

PUBLIC HEARING

Town Hall

12/19/73

8:05 PM

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

Absent: Co. Niehaus

RE: ZONE CHANGE APPLICATION MADE BY JOH , JAMES AND PETER CHAGARIS
(LO to CG): for Property located Route 59 and Greenbush Road, W. Nyack:

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

RECOMMENDATIONS:

County Planning Board: 'The New York State Department of Transportation recommends against granting the change. Concurs with them, and finds that the zone change would increase traffic movements that would be detrimental to the safe and efficient flow of traffic on Route 59 and on the nearby 'ramps' to route 303. The zone change request should therefore be DENIED.

TOWN PLANNING BOARD:

"...petition be DENIED for the following reasons:

1. Granting to a shopping center use would increase traffic movements detrimental to safe and efficient flow of traffic on Route 59 and its 'ramps' to Route 303.
2. Increased drainage would have an adverse effect upon downstream properties, to the extent that on-site storm water retention would have to be made mandatory if approval of zone change were to be entertained.
3. The property is remote from any hamlet center (for which the community shopping district was designed), therefore being inconsistent with and contrary both to the Ordinance and the 1966 and 1971 Master Plans to which to existing LO does conform.
4. Rezoning will encourage similar petitions on adjacent properties also zoned for industrial use and thereby affect the stability of the town's economic base (future industrial taxes should be protected)."

TOWN PLANNER:

".....we find that the petition is contrary to the purpose of the Ordinance, is not recommended by the 1971 Master Plan, is a threat to the stability of the industrial zoning pattern in the area, and is not in the best interests of the town.

BENJAMIN E. SELIG, Esq., appeared as Attorney for Petitioners and stated the following:

Petitioners owners in fee of land involved which fronts on Route 59 and Greenbush Road, consisting of 4.49 acres and 2.19 acres, more or less (Map 120, Block A, Lot 34 -- and Map 120, Block A, Lot 33.01 respectively). Area well suited for community shopping center use, especially in view of the fact that the surrounding parcels are zoned for residential purposes. Introduction of community shopping would complement the existing residential uses around the property.

(continued)

(Attorney for Petitioner - Selig - cont)

Premises sought to be rezoned are within a distance of 500 feet from a state highway, to wit, Route 59, and, therefore, the provisions of Sec. 239 L & M and N of the General Municipal Law are applicable.

Proposed change will be in harmony with the immediately surrounding area and will conform to the general intent of the zoning ordinance.

WITNESS: (Sworn in):

Mr. Peter Chagaris, 91 Stewart St., Demarest, New Jersey:

One of owners of property for 14 years. No income derived from this piece. Expenses incurred is annual tax of \$12,500. (State, county and school). Last time had income 10-11 years ago (Benny's Clover Leaf). Has had no success in renting or leasing under present zoning. Present zoning poses economic hardship.

Mr. Karl Kirchner, Kings Highway, Tappan, New York:

Real Estate Appraiser. Total area involved 6.68 acres; approximately 650' front on north side of Route 59. 190' on east side of Greenbush Road; 85' frontage on curve. Irregular in shape.

Upward slope in easterly direction. Elevation 90 to 130'. Property well drained. Soil conditions satisfactory for new contemplated development. Public Utilities available. None of the property now improved. Now zoned LO (office buildings)

To the west - Interchange of Route 59 and 303.
Easterly side of Route 303 zoned RS
Westerly side of 303 LIO (northerly of 59)
Southerly on 59 - west of 303 - Manufacturing District.
N ortherly side of 59 east of subject property -- LO for some distance. R-15 on the northerly side of 59, easterly from subject property. Area which is zoned XS has been developed with various commercial uses. Opposite subject property, along southerly side of 59 -- zoned CS & R-15. Bulk of road frontage along 59 running easterly to Nyack is zoned CS.

North of subject property, along west and east side of Greenbush -- R-15. Traffic from Greenbush entirely local -- 58 single family residences.

No LO in district ever developed. CS proposed for subject property. Offices, various retail stores and service establishments, theaters and animal hospital.

Re traffic under requested CS: Any development of this site will increase traffic in the neighborhood.

Re drainage: Amount of property covered by building and parking will be approximately same under both types of defelopments. Proposed CS should not cause any more drainage problems in area than any other development of this property by right or under special permit.

EEC883

(Kirchner - continued)

Re future tax revenues to the town: Property not developed under present L0 (just land taxes to town). If rezoned to CS - it will develop with retail stores and service establishments, so there will be improvement taxes in addition to land taxes.

CS consistent with other zoning in this vicinity. Most of Route 59 developed with highway commercial.

No further witnesses by petitioner.

IN FAVOR: No one appeared.

OPPOSED:

William Osgood,
30 Sunsetview Drive
West Nyack:

Would generate traffic.

Anthony Wonsala
54 North Greenbush Road,
West Nyack N Y

Traffic; would generate more in area; hazardous now. Re parking; would accelerate need. Re drainage problems; exist now, would increase.

Reverend Robert Rickner
483 Sunsetview Drive
West Nyack N Y

Residents in areas's views should be respected.

Mr. James Panos
Sunsetview Road,
West Nyack

Agrees with neighbors. Traffic will increase -- dangerous to residents.

Mr. Henry Sauter
38 Sunsetview Drive

Is residential area. Re shopping center; we have A & P in Central Nyack. We have Pathmark 1/2 mile the other way. Re traffic - trouble now. Children using bussing at intersection. Re Route 59; impossible now to travel from Route 303 eastward on Route 59. Difficult to get into Greenbush Road from 59 when you are traveling eastward.

No one further appeared as being opposed.

REBUTTAL: (Attorney Selig):

Re traffic, there are some permitted uses to this property as it is zoned now. Both would add traffic in the area, L0 or CS. If we build office building, we will create traffic patterns in the high traffic times - in the morning and evening. Re other office buildings in the area: They are buildings north to 303; 10,000 square feet of office space. This particular property would allow 100,000 square feet of office space. So, it is our position that traffic pattern that would

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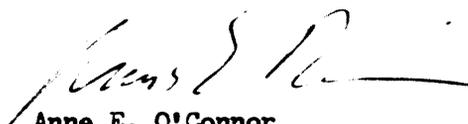
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(cont - Attorney for petitioner - rebuttal):

flow from such development would be a greater hardship to traffic in the area than the proposal we have put before the Town Board this evening

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

Signed,



Anne E. O'Connor
Town Clerk

ECC883

TOWN BOARD MEETING

25

Town Hall

12/19/73

8:00 PM

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

Absent: Co. Niehaus

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

(1973-1017) Co. D'Antoni offered the following resolution:

RESOLVED, that the Town Board meeting minutes of 12/5/73 and
12/12/73 are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Pizzutello.

All voted Aye.

(1973-1017-A) Co. D'Antoni offered the following resolution:

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

Seconded by Co. Lodico.

All voted Aye.

(1973-1018) Co. D'Antoni offered the following resolution:

RESOLVED, that decision on application for zone change
made by John Chagaris, James Chagaris & Peter Chagaris (LO to CS)
for property located off Route 59 and Greenbush Road, West Nyack,
be RESERVED.

Seconded by Co. Lodico.

All voted Aye.

(1973-1019) Co. Lodico offered the following resolution:

WHEREAS, ELEANORE SCHORIN, HERMAN DOLEZAL and HUBERT DOLEZAL
are desirous of granting a permanent easement and right of way for sewer
and drainage purposes at no cost to the Town of Clarkstown located on
property designated and known as Clarkstown Tax Map 137, Block A, Lot 5.02,
Valley Cottage, New York;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown accept a permanent sewer
and drainage easement from ELEANORE SCHORIN, HERMAN DOLEZAL and HUBERT DOLEZAL
covering premises more particularly described in agreement dated 3/8/73.

Seconded by Co. Pizzutello.

All voted Aye.

(1973-1020) Co. Lodico offered the following resolution:

WHEREAS, a sanitary sewer line has been installed on property owned by EQUIPMENT MART OF NEW YORK, INC., said property being known and designated as Map 107, Block A, Lot 13.04, and the said Equipment Mart of New York, Inc. has agreed to convey an easement for this purpose, and

WHEREAS, Equipment Mart of New York, Inc. has agreed to convey an easement approximately 852.60 ft. long for the sum of \$5,968.20, and

WHEREAS, David M. Wagnon, 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, and be it

FURTHER RESOLVED, that Master Benefited Sewer Improvement area pay the sum of \$5,968.20 for said easement.

Seconded by Co. Pizzutello.

All voted Aye.

(1973-1021) Co. Lodico offered the following resolution:

WHEREAS, the Town of Clarkstown on or about 9/19/72 inadvertently trespassed and removed a tree on the property of Richard Wietzma of 31 Blauvelt Road, Nanuet N Y with a trunk diameter of 3 to 3-1/2 feet, and

WHEREAS, the said Richard Wietzma has requested compensation for the inadvertent removal of said tree, and

WHEREAS, the cost of replacement of such tree is in the estimated value of \$1,050.00, and

WHEREAS, the said Richard Wietzma has agreed to accept the sum of \$250.00 in full satisfaction for a loss;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown reimburse the said Richard Wietzma the sum of \$250.00 in full compromise of any and all claims heretofore made by Richard Wietzma for removal of any such tree, and be it

FURTHER RESOLVED, that the said payment be made to the said Richard Wietzma upon the receipt by the Town Attorney's Office of a general release executed by the said Richard Wietzma relinquishing all claims against the Town of Clarkstown arising out of the incident of September 19, 1972.

Seconded by Co. Pizzutello.

All voted Aye.

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(1973-1022) Co. Lodico offered the following resolution:

RESOLVED, that the sum of \$3,142.50 be transferred from Current Surplus-General to the Sanitary Landfill Building Construction Account for the purpose of covering current expenditures with respect to the proposed construction of a building at the Sanitary Landfill, and be it

FURTHER RESOLVED, that the Town Comptroller transfer the sum of \$3,142.50 back to Current Surplus-General upon the sale of the bonds covering the construction of the Sanitary Landfill building.

Seconded by Co. Pizzutello.

All voted Aye.

(1973-1023) Co. D'Antoni offered the following resolution:

WHEREAS, a severe need has arisen for venetian blinds in the Town Clerk's Office and the Planning Board Meeting Room;

NOW THEREFORE, be it

RESOLVED, that venetian blinds be purchased at a cost of \$950.00 to be charged against the \$41,000. Bond Anticipation Note.

Seconded by Co. Lodico.

All voted Aye.

(1973-1024) Co. D'Antoni offered the following resolution:

WHEREAS, heavy snowfalls in the Town of Clarkstown may create a state of emergency because of the danger of fire, sickness, lack of food and medical assistance to persons on unplowed streets;

NOW THEREFORE, be it

RESOLVED, pursuant to the authority granted under the General Municipal Law, Sec. 209-o, the Town Board of the Town of Clarkstown hereby authorized the Supervisor to use any and all facilities, equipment, supplies, personnel and other resources of the Town of Clarkstown in such manner as may be necessary or appropriate to cope with the natural emergency created by any extraordinary fall of snow, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby given the power and authority to declare an emergency at any time when he deems it necessary, and be it

FURTHER RESOLVED, that, due to the recent snow and ice storm, the Supervisor hereby declares that a snow emergency exists in the Town of Clarkstown as of 12/17/73, and that the Supt. of Highways is hereby authorized to use men and equipment to plow undedicated streets in the Town of Clarkstown during said snow emergency.

Seconded by Co. Lodico.

All voted Aye.

(1973-1025) Co. D'Antoni offered the following resolution:

WHEREAS, the Clarkstown Police Department has been in need of extensive new communication equipment, and

WHEREAS, additional communications system is necessary for security of Town Hall, and

WHEREAS, the Federal Government, thru its Revenue Sharing Program, has provided funds for public safety purposes;

NOW THEREFORE, be it

RESOLVED, that the Police Department of the Town of Clarkstown, thru Police Chief John Ambrose, be and is hereby authorized to purchase certain communications equipment from Motorola Inc. at the County bid price for said equipment in the amount of \$51,880.00, and be it

FURTHER RESOLVED, that the said sum of \$51,880.00 be paid from Federal Revenue Sharing Fund for public safety purposes.

Seconded by Co. Pizzutallo.

All voted Aye.

(1973-1026) Co. Pizzutello offered the following resolution:

RESOLVED, that the reprint of the Code of the Town of Clarkstown shall be sold to the public for the sum of \$55.00.

Seconded by Co. D'Antoni.

All voted Aye.

(1973-1027) Co. D'Antoni offered the following resolution:

WHEREAS, the Supreme Court of Rockland County has rendered a decision adverse to the Town of Clarkstown in the matter of BERNARD G. NEMEROFF, et al vs. the TOWN BOARD of the TOWN OF CLARKSTOWN; and

WHEREAS, the Town Board desires that said decision be appealed;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to appeal said decision.

Seconded by Co. Pizzutello.

All voted Aye.

(1973-1028) Co. D'Antoni offered the following resolution:

WHEREAS, TORSOE BROTHER CONSTRUCTION CORP. 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 LO district to RG-2 district;

NOW THEREFORE, be it

(continued)

REC-883

(1973-1028 - continued)

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue New City, Rockland County, New York, in the said Town of Clarkstown, on the 23rd day of JANUARY, 1974 at 8:15 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 Co. Pizzutello.

All voted Aye.

(1973-1029) Co. D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown desires to enter into an agreement with ROCKLAND COUNTY SEWER DISTRICT NO. 1 for the construction of the Crum Creek Culvert;

NOW THEREFORE, be it

RESOLVED, that the Supervisor be and he hereby is authorized to enter into an agreement with ROCKLAND COUNTY SEWER DISTRICT NO. 1 to provide for the deposit of \$30,000. with the County Treasurer plus the cost of insurance for the construction of said Crum Creek Culvert; and to further provide that engineering supervision will be provided by the Office of the Town Engineer of the Town of Clarkstown to the firm of Beckerle, Brown, Inc.

Seconded by Co. Lodico.

All voted Aye.

Proposed resolution appropriating funds to the Planning Board -- held.

(1973-1030) Co. Lodico offered the following resolution:

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

Ralph Heavner
Quaker Road
Pomona, New York

Leo Tremper
77 Blauvelt Road
Nanuet, New York

Walter F. Hicks
Chester Avenue
Congers, New York

J & R D'Onofrio Plumbing & Heating, Inc.
Addison Boyce Drive
Spring Valley, New York

Romaine Excavating, Inc.
319 West Crooked Hill Road
Pearl River, New York

NOW THEREFORE, be it

(continued)

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(1973-1030 - continued)

RESOLVED, that the following Certificates of Registration be issued:

No. 74-1 to Ralph Heavner
No. 74-2 to Walter F. Hicks
No. 74-3 to D'Onofrio Plumbing & Heating, Inc.
No. 74-4 to Romaine Excavating, Inc.
No. 74-5 to Leo Tremper

Seconded by Co. Pizzutello.

All voted Aye.

(1973-1031) Co. D'Antoni offered the following resolution:

WHEREAS, Kenneth Ward, Police Patrolman with the Clarkstown Police Department has requested to be reinstated in his title of Police Patrolman,

NOW THEREFORE, be it

RESOLVED, that Kenneth Ward, 65⁴ South Mountain Road, New City, New York is hereby reinstated in the title of Police Patrolman, at the annual salary for 1973 of \$15,575.00, effective December 24, 1973.

Seconded by Co. Lodico.

All voted Aye.

Co. Pizzutello offered the following resolution:
(1973-1032) RESOLVED, that the resignation of Murray Brown as Recreation Supervisor - Parks Board & Recreation - is hereby accepted with regret, effective January 1st, 1974.

Seconded by Co. Lodico.

All voted Aye.

(1973-1033) Co. D'Antoni offered the following resolution:

RESOLVED, that Frank W. Foley, Susan Drive, New City; New York is hereby re-appointed a member of the Assessment Board of Review at the annual salary for 1974 of \$300.00, for a five year term to commence on January 1st, 1974; pursuant to Section 1524 of the Real Property Tax Law.

Seconded by Co. Pizzutello.

All voted Aye.

(1973-1034) Co. D'Antoni offered the following resolution:

RESOLVED, that the resignation of Eugene Grogan, 10 Glenn Lane, New City, New York as a member of the Clarkstown Planning Board is hereby accepted with regret, effective immediately.

Seconded by Co. Pizzutello.

All voted Aye.

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(1973-1035) Co. D'Antoni offered the following resolution:

RESOLVED, that Warren Donohue, 3 Tavo Lane, New City, New York is hereby appointed as a member of the Clarkstown Planning Board, effective immediately.

Seconded by Supervisor Vines.

On roll call the vote was as follows:

AYES: Co. D'Antoni, Supervisor Vines
NOES: Co. Lodico
ABSTENTION: Co. Pizzutello. MOTION NOT CARRIED

(1973-1036) Co. D'Antoni offered the following resolution:

RESOLVED, that the position of Foreman (Sewers) - Sewer Department - is hereby abolished, effective immediately.

Seconded by Co. Lodico.

On roll call the vote was as follows:

AYES: Co. D'Antoni, Lodico, Supervisor Vines
ABSTENTION: Co. Pizzutello. MOTION CARRIED

(1973-1037) Co. D'Antoni offered the following resolution:

RESOLVED, that the resignation of Erling Asheim as a member of the Clarkstown Planning Board is hereby accepted with regret, effective and retroactive to December 18, 1973.

Seconded by Supervisor Vines

On roll call the vote was as follows:

AYES: Co. D'Antoni, Supervisor Vines
NOES: Co. Pizzutello
ABSTENTION: Co. Lodico. MOTION NOT CARRIED

(1973-1038) Co. D'Antoni offered the following resolution:

WHEREAS, Tobia V. Marrasso, Assistant Engineer - Town Engineer's Office, has requested a leave of absence,

NOW THEREFORE, be it

RESOLVED, that Tobia Marrasso, 44 Ablondi Road, Pearl River, New York be granted a leave of absence at one half pay for a period not to exceed thirty days, effective and retroactive to December 10, 1973.

Seconded by Co. Lodico.

All voted Aye.

(1973-1039) Co. D'Antoni offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on December 5, 1973 that the position of Assistant Fire Safety Inspector - Building Inspector's Office can be created,

NOW THEREFORE, be it

RESOLVED, that the position of Assistant Fire Safety Inspector - Building Inspector's Office is hereby created, effective immediately.

Seconded by Co. Lodico.

All voted Aye.

(1973-1040) Co. D'Antoni offered the following resolution:

RESOLVED, that James D. Cottle, 27 Crestwood Drive, New City, New York, is hereby appointed provisionally to the position of Assistant Fire Safety Inspector - Building Inspector's Department - at the annual salary for 1973 of \$9,888.00, effective immediately.

Seconded by Co. Lodico.

All voted Aye.

(1973-1041) Co. Lodico offered the following resolution:

WHEREAS, there is a vacancy in the position of Sanitation Inspector, part-time, in the Sanitation Commission;

NOW THEREFORE, be it

RESOLVED, that Michael Caras, Terrace Avenue, Nanuet, New York, is hereby appointed to the position of Sanitation Inspector, part-time, at the annual salary of \$2,000.00 for 1973, effective immediately.

Seconded by Co. D'Antoni.

All voted Aye.

(1973-1042) Co. D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of C. Elsie Monneret, Receiver of Taxes, the following are hereby re-appointed to the position of Clerk (Seasonal) in the Receiver of Taxes Office, effective Janust 1, 1974:

Betty Snyder, 126 S. Harrison Ave., Congers
Florence Pratt, 30 No. Middletown Rd., Nanuet
Anna M. Selke, 95 Mass. Ave., Congers
Frances Knarich, 648 Rte. 59 A, West Nyack

Seconded by Co. Lodico.

All voted Aye.

(1973-1043) Co. D'Antoni offered the following resolution:

WHEREAS, there is a vacancy in the position of Sr. Stenographer - Supervisor's Office;

NOW THEREFORE, be it

RESOLVED, that Marie Molinare, Crest View, Tomkins Cove, New York, is hereby appointed provisionally to the position of Sr. Stenographer - Supervisor's Office, at the annual salary of \$8,228.00, effective immediately.

Seconded by Co. Lodico.

All voted Aye.

(1973-1044) Co. D'Antoni offered the following resolution:

RESOLVED, that Candace Wentland, Old Haverstraw Road, Congers, New York, is hereby appointed to the position of Office Worker-Student in the Town Attorney's Office, at the hourly rate of \$2.00, effective January 1st, 1974, for a term to expire 3/31/74,

Seconded by Co. Lodico.

All voted Aye.

(1973-1045) Co. D'Antoni offered the following resolution:

WHEREAS, Joseph Moffitt, 308 Route 304, New City N Y has requested a leave of absence,

NOW THEREFORE, be it

RESOLVED, that based upon the recommendation of the Superintendent of Highways, a two-month Leave of Absence, with half-pay be granted to Joseph Moffitt, effective immediately.

Seconded by Co. Lodico.

All voted Aye.

(1973-1046) Co. D'Antoni offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deeds from WOODLAND INVESTORS, LTD. dated September 17, 1973 conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "Springview Estates in New City" made by William A. Yuda Associates which said map was filed in the Rockland County Clerk's Office on June 4, 1970 in Book 80 of Maps at page 19 as Map No. 4014, which said map was revised in part by virtue of an amended subdivision map filed in the Rockland County Clerk's Office on 4/29/71 in Book 81 of Maps at page 71 as Map No. 4136; as follows:

1150 l.f. Ruth Drive
1970 l.f. Susan Drive
1125 l.f. Sundbury Drive
167 l.f. Christopher Drive
213 l.f. Rugby Road
270 l.f. Eileen Avenue

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

(continued)

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(1973-1046 - continued)

FURTHER RESOLVED, that Maintenance Bonds Nos. 911478 and 911479 dated the 4th day of September, 1973, WOODLAND INVESTORS, LTD. as Principal and PHILIP WOLIKOW and PAUL APPLEBAUM as Co-Principal and REPUBLIC INSURANCE COMPANY as Surety, are hereby accepted.

Seconded by Co. Pizzutello.

All voted Aye.

Town Board signed the following bonds; approving same as to form and sufficiency:

Maintenance Bond #911478 (Republic Insurance Co.)
WOODLAND INVESTORS, LTD. (Principals)
Amount: \$14,000.00
Covers: Roads
Period Covered: One (1) Year

Maintenance Bond #911479 (Republic Insurance Co.)
WOODLAND INVESTORS, LTD. (Principals)
Amount: \$4,700.00
Covers: Sewers
Period Covered: One (1) Year

(1973-1047) Co. D'Antoni offered the following resolution:

WHEREAS, the Office of the Secretary of the Treasury, Office of Revenue Sharing, requires a recipient of revenue sharing funds to submit a Planned Use Report for the period from January 1st, 1973 to June 30th, 1973; and

WHEREAS, the State and Local Fiscal Assistance Act^{of} of 1972 requires that the completed report be published in its entirety in a local newspaper of general circulation;

NOW THEREFORE, be it

RESOLVED, that a Planned Use Report for the Town of Clarkstown, copy of which is annexed hereto and made a part hereof, (see file), be published once in a legal notice section of the Journal-News, the official newspaper of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Town Clerk be and the same hereby is authorized to publish same as required by law.

Seconded by Supervisor Vines

All voted Aye.

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(1973-1040) Co. Pizzutello offered the following resolution:

RESOLVED, that Bond Numbers 905565 and 905566 issued by REPUBLIC INSURANCE COMPANY, 129 Fulton Street, New York, N Y 10038 to WINDEOR DEVELOPMENT CORPORATION, Box 205, New City, New York as Principal, and JOHN BOOTH, as Co-Principal in connection with subdivision known as "Tor Terrace", Town of Clarkstown, Rockland County, New York", 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 construction 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 implement this resolution.

Seconded by Co. D'Antoni.

All voted Aye.

(1973-1049) Co. D'Antoni offered the following resolution:

WHEREAS, Seymour Gurlitz, architect, has submitted work drawings and sketches to the town in connection with the reconstruction in part, of the original Town Hall Building situate at 10 Maple Avenue, New City, New York, and

WHEREAS, invoices in the total amount of \$13,650. have been received in connection with said architectural services, and

WHEREAS, financing by General Bonds have been authorized for the above-mentioned reconstruction, in part, of the original Town Hall situate at 10 Maple Avenue, New City, New York, but it is deemed not advisable to issue Bond Anticipation Notes to pay for these invoices at this time;

NOW THEREFORE, be it

RESOLVED, pursuant to Section 165.10 of the Local Financing Law, the Supervisor be, and he is hereby authorized, to transfer from Current Surplus General, the sum of \$13,650. to Town Hall Reconstruction Account to pay for said invoices; said account to be re-imbursed to Current Surplus General upon the issuance of Bond Anticipation Notes; and suitable records shall be maintained of the temporary transfer of such funds herein authorized.

Seconded by Co. Lodico.

On roll call the vote was as follows:

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

MOTION CARRIED

(1973-1050) Co. 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 remove the YIELD sign located at the intersection of Burda Avenue and New Valley Road, New City, New York, and be it

FURTHER RESOLVED, that the above YIELD sign be replaced with a STOP sign.

Seconded by Co. Pizzutello.

All voted Aye.

(1973-1051) Co. D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the New York State Department of Transportation is requested to install a traffic light at the intersection of NYS Route 304 and Laurel Road, New City, New York.

Seconded by Co. Lodico.

All voted Aye.

(1973-1052) Co. D'Antoni offered the following resolution:

WHEREAS, the Town of Clarkstown has been notified by the Exxon Company that there is a shortage of their motor fuel, and

WHEREAS, the Town of Clarkstown has been allocated a percentage based on last years' fuel supply;

NOW THEREFORE, be it

RESOLVED, that all Town employees are directed to use the Town cars during business hours and for official business only, effectively immediately.

Seconded by Co. Lodico.

All voted Aye.

(1973-1053) Co. D'Antoni offered the following resolution:

RESOLVED, that the Building Inspector be and is hereby authorized to issue a Building Permit to Marty Feldi, New City New York, pursuant to Section 280-a of the Town Law, and be it

FURTHER RESOLVED, that all recommendations from both the Town Engineer and the Building Inspector be adhered to prior to said issuance of Building Permit.

Seconded by Co. Pizzutello.

All voted Aye.

EFCSS3

(1973-1054) Co. D'Antoni offered the following resolution:

RESOLVED, that the sum of \$1000.00 be transferred from Money in Lieu of Land Account to the Charles B. Davenport Preserve Committee, and be it

FURTHER RESOLVED, that Co. Vincent Pizzutello be appointed Liaison to the Charles B. Davenport Preserve Committee, effective immediately.

Seconded by Co. Lodico.

On roll call the vote was as follows:

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

(1973-1055) Co. D'Antoni offered the following resolution:

WHEREAS, the Supreme Court of Rockland County has rendered a decision in favor of the Town of Clarkstown in the matter of United Artists Eastern Theatres, Inc. Assessment Reviews, and

WHEREAS, said Petitioner has appealed from this decision;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to defend said appeal.

Seconded by Co. Lodico.

All voted Aye.

(1973-1056) Co. D'Antoni offered the following resolution:

WHEREAS, an agreement was entered into between the Town of Clarkstown and Ford Products Corp. in July of 1973, and

WHEREAS, in said agreement Ford Products Corp. agreed to the closing of the ingress and egress on Van Doren Court for all vehicles except for emergency vehicles, and

WHEREAS, Ford Products Corp. erected a suitable fence and gate at the entrance of their premises from Van Doren Court, and

WHEREAS, suitable legal access has been obtained by Ford Products Corp. from Ford Products Road, and

WHEREAS, the Police Department of the Town of Clarkstown has certified that police protection can be given to the subject premises through Ford Products Road, and

WHEREAS, the Building Inspector's Office and the Office of the Fire Inspector of the Town of Clarkstown have certified that proper fire protection can be given to Ford Products Corporation through Ford Products Road;

(continued)

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(1973-1056 - continued)

NOW THEREFORE, be it

RESOLVED, that the ingress and egress from Van Doren Court to Ford Products Corporation be and the same is hereby declared closed, and be it

FURTHER RESOLVED, that the gate closing said ingress and egress be locked at all times, and be it

FURTHER RESOLVED, that the Chief of Police be and he hereby is directed to enforce the closing of the ingress and egress to Ford Products Corporation from Van Doren Court, and be it

FURTHER RESOLVED, that the Town Attorney's Office be instructed to enter into a written covenant with Ford Products Corporation as provided in the agreement of July 1973, in a form and manner permitting the covenant to run with the land and to be filed in the Office of the County Clerk of Rockland; and be it

FURTHER RESOLVED, that Van Doren Court shall be designated as a Local Residential street.

Seconded by Co. Lodico.

All voted Aye.

(1973-1057) Co. D'Antoni offered the following resolution:

WHEREAS, certain restrictive covenants were entered into between the Town of Clarkstown and the owners of the property known as Kingsgate, and

WHEREAS, it is necessary to modify the restrictive covenants;

NOW THEREFORE, be it

RESOLVED, that the Supervisor is authorized to execute a modification of the restrictive covenants in the form presented hereto. (See File)

Seconded by Co. Pizzutello.

On roll call the vote was as follows:

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

MOTION CARRIED

EFC883

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(1973-1058) Co. Lodico offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to enter into a Lease Agreement for a Rex Compactor for use at the Landfill Area while the machines are down for repair.

Seconded by Co. D'Antoni.

All voted Aye.

91973-1059) Co. D'Antoni offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to expedite Hydrant Order (Investigation No. 6928) for the following hydrants, locations having been approved by the Town Engineer:

One (1) on the east side of Old Haverstraw Rd., approximately 800 feet north of the center line of Hazen Lane.

One (1) on the east side of Old Haverstraw Rd., approximately 1,455 feet north of the center line of Hazen Lane and

One (1) on the east side of Old Haverstraw Rd., approximately 2,005 feet north of the center line of Hazen Lane.

Seconded by Co. Pizzutello.

All voted Aye.

(1973-1060) Co. D'Antoni offered the following resolution:

WHEREAS, the Town Clerk's Office advertised for bids for Police Cars to be opened 12/19/73; and

WHEREAS, no bids were received by her office;

NOW THEREFORE, be it

RESOLVED, that the Town Clerk is here by authorized to re-advertise for bids for the furnishing of Police Cars, said bids to be returnable at the Town board meeting to be held on January 23rd, 1974 at 8:05 PM.

Seconded By Co. Lodico.

All voted Aye.

(1973-1061) Co. Pizzutello 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 126, BLOCK A, LOT 43, owned by Mr. and Mrs. J. C. Fibble, by purchase or condemnation for municipal park purposes, and

WHEREAS, the owners, Mr. and Mrs. J. C. Fibble have offered the property for sale to the Town of Clarkstown, subject to a life estate, and

(continued)

EEC900

(1973-1061-continued)

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, and be it

FURTHER RESOLVED, that the Town Attorney be and he hereby is authorized to negotiate with the said Mr. and Mrs. J. C. Fibble in connection with possible purchase or condemnation of the aforesaid property.

Seconded by Co. D'Antoni.

All voted aye.

Councilman D'Antoni stated it was intended to fill any of the vacancies now pending in the Planning Board; Councilman Pizzutello remarked that no appointments should be made until the new Board is seated. Councilman Lodico stated he will make his decision in 1974. He also stated that we are hoping to utilize our Recreation facility and hope we can have Snow Mobile this winter for Co-Op Extension.

On resolutions offered by Co. D'Antoni, seconded by Co. Lodico and unanimously adopted, Town Board meeting was adjourned until Monday, December 31st, 1973 at 10:00 A. M. at which time final Town Board meeting for the year 1973 at 10:00 A. M. at which time final Town Board meeting for the year 1973 will be held in the Auditorium of the Town Hall.

Signed:



Anne E. O'Connor
Town Clerk