

TOWN BOARD MEETING

Town Hall

2/7/73

8:00 PM

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

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

(1973-150) Councilman Niehaus offered the following resolution:

RESOLVED, that time for receiving bids for the furnishing of Two (2) Roll-Off Containers for the Highway Department be 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:

COMMERCIAL BODY & TANK CORP. 53-24 98th St., Corona, N Y.....	\$4,640.00 NET BID
MIELE SANITATION CO., INC. 745 Closter Dock Rd., Closter, N.J.....	\$3,700.00 NET BID
SANITARY CONTROLS, INC. 225 Marcus Blvd., Deer Park, N.Y.....	\$4,600.00 NET BID <u>HEAVY DUTY</u> \$4,400.00 NET BID <u>STANDARD</u>

(1973-151) Councilman D'Antoni offered the following resolution:

RESOLVED, that decision on award of bid for the furnishing of Two (2) Roll-Off Containers for the Highway Department be RESERVED.

Seconded by Councilman Lodico.

All voted Aye.

(1973-152) Councilman Pizzutello offered the following resolution:

RESOLVED, that time for receiving bids for furnishing and delivering Two (2) 1973 Model School Busses for the Recreation Dept. be closed, and be it

FURTHER RESOLVED, that any and all bids received up to and including this time be opened.

Seconded by Councilman Lodico.

All voted Aye.

The following bids were received:

GALLAGHER TRUCK CENTER INC.  
Rt. 32, Windsor Hway, Newburgh, N Y

SE 63163 Bluebird: \$11,570.00  
SM 63162 Bluebird: 11,467.00  
SE 63162 Thomas: 12,276.40  
SM 63162 Thomas: 12,173.40

GMC TRUCK & COACH DIVISION  
General Motors Corporation  
680 South Boulevard East  
Pontiac, Michigan (TRANSIT BUS).....Total Net Bid: \$56,326.15

WAYNE BUS & TRUCK EQUIPMENT, INC.  
109 Central Avenue  
Tarrytown, N Y (SUBMITTED SPECIFICATIONS ONLY)

OSBORNE PONTIAC  
114 Route 59  
Monsey N Y (Wayne Body W663).....Total Net Bid - Chassis & Body \$11,617.74  
Optional Equip. 859.56

BARD CHEVROLET, CO.  
Newburgh, N Y.....Total Net Bid: \$11,884.67

BYRNE BROS., INC.  
Virginia Road,  
North White Plains, N Y .....Total Net Bid: - Chassis  
& Body Complete)....\$12,707.70  
Optional Equip..... 859.00

(1973-153) Councilman D'Antoni offered the following resolution:

RESOLVED that award of bid for furnishing and delivering Two (2)  
1973 Model School Busses for the Recreation Department be RESERVED.

Seconded by Councilman Niehaus.

All voted Aye.

EXCESS

(1973-154) Councilman Nichaus offered the following resolution:

RESOLVED that the bid for the cleaning of Police Uniforms be and is hereby awarded to the low bidder, Artistic Cleaners, 89 South Main St., Spring Valley N Y at a bid price as follows:

Trousers - per unit price \$ .33  
Shirts - per unit price .33  
Leather Coats - per unit price \$6.00  
White Dress Shirt (laundered) .30

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-155) Councilman D'Antoni offered the following resolution:

RESOLVED that the bid for the erection of Bus Shelters be awarded to Community Bus Shelters, Inc., 33 Werman Court, Plainview, N Y at a unit cost price of \$990.00 each installed.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-156) Councilman D'Antoni offered the following resolution:

RESOLVED that based upon the recommendation of the Superintendent of Highways, all bids for the furnishing of One (1) Vacuum Truck are hereby rejected, and be it further

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for the furnishing of One (1) Vacuum Truck - Highway Department - said bids to be returnable at the Town Board Meeting of February 21st, 1973 at 8:01 PM, and be it

FURTHER RESOLVED, that specifications be obtained from the office of the Superintendent of Highways, Seeger Dr., Nanuet N Y.

Seconded by Councilman Pizzutello.

All voted Aye.

Proposed award of bid for furnishing of two (2) Leaf Pickup Loaders -- deferred.

(1973-157) Councilman D'Antoni offered the following resolution:

RESOLVED, that the bid for the furnishing of One (1) Dump Truck for the Municipal Nursery be awarded to Porry's Garage, 22 Cosgrove Ave. West Haverstraw N Y at a bid price of \$3,950.00, and be it

FURTHER RESOLVED, that said amount be charged to the Clarkstown Revenue Sharing Account.

Seconded by Councilman Lodico.

All voted Aye.

(1973-158) Councilman Lodico offered the following resolution:

RESOLVED, that the bid for the furnishing of the Fill for the Sanitary Landfill be and is hereby awarded to New York Trap Rock Corp., 162 Old Mill Road, West Nyack N Y at a net bid price of \$.50 per ton.

Seconded by Councilman Pizutello.

All voted Aye.

(1973-159) Councilman Pizzutello offered the following resolution:

RESOLVED, that the minutes of the Town Board Meetings of 1/17/73 and 1/24/73 are hereby accepted as submitted by the Town Clerk.

Seconded by Councilman Niehaus.

All voted Aye.

EFC855

(1973-160) Councilman Lodico offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to advertise for Haul ing of Fill to the SANitary Landfill Area, and be it

FURTHER RESOLVED, that said bids be returnable at theTown Board Meeting of February 21st, 1973 at 8:02 PM, and be it

FURTHER RESOLVED, that specifications be obtained from the office of the Supervisor, 10 Maple Ave., New City N Y.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-161) Councilman D'Antoni offered the following resolution:

WHEREAS, it appears that Pascack Mobile Home Park has failed and refused to conform with the terms and conditions of the Restrictive Covenants filed by them and has failed to comply with the conditions of the Special Permit granted for the operation of a mobile Home park;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney be and he hereby is authorized to take any and all action necessary to secure full compliance with the said Restrictive Covenants and conditions of the Special Permit, and upon the failure to secure compliance, to take all steps necessary to revoke the Special Permit and to reverse the change of zoning.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-162) Councilman D'Antoni offered the following resolution:

(INSERT RESOLUTION AUTHORIZING USE OF \$3250. IN ESCROW FUNDS ON DEPOSIT WITH THE TOWN -- WEST RISE, SEC. III)

Seconded by Councilman Lodico.

All voted Aye.

2/7/73

163) Councilman D'Antoni offered the following resolution:

RESOLVED that the following members are hereby appointed to the Strawtown Bi-Centennial Commission;

Gladys Weber, 16 Phillips Hill Rd., New City N Y  
John Zehner, 11 Central Ave., Nyack N Y  
Peggy Donohue, 3 Tavo Lane, New City N Y  
Mary Goodyear, 19 Strawtown Rd., West Nyack N Y  
Matthew Henry, 1 Redwood Court, New City N Y  
William Dobbin, 426 Strawtown Rd., West Nyack N Y

be it

FURTHER RESOLVED, that the above members shall serve without compensation, term to expire on July 4th, 1976.

Seconded by Councilman Pizzutello.

All voted Aye.

164) Councilman Lodico offered the following resolution:

WHEREAS, there is a vacancy in the position of Foreman (Sewers),

NOW THEREFORE, be it

RESOLVED, that John Eterno, 63 Verdin Dr., New City N Y is hereby appointed to the position of Foreman (Sewers) - Sewer Department, at a salary of \$9600.00 per annum, Grade 22, Step B, effective Feb. 8, 1973.

Seconded by Councilman D'Antoni.

All voted Aye.

165) Councilman D'Antoni offered the following resolution:

RESOLVED that Philip B. Fogel, 85 Lyncrest Ave., New City N Y is hereby appointed to the position of Depty. Attorney, part-time, at the annual salary for 1973 of \$5000.00, effective 2/13/73.

Seconded by Councilman Pizzutello.

All voted Aye.

EFC855

(1973-166) Councilman D'Antoni offered the following resolution:

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

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

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

NOW THEREFORE, be it

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

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

Seconded by Councilman Niehaus.

All voted Aye.

(1973-167) Councilman Lodico offered the following resolution:

RESOLVED, that the position of Clerk, part-time in the Sanitation Commission is hereby created, effective immediately.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-168) Councilman Lodico offered the following resolution:

RESOLVED, that Mary Barry, 4 Doris Drive, Nanuet N Y is hereby appointed to the position of Clerk, part-time, - Sanitation Commission - at the present hourly wage of \$3.20, effective 2/13/73.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-169) Councilman Lodico offered the following resolution:

RESOLVED, that the following are hereby appointed members of the Clarkstown Narcotic Council:

Dr. Phillip Tarter, Phillips Hill Rd., New City N Y  
Sandra Kahn, April Lane, Nanuet N Y

and be it

FURTHER RESOLVED, that the above members serve without compensation, effective immediately.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-170) Councilman Pizzutello offered the following resolution:

RESOLVED that Richard Mathias, 27 Prides Crossing, New City N Y is hereby re-appointed as a member of the Parks Board & Recreation Comm. without compensation, term to expire August 1977.

Seconded by Councilman Lodico.

All voted Aye.

EFC855

(1973-171) Councilman Pizzutello offered the following resolution:

WHEREAS the Rockland County Personnel Office has certified on 1/24/73 that the position of Senior Recreation Leader - Parks Board and Recreation Commission can be created,

NOW THEREFORE, be it

RESOLVED, that the position of Senior Recreation Leader - Parks Board & Recreation Commission is hereby created, effective immediately.

Seconded by Councilman Lodico.

All voted Aye.

(1973-172) Councilman Pizzutello offered the following resolution:

RESOLVED that Thomas Lowe, 29 Gail Drive, New City N Y is hereby appointed to the position of Senior Recreation Leader - Parks Board & Recreation Commission, at the current salary of \$8,742.00 per annum, Grade A21, effective 2/8/73.

Seconded by Councilman Lodico.

All voted Aye.

(1973-173) Councilman Pizzutello offered the following resolution:

WHEREAS, there is a vacancy in the position of Custodian - Town Hall, and

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #72125 - Custodian, which contains the name of Lawrence Degnan,

NOW THEREFORE, be it

RESOLVED, that Lawrence Degnan, 594 Union Road, Spring Valley N Y is hereby appointed to the position of Custodian - Town Hall - hours 4:00 PM to 12:00 PM, at the current annual salary of \$7671.00, effective 2/26/73.

Seconded by Councilman Niehaus.

All voted Aye.

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(1973-174) Councilman Pizzutello offered the following resolution:

RESOLVED that the resignation of Rosalie J. Ravenna, 37 East St., West Nyack N Y is hereby accepted with regret, effective and retroactive to 1/29/73.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-175) Councilman D'Antoni offered the following resolution:

WHEREAS, there is a vacancy in the position of Crossing Guard - Police Department - created by the resignation of Rosalie J. Ravenna,

NOW THEREFORE, be it

RESOLVED, that Catherine Sullivan, 22 Kenwood Lane, New City N Y is appointed to the position of Crossing Guard, effective immediately, at the salary of \$7.00 per day.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-176) Councilman D'Antoni offered the following resolution:

WHEREAS, Robert Kimbark, Road Foreman in the Clarkstown Highway Department, has requested a leave of absence,

NOW THEREFORE, be it

RESOLVED, that based upon the recommendation of the Supt. of Highways, a six month leave of absence be granted to Robert Kimbark, 120 Congers Road, Congers N Y, effective immediately, without compensation.

Seconded by Councilman Pizzutello.

All voted Aye.

EFC855

(1973-177) Councilman D'Antoni offered the following resolution:

(INSERT BOND AND CAPITAL NOTE RESOLUTION AUTH. CONSTRUCTION AND INSTALLATION OF SURFACE DRAINAGE SEWER FACILITIES AND APPURTENANCES THERETO, STATING THE ESTIMATED MAXIMUM COST OF SAID CLASS OF OBJECTS OR PURPOSES IS \$800,000, APPROPRIATING SAID AMOUNT THEREFORE, AND AUTH. ISSUANCE OF \$40,000 CAPITAL NOTES TO PROVIDE THE DOWN PAYMENT, AND \$760,000 SERIAL BONDS TO FINANCE THE BALANCE OF SAID APPROPRIATION)

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-178) Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities is hereby authorized to expedite the following:

INSTALL 1 - 7900 lumen mercury vaport light on Pole #2 located on Briarwood Drive, New City at \$54.60 per year.

INSTALL 1 - 7900 Lumen mercury vapor light on Pole #31 located at the intersection of Rockford Dr. and Strawtown Rd., West Nyack at \$54.60 per year.

INSTALL 1 - 7900 lumen mercury vapor light on Pole #2082 located at intersection of Hazelton Lane and Stonchedge Dr., West Nyack at \$57.72

INSTALL 2 - 59,000 lumen mercury vapor dusk to dawn flood lights in Congers Lake Park, Service Road West, at \$192.60 each per year.

REMOVE 2 - 22,500 lumen mercury vapor dusk to dawn flood lights at \$97.20 pach per year (same location as above).

INSTALL 3 - 7900 lumen mercury vapor lights at \$54.60.

INSTALL 2 - underground Apollo 30 square laminated wood poles and two (2) 7900 lumen mercury vapor street lights on these poles. (Cider Mill Estates - Underground subdivision).

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-179) Councilman D'Antoni offered the following resolution:

RESOLVED that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Supt. of Highways is hereby authorized to install two (2) signs to read "NO PARKING BETWEEN SIGNS", and be it further

RESOLVED, that these signs are to be erected fifteen (15) feet south and fifteen (15) feet north of the driveway to the New City Free Library parking lot on Main St., New City N Y.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-180) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Supt. of Highways is hereby authorized to install "STOP" sign on the northeast corner of Hall Avenue where it intersects with Little Tor Road, New City N Y.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-181) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Supt. of Highways is hereby authorized to install "NO PARKING" signs on the south side of Waldron Ave. from the intersection of West Broadway and continuing west for a distance of three hundred feet.

Seconded by Councilman Pizzutello.

All voted Aye.

EFC855

(1973-182) Councilman Pizzutello offered the following resolution:

RESOLVED that based upon the recommendation of the Parks Board and Recreation Commission, the Supt. of Recreation & Parks, Edw. J. Ghiazza, is hereby authorized to attend the second year of Revenue Sources Management School from March 11 - 15, 1973, at Oglebay Park, Wheeling, West Virginia, and be it

FURTHER RESOLVED, that all necessary and actual expenses become a proper Town Charge against Account #7020 (414).

Seconded by Councilman Lodico.

All voted Aye.

(1973-183) Councilman Niehaus offered the following resolution:

(INSERT RESOLUTION AUTH. SPRING VALLEY WATER CO. TO INSTALL ONE (1) HYDRANT ON THE NORTH SIDE OF FURNACE RD., APPROX. 50' EAST OF THE CENTER LINE OF HAVERMILL ROAD.) -- (LOCATION APPROVED BY THE TOWN ENGINEER).

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-184) Councilman Lodico offered the following resolution:

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

Ernest Giraudin, 4 Pipers Glen, West Nyack, N Y  
Edw. J. Huegel, Inc., 110 Crooked Hill Rd., Pearl River, N Y  
T. B. M. Construct Co., Inc. 391 Ridgewood Rd., Westwood, N J  
John Fehsal, Call Hollow Road, Stony Point, N Y

NOW THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

No. 73-20 to Ernest F. Giraudin  
No. 73-21 to Edward J. Huegel, Inc.  
No. 73-22 to T. B. M. Construction Co., Inc.  
No. 73-23 to John Fehsal

SecOnded by Councilman Niehaus.

All voted Aye.

(1973-185) Councilman Pizzutello offered the following resolution:

RESOLVED, that the sum of \$130,000.00 be and is hereby transferred from the Money in Lieu of Land Account to the Parklands Improvement Account.

Seconded by Councilman Lodico.

All voted Aye.

(1973-186) Councilman Pizzutello offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown desires to acquire certain lands bounded by Main St., Congers Rd., and Maple Ave. for park purposes;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney be and he hereby is authorized to commence proceedings to acquire said lands for park purposes, in accordance with the metes and bounds description and map hereunto annexed and made a part hereof, by negotiation, agreement and/or condemnation as the Town Attorney may find appropriate, and be it

FURTHER RESOLVED, that the Town Attorney be and he hereby is directed to proceed forthwith to obtain orders permitting immediate possession of the said property pending the final outcome of condemnation proceedings and/or negotiations hereinabove authorized.

Seconded by Supervisor Vines.

All voted Aye.

(1973-187) Councilman D'Antoni offered the following resolution:

(INSERT RESOLUTION SETTING PUBLIC HEARING WITH REGARD TO SPECIAL PERMIT FOR GASOLINE FILLING STATION (RUMFORD REALTY CORP.) -- 2/21/73 - 8:05 PM)

Seconded by Councilman Lodico.

All voted Aye.

EFC855

(1973-188) Councilman Niehaus offered the following resolution:

(INSERT RESOLUTION SETTING PUBLIC HEARING WITH REGARD TO SPECIAL PERMIT FOR THE ERECTION OF SENIOR CITIZEN HOUSING (MONTEREY GARDEN'S CO.) -- 2/21/73 - 8:10 PM)

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-189) Councilman Niehaus offered the following resolution:

(INSERT RESOLUTION SETTING DATE OF PUBLIC HEARING WITH REGARD TO SPECIAL PERMIT FOR GAS FILLING STATION JOHN A. STEFAN -- 2/21/73 - 8:15 PM)

Seconded by Councilman D'Antoni.

All voted Aye.

Proposed resolution denying use of Town Law, Section 280-a (Harry Solowsky) -- deferred.

(1973-190) Councilman Niehaus offered the following resolution:

RESOLVED that the Building Inspector be and is hereby authorized to purchase a 1973 Dodge Polara for the Fire Inspector as an emergency vehicle at the present bid price of \$3,105.45.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-191) Councilman Niehaus offered the following resolution:

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

NEW CITY HOLDING CO.

in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as Map 56, Block B, Lot 2.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-192) Councilman Pizzutello offered the following resolution:

RESOLVED that the vehicle presently used by the Fire Inspector (1966 Plymouth Furty I - 6 Cylinder Sedan, License #15520W) be and is hereby declared surplus, and be it

FURTHER RESOLVED, that the Director of Community Relations be and is hereby authorized to negotiate for its sale and disposal with any and all interested parties.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-193) Councilman Niehaus offered the following resolution:

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

In the Matter of the Application of

BAKER FIRESTONE, INC., Petitioner

-against-

ROBERT H. BOWMAN, BUILDING AND ZONING INSPECTOR OF THE TOWN OF CLARKSTOWN, ROCKLAND COUNTY, NEW YORK, & JAMES F. COYLE EUGENE GROGAN, WILLIAM F. LOFTUS, KARL HESS, JAY E. D'NEZA, Constituting the Planning Board of the Town of Clarkstown, in the County of Rockland, New York, 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.

(1973-194) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town of Clarkstown is desirous of entering into an agreement with TIKI HOMES, INC. & J. KRUTSEN & CO., INC. in connection with dedication of roads in a subdivision known as DUTCH GLEN,

NOW THEREFORE, be it

(continued)

EFC855

(1973-194 - continued)

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute an agreement with TIKI HOMES, INC. & J. KNUTSEN & CO. providing for the deposit of \$350.00 to be held by the Town, pursuant to the terms of said agreement, pending final and complete improvements of the roads in said development by the developer, subject to final approval of the Town Engineer and the Superintendent of Highways of the Town of Clarkstown.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-195) Councilman Niehaus offered the following resolution:

RESOLVED, that upon recommendation of the Highway Supt. and the Town Engineer, deed from TIKI HOMES, INC. & J. KNUTSEN & CO., INC. conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of DUTCH GLEN filed in the County Clerk's Office on 12/17/68 as Map No. 3811, Book 77, Page 17 as follows: Glen Drive-- is hereby accepted by the town and ordered filed in the County Clerk's Office, and b e it

FURTHER RESOLVED, that Performance Bond No. 903003 dated the 20th day of November 1968, J. Knutsen Co., Inc. as Principal and John Knutsen as Co-Principal; and Republic Insurance Co. as Surety for the benefit of the Town of Clarkstown, are hereby released, and be it

FURTHER RESOLVED, that Maint. Bond Nos. 906366 & 906367 dated 11/20/72 JONATHON CONSTRUCTION CORP. & J. KNUTSEN & CO., INC., as Principal and John Knutsen, Co-Principal, Republic Insurance Co. as Surety, are hereby accepted.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-196) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town of Clarkstown is desirous of entering into an agreement with Hopen Construction Corp., Ponderosa Estates, Inc. and J. Knutsen & Co., Inc. in connection with dedication of roads in a subdivision known as Countryside Acres;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the town is authorized to execute an agreement with Hopen Construction Corp. Ponderosa Estates, Inc. & J. Knutsen & Co., Inc. providing for the deposit of \$500 to be held by the town, pursuant to the terms of said agreement, pending final and complete improvements of the roads in said development by the developers, subject to final approval of the Town Engineer and the Superintendent of Highways of the Town of Clarkstown.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-197) Councilman D'Antoni offered the following resolution:

RESOLVED, that upon recommendation of the Highway Supt. and the Town Engineer, deeds from HOPEN CONSTRUCTION CORP., a domestic corporation having its principal place of business at 15 Wilton Circle, New City N Y and PONDEROSA ESTATES, INC., a domestic corporation having its principal place of business at 250 West Nyack Rd., West Nyack N Y and J. KNUTSEN & CO., INC. a domestic corporation having its principal place of business at 250 West Nyack Road, West Nyack N Y conveying roads and other improvements to the town in a subdivision as shown on Final Plat of "Country Side Acres, Town of Clarkstown, Rockland County, N Y" dated 1/23/70 and filed in the Rockland County Clerk's Office on 12/9/70 in Book of Maps 81 at Page 27 as Map No. 4093 as follows:

**West Burda Place**

is hereby accepted by the town and ordered filed in the Rockland County Clerk's Office; and be it

FURTHER RESOLVED, that Maint. Bonds Nos. 909890 and 909891 dated 11/4/72 PONDEROSA ESTATES, INC., 250 W. Nyack Rd., West Nyack N Y as Principal; and JOHN KNUTSEN as Co-Principal; and REPUBLIC INSURANCE CO. as Surety, are hereby accepted.

Seconded by Councilman Niehaus.

On roll call the vote was as follows:

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

MOTION CARRIED

(1973-198) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town of Clarkstown is desirous of entering into an agreement with PONDEROSA ESTATES, INC. in connection with dedication of roads in a subdivision known as CAPITOL PARK,

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute an agreement with PONDEROSA ESTATES, INC. providing for the deposit of \$500.00 to be held by the town, pursuant to the terms of said agreement, pending final and complete improvements of the roads in said development by the developer, subject to final approval of the Town Engineer and the Supt. of Highways of the town.

Seconded by Councilman Niehaus.

All voted Aye.

EEC855

(1973-199) Councilman Niehaus offered the following resolution:

RESOLVED, that upon recommendation of the Highway Supt. and the Town Engineer, deed from PONDEROSA ESTATES, INC., a domestic corporation having its principal place of business at 250 West Nyack Rd., West Nyack N Y conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "Capitol Park, in the Town of Clarkstown, Rockland County, New York," made by Jack D. Boswell & Associates, Engineers and Surveyors, dated 10/23/70 and filed in the Rockland County Clerk's Office on 1/10/72 in Map Book 83 at Page 27 as Map No. 4231 as follows:

Capitol Court

is hereby accepted by the town and ordered filed in the County Clerk's Office; and be it

FURTHER RESOLVED, that Maint. Bonds Nos. 909926 and 909927 dated 12/7/72, PONDEROSA ESTATES, INC. as Principal and JOHN KNUTSEN as Co-Principal and REPUBLIC INSURANCE CO. as Surety, are hereby accepted.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-200) Councilman Niehaus offered the following resolution:

WHEREAS, the Town of Clarkstown is desirous of entering into an agreement with KNUTSEN HOMES, INC. in connection with dedication of roads in a subdivision known as SKYE ESTATES, INC.;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute an agreement with KNUTSEN HOMES, INC. providing for the deposit of \$2,200.00 to be held by the town, pursuant to the terms of said agreement, pending final and complete improvements of the roads in said development by the developer, subject to final approval of the Town Engineer and the Supt. of Highways of the Town of Clarkstown.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-201) Councilman Niehaus offered the following resolution:

RESOLVED, that upon recommendation of the Highway Supt. and the Town Engineer, deed from HI-VIEW ESTATES, INC., West Nyack N Y and J. KNUTSEN & CO., INC., West Nyack N Y conveying roads and other improvements to the town of Clarkstown in a subdivision as shown on Final Plat of "Hemptor Acres" Town of Clarkstown, County of Rockland, N Y, made by Henry Horowitz, P.E. & L.S., dated 9/8/70, recorded in the County Clerk's Office on 12/9/70 in Book of Maps 81 at page 21, as filed Map No. 4083 and as amended on map entitled, "Amended Subdivison Plat of Hemptor Acres", filed in the County Clerk's Office on 3/12/71 in Book 81 at Page 49 as Map No. 4114, as follows:

Angus Drive  
Cairngorm Road  
Hemptor Road  
Greenwood Drive

are hereby accepted by the town and ordered filed in the County Clerk's Office; and be it

FURTHER RESOLVED, that Maint. Bonds Nos. 909924 and 909925, dated 12/7/72, HI-VIEW EST., INC. as Principal and JOHN KNUTSEN, Co-Princ. and REPUBLIC INSURANCE CO. as Surety, are hereby accepted.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-202) Councilman D'Antoni offered the following resolution:

RESOLVED, that upon recommendation of the Highway Supt. and the Town Engineer, deeds from KNUTSEN HOMES, INC., West Nyack, N Y conveying roads and other improvements to the town in a subdivision as shown on Final Plat of "SKYE ESTATES, INC.", dated 2/15/71, revised 5/3/71, revised 7/27/71 in the Town of Clarkstown, Rockland Co., N Y filed in the County Clerk's Office on 8/25/71 in Book of Maps 82 at Page 43 as Map No. 4176, as follows:

Aber Terrace	York Drive
Auburn Drive	Gable Road
Berth Lane	Hessian Place
Carlisle Court	Punta Road
Renfrew Road	

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

FURTHER RESOLVED, that Maintenance Bonds Nos 9099831/32, dated the 20th day of November 1972, KNUTSEN HOMES, INC., Principal - JOHN KNUTSEN, Co-Principal - Republic Insurance Co. - Surety, are hereby accepted.

Seconded by Councilman Pizzutello.

All voted Aye.

EEC855

(1973-203) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town of Clarkstown is desirous of entering into an agreement with HI-VIEW ESTATES, INC. & J. KNUTSEN & CO., INC. in connection with dedication of roads in a subdivision known as HEMPTON ACRES,

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute an agreement with HI-VIEW ESTATES, INC. & J. KNUTSEN & CO., INC. providing for the deposit of \$2,220/00 to be held by the town, pursuant to the terms of said agreement, pending final and complete improvements of the roads in said development by the developer, subject to final approval of the Town Engineer and the Supt. of Highways of the Town of Clarkstown.

Seconded by Councilman Pizzutello.

All voted Aye.

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

Republic Insurance Co. Maint. Bond #906367 (Supersedes Bond #903003)  
Amount: \$940.00  
Covers: Roads  
Period: 1 year - (11/19/73)

Republic Insurance Co. Maint. Bond #906366 (Supersedes Bond #903003)  
Amount: \$3100.00  
Covers: Roads  
Period: 1 year (11/19/73)

Republic Insurance Co. Maint. Bond #909891  
Amount: \$600.00  
Covers: Roads  
Period: 1 year (12/3/73)

Republic Insurance Co. Maint. Bond #909890  
Amount: \$2350.50  
Covers: Roads  
Period: 1 year (12/3/73)

Republic Insurance Co. Maint/ Bond #909351  
Amount: \$20,780.40  
Covers: Roads  
Period: 1 year (11/19/73)

(cont)

Bonds - continued:

Republic Insurance Co. Maint. Bond #909532  
Amount: \$5,570.50  
Covers: Roads  
Period: 1 year (11/19/73)

Republic Insurance Co. Maint. Bond #909927  
Amount: \$540.20  
Covers: Roads  
Period: 1 year (12/6/73)

Republic Insurance Co. Maint. Bond #909926  
Amount: \$1,702.90  
Covers: Roads  
Period: 1 year (12/6/73)

Republic Insurance Co. Maint. Bond #909924  
Amount: \$14,400.00  
Covers: Roads  
Period: 1 year (12/6/73)

Republic Insurance Co. Maint. Bond #909925  
Amount: \$2,400.00  
Covers: Roads  
Period: 1 year (12/6/73)

(J. Knutsen Co-Principal on all of above bonds)

(1973-204) Councilman Pizzutello offered the following resolution:

WHEREAS, an action has been commenced by the Town of  
Orangetown entitled as follows:

Town of Orangetown, et al  
-against-

County Legislature of the County of Rockland, et al

and,

WHEREAS, the County Attorney for the County of Rockland has  
forwarded a copy of the Summons & Complaint to the Town of Clarkstown for  
the purpose of affording the town to intervene in this action to protect  
the town's interest, and

WHEREAS, a decision against the County of Rockland and in favor  
of the plaintiffs will adversely affect the Town of Clarkstown;

NOW THEREFORE, be it

(continued)

ECC855

(1973-204 - continued)

RESOLVED, that the Town Attorney is hereby authorized to intervene in this action and take whatever other action is necessary in order to protect the interests of the Town of Clarkstown.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-205) Councilman Pizzutello offered the following resolution:

(INSERT RESOLUTION DETERMINING THE TERMS, FORM AND DETAILS OF ISSUANCE OF \$3,880,000 SEWER AND GENERAL PURPOSES SERIAL B BONDS-1973, SERIES A, AND \$6,215,000 SEWER AND GENERAL PURPOSES SERIAL BONDS-1973, SERIES B, AGGREGATING \$10,095.00, OF SAID TOWN, AND PROVIDING FOR THEIR SALE)

Seconded by Councilman Niehaus.

All voted Aye.

(1973-206) Councilman Niehaus offered the following resolution:

WHEREAS, paragraph 2(b) of the escrow agreements executed by Commonwealth Properties, Inc. in connection with a subdivision known as WHITE OAKS roads as follows:

"(b) In the event that the streets and other improvements referred to herein are not completed in a manner satisfactory to the Town on or before the date set forth herein, the town shall have the sole right at any time thereafter, without obligation of notice to any party, to apply the said deposit in completing said improvements in the Town's sole discretion and the Developer/Builder shall cease to have any interest or claim in and to said deposit whatsoever."

and

WHEREAS, certain requirements of the Town have not been met and have caused conditions to exist which the Town considers dangerous to the health, safety and welfare of the residents of the before-mentioned sub-division;

NOW THEREFORE, be it

(continued)

(1973-206 - continued)

RESOLVED, that upon the recommendation of the Town Engineer, and the Shade Tree Commission, the escrow funds presently on deposit with the Town of Clarkstown by Commonwealth Properties, Inc., in connection with said White Oaks Subdivision, are to be applied, as an emergency measure to remove the known dead or fallen trees and to remedy any damage caused thereby, in order to protect the health, safety and welfare of the residents of White Oaks Subdivision, and be it

FURTHER RESOLVED, that any sums not expended at this time are to be continued to be held in escrow until such time as weather permits a detailed report or work remaining to be done.

Seconded by Councilman D'Antoni.

All voted Aye.

Milton Kase, Esq., Attorney for the Rockland County Policemen's Association presented petition to the Town Board containing 145 signatures indicating opposition of citizens to the proposed change in the law. (Filed with Town Clerk)

(1973-207) Councilman Lodico offered the following resolution:

WHEREAS, a proposed local law entitled "A LOCAL LAW TO AMEND SECS. 3 and 4 OF CHAPTER 526 of the LAWS OF THE STATE OF NEW YORK, 1936, TO PROVIDE FOR THE APPOINTMENT OF A CHIEF OF POLICE FOR THE POLICE DEPARTMENT OF THE TOWN OF CLARKSTOWN" was introduced by Councilman Pizzutello at a Town Board meeting held 12/20/72, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 20th day of December 1972 directed that a public hearing be held on the 17th day of January 1973 at 8:07 PM, to consider the adoption of said local law, and

WHEREAS, a notice of said public hearing was duly prepared and published in the Journal News on 1/9/73, and posted on the sign board of the town on the 9th day of January 1973, and

WHEREAS, copies of the proposed local law were mailed to the members of the Town Board on the 4th day of January 1973, and

WHEREAS, a public hearing was held by the Town Board on the 17th day of January 1973 at 8:07 PM;

NOW THEREFORE, be it

(continued)

EEC855

(1973-207 - continued)

RESOLVED, that Local Law No. 2-1973 entitled "A LOCAL LAW TO AMEND SECS. 3 and 4 OF CHAPTER 526 OF THE LAWS OF THE STATE OF NEW YORK 1936, TO PROVIDE FOR THE APPOINTMENT OF A CHIEF OF POLICE FOR THE POLICE DEPARTMENT OF THE TOWN OF CLARKSTOWN" is hereby ADOPTED as amended, and passed by an affirmative vote of the majority of voting power of the Town Board of the Town of Clarkstown, the vote for adopting of said local law being as follows:

Hon. William E. Vines, Supervisor.....AYE  
Councilman William R. Nichaus.....AYE  
Councilman Anthony D'Antoni.....NO  
Councilman John Lodico.....AYE  
Councilman Vincent Pizzutello.....AYE

The Town Clerk of the Town of Clarkstown was directed to file said local law pursuant to Section 27 of the Municipal News Rule Law.

Seconded by Councilman Lodico.

All voted Aye.

(1973-208) Councilman Pizzutello offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 20th day of December 1972 provided for a public hearing on the 24th day of January 1973 at 8:00 PM to consider the adoption of a proposed 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. 4.22 by adding thereto as follows:

G. Advertising signs.

Amend Sec. 4.32 by deleting subdivision A. in its entirety.

Amend Sec. 7.361 by deleting present section in its entirety and inserting therein as follows:

"A. In any residential district any sign not of the type permitted, or of a permitted type, but greater than four times the maximum sign area permitted, may be continued for three (3) years after the effective date of this amendment, provided that after the expiration of that period, such non-conforming use shall be terminated.

(continued)

(1973-203 - continued)

B. Cessation of Advertising Signs. Notwithstanding any other provisions of this ordinance, all advertising signs as defined herein, shall be prohibited. Such signs shall be discontinued and removed no later than the expiration of one year from the effective date of this amendment.

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

MRS District, Column 2, Uses Permitted by Right --- delete Item 5 in its entirety.

RS District, Column 3, Uses Permitted by Special Permit-- delete A-2, in its entirety.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-209) Councilman Niehaus offered the following resolution:

WHEREAS, Yale Rapkin, has made written application for the use of Town Law, Sec. 281 in connection with subdivision known as LONGMEADOW WEST, 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 following reasons:

1. Additional access (and thereby greater safety) to the existing Longmeadow Estates subdivision.
2. The nirthery continuation of a Greenway in accordance with the Town's Master Plan.
3. The improvement of design in existing Longmeadow Estates, by elimination of five driveways on a County Road.
4. The number of lots to be added to the combined properties shall be no greater than the number of lots that may be derived from parcel 60A15 if developed in compliance with all requirements of the Zoning Ordinance.

NOW THEREFORE, be it

(continued)

EEC855

TBM - 2/7/73  
Page 27

(1973-209 - continued)

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law, Sec. 281 in connection with this subdivision.

Seconded by Councilman Lodico.

All voted Aye.

Mr. J. Centra, 17 Adele Road, West Nyack appeared before the Town Board speaking for himself and neighbors on Klein Road and area of West Nyack re drainage problems. Supervisor Vines stated that what the Town accomplished in the past few days will alleviate problem in this area. Mr. Centra suggested that the Town Attorney take action re River Estates -- does not want further building in this area.

Mr. Theodore Dusenanko, Hickory Drive, New City appeared before the Town Board commending the Clarkstown Police Department mentioning their competence in several emergencies. Councilman Pizzutello stated Town Board in complete agreement and is aware of their competence and dedication and has the highest admiration for the Clarkstown Police Department.

On resolution offered by Councilman Lodico, seconded by Councilman D'Antoni and unanimously adopted, Town Board meeting was adjourned until Wednesday, February 14th, 1973 at 8:00 PM.

Signed

  
Anne E. O'Connor  
Town Clerk

EEC855