

PUBLIC HEARING

Town Hall

4/5/74

8:15 PM

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

Absent: Co. Lodico

RE: PROPOSED LOCAL LAW TO PROVIDE FOR THE COMPILATION,
RENUMBERING AND TABULATION OF THE LOCAL LAWS,
ORDINANCES, AND RESOLUTIONS OF THE TOWN OF CLARKSTOWN:

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

Phillip Fogel, Deputy Town Attorney explained that purpose is to recodify the prior existing town code, several typographical errors having been made by the printer in the recompilation.

Town Attorney Murray N. Jacobson stated that new code book to be adopted, which has already been printed and is available for sale after this public hearing.

Re corrections on zoning regulations, Deputy Town Attorney stated these can be done by amendment after the code is formally adopted.

Cost of Code Book will be \$55.00.

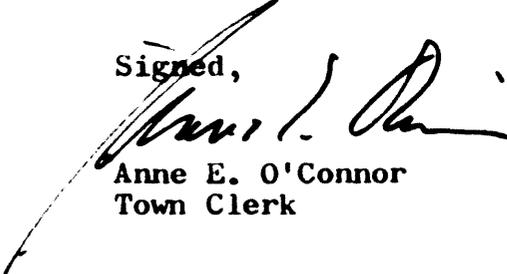
Building Inspector inquired if, upon adoption, will adoption of the zoning ordinance be authorized. The Town Attorney replied yes, after adopted.

IN FAVOR: No one appeared.

OPPOSED: No one appeared.

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

Signed,



Anne E. O'Connor
Town Clerk

TOWN BOARD MEETING

Town Hall

4/5/74

8:00 PM

Present: Co. D'Antoni, 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.

(1974-269) Co. Pizzutello offered the following resolution:

RESOLVED, that the bid for the furnishing of one 1974 one ton 4-wheel drive, 2 cubic yard Dump Truck for the Parks Board & Recreation Commission is hereby awarded to the low bidder, Spring Valley Dodge, 19 So. Main St., Spring Valley, N Y, at the net bid price of \$5,743.46.

Seconded by Co. D'Antoni. All voted Aye.

(1974-270) Co. D'Antoni offered the following resolution:

RESOLVED, that the bid for the furnishing of three 4 cubic yard dump trucks for the Highway Dept. is hereby awarded to the low bidder, Porry's Garage, 22 Cosgrove Ave., West Haverstraw, New York, at the net bid price of \$32,500.00

Seconded by Co. Pizzutello. All voted Aye.

(1974-271) Co. D'Antoni offered the following resolution:

RESOLVED, that the bid for the furnishing of one 1974 3/4 ton pickup truck for the Highway Dept. is hereby awarded to the low bidder, Jim Smith Chevrolet, Haverstraw, New York, at the net bid price of \$3,476.06.

Seconded by Co. Maloney. All voted Aye.

(1974-272) Co. Pizzutello offered the following resolution:

RESOLVED, that the bids for the furnishing of arts and crafts supplies for the Parks Board & Recreation Commission is hereby awarded to the low bidder S & S Arts and Crafts, Colchester, Conn., at the net bid price of \$5,880.90.

Seconded by Co. D'Antoni. All voted Aye.

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(1974-273) Co. Pizzutello offered the following resolution:

RESOLVED, that the bid for the furnishing of Athletic Equipment for the Parks Board & Recreation Commission is hereby awarded to the following low bidders:

WENNET'S SPORTS, LTD., Nanuet N Y, for Items 1a, 5a, 12, 16b, 26 and 28, as per specifications, at a net bid price of \$1,035.95, and to

FLAG HOUSE, INC., New York, N Y, for Items 1b, 2a, 2b, 5b, 7a, 7b, 8, 13, 14, 15, 20, 22 and 23, as per specifications, for a net bid price of \$1,141.69; and to

KENSICO SPORTS, INC., White Plains, N Y, for Items 1c, 3, 4, 11, 16a, 18b, 21, 24 and 27, as per specifications, for a net bid price of \$2,085.08; and to

NEW YORK ATHLETIC SUPPLY CO., Bronx, N Y for Item No. 6, as per specifications, at a net bid price of \$59.90; and to

MORLEY ATHLETIC SUPPLY CO., Amsterdam, N Y for Items 9 and 25, as per specifications, at a net bid price of \$57.00; and to

CHAMPION PRODUCTS, PERRY, N Y, for Items 10, 17 and 19, as per specifications, at a net bid price of \$4,895.80.

Gross total for all items - \$9,275.42., and be it

FURTHER RESOLVED, that no bid be awarded for Items 2c, 18a and 18c, all bidders having failed to meet specifications.

Seconded by Co. Maloney.

All voted Aye.

(1974-274) Co. D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Superintendent of Highways, the bids received for on e 1971 Front End Loader, have been REJECTED.

Seconded by Co. Pizzutello.

All voted Aye.

(1974-275) Co. D'Antoni offered the following resolution:

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

Seconded by Co. Pizzutello.

All voted Aye.

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(1974-276) Co. Maloney offered the following resolution:

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

Seconded by Co. D'Antoni.

All voted Aye.

(1974-277) Co. D'Antoni offered the following resolution:

WHEREAS, a proposed local law entitled "A LOCAL LAW TO PROVIDE FOR THE COMPILATION, RENUMBERING AND TABULATION OF THE LOCAL LAWS, ORDINANCES AND RESOLUTIONS OF THE TOWN OF CLARKSTOWN" was introduced by Councilman Lodico at a Town Board meeting held March 6, 1974, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 6th day of March 1974, directed that a public hearing be held on the 3rd day of April 1974 at 8:15 PM to consider the adoption of said local law, and

WHEREAS, a notice of said public hearing was duly prepared and published in the Journal News on March 22, 1974 and posted on the sign board of the Town of Clarkstown on March 22, 1974, and

WHEREAS, copies of the proposed local law were mailed to the members of the Town Board on February 28, 1974, and

WHEREAS, a public hearing was held by the Town Board on the 3rd day of April 1974 at 8:15 PM;

NOW THEREFORE, be it

RESOLVED, that Local Law No. 2-1974 entitled "A LOCAL LAW TO PROVIDE FOR THE COMPILATION, RENUMBERING AND TABULATION OF THE LOCAL LAWS, ORDINANCES AND RESOLUTIONS OF THE TOWN OF CLARKSTOWN" is hereby ADOPTED and passed by an affirmative vote of the majority of the voting power of the Town Board of the Town of Clarkstown, the vote for adoption of said local law being as follows:

Hon. Supervisor George S. Gerber
Councilman John R. Maloney
Councilman Vincent P. Pizzutello
Councilman Anthony D'Antoni
Councilman John Lodico Sr.

The Town Clerk of the Town of Clarkstown is hereby directed to file said local law pursuant to Sec. 27 of the Municipal Home Rule Law.

Seconded by Co. Maloney.

All voted Aye.

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(1974-278) Co. D'Antoni offered the following resolution:

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

Seconded by Co. Maloney.

All voted Aye.

(1974-279) Co. D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic & Traffic Fire Safety Advisory Board, the Supt. of Highways is hereby authorized to remove NO PARKING signs on the east side of Highview Ave. south of the south service road of the Highview Elementary School, Nanuet N Y.

Seconded by Co. Maloney.

All voted Aye.

(1974-280) Co. D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic & Traffic Fire Safety Advisory Board, the Supt. of Highways is hereby authorized to install NO PARKING signs on the west side of Main St. from Demarest Ave. to Schreiber Lane, New City N Y

Seconded by Co. Pizzutello.

All voted Aye.

(1974-281) Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic & Traffic Fire Safety Advisory Board, the Supt. of Highways is hereby authorized to remove the STOP signs on Twin Elms Lane and Muller Court, New City N Y

Seconded by Co. Pizzutello

On roll call the vote was as follows:

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

MOTION CARRIED

(1974-282) Co. Maloney offered the following resolution:

RESOLVED, that the New York State Department of Transportation be requested to perform the following in the area involved with Ludvigh Road and the Bardonia Elementary School access 300 feet to the north:

1. Provide an overpass for pedestrian purposes, so that the road crossing hazard can be eliminated.
2. Provide a raised, curbed, pedestrian and traffic median island in the area to the north of Ludvigh Road to allow pedestrians to wait in safety, until traffic lights stop the flow.

If the overpass cannot be secured

(Changed as per
{Town Attorney}
(4/26/74)

3. Provide four-way all-red lights, to allow random crossing during a sufficient period of time to clear the intersection of waiting pedestrians.
4. In addition sidewalks to be provided on both sides of Route 304, same to be connected with existing sidewalk, or constructed to the limit of improvement, whichever greater.

Seconded by Co. D'Antoni.

All voted Aye.

(1974-283) Co. Pizzutello offered the following resolution:

WHEREAS, the Town of Clarkstown has been participating with the United States Department of the Interior in the operation and maintenance of four (4) water gaging stations within the Town of Clarkstown, and

WHEREAS, the Town Engineer's Office has indicated that these stations have been found to be very valuable to the town's drainage program and recommends the approval of the continuation of the agreement;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown be authorized to execute a cooperative agreement with the Geological Survey, United States Dept. of the Interior, participating in water resources investigations in the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Supervisor be authorized to pay the amount of \$1,530.00 from the town's drainage account as the town's contribution to the operation and maintenance of these record stations.

Seconded by Co. D'Antoni.

All voted Aye.

(1974-284) Co. D'Antoni offered the following resolution:

WHEREAS, certain proceedings have been instituted against the town entitled as follows:

BRIDON REALTY CO. (a partnership),
Petitioner:

(continued)

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(1974-284 - continued)

For an Order Pursuant to Article 78 CPLR
Section 282 of the Town Law of the State
of New York,

-against-

ROBERT H. BOWMAN, Building Inspector of the
Town of Clarkstown and W. REGINALD HERDMAN,
Chairman and THOMAS MORAHAN, EUGENE QUAGLIA,
FRANCIS SMITH and RICHARD GARDNER, Constituting
the Zoning Board of Appeals of the Town of
Clarkstown,

Respondents;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby
authorized to take whatever steps are necessary in Court
to defend said proceeding.

Seconded by CO. Maloney.

All voted Aye.

(1974-285) Co. Pizzutello offered the following resolution:

WHEREAS, the Town of Clarkstown desires to acquire
an easement on certain lands in Congers, New York, owned by
MATTHEW J. YAGUNICH and VERA YAGUNICH for sewer purposes, and

WHEREAS, the town has been, and still is, unable
to agree with the owners of said lands upon terms for the
acquisition thereof;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby
authorized to commence condemnation proceedings against
MATTHEW J. YAGUNICH and VERA YAGUNICH to acquire an
easement on said land for sewer purposes, in accordance
with the metes and bounds description annexed hereto as
Schedule A, and be it

FURTHER RESOLVED, that the Town Attorney be and
he hereby is directed to proceed forthwith to obtain an
order permitting immediate possession of the said property
pending the final outcome of condemnation proceedings
hereinabove authorized.

Seconded by Co. Maloney.

All voted Aye.

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(1974-285 -- Schedule A):

Commencing at a point formed by the northerly side of Second Avenue and the easterly side of South Harrison Avenue and running along the easterly side of South Harrison Avenue on a course of N 24⁰-28'-00" E, a distance of 250.00 feet to the southwesterly corner of lands now or formerly of Yagunich and the BEGINNING POINT; thence

1. along the easterly line of South Harrison Ave., N 24⁰-28'-E, a distance of 21.00 feet; thence,
2. through lands now or formerly of Yagunich, S 39⁰ 45'-30" E, a distance of 19.83 feet; thence,
3. still through lands now or formerly of Yaganuch, S 72⁰ 52' E, a distance of 142.00 feet to the westerly line of Railroad Avenue; thence,
4. along the westerly line of Railroad Avenue, S 24⁰ 28' W, a distance of 10.08 feet; thence,
5. Along lands now or formerly of McElhone, N 72⁰ 42' W, a distance of 160.00 feet to the easterly line of South Harrison Avenue and the BEGINNING POINT.

(1974-286) Co. D'Antoni offered the following resolution:

RESOLVED, that certain proposed amendments to the zoning Ordinance attached hereto be referred to the Town Planning Board for report and to the Rockland County Planning Board pursuant to Secs. 239-1 and 239-m of the General Municipal Law.

Seconded by Co. Maloney.

All voted Aye.

(1974-287) Co. D'Antoni offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deeds FAIRWAY DEVELOPMENT, INC., 501 South Main St., PO Box 328, Spring Valley, New York, dated 2/8/74 conveying roads and other improvements to the town in a subdivision as shown on Final Plat of "DAVID HOFFMAN" filed in the Rockland County Clerk's Office on May 30, 1972 as Map No. 4284, Book No. 84, at Page 11, as follows:

(continued)

106-12F (3) Smoke

Delete

United States Bureau of Mines (Powers Micro-Ringelmann Chart, McGraw Hill Publishing Company, 1954, may be used

and substitute therein

U. S. Dept. of the Interior, Bureau of Mines Information Circular 8333, May 1967

106-12G (1) Measurement at the lot line

Delete

Table 7, United States Bureau of Mines Bulletin No. 442, "Seismic Effects of Quarry Blasting," on any structure.....No. 442.

and substitute therein

U. S. Dept. of the Interior, Bureau of Mines, Bulletin No. 656, Blasting Vibrations and Their Effects on Structures, 1971

106-12H (2) Noise

Delete

(a) American Standards Association (American Standard Sound Level Meters for Measurement of Noise and Other Sounds. Z24.3-1944, American Standards Association, Inc., New York, New York, and American Standard Specification for Octave, Half-Octave, and Third-Octave Band Filter Sets for the analysis of noise and other sounds, Z24.10-1953, American Standards Association, Inc., New York, New York,

and substitute therein

(a) American National Standards Institute, Inc. Specifications for Sound Level Meters ANSI S1.4-1971 New York, New York 100018 and American National Standard Specifications For Octave, Half-Octave, and Third-Octave band filter sets for the analysis of noise and other sounds, ANSI S1-11 (R-1966) shall be used.

106-12H (3) Odors

Delete

Table III (Odor Thresholds) in Chapter 5, "Air Pollution Abatement Manual," copyright 1951 by ... Inc.

and substitute therein

Part I - Odor Thresholds for 53 Commercial Chemicals available from20009

106-13C Regulations for signs and artificial lights

Delete

five hundred (500)

and substitute therein

six hundred sixty (660)

Clarify 106-20B (8) with 106-22

106-20E Exceptions

Delete

LS, CS and RS. a lot in LS, CS and RS

and substitute therein

LO, PO, LS, CS, RS, LIO, M. A lot in LO,
PO, LS, CS, RS, LIO and M

106-20F Preexisting lots

Add

- (3) Small lots in residential districts owned individually and separately and separated from any adjoining tract of land, on the date of this amendment, whose lot area is less than the minimum requirements set forth in the bulk table but meets all other bulk regulations, shall be deemed conforming.

Delete in its entirety Section 106-21 Permitted Accessory Parking and substitute the following:

106-21 - Permitted Accessory Parking

A. Residential Districts

Off-street parking spaces open and enclosed are permitted accessory to any residential use, provided that:

- (1) There shall be no limitation on the number of agricultural vehicles permitted accessory to an agricultural use.
- (2) One currently registered commercial vehicle, not exceeding 4000lbs. gross weight, may be permitted to park in an open parking space, adequately screened, in a residential zone provided that such parking will not be in the required front or rear yard, or within 10 feet of a side lot line.
- (3) One currently registered unoccupied trailer or mobile home, boat or utility trailer may be permitted to park in an open parking space, adequately screened, in a residential zone provided that such parking will not be in the required front or rear yard or within 20 feet of a side lot line or building.

B. Non-Residential Districts

- (1) There shall be no limitation on the number of agricultural vehicles permitted accessory to an agricultural use.

Delete in its entirety 106-31B (1) and substitute the following:

(1) Fees.

- (a) Application to the Board of Appeals for a variance shall be accompanied by a fee of \$50.00 if such application is in a residential district or a fee of \$150.00 if in any other district plus postal charges to help defray the cost of notice of public hearing.

- (b) Application to the Board of Appeals for Special Permit in any district shall be accompanied by a fee of \$150.00 plus postal charges to help defray they cost of notice of public hearing.
- (c) Application to the Board of Appeals for uses subject to performance standards shall be as set forth in subdivision C (b).

Table of General Bulk Regulations - Table 16

Delete

Section 3.12

and substitute therein

106-10B

LIO - Group LL, Column 8

Delete

Note 3 as this note eliminates any side yard which I believe was adopted at the time of the LIO amendment error.

Table of General Use Regulations - 106-10A Tables 8, 9, 10, 11, 12,13

LO District - Column 8, Item 7 add

except garden supplies, lumber, building and masonry materials.

PO District - Column 8, Item 7 add

except garden supplies, lumber, building and masonry materials.

LS District - Column 8, Item 7 add

except garden supplies, lumber, building and masonry materials.

CS District - Column 8, Item 7 add

except garden supplies, lumber, building and masonry materials.

RS District - Column 8, Item 7 add

except garden supplies, lumber, building and masonry materials.

MRS District - Column 8, Item 7 add

except garden supplies, lumber, building and masonry materials.

END OF ATTACHMENT

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(1974-287 - continued)

Fulton Street
Carnation Drive
Spray Court

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

FURTHER RESOLVED, that Maintenance Bonds Nos. 912105 & 912106 dated the 17th day of December 1973, FAIRWAY DEVELOPMENT, INC. as Principal, and GEORGE FAIST as Co-Principal, and REPUBLIC INSURANCE COMPANY as Surety, are hereby accepted.

Seconded by Co. Maloney.

All voted Aye.

The Town Board signed the following Bonds, approving same as to form and sufficiency:

Republic Insurance Company Maintenance Bond #912106
Fairway Development, Inc.; George Faist, Principal
Covers: Sewers
Amount: \$1,171.50
Period covered: One (1) Year

Republic Insurance Company Maintenance Bond #912105
Fairway Development, Inc.,; George Faist, Principal
Covers: Roads
Amount: \$6,135.25
Period covered: One (1) Year

(1974-288) Co. D'Antoni offered the following resolution:

WHEREAS, the Town of Clarkstown is desirous of entering into an agreement with FAIRWAY DEVELOPMENT INC. in connection with dedication of roads and other public improvements in a subdivision known as "DAVID N. HOFFMANN";

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute an agreement with FAIRWAY DEVELOPMENT INC. providing for the deposit of \$2,600. to be held by the town, pursuant to the terms of said agreement, pending final and complete improvements of the roads and other public improvements in said development by the developer, subject to final approval of the Town Engineer of the Town of Clarkstown, no later than June 1st, 1974.

Seconded by Co. Maloney.

All voted Aye.

(1974-289) Co. Pizzutello offered the following resolution:

RESOLVED, that the Town Clerk be authorized to advertise for bids for Weekly Senior Citizen Bus Transportation; said bids to be returnable at the Office of the Purchasing Director, Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on April 15, 1974 before 4:00 PM, 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. Maloney.

All voted Aye.

(1974-290) Co. D'Antoni offered the following resolution:

RESOLVED, that the Town Clerk be authorized to advertise for bids for one truck for use in dog control; said bids to be returnable at the Office of the Purchasing Director, Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on April 15, 1974 before 4:00 PM, 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. Maloney.

All voted Aye.

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(1974-291) Co. Maloney offered the following resolution:

RESOLVED, that the Town Clerk be authorized to advertise for bids for summer uniforms for the Police Department, consisting of 225 stock or custom shirts, 150 pairs of trousers, and 30 chevrons; said bids to be returnable at the Office of the Purchasing Director, Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on April 15, 1974, before 4:00 PM, 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. Pizzutello.

All voted Aye.

(1974-292) Co. Pizzutello offered the following resolution:

RESOLVED, that the Town Clerk be authorized to advertise for bids to furnish, install and wire lights for the Town Hall parking lot; said bids to be returnable at the office of the Purchasing Director, Clarkstown Town Hall, 10 Maple Avenue, New City, New York on April 26, 1974 before 11:00 AM, at which time they will be opened, and be it

FURTHER RESOLVED, that specifications can be obtained at the Office of the Town Clerk at Clarkstown Town Hall.

Seconded by Co. D'Antoni.

All voted Aye.

(1974-293) Co. Maloney offered the following resolution:

WHEREAS, the purchase of new cars for the Clarkstown Police Department has necessitated the purchase of accessory equipment; and

WHEREAS, this equipment, each part costing less than \$1,500.00, does not require competitive bidding; and

WHEREAS, the Purchasing Director of the Town of Clarkstown has arrived at the lowest cost figures; to wit:

Fifteen (15) Smith and Wesson Speakers	\$ 690.00
Thirty (30) Deck Lights	480.00
Five (5) Radio Antennas	182.00
Five (5) Mars Bars (Roof Racks)	260.00
Ten (10) Strobe Lights	1280.00
Ten (10) Sirens and Microphones	1700.00 and,

(continued)

(1974-293 - continued)

WHEREAS, the purchase of five Motorola radios at \$6,865.00 does not require bidding by the Town of Clarkstown, as the town may purchase said radios under a recent County bid at the County's Price;

NOW THEREFORE, be it

RESOLVED, that the funds for all aforementioned purchases be transferred from the Federal Revenue Sharing Account to General Account - Police.

Seconded by Co. D'Antoni.

All voted Aye.

(1974-294) Co. Pizzutello offered the following resolution:

WHEREAS, in 1973 five (5) Design Craft files were ordered for the Supervisor's Office without benefit of Purchase Order, at a cost of One Thousand, One Hundred Fifty-Four Dollars and Fourteen Cents, (1,154.14);

NOW THEREFORE, be it

RESOLVED, that the aforementioned sum be transferred from the Contingency Account to the Supervisor's Account.

Seconded by Co. D'Antoni.

All voted Aye.

(1974-295) Co. Pizzutello offered the following resolution:

RESOLVED, that the Purchasing Director be authorized to purchase Resident Dumping Stickers at a cost of One Thousand, Two Hundred Seventy-Two Dollars, (\$1,272.00; and be it

FURTHER RESOLVED, that the Purchasing Director be authorized to purchase Refuse Collection Monthly Stickers at a cost of Three Hundred Forty-Six Dollars and Sixty-Nine Cents, (\$346.69, and be it

(continued)

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(1974-295 - continued)

FURTHER RESOLVED, that the funds for the above be transferred from the Contingency Account to the Sanitary Landfill Account.

Seconded by Co. D'Antoni. All voted Aye.

(1974-296) Co. Maloney offered the following resolution:

RESOLVED, that the funds allocated by Resolution No. 221 adopted on March 20, 1974 for the purchase of five (5) 1974 Four-Door Sedans for the Clarkstown Police Dept. be transferred from the Federal Revenue Sharing Account to General Account - Police, for the aforesaid purpose.

Seconded by Co. Pizzutello. All voted Aye.

(1974-297) Co. Maloney offered the following resolution:

RESOLVED, that the funds allocated by Resolution No. 261 on March 20, 1974, for the purchase of two Plymouth Fury four-door sedans for Police Cars for the Clarkstown Police Department be transferred from the Federal Revenue Sharing Account to General Account - Police, for the aforesaid purpose.

Seconded by Co. Pizzutello. All voted Aye.

(1974-298) Co. Maloney offered the following resolution:

RESOLVED, that the funds allocated by Resolution No. 154 on February 20, 1974 for the purchase of 25 Compact Cars for the Town of Clarkstown be transferred from the Federal Revenue Sharing Account to General Account - Town Garage, for the aforesaid purpose.

Seconded by Co. Pizzutello. All voted Aye.

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(1974-299) Co. Maloney offered the following resolution:

RESOLVED, that the funds allocated by Resolution No. 140 on February 6, 1974 for the purchase of 16 four door sedans, 2 station wagons and 1 compact car for the Clarkstown Police Department be transferred from the Federal Revenue Sharing Account to General Account - Police, for the aforesaid purpose.

Seconded by Co. Pizzutello. All voted Aye.

(1974-300) Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Eve Paster as a Member of the Clarkstown Narcotics Guidance Council be accepted, with regret, effective immediately.

Seconded by Co. Pizzutello. All voted Aye.

(1974-301) Co. D'Antoni offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Engineering Technician #73147 which contains the name of Frederick Johnson;

NOW THEREFORE, be it

RESOLVED, that Frederick Johnson, 3 Short St., West Nyack, N Y is hereby appointed to the position of Engineering Technician - Town Engineer's Office - at the annual salary for 1974 of \$8,167.00, effective immediately.

Seconded by Co. Pizzutello. All voted Aye.

(1974-302) Co. D'Antoni offered the following resolution:

RESOLVED, based upon the recommendation of Alfred Berg, Town Engineer, John Fay, 61 Massachusetts Ave., Congers N Y is hereby granted a second provisional appointment to the position of Pump Station Operator - Sewer Department - at the sannaal salary for 1974 of \$9,364.00, effective immediately.

Seconded by Co. Maloney. All voted Aye.

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(1974-303) Co. D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of Alfred Berg, Town Engineer, Thomas Coleman, 43 First Avenue, Spring Valley N Y is hereby granted a second provisional appointment to the position of Pump Station Operator - Sewer Department - at the annual salary for 1974 of \$10,284.00, effective immediately.

Seconded by Co. Pizzutello

All voted Aye.

(1974-304) Co. D'Antoni offered the following resolution:

WHEREAS, there is a vacancy in the position of Assistant Automotive Mechanic created by the resignation of Robert Ayers,

NOW THEREFORE, be it

RESOLVED, that Thomas M. McGuy, 703 South Mountain Road, New City N Y is hereby appointed to the position of Assistant Automotive Mechanic - Town Garage - at the annual salary for 1974 of \$8,557.00, effective and retroactive to February 21, 1974.

Seconded by Co. Pizzutello.

All voted Aye.

Proposed resolution granting second provisional appointment - Sewer Department - to John Eterno -- TABLED.

(1974-305) Co. Pizzutello offered the following resolution:

RESOLVED, that Ralph Lombardi, 5 East Evergreen Place, New City N Y is hereby appointed provisionally to the position of Clerk of the Works - Town Hall - at the annual salary for 1974 of \$11,815.00, effective April 4th, 1974.

Seconded by Co. D'Antoni.

All voted Aye.

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(1974-306) Co. Maloney offered the following resolution:

RESOLVED, that Lawrence Degnan, 594 Union Road, Spring Valley N Y is hereby granted a thirty day temporary appointment as Head Custodian - Maintenance Department - at the annual salary for 1974 of \$9,412.70, effective immediately.

Seconded by Co. D'Antoni. All voted Aye.

(1974-307) Co. Pizzutello offered the following resolution:

RESOLVED, that Thomas Manning, 18 Esther Avenue, Congers N Y is hereby appointed a member of the Board of Ethics, term to commence immediately and expire on February 20, 1976, without compensation.

Seconded by Co. Maloney. All voted Aye.

(1974-308) Co. D'Antoni offered the following resolution:

WHEREAS, it is desirable to have a Capital Improvement Budget in order to plan for the orderly construction and fiscal management necessary to provide for the capital projects which the continued growth of the Town of Clarkstown makes imperative;

NOW THEREFORE, be it

RESOLVED, that a Capital Improvement Budget Committee is hereby created which shall consist of 42 members who shall serve without compensation, and be it

FURTHER RESOLVED, that said Capital Improvement Budget Committee shall have the following six sub-committees which shall consist of 7 members each:

1. ROAD CONSTRUCTION
2. ROAD IMPROVEMENTS
3. SIDEWALK CONSTRUCTION
4. PARKLAND ACQUISITION AND IMPROVEMENTS
5. WASTE DISPOSAL
6. BUILDING CONSTRUCTION,

and be it

(continued)

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(1974-308 -- continued)

FURTHER RESOLVED, that the appointments to the membership of the Capital Improvement Budget Committee and their assignment to the various sub-committees, shall be made by the Town Board.

Seconded by Co. Maloney.

All voted Aye.

Proposed resolution authorizing printing and mailing of Town brochure -- TABLED.

(1974-309) Co. Pizzutello offered the following resolution:

WHEREAS, the House of Power Company has proposed the establishment of a minibike track at the Clarkstown Sanitary Landfill Site under a concession arrangement with the Town of Clarkstown, and

WHEREAS, property is available for said minibike track at the Clarkstown Sanitary Landfill Site;

NOW THEREFORE, be it

RESOLVED, as follows:

1. That the Supervisor of the Town of Clarkstown is hereby authorized to enter into a license agreement with the House Of Power Company for a minibike track to be situated at the Sanitary Landfill Site of the Town of Clarkstown;

2. Said license agreement will provide for a license fee to the Town of Clarkstown of 15% of the gross receipts derived from the operation of the said minibike track;

3. Said license agreement to provide for the requisite insurance for the safeguards necessary to the Town of Clarkstown.

Seconded by Co. Maloney.

All voted Aye.

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(1974-310) Co. Pizzutello offered the following resolution:

WHEREAS, the Town of Clarkstown needs additional land for the purpose of sanitary landfill and disposition of sanitary wastes, and

WHEREAS, New York Highway Products Corporation owns lots 22.02, 22.03 and 22.04 in Block A, Tax Map 105, which are contiguous with lands of the Town of Clarkstown which comprise the present sanitary landfill area, and

WHEREAS, it is necessary and desirable to proceed to acquire this property in order to satisfactorily extend the sanitary landfill area;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney of the Town of Clarkstown be authorized to proceed to acquire, either by negotiation, condemnation or other procedure, the land described on the Tax Map of the Town of Clarkstown as Map 105, Block A, Lot 22.02; Map 105, Block A, Lot 22.03; Map 105, Block A, Lot 22.04 for sanitary landfill purposes.

Seconded by Co. Maloney.

All voted Aye.

(1974-311) Co. Pizzutello offered the following resolution:

WHEREAS, electrical work at the Traphagen Pool Complex has been found to be defective in that same has not been buried in conduit as per the requirements of the New York Board of Fire Underwriters, and

WHEREAS, notice of said defect has been given by the Town to the electrical sub-contractor who constructed and installed the electrical system at said pool; and

WHEREAS, pursuant to the provisions of Section 103 of the General Municipal Law, the Town of Clarkstown is authorized to contract for the performance of work where a contractor has defaulted in the performance of his work;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into a contract with Tappan Zee Electric Co., Inc., 311 Main St., Nayck N Y, to install conduit in lieu of direct burial cable for pool lights, receptacles and poles and to make all connections as per the requirements of the New York Board of Fire Underwriters, at a sum not to exceed \$10,131.00; and be it

(continued)

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(1974 - 311 -- continued):

FURTHER RESOLVED, that the sum of \$10,131.00 be transferred from Money in Lieu of Land Account to Parklands and Improvements Account, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown be authorized to obtain the reimbursement of said sum of \$10,131.00 from the present electrical sub-contractor for the default in his performance of his contract for electrical work at the Traphagen Pool Complex.

Seconded by Co. Maloney.

All voted Aye.

(1974-312) Co. D'Antoni offered the following resolution:

RESOLVED, that the application of ST. ANTHONY'S CHURCH in Nanuet, New York for a Special Permit to fill and grade a portion of its property, pursuant to Section 4.32 (1) of the Zoning Ordinance of the Town of Clarkstown, be referred to the Clarkstown Planning Board and to the Town Engineer for report.

Seconded by Co. Pizzutello.

On roll call the vote was as follows:

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

MOTION CARRIED.

(1974-313) Co. Pizzutello offered the following resolution:

WHEREAS, the Town of Clarkstown has instituted proceedings in connection with the drainage project located in West Nyack pursuant to Resolution No. 736 adopted by the Town Board of the Town of Clarkstown on September 5, 1973; and

WHEREAS, an offer of settlement has been made by VINCENT BAMBINELLI, MARIE BAMBINELLI, EDWARD T. ROMAINE and THERESA L. ROMAINE for the sum of \$650.00 for payment of that portion of the drainage easement required which is located on the property of VINCENT BAMBINELLI, MARIE BAMBINELLI, EDWARD T. ROMAINE and THERESA L. ROMAINE; and

WHEREAS, the Town Attorney recommends that payment of the sum of \$650.00 is a fair and reasonable amount for said easement;

(continued)

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(1974-313 -- continued)

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary action to discontinue said condemnation proceedings against VINCENT BAMBINELLI, MARIE BAMBINELLI, EDWARD T. ROMAINE and THERESA L. ROMAINE and to secure said easement for the agreed sum of \$650.00, said sum to be paid out of Capital Account-Drainage.

Seconded by Co. Maloney.

All voted Aye.

(1974-314) Co. Pizzutello offered the following resolution:

RESOLVED, that the Spring Valley Water Co. is hereby authorized, locations having been approved by the Town Engineer, to install One (1) Hydrant on the north side of Meridan Lane (Inves. No. 8005.)

Seconded by Co. D'Antoni.

All voted Aye.

(1974-315) Co. Maloney offered the following resolution:

WHEREAS, Assemblyman Grune has introduced Bill No. 11220 into the State Legislature, and

WHEREAS, said Bill is entitled "AN ACT AUTHORIZING THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, ROCKLAND COUNTY, TO DELEGATE CERTAIN POWERS RELATIVE TO THE APPROVAL OF LAND DEVELOPMENT PLATS OR SITES", and

WHEREAS, the Town Board of the Town of Clarkstown wishes to authorize a Home Rule Request in regard to said Bill, deleting therefrom Section 2 of said Bill;

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor of the Town of Clarkstown to sign a Home Rule Request concerning Assembly Bill No. 11220 deleting therefrom Section 2 of said Bill, and be it

(continued)

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(1974-315 - continued)

FURTHER RESOLVED, that said Home Rule Request shall be forwarded to the Assembly of the State of New York with the said Section 2 deleted.

Seconded by Supervisor Gerber.

On roll call the vote was as follows:

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

MOTION NOT CARRIED

Mr. Hess inquired that since the whole Town Board not present at this meeting, could this resolution (Home Rule Request) be withdrawn and held for next Town Board meeting so we can have a 'yes' or no' on this.

Supervisor Gerber responded that he intends to see that it is brought up at a future meeting.

(1974-315) Co. Pizzutello offered the following resolution:

RESOLVED, that Bond and Capital Note Resolution of the Town of Clarkstown is hereby adopted, authorizing the construction of a building to be used for storage of equipment and office facilities related to Sanitary Land-fill on land owned by the town situate on Route 303, West Nyack, at an estimated maximum cost of \$232,000, appropriating said amount therefor, and authorizing the issuance of \$11,600 Capital Notes to provide the down payment, and \$220,400 Serial Bonds of the town to finance the balance of said appropriation, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized, to publish and post a notice of adoption of said bond and capital note resolution to contain an abstract thereof.

Seconded by Co. Maloney.

All voted Aye.

(Complete extract of minutes in file)

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(1974-317) Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Chief #73160 which contains the name of John Ambrose, and based upon the recommendation of the Police Commissioners of the Town of Clarkstown,

NOW THEREFORE, be it

RESOLVED, that John Ambrose, residing at 5 Sunrise Avenue, New City N Y is hereby appointed to the position of Police Chief, at the annual salary of \$24,735.00 for 1974, effective April 8, 1974.

Seconded by Co. D'Antoni.

All voted Aye.

(1974-318) Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Captain #73161 which contains the name of George Finlay, and based upon the recommendation of the Police Commissioners of the Town of Clarkstown,

NOW THEREFORE, be it

RESOLVED, that George Finlay , 108 West Mary Lane, Valley Cottage, N Y is hereby appointed to the position of Police Captain, at the annual salary for 1974 of \$23,235.00, effective April 8, 1974.

Seconded by Co. D'Antoni.

All voted Aye.

(1974-319) Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Lieutenant #73162-A which contains the name of Robert Hewitt, and based upon the recommendation of the Police Commissioners of the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that Robert Hewitt, 64 Oakland Avenue, Central Valley, New York is hereby appointed to the position of Police Lieutenant, at the annual salary for 1974 of \$21,360.00, effective April 8, 1974.

Seconded by Co. Pizzutello.

All voted Aye.

EFC891

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(1974-320) Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Sergeant #7392A which contains the name of William Collins, and based upon the recommendation of the Police Commissioners of the Town of Clarkstown,

NOW THEREFORE, be it

RESOLVED, that William Collins, 27 Frederic Street, Nanuet, New York is hereby appointed to the position of Police Sergeant, at the annual salary for 1974 of \$18,710.00, effective April 8, 1974.

Seconded by Co. D'Antoni.

All voted Aye.

(1974-321) Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Sergeant #7392A which contains the name of William Clark, Jr., and based upon the recommendation of the Police Commissioners of the Town of Clarkstown,

NOW THEREFORE, be it

RESOLVED, that William Clark, Jr., 20 Parliament Drive, New City, New York is hereby appointed to the position of Police Sergeant, at the annual salary for 1974 of \$18,710.00, effective April 8, 1974.

Seconded by Co. Pizzutello.

All voted Aye.

(1974-322) Co. Maloney offered the following resolution:

RESOLVED, that the position of second Captain in the Clarkstown Police Department is hereby created, and be it

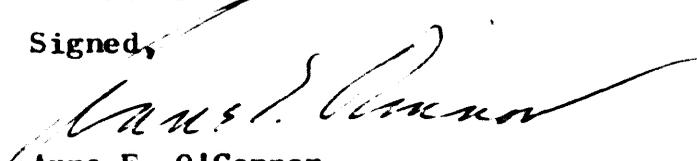
FURTHER RESOLVED, that the Board of Police Commissioners of the Town of Clarkstown is hereby authorized to submit the necessary forms to the Rockland County Personnel Office in order to classify said position.

Seconded by Co. D'Antoni.

All voted Aye.

On resolution offered by Co. D'Antoni, seconded by Co. Maloney and unanimously adopted, Town Board meeting was adjourned until Wednesday, April 17, 1974 at 8:00 PM.

Signed,


Anne E. O'Connor
Town Clerk