

PUBLIC HEARING

Town Hall

10/17/73

8:05 PM

Present: Co. Niehaus, D'Antoni, Lodico, Pissutello, Supervisor Vines  
Town Clerk Anne E. O'Connor  
Town Attorney and Deputy Town Attorney

RE: ZONE CHANGE APPLICATION MADE BY WILLIAM T. KIERNAN AND ELIZABETH  
KIERNAN (LO to R-40) - Property located north side of Phillips  
Hill Road, New City;

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

RECOMMENDATIONS RECEIVED:

CLARKSTOWN PLANNING BOARD: '

1. That the petition of Kiernan, parcel 41A6, be granted, and that said parcel be rezoned from LO to R-40. SPECIFICALLY AS PART OF AND INCLUDED IN AN OVERALL RECOMMENDATION that the ENTIRE LO zoned area lying to the north of Phillips Hill Road (such area including the above Kiernan lot 41A6) be rezoned to R-40, for the following reasons:

a. The above-recommended changes would bring the zoning of that portion of New City into total conformity with the Master Plan maps of 1971 and 1966.

b. The recommended change would bring the area into conformity with the R-40 zoning of all other lands lying northwest of the corner of North Main St., & Phillips Hill Road,

c. The recommended change would bring the specified area into conformity with the majority of actual lot sizes lying to the south of Phillips Hill Road. \*(The area corresponds to the following tax lots: 41A1; 1.01; 2; 3; 4; 4.01; 6 (Kiernan) 60A7; 8; 8.01; 8.02; 9; 11; 11.02; 12 and 12.01.)

TOWN PLANNER:

'We find as follows:

1. That the Clarkstown Master Plan, adopted by the Planning Board on 12/13/71 shows the subject property and the immediate surrounding area as "low density", of one or less dwelling units per acre. The petitioners request is consistent to the objectives of the Master Plan.

2. At the request of the Supervisor in February of 1973, we conducted a preliminary zoning study which contained recommendations for rezoning the LO District located north of Phillips Hill Road, including the petitioners property. We are enclosing herewith a copy of the exhibit titled "Zoning Study ZS 41-60, New City" (not with T/C copy of letter) prepared by this Office on February 14, 1973.

3. In examining the land usage patterns surrounding the petitioner's property, we found that most of the residential development to the south and recent subdivisions, contain 40,000 sq. ft. or more. The properties to the north and east of the subject property is, for the most part, vacant, except for those houses fronting on Main St.

In light of the above findings, we find that the petition is reasonable and is the best use of the property and recommend that the petition be granted. In terms of the long range planning as envisioned in the 1971 Master Plan, we strongly suggest that the Town Board rezone the entire LO District so as to conform to the land use policies of the Master Plan.'

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PETITION (containing 373 signatures) from residents within the watershed area to be served by the county sewer trunk known as "The South Mountain Rd. interceptor East of Little Tor Road" petitioning the town to place an immediate moratorium on all home building within this zone until the sewer is completed: (Petition in Town Clerk's PH-KIERNAN folder).

Town Planner, Theodore Zolendock showed area involved in this petition on map.

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

Petitioner 32-year resident. Pays \$2600 in taxes every year. Retired.

4.07 acres involved in this request. One-acre house; some future date to sell off the rest.

To the east: I0; as you go to the east, R-22; further north - R-40; South - R-22.

To change this from I0 to R-22 is not in keeping with the character of the neighborhood. Would not introduce foreign zone into this area. This property was originally R-40.

No witnesses presented by attorney for petitioner.

IN FAVOR:

Mr. Bertram Strauss, Phillips Hill Road, New City:

We would not lose ratables by changing this zone. One acres zone; residential, would be least possible burden on this town in terms of their assessment. It would be high enough so that taxes on the rest of the town would not be raised.

This would set precedent. If this is changed to R-2, (which has been considered on adjacent property), this would prevent 'domino' principle. If this were rezoned to R-2, The Dells would have strong argument for same.

R-40 would set up domino in same direction. There would be no problem with traffic if request granted (1/2 dozen cars).

Mr. Joseph Pantano, Little Tor Road, New City:

R-40 would not have any effect on traffic, schools or taxes. Re I0; good I0 hard to find.

Mr. Robert Layden, South Mountain Road, New City: (Representing Lake Lucille Property Owners Association):

Presented report re pollution in Lake Lucille. (To T/Board).

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He stated that report is to the County Sewer Commission and hopes the Town Board will support them. (Copies given to members of the Town Board) - T/C

He continued; from Phillips Hill to Little Tor; down Little Tor to South Mountain Road to Lake Lucille, South Mountain Park and proposed sewer line going to pumping stat on -- we ask town to help us to get sewer by declaring temporary moratorium along this path until sewers are installed. (Petition contains 373 signatures -- in Town Clerk's file)

Mr. Walter Fleischer, West Branch Conservation Association: In favor. Consistent with zoning changes in area.

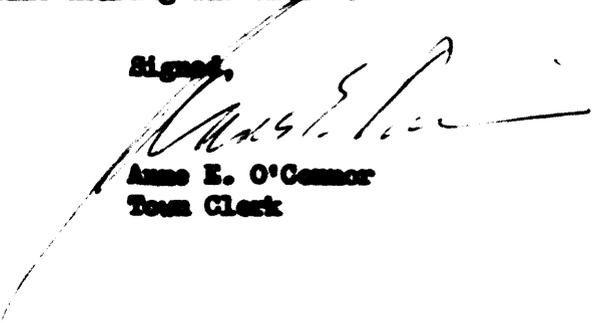
Question: Mr. Fairbanks, 5 Milcom Avenue: (Immediately to the south of this location.) R-40 in keeping with some other particular home. Eight (8) homes built seven years ago. I am not against R-40; however, can it be broken up into smaller parcels?

Town Attorney: No; it would not be permitted to be used except for family residences on R-40 size lots. There is constitutional right, however, to petition Town Board to change this zoning.

OPPOSED: No one appeared.

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

Signat,

  
Anne E. O'Connor  
Town Clerk

**PUBLIC HEARING** (Third P.Hrng. adjourned  
9/12/73 & 9/26/73)

**Town Hall**

**10/17/73**

**8:10 PM**

**RE: PROPOSED EXTENSION OF THE CLKSTWN CONSOLIDATED WTR SUPPLY  
DIST.#1 to include area: West Clarkstown Rd. north from Bender Rd.,**

**Present:** <sup>New City</sup> Co. Nichols, D'Antoni, Lodioc, Pinnatelle, Supervisor Vines  
Town Clerk Anne E. O'Connor  
Town Attorney Frederick P. Boland  
Deputy Town Attorney Martin S. Friedman

Supervisor Vines called public hearing to order; Town Clerk informed the Town Board that public hearing adjourned twice by the Town Board. No additional information received by them to show that this proposed extension would not cost the town money.

Co. Nichols requested that the Building Inspector check into the matter further.

No action taken at this time. It was the Town Board's wish that the matter be withdrawn until more information received.

On resolution offered by Councilman D'Antoni, seconded by Co. Nichols and unanimously adopted, public hearing was adjourned.

Signat,

  
Anne E. O'Connor, Town Clerk

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TOWN BOARD MEETING

Town Hall

10/17/73

8:00 PM

Present: Co. Nichols, D'Antoni, Lotico, Pinnatello, Supervisor Vines.  
Town Clerk Anne E. O'Connor  
Town Attorney Frederick P. Baland  
Deputy Town Attorney, Philip Fogel.

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

(1973-823) Co. D'Antoni offered the following resolution:

**"GRACE CONSERVATIVE BAPTIST CHURCH WEEK"**  
October 14th thru October 21st, 1973

WHEREAS, in 1798, during the Presidency of John Adams, the  
Grace Conservative Baptist Church was founded at Clarkstown, New York;  
and

WHEREAS, The Grace Conservative Baptist Church is the oldest  
Baptist Church and has the oldest Sunday School in Rockland County; and

WHEREAS, Fifty years before President Lincoln's "Emancipation  
Proclamation" the Grace Conservative Baptist Church took a stand on  
slavery, by declaring that members who owned slaves could not remain in  
fellowship; and

WHEREAS, the Grace Conservative Baptist Church has survived and  
prospered through Civil and World Wars; and

WHEREAS, the Grace Conservative Baptist Church continues to  
flourish and be an asset to the community under the guidance of  
Dr. Leslie B. Figan, Pastor; and

WHEREAS, In celebration of the 175th Anniversary of their  
founding, the Grace Conservative Baptist Church has scheduled a week of  
special events;

**NOW THEREFORE, BE IT**

**RESOLVED**, that I, William E. Vines, Supervisor of the Town of  
Clarkstown, do hereby proclaim the week of October 17th thru October 21st,  
1973, as "GRACE CONSERVATIVE BAPTIST CHURCH WEEK" in the Town of Clarkstown.

Seconded by Co. Pinnatello.

All voted Aye.

Student Council of the Sophomore Class of Clarkstown Senior  
High School South, each representing a Town Official for one day, were in  
attendance, and upon invitation of the Town Board, participated in the  
proceedings.

(1973-824) Co. D'Antoni offered the following resolution:

**RESOLVED**, that time for receiving bids for furnishing of Winter  
Uniforms for the Police Department is closed and that any and all bids  
received up to and including this time be opened.

Seconded by Councilman Nichols.

All voted Aye.

The following bid was received:

BEST UNIFORM CO., INC.  
18 West 18th St.,  
New York N Y 10011

#1 Ties	\$ 1.20	\$ 120.00
#2 Long Sleeve Shirts	25.00	5,525.00
#3 Pr. Trousers	24.25	2,425.00
#4 Jackets	69.35	5,201.25
#5 Sets of Buttons	1.30	287.30

NET BID:.....\$13,558.55

(1973-824a) Resolution reserving decision on award of bid for furnishing of Police Winter Uniforms.

(1973-825) Co. D'Antoni offered the following resolutions:

RESOLVED, that time for receiving bids for the renovation of the interior of the old Town Hall building be closed, and that any and all bids received up to and including this time be opened.

Seconded by Co. Nichols.

All voted Aye.

The following bids were received:

ELECTRICAL WORK: (Contract #4)

The Lightner Company of Spring Valley, Inc.  
Post Office Box #97  
140 South Main Street  
Spring Valley N Y 10977.....

\$11,742.00

PLUMBING: (Contract #5)

George T. Romart  
265 Little Tor Road,  
New City N Y 10956.....

\$9,900.00

Thomas J. Koptun, Jr., Inc.  
89 So. Main St.,  
New City N Y 10956.....

\$9,976.00

Warriner Smith Utilities, Inc/  
320 No. Main St.,  
Spring Valley N Y 10977.....

\$19,450.00

(continued)

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Bids received for alterations of existing Town Hall - continued:

GENERAL CONSTRUCTION (Contract #1):

Sullivan, Magee, Sullivan, Inc.  
Park 80 Plaza West-One  
Saddle Brook, New Jersey 07662..... \$169,000.00

HEATING, VENTILATING AND AIR CONDITIONING: (Contract #2):

Warriner Smith Utilities, Inc.  
320 No. Main St.,  
Spring Valley N Y.....\$4,317.00

George T. Bewart  
265 Little Tor Road  
New City N Y 10956..... \$3,990.00

No further bids received.

(1973-826) Co. D'Antoni offered the following resolutions:

RESOLVED, that decisions on award of bids for Renovation of Interior of the Old Town Hall Building be reserved.

Seconded by Co. Nichols. All voted Aye.

All bids mentioned above to Seymour D. Gurlits - T/C.

(1973-827) Co. Nichols offered the following resolutions:

RESOLVED, that time for receiving bids for Snow Plows and Salt and Sand Spreaders for the Highway Department be closed, and that any and all bids received up to and including this time be opened.

Seconded by Councilman D'Antoni. All voted Aye.

The following bid was received:

TRIPS INC.  
369 Duffy Ave., Hicksville, N Y.....\$11,661.00 NEW BID  
(Three (3) New Salt and Sand Spreaders).

One bid received only - T/C.

(1973-828) Co. Nichols offered the following resolution:

RESOLVED, that decision on award of bid for furnishing Highway Department with Three (3) Sand & Salt Spreaders and Snow Plows, be **RESERVED**.

Seconded by Co. D'Antoni.

All voted Aye.

(1973-829) Co. Nichols offered the following resolution:

RESOLVED, that time for receiving bids for furnishing Twenty-Five (25) 1974 Four-Door Sedans for the team be closed, and be it

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

Sec ended by Councilman D'Antoni.

All voted Aye.

The following bids were received:

SPRING VALLEY DODGE, INC.  
19-23 South Main St.  
Spring Valley N Y

1974 Dart 4-door Sedan: Price Per Unit .....\$3,380.06  
Tot: 25 Cars.....\$83,001.50  
Less Trades.....\$ 8,010.00

**TOTAL NET BID:.....\$74,991.50**

CARS, LTD.  
10 Scotty Lane, West Nyack N Y:

25 Dodge Dart Four-Door Sedans-WITHOUT TRADE-INS: \$78,125.00  
25 Dodge Dart Four-Door Sedans-WITH TRADE-INS.: 69,000.00

CARS, LTD.  
10 Scotty Lane, West Nyack N Y:

25 Plymouth Valiant 4-door sedans-WITHOUT TRADE-INS: \$80,875.00  
25 Plymouth Valiant 4-door sedans-WITH TRADE-INS) 71,750.00

(continued)

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(Compact car bids - continued)

CARS, LED  
10 Scotty Lane  
West Nyack N Y

25 Ford Maverick 4-door sedans-WITHOUT TRADE-IN..\$79,125.00  
25 Ford Maverick 4-door sedans (WITH TRADE-IN.....70,000.00

(1973-830) Co. Nichols offered the following resolution:

RESOLVED, that decision on award of bid for the furnishing of Twenty-Five (25) Four-Door Sedans for the Team of Glanbeem, be RESERVED.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-831) Councilman Nichols offered the following resolution:

RESOLVED, that regular Team Board meeting be adjourned in order to hold scheduled public hearings.

Seconded by Co. Pinnatello.

All voted Aye.

(1973-832) Co. Pinnatello offered the following resolution:

RESOLVED, that regular Team Board meeting be resumed, public hearings having been held.

Seconded by Co. Lodi.

All voted Aye.

(1973-833) Co. Lodi offered the following resolution:

RESOLVED, that decision on Zone Change Application made by William T. and Elizabeth Kiernan for a change in zone from L0 to R-40 for property located on the north side of Phillips Hill Road, New City New York, be RESERVED.

Seconded by Co. Pinnatello.

All voted Aye.

Scheduled public hearing re proposed extension of water district to include No. Clarkstown and Bender Roads -- held in abeyance.

(1973-834) Co. Pizzutello offered the following resolution:

**RESOLVED**, that the Parks Board & Recreation Commission is hereby authorized to purchase one EZ-Dumper from Harry Rubin & Son, Inc. at the cost of \$1,080.00, and be it

**FURTHER RESOLVED**, that the sum of \$1,080.00 be charged to the Federal Revenue Sharing Account.

Seconded by Co. Lodiico.

All voted Aye.

(1973-835) Co. Nichols offered the following resolution:

**RESOLVED**, that the Parks Board & Recreation Commission is hereby authorized to purchase one 7-1/2'x8'x4' snowplow with angle from Economy Body Shop, Suffern N Y at cost of \$918.29, and be it

**FURTHER RESOLVED**, that the sum of \$918.29 be charged to the Federal Revenue Sharing Account.

Seconded by Co. Pizzutello.

All voted Aye.

(1973-836) Co. Nichols offered the following resolution:

**RESOLVED**, that the Town Board minutes of 9/26/73 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. D'Antoni.

All voted Aye.

(1973-837) Co. Nichols offered the following resolution:

**WHEREAS**, the Rockland County Personnel Office has furnished Certification of Eligibles - Custodian - which contains the name of Arthur Murray,

**NOW THEREFORE**, be it

**RESOLVED**, that Arthur Murray, 115 Lake St., Spring Valley N Y is hereby appointed to the position of Custodian - Maintenance Department - at the annual salary for 1973 of \$7,901.30, hours 4:00 PM to 12:30 AM, effective October 29, 1973.

Seconded by Co. D'Antoni.

All voted Aye.

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(1973-838) Co. D'Antoni offered the following resolution:

WHEREAS, there is a vacancy in the position of Sr. Field Clerk created by the resignation of Gloria Sankel,

NOW THEREFORE, be it

RESOLVED, that Frances Heinrich, 120 South Main Street, Pearl River, New York is hereby appointed to the position of Sr. Field Clerk - Assessor's Office - provisionally-Promotional, subject to approval by the Rockland County Personnel Office, at the annual salary for 1973 of \$8,605.00, effective October 22, 1973.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-839) Co. Pizzutello offered the following resolution:

RESOLVED, that Mrs. T. Marty, Congress N Y is hereby appointed a member of the Clarkstown Narcotic Council, to serve without compensation, effective immediately.

Seconded by Councilman Lodioc.

All voted Aye.

(1973-840) Co. Lodioc offered the following resolution:

WHEREAS, there is a vacancy in the position of Laborer - Sewer Department,

NOW THEREFORE, be it

RESOLVED, that Joseph Alessi, 530 Route 304, Bardonia, New York is hereby appointed to the position of Laborer - Sewer Department - at the annual salary for 1973 of \$7,185.00, effective October 29, 1973.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-841) Co. Lodioc offered the following resolution:

WHEREAS, there is a vacancy in the position of Laborer - Sewer Department,

NOW THEREFORE, be it

RESOLVED, that John Rocchio, 23 Mark Lane, New City N Y is hereby appointed to the position of Laborer - Sewer Department - at the annual salary for 1973 of \$7,185.00, effective October 29, 1973.

Seconded by Co. Pizzutello.

All voted Aye.

(1973-842) Co. Nichols offered the following resolution:

**RESOLVED**, that Norman Greenberg, 14 Raleigh Drive, New City New York is hereby appointed a member of the Obscenity Committee, effective immediately, to serve without compensation.

Seconded by Co. Pinnatello.

On roll call the vote was as follows:

**AYES:** Co. Nichols, D'Antoni, Pinnatello, Supervisor Vines  
**NOES:** Co. Lofice.

Motion carried.

(1973-843) Co. Lofice offered the following resolution:

**RESOLVED**, that Martin Falci, 131 Route 304, New City N Y is hereby appointed a member of the Clarkstown Parks Board & Recreation Commission, effective immediately, to serve without compensation, term to expire on August 15, 1978.

Seconded by Councilman Pinnatello.

All voted Aye.

(1973-844) Co. Nichols offered the following resolution:

**WHEREAS**, the Rockland County Personnel Office has certified on 10/1/73 that the position of Engineering Technician - Team Engineer's Office can be created,

**NOW THEREFORE**, be it

**RESOLVED**, that the position of Engineering Technician - Team Engineer's Office is hereby created, effective and retroactive to 10/8/73.

Seconded by Co. D'Antoni.

All voted Aye.

(1973-845) Co. Nichols offered the following resolution:

**RESOLVED**, that Frederick W. Johnson, 3 Short St., West Nyack N Y is hereby appointed provisionally to the position of Engineering Technician - Team Engineer's Office, at the annual salary for 1973 of \$7,183.00, effective and retroactive to 10/8/73.

Seconded by Co. D'Antoni.

All voted Aye.

EBB954

(1973-846) Co. D'Antoni offered the following resolution:

**RESOLVED**, that Nancy Ness, 19 Elmbird Drive, Congers, New York, is hereby appointed temporarily, to the position of Clerk - Assessor's Office - at the hourly wage of \$3.28, effective and retroactive to 10/9/73, not to exceed thirty days.

Seconded by Co. Pismutello.

All voted Aye.

(1973-847) Co. D'Antoni offered the following resolution:

**RESOLVED**, that Arlen Gillula, 11 The Promenade, New City N Y is hereby appointed as a temporary Crossing Guard - Police Department - at the salary of \$7.00 per day, effective immediately.

Seconded by Co. Pismutello.

All voted Aye.

(1973-848) Co. D'Antoni offered the following resolution:

**RESOLVED**, that Myrna Price, Sturbridge Court, Hammet New York is hereby appointed a member of the Glanston Shade Tree Commission, at the annual salary for 1973 of \$100.00, effective immediately, term to expire December 31, 1976.

Seconded by Co. Lofice.

All voted Aye.

(1973-849) Co. D'Antoni offered the following resolution:

**WHEREAS**, numerous dead trees exist along a drainage ditch and more particularly along a sewer trunk line in Valley Cottage N Y, endangering the health, safety and welfare of the residents of the area;

**NOW THEREFORE**, be it

**RESOLVED**, that the Superintendent of Highways be and he hereby is authorized to remove the said dead trees along the drainage ditch which runs westerly of Kings Highway from Old Mill Road to approximately 450 feet north of Swain Drive and more particularly along the sewer trunk line in Valley Cottage, New York.

Seconded by Councilman Pismutello.

All voted Aye.

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

(1973-850) Co. Pismatello offered the following resolution:

RESOLVED, that based upon the recommendation of the Parks Board & Recreation Commission, Edward H. Ghinana, Supt. of Parks Board & Recreation, Joseph Donaldson, Groundskeeper, and Richard Tighe, Groundsman are hereby authorized to attend the 1973 Park Maintenance Conference to be held at Letchworth State Park, Castile, New York, from Sunday October 28 to October 30, 1973, and be it

FURTHER RESOLVED, that all necessary expenses, not to exceed \$75.00 per person (\$225.00) total; be made a proper town charge to Accounts 7020 (414) and 7140 (414).

Seconded by Councilman Lodico.

All voted Aye.

(1973-851) Co. D'Antoni offered the following resolution:

WHEREAS, it is necessary to improve the drainage of Toms Mill River in Valley Cottage, Town of Clarkstown, to take care of flooding conditions during heavy rains;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney take all necessary action to secure Right of Entry Agreements and/or easements agreements to permit the required work on private property necessary to improve said stream in order to protect the health, safety, and welfare of residents in the area, and be it

FURTHER RESOLVED, that the Superintendent of Highways be and he hereby is authorized to clean said stream, where necessary, in accordance with the Town Engineer's recommendations, in order to improve the flow of flood waters in said Toms Mill River in Valley Cottage.

Seconded by Councilman Lodico.

All voted Aye.

(1973-852) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Superintendent of Highways is hereby authorized to install guard rails on both sides of Svahn Drive, at Toms Mill River, Valley Cottage, New York.

Seconded by Councilman Lodico.

All voted Aye.

EBB954

(1973-855) Co. Nichols offered the following resolution:

**RESOLVED**, based upon the recommendation of the Town Engineer, that the Spring Valley Water Co. is hereby authorized to install the following hydrants:

One (1) on the w/s of Pleasant Hill Dr., approximately 430 feet south of the south center line of Tar Terrace, New City N Y;

One (1) on the w/s of Birch Lane, approximately 420 feet north of the center line of Red Hill Road, New City N Y;

One (1) on the e/s of Old Haverstraw Road, approximately 800 feet north of the center line of Hansen Lane; Congers;

One (1) on the e/s of Old Haverstraw Road, approximately 1,455 feet north of the center line of Hansen Lane; Congers;

One (1) on the e/s of Old Haverstraw Road, approximately 2,005 feet north of the center line of Hansen Lane, Congers N Y;

and be it

**FURTHER RESOLVED**, that the Town Clerk be authorized to expedite Hydrant Orders #s 7465, 7814 and 6928 for said installations.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-854) Co. D'Antoni offered the following resolution:

**WHEREAS**, by Resolution No. 335, dated April 5, 1972, the Supervisor of the Town of Clarkstown was authorized to retain the services of two qualified appraisers for the purpose of establishing a fair and reasonable value of parcels of land to be acquired in connection with Phase II of the Valley Cottage Mall Project, and

**WHEREAS**, appraisals are necessary in order to obtain the necessary financial data for good faith negotiations as required by the Condemnation Law of the State of New York, and

**WHEREAS**, Tucker Capen was one of the duly appointed appraisers, and

**WHEREAS**, said Tucker Capen has duly conducted and provided written appraisals for the property in question and submitted vouchers therefor;

**NOW THEREFORE**, be it

**RESOLVED**, that payment is hereby authorized for said appraisals, as submitted by Tucker Capen, and be it

**FURTHER RESOLVED**, that said payment is to be paid from CURRENT SURPLUS-GENERAL ACCOUNT.

Seconded by Co. Pinnatello.

All voted Aye.

(1973-855) Co. Nichols offered the following resolutions:

WHEREAS, by Resolution of the Town Board dated 7/11/73 #651, the Town Attorney's Office was authorized to take all necessary steps to acquire the property of FRANK ROTHSCHILD for municipal purposes, located in Congress N 4, and more particularly known and designated as Clarkstown Tax Map 111, Block A, Lots 29.01, 29.02 and 29.03; and

WHEREAS, appraisals are necessary in order to obtain the necessary financial data for good faith negotiations;

NOW THEREFORE, be it

RESOLVED, that DOROTHY FINELE, who was appointed to appraise the aforementioned property and who has submitted her report, be paid the sum of \$100.00 as and for that appraisal; said monies to be taken from MONEY IN LIEU OF LAND ACCOUNT.

Seconded by Co. D'Antoni.

All voted Aye.

(1973-856) Co. Nichols offered the following resolutions:

WHEREAS, by resolution of the Town Board dated the 11th day of July 1973, No. 652, the Town Attorney's Office was authorized to take all necessary steps to acquire the property of FRANCIS J. BUSCH for municipal purposes located in Hammet N Y, and more particularly known and designated as Clarkstown Tax Map 16, Block C, Lot 15.01, and

WHEREAS, appraisals are necessary in order to obtain the necessary financial data for good faith negotiations;

NOW THEREFORE, be it

RESOLVED, that DOROTHY FINELE, who was appointed to appraise the aforementioned property and who has submitted her report be paid the sum of \$75.00 as and for that appraisal, said monies to be taken from MONEY IN LIEU OF LAND ACCOUNT.

Seconded by Councilman D'Antoni.

All voted Aye.

FEB954

(1973-857) Co. Pizzutello offered the following resolution:

WHEREAS, by resolution of the Town Board dated the 11th day of July 1973, the Supervisor was authorized to enter into a contract of purchase for property in MUMFORD ESTATES, Valley Cottage, N Y, at a cost not to exceed \$13,000, and

WHEREAS, appraisals are necessary in order to obtain the necessary financial data for good faith negotiations as required by law;

NOW THEREFORE, be it

RESOLVED, that John Benson and Tucker Capen are appointed to appraise the aforementioned property and upon filing their reports to be paid the sum of \$200.00 each as and for their appraisals; monies to be taken from MONEY IN LIEU OF LAND ACCOUNT.

Seconded by Co. D'Antoni.

All voted Aye.

(1973-858) Co. D'Antoni offered the following resolution:

WHEREAS, the residents in the area of Mountainview Avenue in Valley Cottage have made a request for the improvement and realignment of said Mountainview Avenue in order to alleviate conditions which they consider hazardous and detrimental to their health, safety and welfare, and

WHEREAS, based upon the opinion of the Town Engineer and an independent engineer, Mountainview Avenue from Route 99 northerly to Mountainview Condominiums is unsafe for pedestrian travel, and

WHEREAS, the Town Board of the Town of Clarkstown considers it to be in the public interest of residents of the Town to realign and improve said Mountainview Avenue;

NOW THEREFORE, be it

RESOLVED, that based upon the opinion of the Town Engineer and an independent engineer, the Superintendent of Highways is directed to install signs on the said Mountainview Avenue, which state: "DANGER FOR PEDESTRIAN TRAFFIC", and be it

FURTHER RESOLVED, that the Town Attorney, pursuant to the recommendations of the Town Engineer and an independent engineer, is authorized to obtain the appropriate bond resolution for a sum not to exceed \$100,000, pursuant to plans and specifications on file in the Office of the Town Engineer, and be it

FURTHER RESOLVED, that the Town Attorney be and he hereby is further authorized to take any other necessary action to implement said improvements and realignment of said Mountainview Avenue.

Seconded by Co. Pizzutello.

All voted Aye.

(1973-859) Co. Pizzutello offered the following resolution:

WHEREAS, the County of Rockland, acting through the Rockland County Community Mental Health, Mental Retardation & Alcoholism Services Board, has heretofore contracted with the NYS Narcotic Addiction Commission for the conduct of a Drug Abuse Treatment Program providing ambulatory or in-patient service or both designed primarily for persons sixteen years of age or less as contained in Sec. 213-a of the Mental Hygiene Law of the State of New York, and

WHEREAS, such Sec. 213-a empowers the said County of Rockland to conduct such program through contracts with qualified community organizations, and

WHEREAS, the Town of Clarkstown, acting through the Clarkstown Narcotic Guidance Council, is desirous to so participate;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown be and he hereby is authorized to execute an agreement with the County of Rockland, acting through the Rockland County Community Mental Health, Mental Retardation & Alcoholism Services Board, to provide for a Drug Abuse Treatment Program, and be it

FURTHER RESOLVED, that the term of said agreement shall be for a period of one (1) year commencing 4/1/73 and terminating on 3/31/74, and be it

FURTHER RESOLVED, that the County of Rockland, acting through the aforementioned BOARD, agrees to pay the Town of Clarkstown and the Town of Clarkstown agrees to accept payment in full for said program the sum of THIRTY-FIVE THOUSAND, SIX HUNDRED THIRTY-FIVE AND NO/100 (\$25,625.00) DOLLARS.

Seconded by Councilman D'Antoni.

All voted Aye.

(1973-860) Co. D'Antoni offered the following resolution:

RESOLVED, that upon recommendation of the Superintendent of Highway and the Town Engineer, deed from DEWAN ENTERPRISES, INC. dated January 5th, 1974 conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "SUBDIVISION PLAT, DEWAN ENTERPRISES" filed in the Rockland County Clerk's Office in Book 79 of Maps at Page 67 on 2/27/70, as Map No. 3990, as follows:

(continued)

ERR954

(1973-860 -- continued)

Minor Court	1050 lin. ft.	
Teton Circle	375 lin. ft.	
Yellowstone Dr.	<u>400 lin. ft.</u>	1825 lin. ft. total

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

**FURTHER RESOLVED**, that Maintenance Bonds Nos. 910028 & 210029 dated the 26th day of December 1972, DEAN ENTERPRISES, INC. as Principal and HARRY DEGENSHEIN & BEVERLY DEGENSHEIN, as Co-Principals and REPUBLIC INSURANCE CO. as Surety, are hereby accepted.

Seconded by Councilman Lodie.

All voted Aye.

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

Republic Insurance Company Maintenance Bond #900129 (Supersedes #904708)  
Dean Enterprises, Prins. (H & B Degenstein, Co-Principals)  
Amount: \$5,650.00  
Covers: Roads and other improvements.  
Period Covered: One (1) year (12/26/72 - 12/25/73)

Republic Insurance Company Maintenance Bond #910028 (Supersedes #904707)  
Dean Enterprises, Prins. (H & E. Degenstein, Co-Principals)  
Amount: \$1,950.00  
Covers: Sewers and other facilities  
Period Covered: 12/26/72 -,12/25/73 One (1) Year

(1973-861) Co. Nichols offered the following resolutions:

**WHEREAS**, application for review of real property tax assessment has been made against the Town of Clarkston by EMMEL DIKE AND OSCAR DIKE for the taxes assessed in 1973 for property designated on the Tax Map of the Town of Clarkston as Map 69, Block A, Lot 9, and

**WHEREAS**, the Assessor of the Town of Clarkston has on a fully examined this claim, and recommended a settlement of this case, and

**WHEREAS**, the settlement of this real property tax assessment review matter will result in a savings to the Town of Clarkston, both in the cost of litigation and in the end result of the trial of this case, and

(continued)

(1973- 861 -- continued)

WHEREAS, the Office of the Town Attorney has examined and reviewed this claim and concurs with the recommendation of the Town Assessor;

NOW THEREFORE, be it

RESOLVED, that pursuant to the appropriate provisions of the Laws of the State of New York, the proceeding of Ethel Dike and Oscar Dike against the Assessor of the Town of Clarkstown bearing D'Acc. No. 3762/73 be settled and compromised by making necessary changes in the assessment roll of the Town of Clarkstown pursuant to Stipulation of Settlement, and be it

FURTHER RESOLVED, that the Office of the Town Attorney is authorized to consent to the entry of an Order settling and compromising this proceeding.

Seconded by Co. D'Antoni.

All voted Aye.

(1973-862) Co. Nichols offered the following resolution:

WHEREAS, the Planning Board letter of May 22, 1972 to the Town Board of the Town of Clarkstown recommending the use of Town Law 281 contained a typographical error in that it provided for one access on North Little Tor Road and Saw Mill Road instead of five (5), and

WHEREAS, the Town Board based its resolution of 9/20/72 on the Planning Board's recommendation, and

WHEREAS, research has revealed the error;

NOW THEREFORE, be it

RESOLVED, that Resolution #810 dated September 20, 1972 Item 5, be corrected to read as follows:

"5. It reduces, from eight to five only, the number of driveways required on North Little Tor Road and Saw Mill Road."

in the place and stead of, "It reduces, from eight to one only the number of driveways required on North Little Tor Road and Saw Mill Road."

Seconded by Co. D'Antoni.

All voted Aye.

FFB954

(1973-863) Co. Michans offered the following resolution:

**RESOLVED**, based upon the recommendation of the Town Engineer, that Orange & Rockland Utilities, Inc. is hereby authorized to install the following:

One (1) street light on Pole #77, Brookhill Dr., West Nyack at total annual increase of \$74.50;

One (1) street light on Pole #37, Third Street, New City; at total annual increase of \$74.60;

Three (3) streets lights - Silverstone Underground Subdivision; at cost of \$163.80 per annum;

Two (2) street lights - Rashi Realty Corp. Underground subdivision; at cost of \$109.20 per annum; and

One (1) street light and one (1) square laminated wood pole -- street light at cost of \$74.66 per annum; and woodpole at cost of \$325.00; and be it

**FURTHER RESOLVED**, that the Town Clerk be authorized to expedite orders for same.

Seconded by Co. D'Antoni.

All voted Aye.

(1973-864) Co. D'Antoni offered the following resolution:

**WHEREAS**, a petition has been received requesting the deletion from the Official Map of that portion of a proposed county road between the southerly side of New York State Highway Route 304 and running thence in a southerly and easterly direction to a point where said proposed County road joins with the westerly side of Congress Road;

**NOW THEREFORE**, be it

**RESOLVED**, that the aforementioned request for deletion of said portion of a proposed County road be referred to the Town Planning Board for report pursuant to Section 273 of Town Law and to the County of Rockland for their report.

Seconded by Co. Lodioc.

All voted Aye.

(1973-865) Co. D'Antoni offered the following resolution:

WHEREAS, a petition has been received requesting the deletion from the Official Map of that portion of a proposed county road between the southerly side of New York State Highway Route 304 and running thence in a southerly and easterly direction to a point where said proposed County road joins with the westerly side of Congers Road, and

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the public interest to consider said amendment to the Official Map of the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that a public hearing be had at the Board Room of the Town Hall of the Town of Clarkstown, 10 Maple Ave., New City N Y on the 28th day of November 1973 at 8:05 PM, to consider said proposed amendment to the Official Map of the Town of Clarkstown, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal-News, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published as aforesaid and file proof thereof in the office of the said Clerk.

Seconded by Councilman Nichols.

All voted Aye.

(1973-866) Co. D'Antoni offered the following resolution:

RESOLVED, that the Annual Preliminary Budget of the Town of Clarkstown for the Year 1974, upon completion, be filed in the Office of the Clerk of the Town of Clarkstown, where it shall be available at all reasonable hours for inspection, and that this Board hold a hearing thereon at a meeting thereof to be held at the Town Hall auditorium, 10 Maple Avenue, New City N Y on the 8th day of November 1973 at 8:00 PM, and that said notice of hearing be published in the Journal-News, the Official newspaper of the town, at least five (5) days prior to said hearing at which time and place the Town Board will meet and review said Preliminary Budget and any persons interested may be heard in favor or against all or any of the items of said Preliminary Budget as completed.

Seconded by Co. Nichols.

All voted Aye.

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(1973-867) Co. Nichols offered the following resolution:

WHEREAS, a sanitary sewer line has been installed on property owned by ARTHUR SNYDER & BETTY E. SNYDER, said property being known and designated as Map 126, Block D, Lot 44, and the said ARTHUR SNYDER & BETTY E. SNYDER have agreed to convey an easement approximately 160 feet long and 10 feet wide for this purpose, and

WHEREAS, ARTHUR SNYDER & BETTY E. SNYDER have agreed to convey said easement for the sum of SIX HUNDRED SIXTY (\$660.00) DOLLARS, and

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

NOW THEREFORE, be it

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

FURTHER RESOLVED, that Master Benefited Sewer Improvement Area pay the sum of SIX HUNDRED SIXTY (\$660.00) DOLLARS for said easement/

Seconded by Co. D'Antoni.

All voted Aye.

(1973-868) Co. D'Antoni offered the following resolution:

WHEREAS, the subdivision map entitled "SWAN MARSH" filed in the Rockland County Clerk's Office in Book 84 of Maps at Page 45 on 8/8/73 as Map #4318, shows the continuation of Maple Road in Valley Cottage with the note "To be gratuitously dedicated to the Town of Clarkston", and

WHEREAS, Kustson Homes, Inc. desires to gratuitously convey any interest they may have in said extension to Maple Road as shown on said map, and

WHEREAS, the Town Engineer and the Superintendent of Highways recommend the acceptance of the afore-mentioned extension to Maple Road into the Town Highway system;

NOW THEREFORE, be it

RESOLVED, that a deed from KUSTSON HOMES, INC., dated 10/17/73 conveying the aforementioned portion of Maple Road in Valley Cottage is hereby accepted by the Town of Clarkston and ordered filed in the Rockland County Clerk's Office.

Seconded by Councilman D'Antoni.

On roll call the vote was as follows:

AYES: Co. Nichols, D'Antoni, Pinnatello, Leticia  
ABSTENTION: Supervisor Vinas

Motion carried.

(1973- 869) Co. D'Antoni offered the following resolutions:

**RESOLVED**, that the Superintendent of Highways is hereby authorized to install cement sidewalks on both sides of North Middletown Road, Hammet N Y commencing at the Middlewood Senior Citizen Complex south to Granbury Shopping Center.

Seconded by Co. Pinnatello.

All voted Aye.

(1973-870) Co. D'Antoni offered the following resolutions:

**RESOLVED**, that George Mallersten, Assessor, is hereby authorized to attend the 1973 International Conference on Assessment Administration in Miami, Florida; November 3rd through November 6th, 1973; and be it

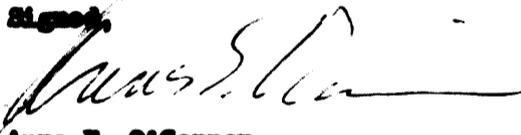
**FURTHER RESOLVED**, that all charges, not to exceed \$200.00 be made a proper town charge.

Seconded by Co. Pinnatello.

All voted Aye.

On resolution offered by Co. D'Antoni, seconded by Co. Lodice and unanimously adopted, Town Board meeting was adjourned until Wednesday, November 7th, 1973 at 8:00 PM; Public Hearing re 1974 Budget will be held November 8th, 1973-8:00 PM.

Signed,

  
Anne E. O'Connor  
Town Clerk

EBB954