

TOWN BOARD MEETING

Town Hall

7/11/73

8:00 PM

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

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

(1973-613) Councilman Niehaus offered the following resolution:

RESOLVED, that regular Town Board meeting be adjourned in order to hold scheduled public hearing.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-614) Councilman Pizzutello offered the following resolution:

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

Seconded by Councilman Lodico.

All voted Aye.

(1973-615) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board, by resolution duly adopted on the 13th day of June 1973, provided for a public hearing on the 11th day of July 1973 at 8PM, to consider amending the Official Map of the Town of Clarkstown to provide for the deletion of Bauman Lane from said Map; 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 said Official Map of the Town of Clarkstown be, and hereby is, amended by the Deletion of Bauman Lane from said Map.

Seconded by Councilman Lodico.

All voted Aye.

(1973-616) Councilman Niehaus offered the following resolution:

RESOLVED, that the minutes of the Town Board meetings of 6/6/73 and 6/27/73 are hereby accepted as submitted by the Town Clerk.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-617) Councilman Niehaus offered the following resolution:

RESOLVED, that Bond Numbers 902042 and 902043 issued by REPUBLIC INSURANCE COMPANY, 129 Fulton St., New York N Y to AMOS CONSTRUCTION CORP., as Principals; and AMADEO ROMAS and SOLOMON J. BOLDER, as Co-Principals, in connection with subdivision known as KNOLL-WOOD ESTATES in favor of the Town of Clarkstown, be declared in default, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown be directed to take all necessary proceedings against said bonds to insure const uction and completion of roads, improvements, et al, in accordance with the Town Specifications, and be it

FURTHER RESOLVED, that the Town Engineer, Town Superintendent of Highways and all other departments or agencies furnish all necessary data to the Town Attorney in order to ~~imple~~ment this resolution.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-618) Councilman Niehaus offered the following resolution:

RESOLVED, that members and staff of the Clarkstown Planning Board and the Town Planner's Office, are hereby authorized to attend the New York Planning Federation Seminar, Ellenville, New York, October 21st thru October 23rd, 1973, and be it

FURTHER RESOLVED, that all proper charges and expenses are to be made a proper town charge, amount not to exceed \$350.00 for the Clarkstown Planning Board and not to exceed \$200.00 for the Town Planner's Office.

Seconded by Councilman D'Antoni.

All voted Aye.

EBB954

(1973-619) Councilman Pizzutello offered the following resolution:

WHEREAS, OVADIA PORAT 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 LO district to an R-22 District;

NOW THEREFORE, be it

RESOLVED, that a public hearing, pursuant to Secs. 265 and 266 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 N Y on the 15th day of August 1973 at 8:05 PM relative to such proposed amendment; and it is

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

Seconded by Councilman D'Antoni.

On roll call the vote was as follows:

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

MOTION CARRIED.

Town Board signed ORDER setting date of public hearing re Proposed Extension of the Clarkstown Consolidated Water Supply District #1 to include AREA ALONG OLD MILL ROAD, APPROX. BETWEEN BRANCHVILLE ROAD & BOXBERGER ROAD, VALLEY COTTAGE N Y ---8/15/73-8:03 PM. (Order in T/C File).

Resolutions setting dates of public hearing re proposed amendment to the Official Map (road reclassifications) -- held. To be discussed further with Traffic Advisory Board.

(1973-620) Councilman Niehaus offered the following resolution:

WHEREAS, the town is desirous of acquiring certain lands in MONTEREY ESTATES, Valley Cottage N Y as and for flood plain use, and

WHEREAS, the developer, Sandstone Farms, Inc., has agreed to convey certain lands consisting of 19 + acres, and

WHEREAS, said property has been appraised by appraisers at a sum in excess of the price offered by the developer;

NOW THEREFORE, be it

RESOLVED, that the Supervisor be and he hereby is authorized to enter into a contract of purchase for the property in MONTEREY ESTATES, Valley Cottage, N Y as set forth in Exhibits "A" and "B" annexed hereunto and made a part hereof at a sum not to exceed \$13,000, and be it

(continued)

(1973-620 - continued)

FURTHER RESOLVED, that the contract for purchase shall be prepared in form satisfactory to the Town Attorney's Office and upon their approval be executed by the Supervisor.

Seconded by Councilman D'Antoni.

All voted Aye.

(Exhibits "A" and "B" in T/C file).

(1973-621) Councilman Niehaus offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution dated February 4, 1973, declared a state of drainage emergency in the Town of Clarkstown and, in particular, an area of West Nyack in the said Town of Clarkstown, and

WHEREAS, the Hackensack River flowing through the Hamlet of West Nyack has continually flooded large areas of the said Hamlet, and

WHEREAS, the flood plain area of the Hackensack River in said Hamlet has been increasingly used for private building purposes to the detriment of the residents and lack of protection from flash flooding, and

WHEREAS, the development of a subdivision known as RIVER ESTATES would adversely affect the flood plain function of that property, and would vastly increase the flooding difficulties in the Hamlet of West Nyack, and

WHEREAS, it is in the best interest of the citizens of the Town of Clarkstown that damage from periodic flooding be reduced, and further that the maintenance of flood plain areas is the most economical method of controlling flooding, and

WHEREAS, by resolution dated February 14, 1973, the Town Attorney was authorized to commence proceedings to acquire the necessary lands of RIVER ESTATES, constituting a flood plain area of the Hackensack River, as described in the subdivision plat bearing the signature of Frank R. Steffens, dated 6/23/71, and filed in the Office of the Clerk of the County of Rockland as Map 4158, Book 82, at Page 21, by negotiation, agreement or condemnation as the Town Attorney may find appropriate, and was further ordered to take necessary steps to permit immediate possession of said property pending the final outcome of said condemnation proceedings and/or negotiations, and

(continued)

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(1973-621 - continued)

WHEREAS, subsequently, the owner of said property, J. Knutsen & Co., Inc. agreed to enter into a right of entry agreement with the Town of Clarkstown and further agreed to sell said property to the Town of Clarkstown at a purchase price to be arrived at by binding arbitration, and

WHEREAS, George K. Mellersten was appointed by the Town of Clarkstown as arbitrator pursuant to the terms of an agreement executed the 4th day of April, 1973, and

WHEREAS, a letter executed by Dorothy K. Fibble, George K. Mellersten and Karl F. Kirchner establishes the value of the subject property as \$175,000;

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown directs the Town Attorney to contact bonding counsel to arrange the necessary financing for the purpose of purchasing said property for flood plain purposes, as aforesaid, in order to protect the residents of West Nyack from Floods and high waters.

Seconded by Councilman Lodico.

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

(1973-622) Councilman Niehaus offered the following resolution:

RESOLVED, based upon the recommendation of Councilman Niehaus that Orange & Rockland Utilities, Inc. be authorized to install the following:

- 2 - Mercury Vapor Street Lights for Margarete Ostertag Underground Subdiv. (\$109.20)
- 5 - Mercury Vapor Street Lights for High Meadow Park Undergr. S. Subdiv. (\$273.00)
- 2 - Mercury Vapor Street Lights for Royal Crest Sec. II U.S. (\$109.20)
- 2 - Mercury Vapor Street Lights for Country Side Acres U.S. (\$109.20)
- 4 - Mercury Vapor Street Lights for Woodbrook West U.S. (\$218.40)

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-623) Councilman Niehaus offered the following resolution:

RESOLVED, based upon recommendation of the Town Engineer, that the Spring Valley Water Co., Inc. be authorized to install one (1) hydrant on the west side of Lake Nanuet Drive, approximately 720 feet south of the center line of Erskine Court, Nanuet N Y.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-624) Councilman D'Antoni offered the following resolution:

WHEREAS, pursuant to Sec. 200 of the Town Law, the Town Board of the Town of Clarkstown is desirous of improving the street known as Central Avenue, Randy Lane, and Blue Willow Lane, situate in New City N Y, and

WHEREAS, it is required that the property to be improved be surveyed and the lines and grades thereof established, and such survey and profile of the grade shall be filed in the Town Clerk's Office;

NOW THEREFORE, be it

RESOLVED, that the Town Engineer be directed to survey the property, and be it

FURTHER RESOLVED, that the Town Engineer of the Town of Clarkstown prepare profiles showing the lines and grades to be established, and be it

FURTHER RESOLVED, that said profile of the grades shall be filed in the Town Clerk's Office.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-625) Councilman Niehaus offered the following resolution:

RESOLVED, that based upon the recommendation of Alfred Berg, Town Engineer, the bid for the Route 59, West Nyack Drainage Project, Contract 1B is hereby awarded to Whitler Contracting Co., Inc., Dix Hills, N Y at the bid price of \$41,945.00.

Seconded by Councilman D'Antoni.

On roll call the vote was as follows:

AYES: Councilmen Niehaus, D'Antoni, Lodico, Pizzutello.

ABSTENTION: Supervisor Vines

EBB954

(1973-626) Councilman Niehaus offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to retain an architect to prepare plans and specifications for the renovation of the Town Hall, 10 Maple Avenue, New City N Y.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-627) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Superintendent of Highways is hereby authorized to remove fill from River Estates, West Nyack, New York, in accordance with specifications furnished by the Town Engineer.

Seconded by Councilman Lodico.

On roll call the vote was as follows:

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

(1973-628) Councilman Niehaus offered the following resolution:

RESOLVED, that the application of WILLIAM T. KIERNAN & ELIZABETH KIERNAN for a change of zoning from an LO district to an R40 district on property located at 48 Phillips Hill Road, New City N Y be referred to the Town Planning Board for report pursuant to the provisions of Secs. 8.41, 8.42 and 8.421 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board pursuant to Secs. 239-1 and 239-m of the General Municipal Law.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-629) Councilman Lodico 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:

Troy Scott Enterprises, Inc.
25 Robertson Drive
Pearl River, New York

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 73-34 to Troy Scott Enterprises, Inc.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-630) Councilman Niehaus offered the following resolution:

WHEREAS, the Town of Clarkstown is a defendant in a lawsuit entitled DECKER, ET AL V. TOWN OF CLARKSTOWN, and

WHEREAS, the subject matter of said lawsuit is flooding in the area of Bristol Court in the Town of Clarkstown, and

WHEREAS, regardless of the outcome of said lawsuit, the problem of the flooding in the area of Bristol Court will still exist, and

WHEREAS, the said action has been called for trial on the equity calendar of the Supreme Court of the County of Rockland, and

WHEREAS, discussions have been entered into with a view toward obtaining a discontinuance of the Plaintiffs' action at no cost and expense to the Town of Clarkstown, upon condition that the flooding conditions be alleviated, and

WHEREAS, a proposed stipulation has been presented to this Board;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney's Office is hereby empowered to enter into a Stipulation of Settlement substantially along the lines suggested by the attached (see file) Stipulation, the details of which are to be satisfactory to the Office of the Town Attorney.

Seconded by Councilman Lodico.

All voted Aye.

(1973-631) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown is desirous of acquiring property known and designated on the Clarkstown Tax Map as Map 111, Block A, Lots 29.01, 29.02 & 20.03 owned by FRANZ ROTTENBUCHER and others, by purchase or condemnation for municipal purposes, and

WHEREAS, it is necessary that appraisers be appointed to appraise the value of the subject property for the purpose of either making an offer in condemnation or acquiring the property by purchase;

(continued)

EBB954

(1973-631 - continued)

NOW THEREFORE, be it

RESOLVED, that the Supervisor be and he hereby is authorized to appoint two appraisers to appraise the subject property.

Seconded by Councilman Pizzutello.

Allvoted Aye.

(1973-632) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown is desirous of acquiring property known and designated on the Clarkstown Tax Map as Map 16, Block C, Lot 15.01, owned by FRANCIS J. BUSCH, by purchase or condemnation for municipal purposes, and

WHEREAS, it is necessary that appraisers be appointed to appraise the value of the subject property for the purpose of either making an offer in condemnation or acquiring the property by purchase;

NOW THEREFORE, be it

RESOLVED, that the Supervisor be and he hereby is authorized to appoint two appraisers to appraise the subject property.

Seconded by Councilman Pizzutello.

All voted Aye.

Monthly Reports for the month of June 1973 received from the Zoning Board of Appeals and the Office of the Building Inspector. Noted by the Town Board; ordered filed in the Town Clerk's Office.

(1973-633) Councilman D'Antoni offered the following resolution:

RESOLVED, that RICHARD GARDNER, 34 Freedman Ave.,
Manuet N Y is hereby re-appointed a member of the Zoning Board
of Appeals, at the annual salary for 1973 of \$660.00, term to
expire June 1978.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-634) Councilman D'Antoni offered the following resolution:

RESOLVED, that FRANK SMITH, 200 Mitchell Drive, Valley
Cottage, N Y is hereby appointed a member of the Zoning Board of
Appeals, at the annual salary for 1973 of \$660.00, term to expire
in June 1975.

Seconded by Councilman Lodico.

All voted Aye.

(1973-635) Councilman Pizzutello offered the following resolution:

RESOLVED, that SIDNEY REIFF, Maple Road, Valley Cottage,
N Y is hereby re-appointed a member of the Board of Architectural
Review Bozrd, at the annual salary of \$625.00 for 1973, term to
expire 5/24/78.

Seconded by Councilman Lodico.

All voted Aye.

(1973-636) Councilman D'Antoni offered the following resolution:

RESOLVED, that ROSE FAMULARI, Palmer Avenue, Manuet N Y
is hereby appointed a member of the Clarkstown Planning Board, to
fill the unexpired term of William J. Loftus, at the annual salary
for 1973 of \$1,650.00, term to expire on January 4, 1974.

Seconded by Supervisor Vines

On roll call, the vote was as follows:

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

MOTION NOT CARRIED

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(1973-636 - A) Councilman Niehaus offered the following resolution:

RESOLVED, that ERLING ASHEIM, 15 Gregory Street, New City NY is hereby appointed a member of the Clarkstown Planning Board to fill the unexpired term of William J. Loftus, at the annual salary for 1973 of \$1,650.00, term to expire on January 4th, 1974.

Seconded by Councilman Pizzutello.

On roll call the vote was as follows:

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

MOTION CARRIED.

(1973-637) Councilman D'Antoni offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Stenographer GR-2 73-52 which contains the name of GLORIA KEOUGHAN,

NOW THEREFORE, be it

RESOLVED, that Gloria Keoughan, 9 Woodbine Road, New City NY is hereby appointed to the position of Stenographer - Town Planner's Office - at the annual salary of \$7,505.00, effective August 15, 1973.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-638) Councilman Pizzutello offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on 7/5/73 that the position of Cleaner (Labor) - Parks Board & Recreation can be created,

NOW THEREFORE, be it

RESOLVED, that the position of Cleaner (Labor) - Parks Board & Recreation - is hereby created, effective immediately.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-639) Councilman Pizzutello offered the following resolution:

RESOLVED, that JOSEPH MARINO, 25 Stratford Place, New City N Y is hereby appointed to the position of Cleaner-Parks Board & Recreation - at salary of \$6,862.00 per annum, effective July 16, 1973.

Seconded by Councilman Lodico.

All voted Aye.

(1973-640) Supervisor Vines offered the following resolution:

WHEREAS, ROBERT KIMBARK, Road Foreman in the Clarkstown Highway Department has requested an extension of his leave of absence,

NOW THEREFORE, be it

RESOLVED, that based upon the recommendation of the Supt. of Highways, a six months leave of absence is hereby granted to Robert Kimbark, 120 Congers Road, Congers N Y, effective August 7, 1973, without compensation.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-641) Councilman Pizzutello offered the following resolution:

RESOLVED, that Resolution #125 adopted at the Town Board Meeting of January 17, 1973 be and is hereby rescinded, and be it

FURTHER RESOLVED, THAT the Rockland County Personnel Office has certified on July 11, 1973 that the position of Senior Account Clerk-Typist in the Parks Board & Recreation Commission can be created,

NOW THEREFORE, be it

RESOLVED, that the position of Senior Account Clerk-Typist in the Parks Board & Recreation Commission is hereby created, effective immediately.

Seconded by Councilman Lodico.

On roll call the vote was as follows:

AYES: Councilmen Niehaus, D'Antoni, Lodico, Pizzutello.

ABSTENTION: Supervisor Vines

MOTION CARRIED

EBB954

(1973-642) Councilman D'Antoni offered the following resolution:

RESOLVED, that ILA WICKS, Broward Drive, New City N Y is hereby appointed to the position of Secretary, part-time, Narcotic Councilm at the annual salary for 1973 of \$750.00, effective July 16, 1973.

Seconded by Supervisor Vines.

On roll call the vote was as follows:

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

MOTION NOT CARRIED.

(1973-642 - A) Councilman Niehaus, offered the following resolution:

RESOLVED, that GLORIA SICLARI, Parker Avenue, New City N Y is hereby appointed to the position of Secretary, part-time, Narcotics Council, at the annual salary for 1973 of \$750.00, effective 7/16/73.

Seconded by Councilman Pizzutello.

On roll call the vote was as follows:

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

MOTION CARRIED.

(1973-643) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on 6/7/72, provided for a public hearing on the 28th day of June 1972 at 8:05 PM to consider the application of MONTEREY GARDENS CO. to amend the Zoning Ordiance of the Town of Clarkstown by redistricting the property of said petitioner from R-22 district to R-15 district, and

(continued)

(1973-643 - continued)

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, and

WHEREAS, the zone change has been sought by the petitioner for the purpose of the construction of senior citizen housing facilities, pursuant to Sec. 4.32(0) of the Zoning Ordinance of the Town of Clarkstown;

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 an R-22 district to an R-15 district, the following described property which is located on the westerly side of Route 304 between Pineview Avenue and Rennert Lane, in the Hamlet of Bardonia, N Y; said amendment conditioned upon the execution and recording of restrictive covenants in a form and manner satisfactory to the office of the Town Attorney, and be it

FURTHER RESOLVED, that the property herein described in Schedule "A" is to be used for senior citizen housing only pursuant to special permit requirements, and be it

FURTHER RESOLVED, that, if the said property is not used for senior citizen housing, then it shall revert to the original R-22 zone which has existed prior to the zone change which has been granted herein.

Seconded by Supervisor Vines.

On roll call the vote was as follows:

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

MOTION CARRIED.

(1973-644) Councilman D'Antoni offered the following resolution:

WHEREAS, MONTEREY GARDENS CO. made application for a Special Permit for the erection of Senior Citizen Housing located on the westerly side of Route 304 between Pineview Ave. and Rennert Lane, in the Hamlet of Bardonia, Town of Clarkstown, New York, pursuant to Sec. 8.334 of the Zoning Ordinance of the Town of Clarkstown, and

(continued)

EBB954

(1973- 644- continued)

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board on the 21st day of February 1973 at 8:10 PM in the Town Hall, 10 Maple Ave., New City N Y to consider such application;

NOW THEREFORE, the Town Board makes the following Special Findings pursuant to Sec. 4.3 of the Zoning Ordinance of the Town of Clarkstown:

THAT, the proposed use as described and represented by the applicant:

(1) will be properly located with respect to transportation, water supply, waste disposal, fire and police protection, and other public facilities;

(2) will not cause undue traffic congestion or create a traffic hazard;

(3) will not create at any point of determination set forth in Sections 4.16, 4.17 and 4.18 of the Zoning Ordinance of the Town of Clarkstown any more dangerous and objectionable elements referred to in Sec. 4.11 than is characteristic of the use expressly permitted as of right in the same district;

(4) will not adversely affect the character of, or property values of the area; and the Town Board further finds:

THAT, the application for Special Permit for the erection of Senior Citizen Housing complies with all of the requirements of Sec. 4.32 (0) of the Zoning Ordinance of the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that a Special Permit for the erection of Senior Citizen Housing pursuant to said application is hereby granted to MONTEREY GARDENS CO. and the reasons for granting such Special Permit are that the proposed use of the premises will be for the convenience, comfort, prosperity and general welfare of the community, and be it

FURTHER RESOLVED, that said Special Permit is granted conditioned upon the execution and recording of Declaration of Restrictive Covenants in a form and manner satisfactory to the Office of the Town Attorney; and be it

FURTHER RESOLVED, that the within Special Findings and Resolution setting forth the reasons for granting such Special Permit shall constitute a written report to be filed with the Town Clerk pursuant to Section 8.334 of the Zoning Ordinance of the Town of Clarkstown, and

(continued)

(1973-644 - continued)

WHEREAS, housing accommodations for senior citizens at reduced rentals to accommodate our senior citizens living on fixed low incomes are in very short supply in the Town of Clarkstown, and

WHEREAS, reduced rentals can only be provided to our senior citizens if the cost of operation and maintenance of Senior Citizen Housing is reduced by tax abatement or exemption;

NOW THEREFORE, be it

RESOLVED, that pursuant to the Private Housing Finance Law and the Real Property Tax Law of the State of New York, the Senior Citizen Housing to be constructed by MONTEREY GARDENS CO. on the westerly side of Route 304 between Pineview Avenue and Rennert Lane, in the Hamlet of Bardonia, New York, be and the same is hereby granted a tax exemption to the extent and amount provided by Sec. 422 of the New York State Real Property Tax Law, so long as the property herein conforms to the conditions of the special permit and so long as the ownership and operation of the said Senior Citizen Housing shall be by a Not-For-Profit business organization pursuant to the Senior Citizen Housing Ordinance of the Town of Clarkstown.

Seconded by Councilman Pizzutello.

On roll call the vote was as follows:

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

* MOTION CARRIED.

*NOTE See 8/15/73 mtg., page 23 and 24, Resolution #697 rescinding #644 and denying Special Permit

(1973- 645) Councilman Niehaus offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 16th day of May 1973, provided for a public hearing on the 27th day of June 1973 at 8:05 PM, to consider the application of HENRY & HENRIETTA H. SCHATZBERG to amend the Zoning Ordinance of the Town of Clarkstown by re-districting the property of said petitioners from a PO district to an LS 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;

(continued)

EBB954

(1973-645 - continued)

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 a PC district to an LS district, the following described property in the Hamlet of Valley Cottage, New York, in said Town; said amendment conditioned upon the execution and recording of a Declaration of Restrictive Covenants in a form and manner satisfactory to the Office of the Town Attorney and to contain the following covenants:

1. Site plan to be submitted, conforming to all building and zoning requirements, for approval by Town Planning Board after review by Town Planner to insure that development will conform to Valley Cottage Mall Plan.
2. Widening strips to be properly graded and supplied with curbs and sidewalks.
3. There will be no access to either Forest Glen Road or Old Rockland Lake Road.,
4. Any structures or buildings to have colonial type exterior (approved by Board of Architectural Review).

(Description of Property): ALL that certain piece, parcel or tract of land with the buildings and improvements thereon erected, in Valley Cottage, Rockland County, New York, bounded and described as follows:

BEGINNING at a point on the northerly side of New Lake Road said point of beginng being on a course of N 83-07-08 W, a distance of 161.49 feet as measured along the northerly side of New Lake Road from the intersection formed by the northerly side of New Lake Road and the westerly side of Forest Glen Road; running thence (1) N 6-52-52 E, a distance of 130.00 feet; thence (2) N 81-27-07 W, a distance of 14.45 feet; thence (3) N 8-54-51 E, a distance of 83.49 feet to the southerly side of Rockland Lake Road; thence (4) S 54-38-05 E, along the southerly side of said Rockland Lake Road, a distance of 165.02 feet to the westerly side of Forest Glen Road; thence (5) S 4-48-05 E, along the westerly side of Forwst Glen Road, a distance of 107.31 feet to a curve connecting the westerly side of Forest Glen Road and the northerly side of New Lake Road; thence (6) along said curve having a radius of 25.00 feet, a distance of 44.37 feet to the northerly side of New Lake Road; thence (7) N 83-07-08 W along the northerly side of New Lake Road a distance of 130.79 feet to the place of beginning, containing approximately 24,810 square feet.

BEING A part of the premises described in a certain deed recorded on 1/20/41 in Liber 387 of Deeds at Page 55 in the Office of the Clerk of the County of Rockland."

Seconded by Councilman Pizzutello.

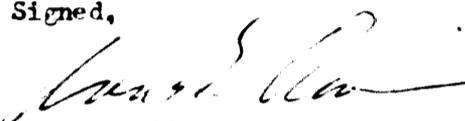
All voted Aye.

TBM - 7/11/73
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Proposed resolution accepting and adopting PERB's
Fact Finder's recommendations in connection with Police Contract --
held.

On resolution offered by Councilman D'Antoni,
seconded by Councilman Pizzutello and unanimously carried,
Town Board meeting was adjourned until Wednesday, August 15th,
1973 at 8:00 PM, at which time next regularly scheduled Town Board
meeting will be held in the Town Hall Board Meeting Room.

Signed,



Anne E. O'Connor
Town Clerk

EFB954