

TOWN BOARD MEETING

Town Hall

11/20/74

8:00 PM

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

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

(1974-901) Co. D'Antoni offered the following resolution:

RESOLVED, that the minutes of the Town Board Meeting held on November 6, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Maloney.

All voted Aye.

(1974-902) Co. Maloney offered the following resolution:

WHEREAS, the Spring Valley Water Co., Inc. is desirous of granting an easement for road widening strip at property located in West Nyack, New York, (Route 59-A):

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts said easement dated 9/26/74 from the Spring Valley Water Company.

Seconded by Co. Lodico.

All voted Aye.

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

(1974-903) Co. Maloney offered the following resolution:

WHEREAS, DEAN B. SEIFRIED 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 district to a PO district;

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Auditorium of the Town Hall of the Town of Clarkstown at 10 Maple Ave., New City N Y in the said Town of Clarkstown on the 11th day of December 1974 at 8:30 PM

(continued)

TBM - 11/20/74
Page 2

(1974-903 -- continued)

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. Lodico.

All voted Aye.

(1974-904) Co. Lodico offered the following resolution:

WHEREAS, Councilman Lodico, a member of the Town Board of the Town of Clarkstown, has introduced a proposed Local Law entitled "AMENDMENT TO LOCAL LAW NO. 3-1966, AS AMENDED, ENTITLED "LOCAL LAW PROVIDING FOR THE GRANTING OF PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION FOR REAL PROPERTY OWNED BY CERTAIN PERSONS WITH LIMITED INCOME WHO ARE SIXTY-FIVE YEARS OF AGE OR OVER", which law is designated in the Code of the Town of Clarkstown as Chapter 96. Said Amendment is as follows:

Amend Section 96-3 to read as follows:

96-3. Requirements for eligibility

D. The combined income of all of the owners of the property must have been Six Thousand Five Hundred Dollars (\$6,500.00) or less during the twelve (12) consecutive months immediately preceding the date of making the application for exemption. WHERE title to property is vested in either a husband or wife, the combined income of the husband and wife may not exceed Six Thousand Five Hundred Dollars (\$6,500.00). "Income" includes all social security and retirement payments, interest, dividends, net rental income, salaries or other earnings, including net income from self-employment. "Income" does not include gifts or inheritances.

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law be held at the Auditorium of the Town Hall, 10 Maple Ave., New City N Y on the 4th day of December 1974 at 8:10 PM relative to such proposed amendment, and be it

FURTHER RESOLVED, that notice of the time, place, and purpose of such hearing shall be published in the official newspaper of the town, and posted in the manner provided by law, and be it

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

Seconded by Co. D'Antoni

All voted Aye.

TBM - 11/20/74
Page 3

(1974-905) Co. D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install "NO PARKING" signs on the west side of North Middletown Road between the intersections of Central Drive and Lake Shore Drive, Nanuet N.Y.

Seconded by Co. Maloney.

All voted Aye.

Proposed resolution authorizing Superintendent of Highways to install STOP signs at Dellwood Park in New City - HELD.

(1974-906) Co. Lodico offered the following resolution:

RESOLVED, that Building Permits under provisions of Sec. 280-A of the Town Law are hereby granted to NORTH ROCKLAND ASSOCIATES, INC. for property situate on the south side of First St. (Proposed) at the intersection of Rockland Avenue (Railroad Avenue unimproved) and located in the Hamlet of Congers, New York, more particularly designated on the Clarkstown Tax Map as Map 126, Block D, Lot 1.01, as follows:

1. Show the designated street line 5' off of property line on First Street;
2. First Street should be paved to a point 20' beyond the driveway, a width of 15' with the near edge being 10' off of the designated street line;
3. The storm drainage should be extended down First Street with a 15' ϕ pipe 5' off of existing ROW line;
4. The adequacy of the pump and the 10' sewer easement should be the responsibility of the builder and the future homeowner.

Seconded by Co. Maloney.

All voted Aye.

(1974-907) Co. Pizzutello offered the following resolution:

WHEREAS, only a portion of the Town of Clarkstown outside of incorporated villages is presently within the Master Benefited Sewerage Improvement Area, and

WHEREAS, it is the desire of the Town Board of the Town of Clarkstown to provide sewer service for the remainder of the Town of Clarkstown not in said Master Benefited Sewerage Improvement Area and outside of incorporated villages;

(continued)

TBM - 11/20/74
Page 4

(1974-907 - continued)

NOW THEREFORE, be it

RESOLVED, that Charles R. Velzy Associates, sewer consultants for the Town of Clarkstown, are hereby authorized to prepare a master plan, specifications and cost estimates for providing sewer service for said portions of the Town of Clarkstown not within the Master Benefited Sewerage Improvement Area and outside of incorporated villages and prepare a report to be filed with the Town Board of the Town of Clarkstown to effectuate said problem, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with Charles R. Velzy Associates to provide the aforesaid master plan, specifications and cost estimates.

Seconded by Co. Lodico.

All voted Aye.

(1974-908) Co. Pizzutello offered the following resolution:

RESOLVED, that the resignation of Thomas M. McGuy as Assistant Automotive Mechanic - Town Garage - is hereby accepted, effective and retroactive to October 4, 1974.

Seconded by Co. Lodico.

All voted Aye

(1974-909) Co. Pizzutello offered the following resolution:

RESOLVED, that Donald Hamilton, 257 Old Haverstraw Road, Congers 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 November 4th, 1974.

Seconded by Co. Lodico.

All voted Aye.

(1974-910) Co. Pizzutello offered the following resolution:

RESOLVED, that upon the recommendation of the Highway Superintendent and the Town Engineer, deed from DANIEL L. WHITE & MARTIN HARRIS residing at Brookdale Court, West Nyack N Y and 108 Holland Drive, West Nyack N Y respectively d/b/a BROOKDALE ASSOCIATES, conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "BROOKDALE PARK in West Nyack, Town of Clarkstown, Rockland County, New York" which map was filed in the Rockland County Clerk's Office on 1/13/69 in Map Book 77 at Page 29 as Map No. 3815 as follows:

(continued)

TBM - 11/20/74
Page 5

(1974-910 -- continued)

Brookdale Court; together with easements;
is hereby accepted by the Town of Clarkstown and ordered
filed in the Rockland County Clerk's Office; and be it

FURTHER RESOLVED, that Performance Bond Nos.
573186 & 573187 dated the 3rd day of December 1968,
MARTIN HARRIS & BARBARA L. HARRIS, DANIEL WHITE & LILA
WHITE d/b/a BROOKDALE ASSOCIATES, 108 Holland Drive,
West Nyack N Y, as Principals; and ROYAL INDEMNITY CO.,
as Surety, for the benefit of the Town of Clarkstown are
hereby RELEASED, and be it

FURTHER RESOLVED, that Maintenance Bonds in the
form of assignment of Savings Accounts No. 114114705,
Brookdale Associates as Principal, Barbara L. Harris as
Assignor, with Union Savings Bank, dated October 28, 1974
to the extent of \$3,140 for roads and related improvements
and \$510 with regard to sewers, are hereby accepted.

Seconded by Co. Lodico.

All voted Aye.

Town Board signed the following Assignment
of Savings Account, approving same as to form and
sufficiency:

UNION SAVINGS BANK ASSIGNMENT OF SAVINGS ACCOUNT
Savings Bank Book No. 1141147 05
Amount: \$3,140.00
Covers: Roads
Period Covered: One (1) Year from date of
acceptance of roads.

UNION SAVINGS BANK ASSIGNMENT OF SAVINGS ACCOUNT
Savings Bank Book No. 1141147 05
Amount: \$510.00
Covers: Sanitary Sewers
Period Covered: One (1) Year from date of
acceptance of improvements.

(1974-911) Co. Pizzutello offered the following resolution:

WHEREAS, a public hearing on the Preliminary Budget
for the year 1975 was scheduled for Thursday, November 7,
1974 at 8:00 PM at the Town Hall of the Town of Clarkstown;
and

WHEREAS, the Town Board met at the time and place
specified in the Notice of Public Hearing on the said
Preliminary Budget for the year 1975 and heard all persons
desiring to be heard;

(continued)

TBM - 11/20/74
Page 6

(1974-911) -- continued:

NOW THEREFORE, be it

RESOLVED, that such Preliminary Budget, with Amendments, be and is hereby adopted as the Annual Budget of the Town of Clarkstown for the Fiscal Year beginning the 1st day of January 1975 and that such Budget, as so adopted, be entered in detail of the proceedings of this Town Board; and be it

FURTHER RESOLVED, that the Town Clerk of the Town shall prepare and certify, in duplicate, copies of such Annual Budget as adopted by this Town Board, together with the Assessment Rolls for benefit improvements, if any, adopted pursuant to Sec. 202-a, subd. 2: and Sec. 231, subd. 2 of the Town Law, and deliver one copy thereof to the Supervisor of this Town to be presented by him to the Legislature of Rockland County.

Seconded by Co. Lodico.

On roll call the vote was as follows:

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

(Detailed copy of 1975 Town Budget attached - T/C)

(1974-912) Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Town Engineer, the Town Board of the Town of Clarkstown hereby accepts proposals from Orange & Rockland Utilities, Inc., for street lighting at the following locations:

- Bellows Lane, New City
- Jennifer Drive, New City
- Woodland Drive, New City
- Sherry Drive, Valley Cottage
- Woodthrush Drive, West Nyack
- Louise Place & Olin Drive, Spring Valley

Seconded by Co. Lodico.

All voted Aye.

(1974-913) Co. Pizzutello offered the following resolution:

WHEREAS, the Clarkstown Parks Board and Recreation Commission is desirous of using the grounds of the Dellwood Country Club for sledding purposes in connection with its winter program; and

WHEREAS, the Dellwood Country Club has gratuitously offered its grounds for this purpose, subject to securing insurance and being indemnified against any claim resulting from an accident on its grounds;

NOW THEREFORE, be it

RESOLVED, that the Supervisor be and is hereby authorized to enter into an agreement with the Dellwood Country Club Inc., whereby sledding is permitted on its grounds with the Town securing insurance and indemnifying the Dellwood Country Club against any claim in connection with such sledding activities.

Seconded by Co. Lodico.

All voted Aye.

(1974-914) Co. D'Antoni offered the following resolution:

WHEREAS, vacancies and expired terms presently exist on the Shade Tree Commission;

NOW THEREFORE, be it

RESOLVED, that the following persons are hereby appointed to the Shade Tree Commission for terms to commence immediately and to expire on the dates set forth herein:

Niles Davies, Dr. Davies Rd., Congers; term to expire December 31, 1977

Celia Juris, 17 Glen Dr., Bardonia; term to expire December 31, 1978,

Elizabeth Squillace, 26 Glen Dr., Bardonia, term to expire December 31, 1976,

Albert Moroni, 28 Pierce St., Nanuet, term to expire December 31, 1980,

Jane Murphy, 19 Patricia Dr., Congers, term to expire December 31, 1979.

Seconded by Co. Pizzutello.

All voted Aye.

TBM - 11/20/74
Page 8

Mr. Joseph Pantano, New City N Y, appeared before the Town Board voicing his opposition to the increase in the 1975 town budget. He also stated that, in his opinion, town not receiving enough compensation from the Town of Orangetown for their use of Sanitary Landfill. He was invited to attend workshop session of the Town Board (Thursdays) to discuss more fully.

Ms. Margaret Raso, 2 Dutch Ct., West Nyack, re-appeared before the Town Board re continuing drainage problem stating that work done only temporary, and requesting more permanent solution. Highway Superintendent will obtain estimates; town will attempt to secure easements (Town Engineer to draw up metes and bounds descriptions), Town Attorney to prepare easements for same. Matter will be discussed more fully at workshop session, Ms. Raso to be informed when to be present.

Mr. Bert Kimbark appeared before the Town Board requesting that resolution adopted August 15, 1974 declaring moratorium on gasoline filling stations be renewed. He also requested that regulations re signs and lights be enforced more strongly, in all instances.

(1974-915) Co. Pizzutello offered the following resolution:

WHEREAS, severe economic hardships have been imposed on many gasoline station operators, including many gasoline service station operators within the Town of Clarkstown; and

WHEREAS, it would be injurious to the public health, safety and morals of the Town of Clarkstown to permit the construction of any further gasoline service stations at this time;

NOW THEREFORE, be it

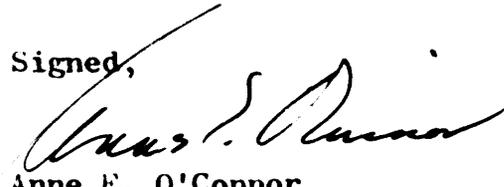
RESOLVED, that a moratorium shall be declared on the issuance of special permits for the construction of gasoline filling stations, and that no such special permits shall be issued from November 20th, 1974 until November 20th, 1975.

Seconded by Co. Lodico.

All voted Aye.

There being no further business before the Town Board, on resolution offered by Co. D'Antoni, seconded by Co. Maloney and unanimously adopted, Town Board meeting was adjourned until Wednesday, December 4th, 1974 at 8:00 PM, at which time next regular Town Board meeting will be held in the Board Room of the Town Hall.

Signed,


Anne E. O'Connor
Town Clerk