advertise for bids for the purchase of two (2) 3/4 ton pickup trucks for the Sewer Department, and be it

FURTHER RESOLVED, that specifications be obtained from the office of the Town Engineer, Town Hall Annex, 27 New Hempstead Road, New City N Y, and be it

FURTHER RESOLVED, that all bids be returnable at the Town Board Meeting of 1/3/73 at 8:05 PM.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-1008) Councilman Lodico offered the following resolution:

RESOLVED, that the Town Clerk be and is hereby authorized to advertise for bids for the purchase of one (1) Dump Truck for the Sewer Department, and be it

FURTHER RESOLVED, that specifications be obtained from the office of the Town Engineer, Town Hall Annex, 27 New Hempstead Road, New City N Y, and be it

FURTHER RESOLVED, that all bids be returnable at the Town Board Meeting of 1/3/73 at 8:06 PM.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-1009) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Town Clerk be and is hereby authorized to advertise for bids for the purchase of two (2) chassis for compactors for the Highway Department, and be it

(continued)

(1972-1009 - continued)

FURTHER RESOLVED, that specifications be obtained from the office of the Highway Department, Seeger Drive, Nanuet, New York, and be it

FURTHER RESOLVED, that all bids be returnable at the Town Board Meeting of 12/20/72 at 8:02 PM.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-1010) Councilman Pizzutello offered the following resolution:

WHEREAS, the Clarkstown Parks Board and Recreation Commission is desirous of using the grounds of the Dellwood Country Club for sledding purposes in connection with its winter program, and

WHEREAS, the Dellwood Country Club has gratuitously offered its grounds for this purpose, subject to securing insurance and being indemnified against any claim resulting from an accident on its grounds;

NOW THEREFORE, be it

RESOLVED, that the Supervisor be and is hereby authorized to enter into an agreement with the Dellwood Country Club, Inc., whereby sledding is permitted on its grounds with the Town securing insurance and indemnifying the Dellwood Country Club against any claim in connection with such sledding activities.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-1011) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown desires a four (4) foot sidewalk easement on Gosbel Road in New City N Y, at the easterly side of property owned by James M. Jacobson of 4 West 58th St., New York City N Y, more particularly identified on Tax Map 78, Block A, Lot No. 5:

(continued)

(1972 - 1011 - continued)

NOW THEREFORE, be it

RESOLVED, that the Town Attorney be and he hereby is authorized to take all necessary steps to secure said easement agreement for the purpose of constructing a sidewalk on Goebel Road at the easterly side of the property as aforesaid.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-1012) Councilman D'Antoni offered the following resolution:

WHEREAS, an application has been received on behalf of CRAGMERE ESTATES, INC. for the diversion of a numbered stream in the Town of Clarkstown on premises located at east side of Main St., opposite Phillips Hill Road, New City N Y, in a subdivision known as "Long Meadow West", and

WHEREAS, plans indicating the proposed diversion of said watercourse 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 Long Meadow West;

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves the application of CRAGMERE ESTATES, INC. for the diversion of said stream, bearing a map number NJ-12-3 on the premises located at the east side of Main St., opposite Phillips Hill Road, New City N Y, in the subdivision known as Long Meadow West, 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 Jodico.

All voted Aye.

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

GREAT AMERICAN INSURANCE CO, (Bond # 2 82 62 72)
William W. Landa, Principal
Amount: \$2,300.00
Covers: Roads
Period Covered: One (1) year 12/6/72 - 12/5/73

GREAT AMERICAN INSURANCE CO. (Bond #2 82 62 73)
William W. Landa, Principal
Amount: \$1,000.00
Covers: Sewers
Period Covered: One (1) Year - 12/6/72 - 12/5/73

Republic Insurance Co. Bond #908270 (Supersedes Bond #905845)
SANDSTONE FARMS, INC. (Geo. Faist & Dolores Faist, Princ.)
Amount: \$6,500.00
Covers: Roads
Period Covered: 3/13/72 - 3/12/73

Republic Insurance Co. Bond #908271 (Supersedes Bond #905844)
SANDSTONE FARMS, INC. (Geo. Faist & Dolores Faist, Princ.)
Amount: \$1,734.00
Covers: Sewers
Period Covered: 3/13/72 - 3/12/73

(1972-1013) Councilman D'Antoni offered the following resolution:

WHEREAS, SHELL OIL COMPANY has made application to the Town Board of the Town of Clarkstown for a Special Permit for the erection of a gasoline filling station on premises described in said application pursuant to the Zoning Ordinance of the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that a public hearing be had at the Board Room of the Town Hall of the Town of Clarkstown at 10 Maple Avenue, New City N Y on the 10th day of January, 1973 at 8:00 PM ; to consider the application of Shell Oil Company relative to said Special Permit, and be it

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

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-1014) Councilman Pizzutello 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 an L10 District 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 Ave., New City, Rockland County, New York, in the said Town of Clarkstown, at 8:03 PM on the 10th day of January, 1973, 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.

(1972-1015) Councilman D'Antoni offered the following resolution:

WHEREAS, MONTEREY GARDENS CO. has petitioned the Town Board of the Town of Clarkstown for a Special Permit for the erection of Senior Citizen Housing on premises described in said petition pursuant to the Zoning Ordinance of the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that a public hearing be had at the Board Room of the Town Hall of the Town of Clarkstown at 10 Maple Avenue, New City, N Y on the 10th day of January 1973 at 8:02 PM to consider the application of Monterey Gardens Co. relative to said Special Permit, and be it

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

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-1016) Councilman D'Antoni offered the following resolution:

(INSERT RESOLUTION AMENDING THE BOND RESOLUTION ADOPTED 9/6/72 AND AUTHORIZING PURCHASE AND INSTALLATION OF LIGHTS, SIGNALS AND SHORT ARM GATES AT THE INTERSECTIONS OF RAILROAD CROSSINGS AT GILCHEST RD, CONGERS; AND PROSPECT ST., MANUET)
(See following page.)

Seconded by Councilman Lodico.

All voted Aye.

(1972-1017) Councilman Pizzutello offered the following resolution:

RESOLVED, that Resolution No. 755, adopted 9/6/72, is hereby rescinded.

Seconded by Councilman D'Antoni.

On roll call, the vote was as follows:

AYES: Councilmen D'Antoni, Pizzutello, Supervisor Vines
NOES: Councilman Lodico

Motion carried.

(1972-1018) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown desires Brookside Avenue in Manuet N Y be continued to join with Marge Avenue, a road to be constructed in a subdivision to the south, identified as Greenhouse Manor, and

WHEREAS, said property, approximately 37' x 50' in size is owned by Ronald and Helena Thomas of 4 Brookside Avenue, Manuet N Y; and

WHEREAS, the Clarkstown Traffic Advisory Board and the Clarkstown Planning Board have recommended that the Town of Clarkstown acquire said 37' x 50' strip of land for road purposes;

(continued)

12/6/72

(1972-1016)

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPTEMBER 6, 1972 AND AMENDED DECEMBER 6, 1972, AUTHORIZING THE PURCHASE AND INSTALLATION OF LIGHTS, SIGNALS AND SHORT ARM GATES AT THE INTERSECTIONS OF RAILROAD CROSSINGS AND (1) GILCHREST ROAD, IN CONGERS, IN SAID TOWN, AT AN ESTIMATED MAXIMUM COST OF \$35,000 AND (2) PROSPECT STREET, IN NANUET, IN SAID TOWN, AT AN ESTIMATED MAXIMUM COST OF \$52,400, STATING THE ESTIMATED TOTAL COST THEREOF IS \$87,400, APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF \$87,400 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

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

Section 1. The Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, is hereby authorized to purchase and install, on land now owned by the Town or on easements to be acquired from the owners thereof at no cost to the Town, lights, signals and short arm gates at the intersections of railroad crossings and (1) Gilthrest Road, in Congers, at an estimated maximum cost of \$35,000 and (2) Prospect Street, in Nanuet, at an estimated maximum cost of \$52,400, both in the Town. The estimated total cost of said purchase and installation, being both items of a single specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$87,400 and the said amount is hereby appropriated therefor. Serial bonds of the Town in the principal amount of \$87,400 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of

(continued)

12/6/72

(1972-1062) (cont'd.)

New York (herein called "Law"), to finance said appropriation. The plan of financing includes the issuance of said serial bonds of the Town and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of both items of said single specific object or purpose for which the bonds authorized by this resolution are to be issued within the limitations of Section 11.00 a. 32 of the Law, is five (5) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of §107.00 d. 5 of the Law.

(c) The proposed maturity of the bonds authorized by this resolution may not exceed five (5) years.

Section 3. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity prescribed by §52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

(continued)

Section 4. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said notes and of §50.00 and §§56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 5. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 6. This resolution shall take effect immediately.

(1972-1018 - continued)

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby directed to take all necessary steps to secure title report and appraisal, and to negotiate for the acquisition of said property by the Town of Clarkstown.

Seconded by Councilman Pizzutello.

On roll call the vote was as follows:

**AYES: Councilmen D'Antoni, Pizzutello, Supervisor Vines
NOES: Councilman Lodico.**

Motion carried.

(1972-1019) Councilman D'Antoni offered the following resolution:

WHEREAS, the Mamet Fire Engine Co., Inc. is desirous of using certain properties belonging to the Town of Clarkstown, in the vicinity of the Prospect Avenue station of the Erie-Lackawanna Railway in Mamet, N Y for the purpose of erecting a memorial to firemen who have fallen in the pursuit of their duties and in the protection of the citizenry of the Hamlet of Mamet and the Town of Clarkstown, and

WHEREAS, the Town of Clarkstown is the owner in fee of said property subject to a right of reverter owned by the Erie Lackawanna Railway Co., and

WHEREAS, the Town Board of the Town of Clarkstown desires to permit the Mamet Fire Engine Co., Inc. to erect a suitable monument to those firemen who died in the line of duty;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney's Office is hereby authorized to prepare a license agreement with the Mamet Fire Engine Co., Inc. in the form and manner satisfactory to the Town Attorney's Office, and be it

FURTHER RESOLVED, that the Supervisor be and he hereby is authorized to execute a license agreement with the Mamet Fire Engine Co., Inc. at no cost and expense to the Mamet Fire Engine Co., Inc. in the form and manner prepared by the office of the Town Attorney.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-1020) Councilman D'Antoni offered the following resolution:

WHEREAS, an easement was obtained from Edgar H. Jolliffe and Harriet A. Jolliffe, his wife, to permit the installation of a sanitary sewer pipe upon property owned by the aforesaid individuals, and

WHEREAS, when the sewer pipe was actually installed in the ground it was not placed within the area for which the easement had been granted, and

WHEREAS, the said Edgar M. Jolliffe and Harriet A. Jolliffe, his wife, transferred title to the said premises to Hav-Rock Corp. by deed dated August 14, 1972 and recorded in the Rockland County Clerk's Office on August 18, 1972 in Liber 913 of deeds at Page 943, and

WHEREAS, the aforesaid Hav-Rock Corp. has agreed to convey an easement to the Town of Clarkstown for the sewer line as actually constructed, and

WHEREAS, the original easement is no longer needed and can be released to the owners of the said property, and

WHEREAS, descriptions of the easement to be released and the easement to be acquired are attached to this resolution, and

WHEREAS, an instrument releasing the prior easement not now required and granting a new easement to the Town of Clarkstown for sewer purposes is attached to this resolution,

NOW THEREFORE, be it

RESOLVED, that the prior sanitary sewer easement as described be released to Hav-Rock Corp. and that the Supervisor of the Town of Clarkstown be authorized to execute such release and that the Town of Clarkstown be authorized to accept an easement from Hav-Rock Corp. as described in the aforesaid instrument.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-1021) Councilman Lodico offered the following resolution:

RESOLVED, that the Town of Clarkstown be and is hereby authorized to purchase one automobile for the Fire Inspector under State Contract from Mr. Nat Koeppel (Airport Motors, Inc.), 78-15 Northern Boulevard, Jackson Heights, N Y 11372, at a cost not to exceed \$2,921.90.

Seconded by Councilman D'Antoni.

All voted Aye.

Proposed resolution authorizing Town Clerk to advertise for bids for the sale of one (1) 1966 Plymouth automobile -- tabled.

(1972-1022) Supervisor Vines offered the following resolution:

WHEREAS, it has come to the attention of this Board that efforts at reorganization of the court system of the State of New York are now under way, and

WHEREAS, the local courts of this state provide to the citizens of our community an accessibility and availability not otherwise to be found in the court system, and

WHEREAS, the local court system provides a tax savings to the citizens of our community, and

WHEREAS, elimination or modification of the local court system can only be regarded as a deprivation of the opportunity of the citizens of our community to enjoy the availability and accessibility of their local court,

NOW THEREFORE, be it

RESOLVED, that this Board is unalterably opposed to any provision for restructuring the courts of the State of New York which would include the modification or elimination of the local court system, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to those Legislators representing this community to insure that they are fully aware of the position taken by this Board.

Seconded by Councilman D'Antoni.

All voted Aye.

SCHEDULE "A"

All that certain plot, piece or parcel of land known as Seeger Drive, situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York more particularly bounded and described as follows:

BEGINNING at a point located on the northerly right-of-way of Demarest Mill Road, said point being formed by the intersection of the northerly right-of-way of Demarest Mill Road and the easterly end of a curve connecting the northerly right-of-way of Demarest Mill Road with the easterly right-of-way of Seeger Drive: thence,

1. S77°-04'-00"W, 52.21 feet; thence,
2. S60°-19'-00"W, 51.68 feet; thence,
3. On a curve to the left having a radius of 25.00 feet and a length of 24.83 feet; thence,
4. N3°-24'-45"E, 365.58 feet; thence,
5. S86°-09'-31"E, 50.00 feet; thence,
6. S3°-24'-45"W, 319.26 feet; thence,
7. On a curve to the left having a radius of 25.00 feet and a length of 46.40 feet back to the point or place of **BEGINNING**.

(See following page for resolution #1023.)

(1972-1023) Councilman D'Antoni offered the following resolution:

WHEREAS, by deed dated December 29, 1966 between Margaret Bardon Gray and the Town of Clarkstown, recorded in the Rockland County Clerk's Office on 12/29/66 in Liber 820 of Deeds at Page 983, a parcel of land was conveyed to the town for Town of Clarkstown Highway Department purposes, and

WHEREAS, subsequent thereto the Town of Clarkstown Highway Department constructed a roadway on a portion of said property, more particularly described as follows: (INSERT SCHEDULE A ATTACHED),

NOW THEREFORE, be it

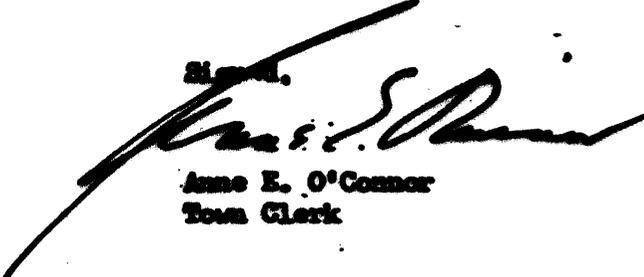
RESOLVED, that the said Seeger Drive, consisting of 365 L.F., is hereby accepted into the Town of Clarkstown Highway System.

Seconded by Councilman Pizzutello.

All voted Aye.

On resolution offered by Councilman Lodi, seconded by Councilman Pizzutello and unanimously adopted, Town Board meeting was adjourned until Wednesday, 12/13/73 at 8:00 PM, at which time scheduled public hearing will be held in the Board Room of the Town Hall.

Signed,



Anne E. O'Connor
Town Clerk