

PUBLIC HEARING

Town Hall

1/15/75

8:15 PM

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

RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCE - SEC. 106.13 B (7)
ADVERTISING SIGNS:

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

Town Attorney stated the following:

Proposal is to amend Section 106.13 B. (7) Advertising signs, as follows:

'Amend Section 106.13 B (7) Advertising signs.
(7) Advertising signs except signs placed on litter receptacles installed pursuant to contract with Town of Clarkstown.'

There has been a proposal, he continued, that the Town will contract with individual company to put advertising signs on receptacles throughout the town. Adoption of this proposed amendment will make this possible. It will not be in violation of the zoning ordinance. Contract will be done only if town desires.

Co. Lodico stated that reason for change is to provide the business community of the Town of Clarkstown and various hamlet centers with public receptacles for trash. As a result of the advertising program, the receptacles will be picked up and maintained by the firms that receive contract for advertising. Firms would supply the receptacles at no cost; no tax dollars involved. It would benefit business community in that there would be a regular pickup instead of haphazard collections.

Mr. Joseph M. Argrett, Vice-President of Repaco, Inc. firm who would supply receptacles, appeared before the Town Board and stated the following:

Operates in different states, 5,000 cans in New York City. Also has receptacles in Georgia, Daytona Beach, Florida, San Francisco, and Boston. Receptacles hexagon shaped, made of pre-stressed concrete and weighs 560 lbs. Wire mesh inside. Indestructible. Will not cost the town any money. They will be maintained on a regular basis. Three-sided ads only. They will share some parts of the revenue back to the town. If they sell one side on 12-month basis, they will share with the town 3% of their adjusted gross. Two sides - 6%. Three sides - 10% of adjusted gross. Adjusted gross: 15% commission for advertising agency, amount of money for sales deducted, plus percentage of maintenance cost.

Aluminum frame on three sides of receptacle. Posters covered with Lexon. Posters made of Styrene (lasts 1-2 years) Content of poster, before it goes up, will be approved by town officials (Town Board).

(continued)

(V.P REPADCO, INC. - cont.)

Repacdo is asking for a five-year exclusive contract with option to renew. Reason for five-year stipulation - receptacles cost \$110.00 each.

Supervisor Gerber stated, in response to request made by Co. Lodico that he would like to know for sure what percentages would be, that there is no contract outstanding. There is no proposed contract at the moment. This hearing is to amend existing zoning ordinance which would permit advertising signs on this type of receptacle.

Re dimensions of receptacle, (space between metal and concrete), not known at present, but inside liner is built on an angle and holds 5.5 cubic inches of litter. Inside liner fits at the top of the inside. They are not going in front of private homes. Only trafficked areas of the town. This program only viable if advertising space is sold.

Mrs. Russo stated that there is concern of garbage not being disposed of and litter going into the street.

Supervisor Gerber stated that proposed receptacles would be larger than the ones presently used (privately owned). Portion of monies coming to town would be used for guaranteed pickup. Any proposal would be out on bid for refuse collector to collect. Highway Department does not pick up.

Highway Superintendent mentioned that award was granted for emptying of present receptacles in new City and elsewhere and they were not being emptied. Contract not being lived up to. Co. Lodico stated that to the best of his knowledge, it did not include hamlets; it referred to parks. Part of the contract would be that they would empty and pick up the debris.

Mr. Braithwaite stated that when receptacles full, people lay refuse alongside receptacle and it is kicked all over the street.

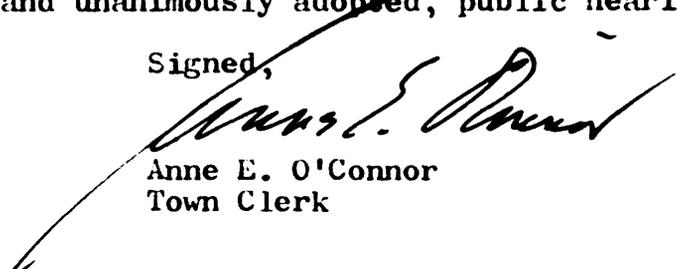
The Building Inspector stated that AIB reviews all sign applications submitted to the town; fee of \$25.00 for each sign reviewed. If fee waived, we would have to amend ordinance to exclude in the fee schedule. Also, would this be subject to AIB? Also, would it be specified what zone districts this would be permitted in? If exempt, fee schedule would another hearing have to be held, or would this be included in the change being sought at this hearing? Town Attorney: If you want to, you could include zones.

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

1/15/75

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.

(1975-43) Co. Lodico offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, the bid for equipment for the Police Department Physical Maintenance Program is hereby awarded to Universal Viking Fitness Corp., 43 Polk Avenue, Hempstead, Long Island N Y at a bid price of Three Thousand One Hundred Seventy Five Dollars (\$3,175.00), and be it

FURTHER RESOLVED, that funds to cover this equipment be taken from Federal Revenue Sharing and transferred to General Fund Account.

Seconded by Co. Maloney.

All voted Aye.

(1975-44) Co. D'Antoni offered the following resolution:

RESOLVED, that the minutes of the Town Board meeting held on January 6th, 1975 (Organizational) are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Maloney.

All voted Aye.

(1975-45) Co. Lodico offered the following resolution:

WHEREAS, the following have applied for a Certificate of Registration pursuant to Sec. 83-65 of the Code of the Town of Clarkstown:

LOU SCHIAFFT
8 Deerfield Drive
New City, New York

LEO TREMPER
77 Blauvelt Road
Nanuet, New York

TERMONE CONSTRUCTION CO.
50 County Club Lane
Pomona, New York

PETER MAYER
27 Old Hempstead Road
New City, New York

(continued)

TSM - 1/15/75
Page 2

(1975-45 - continued)

NOW THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

No. 75-10 to Lou Schafft
No. 75-11 to Leo Tremper
No. 75-12 to Termone Construction Co.
No. 75-13 to Peter Mayer

Seconded by Co. Maloney.

All voted Aye.

Monthly Report of the Building Inspector for December 1974 received and noted by the Town Board.

(1975-46) 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:

Highmeadow Park West Subdiv., New City
Long Clove Road, New City
Germonds Road, New City
Demarest Ave., New City
Little Tor Road, New City
Sidney Drive/Sylvia Terrace, Spring Valley

Seconded by Co. Lodico.

All voted Aye.

(1975-47) Co. Pizzutello offered the following resolution:

RESOLVED, that the Purchasing Director is hereby authorized to advertise for bids for arts and crafts supplies for use by the Parks Board & Recreation Commission, specifications for said supplies to be obtained from the Office of the Purchasing Director, Clarkstown Town Hall, 10 Maple Avenue, New City N Y; and be it

FURTHER RESOLVED, that all bids be returnable to the Purchasing Director no later than February 10, 1975 at 4:00 PM EST.

Seconded by Co. Maloney.

All voted Aye.

TBM - 1/15/75
Page 3

(1975-48) Co. Pizzutello offered the following resolution:

RESOLVED, that the Purchasing Director is hereby authorized to advertise for bids for athletic and recreation supplies for use by the Parks Board & Recreation Commission, specifications for said supplies to be obtained from the Office of the Purchasing Director, Clarkstown Town Hall, 10 Maple Ave., New City N Y; and be it

FURTHER RESOLVED, that all bids be returnable to the Purchasing Director no later than February 10, 1975 at 4:00 PM EST.

Seconded by Co. D'Antoni.

All voted Aye.

(1975-49) Co. Pizzutello offered the following resolution:

RESOLVED, that the Purchasing Director is hereby authorized to advertise for bids for the purchase of one (1) Station Wagon for use by the Parks Board & Recreation Commission, and that specifications for said vehicle will be available at the Office of the Purchasing Director at Clarkstown Town Hall, 10 Maple Avenue, New City NY; and be it

FURTHER RESOLVED, that all bids shall be returnable to the Purchasing Director no later than February 3, 1975 at 4:00 PM EST.

Seconded by Co. Lodico.

All voted Aye.

(1975-50) Co. Pizzutello offered the following resolution:

RESOLVED, that the Purchasing Director is hereby authorized to advertise for bids for the purchase of two (2) trucks for use by the Parks Board & Recreation Commission, and that specifications for said trucks will be available at the office of the Purchasing Director no later than February 3, 1975 at 4:00 PM, EST.

Seconded by Co. Maloney.

All voted Aye.

(1975-51) Co. Pizzutello offered the following resolution:

WHEREAS, Warren Brandt, operating under license agreement with the Town of Clarkstown concessions at Lake Nanuet Park, Congers Lake Park, and Germonds Park, has cancelled this concession license with the town for these three (3) Parks;

NOW THEREFORE, be it

(continued)

(1975-51 - continued)

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for concessions at the Lake Nanuet, Park, Congers Lake Park, and Germonds Park, said bids to be returnable to the Director of Purchasing no later than February 3, 1975 at 4:00 PM EST.

Seconded by Co. Lodico.

All voted Aye.

(1975-52) Co. Lodico offered the following resolution:

RESOLVED, that the Purchasing Director be authorized to advertise for bids for the reconstruction, widening, and resurfacing of a portion of Mountainview Ave, Valley Cottage N Y, said bids to be returnable at the Office of the Purchasing Director, Clarkstown Town Hall, 10 Maple Avenue, New City NY on February 19, 1975 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. D'Antoni.

All voted Aye.

(1975-53) Co. D'Antoni offered the following resolution:

RESOLVED, that the Superintendent of Highways is hereby authorized to advertise for bids for Three (3) 1/2 Ton Pickup Trucks and One (1) 3/4 Ton Pickup Truck; said bids to be returnable on February 19, 1975 at 8:05 PM at the Board Room of the Town Hall, 10 Maple Avenue, New City N Y, at which time they will be opened, and be it

FURTHER RESOLVED, that specifications can be obtained at the aforesaid Office of the Clarkstown Superintendent of Highways.

Seconded by Co. Lodico.

All voted Aye.

(1975-54) Co. Pizzutello offered the following resolution:

RESOLVED, that based upon the recommendation of the Parks Board & Recreation Commission, Walter C. Schatz, Asst. Supt. of Recreation & Parks, is hereby authorized to attend the Revenue Sources Management School from March 9th to March 13th, 1975 at Oglebay Park, Wheeling, West Virginia; and be it

FURTHER RESOLVED, that all necessary and actual expenses not to exceed \$325.00 become a proper Town Charge against Account #7020 (404).

Seconded by Co. Lodico.

All voted Aye.

TBM - 1/15/75
Page 5

(1975-55) Co. Lodico offered the following resolution:

RESOLVED, that Alfred Berg, Town Engineer, of the Town of Clarkstown, is hereby authorized to attend a Seminar on Foundation Engineering at Columbia University, New York City N Y for seven (7) evenings, from February through April, and be it

FURTHER RESOLVED, that all proper charges, not to exceed \$113.00, be charged against Account 1440-414.

Seconded by Co. D'Antoni.

All voted Aye.

(1975-56) Co. D'Antoni offered the following resolution:

RESOLVED, that the following employees of the Assessor's Office, Town of Clarkstown, are hereby authorized to attend a two part training course for certification pursuant to Article 15A of the Real Property Tax Law, sponsored by the New York State Assessor's Association and the State Board of Equalization and Assessment, on their own time:

George K. Mellersten, Assessor
Harold E. Aber
Susan Byron
Frances Heinisch
Kathryn Kolka
Nancy Nese
Mary Odendahl

and be it

FURTHER RESOLVED, that the \$5.00 fee for each application to cover administrative costs be charged against Account 1355-414.

Seconded by Co. Maloney.

On roll call the vote was as follows:

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

MOTION CARRIED

(1975-57) Co. D'Antoni offered the following resolution:

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

Seconded by Co. Maloney.

All voted Aye.

TBN - 1/15/75
Page 6

(1975-58) Co. D'Antoni offered the following resolution:

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

Seconded by Co. Maloney.

All voted Aye.

(1975-59) Co. Pizzutello offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 18th day of December 1974, provided for a public hearing on the 15th day of January 1975 at 8:15 PM to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown; and

WHEREAS, notice of said public hearing was duly published and posted 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 the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

Amend Sec. 106.13 B. (7) Advertising signs.

(7) Advertising signs except signs placed on litter receptacles installed pursuant to contract with Town of Clarkstown.

Seconded by Co. Lodico.

All voted Aye.

(1975-60) Co. Maloney offered the following resolution:

WHEREAS, ROSE STERNGASS 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 IS and R-80 district to RG-2 or in the alternative RG-1 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, 10 Maple Ave., New City N Y in the said Town on the 26th day of February 1975 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 Town Clerk.

Seconded by Co. Lodico.

All voted Aye.

MEM - 1/15/75
Page 7

(1975-61) Co. Maloney offered the following resolution:

RESOLVED by the Town Board of the Town of Clarkstown that Records Retention and Disposition Schedule No. 4-P-1, containing records retention periods for local police and sheriffs records established pursuant to Part 185, Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York, is hereby adopted for use by the Chief of Police of the Clarkstown Police Department, and be it

FURTHER RESOLVED, that this governing body authorizes the disposition of records in accordance with retention periods set forth in the adopted Records Retention and Disposition Schedule.

Seconded by Co. Lodico.

All voted Aye.

(1975-62) Co. Lodico offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown adopted, by resolution dated December 18, 1974, certain Sanitary Landfill Rules and Regulations-1975 and provided that same became effective January 1, 1975; and

WHEREAS, the Town Board of the Town of Clarkstown desires to further amend said Rules and Regulations by amending Section Nine, Item One, as follows:

Sec. 9. Operation.

1. Dumpmaster or Assistant Dumpmaster, in absence of Dumpmaster, has charge of project and his direction must be followed. Failure to comply with any lawful direction of the Dumpmaster or Assistant Dumpmaster shall result in immediate suspension of Sanitary Landfill privileges until such direction is complied with. In addition, the violator shall be subject to penalties as set forth in Section 11 infra. Each such infraction shall constitute a separate violation, in the event that such violation shall continue for a period of more than one day, each day that said violation continues shall be deemed a separate violation subject to penalties to Section 11 infra.;

NOW THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Town Hall of the Town of Clarkstown at 10 Maple Avenue, New City, New York, on the 5th day of February 1975 at 8:15 PM relative to amending said Sanitary Landfill Rules, Section Nine, Item One, which became effective January 1, 1975, and be it

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

Seconded by Co. Pizzutello.

All voted Aye.

131 - 1/15/74
Page 8

(1975-63) Co. Maloney offered the following resolution:

WILDEAS, a Special Permit was approved for MONTEREY GARDENS CO. on December 4th, 1974 concerning premises situate on Route 504, Bardonia, New York; and

WILDEAS, local conditions make appropriate a 50 foot wide buffer area at the premises covered by said Special Permit;

NOW THEREFORE, be it

RESOLVED, that pursuant to the provisions of Column 8, Paragraph 4, Table of General Use Regulations for an R-15 District, Sec. 106-10A of the Code of the Town of Clarkstown, the buffer area required for the premises covered by said Special Permit shall be 50 feet.

Seconded by Co. D'Antoni.

On roll call the vote was as follows:

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

MOTION CARRIED

Ms. Rita Feinberg appeared before the Town Board requesting that anew vote be taken on Resolutions Nos. 935 and 936 adopted December 4, 1974 granting Faist application, and a new vote taken on matter, due to fact that election contribution received from Faist in the past election. Town Attorney stated this would not be in violation of out Ethics Code, but it is state statute. Co. D'Antoni suggested that matter be referred to the Board of Ethics.

(1975-64) Co. D'Antoni offered the following resolution:

RESOLVED, that the question raised by Ms. Rita Feinberg concerning the vote of Councilman D'Antoni on resolutions Nos. 935 and 936 adopted December 4, 1974 concerning Monterey Gardens Co., and a possible conflict of interest, shall be referred to the Board of Ethics of the Town of Clarkstown for investigation and report to the Town Board.

Seconded by Co. Lodico.

All voted Aye.

TEL - 1/15/75
Page 5

(1975-65) Co. Maloney offered the following resolution:

WHEREAS MENJAN CO.P. has made written application for the use of Town Law, Sec. 281 in connection with subdivision known as MENJAN CO.P., NEW CITY, and

WHEREAS, the Planning Board of the Town of Clarkstown recommends the approval of the use of Town Law 281 in connection with this subdivision, and

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law 281 is used in this subdivision for the reasons that:

The lot layout, being a substantial improvement in design over the original map, is thereby of benefit to the Town.

NOW THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law, Sec. 281 in connection with this subdivision.

Seconded by Co. Lodico.

All voted Aye.

(1975-66) Co. Lodico offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to sign an application with the New York State Executive Department - Office of the Aging, for the period April 1st, 1974, to March 31st, 1975; total reimbursement for this period under the increased State Aid for Senior Citizens to be \$2,253.00

Seconded by Co. Pizzutello.

All voted Aye.

(1975-67) Co. D'Antoni offered the following resolution:

WHEREAS, Linda McDermott has requested a maternity leave of absence, and

WHEREAS, Article XIX, Section 2 (a) of the Town of Clarkstown Labor Agreement of January 1, 1975 provides for a Maternity Leave of Absence,

NOW THEREFORE, be it

RESOLVED, that Linda McDermott, 176 Red Hill Road, New City, New York is hereby granted a six month maternity leave of absence, effective March 3rd, 1975, without compensation.

Seconded by Co. Maloney.

All voted Aye.

TBM - 1/15/75
Page 10

(1975-68) Co. Lodico offered the following resolution:

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

JOSEPH MIELE, JR., Plaintiff,
-against-

GEORGE GERBER, as Supervisor, ANTHONY D'ANTONI, Councilman, JOHN LODICO, Councilman, JAMES PIZZUTELLO, Councilman, and JOHN MOLONEY, Councilman, constituting the TOWN BOARD of the TOWN OF CLARKSTOWN and the TOWN OF CLARKSTOWN, Defendants

NOW THEREFORE, be it

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

Seconded by Co. Pizzutello.

All voted Aye.

(1975-69) Co. Maloney offered the following resolution:

WHEREAS, by resolution #1974-885, the Town Board of the Town of Clarkstown authorized the Supervisor to enter into an agreement with Raymond, Parish & Pine, Inc. 555 White Plains Road, Tarrytown, N Y 10591, for the purpose of providing advice and recommendations on applications to the Planning Board and to review the current and future needs of the Planning Board and Planner's Office, at a cost not to exceed Ten Thousand Dollars (\$10,000.00);

NOW THEREFORE, be it

RESOLVED, that the sum of Ten Thousand Dollars be transferred from Department 8020 Line 110 to Department 8020 Line 409.

Seconded by Co. D'Antoni.

All voted Aye.

(1975-70) Co. Maloney offered the following resolution:

WHEREAS, King Brothers Plumbing, Heating & Air Conditioning, Inc., 145 Route 59-A, West Nyack N Y has deposited the sum of \$750 in escrow to insure paving at Lot 2, Block C and the sum of \$350 to insure paving at Lot 5, Block C, in a subdivision known as Fairhaven Estates, and

(continued)

TBM - 1/15/75
Page 11

(1975-70 - continued)

WHEREAS, said paving has not been completed by the said King Brothers Plumbing, Heating & Air Conditioning, Inc., as required by the Town of Clarkstown, and

WHEREAS, the time for holding said sums to insure completion of the paving has expired and the Town of Clarkstown has completed the installation of said paving;

NOW THEREFORE, be it

RESOLVED, that the escrow funds in the aforesaid sums of \$750 and \$350, presently on deposit with the Town of Clarkstown in connection with the paving at Lots 2 and 5, Block C, in the subdivision known as Fairhaven Estates, are hereby declared in default and are to be applied by the Town of Clarkstown toward the cost of placing the roads and improvements in the aforesaid subdivision in a proper and safe condition for use by the citizens of the Town of Clarkstown.

Seconded by Co. Lodico.

All voted Aye.

(1975-71) Co. Pizzutello offered the following resolution:

WHEREAS, certain escrow funds have been given to the Town of Clarkstown by building contractors for the years prior to 1970, and

WHEREAS, the time periods for which said escrow funds were given have expired without the completion of the work thereby guaranteed;

NOW THEREFORE, be it

RESOLVED, that all said escrow funds held by the Town of Clarkstown prior to 1970 are hereby defaulted, and be it

FURTHER RESOLVED, that the Comptroller is hereby authorized to transfer said escrow funds to the Current Surplus General Account.

Seconded by Co. Maloney.

All voted Aye.

(1975-72) Co. Lodico offered the following resolution:

WHEREAS, it is necessary to improve the drainage conditions at the Clarkstown Sanitary Landfill,

NOW THEREFORE, be it

(continued)

TRM - 1/15/75
Page 12

(1975-72 - continued)

RESOLVED, that the sum of Fifteen Hundred Dollars (\$1,500.00) be allocated to provide for the excavation of a drainage channel at the south end of the sanitary landfill, said sum to be taken out of the Drainage Account, and be it

FURTHER RESOLVED, that Fifty Five Hundred Dollars (\$5,500.00) be allocated to install two hundred feet of 24 inch diameter pipe and two field inlets at the entrance of the sanitary landfill in order to provide for proper drainage of the landfill lot, said sum to be taken out of the Drainage Account, and be it

FURTHER RESOLVED, that the aforesaid work be done under the supervision and direction of the Town Engineer.

Seconded by Co. Pizzutello.

All voted Aye.

(Amended 3/18/75 - #207)

Proposed resolution re Mountainview Condominiums - held.

(1975-73) Co. Maloney offered the following resolution:

WHEREAS, the County of Rockland is considering an application for monies pursuant to the provisions of Title 1 of the Housing and Community Development Act of 1974, and

WHEREAS, the Town of Clarkstown as well as the other municipalities in the County of Rockland would participate in said funds pursuant to a cooperative agreement with the County of Rockland as per the provisions of this act;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with the County of Rockland in order to participate in the program under Title 1 of the Housing and Community Development Act of 1974, and be it

FURTHER RESOLVED, that said agreement shall be subject to the approval of the Town Attorney of the Town of Clarkstown as to form and to the recommendations of Raymond, Parish and Pine, consultants to the Town of Clarkstown as to content, subject to the approval of the Town Board of the Town of Clarkstown.

Seconded by Co. Lodico.

All Voted Aye.

*Above reso amended by Town Board also.
78 adopted 1/20/75*

TDM - 1/15/75
Page 13

(1975-74) Co. Maloney offered the following resolution:

WHEREAS, a comprehensive amendment to the Zoning Ordinance of the Town of Clarkstown was adopted on June 30, 1967 and further amended, and

WHEREAS, the Town Board of the Town of Clarkstown desires to further amend said Zoning Ordinance;

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sec. 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Ave., New City, New York on the 5th day of February 1975 at 8:30 PM to consider the adoption of the following proposed amendments to the Zoning Ordinance of the Town of Clarkstown:

Amend Section 106.30 C (2) to read as follows:

- (2) Application for site development approval. An application for a building permit, variance or a special permit for any structure, building or use other than a one or two-family residence, and the exceptions listed above, shall be sent to the Planning Board by the Building Inspector or Zoning Board of Appeals for approval within five (5) days after the Building Inspector or Zoning Board of Appeals receives said application; and said application shall contain those items required by the Planning Board pursuant to site plan development specifications adopted by the Planning Board as provided in Sub-Section C (6) of this section, including but not limited to:

Amend Section 106.30 C (3) to read as follows:

- (3) Planning Board action and standards to be considered. Within one hundred eighty (180) days of the receipt of the application the Planning Board shall render a decision to the Building Inspector or Zoning Board of Appeals. If no decision is made by the Planning Board within said one hundred eighty day period the site development plan shall be considered approved unless additional time is granted to the Planning Board for processing this matter pursuant to an agreement with the applicant. When acting upon said application the Planning Board shall consider the site plan in relation to the provisions and intent of this section of the Zoning Ordinance and of the Town's Master Plan, as adopted by the Planning Board; the relationship between the principal buildings and structures on the parcel and all necessary buildings, structures and uses; the convenience and safety of the parking and loading areas and the interior circulation systems and the access to public streets; the adequacy of walkways between principal buildings and accessory structures and uses including parking areas; the adequacy of drainage facilities; the proper placement and kind

(continued)

TRM - 1/15/75
Page 14

(1975-74 - continued)

of landscaping and lighting features to screen adjacent residential areas and streets from any potential nuisance features of the use of the parcel and such other criteria as directly related to the health, safety and general welfare of the surrounding community.

Amend Section 106.30 C (4) to read as follows:

Planning Board referral. The Planning Board may request a review of the site development plan by the Town Engineer or other department, official, or agency of the Town or the County Highway Department or County Planning Board.

and be it

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 Journal-News, the official newspaper of the town, as aforesaid, and file proof thereof in the Office of the said Town Clerk.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-75) Co. Pizzutello offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown is desirous of acquiring certain properties, particularly designated on the Clarkstown Tax Map as follows:

- Gonzales, Joseph-Portion of 135 D 16
- Robbins, Nimkoff & Rosen - Portion of 134 A 55.02
- Robbins, Nimkoff & Rosen - Portion of 134 A 55.03
- Alfred Elish Estates - Portion of 135 D 18
- Lyon, Charles A. & Eunice F. - Portion of 121 A 17
- Jevens, Arthur & Josephine B. - Portion of 121 A 11
- McLarty, Laura - Portion of 121 A 12
- Winston Perry - Portion of 121 A 15

by purchasing or condemnation, in connection with the reconstruction, widening, and resurfacing of a portion of Mountainview Avenue, Central Nyack, New York;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney be and he hereby is authorized to negotiate with the owners of the aforesaid parcels of land, necessary for the said reconstruction, widening and resurfacing of a certain portion of Mountainview Avenue in Central Nyack, for the possible purchase or condemnation of the aforesaid properties, and be it

(continued)

TBM - 1/15/75
Page 15

(1975-75 - continued)

FURTHER RESOLVED, that the Town Attorney is hereby authorized to condemn those properties which cannot be purchased by agreement with landowners.

Seconded by Co. Lodico

All voted Aye

(1975-76) Co. Lodico offered the following resolution:

WHEREAS, a hearing was held today, 1/15/75, at the Town Hall, by the Public Service Commission of the State of New York, concerning the proposed rate increase of in excess of 47% to the Spring Valley Water Company;

NOW THEREFORE, be it

RESOLVED, as follows:

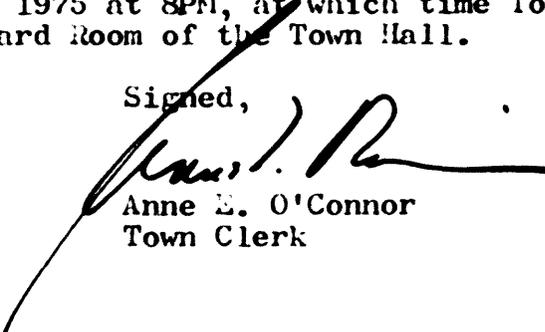
1. The Town Board of the Town of Clarkstown protests the manner of conduct of said hearing in that the hearing examiners began said hearing at 10:00 AM and recessed same by approximately 10:30 AM, depriving members of the Town Board and the public of the right to be heard;
2. The Town Board of the Town of Clarkstown protests any increase in water rates to Spring Valley Water Company as being excessive and unwarranted;
3. The Town Board of the Town of Clarkstown demands that any rate increase shall be based on a showing of a Capital Program based on increased service to the inhabitants of Rockland County;
4. The Town Board of the Town of Clarkstown demands that any increase granted on an interim or permanent basis, as far as the Town of Clarkstown or other municipalities' fire protection services, shall not become effective until January 1, 1976.

Seconded by Co. Pizzutello.

All voted Aye.

There being no further business before the Town Board, on resolution offered by Co. Lodico, seconded by Co. Maloney, and unanimously adopted, Town Board meeting was adjourned until Wednesday, February 5, 1975 at 8PM, at which time Town Board will convene in the Board Room of the Town Hall.

Signed,


Anne E. O'Connor
Town Clerk