

TOWN BOARD MEETING

Town Hall

4/2/75

8:00 PM

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

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

(1975-252) Co. Pizzutello offered the following resolution:

RESOLVED, that based upon the recommendation of Morton Troy, Director of Purchasing, and Edward J. Ghiazza, Supt. of Recreation & Parks, the bid for operating the Food Concession at Germonds Park, West Nyack N Y be and is hereby awarded to Everett K. Burger, 661 South Mountain Road, New City N Y at a sum equal to 10% of the annual gross receipts, or \$1,000.00 minimum annual license fee, whichever amount is greater, and be it

FURTHER RESOLVED, that based upon the above recommendations, the bids for operating the Food Concessions at Congers Lake Park, Congers N Y and Lake Nanuet Park, Nanuet N Y are hereby awarded to Everett K. Burger, 661 South Mountain Road, New City N Y at a sum equal to 10% of the annual gross receipts, or \$500.00 minimum annual license fee, whichever amount is greater, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to sign the license agreements covering the operations of these three Food Concessions, expiration dates for the three agreements to be December 31, 1977.

Seconded by Co. Maloney.

All voted Aye.

(1975-253) Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, the bid to supply a van for the Sewer Department is hereby awarded to Manly Chevrolet, Inc., Route 59, Nyack N Y at the low bid price of Three Thousand, Seven Hundred Eighty-Eight Dollars and Fifty Cents (\$3788.50), and be it

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

Seconded by Co. Pizzutello.

All voted Aye.

(1975-254) Co. Pizzutello offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, the bid for printing the Parks Board and Recreation Commission Spring-Summer Brochure is hereby awarded to WJR Printers, 19 Gramercy Place, Thornwood N Y at the low bid price of Three Thousand, One Hundred Eighty Five Dollars(\$3,185.00), and be it

FURTHER RESOLVED, that funds be taken from 7180, line 427.

Seconded by Co. Maloney.

All voted Aye.

(1975-255) Co. D'Antoni offered the following resolution:

RESOLVED, that the minutes of the Town Board meeting held on March 19, 1975 and the minutes of the Special Town Board meeting held on March 21, 1975 are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Maloney.

All voted Aye.

(1975-256) Co. Maloney offered the following resolution:

WHEREAS, FRANK W. FOLEY & JANE V. FOLEY, FRANCIS X. FOLEY & ANNE V. FOLEY have petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the said Town be amended by redistricting property of the said petitioner described from an R-40 district to an R-15 district;

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City N Y is the said town on the 23rd day of April 1975 at 8:15 PM relative to such proposed amendment; and it is

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

Seconded by Co. Lodico.

All voted Aye.

GERI &

Town Board signed ORDER setting hearing re proposed extension of Clarkstown Consolidated Water Supply District #1 to include SUBDIVISION OF SIDNEY & ESTHER WEINSTEIN, SPRING VALLEY (SILK CONSTRUCTION, INC.)--
4/23/75 - 8:30 PM.

(1975-257) Co. Maloney offered the following resolution:

RESOLVED, that the application of JOHN CHAGARIS, JAMES CHAGARIS & PETER CHAGARIS for a change of zoning from sn LO District to a CS District on property located off Route 59 and Greenbush Road, West Nyack N Y be referred to the Town Planning Board for report pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board pursuant to Secs. 239 (l) and (m) of the General Municipal Law.

Seconded by Co. Lodico.

All voted Aye.

(1975-258) 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:

Mallard Road, West Nyack
Park Terrace, Congers

Seconded by Co. Lodico

All voted Aye.

(1975-259) Co. D'Antoni offered the following resolution:

RESOLVED, that the Superintendent of Highways is hereby authorized to install the following:

"NO PARKING" sign between Laurel Road and Third St. on the east side of Main St., New City.

"NO PARKING 8 A.M. to 6 P.M. MONDAY - SATURDAY" between Schreiver Lane and Twin Elms Drive on the west side of Main St., New City,

and be it

FURTHER RESOLVED, that the Superintendent of Highways is hereby authorized to move the "NO PARKING HERE TO CORNER" on the west side of Main St. and place it at the driveway of Zebrowski and Nocholai, 307 South Main Street, New City.

Seconded by Co. Lodico.

All voted Aye.

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(1975-260) 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:

AT WILL PLUMBING & HEATING SERVICES, INC.
9 Johnson Lane
New City N Y

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 75-17 to AT WILL PLUMBING & HEATING SERVICES, INC.

Seconded by Co. D'Antoni.

All voted Aye.

(1975-261) Co. Pizzutello offered the following resolution:

WHEREAS, by resolution dated July 11, 1973, the Supervisor of the Town of Clarkstown was authorized to enter into a contract for the purchase of certain lands at Monterey Estates, Valley Cottage at a sum not to exceed \$13,000., and

WHEREAS, the aforesaid contract was duly executed and a closing held on November 19, 1974; and

WHEREAS, pursuant to said closing statement, there is presently due and owing from the Town of Clarkstown to Fairway Development, Inc. the sum of \$12,000;

NOW THEREFORE, be it

RESOLVED, that the sum of \$12,000 be paid to Fairway Development, Inc. from Money In Lieu of Land Account.

Seconded by Co. Maloney.

All voted Aye.

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(1975-262) Co. Lodico offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown hereby adopted Bond Resolution authorizing the purchase and installation of a New Telephone System for the Town Hall and the Hall of Justice, stating the estimated maximum cost of said specific object or purpose is \$100,000, appropriating said amount therefor, and authorizing the issuance of \$100,000 Serial Bonds to finance said appropriation.

Seconded by Co. Maloney.

All voted Aye.

(VERBATIM BOND RESOLUTION IN TOWN CLERK'S FILES)

(1975-263) Co. Lodico offered the following resolution:

RESOLVED, that the Town Clerk is hereby directed to publish the foregoing bond resolution, in full, in the Journal-News, the official newspaper of said town, 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 to take effect immediately.

Seconded by Co. Maloney.

All voted Aye.

(1975-264) Co. Lodico offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown hereby adopts Bond and Capital Note resolution authorizing the construction of sidewalks, stating the estimated maximum cost thereof is \$500,000, appropriating said amount therefor and authorizing the issuance of \$25,000 Capital Notes to provide the down payment, and \$475,000 Serial Bonds to finance the balance of said appropriation.

Seconded by Co. Pizzutello.

All voted Aye.

(VERBATIM BOND RESOLUTION IN TOWN CLERK'S FILES)

(1975-265) Co. Lodico offered the following resolution:

RESOLVED, that the Town Clerk publish foregoing Bond and Capital Note resolution once in official newspaper, and post once on Bulletin Board of Town Hall.

Seconded by Co. Pizzutello.

All voted Aye.

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(1975-266) Co. Lodico offered the following resolution:

RESOLVED, that the Town Board hereby adopts Bond and Capital Note Resolution, which amends said resolution adopted July 17, 1974, authorizing the reconstruction, widening and resurfacing of a portion of Mountainview Avenue, Central Nyack, N Y stating the estimated maximum cost thereof is \$350,000, appropriating said amount therefor and authorizing the issuance of \$17,500 capital notes to provide the down payment and \$332,500 Serial Bonds to finance the balance of said appropriation.

Seconded by Co. Pizzutello.

All voted Aye.

(VERBATIM RESOLUTION IN TOWN CLERK'S FILES)

(1975-267) Co. Lodico offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to publish and post the above-mentioned amended Bond and Capital Note resolution.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-268) Co. D'Antoni offered the following resolution:

RESOLVED, that resolution No. 89 dated February 5, 1975, is hereby rescinded.

Seconded by Co. Maloney.

All voted Aye.

(1975-269) Co. D'Antoni offered the following resolution:

WHEREAS, by resolution adopted November 13, 1974, the Town Board of the Town of Clarkstown retained the services of Ralph L. Snodsmith as a consultant in connection with the Shade Tree and Beautification Programs of the Town of Clarkstown for a period not to exceed ninety days, and

WHEREAS, it is the desire of the Town Board that said services of Ralph L. Snodsmith be continued for a further period of ninety days;

NOW THEREFORE, be it

RESOLVED, that Ralph L. Snodsmith, 89 Pomona Road, Suffern N Y is hereby retained as a consultant to the Town of Clarkstown for a period not to exceed 90 days on a per diem basis at a sum not to exceed \$2,500, effective as of March 17, 1975, for the purpose of:

(continued)

(1975-269 -- continued)

- A. Review and recommendations concerning procedures for Shade Tree Preservation and Planting;
- B. To provide professional consultation services to the Planning Board, Building Inspector, Shade Tree Commission, Town Engineer and the Town Board concerning projects presently under consideration by these agencies

said sum to be transferred from Contingency Account to Conservation Account.

Seconded by Co. Maloney

All voted Aye.

(1975-270) Co. Pizzutello offered the following resolution:

WHEREAS, Charlotte Jeanfaivre has offered premises to the Town of Clarkstown, situate on the north side of Congers Road in the Hamlet of New City N Y, more particularly designated on the Clarkstown Tax Map as Map 58, Block G, Lot 29.02, for the sum of \$45,000., and

WHEREAS, it is deemed desirable to purchase said property;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown purchase said premises from Charlotte Jeanfaivre for the sum of \$45,000 and that the Supervisor of the Town of Clarkstown is hereby authorized to execute a contract to purchase said premises, which contract shall be in a form acceptable to the Town Attorney, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown is hereby authorized to obtain the necessary documents in order to sell obligations pursuant to the Local Finance Law, in the amount of \$50,000, which includes the purchase price of \$45,000. together with the necessary expenses of the purchase of the said premises, and be it

FURTHER RESOLVED, that the sum of \$4,500.00 as down payment on said property be appropriated from Purchase of Land Account #1940 and to be reimbursed to said account from the proceeds of the obligations being sold pursuant to the Local Finance Law.

Seconded by Co. D'Antoni.

All voted Aye.

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Proposed resolution authorizing Supervisor to enter into agreement with G & A Contracting Corp. --- tabled.

(1975-271) Co. Lodico offered the following resolution:

WHEREAS, property adjacent to the Town Sanitary Land Fill in the Hamlet of West Nyack N Y, more particularly designated on the Clarkstown Tax Map as Map 105, Block A, Lot 33.01, has been offered for sale to the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to appoint two appraisers to appraise the subject property.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-272) Co. Lodico offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Custodian #74190 which contains the name of Peter Palko,

NOW THEREFORE, be it

RESOLVED, that Peter Palko, 6 Homestead Lane, New City N Y is hereby appointed to the position of Custodian-Town Hall- at the annual salary for 1975 of \$9,613.00, effective immediately.

Seconded by Co. Maloney.

All voted Aye.

(1975-273) Co. Lodico offered the following resolution:

WHEREAS, Pauline Chasar has requested an extension of sick leave, and

WHEREAS, Article XIX, Section 1 provides for an extension of such leave,

NOW THEREFORE, be it

RESOLVED, that Pauline Chasar, 17 Jolen Drive, New City N Y is hereby granted a two month extension of her leave of absence at one-half (1/2) her normal salary effective April 3, 1975.

Seconded by Co. D'Antoni.

All voted Aye.

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(1975-274) Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Bonita M. Yannazzone, East Evergreen Road, New City N Y as Stenographer - Town Justice Office - is hereby accepted with regret, effective April 17, 1975.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-275) Co. Pizzutello offered the following resolution"

RESOLVED, that James Summers, 16 Highway Avenue, Congers, N Y is hereby re-appointed to the part-time position of Custodian of Wells Park, Congers, term to commence on May 1, 1975 and terminate on October 31, 1975 at the salary of \$2.90 per hour.

Seconded by Co. D'Antoni.

All voted Aye.

(1975-276) Co. D'Antoni offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Typist CR 1 75-32 which contains the name of Lorraine Moran,

NOW THEREFORE, be it

RESOLVED, that Lorraine Moran, 10 Adele Road, West Nyack N Y is hereby appointed to the position of Typist - Town Clerk's Office - Contingent Permanent, at the annual salary for 1975 of \$6,557.00, effective April 3, 1975.

Seconded by Co. Maloney.

All voted Aye.

(1975-277) Co. Lodico offered the following resolution:

WHEREAS, a drainage project has been authorized in the West Nyack Area known as "River Estates Managed Flood Plain" and

WHEREAS, additional funds are required to continue this project;

(continued)

(1975-277 -- continued)

NOW THEREFORE, be it

RESOLVED, that the said drainage project in West Nyack known as "River Estates Managed Flood Plain" shall be continued, and be it

FURTHER RESOLVED, that the sum of \$25,000 is hereby appropriated for this purpose from the Drainage Account.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-278) Co. Maloney offered the following resolution:

RESOLVED, that the Director of Purchasing be authorized to advertise for bids for supplying Police Uniforms for the Clarkstown Police Department; said bids to be returnable at the Office of the Purchasing Director, Clarkstown Town Hall, 10 Maple Avenue, New City N Y on April 28, 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.

(1975-279) Co. Pizzutello offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deed from WENCHAS CONSTRUCTION CORP., 20 South Main St., New City N Y dated July 7, 1972 conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of LINDA ESTATES, filed in the County Clerk's Office on 7/23/70 as Book 80, Page 40, Map #4033 as follows:

South Little Tor Oval

is hereby accepted by the Town of Clarkstown and ordered filed in the Rockland County Clerk's Office.

Seconded by Co. Maloney.

All voted Aye.

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(1975-280) Co. Lodico offered the following resolution:

WHEREAS, JOSEPH D'ALESSIO and MILDRED D'ALLESSIO are desirous of granting a drainage easement to the Town of Clarkstown located at Little Tor Road, New City N Y;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby accepts a drainage easement from Joseph D'Alessio and Mildred D'Alessio covering the premises located at Little Tor Road, New City N Y, more particularly described in said easement agreement dated December 9, 1974.

Seconded by Co. Maloney.

All voted Aye.

(1975-281) Co. Maloney offered the following resolution:

WHEREAS, WILLIAM KLEIN and PIA MARIA KLEIN are desirous of granting a drainage easement to the Town of Clarkstown, located at Little Tor Road, New City N Y;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby accepts a drainage easement from William Klein and Pia Maria Klein covering premises located at Little Tor Road, New City N Y more particularly described in said easement agreement dated January 24, 1975.

Seconded by Co. Lodico.

All voted Aye.

Proposed resolution terminating easement for drainage (Linda Estates) -- held.

(1975-282) Co. Pizzutello offered the following resolution:

WHEREAS, a bond resolution has been passed authorizing the sale of obligations in order to pay \$119,991.67 to Susan Cohen, pursuant to a Judgment of the Supreme Court, Rockland County, in the matter of the Town of Clarkstown v. Susan Cohen, and

WHEREAS, it is desirable to delay the sale of said obligation;

(continued)

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(1975-282 -- continued)

NOW THEREFORE, be it

RESOLVED, that pursuant to Section 165.10 of the Local Finance Law, the sum of \$119,991.67 shall be transferred from Contingency Funds of the Town of Clarkstown, to the General Fund Account in order to pay said Judgment, and be it

FURTHER RESOLVED, that suitable records be kept of such temporary diversion of funds, and be it

FURTHER RESOLVED, that upon the sale of the aforesaid obligation, the sum of \$119,991.67 shall be reimbursed to Contingency Fund.

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

Ms. Rita Feinberg appeared before the Town Board requesting that Resolutions 935 and 936 adopted at Town Board meeting held on 12/4/74, which granted zone change and special permit application to Monterey Garden Co. for Senior Citizen Housing in Bardonia, be rescinded and new vote taken, Co. D'Antoni abstaining.

Ms. Feinberg was informed that the matter had been referred to the Board of Ethics of the town, which had looked into the matter as requested, and had found no conflict.

(1975-283) Co. Lodico offered the following resolution:

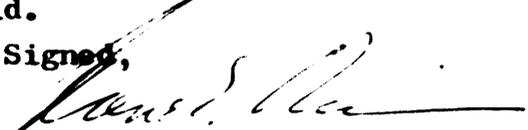
RESOLVED, that the Town of Clarkstown go on record as opposing the purchase of South Mountain in the Towns of Ramapo, Haverstraw and Clarkstown for additional County Park Facilities at a time when taxpayers are demanding more and better services instead of expansion of already expanded county parkland program; and Town requests that the Federal and State Agencies responsible for said funding would look upon this expenditure at this time as a bad investment.

Seconded by Co. Pizzutello.

All voted Aye.

There being no further business before the Town Board, on resolution offered by Co. Lodico, seconded by Co. Maloney and unanimously adopted, Town Board meeting was adjourned until Wednesday, April 9th, 1975 at 8:00 PM; at which time scheduled public hearings will be held.

Signed,


Anne E. O'Connor
Town Clerk