

SPECIAL TOWN BOARD MEETING

Town Hall

5/30/74

9:00 PM

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

Town Board members signed statement unanimously consenting to the holding of a special meeting on May 30th, 1974 at 9:00 PM in a meeting room of the Town Hall, and thereby waived notice of said meeting.

(1974-452) Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 6th day of March 1974, provided for a public hearing on the 24th day of April 1974 at 8:05 PM, to consider the application of FELLER, MODLIN, SALINGER & MAC DONALD to amend the zoning ordinance of the said petitioner from a PO district to an RS district; and

WHEREAS, notice of said public hearing was duly published as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the application be DENIED.

Seconded by Co. D'Antoni.

On roll call the vote was as follows:

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

MOTION CARRIED

(1974-453) Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 20th day of March 1974, provided for a public hearing on the 8th day of May 1974 at 8:05 PM to consider the application of ROBERT L. TIETZ & HILDEGARDE TIETZ to amend the zoning ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an R-22 district to an LS district; and

WHEREAS, notice of said public hearing was duly published as required by law and said public hearing was duly held at the time and place specified in said notice;

(continued)

332

STBM - 5/30/74
Page 2

(1974-453 -- continued)

NOW THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the application be DENIED.

Seconded by Co. D'Antoni.

On roll call the vote was as follows:

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

MOTION CARRIED

(1974-454) Co. Lodico offered the following resolution:

WHEREAS, a proposed local law entitled "AMENDMENT TO LOCAL LAW NO. 8-1967, AS AMENDED, ENTITLED 'LOCAL LAW REGULATING GARBAGE REMOVAL IN THE TOWN OF CLARKSTOWN'" was introduced by Councilman Lodico at a Town Board meeting held April 17, 1974; and

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 17th day of April 1974 directed that a public hearing be held on the 8th day of May 1974 at 8:30 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 April 29, 1974, and posted on the sign board of the Town of Clarkstown on April 29, 1974, and

WHEREAS, copies of the proposed local law were placed on the desks of the members of the Town Board on the 17th day of April 1974, and

WHEREAS, a public hearing was held by the Town Board on the 8th day of May 1974 at 8:30 PM;

NOW THEREFORE, be it

RESOLVED, that Local Law No. 3-1974 entitled "AMENDMENT TO LOCAL LAW NO. 8-1967, AS AMENDED, ENTITLED 'LOCAL LAW REGULATING GARBAGE REMOVAL IN THE TOWN OF CLARKSTOWN'" is hereby ADOPTED and passed by an affirmative vote of the majority of voting power of the Town Board of the Town of Clarkstown, the vote for adoption of said local law being as follows:

(continued)

STBM - 5/30/74
Page 3

(1974-454 -- continued)

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

The Town Clerk of the Town of Clarkstown was directed to file said local law pursuant to Section 27 of the Municipal Home Rule Law.

Seconded by Co. Pizzutello.

All voted Aye.

(1974-455) Co. Pizzutello offered the following resolution:

WHEREAS, a proposed local law entitled "AMENDMENT TO LOCAL LAW NO. 9-1967, AS AMENDED, ENTITLED 'LOCAL LAW ESTABLISHING AN HISTORICAL REVIEW BOARD WITHIN THE TOWN OF CLARKSTOWN'" was introduced by Councilman Pizzutello at a Town Board meeting held April 17, 1974, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 17th day of April 1974, directed that a public hearing be held on the 8th day of May 1974 at 8:45 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 April 29, 1974 and posted on the sign board of the Town of Clarkstown on April 29, 1974, and

WHEREAS, copies of the proposed local law were placed on the desks of the members of the Town Board on the 17th day of April 1974, and

WHEREAS, a public hearing was held by the Town Board on the 8th day of May 1974 at 8:45 PM,

NOW THEREFORE, be it

RESOLVED, that Local Law No. 4-1974 entitled "AMENDMENT TO LOCAL LAW NO. 9-1967, AS AMENDED, ENTITLED 'LOCAL LAW ESTABLISHING AN HISTORICAL REVIEW BOARD WITHIN THE TOWN OF CLARKSTOWN'" is hereby ADOPTED and passed by an affirmative vote of the majority of voting power of the Town Board of the Town of Clarkstown, the vote for adoption of said local law being as follows:

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

(continued)

(1974-455 -- continued)

The Town Clerk of the Town of Clarkstown was directed to file said local law pursuant to Section 27 of the Municipal Home Rule Law.

Seconded by Co. Maloney.

All voted Aye.

(1974-456) Co. Maloney offered the following resolution:

RESOLVED, that the application of ST. DOMINIC'S HOME for a Special Permit to operate an Agency Group Home pursuant to Sec. 103-3, sub-paragraph (b) of the Zoning Ordinance of the Town of Clarkstown for property in an R-10 District located at 8 Gillis Avenue, in the Hamlet of Central Nyack, New York, be referred to the Rockland County Planning Board for report pursuant to Sec. 239 1 and m of the General Municipal Law.

Seconded by Co. D'Antoni.

All voted Aye.

(1974-457) Co. D'Antoni offered the following resolution:

RESOLVED, that subject to securing clear title and the deposit of appropriate escrow funds for certain incomplete items and upon the recommendation of the Highway Superintendent and the Town Engineer, deed from:

BLUE FIELD HOMES, INC. & J. KNUTSEN & CO., INC.
82-92 Demarest Mill Road, Nanuet, New York

conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "Ferndale, in the Town of Clarkstown, Rockland County, New York," made by Henry Herowitz, P.E. & L.S., dated 2/10/72 and filed in the Rockland County Clerk's Office on 3/3/72 in Book of Maps 83 at pages 47 & 48 as Map No. 4250; as follows:

Ferndale Road
Finch Road
Oriole Road
Dolphin Road

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

(continued)

STBM - 5/30/74
Page 5

(1974-457 -- continued)

FURTHER RESOLVED, that Maintenance Bonds Nos. 912203 & 912204 dated 1/9/74, BLUEFIELD HOMES, INC. as Principal and John Knutsen, as Co-Principal, and REPUBLIC INSURANCE CO. as Surety, are hereby accepted subject to securing clear title and a deed to the Town of Clarkstown for a prepared county road.

Seconded by Co. Maloney.

All voted Aye.

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

Republic Insurance Co. Bond #912203
BLUEFIELD HOMES, INC., Principal
John Knutsen, Co-Principal
Amount: \$20,100.00
Period Covered: One (1) Year - to 2/8/75
Covers: Roads

Republic Insurance Co. Bond #912204
BLUEFIELD HOMES, INC., Principal
John Knutsen, Co-Principal
Amount: \$4,600.00
Period Covered: One (1) Year - to 2/8/75
Covers: Sewers

Decision re Beverly Degenshein zone change petition
--held.

Supervisor Gerber made statement re 24 lots and adjacent parcel of 7.9 acres to Lake Nanuet recreational area. Deed to the 7.9 acres received and filed; no cost to town. Contract for purchase of 24 lots signed with owners of record. Agreement provides that at the closing, all mortgages will be released on both parcels. Bond Resolution, he continued, covering the acquisition of the 24 lots was never properly advertised because of the negotiations that were then taking place and he recommended to the Town Board that said Bond Resolution be rescinded and an appropriation be made in the amount of \$16,250. to cover the 5% down payment, balance to be appropriated prior to the closing date.

(1974-458) Co. Pizutello offered the following resolution:

WHEREAS, it has been determined that resolutions Nos. 438 and 439, dated May 15, 1974, are unnecessary;

(continued)

336

STBM - 5/30/74
Page 6

(1974 --458 -- continued)

NOW THEREFORE, be it

RESOLVED, that Resolutions Nos. 438 and 439 are hereby rescinded.

Seconded by Co. Lodico

All voted Aye.

(1974-459) Co. Pizzutello offered the following resolution:

WHEREAS, the Town of Clarkstown has contracted with J. Knutsen & Co., Inc. to purchase property in the Hamlet of Nanuet in the Town of Clarkstown, known as a portion of Clarkstown Estates, and

WHEREAS, it is necessary to make a down payment of \$16,250.00 on the purchase of said property;

NOW THEREFORE, be it

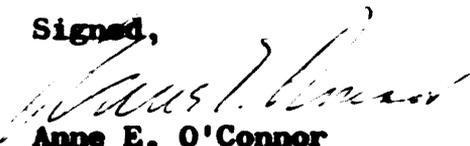
RESOLVED, that the sum of \$16,250.00 is hereby transferred from Money-in-Lieu-of-Land Account to Parklands and Improvement Account.

Seconded by Co. Lodico.

All voted Aye.

On resolution offered by Co. Lodico, seconded by Co. D'Antoni and unanimously adopted, Special Town Board meeting was adjourned. Next regularly scheduled Town Board meeting will be held on Wednesday, June 5, 1974 at 8:00 PM in the meeting room at the Town Hall.

Signed,


Anne E. O'Connor
Town Clerk