

PUBLIC HEARING

Town Hall

1/17/73

8:07 PM

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

RE: PROPOSED LOCAL LAW TO AMEND SECS. 3 & 4 of CHAP. 526 OF THE STATE OF NY
1936 - TO PROVIDE FOR THE APPOINTMENT OF A CHIEF OF POLICE FOR THE POLICE
DEPARTMENT:

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

Town Attorney Frederick P. Roland read proposed Local Law in its entirety; stating that proposed law would authorize the Town Board, if they wished, to appoint someone outside of the department as Police Chief.

In order for the Town Board to appoint someone from outside the Department, it is necessary, he continued, to adopt a Local Law as is being considered this evening, to amend Chap. 5.26 of the Laws of the State of NY. Any person appointed pursuant to this amendment, would be required to meet all the Civil Service requirements as far as qualifications and eligibility is concerned. This Local Law would not change the Civil Service Law.

Town Attorney further stated that he was in contact with the County Personnel Officer and thought that it would be discriminatory to limit to one sex. Therefore, he stated, it would be his proposal that word 'male' would be deleted.

Following correspondence received:

Mr. Harry Edelstein, 35 Glenwood Road, New City NY: In favor of appointment for Chief of Police being made from 'the ranks'. Supports Town Police.

Organized Taxpayers Association, 135 South Main St., New City N Y:
(Mrs. Marguerite Pedersen, President):

Appoint from within the ranks unless no qualified person can be found within the Department. Re appointment of unarmed unpaid Auxiliary Police Group - opposed.

(Both letters in Town Clerk's file).

IN FAVOR:

Mr. Fred Hager, Valley Cottage: Has no objection if someone qualified can be chosen from ranks; but choice should not be limited or personnel population of 81 men.

Mr. Patrick Braithwaite, President of the Central Nyack Civic Association: Presented Mr. Ansara and a Mrs. Graciano who stated better police protection needed, especially in their area, and all through the town. Mrs. Cozart and Mr. Kirkland of Central Nyack echoed the same sentiments. Mr. Braithwaite informed the Town Board that Central Nyack 100% in favor of adoption of this proposed local law.

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(PROP. LL - POLICE CHIEF)

IN FAVOR: (continued)

Mr. John Wallack, Chairman of the Conservative Party, Forest Ave., Nanuet NY:
If this law means township will get better enforcement we would like to see this law passed.

Mr. Frank Colella, 4 Castle Hts., Upper Nyack: (Representing Org. Taxpayers Assoc.)
Preference should be given to present constituency as far as Police Chief is concerned. Town Board should have authority to go outside of the Department if one cannot be found in the ranks.

No one else appeared as being in favor.

OPPOSED:

Mr. Martin Pignatelli, Pinecrest Road, Valley Cottage:
Policeman in Clarkstown 12 years. President of the PBA of Rockland County formed in 1926. Membership consists of patrolmen and superior officers. 1936 Rockland Co. Police Act passed which states, wherever possible, promotion of officers in Police Department shall be made from within Department. We have several well-qualified experienced trained officers who are eligible to be Police Chief. 81 men, some who have degrees in police science, or have studied towards that aim. Advantage of selecting from ranks (sic) would be to give members of the department incentive for police work. Our Department has been commended; I am sure qualified Police Chief, with all recommendations required could be selected from members of the Clarkstown Police Department. Do not let political decisions involved the Police Department - examine qualifications of members of the Police Department and pick one for Police Chief.

Mr. Bob Rausch, Cypress St., New City:
We have good police department. My house burglarized six years ago. Police were helpful - department best in the state. Pick from present officers - They are trained; qualified. Don't bring in strangers. Ex FBI agents not equipped or trained in traffic control or private spats. We need someone that will not come in as a dictator. Support local man for Police Chief.

Mr. Phillip Graziano, President PBA, Clarkstown:

Stated at this time that the way it stands now, you could go out of the Department if anyone is not qualified. Re problems, Central Nyack Police have been increased there. Re Daytime burglaries, as far as children involved, very hard to control. Before you know it, he stated, we would have people on us in the opposite direction.

Mr. Milton Kase, New City: (Attorney representing PBA of Rockland County):
My interpretation of the law is that promotions made within the department if possible - if no qualified man, you would be free to get someone outside. I do not think you could not find someone not qualified. Proposed law would spoil incentive. Police Department of this township should not be blamed for things that happen. It is the times. Parents must watch their children. Where they are, and what they are doing. In Clarkstown, we are fortunate in having qualified, well-trained police department. Under the recommendation of the Crime Commission, this town should have approximately 117 policemen; we only have 81. If our department requires 117 men, and Central Nyack is suffering because we only have 81, we should consider having 117 men.

EEC855

(PROP LL - POLICE CHIEF - continued)

OPPOSED - continued:

Mr. Bert Kimbark, Congers:

Vote no at this time. If you find out at a later date that it should be done - vote yes.

Mr. Wm. Brenner, Marcus Rd., West Nyack:

Served (as Councilman) 1966 to 1970 and was instrumental in forming a Police Department that was known as best in county and state. Speaking as merchant and resident. Has highest regard of professionalism of Police Department. Men were promoted on recommendation. Morale of any working man is always to look forward from his hard work to reach the top position. There are enough men in the Clarkstown Police Department so you can find one qualified to follow in Chief Wiebicke's job. Urges that Town Board not adopted proposed Local Law. Re residents of Central Nyack, he continued, fault and claim should be made to Town Board that every Hamlet is entitled to. Select a member of the Clarkstown Police Department who will be eminently qualified and do a good job.

Mr. Ken Zabrowski, New City: ViceChairman of Democratic Party:

Chief should be familiar with town. Don't make political appointment and cause interference with police force.

Question: What reasoning prompted you to decide to change this law?

Supervisor Vines: Town Board is not on trial here.

Mr. Arthur D'Arnelles, Valley Cottage:

With regard to what you just said, the government should remain paramount. If you pass this now, what's to keep you from saying that in the future you will accept Captains, Sgts., etc., only from the outside. This has happened in other places. I do not want to see it happen here.

Mr. George Gerber, 165 Lake Rd., Valley Cottage:

Appearing as resident and taxpayer. This local law not proposed by a member of the police Department or any citizen group or citizen of the town. It must be assumed that it was proposed by a member of the Town Board. No explanation given by this Town Board. Origins vague. Re this being political issue, this is not a political issue, but one of good government, which will affect the Police Department and then the whole town. It will become a political issue only if this Town Board makes it one. I have served town five years in administrative capacity. Worked with Police Department on negotiations under terms of Taylor Law. Policy has been to be promoted from the ranks. Re going outside of ranks to get good Police Chief, companies don't do this before going to the ranks. Town Board, we must assume, has already decided there is no one already in the department that qualifies. Citizens should make inquiry on their own, to determine outstanding abilities of our police force. No interference from either Republican or Democrats from our administrations. If you destroy systems that worked so well for this town, you will do disservice to taxpayer. Appoint qualified Police Chief from ranks.

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(PROP LL - POLICE CHIEF)

OPPOSED: - continued:

Mr. Roy Holmes, President Superior Officers of County
23 years Ramapo Police:

You have well-qualified men that we have worked with. Do not bring outsider without qualifications that does not know local people. I would like to see what the qualifications would be. FBI, Detective - is this type person qualified for all the different specialties in police work today?

Question: Mr. Stanley Krakovia, Christian Herald Road, Valley Cottage:
Re interpretation of this law; can the law, as it presently stands, provide for the hiring of an outside Police Chief, if there is no qualified candidates within the ranks?

Supervisor: Town Board accepts advice and counsel of the Town Attorney.

Town Attorney: As I stated previously, present law does not permit the town to hire someone from the outside of the department.

Mr. Krakovia: I would suggest that they defer decision until they can get a third opinion from some superior officer in the state government (Attorney General?). I do not think there is any need for this law.

Mrs. Martin Troy, 43 Capral Lane, New City: (Co-Chairman of the Democrat Party)
I got assistance from the Police today within less than four minutes and they were kind, courteous and very helpful. Re need for 117 policemen, there are appropriations in this town for at least 92 policemen?

Supervisor: There would be appropriations for any men the Town Board would see fit.

Mrs. Troy: There are appropriations for 92, and if there is need in separate sections, take that into consideration and get us those policemen.

Mr. Ronald Fabis, Policeman nine years:

Promoted to rank of sergeant. Now attending school on police time. Received lecture on effective leadership. ".....Police Chief promoted after serving on local levels good because he knows his community and men." Do not change law. Several members in the Police Department qualified to take Police Chief job.

Mr. Gerald Beerker, Bardonia, NY:

This proposed amendment coming from Town Board. Town Attorney renders opinion this law necessary to go outside the town. PBA lawyer renders counter-opinion. I would like to see a third independent opinion. Town Attorney supports Town Board opinions; PBA supports PBA. Get independent opinion.
Supervisor: Mr. Roland Town Attorney. We accept his counsel.

Mrs. Dorothy Marzan, Congers:

Do not go outside department for Police Chief.

Mr. Saranopola, Resident Clarkstown eight years:

8 year resident. Choosing man within ranks would be taking best qualified on police force.

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PROP 11 - POLICE CHIEF

OPPOSED: (Continued)

Mr. Clove Everett, Manuet:

Businessman in Clarkstown. Called Police Department many times. Every time they have done wonderful job under bad conditions. We have best Police Department in county or anywhere I have travelled. Mr. Wiebicke could not have done it all by himself. So - there must be someone qualified to do his job from the department.

Mrs. Janice Rogan, (Not Clarkstown Resident):

Mr. McAlovey respects his department. I respectfully request that you do the same.

Chief William Eckroyd, Haverstraw Police Department, President of the Rockland County Police Chief Association; Members Board of Governors of the State of New York:

These organizations are in favor of the Police Chief being promoted from the ranks. This special Act was enacted in 1935 through hard efforts because they lost their jobs after elections. I worked up through the ranks from patrolman with Chief Wiebicke. Mr. James M. Andersen of the Rockland County Personnel Office should be asked for opinion.

Mr. James Cafueri, New City:

16 years resident. Never broken into. Credits this to Police Department. Very cooperative. Taxpayers have sent officers to FBI school for education at our expense. I can see no sense to this if you are not go utilize this. I started on my job at lowest possible position and only incentive had was that I could be promoted.

Councilman Lodico: Stated at this time '...Re statement made by one of the speakers, ...I attended meetings for 10 years and stayed all the way through. Re support of local police; I was the spearhead for revision of Penal Code in NYS to return to Police Department their arms and protection. No one on this Board states we do not have a good force. It is a question of administration. As far as administration goes, this is a proposed function to see that we get the best administrator available to protect the overall interests of the Town of Clarkstown.)

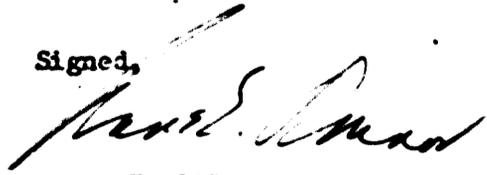
OPPOSED-cont:

Mrs. Gannon, Coners N Y:

Requested, as taxpayer, that Town Board members not vote for proposed amendment because she feels there is political association in it.

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

Signed,


June E. O'Connor
Town Clerk

TOWN BOARD MEETING

Town Hall

1/17/73

8:00 PM

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

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

(1973-95) Co. D'Antoni offered the following Proclamation:

"JOHN HOWARD DAY"

January 20th, 1973

WHEREAS, Mr. John Howard started working in the New City Post Office in 1936, when there were dirt roads in New City; and

WHEREAS, John Howard has been named "Mr. Post Office" by his fellow employees and his friends in New City; and

WHEREAS, On January 19th, 1973, after thirty-seven years of faithful service, Mr. John Howard will be retiring from the New City Post Office; and

WHEREAS, his fellow postal employees and his friends in New City will sponsor a Retirement Dinner in his honor on Saturday, January 20th, to say a special farewell;

NOW THEREFORE, be it

RESOLVED, that I, William E. Vines, Supervisor of the Town of Clarkstown, do hereby proclaim that Saturday, January 20th, 1973 be known as "JOHN HOWARD DAY" in the Town of Clarkstown.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-96) Councilman D'Antoni offered the following resolution:

RESOLVED, that time for receiving bids for Cleaning of Police Uniforms be closed, and that all bids received up to and including this time be opened.

Seconded by Councilman Niehaus.

All voted Aye.

EFC855

The following bids were received:

HOUSE OF CARE CLEANERS

Congers N Y.....Trousers - price per unit \$.44
Shirt - price per unit .40
Leather Coat - p.p.unit 2.00
White Dress Shirt (laund) .30

ARTISTIC CLEANERS

89 No. Main St., Spring Valley NY...Trousers - price per unit \$.33
Shirt - price per unit .33
Leather Coat - p.p.unit 6.00
White Dr. Shirt (laund) .30

CONGERS CLEANERS

8 Lake Road, Congers N Y Trousers - price per unit \$.34
Shirt - Price per unit .34
Leather Coat - p/p unit 6.95
White Dress Shirt (laund) No Charge

(1973-97) Councilman D'Antoni offered the following resolution:

RESOLVED that decision on award of bid for Cleaning of Police
Uniforms be reserved.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-98) Councilman Niehaus offered the following resolution:
time for receiving

RESOLVED that/bids for Erection of Bus Shelters be closed and
that any and all bids received up to and including this time be opened.

Seconded by Councilman Pizzutello.

All voted Aye.

The following bid was received:

COMMUNITY BUS SHELTERS, INC.
33 Werman Court
Plainview, New York 11803

Five (5) 5' x 9' x 7' (as per drawings included)....\$990.00 installed each
on pre-existing concrete slabs as per specifications.

(cont)

(Community Bus Shelters bid - cont.)

Option: Community Bus Shelters, Inc. will provide required concrete slab bases at a cost of \$220.00 each additional. If construction of slabs require the breaking of rock and/or frozen ground - add \$300.00 per yd. additional.

EFC855

(1973-99) Councilman Niehaus offered the following resolution:

RESOLVED, that decision on award of bid for the Erection of Bus Shelters be RESERVED.

Seconded by Co. Pizzutello.

All voted Aye.

(1973-100) Co. D'Antoni offered the following resolution:

RESOLVED that time for receiving bids for the furnishing of One (1) Vacuum Truck be closed and that any and all bids received up to and including this time be opened.

Seconded by Councilman Niehaus.

All voted Aye.

The following bids were received:

PORRY'S GARAGE
22 Cosgrove Ave
West Haverstraw N Y

One (1) New 1973-16 Cu.Yd. Vacuum Street and Catch Basin
Cleaner mounted on a 1973 Tandem Truck Chassis.....\$32,850.00

E. H. KLIEBENSTEIN CO.
1099 Hendricks Causeway
Ridgefield, N J

One (1) New 1973-16 Cu.Yd. Vacuum Street and Catch Basin
Cleaner mounted on a 1973 Tandem Truck Chassis.....\$30,115.00

(1973-101) Councilman D'Antoni offered the following resolution:

RESOLVED that decision on award of bid for furnishing of One (1) Vacuum Truck be RESERVED.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-102) Councilman D'Antoni offered the following resolution:

RESOLVED that time for receiving bids for furnishing Two (2) New 1973 Leaf Pickup Loaders is closed and that all bids received up to and including this time be opened.

Seconded by Councilman Niehaus.

All voted Aye.

The following bids were received:

CLARK EQUIPMENT CO.
Commerce St.
Poughkeepsie, N Y

Two (2) New 1973 Leaf Pickup Loaders.....\$9,800.00

E. H. KLIEBENSTEIN CO.
1099 Hendricks Causeway
Ridgefield N J

Two (2) 1973 Leaf Pickup Loaders.....\$7,800.00

(1973-103) Councilman D'Antoni offered the following resolution:

RESOLVED that decision on award of bid for furnishing Two (2) Leaf Pickup Loaders (1973) be RESERVED.

Seconded by Councilman Niehaus.

All voted Aye.

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No bids received in response to advertisement for bids for furnishing Two (2) Open Body Refuse Trucks.

(1973-104) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to re-advertise for bids for the furnishing of Two (2) 25 Ton Roll-Off Containers for the Sanitary Land Fill in accordance with specifications to be obtained at the Clarkstown Highway Department, Seeger Drive, Nanuet, N Y, said bids to be returnable at Town Board meeting to be held on 2/7/73 at 8:00 PM.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-105) Councilman Pizzutello offered the following resolution:
time for receiving

RESOLVED that/bids for furnishing One (1) Dump Truck for the Municipal Nursery be closed, and that any and all bids received up to and including this time be opened.

Seconded by Councilman Niehaus.

All voted Aye.

The following bid was received:

PORRY'S GARAGE
22 Cosgrove Avenue
West Haverstraw, New York

One 1973 model - 2 yard dump truck (for Clarkstown Municipal Nursery): \$3,950.00

(1973-106) Councilman Pizzutello offered the following resolution:

RESOLVED that decision on award of bid for furnishing One (1) Dump Truck for Clarkstown Municipal Nursery be RESERVED.

Seconded by Councilman Niehaus.

All voted Aye.

EEC855

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(1973-107) Councilman D'Antoni offered the following resolution:

RESOLVED, that regular Town Board meeting be adjourned in order to hold scheduled public hearing re Amendment of 3 and 4 of Chap. 526 of Laws of State of New York re Appointment of Police Chief.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-108) Councilman Niehaus offered the following resolution:

RESOLVED that regular Town Board meeting be resumed, scheduled public hearing having been held.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-109) Councilman D'Antoni offered the following resolution:

RESOLVED, that decision on Proposed amendment 3 and 4 of Chapter 526 of Laws of State of New York re Appointment of Police Chief be RESERVED.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-110) Councilman D'Antoni offered the following resolution:

RESOLVED that based upon the recommendation of Fred Seeger, Supt. of Highways, the bid for Four (4) 1/2 Ton Pickup Trucks is hereby awarded to the low bidder, Spring Valley Dodge, Inc., 19-23 South Main St., Spring Valley N Y at a cost to the town of \$9,165.88, and be it

FURTHER RESOLVED, that the Comptroller charge the above amount to the Third Entitlement of the Federal Revenue Sharing.

Seconded by Councilman Pizzutello.

All voted Aye.

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(1973-111) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of Fred Seeger, Supt. of Highways, the bid for One (1) 3/4 ton Pickup Truck - Highway Department, is hereby awarded to the low Bidder, Schultz Ford, Route 304, Bardonia, N Y, at a cost to the town of \$2,749.00, and be it

FURTHER RESOLVED, that the Comptroller charge the above amount to the Third Entitlement of the Federal Revenue Sharing.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-112) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of Fred Seeger, Supt. of Highways, the bid for Three (3) Dump Trucks for the Highway Dept. is hereby awarded to the low bidder, Porry's Garage, W. Haverstraw N Y at a cost the town of \$24,920.00, and be it

FURTHER RESOLVED, that the Comptroller charge the above amount to the Third Entitlement of the Federal Revenue Sharing.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-113) Councilman Pizzutello offered the following resolution:

RESOLVED, that based upon the recommendation of Edward Ghiazza, Supt. of Parks Board & Recreation, the bid for one (1) 3/4 Ton Pickup Truck without the Snow Plow is hereby awarded to the low bidder, Ted Schultz Ford, Inc., 80 Route 304, Nanuet N Y, at a cost to the Town of \$3,500.00, and be it

FURTHER RESOLVED, that the Comptroller charge the above amount to the Third Entitlement of the Federal Revenue Sharing.

Seconded by Councilman D'Antoni.

All voted Aye.

EFC855

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(1973-114) Councilman Niehaus offered the following resolution:

RESOLVED that based upon the recommendation of Alfred Berg, Town Engineer, the bid for the two (2) 3/4 ton Pickup Trucks for the Sewer Department be awarded to the low bidder, Manly Chevrolet, Route 59, Nyack N Y at a cost to the Town of \$8,153.78, and be it

FURTHER RESOLVED, that the Comptroller charge the above amount to the Third Entitlement of the Federal Revenue Sharing.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-115) Councilman Niehaus offered the following resolution:

RESOLVED, that based upon the recommendation of Alfred Berg, Town Engineer, the bid for One (1) Dump Truck for the Sewer Department, be awarded to the low bidder, Manly Chevrolet, Route 59, Nyack, N Y, at a cost to the town of \$3,753.19, and be it

FURTHER RESOLVED, that the Comptroller charge the above amount to the Third Entitlement of the Federal Revenue Sharing.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-116) Councilman Niehaus offered the following resolution:

RESOLVED that the bid for Servicing of Town Owned Vehicles be and is hereby awarded to Daleley Tire Service, Route 59, Monsey N Y as follows:

Vehicle Alignment (per car).....	\$9.50
Wheel Balance (per car).....	2.00 per tire
New Valve Stems.....	.60 per tire
Mounting and Dismounting.....	1.50 per tire

and be it

(continued)

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(1973-116 - continued)

FURTHER RESOLVED, that Daleley Tire Service shall during the term of this contract supply the Town of Clarkstown with tires at a net cost of 30% below State Contract prices, and be it

FURTHER RESOLVED, that all tires supplied to the Town of Clarkstown be of equal quality and standards as those furnished under State Contract, and be it

FURTHER RESOLVED, that said contract be in effect for a period of one year from the date of award.

Seconded by Councilman Pizzutello.

All voted Aye.

EEC855

(1973-117) Councilman D'Antoni offered the following resolution:

WHEREAS, the Supt. of Highways has advised the Town Board that Economy Body Builders, Suffern N Y does not meet the specifications of the Town of Clarkstown for their bid on the purchase of two Compactors, and

WHEREAS, the Supt. of Highways and the Town Board have met with representatives from Commercial Body & Tank Corporation and Sanitation Equipment Corporation in a joint meeting with all parties concerned, and

WHEREAS, it would appear that both Commercial and Sanitation are offering the Town of Clarkstown a vehicle of comparable quality, and

WHEREAS, the Town Board is desirous of testing both machines for their quality as a basis for future purchases of Refuse Compactors, and

WHEREAS, both parties concerned are agreeable to an award made on a one to one basis,

NOW THEREFORE, be it

RESOLVED, that the award for the purchase of One (1) Refuse Compactor for the Highway Department be made to Commercial Body & Tank Corp., 53-24 98th St., Corona N Y at a cost to the town of \$9,375.00, and be it

FURTHER RESOLVED, that the award for the purchase of One (1) Refuse Compactor for the Highway Department be made to Sanitation Equipment Corp., S-122 Route 17, Paramus, N J at a cost to the town of \$9,790.00, and be it

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(1973-117 - continued)

FURTHER RESOLVED, that the Comptroller charge the above amount to the Second Entitlement of the Federal Revenue Sharing.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-118) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board and the Supt. of Highways have met with representatives from Porry's Garage and Temple Hill Garage in a joint meeting on the bids for the purchase of Two (2) Chassis for Compactors, and

WHEREAS, the representative from Porry's Garage has advised the Town Board that they will be unable to make delivery in accordance with specifications,

NOW THEREFORE, be it

RESOLVED, that the award for the bid for the purchase of Two (2) Chassis for Compactors be made to Temple Hill Garage, Route 32, Vails Gate N Y at a cost to the town of \$41,558.00, and be it

FURTHER RESOLVED, that the Comptroller charge the above amount to the Second Entitlement of the Federal Revenue Sharing.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-119) Councilman D'Antoni offered the following resolution:

RESOLVED, that the minutes of the Town Board meeting of 1/3/73 are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Pizzutello.

On roll call the vote was as follows:

AYES: Councilmen D'Antoni, Lodico, Pizzutello, Supervisor Vines
ABSTENTION: Councilman Niehaus (Absent at said TBM)

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

(1973-120) Councilman Niehaus offered the following resolution:

RESOLVED, that resolution No. 1021 adopted 12/6/72 authorizing purchase of one (1) automobile for the Fire Inspector under State Contract from Mr. Nat Koepfel (Airport Motors, Inc.) 78-15 Northern Blvd., Jackson Heights, N Y, at cost not to exceed \$2,921.90, be RESCINDED.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-121) Councilman Niehaus offered the following resolution:

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

PAUL HEIMLICH and BEATRICE HEIMLICH, Petitioners
-against-
JAMES COYLE, JAY D'MEZA, EUGENE GROGAN
KARL HESS, WILLIAM J. LOFTUS, constituting
the Planning Board of the Town of Clarkstown,
County of Rockland, Respondents

NOW THEREFORE, be it

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

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-122) Councilman Niehaus offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to retain an appraiser to submit an appraisal to the Town Board for property at Camp Norge, New City N Y.

Seconded by Councilman D'Antoni.

All voted Aye.

EECS55

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(1973-123) Councilman Niehaus offered the following resolution:

RESOLVED, based upon the recommendation of Alfred Berg, Town Engineer, that Robert Tigue of the Sewer Department be authorized to attend Sewage Treatment Plant Operator's Course being held at New York University, University Heights, Bronx, New York on January 29 through February 9, 1973 at cost not to exceed \$150.00, said amount to be charge against Account No. S-2110-440.

Seconded by Councilman D'Antoni.

All voted Aye.

Annual Report - New City Fire District; and Annual Report Town Planner - received and noted by Town Board. Filed in Town Clerk's Office.

(1973-124) Councilman Niehaus offered the following resolution:

WHEREAS, RUMFORD REALTY CORP. 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 M & RG district to RS or in the alternative to an M 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 Co., New York in the said Town of Clarkstown on the 14th day of February, 1973 at 8:00 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.

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(1973-125) Councilman D'Antoni offered the following resolution:

WHEREAS, the Rockland County Personnel office has certified on January 4, 1973 that the position of Senior Account Clerk and Public Information Specialist in the Parks Board and Recreation Department can be established,

NOW THEREFORE, be it

RESOLVED, that the position of Senior Account Clerk and Public Information Specialist in the Parks Board and Recreation Department is hereby established, effective immediately.

Seconded by Councilman Niehaus.

All voted Aye.

EEC855

(1973-126) Councilman Niehaus offered the following resolution:

RESOLVED, that Paul M. Hackett, Kings Highway and Park Avenue, Valley Cottage N Y is hereby appointed to the position of Cleaner - Maintenance Department - at the annual salary of \$6,662.00 per annum, effective and retro-active to December 26, 1972.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-127) Councilman Lodico offered the following resolution:

WHEREAS, there is a vacancy in the position of Sanitation Inspector,

NOW THEREFORE, be it

RESOLVED, that Harry G. Dillon, 60 South Greenbush Road, West Nyack N Y is hereby appointed to the position of Sanitation Inspector, part-time, Sanitation Commission, at the annual salary of \$2,000.00, effective January 22, 1973.

Seconded by Councilman D'Antoni.

All voted Aye.

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(1973-128) Councilman Niehaus offered the following resolution:

RESOLVED, that the resignation of Dorothy Alice Eardley, 10 Rose Road, West Nyack N Y as Crossing Guard is hereby accepted with regret, effective and retroactive to January 12th, 1973.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-129) Councilman Pizzutello offered the following resolution:

WHEREAS, there is a vacancy in the position of Crossing Guard - Police Department - created by the resignation of Dorothy Alice Eardley,

NOW THEREFORE, be it

RESOLVED, that Adele L. Kremer, 12 Buckingham Road, Nanuet N Y is hereby appointed to the position of Crossing Guard - Police Department - at a salary of \$10.00 per day, effective immediately.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-130) Supervisor Vines offered the following resolution:

RESOLVED, that Jack Weiss, 53 Jolen Drive, New City N Y is hereby re-appointed a member of the Clarkstown Sanitation Commission, with term to expire on December 31st, 1977.

Seconded by Councilman Pizzutello.

On roll call the vote was as follows:

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

NOES: Co. Lodico

ABSTENTION: Co. Niehaus

Motion carried

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(1973-131) Councilman D'Antoni offered the following resolution:

WHEREAS, Jean Overmeyer, Sr. Stenographer in the Town Clerk's Office has requested a leave of absence,

NOW THEREFORE, be it

RESOLVED, that based upon the recommendation of the Town Clerk, a six months leave of absence be granted to Jean Overmeyer, 15 Demarest Avenue, Nanuet N Y, effective February 19, 1973, without compensation.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-132) Councilman Niehaus offered the following resolution:

RESOLVED, that the resignation of Dr. Leo G. Weishaar, Jr. as Police Surgeon for the Town of Clarkstown is hereby accepted with regret, effective and retroactive to January 15, 1973.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-133) Councilman Pizzutello offered the following resolution:

WHEREAS, there is a vacancy in the position of Police Surgeon, part-time, in the Town of Clarkstown,

NOW THEREFORE, be it

RESOLVED, that Dr. I. Rosen, West Nyack N Y is hereby appointed to the position of Police Surgeon, part-time, at the annual salary for 1973 of \$5,000.00, effective immediately.

Seconded by Councilman Niehaus.

All voted Aye.

EEC855

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(1973-134) Supervisor Vines offered the following resolution:

RESOLVED, that Jack Weiss, 53 Jolen Drive, New City N Y is hereby reappointed to the position of Chairman of the Clarkstown Sanitation Commission, at the annual salary for 1973 of \$1,000.00, term to expire on December 31st, 1973.

Seconded by Councilman Pizzutello.

On roll call the vote was as follows:

AYES: Councilmen D'Antoni, Pizzutello, Supervisor Vines
NOES: Councilman Lodico.
ABSTENSION: Councilman Niehaus Motion carried

(1973-135) Councilman Pizzutello offered the following resolution:

RESOLVED, that Jayne Rubenfeld, 6 Sunrise Drive, Monsey N Y is hereby appointed to the position of Narcotic Counselor at the annual salary of \$9,000.00 for 1973, effective January 22, 1973.

Seconded by Councilman Lodico.

All voted Aye.

(1973-136) Councilman Lodico offered the following resolution:

WHEREAS, the following have applied to the Town of Clarkstown for a Certificate of Registration pursuant to Sec. 34-6 of the Code of the Town of Clarkstown:

MARIO LEPORI
55 Grove St.
Monsey N Y

ANTHONY PIERI
Route 303 Box 652
Valley Cottage, N Y

NOW THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

No. 73-4 to MARIO LEPORI
No. 73-19 to ANTHONY PIERI

Seconded by Councilman Pizzutello.

All voted Aye.

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(1973)-137) Councilman Lodico offered the following resolution:

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

J & R D'Onofrio Plumbing & Heating Inc.
129 South Middletown Rd
Nanuet N Y

Beckerle-Brown, Inc.
984 S. Route 45
Spring Valley N Y

Kuhn's Plumbing & Heating Service, Inc.
17 S. Magnolia St.
Pearl River N Y

D'Onofrio & Jatkoff Plumbing & Heating Corp.
35 West St
Spring Valley N Y

NOW THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

No. 73-7 to Ronald D'Onofrio (J & R D'Onofrio Plumbing & Heating)
No. 73-16 to Beckerle-Brown, Inc.
No. 73-17 to Kuhn's Plumbing & Heating
No. 73-18 to D'Onofrio & Jatkoff Plumbing & Heating

Seconded by Councilman Niehaus.

All voted Aye.

Mr. Frank S. Colella of the Organized Taxpayers' Association appeared before the Town Board requesting that the Town Board initiate action to declare the Real Property Tax Law Unconstitutional and to replace that tax base with broadly based income taxation, requesting a reply by March 21st, 1973 through the office of the town attorney, the reply as to its intention and course of action. (Copies of Mr. Colella's statement forwarded to Town Attorney and Supervisor - T/C)

EEC855

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(1973-138) Councilman Nichaus offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 13th day of December 1972 provided for a public hearing on the 10th day of January 1973 at 8:04 PM to consider the 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:

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

R-10 District, Column 2, Item 2 to read as follows:

"2. Two family residences, provided that the property shall conform to all the bulk regulations of Group N listed under Table of General Use Regulations and shall have frontage and access to either a Major, Secondary or Collector Road as classified on the Town Official Map as amended."

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-139) Councilman Pizzutello offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 6th day of December 1972, provided for a public hearing on the 10th day of January 1973 at 8:03 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 said petitioner from L10 district to 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 Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from L10 district to R-22 district, the following described property in the Hamlet of Valley Cottage, New York in said Town

(INSERT DESCRIPTION)

Seconded by Councilman D'Antoni

(continued)

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(1973-139 - continued)

On roll call the vote was as follows:

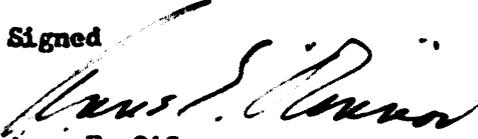
AYES: Councilmen Niehaus, D'Antoni, Pizzutello, Supervisor Vines
NOES: Councilman Lodico.

Motion carried.

EEC855

On resolution offered by Councilman Niehaus, seconded by Councilman D'Antoni and unanimously adopted, Town Board meeting was adjourned until Wednesday, January 24th, 1973 at 8:00 PM, at which time scheduled bid opening and public hearings will be held.

Signed



Anne E. O'Connor
Town Clerk