

TOWN BOARD MEETING

Town Hall

5/20/74

8:00 PM

Present: Co. D'Antoni, Lodico, Maloney, Pizzutello, Sup. Gerber
Town Clerk Anne E. O'Connor
Town Attorney Murray N. Jacobson

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

(1974-220) Councilman D'Antoni offered the following Proclamation:

"SUPPORT OF THE GUARD AND RESERVE WEEK"

WHEREAS, the importance of a strong national defense is in concert with the national goal of generations of peace; and,

WHEREAS, such defense forces serving as a deterrent to aggression includes a strong, equipped, manned and trained National Guard and Reserve; and,

WHEREAS, National Guard and Reserve forces can maintain the necessary readiness only if they are manned with citizen-military in the required numbers; and

WHEREAS, many citizens of Clarkstown are active members of the Guard and Reserve and devote their personal energies and time toward the proficiency needed to assure readiness in the event of emergency; and

WHEREAS, these citizen-military forces have consistently demonstrated their dedication to the defense needs of this nation as well as their commitment to the betterment of Clarkstown; and,

WHEREAS, in order to continue serving the nation, these Guardsmen and Reservists require the understanding and support of every American employer,

NOW THEREFORE, be it

RESOLVED, that the week of April 1-6, nineteen hundred and seventy four, be proclaimed, "SUPPORT OF THE GUARD AND RESERVE WEEK" and enjoin all the citizens of the Town of Clarkstown to willingly support their Guardsmen and Reservists to insure this nation the security necessary to preserve our American way of life.

Seconded by Co. Maloney.

All voted Aye.

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(1974-221) Co. Lodico offered the following resolution:

RESOLVED, that the bid for the furnishing of five (5) 1974 Four-Door Sedans for the Clarkstown Police Department is hereby awarded to the low bidder, Rockland Chrysler Plymouth, Inc., 60 Route 304, Nanuet, New York, at the net bid price of \$19,125.90.

Seconded by Co. Maloney All voted Aye.

(1974-222) Co. Pizzutello offered the following resolution:

RESOLVED, that the minutes of the Town Board meetings held on February 20, 1974 and March 6, 1974, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. D'Antoni All voted Aye.

(1974-223) 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 install a "STOP" sign on the southeast corner of Pittsford Drive at Rose Road, West Nyack, New York.

Seconded by Co. Lodico. All voted Aye.

(1974-224) 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 install the following:

(1) "STOP" sign on Svahn Drive at Kings Highway, Valley Cottage, New York;

(2) "STOP" sign on Pinetree Way at Gateway, Valley Cottage, New York; and

(3) "STOP" sign on Gateway at Kings Highway, Valley Cottage, New York.

Seconded by Co. Maloney All voted Aye.

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(1974-225) 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 install "NO PARKING" signs on both sides of Sherwood Drive, Nanuet, New York, from the intersection of Old Nyack Turnpike, south to house number 15 (located on the west side) and house number 16 (located on the east side).

Seconded by Co. Pizzutello.

All voted Aye.

(1974-226) Co. D'Antoni offered the following resolution:

RESOLVED, that the Supt. of Highways is hereby authorized to install "NO PARKING" signs on the south side of Demarest Avenue, between Maple Ave. and Route 304, New City.

Seconded by Co. Maloney.

All voted Aye.

(1974-227) Co. Pizzutello offered the following resolution:

WHEREAS, the VALLEY COTTAGE-NYACK LITTLE LEAGUE has requested that the use of the former Sewer Dist. No. 1 Plant Site, situate to the rear of the Lake Road School in Valley Cottage, New York, and

WHEREAS, the Town Board is agreeable to the said use of these premises by the VALLEY COTTAGE-NYACK LITTLE LEAGUE organization since the premises are presently unused by the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby empowered to enter into a lease agreement with the VALLEY COTTAGE-NYACK LITTLE LEAGUE organization for the use of the aforesaid premises under the following conditions:

1. The rental for said use shall be \$1.00 per year;
2. The Valley Cottage-Nyack Little League organization will do all construction and maintenance necessary for the use of the premises by said organization; and
3. The Valley Cottage-Nyack Little League will provide adequate insurance to the Town of Clarkstown in order to hold the Town harmless from suits for personal injury and property damage.

(continued)

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4. At such periods of the year during which the Valley Cottage-Nyack Little League organization is not using the premises, the premises will be available for use by other organizations and citizens of the Town of Clarkstown subject to the direction of the Town Board.

5. This lease shall be automatically renewed each year subject to termination by the Town of Clarkstown, upon six (6) months' notice, in its absolute discretion.

Seconded by Supervisor Gerber.

All voted Aye.

(1974-228) Co. Lodico offered the following Proclamation:

"RECOGNITION OF THE ROCKLAND DOLPHINS"

WHEREAS, the Rockland Dolphins, a local swimming team, has provided 100 boys and girls between the ages of six and 17 with a healthful outlet for their energies and interests; and

WHEREAS, the team is open to all Rockland County children, and has never turned a child away; and

WHEREAS, the team has been a positive force, teaching self-discipline, cooperation and teamwork to many people; and

WHEREAS, the coaches, parents and interested citizens have, without profit, supported the Dolphins' program; and

WHEREAS, the Rockland Dolphins have recently won the Mid-Hudson Valley Championship competition; and

WHEREAS, several of the Dolphins have set a new AAU state record, and many others will be entering the Junior Olympics competition;

NOW THEREFORE, be it

RESOLVED, that all citizens of the Town of Clarkstown join together to honor the Rockland Dolphins and to recognize the honor they have brought on themselves, their families and their town.

Seconded by Co. D'Antoni.

All voted Aye.

The members of the Town Board awarded town 'keys' to members of the Rockland Dolphins.

(1974-229) Co. Lodico offered the following Proclamation:

IN RECOGNITION OF RICHARD FARLEY

WHEREAS, Richard Farley, a member of the Rockland Dolphins, recently saved a neighbor from drowning, and

WHEREAS, during this rescue, Richard displayed extraordinary presence of mind, and

WHEREAS, by his actions, he saved the life of a younger child;

NOW THEREFORE, be it

RESOLVED, that the citizens of the Town of Clarkstown join with us to recognize the courageous and quick response of Richard Farley in the face of danger which averted tragedy and brought honor to himself, his parents and his community.

Seconded by Co. Pizzutello.

All voted Aye.

(1974-230) Co. Lodico offered the following resolution:

WHEREAS, a sanitary sewer line has been installed on property owned by ZIM HOLDING CORP., said property being known and designated as Map 167, Block A, Lot 3, and

WHEREAS, ZIM HOLDING CORP. has agreed to convey an easement approximately 475.03 feet long for the sum of ONE THOUSAND NINE HUNDRED and 12/100 (\$1,900.12) 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, and be it

FURTHER RESOLVED, that the sum of \$1,900.12 for said easement be paid from the Master Benefited Sewer Improvement Area Account.

Seconded by Co. Pizzutello.

All voted Aye.

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(1974-231) Co. Pizzutello offered the following resolution:

WHEREAS, the Planning Board and applicant on a subdivision known as FIVE OAKS, Valley Cottage, New York, situate on the west side of Kings Highway, have requested that the Town Board grant Density Averaging pursuant to Town Law, Section 281;

NOW THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to apply Density Averaging pursuant to Section 281 of the Town Law upon the subdivision plat known as FIVE OAKS, Valley Cottage, New York.

Seconded by Co. Maloney.

All voted Aye.

(1974-232) Co. Lodico offered the following resolution:

RESOLVED, that CANDACE WENTLAND, Old Haverstraw Road, Congers N Y is hereby appointed to the position of Office Worker-Student in the Town Attorney's Office, at the hourly rate of \$2.00, for the period of April 1, 1974 thru June 30, 1974.

Seconded by Co. Pizzutello.

All voted Aye.

(1974-233) Co. Lodico offered the following resolution:

RESOLVED, that the resignation of Edward Gleason, Sr., North Middletown Road, Nanuet N Y as Crossing Guard-Police Department - is hereby accepted with regret, effective and retroactive to March 1, 1974.

Seconded by Co. Pizzutello.

All voted Aye.

(1974-234) Co. Pizzutello offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on 2/19/74 that the position of Groundskeeper-Parks & Recreation Commission, can be created,

NOW THEREFORE, be it

RESOLVED, that the position of Groundskeeper is hereby created, effective immediately at salary grade 20.

Seconded by Co. Lodico.

All voted Aye.

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(1974-235) Co. Pizzutello offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on 2/19/74 that the position of Senior Recreation Leader - Parks Board & Recreation Commission - can be created,

NOW THEREFORE, be it

RESOLVED, that the position of Senior Recreation Leader is hereby created, effective immediately at salary grade 21.

Seconded by Co. Maloney.

All voted Aye.

(1974-236) Co. Pizzutello offered the following resolution:

WHEREAS, the Rockland County Personnel office has certified on 2/19/74 that the position of Cleaner - Parks & Recreation Commission - can be created,

NOW THEREFORE, be it

RESOLVED, that the position of Cleaner is hereby established, effective immediately at Grade 15.

Seconded by Co. D'Antoni.

All voted Aye.

(1974-237) Co. Pizzutello offered the following resolution:

WHEREAS, there is a vacancy in the position of Groundskeeper - Parks & Recreation Commission -

NOW THEREFORE, be it

RESOLVED, that RICHARD TIGUE, Parker Avenue, New City N Y is hereby appointed to the position of Groundskeeper, effective March 25, 1974 at the annual salary for 1974 of \$10,785.00.

Seconded by Co. Maloney.

All voted Aye.

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(1974-238) Co. Pizzutello offered the following resolution:

WHEREAS, there is a vacancy in the position of
Groundsman - Parks & Recreation Commission -

NOW THEREFORE, be it

RESOLVED, that JOHN FOURNIER, 211 North Main St.,
New City N Y is hereby appointed to the position of Groundsman
effective March 25, 1974, at the annual salary for 1974 of
\$8,167.00

Seconded by Co. D'Antoni.

All voted Aye.

(1974-239) Co. Maloney offered the following resolution:

WHEREAS, there is a vacancy in the position of
Crossing Guard created by the resignation of Edward Gleason Sr.

NOW THEREFORE, be it

RESOLVED, that BARBARA BIANCO, 194 Old Haverstraw
Road, Congers N Y is hereby appointed to the position of
Crossing Guard - Police Department - at the daily rate of \$10.00,
effective immediately.

Seconded by Co. Lodico.

All voted Aye.

(1974-240) Co. Pizzutello offered the following resolution:

WHEREAS, there is a vacancy in the position of
Senior Recreation Leader - Parks & Recreation Commission,

NOW THEREFORE, be it

RESOLVED, that VERNON MC HAM, 26 South Broadway,
Nyack, New York be transferred from his present provisional
contingent appointment to the vacant Senior Recreation Leader
position as a provisional appointee, at his current salary of
\$10,284.00 per annum, effective immediately.

Seconded by Co. Maloney.

All voted Aye.

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(1974-241) Co. Maloney offered the following resolution:

RESOLVED, that the application of DEAN B. SEIFRIED and JANET M. SEIFRIED for a change of zoning from an R-15 District to an LS District, on property located on the corner of Route 304 and Kings Highway, New City N Y be referred to the Town Planning Board for report pursuant to the provisions of Sections 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 Co. D'Antoni.

All voted Aye.

(1974-242) Co. Maloney offered the following resolution:

RESOLVED, that the application of WINSTON C. PERRY and ANNA B. PERRY, for a change of zoning from an R-22 District to an RG-1 District, on property located on the east side of Strawberry Lane north of the NYS Thruway, West Nyack, New York, 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 Sections 239-1 and 239-m of the General Municipal Law.

Seconded by Co. D'Antoni.

All voted Aye.

(1974-243) Co. Maloney offered the following resolution:

RESOLVED, that the application of JAMES G. MINER for a change of zoning from a PO District to an RS Dist. on property located at the intersection of Route 304 and Johnson Lane, New City, New York 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 Co. Pizzutello.

All voted Aye.

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(1974-244) Co. Maloney offered the following resolution:

RESOLVED, that the application of FARICE HOMES, INC. for a change of zoning from an IO District to an RG-2 District, on property located on the north side of West Nyack Road, West Nyack, New York 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.

Secoed by Co. D'Antoni.

All voted Aye.

(1974-245) Co. Maloney offered the following resolution:

RESOLVED, that the application of FRANK T. HURLEY for a change of zoning from an R-15 District to an IO District on property located on Old Nyack Turnpike, Nanuet, New York, 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.

Secoed by Co. Pizzutello.

All voted Aye.

(1974-246) Co. Lodico offered the following resolution:

RESOLVED, that the following Parks Board & Recreation Commission members and staff be and are hereby authorized to attend the Annual New York State Recreation & Park Society Conference and Exhibition from May 5th thru May 8th, 1974 at the Granit Hotel in Kerhonkson, New York:

Edward J. Ghiazza, Vernon McIlam, Thomas Lowe,
Richard Mathias, Martin Feldi, Charles A. Lankau Sr.
Arlene DiRocco, and Vincent Pizzutello,

Town Board representative to the Parks Board & Recreation Commission; and be it

FURTHER RESOLVED, that all necessary and actual expenses not to exceed \$950.00 be allocated against account 7020 - 414.

Secoed by Co. Maloney

On roll call the vote was as follows:

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

MOTION CARRIED

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(1974-247) Co. Lodico offered the following resolution:

WHEREAS, the following has applied for a Certificate of Registration pursuant to the Code of the Town of Clarkstown:

RUDOLPH C. SURBLEY
262 West Washington Avenue
Pearl River, New York;

NOW THEREFORE, be it

RESOLVED, that Certificate of Registration No. 74-23 be issued to Rudolph C. Surbley.

Seconded by Co. Maloney.

All voted Aye.

(1974-248) Co. Lodico offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown on 7/11/73 declared in default Bonds Nos. 902042 and 902043 issued by Republic Insurance Company as Surety to Amos Construction Corp., as Principal and Amedeo Romano and Solomon J. Bolder, as Co-Principals, in connection with a subdivision known as KNOLLWOOD ESTATES;

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby appoints Kenneth Zebrowski, Esq. of 307 South Main St., New City N Y as Special Counsel, to commence 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 fees of said Special Counsel shall not exceed the sum of \$750.00, together with costs and disbursements.

Seconded by Co. Maloney

On roll call the vote was as follows:

AYES: Co. Lodico, Maloney, Pizzutello,
Supervisor Gerber

ABSTENTION: Co. D'Antoni

MOTION CARRIED

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(1974-249) Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown has for many years supported all the libraries within its boundaries for the benefit of all its residents, and

WHEREAS, in keeping with this tradition, the Town of Clarkstown desires to continue its support of the Martin Luther King Jr. Reading Room,

NOW THEREFORE, be it

RESOLVED, that the sum of \$3,000.00 be and hereby is, appropriated to assist in the support of the Martin Luther King Jr. Reading Room; and be it

FURTHER RESOLVED, that such funds be transferred from the Federal Revenue Sharing Account to the General Account-Library.

Seconded by Co. Pizzutello.

On roll call the vote was as follows:

AYES: Co. D'Antoni, Maloney, Pizzutello,
Supervisor Gerber

NOES: Co. Lodico.

MOTION CARRIED

(1974-250) Co. Pizzutello 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 the Town Board of the Town of Clarkstown et al v. Rubin Sterngass et al, and

WHEREAS, the Town Board of the Town of Clarkstown deems it to be in the best interest of the Town 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. Maloney.

All voted Aye.

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(1974-251) Co. Lodico offered the following resolution:

WHEREAS, there is a dispute between the VALLEY COTTAGE FIRE DISTRICT, the CENTRAL NYACK FIRE DISTRICT and the TOWN OF CLARKSTOWN concerning the boundaries of the two fire districts, and

WHEREAS, the Honorable Joseph F. Gagliardi, J.S.C. has directed that a hearing be held pursuant to Sections 172-a and 172-c of the Town Law to determine boundaries of such fire districts;

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to sections 172-a and 172-c 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 24th day of April, 1974 at 8:15 PM, relative to determining boundaries of such fire districts; 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.

(1974-252) Co. D'Antoni offered the following resolution:

WHEREAS, proceedings have been instituted by DECISION SYSTEMS, INC. against the Town of Clarkstown and the County of Rockland on 3/1/73; and

WHEREAS, pursuant to a resolution adopted by the Town Board of the Town of Clarkstown on 3/7/73, the Town Attorney was authorized to defend said action, and

WHEREAS, an offer of settlement has been made by DECISION SYSTEMS, INC. in the sum of \$8,000 in full settlement of the claims against the Town of Clarkstown for the computer programs prepared by DECISION SYSTEMS, INC. and presently in use by the Town of Clarkstown, and

WHEREAS, it appears that the payment of the sum of \$8,000 is a fair and reasonable amount for the ownership and use of the aforesaid computer programs;

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(1974-252 - continued)

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to settle said action against the Town of Clarkstown and to secure the ownership of said computer programs for the agreed sum of \$8,000, and be it

FURTHER RESOLVED, that said sum of \$8,000 be charged to Account No. 1680-463.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

MOTION CARRIED

(1974-253) Co. Lodico offered the following resolution:

WHEREAS, a total legal fee in the above-captioned (AUTHORIZING PAYMENT OF ATTORNEY'S FEES RE SEWER DISTRICT #23 - T/C) matter in the amount of \$7,050 has previously been authorized, and

WHEREAS, all legal work has been completed in regard to Sewer District No. 23; and

WHEREAS, \$6,000 has been spent in legal fees leaving a balance due in the sum of \$1,050, and

WHEREAS, legal services rendered by RALPH MATALON, ESQ., have a fair and reasonable value in the amount of \$1,050;

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to pay the sum of \$1,050. out of the Master Benefited Sewer Area Construction Account to RALPH MATALON for services rendered.

Seconded by Co. Maloney.

All voted Aye.

Proposed resolution authorizing Town Clerk to advertise for bids for construction of a building to be located at the Town Sanitary Landfill -- held.

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(1974-254) Co. Lodico offered the following resolution:

WHEREAS, SUBURBAN PROPERTIES, INC., has filed an application for a Building Permit in which an incorrect figure was shown on the construction cost of a house; and

WHEREAS, said error resulted in an additional charge of \$70.00 to said Suburban Properties, Inc., and

WHEREAS, said Suburban Properties, Inc. has requested a refund in the amount of \$70.00;

NOW THEREFORE, be it

RESOLVED, that the sum of \$70.00 be refunded to Suburban Properties, Inc.; said sum to be charged against Building Permit Fees-Dept. No. B-3620.

Seconded by Co. D'Antoni.

All voted Aye.

(1974-255) Co. D'Antoni offered the following resolution:

WHEREAS, the Senior Citizens of Clarkstown have long been recognized as being among our most active and responsible citizens, and

WHEREAS, most Senior Citizens live on fixed incomes and are among the hardest hit by rising costs, and

WHEREAS, the Town of Clarkstown wants the town to continue to be a place where our Senior Citizens may continue to live in peace and economic security;

NOW THEREFORE, be it

RESOLVED, that the Clarkstown Department of Parks and Recreation is hereby authorized to institute a Senior Citizen Discount Program and to assist the Senior Citizen Council in securing such discounts from local business establishments.

Seconded by Councilman Pizzutello.

All voted Aye.

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(1974-256) Co. Lodico offered the following resolution:

WHEREAS, a serious drainage problem exists along Brewery Road at its intersection with Parrott Road, West Nyack, New York, and

WHEREAS, a plan and profile entitled "Emergency Remedial Drainage - Brewery Road" has been prepared by the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids to construct said drainage pursuant to the plans and profile on file with the Town Engineer's Office, and be it

FURTHER RESOLVED, that specifications be obtained from the office of the Town Engineer, and be it

FURTHER RESOLVED, that all bids be returnable at the Office of the Purchasing Director, Clarkstown Town Hall, 10 Maple Avenue, New City, New York on April 17, 1974, before 4:00 PM, at which time they will be opened.

Seconded by Co. Pizzutello.

All voted Aye.

(1974-257) Co. Pizzutello offered the following resolution:

RESOLVED, that the Town Clerk be authorized to advertise for bids for one (1) dump truck for the Parks Board and Recreation Commission; said bids to be returnable at the Office of the Purchasing Director, Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on April 1, 1974 before 4:00 P.M., at which time they will be opened, and be it

FURTHER RESOLVED, that specifications can be obtained at the aforesaid Office of the Clarkstown Purchasing Director.

Seconded by Co. Lodico.

All voted Aye.

(1974-258) Co. Pizzutello offered the following resolution:

RESOLVED, that the Director of Purchasing be authorized to purchase a Station Wagon for the Parks Board and Recreation Commission, said station wagon to be purchased under state contract at a cost of \$3600. or less.

Seconded by Co. Maloney.

All voted Aye.

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(1974-259) Co. Lodico offered the following resolution:

WHEREAS, Commissioner James L. Biggane, of the New York State Department of Environmental Conservation, has requested certain repairs at Sewer District No. 13 Treatment Plant, and

WHEREAS, the repairs must be completed by the Town of Clarkstown to qualify for State Aid, and

WHEREAS, the cost of the required engineering and repairs will be partially paid for by State Aid, and

WHEREAS, the Town of Clarkstown does not have the mechanical engineering expertise to direct the required repair work;

NOW THEREFORE, be it

RESOLVED, that Mechanical Engineer Edward C. Palmenberg be retained at a cost not to exceed the sum of \$500.00 to direct the required work.

Seconded by Co. Pizzutello.

All voted Aye.

(1974-260) Co. Maloney offered the following resolution:

WHEREAS, by resolution adopted by the Board of Appeals of the Town of Clarkstown on March 11, 1974, the Board of Appeals Rules were amended as follows:

Section A110-1. Annual Meeting date.

The annual meeting of the Board of Appeals shall be held on the first Monday in July in each year after the year 1940, at the office of the Board in the Town of Clarkstown, at 8:00 PM. Should the day appointed for holding such annual meeting fall upon a legal holiday, the meeting shall be held on the next following Monday.

Section A110-2. Appointment of Chairman and other Officers:

At the annual meeting the Board shall appoint an Acting Chairman and such other officers or agents as the Board may require for the transaction of its business. The resolutions of the Board of Appeals either for the past year or more shall be reviewed.

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(1974-260 -- continued)

Section A110-21. Regular meeting date.

Regular meetings of the Board shall be held on the first Monday of each month at 8:00 PM. Should the day appointed for holding such meeting fall upon a legal holiday, the meeting shall be held on the next following Monday.

Section A110-23. Notice of hearings.

A. The Board of Appeals shall fix a reasonable time for the hearing of the appeal or other matter referred to it and give public notice thereof by publication in the official paper of a notice of such hearing at least five (5) days prior to the date thereof, and shall, at least five (5) days before such hearing, mail notices thereof to the parties in interest.

B. Fees shall be paid as provided for in Chapter 106-31 B. (1) of the Code of the Town of Clarkstown.

Section A110-24. Board headquarters.

The Building Inspector's Office, Town Hall, 10 Maple Avenue, New City, Town of Clarkstown, County of Rockland, State of New York 10956 is hereby designated as the office of the Board of Appeals. Further, that office shall serve as a depository of all its records unless some other place is designated by the Board. All public hearings shall be held in such areas that may be required and available at 10 Maple Avenue.

Section A-110-30. (G).

G. Good and welfare of the town.

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves and adopts the aforesaid amendments to the Board of Appeals Rules.

Seconded by Co. D'Antoni.

All voted Aye.

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Monthly Reports for the month of FEBRUARY 1974 received from the Zoning Board of Appeals and the Building Inspector. Noted by the Town Board, ordered filed in the Town Clerk's Office.

(1974-261) Co. Lodico offered the following resolution:

WHEREAS, certain police cars owned by the Town of Clarkstown have become disabled causing a serious emergency affecting the health, safety and welfare of the citizens of the Town of Clarkstown in that proper police protection would be impaired, and

WHEREAS, such circumstances are provided for in Section 103, subpar. 4 of the General Municipal Law;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown shall purchase two Plymouth Fury four-door sedans from Rockland Chrysler Plymouth Inc., 60 Route 304, Nanuet, New York, for the sum of \$7172.00, pursuant to Sec. 103 subpar. 4 of the General Municipal Law, and be it

FURTHER RESOLVED, that the sum of \$7172.00 shall be appropriated from Federal Revenue Sharing Account.

Seconded by Co. Maloney.

All voted Aye.

(1974-262) Co. Lodico offered the following resolution:

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled as follows:

BAKER-FIRESTONE, INC.

Petitioner,

-against-

ROBERT H. BOWMAN, Building and Zoning
Inspector of the Town of Clarkstown, Rockland County,
New York,

Respondent,

(continued)

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(1974-262 -- continued)

NOW THEREFORE, be it

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

Seconded by Co. Maloney.

All voted Aye.

(1974-263) Co. Pizzutello offered the following resolution:

RESOLVED, that Councilman John Lodico and John Wallack, Chairman of the Sanitation Commission, be authorized to attend the International Solid Waste Conference to be held in Houston, Texas on June 23, 24 and 25, 1974, and be it

FURTHER RESOLVED, that the necessary and actual expenses of said attendance, not to exceed \$500.00 per person, be paid from the Sanitary Landfill Account.

Seconded by Co. Maloney.

On roll call the vote was as follows:

AYES: Co. D'Antoni, Pizzutello, Maloney, Superv. Gerber
ABSTENTION: Co. Lodico

MOTION CARRIED

(1974-264) Co. Maloney offered the following resolution:

WIEREAS, BEVERLY DEGENSHEIN 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 CS, LS, LIO, R-15 DISTRICTS, to an RG-2 District;

NOW THEREFORE, be it

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 said

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(1974-264 -- continued)

Town of Clarkstown, on the 24th day of April, 1974
at 8:30 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.

(1974-265) Co. Pizzutello offered the following resolution:

WHEREAS, STEPHEN ISER has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the said Town be amended by redistricting property of the said petitioner described from an R-15 & L10 District to an RG-2 District or L10 or R-15 District;

NOW THEREFORE, be it

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 Town of Clarkstown on the 24th day of April, 1974 at 8:45 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. Maloney.

All voted Aye.

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(1974-266) Co. Maloney offered the following resolution:

WHEREAS, ROBERT L. TIETZ and HILDEGARDE TIETZ has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the said Town be amended by redistricting property of the said petitioner described from an R-22 District to an LS district;

NOW THEREFORE, be it

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 8th day of May, 1974 at 8:05 PM, relative to such proposed amendment; and it is

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

Seconded by Co. Pizzutello.

All voted Aye.

(1974-267) Co. Maloney offered the following resolution:

WHEREAS, BROOKLINE MANOR has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the said Town be amended by redistricting property of the said petitioner described from an LO District to an RG-2 district;

NOW THEREFORE, be it

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, 10 Maple Avenue, New City, Rockland County, New York, in the said Town of Clarkstown, on the 8th day of May, 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.

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(1974-268) Co. Pizzutello offered the following resolution:

RESOLVED, that the resignation of Owen P. Reilly as member of the Clarkstown Board of Ethics is hereby accepted, with regret, effective immediately.

Seconded by Co. D'Antoni.

All voted Aye.

Mr. Nugent appeared before the Town Board inquiring if assessment was changed when zone change effectuated (Kingsgate). Town Board will look into matter.

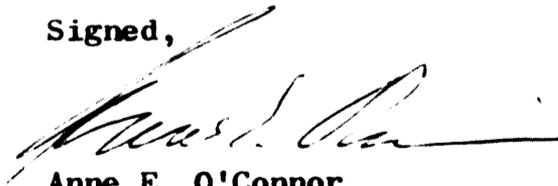
Mr. Hatch of West Nyack appeared before the Town Board re letter written to the town by him in connection with commuter parking; garbage collection, etc. Supervisor Gerber inquired as to how long ago and to whom this letter was addressed.

Re garbage, the Supervisor stated that there are Monday and Thursday pickups; this matter has come before the Sanitation Commission and was presented to the industry.

Supervisor Gerber stated that tonight the Town Board has initiated the first 'availability night', which was scheduled temporarily on the same night as the Town Board meeting night. Turn out was good; and the Town Board hopes to adjust hours to accomodate more people who may commute. For the next few weeks, he continued, we will continue it on the first and third Wednesday of each month.

On resolution offered by Councilman Lodico, seconded by Co. Pizzutello and unanimously adopted, Town Board meeting was adjourned until Wednesday, April 3, 1974 at 8:00 PM, at which time next regularly scheduled Town Board meeting will be held in the Board Room of the Town Hall.

Signed,



Anne E. O'Connor
Town Clerk