

TOWN BOARD MEETING

Town Hall

9/5/73

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. Friedman

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

(1973-706) Councilman Niehaus offered the following resolution:

RESOLVED, that the minutes of Town Board Meetings
of 7/11/73 and 8/28/73 are hereby accepted as submitted by the
Town Clerk.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-707) Councilman D'Antoni offered the following resolution:

WHEREAS, proceedings for review of assessment have
been instituted against the Town of Clarkstown entitled:

BAROG ASSOCIATES, LTD., Petitioner

-against-

TOWN OF CLARKSTOWN, ROCKLAND COUNTY, NEW YORK
AND GEORGE K. MELLERSTEN, ASSESSOR, Respondents,

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized
to defend such proceedings and take all necessary steps in Court
in Connection with same, and be it

FURTHER RESOLVED, that experts for appraisal
purposes may be engaged by the Town Board in connection with
such proceedings.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-708) Councilman D'Antoni offered the following resolution:

WHEREAS, proceedings for review of assessment have
been instituted against the Town of Clarkstown entitled:

SIBELLA RICH, Petitioner

-against-

OLIVE MC RICKARD, FRANK FOLEY, WILLIAM KIERNAN,
Members of the Clarkstown Board of Assessment and
Review, and the TOWN OF CLARKSTOWN, Respondents,

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized
to defend such proceedings and take all necessary steps in Court
in connection with same, and be it

FURTHER RESOLVED, that experts for appraisal purposes
may be engaged by the Town Board in connection with such proceedings.

Seconded by Councilman Niehaus.

All voted Aye.

EBB954

(1973-709) Councilman D'Antoni offered the following resolution:

WHEREAS, proceedings for review of assessment have been instituted against the Board of Assessment and Review and the Town of Clarkstown by:

ROBERT M. GROSSMAN (3 Petitions)

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to defend such proceedings and take all necessary steps in court in connection with same, and be it

FURTHER RESOLVED, that experts for appraisal purposes may be engaged by the Town Board in connection with said proceedings.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-710) Councilman Lodico offered the following resolution:

WHEREAS, a zone line appears to run through a private residence owned by Mr. & Mrs. Bateman situate on the north side of Ludvigh Road, Bardonia, and

WHEREAS, the Town Board of the Town of Clarkstown has been requested by Mr. & Mrs. Bateman to change the said zone line;

NOW THEREFORE, be it

RESOLVED, that the matter be referred to the Town Planning Board for their recommendation on said change of zone line.

Seconded by Councilman Niehaus

All voted Aye.

(1973-711) Councilman D'Antoni offered the following resolution:

WHEREAS, an action was commenced by the Town of Clarkstown against 59-304 Realty Co. by service of a Summons and Verified Complaint against the defendants based upon an alleged breach of a full covenant and warranty deed delivered by the defendants to the Town of Clarkstown; and

WHEREAS, subsequent to the service of the Summons and Verified Complaint, the defendants have caused two mortgages to be satisfied of record, and

WHEREAS, the title to Lake Manust is free and clear of all encumbrances;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney of the Town of Clarkstown is hereby authorized to sign a Stipulation discontinuing the action as against the defendants.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-712) 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 a "STOP" sign on the southwest corner of Salem Road where it intersects with Longmeadow Drive, New City, New York.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-713) 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 purchase two (2) steel poles required for the installation of the traffic lights at the intersection of Collyer Avenue and Main Street, New City; and at the intersection of West Broadway and Waldron Avenue, Central Nyack.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-714) 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 a conventional red, amber and green traffic light at the intersection of Old Nyack Turnpike and Pascack Road, Nanuet, New York.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-715) Councilman Nischaus offered the following resolution:

RESOLVED, that the resignation of Peter Sauer as a member of the Clarkstown Narcotics Guidance Council is hereby accepted with regret, effective immediately.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-716) Councilman D'Antoni offered the following resolution:

RESOLVED, that the resignation of Kenneth Ward as Police Patrolman - Police Department - is hereby accepted with regret, effective and retroactive to August 12, 1973.

Seconded by Councilman Pizzutello.

All voted Aye.

EEB954

(1973-717) Councilman D'Antoni offered the following resolution:

WHEREAS, there is a vacancy in the position of First Deputy Town Clerk created by the resignation of Jean Overmeyer,

NOW THEREFORE, be it

RESOLVED, that Linda Mc Dermott, 18 Francis Avenue, Nyack, New York, is hereby appointed First Deputy Town Clerk, term to commence immediately and expire on December 31, 1973, without compensation.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-718) Councilman Pizzutello offered the following resolution:

WHEREAS, the Rockland County Personnel office has furnished Certification of Eligibles Clerk CR-8 #73-32 which contains the name of JEAN CRUDO,

NOW THEREFORE, be it

RESOLVED, that JEAN CRUDO, 39 Rennert Lane, Bardonia, New York is hereby appointed to the position of Clerk-Parks Board & Recreation Commission - at the annual salary for 1973 of \$6,567.00 effective and retroactive to August 27, 1973.

Seconded by Councilman Lodico.

All voted Aye.

(1973-719) Councilman D'Antoni offered the following resolution:

RESOLVED, that LAVARNE POUND, 11 Stratford Place, New City, New York, is hereby appointed Second Deputy Town Clerk, term to commence immediately and expire on December 31, 1973, without compensation.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-720) Councilman D'Antoni offered the following resolution:

WHEREAS, there is a vacancy in the position of Senior Account Clerk-Typist - Receiver of Taxes Office, and

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Senior Account Clerk-Typist #70136, which contains the name of RUTH CARLSEN,

(continued)

(1973-720 - continued)

RESOLVED, that RUTH CARLSEN, 26 Parkside Drive, Congers, New York is hereby appointed to the position of Senior Account Clerk-Typist - Receiver of Taxes Office, at the annual salary for 1973 of \$6,862.00, effective and retroactive to August 27, 1973.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-721) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of C. Elsie Monneret, Receiver of Taxes, the following are re-appointed to the position of Clerk (Seasonal) in the Receiver of Taxes Office, effective and retroactive to August 27, 1973:

Florence Pratt, 31 No. Middletown Rd., Nanuet N Y
Betty Snyder, 126 So. Harrison Ave., Congers N Y
Anna Selke, 95 Massachusetts SVe., Congers N Y
Frances Knarich, West Nyack Rd., West Nyack N Y

Seconded by Councilman Niehaus.

All voted Aye.

(1973-722) Councilman D'Antoni offered the following resolution:

RESOLVED, that the resignation of Eleanor Hunderfund, 102 Collyer Ave., New City N Y as Crossing Guard - Police Department - is hereby accepted with regret, effective and retroactive to 6/24/73.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-723) Councilman D'Antoni offered the following resolution:

RESOLVED, that the resignation of Gloria Sankel, 9 Dunmore Road, New City N Y as Senior Field Clerk - Assessor's Office, is hereby accepted with regret, effective 9/10/73.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-724) Councilman D'Antoni offered the following resolution:

RESOLVED, that the resignation of Helen Byrne, 3 Grand St., New City N Y as Crossing Guard - Police Department - is hereby accepted with regret, effective immediately.

Seconded by Councilman Niehaus.

All voted Aye.

EEB954

(1973-725) Councilman D'Antoni offered the following resolution:

RESOLVED, that Joan Gilmartin, 6 Lake Drive, New City N Y, is hereby appointed to the position of Crossing Guard - Police Department - at the salary of \$10.00 per day, effective immediately.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-726) Councilman D'Antoni offered the following resolution:

RESOLVED, that Kathleen Clausz, 13 Hall Ave., New City N Y is hereby appointed to the position of Crossing Guard - Police Department - at the salary of \$10.00 per day, effective immediately.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-727) Councilman D'Antoni offered the following resolution:

RESOLVED, that Loretta Pierce, 201 Main St., Mamet N Y is hereby appointed to the position of Crossing Guard - Police Department - at the salary of \$10.00 per day, effective immediately.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-728) Councilman Pizzutello offered the following resolution:

RESOLVED, that the resignation of Joan Barbara, Sickletown Road, West Nyack, N Y as Chairman of the Clarkstown Narcotic Guidance Council is hereby accepted with regret, effective immediately.

Seconded by Councilman Lodico.

All voted Aye.

(1973-729) Councilman Niehaus offered the following resolution:

WHEREAS, there is a vacancy in the position of Cleaner - Town Hall - created by the resignation of Paul Hackett,

NOW THEREFORE, be it

RESOLVED, that Peter Palko, 6 Homestead Lane, New City N Y is hereby appointed to the position of Cleaner - Town Hall - at the hourly salary of \$3.29, effective and retroactive to August 20, 1973.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-730) Councilman Niehaus offered the following resolution:

WHEREAS, the Rockland County Personnel Office certified on August 17, 1973 that the position of Draftsman - Town Engineer's Office, can be created,

NOW THEREFORE, be it

RESOLVED, that the position of Draftsman in the Town Engineer's Office is hereby created, effective immediately, at Grade 16.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-731) Councilman Niehaus offered the following resolution:

WHEREAS, the Planning Board of the Town of Clarkstown has requested the use of Town Law, Section 281 in connection with Egil Lindland Subdivision, and

WHEREAS, a presentation made to the Town Board requesting such use, and

WHEREAS, the Town Board has duly deliberated on the presentation hereby made;

NOW THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to apply Town Law, Section 281 in connection with SD 18A26 Egil Lindland for the reason that the use of Town Law, Sec. 281 will secure preservation of a stream and will avoid tree-damaging fill.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-732) Councilman Lodico offered the following resolution:

WHEREAS the following has applied for a Certificate of Registration pursuant to Sec. 34-8 of the Code of the Town of Clarkstown:

(continued)

EEB954

(1973-732 - continued)

John Naclerio - J & F Plumbing and Heating Co.
3 Acorn Terrace, New City N Y

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration
be issued:

No. 73-36 to J & F Plumbing and Heating Co.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-733) Councilman D'Antoni offered the following resolution:

WHEREAS, pursuant to the provisions of the Taylor Law,
the Rockland County Patrolmens' Benevolent Association, Inc. is
recognized as bargaining agent for the Clarkstown Police Department,
and

WHEREAS, negotiations have been held between the
negotiating committee duly appointed by the Town Board of the Town
of Clarkstown and the designated agents of the Rockland County
Patrolmens' Benevolent Association, Inc., and

WHEREAS, a contract for a two year term commencing
January 1, 1973 through December 31, 1974 has been agreed to;

NOW THEREFORE, be it

RESOLVED, that the Supervisor be and he hereby is
authorized to execute such contract with the Rockland County
Patrolmens' Benevolent Association, Inc., bargaining agent for the
Clarkstown Police Department, for a two year term commencing
January 1, 1973 through December 31, 1974.

Seconded by Councilman Pizzutello.

On roll call the vote was as follows:

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

MOTION CARRIED

(1973-734) Councilman Niehaus offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution dated 3/18/70, directed the Sewer District Council to proceed with condemnation of the properties owned by HOWARD E. CAMPBELL, EVELYN CAMPBELL, J. CLIFFORD FUNK & MILDRED M. FUNK, and

WHEREAS, a Final Order Confirming Report of the Commissioners of Appraisal was signed by Hon. John A. Gallucci on August 3, 1973, and

WHEREAS, said order provides for the payment of \$4,410.00 for the taking of said property, plus interest of \$849.30, and

WHEREAS, it was further ordered that the Town of Clarkstown shall pay Commissioners of Appraisal the sum of \$625.00, and

WHEREAS, it was further ordered that Defendants in this proceeding be allowed the sum of \$370.50 in costs;

NOW THEREFORE, be it

RESOLVED, that the Supervisor be and he hereby is authorized to approve payment to HOWARD E. CAMPBELL, EVELYN CAMPBELL J. CLIFFORD FUNK & MILDRED M. FUNK of the sum of \$4,410.00 with interest thereon from the 8th day of May 1970 in the amount of \$849.30 as compensation for the rights and property condemned, and the sum of \$370.50 as costs in this proceeding, and be it

FURTHER RESOLVED, that the Supervisor be and hereby is authorized to pay the Commissioners of Appraisal their fees and expenses, to wit, the sum of \$625.00, and be it

FURTHER RESOLVED, that said sums be charged to the proper sewer district account.

Seconded by Councilman D'Antoni.

All voted Aye.

Monthly Reports from the Office of the Building Inspector for the Month of JULY 1973 noted by the Town Board; ordered filed in the Town Clerk's Office.

(1973-735) Councilman D'Antoni offered the following resolution:

RESOLVED, that the sum of \$1,220.00 be paid to NYACK AUTO PARTS, NYACK N Y from Federal Revenue Sharing Funds, for the purchase of one Peerless 960 Auto Scope for the Town Garage.

Seconded by Councilman Niehaus.

All voted Aye.

EBB954

(1973-736) Councilman Lodico offered the following resolution:

WHEREAS, certain areas in West Nyack suffer from severe periodic flooding, and

WHEREAS, the Town of Clarkstown desires to take all action necessary to relieve this serious problem, and

WHEREAS, the Town Engineer of the Town of Clarkstown has prepared plans and specifications for the installation of piping and related drainage work for said drainage problem at Route 59 in West Nyack, and

WHEREAS, it is imperative that said drainage project be commenced forthwith, and

WHEREAS, negotiations attempting to secure easements to certain lands in West Nyack for said drainage purpose pursuant to the plans and specifications prepared by the Town Engineer have failed; and more particularly located on the property as listed in Schedule "A" attached hereto and made a part hereof; *See Below

NOW THEREFORE, be it

RESOLVED, that the Town Attorney be and hereby is authorized to institute condemnation proceedings to condemn easement as described in the said plans and specifications on file in the Office of the Town Engineer in accord with his recommendation, and more particularly located on property as listed in Schedule "A" attached hereto (see below - T/C) and made a part hereof, 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 hereinabove authorized.

Seconded by Councilman Pizzutello.

On roll call the vote was as follows:

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

MOTION CARRIED

SCHEDULE "A":

Mr. Stanley Soltzer
350 Lexington Ave., New York N Y 10016 Map 71, Block A, Lot 5

Mr. Vincent Babinelli
46 Lexow Avenue
Nanuet N Y 10954 Map 71, Block A, Lot 7

-and-
Mr. Mrs. Edw. T. Romaine
15 Sickletown Road, West Nyack N Y

N. L. Fish Management Corp.
West Nyack Village Square
West Nyack, New York 10994 Map 71, Block A, Lot 4

(1973-737) Councilman D'Antoni offered the following resolution:

WHEREAS, the Real Property Tax Law, Sec. 516, and Town Law requires that the Town of Clarkstown adopt a sewer tax roll, and

WHEREAS, all of Clarkstown is served by a Master Benefited Area, and

WHEREAS, a detailed estimated apportionment and assessment roll has been prepared by this Town Board covering the cost of construction, operation and maintenance of sanitary sewer and laterals within the Town of Clarkstown apportioning and assessing the expense of such improvement and operation and maintenance thereof upon the lands benefited within such districts in just proportion to the amount of benefit which the improvement and operation and maintenance thereof shall have conferred upon the same, and such apportionment and assessment so completed has been filed with the Town Clerk of the Town of Clarkstown on the 4th day of September, 1973;

NOW THEREFORE, be it

RESOLVED, that a public hearing be held at the Board Room of the Town of Clarkstown, Town Hall, 10 Maple Ave., New City N Y on the 19th day of September 1973 at 8:00 PM to hear and consider any objection which may be made to said apportionment and assessment roll, and be it

FURTHER RESOLVED, that the Town Attorney prepare a Notice of Filing of said apportionment and assessment roll and Notice of Public Hearing, and be it

FURTHER RESOLVED, that the Town Clerk give notice of such public hearing in the manner provided in Sec. 239 of the Town Law, and that such notice be published at least once in the official newspaper of the Town as required by law, the first publication shall be no less than ten (10) nor more than twenty days before the time specified for the public hearing and such notice to be substantially in the following form:

**"NOTICE OF PUBLIC HEARING TO
CONSIDER ANY OBJECTION TO THE
SEWER ASSESSMENT ROLL FOR 1974"**

PLEASE TAKE NOTICE, that the Town Board of the Town of Clarkstown, Rockland County, New York has completed its apportionment and assessment roll for and in connection with the apportionment and assessment of cost of construction, operation and maintenance of sanitary sewer and laterals within the Master Benefited Area of the Town of Clarkstown; that the same shall be filed with the Town Clerk of the Town of Clarkstown on the 4th day of September; that the same will be available for inspection on that date and thereafter by any interested person at all reasonable hours; and that the Town Board will meet at the Board Room, Town Hall, 10 Maple Ave., New City Rockland Co., N Y on the 19th day of September 1973 at 8:00 PM for the purpose of hearing and considering any objections which may be made to the said apportionment and assessment roll."

Seconded by Councilman Niehaus.

All voted Aye.

EEB954

(1973-738) Councilman Niehaus offered the following resolution:

WHEREAS, a sanitary sewer line has been installed on property owned by ANNETTE DEAN, said property being known and designated as Map 121, Block A, Lot 25.01, and the said ANNETTE DEAN has agreed to convey an easement approximately 168 feet long and 12 1/2 feet wide for this purpose, and

WHEREAS, Annette Dean has agreed to convey an easement for the sum of Eight Hundred (\$800) Dollars, and

WHEREAS, David M. Wagner, Deputy Town Attorney, recommends that said easement be accepted by the Town of Clarkstown and said fee paid;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to accept said easement on behalf of the Town of Clarkstown, and be it

FURTHER RESOLVED, that Master Benefited Sewer Improvement Area pay the sum of Eight Hundred (\$800) Dollars for said easement.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-739) Councilman Lodico offered the following resolution:

WHEREAS, the Carrier water chilling unit now in use in the Town Hall of the Town of Clarkstown now carries a standard one year warranty on all labor and parts, and

WHEREAS, Warriner Smith Utilities, Inc. has offered the Town of Clarkstown an extension of this standard warranty for an additional four years which will cover the four (4) motor compressor units which are part of this chiller for the sum of \$1,210.00; and

WHEREAS, the Town Board of the Town of Clarkstown desires to avail themselves of this extension of the standard warranty for an additional four (4) year period;

NOW THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to accept said offer of an extension of this standard warranty for an additional four years which will cover the four (4) motor compressor units which are part of this chiller for the sum of \$1,210.00.

Seconded by Councilman Pizutello.

All voted Aye.

(1973-740) Councilman D'Antoni offered the following resolution:

RESOLVED, that ROBERT BOWMAN, Building Inspector, is hereby authorized to attend the 45th Annual Meeting of the New York State Building Officials' Conference at Ellenville, New York on September 19, 20 and 21, 1973; and be it

FURTHER RESOLVED, that the Registration Fee, not to exceed \$25.00, be made a proper Town charge to Account #3620 - 410.

Seconded by Councilman Niehaus.

All voted Aye.

(1973-741) Councilman D'Antoni offered the following resolution:

RESOLVED, that ROBERT BOWMAN, Building Inspector, is hereby authorized to attend the National Academy of Code Administration Conference to be held at the University of Massachusetts on October 5 and 6, 1973; and be it

FURTHER RESOLVED, that all expenses, not to exceed \$200.00, be made a proper Town Charge to Account No. B-3620 - 410.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-742) Councilman D'Antoni offered the following resolution:

WHEREAS, the drainage conditions in the Glen Ridge Subdivision are such as to comprise a health hazard to the residents of the Glen Ridge Subdivision, and

WHEREAS, the health, safety and welfare of the citizens of the Glen Ridge Subdivision of the Town of Clarkstown and the adjacent properties has been threatened by the lack of adequate drainage facilities;

NOW THEREFORE, be it

RESOLVED, that a state of emergency exists in the area of the Glen Ridge Subdivision with reference to drainage, and be it

FURTHER RESOLVED, that the Superintendent of Highways and the Town Engineer of the Town of Clarkstown, be and they hereby are instructed to forthwith remedy all of the drainage problems in and about the said subdivision so as to alleviate the emergency conditions, and be it

(continued)

EEB954

(1973-742 -- continued)

FURTHER RESOLVED, that the Town Attorney's Office is directed to obtain reimbursement for the Town's expenses from the bond of Republic Insurance Company pursuant to the Stipulation in the action Town of Clarkstown v. Republic Insurance Co.

Seconded by Councilman Pizzutello. All voted Aye.

(1973-743) Councilman Niehaus offered the following resolution:

WHEREAS, Sec. 64 5-a. of the Town Law of the State of New York provides that a Town Board may authorize removal of fire and health hazards from private property if the owner or owners of such property fail to remove said hazards, and

WHEREAS, JOHN KNUTSEN was duly notified by the Building Inspector's Office of the Town of Clarkstown that certain violations which were causing fire and health hazards existed on his premises at 251 Congers Road, New City, New York, more particularly designated on the Clarkstown Tax Map as Map 7², Block A, Lot 14, and

WHEREAS, said owner has failed to comply with the violation notice and has failed to remove such hazards;

NOW THEREFORE, be it

RESOLVED, that pursuant to Sec. 64 5-a. of the Town Law of the State of New York, the Clarkstown Superintendent of Highways, or private contractors, when necessary, are hereby authorized to remove the nuisance, hazard, and litter consisting of metal, wood, paper, ten (10) abandoned cars, three (3) abandoned boats, abandoned buildings, old furniture, oil drums and assorted other junk and debris from the aforesaid premises, and be it

FURTHER RESOLVED, that the total expense incurred in such removal shall be assessed by the Town Board, and the expense so assessed shall constitute a lien and charge on the real property until paid or otherwise satisfied or discharged, and shall be collected in the same manner and at the same time as other town charges.

Seconded by Councilman D'Antoni.

On roll call the vote was as follows:

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

MOTION CARRIED.

(1973-744) Councilman Niehaus offered the following resolution:

WHEREAS, Sec. 64 5-a. of the Town Law of the State of New York provides that a town board may authorize removal of fire and health hazards from private property if the owner or owners of such property fail to remove said hazards, and

WHEREAS, BERNARD WOLPER was duly notified by the Building Inspector's Office of the Town of Clarkstown that certain violations which were causing fire and health hazards existed on his premises at County Automatic Transmission Service, 100 Demarest Mail Road, Nanuet N Y, more particularly designated on the Clarkstown Tax Map as Map 33, Block B, Lot 15.02, and

WHEREAS, said owner has failed to comply with the violation notice and has failed to remove such hazards;

NOW THEREFORE, be it

RESOLVED, that pursuant to Sec. 64 5-a. of the Town Law of the State of New York, the Clarkstown Superintendent of Highways, or private contractors, when necessary, are hereby authorized to remove the nuisance, hazard and litter consisting of wood, paper, metal and one (1) abandoned truck and one (1) abandoned van from the aforesaid premises, and be it

FURTHER RESOLVED, that the total expense incurred in such removal shall be assessed by the Town Board, and the expense so assessed shall constitute a lien and charge on the real property until paid or otherwise satisfied or discharged, and shall be collected in the same manner and at the same time as other town charges.

Seconded by Councilman D'Antoni

On roll call the vote was as follows:

AYES: Co, Niehaus, D'Antoni, Lodico, Pizzutello,
Supervisor Vines
NOES: None

(1973-745) Councilman Niehaus offered the following resolution:

WHEREAS, Sec. 64 5-a. of the Town Law of the State of New York provides that a town board may authorize removal of fire and health hazards from private property if the owner or owners of such property fail to remove said hazards, and

(continued)

EBB954

(1973-745 - continued)

WHEREAS, GRAND PLAZA SHOPPING CENTER was duly notified by the Building Inspector's Office of the Town of Clarkstown that certain violations which were causing fire and health hazards existed on its premises at Parking lot of Grandway next to the Mobil Station, Mamet N Y, more particularly designated as Map 14, Block D, Lot 13, and

WHEREAS, said owner has failed to comply with the violation notice and has failed to remove such hazards;

NOW THEREFORE, be it

RESOLVED, that pursuant to Sec. 64 5-a. of the Town Law of the State of New York, the Clarkstown Superintendent of Highways, or private contractors, when necessary, are hereby authorized to remove the nuisance, hazard and litter consisting of two (2) abandoned cars, one Green 1959 Chevy and one white 1959 Cadillac and one (1) Volkswagon Blue & White Van from the aforesaid premises, and be it

FURTHER RESOLVED, that the total expense incurred in such removal shall be assessed by the Town Board, and the expense so assessed shall constitute a lien and charge on the real property until paid or otherwise satisfied or discharged, and shall be collected in the same manner and at the same time as other town charges.

Seconded by Councilman D'Antoni

On roll call the vote was as follows:

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

NOES: None

(1973-746) Councilman Niehaus offered the following resolution:

WHEREAS, Sec. 64 5-a. of the Town Law of the State of New York provides that a town board may authorize removal of fire and health hazards from private property if the owner or owners of such property fail to remove said hazards, and

WHEREAS, CITIES SERVICE OIL CO. was duly notified by the Building Inspector's Office of the Town of Clarkstown that certain violations which were causing fire and health hazards existed on its property at Citgo Gas Station, Route 59, West Nyack, New York, more particularly designated on the Clarkstown Tax Map 106, Block A, Lot 23, and

(continued)

(1973-746 - continued)

WHEREAS, said owner has failed to comply with the violation notice and has failed to remove such hazards;

NOW THEREFORE, be it

RESOLVED, that pursuant to Sec. 64 5-a. of the Town Law of the State of New York, the Clarkstown Superintendent of Highways, or private contractors, when necessary, are hereby authorized to remove the nuisance, hazard and litter consisting of six (6) abandoned taxicabs and assorted metal car body parts from the aforesaid premises, and be it

FURTHER RESOLVED, that the total expense incurred in such removal shall be assessed by the Town Board, and the expense so assessed shall constitute a lien and charge on the real property until paid or otherwise satisfied or discharged, and shall be collected in the same manner and at the same time as other Town charges.

Seconded by Councilman D'Antoni.

On roll call the vote was as follows:

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

NOES: None

(1973-747) Councilman Niehaus offered the following resolution:

WHEREAS, Sec. 64 5-a. of the Town Law of the State of New York provides that a town board may authorize removal of fire and health hazards from private property if the owner or owners of such property fail to remove said hazards, and

WHEREAS, GEORGE, MARY & ANDREW BEL REGNO were duly notified by the Building Inspector's Office of the Town of Clarkstown that certain violations which were causing fire and health hazards existed on their property located on Route 59, West Nyack NY, more particularly designated on the Clarkstown Tax Map as Map 106, Block A, Lot 25.01, and

WHEREAS, said owners have failed to comply with the violation notice and have failed to remove such hazards;

(continued)

EEB954

(1973-747 - continued)

NOW THEREFORE, be it

RESOLVED, that pursuant to Sec. 64 5-a. of the Town Law of the State of New York, the Clarkstown Superintendent of Highways or private contractors, when necessary, are hereby authorized to remove all nuisances, hazards and litter; to wit, wood, paper, tires and abandoned materials from the aforesaid premises, as well as the litter in the stream located on said property, and be it

FURTHER RESOLVED, that the total expense incurred in such removal shall be assessed by the Town Board, and the expense so assessed shall constitute a lien and charge on the real property until paid or otherwise satisfied or discharged, and shall be collected in the same manner and at the same time as other town charges.

Seconded by Councilman D'Antoni.

On roll call the vote was as follows:

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

MOTION CARRIED

(1973-748) Councilman Niehaus offered the following resolution:

WHEREAS, Sec. 64 5-a. of the Town Law of the State of New York provides that a town board may authorize removal of fire and health hazards from private property if the owner or owners of such property fail to remove said hazards, and

WHEREAS, ROBERT M. GROSSMAN was duly notified by the Building Inspector's Office of the Town of Clarkstown that certain violations which were causing fire and health hazards existed on his property behind Foreign Cars of Rockland, Route 59, West Nyack N Y more particularly designated on the Clarkstown Tax Map as Map 106, Block A, Lot 25.01, and

WHEREAS, said owner has failed to comply with the violation notice and has failed to remove such hazards;

NOW THEREFORE, be it

RESOLVED, that pursuant to Sec. 64 5-a. of the Town Law of the State of New York, the Clarkstown Superintendent of Highways, or private contractors, when necessary, are hereby authorized to remove the nuisance, hazard and litter consisting of two abandoned buildings from the aforesaid premises, and be it

FURTHER RESOLVED, that the total expense incurred in such removal shall be assessed by the Town Board, and the expense

(1973-748 - continued)

so assessed shall constitute a lien and charge on the real property until paid or otherwise satisfied or discharged, and shall be collected in the same manner and at the same time as other town charges.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-749) Councilman Niehaus offered the following resolution:

WHEREAS, Sec. 64-5a. of the Town Law of the State of New York provides that a town board may authorize removal of fire and health hazards from private property if the owner of owners of such property fail to remove said hazards, and

WHEREAS, ROCKLAND CORPORATION was duly notified by the Building Inspector's Office of the Town of Clarkstown that certain violations which were causing fire and health hazards existed on its property located at the Railroad Station Building next to the Orange & Rockland Building in West Nyack, N Y more particularly designated on the Clarkstown Tax Map as Map 89, Block A, Lot 3.01, and

WHEREAS, said owner has failed to comply with the violation notice and has failed to remove such hazards;

NOW THEREFORE, be it

RESOLVED, that pursuant to Sec. 64 5-a. of the Town Law of the State of New York, the Clarkstown Superintendent of Highways, or private contractors, when necessary, are hereby authorized to remove the nuisance, hazard and litter consisting of wood, paper cans, cardboard and assorted trash from the aforesaid premises, and be it

FURTHER RESOLVED, that the total expense incurred in such removal shall be assessed by the Town Board, and the expense so assessed shall constitute a lien and charge on the real property until paid or otherwise satisfied or discharged, and shall be collected in the same manner and at the same time as other town charges.

Seconded by Councilman D'Antoni.

All voted Aye.

EEB954

(1973-750) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to purchase five (5) voting machines, meeting all specifications and standards as those presently in use in the Town of Clarkstown, from the Automatic Voting Machine Division of AVM Corp., Jamestown, New York, pursuant to Sec. 103 of the General Municipal Law; said purchase to be charged against Account No. 1450-204.

Seconded by Councilman Pizzutello. All voted Aye.

(1973-751) Councilman Niehaus offered the following resolution:

RESOLVED, that the application of BROOKLINE MANOR, INC. for a change of zoning from an LO District to an RG-2 District, on property located on 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.

(1973-752) Councilman D'Antoni offered the following resolution:

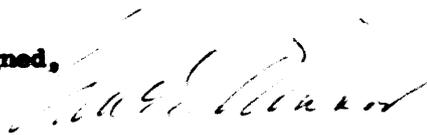
RESOLVED, that the sum of \$5,000.00 be paid to TRAVENOL LABORATORIES, INC., Deerfield, Illinois, for the purchase of one Heart Machine by Dr. Pace, to be paid from the Federal Revenue Sharing Funds Account.

Seconded by Councilman Niehaus. All voted Aye.

Supervisor Vines announced that the Town Board has decided to keep the Germonds Pool open on weekends during the month of September; not possible to keep all three pools open because sufficient lifeguards for safety of persons using pools cannot be obtained.

On resolution offered by Councilman D'Antoni, seconded by Councilman Niehaus and unanimously adopted, Town Board meeting was adjourned until Wednesday, September 12th, 1973 at 8:00 PM, at which time scheduled public hearings will be held in the Board Room of the Town Hall.

Signed,


Anne E. O'Connor
Town Clerk