

## PUBLIC HEARING

Town Hall

2/26/75

8:30 PM

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

RE: PROPOSED AMENDMENTS TO THE ZONING ORDINANCE - SEC. 106-10A:

Supervisor Gerber called public hearing to order;  
 Town Clerk read Notice of Public Hearing.

Deputy Town Attorney explained proposed amendments  
 as follows:

Amend Section 106-10A, Table of General Use Regulations,  
 as follows:

PO District - Column 6, delete present item No. 7 and  
 insert as follows:

- |                |                                 |
|----------------|---------------------------------|
| 7.(a) Banks    | 200 sq. ft. of gross floor area |
| (b) Offices    | 150 sq. ft. of gross floor area |
| (c) Pharmacies | 150 sq. ft. of net retail area  |

PO District - Column 8, delete present item No. 9 and  
 insert as follows:

"Entrances and exits shall be located with a  
 view to combining the greatest possible safety  
 and minimum additional traffic through residen-  
 tial streets."

LS, CS and RS Districts - Column 5, add item No. 4 to  
 read as follows:

"For any premises for sale or for rent, one  
 temporary nonilluminated "for sale" or "for  
 rent" sign not over 24 sq. ft. in area located  
 at least 25 ft. from any lot line."

LS, CS and RS Districts - Column 6, delete item No. 6  
 and insert as follows:

- |  |                                    |
|--|------------------------------------|
| 6.(a) Banks  | 200 sq. ft. of gross<br>floor area |
| (b) Offices  | 150 sq. ft. of gross<br>floor area |
| (c) Retail and Service<br>stores and estab-<br>lishments | 150 sq. ft. of net<br>retail area  |

MRS District - Column 5, add item No. 5 to read as  
 follows:

"For any premises for sale or for rent,  
 one temporary nonilluminated "for sale"  
 or "for rent" sign not over 24 sq. ft. in  
 area located at least 25 ft. from any  
 lot line."

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Robert Bowman, Building Inspector, sworn in and stated the following:

'Present requirement for PO District property access only from major or secondary roads not realistic; in fact, safety would be improved by allowing access from residential streets in many cases.

Also noted was the suggested and existing requirement in the ordinance (PO 106-10A, Col. 8, item 9): at present the text reads "entrances and exits shall be located only on a major or secondary road and shall be located so as to draw a minimum of vehicular traffic to and through local roads"; the suggested alternate read "entrances and exits shall be located with a view to combining the greatest possible safety and minimum additional traffic through residential streets."

RECOMMEND to the Town Board that Item 9 of Column 8 in PO District requirements 106-10A be amended to read "Entrances and exits shall be located with a view to combining the greatest possible safety and minimum additional traffic through residential streets."

Suggested changes in Table of General Use Regulations of the Code. Made recommendations to clarify the parking requirements for banks, offices and pharmacies within PO District, LS District, CS District and RS District so there would be consistency within the ordinance.

Required parking for banks based on 200 square feet. For offices in those zones, based on one space for each 150 square feet of gross area. Pharmacies, one space.

Proposed amendments would be in the best interests of the town. Re what is temporary - property for sale or for lease.

There were no questions from members of the Town Board.

IN FAVOR: No one appeared.

OPPOSED:

Mr. Stuart Simon, Pynch Road, New City: (Representing Lake DeForest Homeowners' Association:)

Proposed amendment would provide access and ingress on side streets. Dangerous situation. Congestion, children endangered. You will be spreading the commercial area to these side streets.

Mr. Joseph Hirschfield, President Little Tor Homeowners Association:

Opposed for same reasons as Mr. Simon.

Building Inspector stated at this point that this amendment only provision for PO zone. This is transitional zone between commercial and residential districts. Large and secondary roads have been north and south and east and west. They do occasionally have a PO zone adjacent to residential district, but access or egress may be projected from a major road. Planning Board made this recommendation as to the wordage that this was to provide an access which would be for the safety of all concerned.

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OPPOSED - cont:

Mr. Joel Sankel, President of Dellwood Park Civic Association:

Re chznge concerning access to public road - affects homes, children and area. This should be given greater consideration and more in-depth study. Suggests that this question be set down for a further hearing and further consideration, at which time additional information might be brought to the attention of the Town Board.

Ms. Bulhack, Representing Highmeadow Park Homeowners Association:

Opposed. Entrances and exits on residential not good. Children playing would be endangered.

Ms. Marjorie Russo, Representing Clarkstown Homeowners' Assoc.:

Requested that she be permitted to forward a written reply re this proposal to the Supervisor.

Ms. Elizabeth Squillis, Representing Bardonia P.T.A. (Chairman of the Safety Committee:

700 children in Bardonia school. Many walk home or to the bus stop through residential streets. Granting this would be danger to them.

Ms. Juris, 17 Glen Drive, Bardonia:

Does not like change in PO restrictions. Buffers provided by landscaping between residential area. It is much more important to have a buffer for traffic going through area.

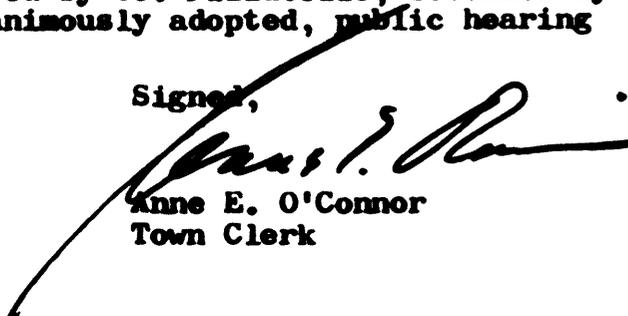
Also, PO includes government buildings, tennis courts or health complexes. We should see what we are putting next to a house and allowing to enter or exit on to a street.

Ms. Conway, 123 Congers Road, New City N Y:

In connection with recommendation from Planning Board, Ms. Conway suggested that it should be done 'the other way around.' Opposed to present suggestion.

There being no one further wishing to be heard, on resolution offered by Co. Pizzutello, seconded by Co. Maloney and unanimously adopted, public hearing was closed.

Signed,

  
Anne E. O'Connor  
Town Clerk

TOWN BOARD MEETING

Town Hall

2/26/75

8:00 PM

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

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

(1975-130) Co. Pizzutello offered the following resolution:

WHEREAS, ROSE STERNGASS has petitioned the Town Board that the Zoning Ordinance be amended by redistricting property of the petitioner from an LS and R-80 district to an RG-2, or in the laternative, RG-1 district, and

WHEREAS, a public hearing has been scheduled to be held by the Town Board on the 26th day of February 1975 at 8:15 PM relative to such proposed amendment, and

WHEREAS, certain legal requirements of posting and mailing of notices to adjacent property owners within the statutory time limit pursuant to Sections 106-31(5) and 106-32(c) of the Zoning Ordinance were inadvertently not complied with;

NOW THEREFORE, be it

RESOLVED, that the public hearing scheduled for the 26th day of Eebruary 1975 at 8:15 PM is hereby cancelled, and be it

FURTHER RESOLVED, that a public hearing be rescheduled and be had at the auditorium of the Town Hall, 10 Maple Avenue, New City N Y on the 12th day of March, 1975 at 8:15 PM, 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, as aforesaid, and file proof thereof in the office of the said Clerk.

Secoded by Co. Maloney

All voted Aye.

(1975-131) Co. Lodico offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, the bid for furnishing refuse collection at various locatsons in the Town of Clarkstown for a period from March 3, 1975 to February 28, 1976, is hereby awarded to P & N Associates, 2 Wells Ave., Congers N Y at the low bid price of Two Thousand Seven Hundred and Eighty Dollars (\$2,780.00), and be it

FURTHER RESOLVED, that funds will be taken from Account No. 7180, Line 424 and Account 7141, Line 424.

Secoded by Co. Maloney

All voted Aye.

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(1975-132) Co. Pizzutello offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, the bid for supplying one two-wheel drive, 3/4 ton, crew cab pick-up truck and one station wagon, for the Parks Board and Recreation Commission, is hereby awarded to Jim Smith Chevrolet, Inc., Route 45, Spring Valley, N Y at the low bid prices as follows:

Two Wheel Drive Pickup Truck, including options a, b, c, d and e.....\$4,393.68

Station Wagon .....\$4,609.46

and be it

FURTHER RESOLVED, that the funds for the aforementioned be transferred from Federal Revenue Sharing to General Account.

Seconded by Co. Lodico.

All voted Aye.

(1975-133) Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, the bid for cleaning and pressing police uniforms for the Clarkstown Police Department is hereby awarded to Artistic Cleaners, 89 North Main St., Spring Valley N Y as per specifications, at the low bid prices as follows:

Trousers.....40¢ per pair  
Shirts.....40¢ each  
Leather Jacket.....\$5.00 each  
White Shirts (laundered).....30¢ each

and be it

FURTHER RESOLVED, that funds be taken from Account 3120, Line 416.

Seconded by Co. Lodico.

All voted Aye.

(1975-134) Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, the bid for furnishing Stationery Supplies for the Purchasing Department is hereby awarded to the following low bidders:

Bouton's Inc., Route 59, Spring Valley N Y, for Items 2, 8, 9, 13, 18, 20, 21, 22, 26, 28, 29, 31, 35, 41, 42, 44, 45, 53, 54, 55, 56, 64, 65, 67, 68, 70, 73, 74, 75, 76, 77, 78, 79, 80, as per specifications, for a net bid price of Eight Hundred Thirty Dollars and Seventy Two Cents, (\$830.72), and to

(continued)

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(1975-134 - continued):

W. J. Linn, Inc., 417 Cedar Lane, Teaneck, N.J.  
for items 1, 3, 4, 5, 6, 7, 10, 11, 12, 14, 15, 16, 17, 19,  
23, 24, 27, 30, 32, 37, 40, 43, 46, 62, 63, 66, 69, 72, as per  
specifications, for a net bid price of Six Hundred Fifty Five Dollars  
and Sixty Two Cents (\$655.62), and to

Maple Leaf Stationery Co., 4 Maple Terrace, Monsey N Y  
for items 33, 34, 36, 38, 39, 47, 49, 50, 51, 52, 57, 58, 59, 60,  
61, 71, as per specifications, for a net bid price of Four Hundred  
Thirty Eight Dollars and Seventy-Eight Cents, (\$438.78), and to

Fern Printing and Stationers, 10 South Main St., Spring  
Valley N Y for item 25, as per specifications, for a net bid price  
of Three Dollars and Twenty Five Cents (\$3.25)

Gross total for all items One Thousand, Nine Hundred  
Twenty Eight Dollars and Thirty Seven Cents (\$1,928.37), and be it

FURTHER RESOLVED, that funds be taken from Account 1345,  
Line 313.

Seconded by Co. Lodico.

All voted Aye.

(1975-135) Co. Pizzutello offered the following resolution:

RESOLVED, that based upon the recommendation of the  
Director of Purchasing, the bid for furnishing Paper and Plastic  
Products for the Parks Board and Recreation Commission is hereby  
awarded to the following low bidders:

Cross Siclare/New York, Inc., 150 Granite Ave., Staten  
Island, New York, for items 1, 2, 4, 6, 10 and 11, as per specifica-  
tions, at a net bid price of One Thousand Forty Nine Dollars and  
Forty Two Cents (\$1,049.42) and to

Crown Paper Co., 217 Riverdale Ave., Yonkers N Y for  
items 3, 7, 8 and 9, as per specifications, for a net bid price  
of Three Hundred Seventy Four Dollars and Sixty Cents (\$374.60),  
and to

Maud I. Cleaning Supply Co., Inc., 37-41 New Main St.,  
Haverstraw, N Y for item 5, as per specifications, for a net  
bid price of Two Hundred Seven Dollars (\$207.00), and to

Manlo Bag and Paper Co., 20 Washington St., Nyack N Y  
for item 12, as per specifications, for a net bid price of Thirty  
Two Dollars and Eighteen Cents (\$32.18).

Gross total for all items One Thousand Six Hundred  
Sixty Three Dollars and Twenty Cents (\$1,663.20), and be it

FURTHER RESOLVED, that the amount of One Thousand Three  
Hundred Ninety Six Dollars and Eighty Cents (\$1,396.80) be taken  
from Account 1345, line 313 and Two Hundred Sixty Six Dollars and  
Forty Cents (\$266.40) from Account 1620, line 306.

Seconded by Co. Lodico.

All voted Aye.

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(1975-136) Co. D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Superintendent of Highways, the bid for the supplying of one 3/4 ton pickup and three 1/2 ton pickups for the Highway Department, is hereby awarded to Ted Schultz Ford, Inc., 80 Route 304, Nanuet N Y at the low bid prices as follows:

3/4 ton pickup.....	\$4,412.00
1/2 ton pickup w/trade-in #78 pickup...	3,740.00
1/2 ton pickup w/trade-in #95 pickup...	3,479.00
1/2 ton pickup with no trade-in.....	3,839.00

and be it

FURTHER RESOLVED, that funds be taken from DM5130 Line 291.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-137) Co. Lodico offered the following resolution:

WHEREAS, it is necessary to provide proper security and surveillance in the Police Department,

NOW THEREFORE, be it

RESOLVED, that two Sanyo VC1130 Cameras, two Wide Angle Lens', two Camera Mounts, and four 9" Monitors with Rack Mounts be purchased from Video Circuits Inc., 3 Westchester Plaza, Elmsford, N Y at a cost of One Thousand Four Hundred Dollars and Ten Cents (\$1,400.10), said funds to be transferred from Federal Revenue Sharing to General Account.

Seconded by Co. Maloney.

All voted Aye.

(1975-138) Co. D'Antoni offered the following resolution:

RESOLVED, that the Minutes of the Town Board Meeting held on February 5, 1975, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Maloney

All voted Aye.

Monthly Reports for January 1975 received from the Office of the Building Inspector and the Zoning Board of Appeals. Noted by Town Board; ordered filed in the Town Clerk's Office.

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(1975-139) 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:

High Meadow Park, New City (2)  
Burda Avenue, New City  
Hobe Street, West Nyack  
North Pascack Road, Spring Valley  
Briar Road, Nanuet

Seconded by Co. Lodico.

All voted Aye.

(1975-140) Co. Pizzutello offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown desires to enter into a program of sidewalk construction within the Town of Clarkstown pursuant to Sec. 151 of the Highway Law of the State of New York, for the purpose of providing safe access for children and other pedestrians to and from schools and other places of public assembly, and

WHEREAS, the Town Engineer of the Town of Clarkstown has prepared a detailed program of the locations and length of sidewalks throughout the Town of Clarkstown which is attached hereto as Schedule "A", and

WHEREAS, the Town Engineer has prepared cost estimates for the construction of said sidewalks which total \$500,000, and

WHEREAS, in order to obtain said funds necessary to construct said sidewalks, the Town Board desires to issue obligations of the Town to be sold pursuant to the Local Finance Law of the State of New York, and

WHEREAS, it is necessary to prepare detailed plans and specifications for the construction of said sidewalks;

NOW THEREFORE, be it

RESOLVED, as follows:

1. That the Town Attorney of the Town of Clarkstown is hereby authorized to obtain the necessary documents from bonding counsel in order to issue obligations of the Town in the amount of \$500,000;

2. That the Supervisor of the Town of Clarkstown is hereby authorized to enter into agreements with Henry Horowitz, P. E., Cr. Howard & Virginia Avenues, West Nyack N Y; Jack D. Boswell and Associates, 120 North Main St., New City N Y; and Atzl & Scatassa, Engineers, P.C., Route 304, Bardonia, N Y, for engineering services in the preparation of plans and specifications for the construction of the aforesaid sidewalks.

(continued)

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(1975-140 - continued)

3. That the said sidewalks will be constructed by the Superintendent of Highways of the Town of Clarkstown upon the completion of the aforesaid plans and specifications and pursuant to the program shown on Schedule "A" attached hereto.

Seconded by Co. Maloney.

All voted Aye.

(SCHEDULE "A")

(See attached)

REQUESTS FOR SIDEWALK CONSTRUCTION ON TOWN ROADS

Sched. A.

Line No.	Street	Description	Length	Estimated Cost	Comments
1	Town Line Rd., Nannet	From Blauvelt Rd., East to Rose Road	3,475 L.F.	34,750	
2	Smith St., Nannet	From Church St., North to West Nyack Rd.	2,595 L.F.	25,950	New York State R.O.W. involved.
3	West Nyack Rd., Nannet	From N. Middletown Rd. East to St. Anthony's Elementary School	1.045 <sup>+</sup> L.F.	10,450	
4	No. Middletown Rd., Nannet	From Ludvigh Rd., North to Smith Rd. Concrete sidewalks have been constructed from Ludvigh Rd., North to Pidgeon Hill Rd., black-top sidewalks have been constructed from Pidgeon Hill Rd., North to the Elmwood Manor Nursing Home	2,810 L.F.  300 + L. F. Remain		The remaining sidewalk should be completed as a requirement of the Building Permit for the Elmwood Manor Nursing Home presently under construction.
5	Prospect Street, Nannet	From Fisher Ave., East through railroad intersection	715 L.F.	7,150	
6	Myrtle Ave., Nannet	From Church St., North to Orchard St.	555 L.F.	5,550	
7	Grandview Ave., Nannet	From Convent Rd., North to Old Turnpike Rd.	5,030 L.F.	60,600	Approximately 1000 L.F. of drainage required.
8	Brewery Rd., New City	From Kendall Dr., North to New City Congers Rd.	1,910 L.F.	19,100	Ready for construction. Plans completed.
9	Laurel Rd., (New City)	From Glenside Dr., East to Clydesdale Subdiv.	130 L.F.	1,300	

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TOWN OF CLARKSTOWN

SIDEWALK PROGRAM

REQUESTS FOR SIDEWALK CONSTRUCTION ON TOWN ROADS

Line No.	Street	Description	Length	Estimated Cost	Comments
10	<u>Parrott Rd. (New City)</u>	From Clarkstown Junior High, North, to Brewery Road	2,080 <sup>+</sup> L.F.	20,800	
11	<u>McCarthy Way (New City)</u>	From Parrott, Rd., East to Strawtown Rd.	2,875 L.F.	38,750	\$10,000 additional for bank cutting & stabilization.
12	<u>Zukor Rd., (New City)</u>	From Bontecou La., South to Street School	200 L.F.		Escrow money withheld. Highway Dept. to complete
			Sub-Total	224,400	
REQUESTS RECEIVED PRIOR TO 1974					
13	<u>New Valley Rd. (New City)</u>	From Middletown Rd. West to Burda Ave.	2,975 L.F.	29,750	
14	<u>Broward Dr. (New City)</u>	From Germonds Rd., North to Jodi Lane	1,272 L.F. (Existing concrete curbs, both sides).	12,720	Ready for construction. Plans submitted to Highway Dept, on 6/22/73 indicating concrete sidewalk since road is a permanent width
15	<u>Harmon Place, (New City)</u>	From Jodi Lane, West to dead-end (Harmon)	440 L.F. (Existing concrete curbs, both sides)	4,400	Ready for construction.
16	<u>Grant Avenue (Congers)</u>	From Lake Road North to Howard Street	1,275 L.F.	12,750	Same as above.
17	<u>Endicott Street (Congers)</u>	From Grant Avenue West to Old Haverstraw Road	380 L.F.	3,800	
18	<u>South Conger Avenue (Congers)</u>	From Lake Road, South to First Street (Pond-view Drive)	2,115 L.F.	21,150	
19	<u>Shetland Dr. (New City)</u>	From Lyncrest Rd. East to Teakwood Drive	1,300 L.F.	13,000	

**SIDEMAN PROGRAM**

Line No.	Street	Description	Length	Estimated Cost	Comments
20	Stratford Place (New City)	From Jolen Drive North to Laurel Plains Elementary School	1,490 L.F.	14,900	
21	Shetland Drive (New City)	From Gable Road South to Ivy Lane	1,940 L.F.	19,400	
22	Amundsen Lane (New City)	From Grand Street South to Red Hill Road	2,420 L.F. (O & R poles all on westerly r.o.w. line)	24,200	
23	Elmwood Drive (New City)	From Crestwood Drive North to Nancy Drive L.F.; and Nancy Drive Elmwood Drive East to dead-end (Nancy Drive)	1800 L.F.)	18,000	
24	Phillips Hill Road (New City)	South side, from Ungava Road East to Eileen Ave.	3117' 1,515 L.F. (side-walks built along 335 L.F. of Croyden Court Subdivision) 1,180 L.F. (total)	11,800-	
25	Middletown Road (Nannet)	From Middlewood Sr. Citizens' Housing Complex, south to Rte. 59	2,170 L.F. (side-walks exist on west side and 375+ L.F. on east side in front of Huffman-Koos furniture, and 285 L.F. in front of Middlewood Sr. Citizens' Complex)		Ready for Construction. Plans submitted to Highway Department
			Sub-Total	185,870	
			Grand Total	410,270	

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SIDEWALK PROGRAM

REQUESTS FOR SIDEWALK CONSTRUCTION ON COUNTY ROADS

Line No.	Street	Description	Length	Estimated Cost	Comments
1	North Middletown Rd. (New City)	From Wesel Drive, North to Chestnut Grove Court	2,450 L.F.	61,250	Plans Complete. Temporary sidewalk at best.
2	New City-Condors Road (New City)	From Prides Crossing, North, to Strawtown Rd.	2,385 L.F.	59,625	Survey complete. Not enough R.O.W. available.
3	Convent Rd. (Manuet)	From Fairview Ave., West to Greenhill Court then from Grandview Ave., West, to St. Agatha's Home	2,175 L.F.	54,375	
4	Old Route 304 (New City)	From Mill Creek Rd., West to Christie Drive	1,415 L.F.	35,375	
REQUESTS RECEIVED PRIOR TO 1974			Sub-Total	210,625	
5	Strawtown Road (New City)	From Dahm Road, North to Laurel Drive	1,475 L.F.	36,875	
6	Little Tor Road (New City)	West side from Balmoral Drive, South to Phillips Hill Road	2,295 L.F.	57,375	
			Sub-Total	94,250	
			Grand Total	304,875	

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(1975-141) Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown is desirous of entering into an agreement with EDEN ROC ESTATES, INC. in connection with dedication of roads and other public improvements in a subdivision known as DELTA ESTATES SECS. I & II,

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute an agreement with EDEN ROC ESTATES, INC. providing for the deposit of \$200.00 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 and/or the Superintendent of Highways of the Town of Clarkstown.

Seconded by Co. Lodico.

All voted Aye.

(1975-142) Co. Maloney offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deed from CAMELOT HEIGHTS, LTD., dated 1/15/75 (2) and EDEN ROC ESTATES, INC. dated 1/8/75 conveying roads and other improvements to the town in a subdivision as shown on final plat of Section One DELTA ESTATES, subdivision of property of Eden Roc Estates, Inc. and filed in the Rockland County Clerk's Office on 5/8/69 in Map Book 78 at Page 9 as Map No. 3868 and final Plat of Section 2, DELTA ESTATES, filed in the County Clerk's Office 3/20/73 in Book 85 at Page 45 as Map No. 4391 as follows:

DELTA DRIVE  
Road Widening Strip  
Easement

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

FURTHER RESOLVED, that Perf. Bond Nos. 903598 & 903599 dated 4/14/69, EDEN ROC ESTATES, INC. as Principal, and Seymour Rapkin & Josephine Rapkin as Co-principals, and REPUBLIC INSURANCE CO., as Surety, for the benefit of the town, are hereby released, and be it

FURTHER RESOLVED, that Maint. Bond Nos. 914121, 914122, 914124 and 914125 dated 12/30/74, EDEN ROC ESTATES, INC. as Principal and SEYMOUR RAPKIN & JOSEPHINE RAPKIN, Co-Principals, and REPUBLIC INSURANCE CO. as Surety, are hereby accepted.

Seconded by Co. Lodico.

All voted Aye.

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

(ALL EDEN HOC ESTATES)  
Republic Insurance Co. Bond #914124 (supersedes #903599)  
Amount: \$197.50  
Covers: Sewers  
Period Covered: One (1) year - 12/30/74-12/29/75

Republic Insurance Co. Bond #914125 (supersedes #903598)  
Amount: \$785.00  
Covers: Roads  
Pd. Covered: One (1) Year - 12/30/74-12/29/75

Republic Ins. Co. Bond #914121  
Amount: \$885.00  
Covers: Roads  
Pd. Covered: One (1) Year - 12/30/74-12/29/75

Republic Ins. Co. Bond #914122  
Amount: \$242.50  
Covers: Sewers  
Pd. Covered: One (1) Year - 12/30/74-12/29/75

(1975-143) Co. Lodico offered the following resolution:

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

Henry Smith  
11 Rodman Place  
Spring Valley N Y

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 75-15 to Henry Smith, Inc.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-144) Co. D'Antoni offered the following resolution:

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

Seconded by Co. Maloney.

All voted Aye.

(1975-145) Co. Lodico offered the following resolution:

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

Seconded by Co. Pizzutello.

All voted Aye.

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(1975-146) Co. Pizzutello offered the following resolution:  
decision on

RESOLVED, that/proposed amendments to the Zoning Ordinance of the Town of Clarkstown by amending Sec. 106-10A, Table of General Use Regulations be RESERVED.

Seconded by Co. Maloney.

All voted Aye.

(1975-147) Co. D'Antoni offered the following resolution:

WHEREAS, the Building Inspector and the Fire Inspector of the Town of Clarkstown recommend implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 102 Sec.14, of the Code of the Town of Clarkstown, at Archie's Acres (58-G-14,15 and pt. of 37), by the installation of fire lane designations, and

WHEREAS, Frank P. Spinale, the owner and or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said fire lane designations;

NOW THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector and the Fire Inspector with regard to the installation of certain fire lane designations shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-148) Co. D'Antoni offered the following resolution:

WHEREAS, the Building Inspector and the Fire Inspector of the Town of Clarkstown recommend implementing certain provisions of LL No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 102 Sec. 14, of the Code of the Town of Clarkstown, at Lake Road Garden Apartments (123D8.01 and 9), by the installation of fire lane designations, and

WHEREAS, Seymour Dubbs, Agent or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said fire lane designations;

NOW THEREFORE, be it

RESOLVED, that pursuant to said LL No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector and the Fire Inspector with regard to the installation of certain fire lane designations shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-149) Co. Pizzutello offered the following resolution:

WHEREAS, Sec. 64 5-a of the Town Law of the State of New York provides that a town board may authorize removal of fire and health hazards from private property if the owner or owners of such property fail to remove said hazards, and

WHEREAS, EDEN ROC ESTATES, INC. was duly notified by the Building Inspector's Office of the Town of Clarkstown that certain violations which were causing fire and health hazards existed on his property, more particularly designated on the Tax Map as Map 18, Block A, Lots 13.03, & 13.04, and vicinity, and

WHEREAS, said owner has failed to comply with the violation notice numbered 74-246 and has failed to remove such hazards;

NOW THEREFORE, be it

RESOLVED, that pursuant to Sec. 64 5-a. of the Town Law of the State of New York, the Clarkstown Supt. of Highways, or private contractors, when necessary, are hereby authorized to remove the nuisance, hazard and litter consisting of discarded paper, wood and debris resulting from dumping of refuse from the aforesaid premises, and be it

FURTHER RESOLVED, that the total expense incurred in such removal shall be assessed by the Town Board, and the expense so assessed shall constitute a lien and charge on the real property until paid or otherwise satisfied or discharged, and shall be collected in the same manner and at the same time as other town charges.

Seconded by Co. Maloney.

All voted Aye.

(1975-150) Co. Lodico offered the following resolution:

RESOLVED, that a Building Permit under provisions of Section 280-A of the Town Law is hereby granted to Ernest Wiebicke for property located on the e/s of First St. (Randy Lane) and more particularly designated on the Tax Map as Map 36, Block E, Lot 24.01 and Lot 23.0101, subject to the requirements of the Town Engineer and the Building Inspector.

Seconded by Co. Maloney.

All voted Aye.

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(1975-151) Co. Pizzutello offered the following resolution:

WHEREAS, an action has been instituted in the United States District Court for the Southern District of New York against the Town of Clarkstown entitled as follows:

THE DELLS, INC., Plaintiff

vs.

PAUL F. MUNDT, WILLIAM E. VINES, FREDERICK P. ROLAND, THEODORE E. ZOLLENDECK, JOHN KNUTSEN, each individually, and GEORGE GERBER, JOHN MALONEY, ANTHONY D'ANTONI, JOHN LODICO, VINCENT PIZZUTELLO, each individually and as members of the TOWN BOARD OF THE TOWN OF CLARKSTOWN and THE TOWN OF CLARKSTOWN, a municipal corporation,  
Defendants.

NOW THEREFORE, be it

RESOLVED, that the firm of PAUL WEISS, RIFKIND, WHARTON AND GARRISON, 345 Park Ave., New York City N Y is hereby employed as special counsel to the Town of Clarkstown to take all necessary steps to defend the following defendants in said action:

TOWN OF CLARKSTOWN, GEORGE GERBER, JOHN MALONEY, ANTHONY D'ANTONI, JOHN LODICO, VINCENT PIZZUTELLO individually and as members of the Town Board of the Town of Clarkstown and such other former employees and officers of the Town of Clarkstown as it shall be determined that the Town of Clarkstown has a legal obligation to defend.

Seconded by Co. Lodico.  
(AMENDED 3/18/75 - #205)

All voted Aye.

(1975-152) Co. Maloney offered the following resolution:

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

GERALD VIS and BETTY LOUIS VIS, and  
HOUT SAUNDERS and ANNE KING PINKEKTON,  
Petitioners,

-against-

RUDOLPH J. YACYSHYN, KARL HESS, JAMES F. COYLE, HENRY MAINE, SHIRTLEY THORMANN, WILLIAM R. NIEHAUS and RICHARD PARIS, constituting the Planning Board of the Town of Clarkstown, Rockland County, N Y and the Town of Clarkstgown, Rockland County N Y,

Respondents.

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.

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(1975-153) Co. Lodico offered the following resolution:

RESOLVED, that the Director of Purchasing be authorized to advertise for one 4-wheel drive utility vehicle and one van for the Sewer Department; said bids to be returnable at the Office of the Purchasing Director, Town Hall, 10 Maple Ave., New City N Y on 3/17/75 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

(1975-154) Co. Maloney offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,  
NEW YORK, ADOPTED FEBRUARY 26, 1975, AUTHO-  
RIZING THE PAYMENT OF A JUDGMENT AGAINST  
SAID TOWN, STATING THE ESTIMATED MAXIMUM COST  
OF SAID SPECIFIC OBJECT OR PURPOSE IS \$119,991.67,  
APPROPRIATING SAID AMOUNT THEREFOR, AND  
AUTHORIZING THE ISSUANCE OF \$119,991.67 SERIAL  
BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

TOWN BOARD

RESOLVED BY THE ~~BOARD OF SUPERVISORS~~ OF THE TOWN OF  
CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK (by a  
favorable vote of not less than two-thirds of all the members of said  
Board) AS FOLLOWS:

Section 1. The Town of Clarkstown (herein called "Town"), in  
the County of Rockland, New York, is hereby authorized to pay a judgment  
in a proceeding entitled Town of Clarkstown, Plaintiff, v. Susan Cohen,  
Defendant, for the payment of an advance payment pursuant to Chapter 1161  
of the Laws of 1971 of the State of New York for the value of the defendant's  
land condemned by the Town for Town park purposes pursuant to an Order  
of Hon. Anthony J. Cerrato, a Justice of the Supreme Court of the State  
of New York, dated February 13, 1975, Index No. 2606/73, Special Term

(1975 - 154 -- continued)

of the Supreme Court of the State of New York, County of Rockland.

New York, duly entered in the Office of the County Clerk, County of Rockland, New York, on February 24, 1975. The estimated maximum cost of said specific object or purpose, including the sum of \$110,000 and \$9,991.67 accrued interest at rate of six per centum from August 28, 1973 to the anticipated date of payment of said amount is \$119,991.67 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$119,991.67 serial bonds of the Town to finance said appropriation and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$119,991.67 are hereby authorized to be issued pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00 a. 33 a. of the Law, is five (5) years.

(b) Current funds are not required to be provided as a down payment prior to the issuance of the bonds hereby authorize or of any notes issued in anticipation of the sale of such bonds, pursuant to the provisions of §1-7.00 d. 5 of the Law.

(c) The proposed maturity of the bonds authorized by this resolution may not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale thereof, shall contain the recital of validity prescribed by §52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town payable as to both principal and

**(1975-154 - continued)**

interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of §50.00 and §§56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.  
**Sec onded by Councilman Pizzutello.**

**On roll call the vote was as follows:**

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

**MOTION CARRIED**

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(1975-155) Co. Pizzutello offered the following resolution:

RESOLVED, that the Town Clerk is hereby directed to published the foregoing bond resolution, in full, in the JOURNAL NEWS, a newspaper published in Nyack N Y, and having a general circulation in said Town, which newspaper is hereby designated as the official newspaper of the Town for such publication together with the Town Clerk's statutory notice in substantially the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

This resolution shall take effect immediately.

Seconded by Co. Maloney.

On roll call the vote was as follows:

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

MOTION CARRIED.

(1975-156) Co. Lodico offered the following resolution:

WHEREAS, the consumption of electricity at the Middlewood Senior Citizen Housing Project, Nanuet N Y, has resulted in severe rent increases to the tenants of said project, and

WHEREAS, it appears desirable to survey the possibility of alternative means of energy consumption in said project;

NOW THEREFORE, be it

RESOLVED, that the Nyack Plumbing & Heating Supply Co. 50 South Franklin St., Nyack N Y, is hereby authorized to make a survey of the Middlewood Senior Citizen Housing Project with a view to the use of alternative means of energy at said project, which survey shall be at no cost to the Town of Clarkstown.

Seconded by Co. Maloney.

All voted Aye.

(1975-157) Co. Maloney offered the following resolution:

WHEREAS, on November 16, 1974, the Town Board of the Town of Clarkstown authorized the Supervisor to enter into a contract with Raymond, Parish & Pine for a period not to exceed 90 days for the following services:

1. Technical review and reports on the applications received by the Planning Office and Town Board for subdivisions, site plans and change of zones.

2. Attendance at Planning Board and/or Town Board public hearings and meetings in relation to technical reviews prepared by the firm.

(continued)

(1975-157 - continued)

3. Review of federal and state aid for financial assistance for both Town planning and Town development projects.

4. Review of the current Planning Board staff functions and responsibilities and recommendations for any shifts, restructuring, etc., as may be deemed advisable.

5. If requested by the Town Board, provide advice and assistance in searching for replacement staff, including preparation of job advertisements, recommendations as to appropriate publications for such ads, and screening and interviewing applicants; and

WHEREAS, it is necessary to extend said agreement for an additional 60 days;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with Raymond, Parish & Pine for a period not to exceed 60 days for the aforesaid professional services on a per diem basis with a maximum amount not to exceed \$6,000.00

Seconded by Co. Pizzutello.

All voted Aye.

(1975-158) Co. Maloney offered the following resolution:

WHEREAS, on February 5, 1975 by Resolution No. 88 the Town Board authorized the Supervisor of the Town of Clarkstown to enter into a license agreement with NCR Corporation to lease their machine #399-100, and

WHEREAS, in connection with said machine NCR provides a Standard Municipal Appropriation Control, Cash Disbursements and Financial Reporting System, which program costs \$1,500 and the NCR Standard Municipal Payroll System which likewise costs \$1,500,

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to enter into an agreement to purchase Standard Municipal Appropriation Control, Cash Disbursements and Financial Reporting System program for the sum of \$1,500 and to purchase the NCR Standard Municipal Payroll System for the additional sum of \$1,500, and be it

FURTHER RESOLVED, that the sum of \$3,000 be transferred from Contingency Fund to Comptroller's Account in order to finance the cost of said programs.

Seconded by Co. Lodico.

All voted Aye.

(1975-159) Co. Pizzutello offered the following resolution:

**RESOLVED**, that the resignation of Vernon E. McHam, Tallman Towers, South Broadway, Nyack N Y as Sr. Recreation Leader - Parks & Recreation - is hereby accepted with regret, effective February 28, 1975.

Seconded by Co. Maloney.

All voted Aye.

(1975-160) Co. D'Antoni offered the following resolution:

**WHEREAS**, John Hill has used all of his available sick leave, vacation, holidays and personal leave credits, and

**WHEREAS**, Article XVIII, Section 3 (k) of the Town of Clarkstown Labor Agreement of January 1, 1975 provides for an extension of sick leave,

**NOW THEREFORE**, be it

**RESOLVED**, that John Hill, 73 Old Haverstraw Road, Congers N Y is hereby granted a one month leave of absence at one-half (1/2) of his normal salary, effective and retro-active to February 25, 1975.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-161) Co. Pizzutello offered the following resolution:

**RESOLVED**, that Imogene R. Mayer, 8 Prides Crossing, New City N Y is hereby appointed Secretary to the Bi-Centennial Committee, effective immediately, term to expire on July 4th, 1976.

Seconded by Co. D'Antoni.

All voted Aye.

(1975-162) Co. Lodico offered the following resolution:

**RESOLVED**, that Rev. Emanuel A. Peters, 95 South Middletown Road, Nanuet N Y is hereby reappointed a member of the Board of Ethics, to serve without compensation, term to expire on February 20, 1980.

Seconded by Co. Maloney.

All voted Aye.

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(1975-163) Co. D'Antoni offered the following resolution:

WHEREAS, there is a vacancy as member of the Board of Ethics,

NOW THEREFORE, be it

RESOLVED, that Joseph Reeves, 68 Ash Road, Bardonia, N Y is hereby appointed to the position of member of the Board of Ethics, to serve without compensation, effective immediately and term to expire on February 20, 1977.

Seconded by Co. Maloney.

All voted Aye.

(1975-164) Co. Pizzutello offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Account Clerk #72121 which contains the name of Louise Abatamarco Maguire,

NOW THEREFORE, be it

RESOLVED, that Louise Abatamarco Maguire, 53 Parker Avenue, New City N Y is hereby reinstated to the position of Account Clerk, effective immediately, at the annual salary of \$7,240.00 for the year 1975.

Seconded by Co. D'Antoni.

All voted Aye.

(1975-165) Co. Pizzutello offered the following resolution:

RESOLVED, that Jacob J. Ebeling-Konig, 431 Buena Vista Road, New City N Y is hereby appointed a member of the Historical Review Board, at the annual salary for 1975 of \$100.00, effective immediately and term to expire 12/31/75.

Seconded by Co. Lodico.

All voted Aye.

(1975-166) Co. Lodico offered the following resolution:

RESOLVED, that pursuant to Section 47-106 of the Code of the Town of Clarkstown, the following are hereby appointed members of the Fire Board of Appeals, effective immediately, to serve without compensation:

Joseph Egan, 7 Hobe St., West Nyack N Y  
Term to expire February 27, 1976.

Harold Hyde, 55 Ridge Road, Valley Cottage N Y  
Term to expire February 27, 1977.

Joseph Natale, 19 Torview Ave., New City N Y  
Term to expire February 27, 1977.

#33  
Joseph Brady, Inwood Drive, Bardonia, N Y  
Term to expire February 27, 1978.

and be it

(continued)

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(1975-166 - continued):

FURTHER RESOLVED, that Harold Hyde is appointed Chairman of the Fire Board of Appeals for a one-year term to expire on February 27, 1976.

Seconded by Co. D'Antoni.

All voted Aye.

(1975-167) Co. D'Antoni offered the following resolution:

RESOLVED, that Norman B. Peachey, 260 Germonds Road, West Nyack N Y is hereby reappointed a member of the Traffic Advisory Board, term to expire March 1980, at the annual salary for 1975 of \$750.00.

Seconded by Co. Maloney.

All voted Aye.

Proposed resolution - K. Kivlehan appointment -- Held.

(1975-168) Co. D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 15th day of January 1975, provided for a public hearing on the 5th day of February 1975 at 8:30 PM to consider the adoption of proposed amendments to Sec. 106.30 C (2), (3) and (4) of 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, and

WHEREAS, the Town Board of the Town of Clarkstown carefully considered said proposed amendments to the Zoning Ordinance;

NOW THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the aforesaid proposed amendments to the Zoning Ordinance of the Town of Clarkstown be, and the same are hereby DENIED.

Seconded by Co. Lodico.

All voted Aye.

(1975-169) Co. Maloney offered the following resolution:

RESOLUTION AMENDING ZONING ORDINANCE  
OF THE TOWN OF CLARKSTOWN

WHEREAS, by resolution of the Town Board of the Town of Clarkstown adopted on the 15th day of March, 1972, the property commonly known as "THE DELLS" was redistricted from LO district to R-40 district, and

WHEREAS, the decision of the Town Board was reversed by the Hon. Robert E. Dempsey in a decision of the Supreme Court dated November 14, 1973, and

WHEREAS, the court, in said decision, directed that the Town Board hold a new hearing and thus to take "appropriate action legally to establish the type of zone applicable to the said premises," and

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 18th day of December, 1974, provided for a public hearing to be held on the 19th day of February, 1975, at 8:15 P.M., to consider a change of the Zoning Ordinance of the Town of Clarkstown by redistricting from an LO district to an R-40 district property commonly known as "THE DELLS" and more particularly described in Schedule "A" attached hereto, 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, and

WHEREAS, the Rockland County Planning Board and the Clarkstown Planning Board recommended approval of the redistricting of the said property from an LO district to an

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(1975-169 Cont'd.)

R-40 district, and

WHEREAS, Raymond, Parish and Pine, Planning Consultants to the Town of Clarkstown in their report to the Town Board found that an R-40 district would be appropriate in the subject premises, and

WHEREAS, a redistricting from an LO district to an R-40 district for the premises in question would be consistent with the Master Plan for the Town of Clarkstown adopted by the Planning Board of the Town of Clarkstown on the 16th day of August, 1966 and revised on the 13th day of December, 1971, and

WHEREAS, it appears that the redistricting from an LO district to an R-40 district of the subject premises would be in the best interest of the public health, safety and welfare of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that for reasons of the public health, safety and welfare of the Town of Clarkstown and in conformity with the Master Plan of the Town of Clarkstown, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an LO district to an R-40 district the premises commonly known as "THE DELLS" and more particularly described in Schedule "A" attached hereto.

Dated: February 26, 1975

**Seconded by Co. D'Antoni**

**On roll call the vote was as follows:**

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

**MOTION CARRIED**

(1975-169 Cont'd.)

SCHEDULE "A"

BEGINNING at a point in the westerly line of Zukor Road, said point being marked by a monument, said point being also the southeasterly corner of lands now or formerly of Archbishopric of New York and running thence,

1. along the westerly line of Old Route 304 (North Main Street) S 4° 22' 43" W, a distance of 715.43 feet to a monument; thence,
2. still along the westerly line of Old Route 304 (North Main Street), S 1° 07' 35" W, a distance of 126.52 feet to a monument; thence,
3. along a post and wire fence and along lands now or formerly of Bronsell, N 86° 12' 57" W, a distance of 713.13 feet; thence,
4. through lands now or formerly of Nemeroff, N 3° 47' 03" E, a distance of 862.85 feet; thence,
5. along lands now or formerly of Archbishopric of New York, S 84° 31' 35", a distance of 715.00 feet to the POINT OF BEGINNING.

CONTAINING 13.910 ACRES

## SCHEDULE "A" - continued

West Side of Zukor Road

Commencing at a point in the westerly line of Zukor Road, said point being marked by a monument, said point also being the southeasterly corner of lands now or formerly of Archbishopric of New York and running thence along the southerly line of lands now or formerly of Archbishopric of New York, N 84°31' 35" W, a distance of 715.00 feet to the POINT OF BEGINNING; thence,

1. through lands now or formerly of Nemeroff, S 3° 47' 03" W, a distance of 862.85 feet; thence,
2. along a post and wire fence and along a stone wall, N 86° 12' 57" W, a distance of 484.00 feet; thence,
3. along a stone wall, S 6° 54' 57" W, a distance of 64.97 feet; thence,
4. along lands now or formerly of Rockland Construction Hall, Inc., and along the northerly terminus of a 60 foot right-of-way, N 86° 07' 03" W, a distance of 444.57 feet to the westerly line of lands now or formerly of O'Neil; thence along lands now or formerly of O'Neil the following courses and sitances:
5. N 2° 16' 03" W, a distance of 64.47 feet to a monument; thence,
6. N 2° 03' 25" W, a distance of 189.16 feet to a monument; thence,
7. N 87° 36' 41" W, a distance of 618.80 feet to lands now or formerly of Rockland County Park; thence,
8. along lands now or formerly of Rockland County Park and along the centerline of a 60 foot right-of-way, N 1°31'25" E, a distance of 2647.42 feet to lands now or formerly of Dellwood Country Club; thence along lands now or formerly of Dellwood Country Club the following courses and distances:
9. S 73° 19' 47" E, a distance of 149.41 feet; thence,
10. S. 84° 00' 30" E, a distance of 155.82 feet; thence,
11. S 29° 01' 30" E, a distance of 80.13 feet; thence,
12. S 2° 32' 40" E, a distance of 195.22 feet; thence,

- continued  
West Side of Zukor Road

13. S 86° 39' 00" E, a distance of 881.42 feet; thence,
14. N 22° 30' 15" E, a distance of 165.00 feet; thence,
15. S 67° 55' 30" E, a distance of 276.57 feet; thence,
16. N 35° 13' E, a distance of 199.34 feet to the westerly line of Zukor Road; thence,
17. along the westerly line of Zukor Road, S 54° 47' 00" E, a distance of 60.00 feet; thence along lands now or formerly of Leventhal the following courses and distances:
18. S 35° 13' W, a distance of 300.00 feet; thence,
19. S 54° 47' 00"E, a distance of 240.00 feet to lands now or formerly of Clarkstown Central School District #1, thence along lands now or formerly of Clarkstown Central School District #1 the following courses and distances:
20. S 10° 47' 00 E, a distance of 120.00 feet; thence,
21. S 79° 13' 00" W, a distance of 70.00 feet; thence,
22. N 73° 15' 30" W, a distance of 70.00 feet; thence,
23. N 87° 01' 15" W, a distance of 341.09 feet; thence,
24. S 12° 09' 20" E, a distance of 481.34 feet to the north-westerly corner of lands now or formerly of Archbishopric of New York; thence along lands now or formerly of Archbishopric of New York the following courses and distances:
25. S 1° 36' 05" W, a distance of 897.95 feet; thence,
26. S 84° 31' 35" E, a distance of 195.00 feet to the POINT OF BEGINNING.

CONTAINING 88.567 ACRES

East Side of Zukor Road

Commencing at a point formed by the intersection of the northerly line of Old Route 304 (North Main Street) and the easterly line of Zukor Road and running thence along the easterly line of Zukor Road the following courses and distances: N 4° 44' 54" E, a distance of 472.10 feet to a Rockland County Highway monument; thence, N 5° 14' 57" E, a distance of 426.34 feet; thence N 6° 16' 55" E, a distance of 487.04 feet; thence on a curve to the left having a radius of 135.18 feet, an arc distance of 72.04 feet to the POINT OF BEGINNING; thence,

1. on a curve to the left having a radius of 135.18 feet, an arc distance of 58.64 feet; thence along lands now or formerly of Dellwood Country Club the following courses and distances:
2. S 86° 35' 25" E, a distance of 226.01 feet; thence,
3. N 4° 27' 06" E, a distance of 182.69 feet; thence,
4. S 86° 12' 00" E, a distance of 831.10 feet; thence,
5. N 0° 44' 10" W, a distance of 3228.26 feet; thence,
6. along lands now or formerly of Dellwood Country Club and along lands now or formerly of Taub, N 5° 53' 10" W, a distance of 550.00 feet; thence along the centerline of the Hackensack Creek the following course and distances:
7. N 69° 55' 14" E, a distance of 115.37 feet; thence,
8. S 70° 58' 27" E, a distance of 30.68 feet; thence,
9. S 26° 33' 54" E, a distance of 24.60 feet; thence,
10. N 88° 34' 04" E, a distance of 40.01 feet; thence,
11. S 69° 44' 58" E, a distance of 109.79 feet; thence,
12. S 32° 03' 43" E, a distance of 107.38 feet; thence,
13. S 17° 08' 10" E, a distance of 98.22 feet; thence,
14. S 4° 14' 05" E, a distance of 25.22 feet; thence,

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15. S 42° 16' 25" W, a distance of 29.73 feet; thence,
16. S 34° 14' 40" E, a distance of 31.62 feet; thence,
17. S 80° 21' 45" E, a distance of 53.76 feet; thence,
18. N 21° 48' 05" E, a distance of 37.70 feet; thence,
19. S 80° 20' 25" E, a distance of 47.68 feet; thence,
20. N 51° 20' 25" E, a distance of 38.42 feet; thence,
21. S 48° 48' 50" E, a distance of 106.30 feet; thence,
22. S 19° 47' 55" W, a distance of 53.14 feet; thence,
23. S 45° 54' 35" W, a distance of 44.55 feet; thence,
24. S 32° 12' 28" E, a distance of 150.10 feet; thence,
25. S 12° 25' 33" W., a distance of 60.42 feet; thence,
26. S 58° 25' 50" E, a distance of 97.42 feet; thence,
27. N 86° 24' 17" E, a distance of 73.35 feet; thence,
28. N 78° 20' 27" E, a distance of 64.33 feet; thence,
29. N 38° 59' 28" E, a distance of 27.02 feet; thence,
30. N 22° 52' 25" E, a distance of 69.46 feet; thence,
31. N 34° 30' 31" E, a distance of 19.42 feet; thence,
32. N 82° 38' 51" E, a distance of 31.26 feet; thence,
33. N 27° 48' 05" E, a distance of 62.18 feet; thence,
34. due east, a distance of 20.00 feet; thence,
35. S 32° 28' 16" E, a distance of 39.12 feet; thence,
36. S 11° 56' 22" E, a distance of 232.02 feet; thence,
37. due south, a distance of 100.00 feet; thence,
38. S 09° 27' 44" W, a distance of 60.83 feet; thence,
39. S 26° 33' 54" E, a distance of 42.49 feet; thence,
40. S 79° 29' 31" E, a distance of 126.12 feet; thence,
41. S 89° 19' 33" E, a distance of 85.01 feet; thence,
42. S 03° 40' 04" E, a distance of 78.16 feet; thence,

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43. due east, a distance of 9.00 feet; thence,
44. N 39° 31' 21" E, a distance of 51.86 feet; thence,
45. N 77° 28' 16" E, a distance of 46.10 feet; thence,
46. S 25°20' 36" E, a distance of 120.67 feet; thence,
47. N 56° 44' 05" E, a distance of 94.90 feet; thence,
48. S 75° 23' 55" E, a distance of 122.97 feet; thence,
49. S 30° 47' 50" E, a distance of 236.33 feet; thence,
50. S 25° 01' 00" W, a distance of 49.66 feet; thence,
51. N 84° 17' 20" W, a distance of 40.20 feet; thence,
52. S 62° 52' 45" W, a distance of 46.06 feet; thence,
53. due west, a distance of 37.00 feet; thence,
54. S 32° 44' 05" W, a distance of 33.29 feet; thence,
55. S 11° 18' 35" E, a distance of 30.59 feet; thence,
56. due east, a distance of 16.00 feet; thence,
57. N 53° 58' 20" E, a distance of 13.60 feet; thence,
58. S 71° 53' 45" E, a distance of 109.42 feet; thence,
59. N 39° 33' 35" E, a distance of 29.83 feet; thence,
60. S 64° 47' 55" E, a distance of 18.79 feet; thence,
61. S 21° 22' 15" E, a distance of 24.70 feet; thence,
62. S 57° 46' 15" W, a distance of 54.38 feet; thence,
63. S 45° 40' 25" W, a distance of 60.11 feet; thence,
64. N 87° 12' 25" W, a distance of 41.05 feet; thence,
65. S 50° 18' 05" W, a distance of 68.88 feet; thence,
66. S 6° 12' 15" E, a distance of 46.27 feet; thence,
67. S 23° 27' 35" E, a distance of 57.78 feet; thence,
68. due east, a distance of 24.00 feet; thence,
69. N 51° 04' 20" E, a distance of 66.84 feet; thence,
70. S 70° 20' 45" E, a distance of 44.60 feet; thence,

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71. S 47° 43' 35" E, a distance of 29.73 feet; thence,
72. S 76° 09' 10" E, a distance of 38.82 feet; thence,
73. S 57° 44' 58" E, a distance of 226.21 feet; thence,
74. N 86° 25' 25" E, a distance of 80.16 feet; thence,
75. S 56° 18' 36" E, a distance of 25.24 feet; thence,
76. S 29° 44' 42" W, a distance of 24.19 feet; thence,
77. due west, a distance of 48.00 feet; thence,
78. S 59° 32' 04" W, a distance of 59.17 feet; thence,
79. S. 32° 40' 01" W, a distance of 201.94 feet; thence,
80. S 11° 18' 36" W, a distance of 30.59 feet; thence,
81. S 70° 29' 51" E, a distance of 50.92 feet; thence,
82. S 12° 00' 40" W, a distance of 48.05 feet; thence,
83. S 67° 22' 50" W, a distance of 65.00 feet; thence,
84. S 2° 12' 10" W, a distance of 104.08 feet; thence,
85. S 60° 42' 30" W, a distance of 47.01 feet; thence,
86. N 41° 18' 30" W, a distance of 43.93 feet; thence,
87. S 67° 19' 20" W, a distance of 115.42 feet; thence,
88. S 1° 50' 50" E, a distance of 31.02 feet; thence,
89. S 45° 00' 00" E, a distance of 25.46 feet; thence,
90. N 67° 40' 50" E, a distance of 51.35 feet; thence,
91. S 80° 13' 05" E, a distance of 29.43 feet; thence,
92. S 63° 26' 05" E, a distance of 29.07 feet; thence,
93. S 2° 16' 40" W, a distance of 88.07 feet; thence,
94. S 9° 59' 45" W, a distance of 141.14 feet; thence,
95. S 37° 40' 40" W, a distance of 127.61 feet; thence,
96. S 87° 02' 20" W, a distance of 58.08 feet; thence,
97. S 70° 20' 45" W, a distance of 59.46 feet; thence,
98. S 7° 14' 15" W, a distance of 63.51 feet; thence,

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99. S 21° 45' 10" W, a distance of 218.56 feet; thence,
100. S 9° 36' 20" W, a distance of 65.92 feet; thence,
101. S 30° 48' 05" E, a distance of 60.54 feet; thence,
102. S 15° 26' 10" W, a distance of 139.01 feet; thence,
103. S 14° 14' 15" E, a distance of 69.12 feet; thence,
104. S 33° 41' 25" E, a distance of 72.11 feet; thence,
105. S 13° 26' 55" E, a distance of 94.59 feet; thence,
106. S 61° 47' 00" E, a distance of 46.53 feet; thence,
107. due east, a distance of 38.00 feet; thence,
108. due south, a distance of 84.00 feet; thence,
109. S 7° 40' 00" E, a distance of 104.94 feet; thence,
110. S 5° 17' 25" W, a distance of 54.23 feet; thence,
111. S 62° 44' 40" E, a distance of 37.12 feet; thence,
112. S 33° 41' 25" W, a distance of 39.66 feet; thence,
113. S 73° 36' 40" W, a distance of 35.44 feet; thence,
114. N 63° 26' 05" W, a distance of 38.01 feet; thence,
115. S 87° 30' 30" W, a distance of 23.02 feet; thence,
116. S 19° 15' 00" W, a distance of 33.37 feet; thence,
117. S 12° 49' 10" E, a distance of 85.63 feet; thence,
118. S 15° 45' 45" W, a distance of 128.85 feet; thence,
119. S 7° 07' 30" W, a distance of 80.62 feet; thence,
120. S 4° 45' 50" E, a distance of 96.33 feet; thence,
121. S 34° 05' 40" W, a distance of 78.49 feet; thence,
122. S 3° 07' 20" E, a distance of 55.08 feet; thence,
123. S 34° 35' 30" W, a distance of 31.19 feet; thence along the centerline of stone wall and along lands now or formerly of Gibbons the following courses and distances:
124. N 86° 40' 40" W, a distance of 1088.00 feet to a monument; thence,
125. N 1° 02' 10" W, a distance of 170.91 feet to a monument; thence,
126. N 86° 35' 25" W, a distance of 1204.95 feet to the POINT OF BEGINNING.

CONTAINING 126.929 ACRES

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(1975-170) Co. Lodico offered the following resolution:

WHEREAS, there is a problem resulting from the absence of proper sanitary sewers at the intersection of Waldron and DePew Avenues in Central Nyack, N Y, and

WHEREAS, plans and specifications and cost estimates have been prepared by the Engineer of the Town of Clarkstown for the performance of said work, which cost estimates do not exceed \$15,000;

NOW THEREFORE, be it

RESOLVED, that the following required sewer construction work shall be done by the Superintendent of Highways of the Town of Clarkstown at the intersection of Waldron and DePew Avenues, Central Nyack and in the surrounding sewer easements in order to rectify the problem existing therein:

1. Install 760 lineal feet of 8" diameter pipe.
2. Installation of 6 manholes.
3. Installation of 6 house connections.
4. Restoration work in Ziba Corp. parking lot through which sewer easement will run.
5. Easement and miscellaneous work, all of which work is pursuant to the plans and specifications prepared by the Town Engineer of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the sum of \$15,000 shall be transferred from Sewer Construction Account to Highway Fund, in order to perform said work, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an easement agreement with Ziba Corp. for the appropriate sewer easement to the Town of Clarkstown.

Seconded by Co. D'Antoni.

All voted Aye.

(1975-171) Co. D'Antoni offered the following resolution:

RESOLVED, that pursuant to Resolution No. 1975-119, authorizing an architect to prepare plans for the construction of a vehicle maintenance and repair garage, that the sum of Four Thousand, Four Hundred Dollars (\$4,400.00), be paid from Contingency Account No. 1900 to Seymour Gurlitz, 8 Avenue C, Nanuet N Y 10954, in payment for architectural fees for preliminary drawings, working drawings and specifications.

Seconded by Co. Maloney.

All voted Aye.

GERRIX

Mr. Paul Diamond appeared before the Town Board (182 Foxwood Road, West Nyack N Y) re law and order and crime requesting that the town do something about severer punishment for those who commit killings. He was told that this was state function (bringing back the death penalty) and that fight would have to be carried to the state.

Request was made of the Town Board to set up appointments with state officials so he could carry matter to the state. Supervisor Gerber said he would set up appointments, but thought that Mr. Diamond was confusing the issue of law and order as opposed to providing an efficient, well-equipped police force, which the Town has.

Mr. Joseph Pantano appeared before the Town Board re rentals in Middlewood Senior Citizen Complex in Nanuet, which, together with electric rates, are not reasonable, as promised. Requested raising amount senior citizens can earn and reducing their taxes.

Mr. Pantano also requested re-definition of powers of the Zoning Board of Appeals, the Planning Board, and the Building Inspector.

Supervisor Gerber stated disservice being done to senior citizens living in Middlewood who may panic when they hear figure of \$200. to \$300. a month. He stated that senior citizens live where they choose. Re taxes, amount of \$6500. is state law; request has been made to raise this to \$8000. He informed Mr. Pantano that town has no control over Middlewood but does have control over Faist complex as to rentals and how financing will be made, and is subject to requirements of Sec. 236 of Housing Law.

Councilman Lodico stated that rental not guaranteed because it was always apparent that Sec. 236 was in the background. In addition to gas approach, we are looking at separate metering; but we still have no control because even after we get the recommendations, it has to be approved by HUD.

Mr. Pantano requested that before town goes ahead with another senior citizen housing project, that they make recommendation that limit be raised further than \$8000.

Mr. Bert Kimbark appeared before the Town Board requesting that Town Board go on record to stop tax on any gas or oil products. Town Attorney to come up with resolution that would be satisfactory to the Town Board re same.

On resolution offered by Co. D'Antoni, seconded by Co. Maloney and unanimously adopted, Town Board meeting was adjourned until Wednesday, March 5th, 1975 at 8:00 PM.

Signed,



Anne E. O'Connor  
Town Clerk