

PUBLIC HEARING

Town Hall

5/19/76

8:15 PM

Present: Co. D'Antoni, Holbrook, Piacentile, Supervisor Gerber
Town Clerk John R. Bradley
Town Attorney Murray N. Jacobson

Absent: Co. Maloney

RE: PROPOSED REPEAL OF ARTICLE II OF CHAPTER 102 OF THE
CODE OF THE TOWN OF CLARKSTOWN ENTITLED "PARKING"

Supervisor Gerber declared Public Hearing open,
Town Clerk read Notice of Hearing and attested to proper posting
and publication.

Town Attorney Murray Jacobson explained this is a
duplication of previous portion of Article I. Article I was
amended at previous Board meeting and Article II is being
repealed to avoid duplication.

No one appeared for or against proposed repeal.

On resolution offered by Councilman D'Antoni, seconded
by Councilman Piacentile and unanimously adopted, Public
Hearing was closed.

Submitted by,


JOHN R. BRADLEY
Town Clerk

JRB:aw

EEC873

PUBLIC HEARING

Town Hall

5/19/76

8:30 PM

Present: Co. D'Antoni, Holbrook, Piacentile, Supervisor Gerber
Town Clerk John R. Bradley
Town Attorney Murray N. Jacobson
Absent: Co. Maloney

RE: PROPOSED EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER
SUPPLY DISTRICT #1 TO INCLUDE BLACK OAKS SUBDIVISION,
BARDONIA (ELJER DEVELOPMENT CORP., PETITIONER)

Supervisor Gerber declared Public Hearing open; Town Clerk read Order Calling Public Hearing and attested to proper posting and publication.

Representative for petitioner, Jerome Gerber, 12 Alan Court, New City, New York was sworn in and testified as follows:

President of the Corporation and is familiar with the Petition -- signed the Petition in behalf of the Corporation. The Proposed Extension will benefit all the property owners within the Proposed Extension. All the property owners who will benefit from the Proposed Extension are within the Proposed Extension. Believes this is in the public interest to grant the Proposed Extension as it will give water supply to nine houses to be built in the area, will provide fire protection and bring a reduction in fire insurance rates.

On resolution offered by Councilman D'Antoni, seconded by Councilman Piacentile, Public Hearing was closed.

Submitted by,


JOHN R. BRADLEY
Town Clerk

JRB:aw

TOWN BOARD MEETING

Town Hall

5/19/76

8:00 PM

Present: Co. D'Antoni, Holbrook, Piacentile, Supervisor Gerber
 Town Clerk John R. Bradley
 Town Attorney Murray N. Jacobson
 Absent: Co. Maloney

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

(1976-302) Co. D'Antoni offered the following resolution:

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

Seconded by Co. Piacentile All voted Aye.

(1976-303) Co. D'Antoni offered the following resolution:

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

Seconded by Co. Piacentile All voted Aye.

(1976-304) Co. D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 5th day of May, 1976, provided for a public hearing on the 19th day of May, 1976, at 8:15 P.M. to consider the repeal of Article II of Chapter 102 of the Code of the Town of Clarkstown entitled "Parking", and

WHEREAS, notice of said Public Hearing was duly published as required by law and was duly held at the time and place specified in said notice;

NOW, THEREFORE, be it

RESOLVED, that Article II of Chapter 102 of the Code of the Town of Clarkstown entitled "Parking" is hereby REPEALED.

Seconded by Co. Holbrook All voted Aye.

EEC873

(1976-305) Co. Piacentile offered the following resolution:

RESOLVED, that based on the recommendation of the Purchasing Department the bid to supply and maintain uniforms for various departments of the Town of Clarkstown for the period from April 15, 1976 to April 14, 1978 is awarded to Sears Industries, Inc., Consolidated Laundries Division, 1212 Summit Avenue, Jersey City, New Jersey, at the low bid price of \$2.10 per uniform, per week, and be it

FURTHER RESOLVED, that funds for same be taken from the following:

Dept. 5110 - Line 416
Dept. 8110 - Line 416
Dept. 7140 - Line 416
Dept. 1620 - Line 416
Dept. 8160 - Line 416

Seconded by Co. Holbrook

All voted Aye.

(1976-306) Co. D'Antoni offered the following resolution:

RESOLVED, that the Minutes of the Town Board Meeting held on April 28th, 1976, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Piacentile

All voted Aye.

(1976-307) Co. Holbrook 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:

Western Highway, West Nyack
Parklyn Court, Bardonia
Treslyn Court, Bardonia
Westlyn Drive, Bardonia
Strawtown Road, New City

Seconded by Co. Piacentile

All voted Aye.

(1976-308) 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 mark out stacking lanes on Main Street, New City.

Seconded by Co. Holbrook

All voted Aye.

(1976-309) Co. D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, Resolution No. 242 dated March 19th, 1975 which authorized "NO PARKING" signs with time and day limitations on the east side of Main Street, New City, be, and hereby is, rescinded.

Seconded by Co. Holbrook All voted Aye.

(1976-310) 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 signs reading - "NO PARKING, NO STANDING" to be erected on the east side of Main Street from Third Street to 100 feet north of Second Street, New City.

Seconded by Co. Piacentile All voted Aye.

(1976-311) Co. D'Antoni offered the following resolution:

WHEREAS, "SLOW" signs are not permitted in their present location according to the Manual of Uniform Traffic Control Devices - New York State Department of Transportation,

NOW, THEREFORE, be it

RESOLVED, that the "SLOW" signs located at:

1. On the east side of Radcliff Drive near the intersection of New Hempstead Road, New City.
2. On the south side of Johnsons Lane just west of the Racine Building, New City.

be removed by the Superintendent of Highways.

Seconded by Co. Piacentile All voted Aye.

(1976-312) 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 three "STOP" signs at the following locations:

Ivy Lane at Shetland Drive, New City
Marion Court at Teakwood Lane, New City
Shetland Drive at Marion Court, New City

Seconded by Co. Holbrook All voted Aye.

EEC873

Item #4 on Agenda - setting public hearing in the matter of Zoning Petition - ALEX M. ZOLDAN, ESQ., Agent for LEO LANDAU -- withdrawn -- Town Attorney instructed to notify petitioner item withdrawn from agenda.

(1976-313) Co. Piacentile offered the following resolution:

WHEREAS, NEW CITY OFFICE PARK has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the said Town be amended by redistricting property of the said petitioner described from PO district to RG-2 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, Rockland County, New York, in the said Town of Clarkstown, on the 9th day of June, 1976, at 8:30 P. M., 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. Holbrook

All voted Aye.

(1976-314) Co. Piacentile offered the following resolution:

WHEREAS, MITCHELL MILLER and JAMES JACOBSON has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the said Town be amended by redistricting property of the said petitioner described from R-40 district to R-22 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, Rockland County, New York, in the said Town of Clarkstown, on the 23rd day of June, 1976 at 8:30 P.M., 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. D'Antoni

All voted Aye.

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EECS83

(1976-315) Co. Piacentile offered the following resolution:

WHEREAS, JOSEPH CALABRESE and J. H. DEW, INC. has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the said Town be amended by redistricting property of the said petitioner described from R-40 district to R-22 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, Rockland County, New York, in the said Town of Clarkstown on the 9th day of June, 1976 at 9:30 P. M., 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. Holbrook

All voted Aye.

(1976-316) Co. D'Antoni offered the following resolution:

WHEREAS, George K. Mallersten, Assessor, of the Town of Clarkstown, attended the Northeast Conference on Assessment Administration held May 16th - 19th, 1976 in Hyannis, Massachusetts,

NOW, THEREFORE, be it

RESOLVED, that all proper charges not to exceed \$250.00 be charged against Dept. 1355, Line 414.

Seconded by Co. Piacentile

All voted Aye.

(1976-317) Co. Piacentile offered the following resolution:

RESOLVED, that John Wallack, Chairman of the Clarkstown Sanitation Commission, is hereby authorized to attend a conference on National Solid Waste Management, to be held June 1st - 6th, 1976 at Chicago, Illinois, and be it

FURTHER RESOLVED, that all proper charges not to exceed \$500.00 be charged against Dept. 8160, Line 414.

Seconded by Co. Holbrook

All voted Aye.

(1976-318) Co. D'Antoni offered the following resolution:

RESOLVED, that the Supervisor be and he hereby is authorized to retain Henry Horowitz, 55 Virginia Avenue, West Nyack, New York, to survey and design the South Grant Avenue Road Improvement Project at Congers, New York, at a cost not to exceed \$2,000.00, and be it

FURTHER RESOLVED, that the money be taken from Contingency Account and be reimbursed from the Bond Anticipation Note sold in the event that the road improvement project is established, expenditure to be made a proper town charge in the event that the road improvement project is not established and no Bond Anticipation Note is sold.

Seconded by Co. Piacentile All voted Aye.

(1976-319) Co. D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown is considering the special improvement of Lenox Avenue, Congers, New York, and

WHEREAS, the Superintendent of Highways of the Town of Clarkstown consents that said Lenox Avenue, Congers, New York, be laid out as a highway less than three rods in width, and

WHEREAS, pursuant to Section 200 of the Town Law, it is necessary to secure a certification from the Superintendent of Public Works of the State of New York, authorizing that a highway of less than three rods be laid out;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby waives the requirement that said road be at least three rods in width, and be it

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown respectfully requests that the Superintendent of Public Works of the State of New York consents that a portion of Lenox Avenue, Congers, New York, be laid out as a highway less than three rods in width, and be it

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown respectfully requests said Superintendent of Public Works of the State of New York to execute a certificate in writing of the necessity therefore.

Seconded by Co. Holbrook All voted Aye.

(1976-320) Co. D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown is considering the special improvement of South Grant Avenue, Congers, New York, and

WHEREAS, the Superintendent of Highways of the Town of Clarkstown consents that said South Grant Avenue, Congers, New York be laid out as a highway less than three rods in width; and

WHEREAS, pursuant to Section 200 of the Town Law, it is necessary to secure a certification from the Superintendent of Public Works of the State of New York, authorizing that a highway of less than three rods be laid out;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby waives that requirement that said road be at least three rods in width, and be it

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown respectfully requests that the Superintendent of Public Works of the State of New York consents that a portion of South Grant Avenue, Congers, New York, be laid out as a highway less than three rods in width, and be it

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown respectfully requests said Superintendent of Public Works of the State of New York to execute a certificate in writing of the necessity therefore.

Seconded by Co. Holbrook

All voted Aye.

(1976-321) Co. Piacentile offered the following resolution:

WHEREAS, a request has been made by the County of Rockland for towns to enter into an agreement for stream maintenance work to be done by Town Highway Departments and paid for by the County of Rockland, and

WHEREAS, the Town of Clarkstown desires to enter into such agreement;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into an agreement with the County of Rockland in a form approved by the Town Attorney which shall provide for the following items:

Nauraushaun Brook

1. Clean up trash - Grandway culvert entrance to Route 59.
2. Cut brush - approximately 2,000 L.F. immediately downstream of Palisades Parkway crossing.

(continued)

EFC883

(1976-321 continued)

3. Cut brush - Middletown Road to Route 59.
4. Removal of 6 fallen trees at various locations.
5. Removal of debris trapped in Smith Road culvert.
6. Repair bank - Tennyson Road.
7. Clean out and silt removal - Grandway culvert.

Total Estimated Cost to be paid by Rockland County - \$35,000.

Pascack Brook

1. Repair of bank - Convent Road.
2. Removal of silt immediately downstream of Route 59.

Total Estimated Cost to be paid by Rockland County - \$5,000.

Payment for work to be made within 30 days after completion of work and submission of appropriate voucher.

Seconded by Co. D'Antoni All voted Aye.

(1976-322) Co. D'Antoni offered the following resolution:

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

Seconded by Co. Piacentile All voted Aye.

(1976-323) Co. D'Antoni offered the following resolution:

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

Seconded by Co. Piacentile All voted Aye.

TOWN BOARD SIGNED ORDER EXTENDING CLARKSTOWN
CONSOLIDATED WATER SUPPLY DISTRICT #1 TO INCLUDE BLACK
OAKS SUBDIVISION.

(1976-324) Co. Piacentile offered the following resolution:

WHEREAS, it is necessary to upgrade and repair the existing Concession Stand at Lake Manuet Park,

NOW, THEREFORE, Be it

RESOLVED, that based upon the recommendation of Edward J. Ghiazza, Supt. of Recreation & Parks, that the Town Comptroller is hereby authorized to transfer the sum of \$3,500.00 from the Money-In-Lieu of Land account to the Parklands & Improvements Account in order to accomplish the necessary upgrading and repair.

Seconded by Co. Holbrook

All voted Aye.

(1976-325) Co. Piacentile offered the following resolution:

WHEREAS, by resolution adopted on April 11, 1973 and September 19, 1973, the law firm of Lexow and Jenkins was employed by the Town of Clarkstown as Special Counsel to defend the following tax assessment proceedings in the Supreme Court to review the assessments for the 1972/73 tax roll and 1973/74 tax roll:

Spring Valley Water Company, Inc., against the Board of Assessors of the Town of Clarkstown;

Corwick Realty Corporation against the Board of Assessors of the Town of Clarkstown;

WHEREAS, the firm of Lexow and Jenkins also represents the Clarkstown School Districts in the areas affected;

NOW, THEREFORE, be it

RESOLVED, that the employment of said firm of Lexow & Jenkins be continued to include the above tax certiorari cases for the 1974/75 and 1975/76 tax rolls along with their representation of the School Districts, and be it

FURTHER RESOLVED, that the cost of said representation, cost of any appraisers, cost of engineering experts, etc., be divided between the Town and the School Districts as their interest may appear.

Seconded by Co. D'Antoni

All voted Aye.

Agenda Item #15 re Phillips Hill extension -- Co. Maloney requested that item be withdrawn as he wishes to vote on the resolution -- item held over for next Town Board meeting.

EECS83

(1976-326) Co D'Antoni offered the following resolution:

WHEREAS, Linda McDermott has requested a one month Leave of Absence, without pay,

NOW, THEREFORE, be it

RESOLVED, in accordance with Article XIX, Section I of the Labor Agreement between the Town of Clarkstown and Clarkstown Unit of the CSEA, Linda McDermott, 176 Red Hill Road, New City, New York is hereby granted a Leave of Absence, without pay, for the period beginning June 1, 1976 through June 30, 1976.

Seconded by Co. Piacentile All voted Aye.

Agenda Items 16 B1 and B2 held to end of Town Board Meeting.

(1976-327) Co. Piacentile offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to employ and assign to the various Town departments youth for summer employment at an hourly rate previously established, and be it

FURTHER RESOLVED, that the period of summer employment be from May 10, 1976 through August 27, 1976.

Seconded by Co. D'Antoni All voted Aye.

(1976-328) Co. Piacentile offered the following resolution:

RESOLVED, that Joan A. Agugliaro, 224 New Hempstead Road, New City, New York is hereby appointed to the position of Mental Health Aide (CETA) - Venture Inn - at the annual salary for 1976 of \$6,557.00, effective and retroactive to May 4, 1976.

Seconded by Co. D'Antoni All voted Aye.

(1976-329) Co. Piacentile offered the following resolution:

RESOLVED, that Dorothy Barrett, 5 Bonnie Lane, New City, New York is hereby appointed to the position of Typist, part-time - Sanitary Landfill, for the period June 30, 1976 through September 3, 1976, at the hourly wage of \$3.88.

Seconded by Co. D'Antoni All voted Aye.

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(1976-330) Co. Piacentile offered the following resolution:

RESOLVED, that John Grieco, Harmon Place, New City, New York, is hereby appointed Office Worker-Student, effective May 24, 1976 through August 27, 1976, at the hourly rate of \$2.70, and be it

FURTHER RESOLVED, that above be charged against Account D1100-2556.

Seconded by Co. Holbrook

All voted Aye.

(1976-331) Co. Piacentile offered the following resolution:

RESOLVED, that Cleaners employed on the 4:00 P.M. to 12:00 P.M. shift are to be compensated at 10% above the Grade 15 salary schedule, effective immediately.

Seconded by Co. Holbrook

All voted Aye.

(1976-332) Co. Piacentile offered the following resolution:

RESOLVED, that Resolution No. 215 dated April 7, 1976 be amended to designate THOMAS G. MARTIN and HIROSHI NAKAZAWA as the applicants for a 280-a declaration rather than MARTINAKA, INC.

Seconded by Co. D'Antoni

All voted Aye.

(1976-333) Co. Piacentile offered the following resolution:

WHEREAS, THOMAS KING CONSTRUCTION CORP., 4 Fair Haven Drive, New City, New York, is desirous of granting a permanent sewer easement to the Town of Clarkstown located on the easterly side of New City-Congess Road, New City, New York, at no cost to the Town;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown accepts the said permanent sewer easement from Thomas King Construction Corp., more particularly described in the easement dated May 7, 1976.

Seconded by Co. D'Antoni

All voted Aye.

EEC883

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(1976-334) Co. Piacentile offered the following resolution:

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

RICHARD C. SURBLEY
262 WEST WASHINGTON AVENUE
PEARL RIVER, NEW YORK

AT-WILL PLUMBING & HEATING SERVICES, INC.
9 JOHNSON'S LANE
NEW CITY, NEW YORK

NOW, THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

No. 76-21 to RICHARD C. SURBLEY

No. 76-22 to AT-WILL PLUMBING & HEATING SERVICES, INC.

Seconded by Co. D'Antoni

All voted Aye.

Supervisor Gerber called 5 minute recess -- following recess Agenda Items #16B1 and 16B2 were withdrawn pending further investigation.

Submitted by,


JOHN R. BRADLEY
Town Clerk

JRB:aw