

PUBLIC HEARING

Town Hall

11/6/75

8:00 P.M.

Present: Co. D'Antoni, Lodico, Maloney, Pizzutello, Supv. Gerber  
Deputy Town Clerk Alice Weber  
Director of Finance Joseph Conway  
Deputy Town Attorney Philip Fogel

RE: 1976 PRELIMINARY BUDGET

Supervisor Gerber called Public Hearing to order; Deputy Town Clerk read Notice of Hearing and testified to proper posting and publication.

Supervisor Gerber stated Preliminary Budget was filed in Town Clerk's office and publication made as required by law -- copies have been available of the proposed budget for 1976 in the office of the Town Clerk.

Anyone who wishes to be heard on the budget or any item in the budget can be heard -- at close of public hearing Town Board will reserve decision. New York State law requires final budget must be adopted prior to November 20th. As indicated, preliminary budget can be raised or lowered -- if adopted in total, would reflect requirements to raise in the general taxation \$5,556,947 in the town-wide taxes -- representing increase of approximately 5%. Budget takes into account all contractual obligations of the Town, including police contract recently signed for 3 years and also CSEA contract for balance of Town employees. Also includes required fixed debt redemption and revenues from various sources. Includes transfers of funds from various accounts which had been left in separate accounts and which state law permits transfer and permits use to reduce taxes. Part was result of independent audit the town has undertaken to do each year and upon advice of auditors and town accountants.

If proposed budget were voted on without any changes there would be a slight increase from .5557 (approximately 56¢ per \$100) to approximately .5952 (59¢ per \$100) in the general taxation, in areas of the town outside the villages. The Town Board will take all requests and comments under advisement and pass upon the Budget prior to November 20th.

NO QUESTIONS FROM MEMBERS OF THE TOWN BOARD

THE FOLLOWING PERSONS APPEARED BEFORE THE TOWN BOARD REGARDING PROPOSED PRELIMINARY BUDGET:

MR. FRED HAGER, VALLEY COTTAGE: Would be helpful in future if we can have comparison with previous year -- also thinks police contract was excessive. With reference to Town Attorney's department - under "Other Expenses" - \$50,000 - is that for litigation -- how is that figure constructed. Advised by the Supervisor all for litigation. Mr. Conway advised figure constructed on basis of pending cases and the judgement of the Town Attorneys office. Regarding distribution of personnel, suggested it would be helpful in future to list how many people are involved in departments. Regarding approximate 5% increase in taxes stated felt it was a pretty reasonable situation.

(continued)

181014

Councilman Lodico commented regarding Federal Revenue Sharing funds, pointing out that still our money -- based on a temporary situation -- over in 1976 unless renewed by Congress and suggested that programs not be developed which would require perpetuating any employment and that anything considered in the area of employment only be on temporary basis with Federal Revenue Sharing.

KENNETH GRIBITZ, ROCKLAND COUNTY DISTRICT ATTORNEY -- District Attorney's office conducted study this year as to situation in Justice Courts throughout Rockland County, particularly recalls situation in the Town of Clarkstown -- asked the Board to consider converting present part-time Court in Clarkstown to full time Court. 1800 Criminal Cases pending in Town of Clarkstown all misdemeanors. In Clarkstown cases pending include 5 from 1966; 13 from 1967; 10 from 1968; 24 from 1969; 70 from 1970; 103 from 1971; 196 from 1972; 456 from 1973 and 544 up to July 31, 1975 -- criminal cases -- include 10 sex offense cases, never tried, 55 Criminal Trespass cases; 45 Criminal Possession Stolen Property Cases; 180 Harassment cases; 109 Driving While Intoxicated; 146 Town Code violations; 37 narcotics cases -- nobody will ever plead guilty to a criminal case if it's a misdemeanor in Clarkstown, only plead not guilty and demand Jury trial -- shocking situation. Town Board has failed to keep up with needs of police department and society. Court system stagnated. Situation demoralizes police department -- has not been a single criminal trial in Clarkstown since 1969 -- shocking fact in this town is that if you are arrested on misdemeanor is that that case will never ever be tried. Clarkstown in bad situation also in area of Shop Lifting. By having Court system that meets only one day a week we are encouraging the criminal elements of our society-- no deterrents. Think its important to have a judge sitting between 9 and 5 to try Criminal Cases in Clarkstown -- urge that you strongly consider this.

Councilman Lodico asked if it was a fact that the numbers given for crimes in Clarkstown equal that of the other four towns -- asked if statistics for other towns as far as trials for those towns, in view of the fact that the other four towns together have the same number as Clarkstown alone -- do the statistics justify the same action in those towns.

Mr. Gribitz stated he believed Town of Ramapo has made some effort to convert to full time system -- Clarkstown in worst shape -- as long as we have part-time Justice Court system we are never going to have true justice in this county -- Clarkstown situation is worse than any other town.

Councilman Lodico stated Town Board has discussed previously the area of full-time justice and he has indicated he is in full support of that concept.

Councilman D'Antoni stated we are well aware of situation -- have discussed at workshop -- I will support it - if we can get judges working on 9 - 5 basis and put in full days work I'm all for doing something about it.

(continued)

HONORABLE EDWARD J. FLYNN, TOWN JUSTICE -- didn't get a chance to talk to Ken Gribitz concerning the report he had his people put together after going thru the files in our Justice Court office -- I want to correct little bit of misimpression that almost nothing is being done in the Justice Court. He's talking about the backlog which concerns me and concerns Judge Maidman. Our system cannot work on part-time basis -- can't even tell you that 2 judges working full-time it's going to work the way a Court system should work -- but will go long way towards working better than it is working now. To clarify one point, during period of 1970 - 1975 we had 5231 people convicted of misdemeanors or violations -- many were misdemeanors -- 1842 cases are waiting trial, but it takes tremendous amount of time to dispose of 5200 criminal matters, 42,961 traffic cases, ordinance violations over 1,000, miscellaneous and others over 600. One figure Mr. Gribitz didn't mention -- in the 5 years from 1970 to date we have disposed of 4,396 civil cases -- 546 civil cases waiting to go to trial, but again, this is because we have part-time court situation.

Mr. Lodico, you raised question of judges working 9 to 5, I haven't worked 9 - 5 in so many years, can't remember what a 9 - 5 clock looks like - don't think anybody sitting on judicial position on full time basis is going to be working 9 - 5 -- number of hours we have put in here on part time basis is very indicative of the kind of work week that a judge in Clarkstown would put in -- not going to be 9 - 5 job. On average throughout the year Judge Maidman and myself put in an average of 20 - 25 hours per week on this part-time basis. We cannot keep up with the volume.

Our present budget for the Justice Court is roughly 100,000 dollars, which comes out to less than 3/4 of 1% of the total town budget of the Town of Clarkstown -- to implement full-time Justice Court with 2 judges sitting full time, 1 additional full-time secretary would result in the Justice Court budget representing slightly over 1% of the total town budget, a lot of money -- but not just a department of the town, this is a separate branch of government, charged with certain special specific responsibilities over and above what the highway department does, the purchasing department does, that's part of the executive legislative function of the town -- Justice Court system is designed for an entirely different purpose -- to make sure that the laws that are passed are adhered to, that the police department properly enforces the laws -- the Court is the buffer between the people and it's government. We certainly advocate your consideration to making the Justice Court in the Town of Clarkstown full-time positions and in both Judge Maidman's case and my own, we would refrain from the practice of law completely, would enter into an agreement with the Town to that effect and that's all we would do -- dispense justice to the people in this town -- we need it, the people are not getting it.

District Attorney Kenneth Gribitz stated his statement was not in criticism of any of the judges that are sitting -- did want to state attorneys know they can beat a case by pleading not guilty and demanding a jury trial.

(continued)

EVERETT JOHNS, ATTORNEY, NEW CITY APPEARING ON BEHALF OF THE ROCKLAND COUNTY BAR ASSOCIATION -- Rockland County Bar Association fully supports budgetary item for the full-time Court in Clarkstown and we hope that this board will inaugurate that -- will be first in the County of Rockland if not in the lower part of the Hudson Valley to have full-time Town Justice Court. We have both Judge Maidman and Judge Flynn, outstanding Town Justices not only in Clarkstown but in the County of Rockland and I urge you to seriously consider implementation of the full-time Court in the Town of Clarkstown.

STUART SIMON, 25 FINCH ROAD, NEW CITY -- first as an attorney would like to agree with what has been said about the need for full-time justices in Clarkstown. Asked how Building Inspector, Zoning Board of Appeals and Planning Services budgets have grown over the last year. Advised by Mr. Conway - Zoning and Planning Budget in 1975 - \$10,450 in 1976 \$10,285. The Planning Services is a combination of of the Town Planner and the Planning Board of last year -- last year -- combined figure of Planning Board and Planning Department was \$117,600, this year, combined \$147,772. Mr. Simon asked the board if that expenditure could be reduced -- doesn't seem to be as many hearings regarding zone changes - changes in planning -- perhaps the 30,000 could be allocated to the Courts or other areas of the budget or eliminated from the budget.

Supervisor Gerber asked Mr. Ghiazza to explain the items regarding the make-up of Recreation Budget, with particular reference to Senior Citizens Programs in the Town of Clarkstown... further stated there will be no cut backs in Senior Citizen Programs if we have to cut back in other areas.

Mr. Ghiazza -- our Senior Citizen Budget for 1975 including Revenue Sharing was \$42,700 and for 1976, including Revenue Sharing will be \$51,650, so there has been an increases for some services and equipment and to have more programs for the seniors -- at community center in Congers we have opened the building on Tuesdays and Fridays with bus transportation for the 9 clubs we have -- available to come there and participate in the activities -- more funds have been provided in the '76 budget so we can do a little more for the seniors.

DR. LEONARD PICCOLI, PRESIDENT, BARDONIA SR. CITIZEN CLUB -- complimented Town Board on work being done for senior citizens clubs -- doing magnificent job. Frank DiMaria, director, calls a meeting of all of the officers thrash out different problems -- all clubs are improving -- get together for an exchange of ideas -- let a lot of feed-back -- very proud of what you are doing and have done in many places. Congratulate the present Board, hope future board will continue this. Pleasure to see wonderful benefits to health that all of this results in -- been around seen great time these seniors do have. Thank you very much.

(continued)

THERESA HIGGINS, President, New City Senior Citizens Club -- we appreciate your efforts in our behalf -- mini bus and discount program with merchants and our arts and crafts program has been greatly improved -- thank you very much.

BEN FADER, President, Lakeview Village Senior Citizens -- Frank DiMaria did wonderful job -- 117 strong in there -- he's done a lot for us -- thank you very much for what you have done for us.

GERTA STELLING, Middlewood Senior Citizen Club -- on behalf of Middlewood Senior Citizens would like to thank Recreation Commission, Mr. Gerber for untiring effort and support given at Middlewood. Living there two years and feel like 1 big happy family thru your effort and that of Mr. DiMaria and Mr. Ghiazza -- we enjoy it fully.

JOSEPH PANTANO -- Questioned increase in personnel from the 1974 to 1975 budget -- 1974 -- 731 positions -- 1975 -- 858. Stated CETA and Federal Aid totals not added in -- Supervisor Gerber advised figures are added in on first page of preliminary budget -- further explained by Mr. Conway, Director of Finance.

On motion offered by Councilman Maloney, seconded by Councilman Pizzutello and unanimously adopted, Public Hearing was closed, with decision reserved.

Signed,



Alice Weber  
Deputy Town Clerk

1B1014

PUBLIC HEARING

Town Hall

11/6/75

8:30 PM

Present: Co. D'Antoni, Lodico, Maloney, Pizzutello, Supv. Gerber  
Deputy Town Clerk Alice Weber  
Deputy Town Attorney Philip Fogel

RE: VALLEY COTTAGE AND CENTRAL NYACK FIRE DISTRICTS BOUNDARY  
DISPUTE

Supervisor Gerber called Public Hearing to order;  
Deputy Town Clerk testified as to proper posting and publication  
of Notice of Hearing.

1B1014  
Donald Tirschwell, Esq. - representing Central Nyack  
Fire District -- my understanding was that this would be set  
on a separate evening, because of the length of the hearing.  
We are dealing with complex issues -- think these hearings will  
amount to at least 40 - 50 hours. Other problem -- two members  
of the board will not be present after December 31st -- if hear-  
ings start now and extend past December 31st, we are going to  
have to start all over again as there will be two new members  
of the board. Would seem first item of business would be to  
put this on for a separate night -- second item of business  
would be deciding who has burden of proving what -- we do  
not know who has burden of proving which line.

Jerome Kornfeld, Special Counsel for Valley Cottage  
Fire District -- is the board ready to hear us -- we are  
prepared to begin.

Supervisor Gerber questioned whether would serve  
useful purpose to start hearing tonight since it was my  
understanding testimony will go on for days -- I thought it  
only fair to ask the attorneys whether they were agreeable  
to postpone or possibly to assign a certain number of days  
or nights for the public hearings rather than spend endless  
hours.

Deputy Town Attorney stated as the Central Nyack  
Fire District was the plaintiff in this case, under the  
circumstances, they have the burden of moving forward.

Following recess, Supervisor Gerber stated there is  
an agreement between the two fire districts for the appointment  
of a hearing officer and that this Town Board will adjourn this  
public hearing until January 28, 1976 at which time either there  
will be a report from the hearing officer or the Town Board  
will resume the Public Hearing.

Mr. Kornfeld requested that Supervisor make clear  
for the minutes that the hearing officer is to hear and report  
back to the Town Board by the 28th of January.

Supervisor Gerber stated the Town Board would like  
to make the hearing officer appointment by the 19th of November.  
Court stenographer directed to present copy of minutes to both  
fire districts and the Town Board.

(continued)

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VC - CN FIRE DISTRICTS  
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Mr. Tirschwell stated one understanding as far as the hearing officer is concerned, who is appointed, Mr. Kornfeld and I will attempt before the 19th to come up with a list for the town of suggested names. It is suggested, and I think we both agree, that it either be an attorney or someone involved in title work or survey work in the county.

Both Mr. Tirschwell and Mr. Kornfeld agreed with stipulations.

On motion offered by Councilman Lodico, seconded by Councilman Pizzutello and unanimously adopted Public Hearing was recessed to January 28, 1976.

Signed,



Alice Weber  
Deputy Town Clerk

TOWN BOARD MEETING

Town Hall

11/6/75

8:00 PM

Present: Co. D'Antoni, Lodico, Maloney, Pizzutello, Supv. Gerber  
Deputy Town Clerk Alice Weber  
Deputy Town Attorney Philip Fogel

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

(1975-768) Co. Maloney offered the following resolution:

RESOLVED, that Town Board Meeting be adjourned, in  
order to hold scheduled Public Hearings.

Seconded by Co. D'Antoni

All voted Aye

(1975-769) Co. Maloney offered the following resolution:

RESOLVED, that Town Board Meeting be resumed, scheduled  
Public Hearings having been held.

Seconded by Co. D'Antoni

All voted Aye

(1975-770) Co. Pizzutello offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown  
by resolution duly adopted on the 2nd day of July, 1975,  
provided for a public hearing on the 16th day of July, 1975,  
at 8:15 P.M., to consider the application of JOHN CHAGARIS,  
JAMES CHAGARIS and PETER CHAGARIS, to amend the Zoning Ordinance  
of the Town of Clarkstown by redistricting the property of said  
petitioners from LO district to CS district, 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;

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety  
and welfare, the Zoning Ordinance of the Town of Clarkstown be  
and it hereby is amended by redistricting from LO district to  
CS district, the following described property in the Hamlet of  
West Nyack, New York, in said Town; said amendment conditioned  
upon the executing and recording of a Declaration of Restrictive  
Covenants running with the land in a form satisfactory to the  
Office of the Town Attorney and to contain the following  
covenants:

(continued)

(1975-770 continued)

1. That there be no ingress and egress from North Greenbush Road.

2. In the event the New York State Department of Transportation requires signalization at any point of ingress or egress to applicants' property on Route 59, that the cost of signalization be borne solely by the applicant, his grantees, assigns or successors in title.

Seconded by Co. Lodico

On roll call the vote was as follows:

AYES: Co. D'Antoni. Lodico. Maloney Pizzutello

ABSTAIN: Supervisor Gerber

MOTION CARRIED

PARCEL I

EXHIBIT "A"

BEGINNING at a point on the northeasterly boundary of the existing Knapps Corners - Nyack Highway, said point being 14 feet, more or less, distant northeasterly, measured at right angles from Station R66+92+ of the survey base line of State Highway 5178; running from thence along the northerly boundary of the said State Highway 5178, North 58°35' West 90.83 feet to the easterly line of the Greenbush Road; running thence along the easterly line of Greenbush Road; North 0°49' West 232.47 feet to a point marked by an iron pipe and it being the southwesterly corner of lands now or formerly of Annie S. Hutton; running thence along the lands now or formerly of Annie S. Hutton North 75°34' East 549.67 feet to an iron pin and lands of Otto H. Leber; running thence along the lands of Otto H. Leber South 1°32' East 467.99 feet to an iron pin and the northerly line of State Highway 5178; running thence along the northerly line of State Highway 5178, North 83°35' West 458.44 feet to the place of beginning. The Highway data is taken from Knapps Corners - Nyack State Highway 5178 Map No. 15, made or dated February 10, 1931.

PARCEL II

BEGINNING on the north side of Route 59 at an old iron pin at the southeasterly corner of lands conveyed to John S. Chagaris and others on September 22, 1961 by Deed recorded in the Rockland County Clerk's Office in Liber 737 of Deeds, page 81, which point is distant 549.27 feet easterly as measured along said road from the corner formed by the intersection of the northerly side of said road with the easterly side of Greenbush Road; thence along the easterly side of the said lands of Chagaris North 13°18'03" east 467.99 feet; thence North 89°48'17" East 163.82 feet; thence South 7°41'30" West 539.89 feet to the northerly side of said Route 59; thence along the northerly side of Route 59 North 68°21'00" West 214.34 feet to the point or place of beginning.

Both parcels being together, approximately 6.64 acres + both parcels are contiguous.

(1975-771) Co. Pizzutello offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 20th day of November, 1974, provided for a public hearing on the 11th day of December, 1974, at 8:30 P.M., to consider the application of DEAN BE. SEIFRIED to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of said petitioner from R-15 district to PO district, 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;

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from R-15 district to PO district, the following described property in the Hamlet of New City, New York, in said Town.

Seconded by Co. Lodico.

On roll call the vote was as follows:

AYES: Co. D'Antoni, Lodico, Pizzutello  
NAYS: Co. Maloney, Supv. Gerber

**MOTION NOT CARRIED**  
**ZONE CHANGE DENIED**  
(requires 4-1 vote)

(1975-772) Co. Lodico offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 1st day of October, 1975, provided for a public hearing on the 29th day of October, 1975, at 8:30 P.M., to consider the the application of DR. BERTRAM DROGA & DR. ROGER PLOTKIN by Alex M. Zoldan, Agent to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of said petitioner from R-15 district to PO district, 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;

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from R-15 district to PO district, the following described property in the Hamlet of Bardonia, New York, in said Town.

Seconded by Co. Pizzutello

ON ROLL CALL THE VOTE WAS AS FOLLOWS:

Ayes: Co. Lodico  
Nays: Co. Maloney, Co. Pizzutello  
Abstain: Co. D'Antoni, Supv. Gerber

**MOTION NOT CARRIED**  
**ZONE CHANGE DENIED**

181014

(1975-773) Co. D'Antoni offered the following resolution:

RESOLVED, that the Minutes of the Special Town Board Meeting held on October 9th, 1975 and the Regular Town Board Meeting held on October 15th, 1975, are hereby adopted and accepted as submitted by the Deputy Town Clerk.

Seconded by Co. Maloney

All voted Aye.

(1975-774) Co. Maloney offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deeds from ROBERT A. RIES, residing at No. 48 Second Street, New City, New York 10956, dated December 31, 1974 conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of

"Subdivision of Property for Clover Hill II, Town of Clarkstown, Rockland County, New York, dated February 27, 1973 and last revised June 3, 1974, which has been recorded in the Rockland County Clerk's Office on June 14, 1974 in Book 87, at Page 30, Map No. 4527"

as follows:

Clover Court, New City (284.26 feet)

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

FURTHER RESOLVED, that Maintenance Bonds (two) No Numbers dated the 14th day of August 1975 ROBERT A. RIES as Principal and THE AETNA CASUALTY AND SURETY COMPANY as Surety are hereby accepted.

Seconded by Co. Pizzutello

On roll call the vote was as follows:

AYES: Co. D'Antoni, Maloney, Pizzutello, Supv. Gerber  
NAYS: Co. Lodico MOTION ADOPTED

(1975-775) Co. Maloney offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deed from:

ALASEP, INC., dated August 8, 1975  
(116 Holland Drive, West Nyack, N. Y.);  
GRACE CHAMPEAU, dated October 15, 1975  
(116 Kings Highway, New City, N. Y.); and  
WALTER V. CHAMPEAU AND BESSIE M. CHAMPEAU  
dated October 29, 1975 (122 Kings Highway, New City, N.Y.)

conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of

"Subdivision Plat, CENTENNIAL ESTATES, Town of Clarkstown, Rockland County, New York" and filed in the Rockland County Clerk's Office on October 4, 1973 in Map Book 86 at Page 37 as Map No. 4459

as follows:

KENT STREET, NEW CITY 740 L.F.  
Road Widening Strip along Kings Highway

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

FURTHER RESOLVED, that Maintenance Bonds Nos. 914921 and 914922 dated the 17th day of June 1975 ALASEP, INC., as Principal and GUSTAVE LAWRENCE and ELLEN LAWRENCE as Co-Principal and REPUBLIC INSURANCE COMPANY, as Surety, are hereby accepted.

Seconded by Co. D'Antoni

All voted Aye.

Councilman D'Antoni requested that Town Engineer prepare list of all roads and subdivisions to be dedicated in the Town of Clarkstown -- to be prepared by next workshop meeting.

(1975-776) Co. Lodico offered the following resolution:

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

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

NOW, THEREFORE, BE IT

RESOLVED, that a moratorium shall be declared on the issuance of special permits for the construction of gasoline filling stations, and that no such special permits shall be issued from November 20, 1975 to November 20, 1976.

Seconded by Co. Maloney

All voted Aye.

Prior to vote on the above resolution, Everett Johns, addressed the board questioning whether proper to continue moratorium -- this is amendment to Zoning Ordinance and requires Public Hearing and advertisement.

After discussion, Town Attorneys Office and Building Inspectors Office to review and bring up as a recommendation either to amend Zoning Ordinance or drop resolution.

41011

(1975-777) 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 365 North Route 9W, Congers, New York (129-A-9.01 and 9.02) by the installation of fire lane designations, and

WHEREAS, Giuseppe DePaulis 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. Lodico

All voted Aye.

(1975-778) 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 Burger King (89-A-14 & 14.01) by the installation of fire lane designations, and

WHEREAS, William J. Hufnagel 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. Maloney

All voted Aye.

(1975-779) 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:

Valley View Estates, Valley Cottage  
Ramclark Lane, New City  
Carrie Drive, New City  
Oriole Road, New City  
Dr. Davies Drive, Congers (plus an additional street  
light bracket on pole 22)

Seconded by Co. Lodico

All voted Aye.

(1975-780) Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Joan Connors - Typist - Police Department - is hereby accepted, effective and retroactive to October 17, 1975.

Seconded by Co. Lodico

All voted Aye.

(1975-781) Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Typist CR-1 75-90 which contains the name of Marie Berlinger,

NOW, THEREFORE, be it

RESOLVED, that Marie Berlinger, 178 E Mary Lane, Valley Cottage, New York is hereby appointed to the position of Typist - Police Department - hours 4:00 P. M. - 12:00 P. M., at the annual salary of \$6,557.00, effective and retroactive to October 20, 1975.

Seconded by Co. Lodico

All voted Aye.

181014

(1975-782) Co. Lodico offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Code Enforcement Officer \$7576 which contains the name of Clare Neuser, and based upon the recommendation of Robert Bowman, Building Inspector,

NOW, THEREFORE, be it

RESOLVED, that Clare Neuser, 463 West Clarkstown Road, Spring Valley, New York is hereby appointed to the position of Code Enforcement Officer at the annual salary for 1975 of \$11,540., effective immediately.

Seconded by Co. D'Antoni

All voted Aye

(1975-783) Co. D'Antoni offered the following resolution:

RESOLVED, that the resignation of Niles M. Davies, Jr. as member of the Shade Tree Commission, is hereby accepted with regret, effective immediately.

Seconded by Co. Maloney

All voted Aye.

(1975-784) Co. Pizzutello offered the following resolution:

WHEREAS, an action has been brought by the Town of Clarkstown for condemnation entitled as follows:

TOWN OF CLARKSTOWN,  
Plaintiff

-against-

Lutheran Medical Center, formerly  
know as Norwegian Welfare Association,  
Inc. and Norwegian Lutheran Community  
Service, Inc., Paul Lazare and Paul  
Lazare, as Trustee Under the Last Will  
and Testament of Janet K. Lazare.

and,

WHEREAS, the Town of Clarkstown desires to secure the services of special counsel to bring the matter of the aforementioned condemnation proceedings to conclusion before the Supreme Court of the County of Rockland;

(continued)

(1975-784 continued)

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney of the Town of Clarkstown is hereby authorized to secure special counsel to represent the Town of Clarkstown and to bring the aforementioned condemnation proceedings to conclusion before the Supreme Court of the County of Rockland, and be it

FURTHER RESOLVED, that said resolution is retro-active to December 3, 1974, and be it

FURTHER RESOLVED, that any award in condemnation, if any, in excess of the sum pledged for acquisition and pursuant to grant may be subject to permissive referendum pursuant to the Local Finance Law.

Seconded by Co. Maloney

All voted Aye.

(1975-785) Co. Lodico offered the following resolution:

WHEREAS, the Town Engineer has recommended that a drainage condition presently existing at the Clarkstown Sanitary Landfill Area be improved by dredging an existing stream to improve flow characteristics in the said stream to lower the water level of surrounding land;

NOW, THEREFORE, be it

RESOLVED, that a sum not to exceed \$15,000.00 be allocated to provide for said improvement to the stream, 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. Maloney

All voted Aye.

(1975-786) Co. Lodico offered the following resolution:

WHEREAS, it is necessary to acquire additional land for the Clarkstown Sanitary Landfill pursuant to the Master Plan of the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown be authorized to enter into negotiations with both G & A Properties and Adler Associates for the purpose of acquiring approximately 4.9 acres plus or minus acres of land contiguous to the present Clarkstown Sanitary Landfill.

Seconded by Co. Pizzutello

All voted Aye.

181014

There being no further business before the Town Board, the Town Board Meeting was adjourned until Wednesday, November 19th, 1975 at 8:00 PM, at which time the next regularly scheduled Town Board Meeting will be held.

Signed,



Alice Weber  
Deputy Town Clerk

NOVEMBER 19, 1975 - SCHEDULED PUBLIC HEARINGS:

- 8:00 PM St. Agnes Home & School for Children - Special Permit Application to operate a Group Home at 3 Brookside Drive, Nanuet, N.Y.
- 8:15 PM Proposed Extension of Clarkstown Consolidated Water Supply District #1 to include STRAWTOWN ROAD (OLD MILL ROAD TO McCARTHY WAY)
- 8:30 PM Proposed Extension of Clarkstown Consolidated Water Supply District #1 to include SOMA CONSTRUCTION CORP. (VALLEY VIEW ESTATES)
- 8:45 PM Proposed Extension of Clarkstown Consolidated Water Supply District #1 to include NEWPORT ESTATES SECTIONS I & II