

PUBLIC HEARING

Town Hall

5/9/73

8:00 PM

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

RE: APPLICATION FOR "CORRECTED" SPECIAL PERMIT MADE BY HOWARD TARANOW & PHYLLIS TARANOW: (Property located Smith Street, Nanuet):

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

Ronald M. Kahn, Esq., 135 South Main St., New City N Y
as attorney for petitioner.

RECOMMENDATIONS:

COUNTY PLANNING BOARD:

".....if the Town Board grants a special permit, it need not be detrimental to State Route 59 or to nearby Route 30⁴ as long as vehicular access and egress, off-site drainage and sign locations on the subject site are submitted to the New York State Department of Transportation for their review and approval."

TOWN PLANNING BOARD:

"....DENY the request for Special Permit for Gas Station, because 'granting of this permit would exacerbate an already existing bad traffic situation, and will cause undue traffic congestion.'"

They also stated that subsequent to the above recommendation, Building and Zoning Inspector suggested the following also be communicated to the Town Board: '1. ZO 4.32g requires 150 ft. lot frontage on Smith St., only 129 ft. shown.'

TOWN PLANNER:

'....re-submission is to correct the property description and to add an additional frontage of 30 feet along NYS Route 59. Inasmuch as we had no objections to the use of this property for a gas station pursuant to Sec. 4.31 of the Zoning Ordinance in our report of 3/7/72, and that the reasons stated by Mr. Kahn for the re-submission does not change our findings, we have no objections to the Board granting this application for a special permit.'

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PH - TARANOW - cont.
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RECOMMENDATIONS - continued:

DEPARTMENT OF TRANSPORTATION:

"No service station may be built at the above site as this portion of Route 59, is a controlled-access highway and the right of way was purchased without the right of access, except for one 10' drive for each property owner. While it is true that one 10' drive was allocated to J. A. Frohling and Teckla Braun, this drive is not included in the 150' frontage along Route 59 allocated to the service station."

Attorney for the petitioner Ronald Kahn, Esq. stated the following:

Identified signatures on petition as being those of petitioner. Requests that this board take judicial notice of the fact that before the Board in May of 1972, he appealed at that time, presented witnesses, and testimony, relative to this petitioner. At that time, he continued, the Board, after hearing evidence, determined that special permit be issued. At that time, we assured real estate who testified that granting of permit would not adversely affect character of neighborhood. In addition, we submitted and we will re-submit exhibits in that prior petition from the Town of Clarkstown Police Department, Sewer Department, and Orange & Rockland Utilities, bus company and Manuet Fire Company.

EXHIBIT I: Clarkstown Police Department: "...area in which you plan to build a gasoline filling station is patrolled twenty four hours a day, seven days a week by the Clarkstown Police Department. Generally, there is more than one patrol covering the area stated."

EXHIBIT II: Orange & Rockland Utilities, Inc.: "....either single or three phase electric service would be available at the location specified in your recent letter. However, commercial gas usage has been restricted by the Public Service Commission and therefore will not be available at present."

EXHIBIT III: Spring Valley Water Company: "....Water service for this building may be provided by means of the installation of a service connection to the property line from our existing 8" water main in Smith Road, following the filing of formal application under conditions satisfactory to this company."

EXHIBIT IV: Manuet Fire Engine Co., Inc.: "....no change from letter of 2/7/72; The ladder/pumper truck has been replaced with a 1500 gallon pumper." (T/C - 2/7/73 letter stated filling station poses no problem to the Fire Company.)

EXHIBIT IV: Office of the Town Engineer: Based upon information supplied by C. R. Velzy Associates, Inc., sewage facilities are adequate in this area.

5/9/72

PH - TARANOW

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Supervisor Vines stated at this juncture that this application approved 6/4/72; we are adding 2000 square feet to already existing uses.

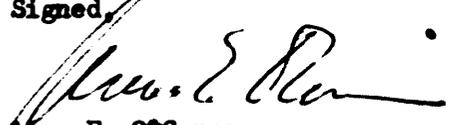
Deputy Town Attorney Martin S. Freidman added that this 2000 square feet was inadvertently left off original petition, as stated by attorney for petitioner.

IN FAVOR: No one appeared.

OPPOSED: No one appeared.

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

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

5/9/73

8:02 PM

Present: Co. Niehaus, Lodico, Pizzutello, Supervisor Vines
Town Clerk A. E. O'Connor
Town Atty. F. P. Roland
Deputy T. Atty. Martin S. Freidman

Absent: Co. D'Antoni

RE: ZONE CHANGE APPLIC. MADE BY CENTENNIAL ESTATES, INC. - R-22 to R-15)
Property located Jodi Lane & Kings Hwy, New City:

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

RECOMMENDATIONS:

COUNTY PLANNING BOARD: "....granting of the change of zone will not, in all likelihood, adversely affect Old Middletown Road or Little Tor Road, County Highways, which are within 500' of the subject parcel."

TOWN PLANNING BOARD: "....DENY for reasons of health, safety and welfare, and because no good reason has been provided to support the requested rezoning."

Attorney for petitioner, Ronald Kahn, Esq., New City, appeared before the Town Board and made the following presentation:

Showed property on map. To the north - R-15; to the south - R-22. Line is south property line facing on Millich's Lane. We did not recommend that this be changed, because it would bring an irregular pattern of zoning.

Signatures on petition were identified by attorney for petitioner. He requested that if petition makes sense, give us favorable consideration; if otherwise, not. However, he continued, Town Planner comments states that this is transitional zone. (pointed out on map). We have to the north, R-15; we have to the west - LS; we have to the east - R-15. This property is abutting R-22 zone. However R-22 almost circulates this property and puts it out of context to the R-15 zone. R-15 comes up Kings Highway, goes around perimeter and returns to highway. As to fact it is transitional zone -- that would be being able to move from R-22 to R-15. However, this matter has already been before the Planning Board, and they suggested that Leona Avenue come around through this particular property and come out on Kent Street.

Its only access would be through and out of R-15 zone. It is not transitional area. It is terminal point.

(continued)

(Mr. Kahn - continuing)

Re it not being reasonable -- it is just as reasonable to grant R-15 as to say it should be only R-22. In this particular case, we feel it is logical and practical and it follows normal zoning recommendations, which are that you should have normal delineation line and in this case, it would be Kings Highway.

Re Master Plan, he continued, this is only guide in zoning. Master Plan states that in this particular area '2 or more units' that could be R-22 or R-15. So, I do not think this would violate the Master concept and see no reason to keep it in R-22.

IN FAVOR: No one appeared.

OPPOSED:

1. Ms. Ronnie Miller, 101 Leona Avenue, New City: Dangerous to health, and well-being of people in neighborhood (adjacent property owner). Would increase traffic. Leona Ave. small area. The traffic to junction of Millich would be danger to school children. If through street goes from Leona, it will open up traffic pattern. Chestnut Grove Elementary School already crowded; school population would increase by 1/3.
2. Mr. Edw. Miller, 101 Leona, New City: Adjacent property owner -- Presented petition containing signatures of 18 families in area who are opposed.
3. Mr. Ralph Ryan, Jodi Lane: (Was informed there would be no road going into Kings Highway).
4. Dr. Lebofsky, Horshoe Court: Re school, was there any liason with the School Board to determine impact on schools? Answer: No. He stated, that before downzoning like this occurs, set up liason with School Board to confirm what the impact made would be. (Supervisor informed him that we do have liason to School Board from Town Board. Councilman Pizutello attends the meetings regularly).
5. Resident, Millichs Lane, New City: Access and egress on to Leona not good. Serious traffic accidents in this location. Cars coming easterly up Millichs Lane on to Leona. Guard rails have had to be added on to private properties. Creation of access, etc. will increase possibility of accidents.
6. Mr. Bill Healy, 6 Millichs Lane: Contiguous property owner. Traffic coming down Millichs from Route 304; comes down on Leona and takes off. Danger to children. Traffic right off Millich on Middletown -- area already dangerous as it stands now. Class of 18 children grown to 28-30; will grow even more if we downzone. Property bought by developer at present zoning -- let it stay that way.

(continued)

OPPOSED: (continued)

7. Mr. Joe Holland, Kent St., New City: Presented 2 petitions; one signed by 10 families who own abutting properties; and 17 homes signed having property adjacent (50%) If granted, would badly effect drainage, traffic and schools. DENY.

8. Mr. Bill Chase, 3 Ann St., New City: (Adjacent property owner) (Makes recommendations for County Planning Board):

As resident stated would be danger to children in Chestnut Grove Elementary School. 95% of children walk. One small bus drops children off. Pass on Kings Highway. Luncheonette on corner -- considerable amount of children walking. Road cut through this property not desirable -- another road creating shorter way would be good. Transitional zone or terminal zone; TownBoard has to decide. I, as resident, would say that you should turn it down.

9. Mr. Jos. Pantano, Little Tor Rd., New City: Re downzonings; people demonstrated they want no more. Will congest school; raise school taxes;

REBUTTAL: (Attorney R. Kahn):

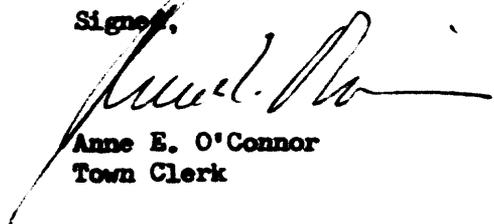
This would cause slight impact. We are talking about approximately seven (7) acres. Application already before Planning Board for subdivision. Planning Board has already recommended traffic pattern. Proposed subdivision will yield 14 lots presently. Change of zone would yield at most 2-3 more homes in this subdivision. Talking about 40 people; 18 cars, 9 people, 6 cars. Re people abutting -- map shows west, north and east, 20 out of 24 properties are all in 1/3 acre zone.

To south in R-22 are six lots or six houses presently existing which are in non-conforming uses. (Below 1/2 acre minimum requirement). This property is surrounded by homes on 1/3 acre. We are asking that an inequity be corrected. We are asking not for a developer, but for the people who have owned this land for the past 100 years.

Re access: Subdivision planning has been filed no matter how-many homes we have. This man will develop this property. We ask that the Town Board give them what they are entitled to.

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

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

5/9/73

8:05 PM

Present: Councilmen Niehaus, Lodico, Pizzutello, Supervisor Vines
Town Clerk Anne E. O'Connor
Town Attorney Frederick P. Roland
Deputy Town Attorney M. S. Freidman & Deputy Town Attorney Phillip Fogel.

RE: PROPOSED LOCAL LAW ESTABLISHING RULES & REGULATIONS GOVERNING TOWN OWNED PARKS & FACILITIES:

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

Deputy Town Attorney Phillip Fogel called Edward J. Ghiazza, Superintendent of Parks & Recreation, and after being sworn in by the Supervisor, he testified as follows:

Resides at 7 Debra Lee Court, West Nyack, New York. Employed by the town as Superintendent of Recreation and Parks for six years. Required to maintain parks in township. Is administrator of parks in accordance with policies of the Parks Board.

Found it necessary to suggest a proposed local law governing rules and regulations to be used for parks. Town has acquired quite a bit of park land in the past few years and we find it necessary to have laws on the books to safeguard parks. Has reviewed proposed local law. Also reviewed by the Parks Board and Recreation Commission.

Proposed law governs and regulates preservation of property, natural resources and wildlife; disposal of refuse; fires; alcoholic beverages; dogs and pets; firearms and other weapons; park hours; swimming, bathing and wading; picnicking; boating, camping; motor vehicles; off the road vehicles; large group events; and other activities.

Proposed local law also covers regulations for application for permit; vending, alms and contributions; Prohibition against use of park property for business or professional purposes; advertising; (handbills, etc.); loss, damage or theft; and spells out penalties for violations of any provision of proposed law; violators shall be subject to a fine not exceeding \$250.00 or by imprisonment not exceeding fifteen days, or both.

IN FAVOR: Mr. Harris Taylor, 773 Sequoia Drive: Chairman of the Parks Board and Recreation Commission: ADOPT. We have looked over it; will protect residents of the township. It is an outstanding piece of legislation, and it should be passed.

OPPOSED: No one appeared.

Supervisor Vines suggested that in Section 9 (Swimming, Bathing and Wading) to include that permission be given not only by Superintendent of Parks and Recreation, but also to include 'or Parks Board & Recreation'. He stated that this should be added in each area that the term is used.

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Councilman Lodico questioned whether cigarettes will be sold in vending machines. Mr. Ghiazza informed the council that there will be no vending machines - only licensed concession would be allowed to sell on the property. Sales will be made over the counter - not machines -- especially cigarettes.

OPPOSED: No one appeared.

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

Signed,



Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

5/9/73

8:06 PM

Present: Councilmen Niehaus, Lodico, Pizzutello.
Town Clerk Anne E. O'Connor
Town Attorney Frederick P. Roland
Deputy Town Attorney Martin S. Freidman

Absent: Supervisor Vines
(Only for Water Hearing)

RE: PROPOSED EXTENSION OF CLARKSTOWN CONSOLIDATED WATER DISTRICT #1
TO INCLUDE "COUNTRY VILLAGE": (URANUS CONSTRUCTION):

Supervisor Vines called public hearing to order; Town Clerk testified as to proper posting and publication of notice of hearing; also that certification received from the Assessor verifying that over 50% of assessed valuation was represented in the petition.

John M. Hekker, Attorney at Law whose offices are located at 53 Burd St., Nyack NY, appeared before the Town Board, and upon questioning by the Deputy Town Attorney Martin S. Freidman, testified as follows:

Signature on petition that of John Booth, President of Uranus Construction Corp. whose signature he notarized.

Proposed extension will benefit all the property owners within the proposed extension; all the property owners who will benefit from this proposed extension are included within the limits of the proposed extension. Would be in the public interest to grant because it will provide fire protection for the safety and well-being of property and lives, and would bring about a reduction in fire insurance rates.

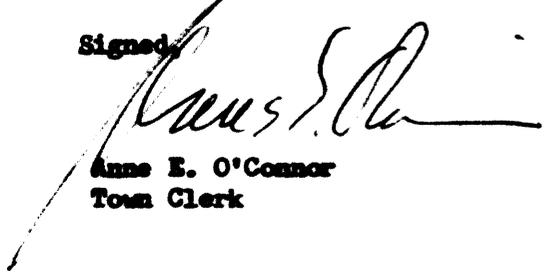
Proposed extension would be at no cost to the town.

OPPOSED: No one appeared.

IN FAVOR: No one appeared.

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

Signed


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

5/9/73

8:07 PM

Present: Councilmen Niehaus, Lodico, Pizzutello, Supervisor Vines
Town Clerk Anne E. O'Connor
Town Attorney Frederick P. Roland
Deputy Town Attorney Martin S. Freidman

RE: PROPOSED LOCAL LAW RE SHOPPING CARTS ABANDONED IN PUBLIC PLACES:

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

Deputy Town Attorney Martin S. Freidman called Building Inspector, Robert Bowman, and after his being sworn in he testified as follows:

Residence; 3 Murdock Road, New City. Is Building Inspector of the Town of Clarkstown and has dealings re shopping centers, viz. 'maintenance of existing shopping centers and proposed shopping centers'.

Shopping carts are left haphazardly around shopping centers. People walk to shopping centers and take carts from the various shopping centers into town and abandon them after leaving shopping centers. They have been littering streets and private property adjacent to apartment houses, etc.

Provisions of this proposed law state that Building Inspector or those within his department authorized to do so, may seize and remove or cause to be removed any abandoned shopping cart from any public place within the town, without notice, and shall take or cause the same to be taken to a facility within the town for redemption or disposition as provided in this proposed local law, redemption to be made pursuant to regulations spelled out in proposed local law; disposal to be made by means of public auction if articles held by town for fourteen days and after notification by certified mail to owners.

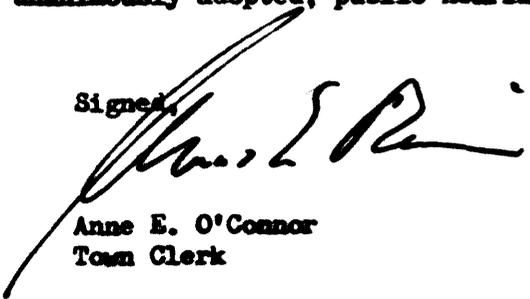
Penalty imposed would be \$250. or imprisonment for a period not exceeding 15 days for each offense, or by both.

IN FAVOR: Mr. Bert Kimbark, Congers: Was informed by Mr. Freidman that amount *offine* and disposition already included in proposed local law.

OPPOSED: No one appeared.

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

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

5/9/73

8:08 PM

Present: Councilmen Niehaus, Lodico, Pizzutello, Supervisor Vines
Town Clerk Anne E. O'Connor
Town Atty F. P. Roland
Deputy Town Atty. M. S. Freidman

RE: PROPOSED AMENDMENT TO A LOCAL LAW KNOWN AS THE "VEHICLE AND TRAFFIC LAW" OF THE TOWN OF CLARKSTOWN:

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

Deputy Town Attorney Martin S. Freidman stated proposed amendment requested by the Multiple Sclerosis Society for parking permits for the handicapped.

Proposal is to amend by adding Paragraph C to Sec 11 entitled "Parking" by issuing special vehicle identification permits to disabled persons, or those transporting disabled persons. Any such vehicle so identified, shall not be in violation of any of the provisions of the rules and regulations governing parking in the township, except where such vehicle shall be parked in a bus stop, a taxi-stand, within fifteen feet of a fire hydrant, a driveway, a crosswalk or is double-parked.

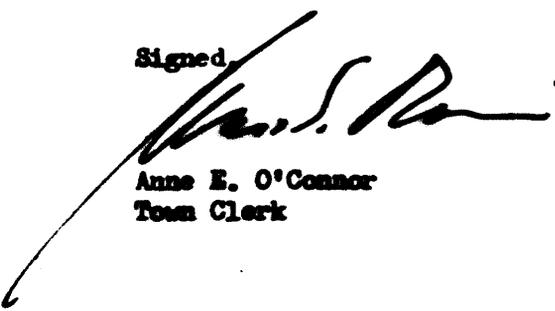
Any person violating provision of proposed local law shall be guilty of a misdemeanor.

IN FAVOR: No one appeared

OPPOSED: No one appeared.

On resolution offered by Councilman Niehaus, seconded by Councilman Lodico and unanimously adopted, public hearing was closed.

Signed


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

5/9/73

8:09 PM

Present: Councilmen Niehaus, Lodico, Pizzutello, Supervisor Vines
Town Clerk Anne E. O'Connor
Town Attorney Frederick P. Roland
Deputy Town Attorney Martin S. Freidman

RE: PROPOSED AMENDMENT TO LOCAL LAW NO. 9 1967, AS AMENDED, ENTITLED
"LOCAL LAW ESTABLISHING AN HISTORICAL REVIEW BOARD WITHIN THE
TOWN OF CLARKSTOWN:

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

Martin S. Freidman, Deputy Town Attorney stated the following:

Amend Sec. 17A-3 'Powers and Duties of the Historical Review Board (Add new paragraph as follows):

The Town Board may in its discretion designate certain areas and/or structures within the Town of Clarkstown not within the area of any incorporated village therein which in the opinion of said Town Board shall have historical significance and value to the people of the Town as historical areas and/or structures. The discretion of the Town Board in so designating can only be exercised after due notice and public hearing as provided by law. Nothing herein contained shall be construed to require the Town Board to act on a recommendation of the Historical Review Board.

Sec. 17A-4. Powers of review within designated areas.

Every Application for a building permit in the Town of Clarkstown outside the incorporated areas and within an historical area or upon an historical structure as designated by the Town Board as such for the construction, reconstruction, alteration or repair of any structure located therein shall be referred by the Building Inspector to the Historical Review Board. The Building Inspector shall not issue a building permit for such a structure if any permit application has been disapproved by the Historical Review Board as provided in this local law. The Building Inspector may approve any application for a permit approved by the Board with modifications when the modifications specified by the Board have been complied with. If the Board shall have approved an application for a building permit, then the Building Inspector may issue a building permit, and if the Board has failed to act on an application for a building permit within forty-five (45) days after it has been referred to the Board, then the Building Inspector may issue a building permit.

Robert Bowman, Building Inspector stated he would like Board to consider that the area or structure or zone be placed upon either official map or zoning map.

Existing law still stands; 17A-3 addition; 17A-4 substitution.

Town Attorney stated purpose is to put the discretion to the Town Board, rather than the commission, because they will be more responsible to the electorate.

(continued)

(Town Attorney - continuing)

This Board will now have the discretion as to whether to want complete whole zones in historical area. It provides the Town Board with opportunity to rezone or create new one. Town Board will now have discretion to take whole zone as historical zone, or just take buildings.

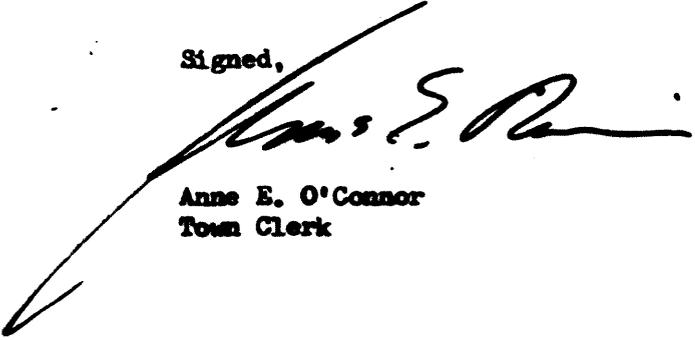
Deputy Town Attorney stated reason for hearing is that present local law does not give the Town Board authority as to what or what is not designated.

IN FAVOR: Mr. Bert Kimbark, 66 Lake Road, Congers N Y: Buildings being pulled down that may be historic sites. These should be preserved. (viz. - Congers Estates). This Town Board may not realize historic value of some pieces of property. Not whole street historic because of one house; it should be left up to the Town Board.

OPPOSED: No one appeared.

On resolution offered by Councilman Lodico, seconded by Councilman Niehaus and unanimously adopted, public hearing was closed.

Signed,



Anne E. O'Connor
Town Clerk

TOWN BOARD MEETING

Town Hall

5/9/73

8:00 PM

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

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

(1973-492) Councilman Pizzutello offered the following resolution:

RESOLVED that decision on Special Permit Application (correction) made by Howard & Phyllis Taranow for property located on Smith Street, Nanuet, be RESERVED.

Seconded by Councilman Lodico.

All voted Aye.

(1973-493) Councilman Niehaus offered the following resolution:

RESOLVED, that decision on Zone Change Application made by Centennial Estates, Inc. (R22 to R15) for property located on Jodi Lane and Kings Highway, New City, be RESERVED.

Seconded by Councilman Lodico.

All voted Aye.

(1973-494) Councilman Pizzutello offered the following resolution:

WHEREAS, a proposed local law entitled "A LOCAL LAW ESTABLISHING RULES AND REGULATIONS GOVERNING TOWN OWNED PARKS AND FACILITIES" was introduced by Councilman Pizzutello at a Town Board meeting held April 4, 1973, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 4th day of April 1973, directed that a public hearing be held on the 9th day of May 1973 at 8:05 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 May 1, 1973 and posted on the sign board of the Town of Clarkstown on May 1, 1973, and

(continued)

(1973-494 - continued)

WHEREAS, copies of the proposed local law were mailed to the members of the Town Board on the 25th day of April, 1973, and

WHEREAS, a public hearing was held by the Town Board on the 9th day of May 1973 at 8:06 PM;

NOW THEREFORE, be it

RESOLVED, that Local Law No. 6-1973 entitled "A LOCAL LAW ESTABLISHING RULES AND REGULATIONS GOVERNING TOWN OWNED PARKS AND FACILITIES" is hereby ADOPTED and passed by an affirmative vote of the majority of the voting power of the Town Board of the Town of Clarkstown, the vote for adoption of said local law being as follows:

Hon. William E. Vines, Supervisor.....AYE
Councilman William R. Niehaus.....AYE
Councilman Vincent Pizzutello.....AYE
Councilman John Lodico.....AYE
Councilman Anthony D'Antoni.....ABSENT

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

Seconded by Councilman Niehaus.

All present voted AYE

Town Board signed ORDER Extending Clarkstown Consolidated Water Supply District #1 to include COUNTRY VILLAGE. (INSERT ORDER)

(1973-495) Councilman Pizzutello offered the following resolution:

WHEREAS, a proposed local law entitled "A LOCAL LAW FOR SHOPPING CARTS ABANDONED IN PUBLIC PLACES" was introduced by Councilman D'Antoni at a Town Board meeting held April 4, 1973, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 4th day of April 1973, directed that a public hearing be held on the 9th day of May 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 May 1, 1973 and posted on the sign board of the Town of Clarkstown on the 1st day of May 1973, and

WHEREAS, copies of the proposed local law were mailed to the members of the Town Board on the 25th day of April 1973, and

(continued)

(1973-495 - continued)

WHEREAS, a public hearing was held by the Town Board on the 9th day of May 1973 at 8:07 PM;

NOW THEREFORE, be it

RESOLVED, that Local Law No. 5-1973 entitled "A LOCAL LAW FOR SHOPPING CARTS ABANDONED IN PUBLIC PLACES" is hereby ADOPTED and passed by an affirmative vote of the majority of voting power of the Town Board of the Town of Clarkstown, the vote for adopting of said local law being as follows:

Hon. William E. Vines, Supervisor.....AYE
Councilman William R. Niehaus.....AYE
Councilman John Lodico.....AYE
Councilman Vincent Pizzutello.....AYE
Councilman Anthony D'Antoni.....ABSENT

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

Seconded by Councilman Niehaus.

Vote as above.

(1973-496) Councilman Pizzutello offered the following resolution:

WHEREAS, a proposed local law entitled "AMENDMENT TO LOCAL LAW NO. 9-1971, AS AMENDED BY LOCAL LAW NO. 9-1972, ENTITLED - 'A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK'" was introduced by Councilman D'Antoni at a Town Board meeting held April 4, 1973 and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 4th day of April 1973 directed that a public hearing be held on the 9th day of May 1973 at 8:08 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 May 1, 1973 and posted on the sign board of the Town of Clarkstown on the 1st day of May 1973, and

(contin ued)

(1973-496 - continued)

WHEREAS, copies of the proposed local law were mailed to the members of the Town Board on the 25th day of April, 1973, and

WHEREAS, a public hearing was held by the Town Board on the 9th day of May 1973, at 8:08 PM;

NOW THEREFORE, be it

RESOLVED, that Local Law No. 4-1973 entitled "AMENDMENT TO LOCAL LAW NO. 9-1971, AS AMENDED BY LOCAL LAW NO. 9-1972, ENTITLED 'A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK'" is hereby ADOPTED and passed by an affirmative vote of the majority of the 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. Niehaus.....AYE
Councilman Vincent Pizzutello.....AYE
Councilman John Lodico.....AYE
Councilman Anthony D'Antoni.....ABSENT

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

Seconded by Councilman Niehaus.

All present voted Aye.

(1973-497) Councilman Niehaus offered the following resolution:

RESOLVED, that decision re proposed amendment to local law No. 9-1967, as amended, entitled "LOCAL LAW ESTABLISHING AN HISTORICAL REVIEW BOARD WITHIN THE TOWN OF CLARKSTOWN" be RESERVED.

Seconded by Councilman Lodico.

On roll call the vote was as follows:

AYES: Co. Niehaus, Lodico, Pizzutello.
ABSTENTION: Supervisor Vines

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(1973-498) Councilman Niehaus offered the following resolution:

RESOLVED, that the retirement application of Philip Meisner, 10 Glenbrook Road, Monsey N Y as Assistant Building Inspector - Building Inspector's Office - is hereby accepted with regret, effective May 19, 1973.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-499) Councilman Niehaus offered the following resolution:

RESOLVED, that the Town Comptroller is hereby authorized to pay the sum of \$1,037.73 to In-Wall Construction, 98 Lafayette Ave., Suffern NY, and be it

FURTHER RESOLVED, that said amount be charged to Capital Account - Town Garage.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-500) Councilman Pizzutello offered the following resolution:

RESOLVED, that based upon the recommendation of Edward J. Ghiazza, Supt. of Parks and Recreation, that the bid for operating the Food Concession at Germonds Park, West Nyack N Y be, and is hereby awarded to Warren Brandt Concessions, Inc., 15 Laurel Road, New City N Y, at a sum equal to 15% of the annual gross receipts, or \$250.00, minimum annual license fee, which amount is greater, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to sign the license agreement with Warren Brandt Concessions, Inc.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-501) Councilman Niehaus offered the following resolution:

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

Mt. Ivy Plumbing & Heating Co., Inc.
27 Gessner Terrace
Pomona, New York,

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 73-30 to Mt. Ivy Plumbing & Heating Co., Inc.

Seconded by Councilman Lodico.

All voted Aye.

(1973-502) Councilman Niehaus offered the following resolution:

RESOLVED, that based upon the recommendation of Morton Leifer, Town of Clarkstown Communication Specialist and Consultant, the Town of Clarkstown is hereby authorized to purchase four radios from Motorola Company, at the current county bid price of \$1,030.75 each, and be it

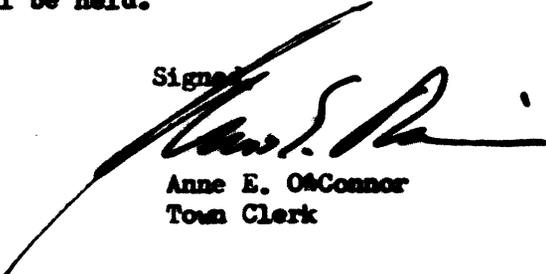
FURTHER RESOLVED, that the Town Comptroller is hereby authorized to charge the sum of \$4,123.00 to Transportation - Federal Revenue Sharing Account. (Radios for town vehicles).

Seconded by Councilman Pizzutello.

All voted Aye.

On resolution offered by Councilman Pizzutello, seconded by Councilman Lodico and unanimously adopted, Town Board meeting was adjourned until Wednesday, May 16, 1973 at 8:00PM, at which time regular Town Board meeting will be held.

Signed



Anne E. O'Connor
Town Clerk