

TOWN BOARD MEETING

Town Hall

3/19/75

8:00 PM

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

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

(1975-201) Co. Lodico offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, the bid to supply a track type bucket loader to the Sanitary Landfill of the Town of Clarkstown is hereby awarded to Romac Equipment, 15 Oakland Avenue, Harrison, New York, at the net bid price of Seventy-Seven Thousand, Six Hundred and Twenty Dollars (\$77,620.00), and be it

FURTHER RESOLVED, that funds be taken from Federal Revenue Sharing.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-202) Co. Lodico offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, the bid to supply one utility vehicle for the Engineering Department is hereby awarded to Jim Smith Chevrolet, South Route 45, Spring Valley, New York, at the low bid price of Four Thousand Nine Hundred Ninety Four Dollars and Ninety Five Cents (\$4,994.95), and be it

FURTHER RESOLVED, that funds be taken from Federal Revenue Sharing.

Seconded by Co. Maloney.

All voted Aye.

(1975-203) Co. Pizzutello offered the following resolution:

WHEREAS, Item #40 in Resolution #134-1975, adopted February 26, 1975 was awarded to W. J. Linn, Inc., 417 Cedar Lane, Teaneck, N. J., and

WHEREAS, said bidder could not meet the specifications,

NOW THEREFORE, be it

RESOLVED, that Resolution #134-1975 be amended to award Item #40 to the lowest bidder to meet specifications, Bouton's Inc., Route 59, Spring Valley, New York.

Seconded by Co. Maloney.

All voted Aye.

GE B1 88

(1975-204) Co. D'Antoni offered the following resolution:

RESOLVED, that the Minutes of the Town Board Meeting and Public Hearing held on February 26th, and the Town Board Meeting held on March 5th, 1975, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Maloney.

All voted Aye.

Monthly Report for the month of February 1975 received from the Building Inspector's Office and the Zoning Board of Appeals. Noted by the Town Board. Filed in the Town Clerk's Office.

(1975-205) Co. D'Antoni offered the following resolution:

WHEREAS, by Resolution No. 151 adopted February 26, 1975 the firm of Paul, Weiss, Rifkind, Wharton & Garrison, 345 Park Avenue, New York, N Y 10022, was employed as Special Counsel to the Town of Clarkstown in an action in the United States District Court for the Southern District of New York against the Town of Clarkstown as follows:

**THE DELLS, INC., Plaintiff,
-against-**

**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.**

WHEREAS, said resolution authorized said firm 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.

WHEREAS, it has been determined by said special counsel that the Town if not authorized to defend former Town officers and employees at public expense;

NOW THEREFORE, be it

RESOLVED, that Resolution No. 151 is hereby amended to read as follows:

RESOLVED, that the firm of Paul, Weiss, Rifkind, Wharton, & Garrison, 345 Park Avenue, New York 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 and VINCENT PIZZUTELLO.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-206) Co. D'Antoni offered the following resolution:

RESOLVED, that Resolution No. 28 dated January 6, 1975 regarding "NO PARKING" signs on the west side of Main Street, New City, from Collyer Avenue to Grand St., be, and the same is hereby rescinded.

Seconded by Co. Lodico.

All voted Aye.

(1975-207) Co. Lodico offered the following resolution:

WHEREAS, by resolution No. 72 adopted at the Town Board meeting of January 15, 1975, the Town Board approved the sum of \$5500 to do certain drainage work at the Clarkstown Sanitary Landfill, and

WHEREAS, it has been determined that an additional 48 feet of 24" pipe must be installed, at an additional cost of \$960.00;

NOW THEREFORE, be it

RESOLVED, that resolution No. 72 adopted January 15, 1975, be and the same is hereby amended to read as follows:

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

NOW THEREFORE, be it

RESOLVED, that the sum of Fifteen Hundred Dollars (\$1,500.) 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 the sum of Six Thousand Four Hundred Sixty Dollars (\$6,460.00) be allocated to install 248 feet of 24" 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.

(1975-208) Co. Pizzutello offered the following resolution:

WHEREAS, Resolution #175, adopted at the Town Board meeting of March 5, 1975, in which the bids for athletic equipment and supplies were awarded reflected typographical errors contained in the bids received, and

(continued)

GEB188

(1975-208 - continued)

WHEREAS, some of the vendors to whom the bids were awarded cannot supply the items at the bid price,

NOW THEREFORE, be it

RESOLVED, that Resolution #175 is hereby amended to read as follows:

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

Flaghouse Inc., 18 W. 18th St., New York, N. Y. 10011, for items 2C, 4B, 7, 10, 11, 30, 31, 37, 38, 39, 47, 48, 50, 56, 67, 69, 71, as per specifications, at a net bid price of \$1,449.69; and to

Champion Products Inc., 2 Perry, New York 14530, for items 25, 26, 27, as per specifications, at a net bid price of \$3,158.88; and to

Cleats & Sneaks Ltd., 201 W. Rte 59, Nanuet, N. Y. 10954, for items 32, 35, 43, 44, 66, as per specifications, at a net bid price of \$301.00; and to

Ampro Athletics, 46 N. Main St., Spring Valley, N.Y. 10977, for items 1A, 20, 21, 22, 23, 24, as per specifications, at a net bid price of \$10,173.00; and to

Marty Spolan, 116-21 Metropolitan Ave., Kew Gardens, N.Y. 11418, for items 29, 33, 41, 62, 63, 70, 72, as per specifications, at a net bid price of \$678.55; and to

Kensico Sports, Inc., 1157 Knollwood Rd., White Plains, N.Y. 10603, for items 15, 16, 19, 34, 42, 59, as per specifications, at a net bid price of \$582.40; and to

Morley's Sporting Goods, P.O. Box 557, Amsterdam, N.Y. 12010, for item 40, as per specifications, at a net bid price of \$72.00, and to

Sea Lawn Products Co., P.O. Box 719, Long Beach, N.Y. 11561, for items 45, 51, as per specifications, at a net bid price of \$125.82, and to

(continued)

(1975-208 - continued)

Todd-Phelps Sporting Goods Mfg. Corp., 2181 Westchester Avenue, Bronx, N.Y. 10462, for items 1B, 1C, 2A, 2B, 3, 4A, 5A, 5B, 6, 8, 9, 12, 13, 17, 18, 28, 36, 58, 52, 49, 53, 54, 55, 57, 61, 64, 73, 74, 65, 14, 46, 68, as per specifications, for a net bid price of \$5,578.43.

Gross total for all items:- \$22,119.77; and be it

FURTHER RESOLVED, that the above items be charged against the following accounts: 7141-219, 7141-329, 7180-307, 7310-307, 7310-329, 7620-329.

Seconded by Co. Lodico.

All voted Aye.

(1975-209) Co. Lodico offered the following resolution:

WHEREAS, Section 10, Subdivision 27 of the New York Highway Law provides, in part, that the Commissioner of Transportation shall have power, upon the request of the municipality, to perform for and at the expense of such municipality, any work of construction or reconstruction, including the removal and relocation of facilities, provided the Commissioner of Transportation deems it practicable to perform such work in connection with the performance of any work of construction; and

WHEREAS, the State of New York is presently preparing contract plans for the reconstruction of Coyles Corners-Short Clove SH 9005, Rockland County, which involves construction within the route which the Town of Clarkstown contemplated using for the construction of sanitary sewers, and

WHEREAS, said construction can be undertaken in conjunction with the construction of the aforesaid sanitary sewer construction at a substantial ultimate savings to the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown in regular meeting convened, petitions the New York State Department of Transportation as follows:

(1) The State of New York is hereby authorized to proceed with the necessary arrangements to incorporate the proposed sanitary sewer construction in the contract for the construction of Coyles Corner-Short Clove, SH 9005, Rockland County with the cost of said construction and necessary work in connection therewith to be borne by the Town of Clarkstown.

(2) The Town of Clarkstown will maintain said sanitary sewers subsequent to the construction thereof.

(3) This resolution shall take effect immediately.

Seconded by Co. Maloney.

All voted Aye.

GE B1 88

(1975-210) Co. Lodico offered the following resolution:

WHEREAS, the New York State Department of Transportation proposes the construction of the Coyles Corners-Short Clove SH 9005 in the Town of Clarkstown, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvements of the above mentioned project, the construction of sanitary sewers, facilities and appurtenances, pursuant to Section 10, subdivision 27 of the Highway Law, and will provide for the removal, relocation, replacement and reconstruction of existing sanitary sewer pursuant to Section 10, Subdivision 24 of the Highway Law, as shown on the contract plans relating to the project;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to enter into a preliminary utility work agreement with the New York State Department of Transportation, providing for the construction, reconstruction and improvement of sanitary sewer facilities and including the removal and relocation of the existing sanitary sewer facilities within said Coyles Corners-Short Clove, SH 9005, at a cost not to exceed \$69,000, and be it

FURTHER RESOLVED, that the sum of \$69,000 is hereby appropriated from the SEWER CONSTRUCTION Account, to provide for said construction and relocation of sewer lines, facilities and appurtenances.

Seconded by Co. Maloney.

All voted Aye.

(1975-211) Co. Lodico offered the following resolution:

WHEREAS, the New York State Department of Transportation proposes the construction of Coyles Corner-Short Clove, SH 9005 in the Town of Clarkstown, and

WHEREAS, pursuant to Section 10, Subdivision 24 of the Highway Law, the State will provide for the construction of new sanitary sewers with service connections, as shown on the contract plans relating to the project,

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown approves the construction of new sanitary sewers performed on the project and shown on the contract plans relating to the project and that the Town of Clarkstown will maintain the new sanitary sewers and/or the work performed as stated and as shown in the contract plans, and be it

FURTHER RESOLVED, that the Clerk of the Town Board is hereby directed to transmit five certified copies of the foregoing resolution to the State Department of Transportation.

Seconded by Co. Maloney.

All voted Aye.

(1975-212) Co. Lodico offered the following resolution:

WHEREAS, the New York State Department of Transportation proposes the construction of the Coyles Corners-Short Clove, SH 9005 in the Town of Clarkstown, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the construction of sanitary sewers, facilities and appurtenances, pursuant to Section 10, Subdivision 27, of the Highway Law, and will provide for the removal, relocation, replacement and reconstruction of existing sanitary sewer pursuant to Section 10, Subdivision 24 of the Highway Law, as shown on the contract plans relating to the project, and

WHEREAS, the service life of the relocated and/or replaced utilities has not been extended and

WHEREAS, the State will provide for the construction of the above mentioned work as shown on the contract plans relating to the project;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown approves the removal, relocation, replacement and reconstruction of such existing sanitary sewers and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Town of Clarkstown will maintain the relocated and/or replaced municipal utility and/or the work performed as above stated and shown on the contract plans, and be it

FURTHER RESOLVED, that the Clerk of this Board is hereby directed to transmit five certified copies of the foregoing resolution to the State Department of Transportation.

Seconded by Co. Maloney.

All voted Aye.

(1975-213) Co. Pizzutello 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 N Y on the 9th day of April 1975 at 9:00 PM to consider the adoption of the following proposed amendments to the Zoning Ordinance of the Town of Clarkstown:

Amend Section 106-17C. to read as follows:

C. Operations involving stockyards and slaughterhouses, grain elevators, slag piles, and keeping, breeding, and raising of foxes, minks, pigs or primates for commercial or laboratory purposes, provided, however, the keeping and use of primates for laboratory and experimental purposes, within the same premises, is a permitted accessory use in all zones in which laboratories are a permitted use.

(continued)

GER188

(1975-213 - continued)

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

Table 8, 10 District and Table 13, M&S District, Column 4, add Item No. 9 thereto as follows:

9. "The keeping and use of primates for laboratory and experimental purposes within the same premises."

Table 14, LIO District and Table 15, M District, Column 4, add Item No. 10 thereto as follows:

10. "The keeping and use of primates for laboratory and experimental purposes within the same premises."

Seconded by Co. Maloney.

All voted Aye.

(1975-214) Co. Pizzutello offered the following resolution:

WHEREAS, a dispute arose between the Town of Clarkstown and Finest Wiring Corp. regarding the amount of payments due on two contracts between the Town of Clarkstown and Finest Wiring Corp., namely the Town Hall contract and the Traphagen Pool Complex contract, and

WHEREAS, pursuant to the terms of these contracts these matters were submitted to the American Arbitration Association, and

WHEREAS, a decision of the arbitrator appointed by the American Arbitration Association has ruled that the Town of Clarkstown owes to Finest Wiring Corp. the sum of \$4,292.88 on the Town Hall contract, and \$11,456.40 on the Traphagen Pool Complex contract, and

WHEREAS, the arbitrator has further directed that the administrative fees of \$748.32 are to be borne equally by the parties, the Town's share of said fees being \$374.16, and an additional \$71.54 for that portion of its share of said fees previously advanced by Finest Wiring Corp. to the American Arbitration Association totalling \$445.70 for administrative fees; and

WHEREAS, it is the recommendation of the Town Attorney and the First Deputy Town Attorney that the appeal taken from the decision of the arbitrator be discontinued,

NOW THEREFORE, be it

(continued)

(1975-214 -- continued)

RESOLVED, that the Supervisor be and he hereby is authorized to pay to Coral & Ortenberg, Esq., attorneys for Finest Wiring Corp. the following amounts together with interest thereon to the date of payment:

\$4,292.88 - Town Hall Addition Account
\$11,456.40 - Money in Lieu of Land Account
\$445.70 - Money in Lieu of Land Account

said amounts to be charged to Money In Lieu of Land Account and Town Hall Addition Account.

Seconded by Co. Lodico.

All voted Aye.

GEB188

(1975-215) Co. Maloney offered the following resolution:

WHEREAS, on August 4, 1972, Sloatsburg Associates Ltd. deposited \$2,000 in escrow with the Town of Clarkstown, and

WHEREAS, by a resolution dated September 19, 1973, the said escrow fund deposited by Sloatsburg Associates Ltd. with the Town of Clarkstown was declared in default, and

WHEREAS, a review of the file has indicated the aforesaid resolution was passed under the apparent misapprehension that the aforesaid fund was to be applied to correct certain drainage problems that had existed on August 4, 1972 on Lots C-21 and C-22 of the Green Meadow Farms Subdivision, and

WHEREAS, it appears that the escrow fund as aforesaid was not deposited for that specific purpose, and the said drainage problem was not apparent on August 4, 1972;

NOW THEREFORE, be it

RESOLVED, that the aforesaid escrow fund deposited by Sloatsburg Associates Ltd. be returned to Sloatsburg Associates, Ltd., and be it

FURTHER RESOLVED, that the aforesaid monies be returned upon receipt by the Town Attorney's Office of a Stipulation of Discontinuance of an action entitled "Sloatsburg Associates Ltd. vs. the Town of Clarkstown" and such other papers as the Town Attorney may deem necessary.

Seconded by Co. Lodico.

All voted Aye.

Town Board signed ORDER setting date of hearing re Proposed Extension of Clarkstown Consolidated Water Supply District #1 to include GEORGETOWN MANOR -- 4/9/75 - 9:15 PM.

(1975-216) Co. Lodico offered the following resolution:

WHEREAS, the Town of Clarkstown purchased land at West Nyack N Y from Wallace T. McCaffrey, Ruth E. McCaffrey, Nancy B. Ruhle, Charles A. Baker, III, John H. Baker, Lawrence N. Gardella, Lawrence N. Gardella, Jr. and Edward S. Gardella, which land is known as Map 105, Block A, Lots 22.02, 22.03, and 22.04, which purchase closed on March 12, 1975; and

WHEREAS, various tax adjustments and title fees were paid on said date and further taxes will be paid in July 1975, which taxes and title fees total \$5061.78;

NOW THEREFORE, be it

RESOLVED, that the sum of \$5,061.78 be taken out of Sanitary Landfill Contractural Expenses, and be it

FURTHER RESOLVED, that this resolution be retroactive to March 12th, 1975.

Seconded by Co. Maloney.

All voted Aye.

(1975-217) Co. Lodico offered the following resolution:

WHEREAS, it was necessary to engage contractors for the purpose of making improvements at the Clarkstown Sanitary Landfill,

NOW THEREFORE, be it

RESOLVED, that the sum of Fifty Thousand Dollars (\$50,000.) be transferred from Account 8160-382 to Account 8160-443, to provide payments for contracted services.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-218) Co. Pizzutello offered the following resolution:

RESOLVED, that the following Parks Board & Recreation Commission staff members be and are hereby authorized to attend the Annual New York State Recreation & Park Society Conference, from May 11th through May 14, 1975; Senior Recreation Leaders Thomas Lowe, Felice Saracco, and Thomas Cartwright, and Park Maintenance Supervisor Albert Moroni; and be it

FURTHER RESOLVED, that all necessary and actual expenses, not to exceed \$650.00, be allocated against account No. 7140-414, and No. 7141-414.

Seconded by Co. Lodico.

All voted Aye.

(1975-219) Co. Lodico offered the following resolution:

RESOLVED, that the following Parks Board & Recreation Commission members are hereby authorized to attend the Annual New York State Recreation & Park Society Conference, from May 11th through May 14, 1975: Dr. Charles A. Lankau Sr., Richard Mathias, Martin Feldi, and Dr. David Kelly, and also Liaison Councilman to the Parks Board & Recreation Commission, Vincent Pizzutello, and be it

FURTHER RESOLVED, that all necessary and actual expenses not to exceed \$975.00, be allocated against Account #7020-414.

Seconded by Co. Maloney.

On roll call the vote was as follows:

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

(1975-220) Co. Pizzutello offered the following resolution:

RESOLVED, that the following Parks Board & Recreation Commission staff members be and are hereby authorized to attend the Annual New York State Recreation & Park Society Conference, from May 11th through May 14th, 1975: Edward J. Ghiazza, Supt. of Recreation & Parks, Walter C. Schatz, Asst. Supt. of Recreation and Parks, and Charles Connington, Recreation Supervisor; and be it

FURTHER RESOLVED, that all necessary and actual expenses, not to exceed \$600.00, be allocated against accounts 7020-414, and 7310-414.

Seconded by Co. Lodico.

All voted Aye.

(1975-221) Co. Pizzutello offered the following resolution:

RESOLVED, that Councilman John Lodico Sr., Liaison to the Sanitation Commission, and John Wallack, Chairman of the Sanitation Commission, of the Town of Clarkstown, are hereby authorized to attend the Solid Waste Management Seminar in Los Angeles, California from June 17, 1975 through June 20, 1975 and be it

FURTHER RESOLVED, that all proper charges not to exceed \$1,000.00 be charged against Account 8160-414.

Seconded by Co. Maloney.

All voted Aye.

GEB188

(1975-222) Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown has been offered for dedication to the town the land through which it is proposed to lay out a certain highway less than three rods in width, as shown on a map entitled "Survey of Property to be Conveyed to the Town of Clarkstown and County of Rockland, dated December 26, 1974 prepared by Atzl, Scatassa & Busch; said highway being generally described as follows:

Clover Court as shown on Subdivision of property for Clover Hill II and recorded in Book 87 at Page 30 as Map No. 4527 in the Office of the Clerk of the County of Rockland, which Clover Court is 30 feet in width and 284.76 in length;

and,

WHEREAS, a deed from the owners of said property conveying title to the Town of Clarkstown is in the possession of the Town Attorney of the Town of Clarkstown, and

WHEREAS, the Town may not lay out a highway less than three rods in width unless certification in writing of the necessity therefor is made by the Commissioner of Transportation of the State of New York, pursuant to Section 171 of the Highway Law;

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby requests the Commissioner of Transportation of the State of New York to issue a certificate in writing, pursuant to Section 171 of the Highway Law, of the necessity for laying out such highway less than three rods in width, to extend as delineated upon the map hereto annexed and made a part hereof.

Seconded by Co. D'Antoni.

All voted Aye.

(1975-223) Co. Lodico offered the following resolution:

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

ROY LAMBORN, INC.
88 Strawtown Road
New City N Y

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 75-16 to ROY LAMBORN, INC.

Seconded by Co. Maloney.

All voted Aye.

(1975-224) Co. Lodico 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, LEON WEISMAN 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 Clarkstown Tax Map as Map 7, Block E, Lots 7 and 10, and

WHEREAS, said owner has filed to comply with the violation notice numbered 75-5 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 Superintendent of Highways, or private contractors, when necessary, are hereby authorized to remove the nuisance, hazard and litter consisting of broken down and unlicensed vehicles 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.

(1975-225) Co. Lodico 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, HARRY C. PARTRIDGE, JR. 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 Clarkstown Tax Map as Map 89, Block B, Lot 11.01, and

WHEREAS, said owner has failed to comply with the violation notice numbered 75-62 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 Superintendent of Highways or private contractors, when necessary, are hereby authorized to remove the nuisance, hazard and litter consisting of unlicensed vehicle, horse trailer, tires, six (6) acetylene tanks, two (2) mattresses, discarded building material and litter from the aforesaid premises, and be it

(continued)

GERB188

(1975-225 - continued)

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.

(1975-226) Co. Maloney offered the following resolution:

WHEREAS, there is presently under consideration a revision of the applicable New York State statute governing the regulation of bingo games, and

WHEREAS, the Bingo Law is presently enforced and supervised by the New York State Bingo Control Commission which exercises supervisory and administrative functions, and

WHEREAS, the proposed revision would abolish the New York State Bingo Control Commission and re-allocate administrative functions between the State Racing and Wagering Board and local governments, and

WHEREAS, such revision threatens to burden local government including the government of the Town of Clarkstown, with responsibility to process and audit a variety of reporting forms presently being processed and audited by State authorities, and

WHEREAS, such additional responsibility placed upon local government threatens to make it impracticable to continue to permit bingo games in the Town of Clarkstown except at prohibitive costs and through additional new personnel or the undue diversion of present personnel, and

WHEREAS, bingo games are conducted for charitable purposes only and constitutes major source of revenue for worthy charitable institutions within the Town of Clarkstown, whose continuance might be threatened or impaired by the discontinuance of bingo games;

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown memorializes the Governor of the State of New York and the Legislature of the State of New York to retain the present reporting, auditing and processing system with respect to bingo games, and be it

(continued)

(1975-226 - continued)

FURTHER RESOLVED, that a certified copy of this resolution be transmitted by the Town of Clarkstown forthwith to the Office of the Governor of the State of New York, the State Senator for the 38th District which includes the Town of Clarkstown, the 96th Assembly District, the Office of the Speaker of the New York State Assembly and the Office of the President of the New York State Senate.

Seconded by Co. Lodico.

All voted Aye.

(1975-227) Co. Maloney offered the following resolution:

WHEREAS, Raymond, Parish & Pine, Inc. are presently performing planning consultant services to the Town of Clarkstown at a per diem rate, and

WHEREAS, it is desired that they perform the following projects:

- A. Zoning survey of Route 304 from Bardonia Road to Johnson Lane.
- B. Preparation of planned industrial zone and revision of other industrial zones in the Clarkstown Zoning Ordinance;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with Raymond, Parish, and Pine, Inc.; to perform planning consultant services for (A) zoning survey of Route 304 from Bardonia Road to Johnson Lane and (B) Preparation of planned industrial zone and revision of other industrial zones in the Clarkstown Zoning Ordinance, at a per diem rate, with a total cost not to exceed \$10,000; said agreement to be in a form satisfactory to the Town Attorney of the Town of Clarkstown.

Seconded by Co. Lodico.

All voted Aye.

(1975-228) Co. Pizzutello offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown desires to enter into an agreement by and among the Incorporated Village of Spring Valley, the Town of Ramapo, the Town of Clarkstown, and the East Ramapo Central School District for the conducting of a neighborhood recreation center for youth, known as the Tigers Den;

NOW THEREFORE, be it

(continued)

GE B1 88

(1975-228 - continued)

RESOLVED, that the Supervisor of the Town of Clarkstown be and he hereby is authorized to execute the aforementioned agreement on behalf of the Town of Clarkstown, said agreement to be in a form approved by the Town Attorney.

Seconded by Co. Maloney.

All voted Aye.

(1975-229) Co. Lodico offered the following resolution:

WHEREAS, on February 26, 1975 the Director of Purchasing was authorized to advertise for bids for one van for the Sewer Department, and

WHEREAS, only one bid was received and said bid did not meet specifications,

NOW THEREFORE, be it

RESOLVED, that all bids are rejected, and be it

FURTHER RESOLVED, that the Director of Purchasing be authorized to re-advertise for bids for one van; said bids to be returnable at the Office of the Purchasing Director, Clarkstown Town Hall, New City N Y on April 1, 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. Maloney.

All voted Aye.

(1975-230) Co. Pizzutello offered the following resolution:

RESOLVED, that the Purchasing Director be authorized to advertise for bids for the printing of the 1975 Spring and Summer Town Brochures; said bids to be returnable at the Office of the Purchasing Director, Clarkstown Town Hall, New City N Y on April 1st, 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. Lodico.

All voted Aye.

(1975-231) Co. Lodico offered the following resolution:

RESOLVED, that the Director of Purchasing is authorized to advertise for bids for replacement of existing air conditioning chiller and compressor units in Clarkstown Hall of Justice; said bids to be returnable at the Office of the Purchasing Director, Clarkstown Town Hall, New City N Y on April 4, 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. Maloney.

All voted Aye.

(1975-232) Co. Pizzutello offered the following resolution:

WHEREAS, the Town of Clarkstown has appealed to the State Board of Equalization and Assessment concerning the County equalization rates for the year 1975, and

WHEREAS, it is necessary to have counsel to prepare the appeal to the State Board of Equalization and Assessment;

NOW THEREFORE, be it

RESOLVED, that Adolph Koepfel, Esq., 220 Old Country Road, Mineola, New York, is hereby appointed Special Counsel to the Town of Clarkstown in the matter of the appeal to the State Board of Equalization and Assessment concerning the 1975 County equalization rates.

Seconded by Co. Maloney.

All voted Aye.

(1975-233) Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Patricia Gandolfo, 29 Stratford Place, New City N Y as Crossing Guard - Police Department - is hereby accepted with regret, effective and retroactive to March 7, 1975.

Seconded by Co. Lodico.

All voted Aye.

(1975-234) Co. Maloney offered the following resolution:

WHEREAS, there is a vacancy in the position of Crossing Guard created by the resignation of Patricia Gandolfo,

NOW THEREFORE, be it

(continued)

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(1975-234 - continued)

RESOLVED, that Margaret M. Walsh, 14 Jolen Drive, New City N Y is hereby appointed to the position of Crossing Guard - Police Department - at the daily wage of \$8.00, effective and retroactive to March 10, 1975.

Seconded by Co. Lodico.

All voted Aye.

(1975-235) Co. Maloney offered the following resolution:

RESOLVED, that June M. Valois, 2 Duane Avenue, New City N Y is hereby appointed to the position of Crossing Guard - Police Department - at anew post to be located at the intersection of Dorchester Avenue and Concord Drive, New City, N Y, effective March 24, 1975, at the daily wage of \$8.00.

Seconded by Co. Lodico.

All voted Aye.

(1975-236) Co. Lodico offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Engineering Technician #74154 which contains the name of Everett Maier,

NOW THEREFORE, be it

RESOLVED, that Everett Maier Jr., Box 276, Cottage Road, Valley Cottage New York is hereby appointed to the position of Engineering Technician - Town Engineer's Office - based upon the recommendation of Alfred Berg, Town Engineer, at the annual salary for 1975 of \$8,195.00, effective immediately.

Seconded by Co. Maloney.

All voted Aye.

(1975-237) Co. D'Antoni offered the following resolution:

WHEREAS, Linda McDermott has been granted a six month Leave of Absence as Sr. Registry Clerk,

NOW THEREFORE, be it

RESOLVED, that based upon the recommendation of Anne E. O'Connor, Town Clerk, Virginia DiBlasi, 39 Pine View Avenue, Bardonia N Y is hereby appointed provisionally (contingent) to the position of Sr. Registry Clerk - Town Clerk's Office, at the annual salary for 1975 of \$7,844.00, effective immediately.

Seconded by Co. Maloney.

All voted Aye.

(1975-238) Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 4, 1975 that the position of Sr. Stenographer - Police Department - can be created,

NOW THEREFORE, be it

RESOLVED, that the position of Sr. Stenographer - Police Department - is hereby established, effective immediately.

Seconded by Co. Lodico.

All voted Aye.

(1975-239) Co. Pizzutello offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified that certain EEA positions can be created,

NOW THEREFORE, be it

RESOLVED, that the following EEA positions are hereby created, effective immediately:

Two (2) Court Attendant positions - Police Department
Two (2) Security Aide positions - Parks & Recreation
One (1) Stock Clerk - Parks & Recreation.

Seconded by Co. Lodico.

All voted Aye.

(1975-240) Co. Pizzutello offered the following resolution:

RESOLVED, that the following persons are hereby appointed to the various Manpower positions:

(1) Gene Hoy, 11 Gottlieb Drive, Pearl River N Y, at present annual salary of \$7,494.00 - Security Guard - Parks & Recreation;

(2) Donald W. Vanatto, 741 Route 45, Spring Valley N Y at the present annual salary of \$7,494.00 - Security Guard - Parks & Recreation.

(3) Robert E. Myles, 124 Crooked Hill Road, Pearl River N Y at the current annual salary of \$7,494.00 - Stock Clerk - Parks & Recreation.

(4) Chin Y. Kwak, 129 Ridge St., Pearl River N Y at the present annual salary of \$7,494.00 = Court Attendant - Police Department.

Seconded by Co. Lodico.

All voted Aye.

GE8188

(1975-241) Co. Lodico offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #74109 which contains the name of Peter Florence,

NOW THEREFORE, be it

RESOLVED, that Peter Florence, P O Box 546, New City N Y is hereby appointed permanently to the position of Assistant Building Inspector - Building Inspector's Office - at the annual salary for 1975 of \$11,540.00, effective immediately.

Seconded by Co. Maloney.

All voted Aye.

(1975-242) Co. D'Antoni offered the following resolution:

RESOLVED, that the Superintendent of Highways is hereby authorized to install "NO PARKING 8 A.M. to 7 P.M. MONDAY THRU SATURDAY" signs on the east side of Main St., New City south from Second Street to Collyer Avenue.

Seconded by Co. Lodico.

All voted Aye.

(1975-243) Co. D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Supt. of Highways is hereby authorized to install "NO STOPPING ON PAVEMENT" signs on the south side of West Nyack Road from the intersection of West Nyack Road and Sickletown Road, east to the second drainage canal.

Seconded by Co. Maloney.

All voted Aye.

(1975-244) Co. D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install "STOP" signs at the following locations:

Ferndale at Goebel Rd., New City
Finch at Goebel Rd., New City
Finch at Ferndale, New City
Dolphin at Ferndale, New City
Oriole At Ferndale, New City
Oriole at Dolphin, New City

Seconded by Co. Maloney.

All voted Aye.

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(1975-245) Co. D'Antoni offered the following resolution:

RESOLVED, based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, that the Highway Superintendent is hereby directed to erect a "NO PARKING FROM HERE TO CORNER" sign on the s/s of Church Street, 30 feet from the intersection of Highview Ave., Nanuet N Y.

Seconded by Co. Maloney.

All voted Aye.

(1975-246) Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Superintendent of Parks Board and Recreation Commission, the Town Board of the Town of Clarkstown hereby accepts proposals from Orange & Rockland Utilities, Inc. for street lighting at the following location:

Congers Road, Congers
Pole No. 3307

Seconded by Co. Pizzutello.

All voted Aye.

(1975-247) 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 location:

Intersection of Pineview & Westlyn, Bardonia
Pole No.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-248) Co. Maloney offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 31 of the Code of the Town of Clarkstown to rectify violation on premises owned by

PHILIPPE WAILSTROM

in the Town of Clarkstown, more particularly described on tax map of the Town of Clarkstown as

MAP 126, BLOCK B, LOT 5

Seconded by Co. Lodico.

All voted Aye.

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(1975-249) Co. Maloney offered the following resolution:

WHEREAS, by resolution adopted June 19, 1974, by the Town Board of the Town of Clarkstown, the Town Board has initiated the procedure for the improvement of highways in said Town known as Central Avenue, Randy Lane and Blue Willow Lane, at New City, Town of Clarkstown, by paving approximately 1,332 lineal feet thereof at a maximum cost of approximately \$65,000, and

WHEREAS, the Town Engineer of the Town of Clarkstown has prepared a survey of the property to be improved and profiles showing the lines and grades to be established;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby directed by the Town of Clarkstown to have a title search undertaken to determine the owners in fee of the proposed roads, and be it

FURTHER RESOLVED, that deeds of conveyance be obtained for the portions of said roads intended to be improved and that the Town Attorney's Office is hereby authorized to commence condemnation proceedings for those portions of the improvement for which a gratuitous deed cannot be obtained.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-250) Co. D'Antoni offered the following resolution:

WHEREAS, the Legislature of Rockland County has embarked upon a feasibility study to purchase the Uris Building, located in Pearl River, and

WHEREAS, the Town Board of the Town of Clarkstown considers such purchase to be excessively ambitious and expensive for the county's needs now and in the foreseeable future, and

WHEREAS, such purchase would place an undue economic burden and hardship upon the people of Rockland County, all of whom would ultimately pay for such purchase through increased taxes, and

WHEREAS, the people of Clarkstown would be especially burdened because of the inequitable equalization rate established by the Legislature of Rockland County, and

WHEREAS, any discussion of the County of Rockland reimbursing the Town of Orangetown and the Pearl River Union Free School District for taxes lost through the sale of the Uris building to the County of Rockland would immediately embark the County of Rockland on a dangerous and lengthy

(continued)

EEC900

(1975-250 - continued)

legal action with many municipalities in which the county currently owns property, and that the Town of Clarkstown in particular would immediately act to be reimbursed by the County of Rockland for their purchase of the Sain Building and the proposed one hundred acres of land bought for park purposes from "THE DELLS", and

WHEREAS, the physical structure and location of the Uris Building is not suitably designed nor located for efficient use by county government, and

WHEREAS, the largest rental agents in the nation have tried to no avail to rent those premises and it could not be expected that the County of Rockland would do a better job,

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown is unalterably opposed to the county's purchase of the Uris Building; and be it

FURTHER RESOLVED, that all considerations of such purchase be terminated at once in order to avoid and to allay the justified fears of all taxpayers in the entire county.

Seconded by Co. Maloney.

All voted Aye.

(1975-251) Co. Lodico offered the following resolution:

WHEREAS, the Legislature of Rockland County, on March 4, 1975, adopted a resolution entitled "Resolution No. 162 of 1975: Challenge to the Licenses of Commercial Television Stations Serving Rockland County", and

WHEREAS, said resolution resolved that the licenses of the six commercial television stations, WCBS, WNBC, WNEW, WABC, WOR, WPIX, should not be renewed by the said Federal Communications Commission unless they take cognizance of the people of the County of Rockland, and

WHEREAS, the Legislature of Rockland County resolved to present a complaint to the Renewal Branch of the Federal Communications Commission and send certified copies of said resolution to the six commercial television stations and to the Renewal Branch of the Broadcast Bureau of the Federal Communications Commission, and

WHEREAS, the Town Board of the Town of Clarkstown considers this act of the Legislature of Rockland County as being inconsistent with its legislative prerogatives and as being capriciously executed without regard to substantive evidence of the television stations' alleged ignoring of governmental events of Rockland County, and

(continued)

GE8188

(1975-251 - continued)

WHEREAS, the Town Board of the Town of Clarkstown holds that a realistic appraisal of the television area covered by said television stations would show that the County of Rockland has received coverage of major news events that affect, directly or indirectly, the population of the entire coverage area, and

WHEREAS, the Town of Clarkstown, with a population in excess of seventy thousand people, representing approximately one-third of the total population of the County of Rockland, believes that greater coverage of our area would be highly desirable and may well be that local coverage may best be secured through other commercial or public television facilities originating locally and securing a more defined area, and further believes that present coverage cannot be measured adequately by a legislative body,

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown wants entered upon the minutes of the deliberations of the Renewal Branch of the Federal Communications Commission that the Town of Clarkstown does not endorse the position of the Legislature of Rockland County, and be it

FURTHER RESOLVED, that the deliberations of the Federal Communications Commission be conducted without the prejudicial statements of the Legislature of Rockland County being given undue weight, and be it

FURTHER RESOLVED, that a certified copy of this resolution shall be sent to the six commercial television stations serving Rockland County and to the Renewal Branch of the Broadcast Bureau of the Federal Communications Commission,

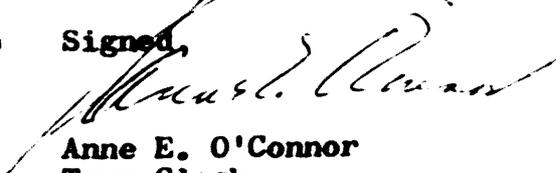
Seconded by Co. Maloney.

All voted Aye.

In connection with Middlewood Senior Citizen Complex, Councilman Lodico reported that the Public Service Commission has denied the request of the town to make survey for gas conversion at these premises. He stated further that the Nyack Plumbing & Supply Co. has offered to make said study at no cost to the town.

There being no further business before the Town Board, on resolution offered by Co. D'Antoni, seconded by Co. Lodico and unanimously adopted, Town Board meeting was adjourned until Wednesday, April 2nd, 1975 at 8:00 PM.

Signed,


Anne E. O'Connor
Town Clerk

GERB188