

PUBLIC HEARING

Town Hall

8/25/76

8:13 PM

Present: Co. Holbrook, Maloney, Piacentile, Supv. Gerber
 Town Attorney Murray N. Jacobson
 Town Clerk John R. Bradley

Absent: Co. D'Antoni

RE: PROPOSED LOCAL LAW OF THE TOWN OF CLARKSTOWN PURSUANT TO ARTICLE 24 OF THE STATE ENVIRONMENTAL CONSERVATION LAW TO PROVIDE FOR THE PROTECTION, PRESERVATION AND CONSERVATION OF THE FRESHWATER WETLANDS WITHIN ITS BOUNDARIES BY ESTABLISHING A PERMIT SYSTEM WITH REGARD TO REGULATED ACTIVITIES IN FRESHWATER WETLANDS AND ADJACENT AREAS AND BY ESTABLISHING THE PROCEDURES AND STANDARDS FOR THE PROCESSING OF PERMIT APPLICATIONS

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

Town Attorney Jacobson explained the legal background -- purpose is pursuant to Article 24 of the State Environmental Conservation Law to protect the freshwater wetlands by setting up a permit system with regard to activities to be carried on which are set forth in the local law. The local law will not take effect until the State Department of Environmental Conservation files maps which will define what is a Freshwater Wetland and the dimensions in the Town of Clarkstown.

Les Bollman, head of the Town's Environmental Control Group explained the wetland is determined by vegetation and type of growth. The intent is to try to preserve all of the wetlands that now exist of substantial size -- both from the ecological point of view and also from the aspect of retention -- drainage. The law sets up provisions to apply for a permit if there is no other way to avoid destroying the wetlands. There are certain guidelines and provisions, penalties provided for violations -- really doesn't go into effect where the Town has control until after the public hearings are held on the maps that the Department of Environmental Control of the State of New York is presently preparing. Called today and they indicated probably 1 - 2 years before maps for Rockland County are finalized. They will be more restrictive than the 12.4 acres as outlined in the ordinance, to enable the community if they so desire to take a more restrictive portion of the map -- will go all the way down to 1 acre wetlands -- determination would be made after the Town holds the public hearings and can see exactly what is involved with the map.

No questions from members of the Board

IN FAVOR: No one appeared

OPPOSED: No one appeared

Supervisor Gerber suggested that Public Hearing be closed with decision reserved until action is taken on hearing scheduled for 8:30 establishing a Department of Environmental Control. On motion offered by Councilman Maloney, seconded by Councilman Piacentile and unanimously adopted, Public Hearing was closed, DECISION RESERVED.

Submitted by,

John R. Bradley
 JOHN R. BRADLEY
 Town Clerk

GEB179

PUBLIC HEARING

Town Hall

8/25/76

8:15 PM

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

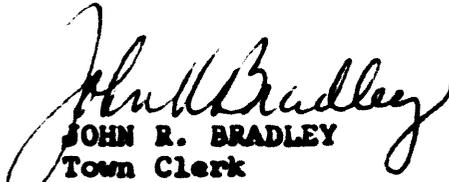
RE: APPLICATION OF BERTIS BLANKS FOR A SPECIAL PERMIT TO
CONDUCT A LANDFILL OPERATION FOR PROPERTY LOCATED
TO THE EAST SIDE OF DYKES PARK ROAD, MANUET, NEW
YORK, MORE PARTICULARLY KNOWN AS MAP 15, BLOCK A,
LOT 12, PURSUANT TO THE ZONING ORDINANCE OF THE
TOWN OF CLARKSTOWN

Supervisor Gerber declared Public Hearing open; Town Clerk read Notice of Hearing and testified to proper publication, however no affidavit of posting or service by the petitioner has been received.

See Town Board Minutes for resolution adopted by the Town Board adjourning Public Hearing without date.

On motion offered by Councilman Maloney, seconded by Councilman Piacentile and unanimously adopted, public hearing was adjourned without date.

Submitted by,


JOHN R. BRADLEY
Town Clerk

PUBLIC HEARING

Town Hall

8/25/76

8:30 PM

Present: Co. Holbrook, Maloney, Piacentile, Supv. Gerber
 Town Attorney Murray N. Jacobson
 Town Clerk John R. Bradley

Absent: Co. D'Antoni

RE: PROPOSED LOCAL LAW ESTABLISHING A DEPARTMENT OF ENVIRONMENTAL CONTROL IN THE TOWN OF CLARKSTOWN

Supervisor Gerber declared Public Hearing open; Town Clerk read Notice of Hearing and testified as to proper posting and publication.

Supervisor Gerber requested the Town Attorney to review the purpose of the Local Law and the requirements and reasons for the proposed establishment.

The Town Attorney stated the Local Law creates the department which encompasses in its purview the various environmental concerns of the Town -- landfill, sewer construction and maintenance and environmental problems. The structure is a Director and two subsections which would be headed by Deputy Directors, one is operations, which would encompass the landfill and sewer maintenance, operation and construction, and another design function which would take in the drainage and environmental sections. This is to regularize the functions of the Environmental Group we now have.

IN FAVOR: NO ONE APPEARED

OPPOSED: NO ONE APPEARED

On motion offered by Councilman Maloney, seconded by Councilman Piacentile and unanimously adopted, Public Hearing was closed.

Submitted by,

John R. Bradley
 JOHN R. BRADLEY
 Town Clerk

GEB179

PUBLIC HEARING

Town Hall

8/25/76

8:45 PM

Present: Co. Holbrook, Maloney, Piacentile, Supv. Gerber
Town Attorney Murray N. Jacobson
Town Clerk John R. Bradley

Absent: Co. D'Antoni

RE: PETITION FOR THE EXTENSION OF THE CLARKSTOWN CONSOLIDATED
WATER SUPPLY DISTRICT #1 TO INCLUDE LAKESIDE VILLAGE,
NEW CITY, NEW YORK

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

Alfred Berg, 4 Kirschner Drive, West Nyack, New York,
Town Engineer of the Town of Clarkstown was sworn in and testified as follows:

He is familiar with the petition. The proposed extension will benefit all property owners within the proposed extension. All property owners who will benefit are included in the limits of the proposed extension. It is in the public interest to grant the proposed extension because it will provide suitable and proper water supply and reduce fire insurance rates.

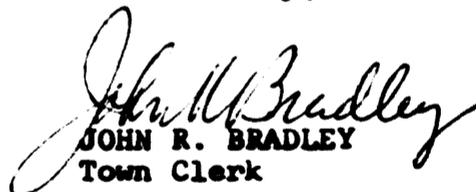
No questions from members of the Town Board.

IN FAVOR: No One appeared

OPPOSED: No one appeared.

On motion offered by Councilman Holbrook seconded by Councilman Maloney and unanimously adopted, Public Hearing was closed.

Submitted by,


JOHN R. BRADLEY
Town Clerk

PUBLIC HEARING

Town Hall

8/25/76

9:00 PM

Present: Co. Holbrook, Maloney, Piacentile, Supv. Gerber
Town Attorney Murray N. Jacobson
Town Clerk John R. Bradley

Absent: Co. D'Antoni

RE: APPLICATION OF ROCKLAND CENTER FOR THE PHYSICALLY
HANDICAPPED FOR A SPECIAL PERMIT TO OPERATE AN
AGENCY COMMUNITY RESIDENCE PURSUANT TO SECTION
106-3, SUBPARAGRAPH B OF THE ZONING ORDINANCE OF
THE TOWN OF CLARKSTOWN

Supervisor Gerber declared Public Hearing open; Town Clerk read Notice of Hearing and testified as to proper publication and posting and service by the petitioner.

Supervisor Gerber stated he would first read into the record all correspondence received regarding this matter and then the petitioner would make his presentation after which those who wished to speak in favor or in opposition would be able to speak.

TOWN OF CLARKSTOWN PLANNING BOARD - July 26, 1976 -- RECOMMENDATION TO THE HONORABLE TOWN BOARD:

Whereas the Town Board has determined special conditions to be fulfilled before Special Permit may be granted, it is recommended that the Special Permit for Rockland Center for the Physically Handicapped 41A14 New City be GRANTED subject to site plan review by the Building Inspector. The Planning Board is aware that a variance is required and concurs with need for such variance. (signed) Rudolph J. Yacyshyn, Chairman
(NOTE: Above letter available in Town Clerk's Office in its entirety)

ROCKLAND COUNTY COMMISSION ON HUMAN RIGHTS - August 18, 1976 --

....I ask that this statement of support for the Hostel be read into the hearing record both in my capacity as Executive Director of the County Commission on Human Rights and as a resident tax-payer in the Town of Clarkstown.

Knowing of your past frequently-demonstrated concern for disabled and other disadvantaged persons of the community, I am hopeful you will meet the challenge of the decision with which you are faced by acting positively on the petition before you. You are being asked to provide the strength of advocacy to a truly trail-blazing project which will benefit both society in general and the disabled of your constituency in particular. I am confident the Commission joins an overwhelming majority of concerned Clarkstown residents in urging you to act affirmatively so that the proposed Hostel will be realized as planned by its proponents. (signed) Noel J. MacCarry, Executive Director
(NOTE: Above letter available in Town Clerk's Office in its entirety)

GEB179

PH - 8/25/76 - SP
 ROCKLAND CENTER FOR
 PHYSICALLY HANDICAPPED
 Page 2

ALTON ANDERSON -- August 15, 1976

As an abutter I am interested in the proposed construction (and use) proposed by the Rockland County Center for the Physically Handicapped. From inquiries that I have made, I can see no objection, so I wish to go on record as approving the project as an interested neighbor....(signed) ALTON ANDERSON
 (NOTE: Above letter available in Town Clerk's Office in its entirety)

JANNELISE R. GALDONE, 234 PHILLIPS HILL ROAD, NEW CITY, NEW YORK --

...For as long as I can remember there has been something like an "Agency Residence" in our area. There was the Fresh Air Fund Camp on Zukor Road; Camp Norge for children from Brooklyn across the street from my parents' on Buena Vista Road; and of course there is now the applicant's Camp Jawonio, near my present home.

I think that every community that has room should find a place for such activity.

With the reservation that the permit be restricted specifically to this applicant and that it must be renewed, say, every two years after a review of how well the proposal is actually working out at this location, I ask you to approve.
 (signed) Jannelise R. Galdone
 (NOTE: Above letter available in Town Clerk's Office in its entirety)

END OF CORRESPONDENCE

FOR THE PETITIONER:

Samuel G. Fischer, 18 Hillside Drive, New City --
 Chairman of the Board of Rockland County Center for the Physically Handicapped -- We present this petition to fill the vacuum in the program for the development of the disabled -- started 26 years ago -- outlines the progress made during those years. Dedicated to the idea of helping everyone in a democracy. This is to be for those 21+ to 55 years of age. A committee will be established by the Center for entrance to the Hostel.

William Kohn, Architect -- 120 No. Main Street, New City --
 Total land involved is over 20 acres -- building area is minute. Maximum capacity is 20 people broken down into 16 rooms -- by square footage is equivalent to two residences -- 4 rooms will have two in a room and the balance will be single rooms. Brick exterior with all safety provisions possible.

IN FAVOR:

Goodwin Katzen, Twin Elms Lane, New City -- formerly Executive Director of Camp Jawonio -- Right of choice is something we are all born with -- the handicapped individual does not have the choice of living. The needs of the handicapped have been wonderfully understood here in the Town of Clarkstown

(continued)

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 ROCKLAND CENTER FOR
 PHYSICALLY HANDICAPPED
 Page 3

Goodwin Katzen (continued)

Striving to make a home environment for the disabled. Jawonio has been in the Town of Clarkstown since 1951 and provides services for and on behalf of the handicapped. Approval will justify the existence of the Center for the Physically Handicapped and justify the faith of the community in Jawonio.

Leonard Birbrower, 84 Lyncrest Avenue, New City -- Executive Vice-Chairman of the Rockland County Center for the Physically Handicapped -- the future of the physically handicapped is such that we can look forward to allowing the handicapped to become members of the community with the freedom, flow and facility of using all facilities of the Town of Clarkstown -- this Hostel can allow that to happen.

Harry Bellaver -- Member of Board of Physically Handicapped -- Grant the disabled a chance to have a better living. This Hostel will do so. Implored the Town Board to grant the Special Permit.

Louis Pestone, 52 Eberling Drive, New City -- Member of Board of Directors of Rockland Organization for Mentally Ill Children -- Heartily endorses the project.

Mrs. Alexander Arlic, 43 Baker Lane, Suffern, New York -- She and her husband helped found Camp Jawonio -- requested approval.

Irv Hatch, 1 Woodcock Road, West Nyack -- Parent of a Physically Handicapped child. How will we care for our children -- Hostel is better than any formalized institution -- good solution to problem---please grant.

Mrs. Walter Fleischer, 443 Buena Vista Road, New City -- Ideal situation for children or young adults who have no parents or family.

Marilyn Troy, 43 Capral Lane, New City -- Praised efforts of Camp Jawonio and hopes approval will be granted -- good for the people and wonderful for the town.

Jim Poli, 8 Oakland, Manuet -- Parent of handicapped child -- Member of Rockland County Disabled Council -- alternate to this approval would be a large institution which is not desirable to him.

John Murphy, Rockland County Legislature -- Speaking on behalf of Legislators Ken Zebrowski and Eugene Grogan to express their support -- also present as Chairman of Board of Directors of Venture Inn -- re-expressed gratitude to the Town Board for allowing first Hostel -- Thanked the Board for recognizing need for such units -- urged acceptance for Camp Jawonio Hostel.

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ROCKLAND CENTER FOR
PHYSICALLY HANDICAPPED
Page 4

Albert Dorfman, 6 Annabelle Lane, New City -- commended the Town Board for their attitude -- approve the application.

OPPOSED:

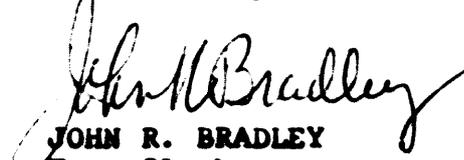
Jack Strauss, 221 N. Little Tor Road, New City -- adjacent property owner. Called Board's attention that no property owners are present. Suggest that a number of adjacent property owners may not be aware of the application as most are away for the summer.

Mrs. Gloria Strauss, 221 No. Little Tor Road, New City -- asked specifics for building or controls on future owners.

Supervisor declared 5 minute recess.

On motion offered by Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, Public Hearing was closed. (NOTE: See Town Board Minutes for adopted resolution)

Submitted by,


JOHN R. BRADLEY
Town Clerk

PUBLIC HEARING

Town Hall

8/25/76

9:15 PM

Present: Co Holbrook, Maloney, Piacentile, Supv. Gerber
Town Attorney Murray N. Jacobson
Town Clerk John R. Bradley

RE: APPLICATION OF COUNTY ASPHALT, INC. FOR A SPECIAL PERMIT
TO CONDUCT A LANDFILL OPERATION FOR PROPERTY LOCATED
IN VALLEY COTTAGE, NEW YORK, MORE PARTICULARLY KNOWN AS
MAP 123, BLOCK D, LOT 2, PURSUANT TO THE ZONING ORDINANCE
OF THE TOWN OF CLARKSTOWN

Supervisor Gerber declared Public Hearing open; Town Clerk read Notice of Hearing and testified as to proper publication and proper posting and service by petitioner.

Supervisor Gerber stated he would first read into the record all correspondence received regarding this matter and then the petitioner would make his presentation after which those who wish to speak in favor of or in oppositon to the application would be heard.

TOWN OF CLARKSTOWN PLANNING BOARD - July 29, 1976 -- RECOMMENDATION TO THE HONORABLE TOWN BOARD

THAT THE SPECIAL PERMIT REQUEST TO CONDUCT A LANDFILL OPERATION FOR 123D2 COUNTY ASPHALT INC. VALLEY COTTAGE, BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. Provide performance bond prior to issuance of Special Permit.
2. Submit detailed site rehabilitation plan,
3. Show present tree line,
4. Provide information on type of fill to be used,
5. Provide information on how long and how much of an area will be covered with storage material,
6. Provide erosion control landscaping plan,
7. Provide screening along boundaries of the site (to protect adjoining properties),

(signed) Rudolph J. Yacyshyn, Chairman

(NOTE: Above letter available in Town Clerk's Office in its entirety)

LETTER TO ROCKLAND COUNTY PLANNING BOARD FROM ENVIRONMENTAL MANAGEMENT COUNCIL -- 7/14/76

...This Council favors a policy of adapting the land use to the particular constraints and opportunities of the site rather than adopting the site to fit a standardized construction procedure. After a field review of the site and and the proposed plan for fill as supplied by the applicant dated April 15, 1976, we conclude that the minor constraints to commercial development of this site can easily become assets and opportunities through adequate and imaginative site planning. The fill proposed for this site will unnecessarily destroy virtually all existing vegetation and disrupt the existing natural drainage pattern. This, in turn, will result in accelerated storm run-off and erosion as well as the loss of aesthetic quality by contemporary community standards.

(continued)

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 SP. PERMIT - COUNTY ASPHALT
 Page 2

R.C. ENVIRONMENTAL MANAGEMENT COUNCIL (continued)

Furthermore, the plan for fill as supplied shows no provision for erosion control. If the applicant wishes to pursue this plan, we suggest that he or shee contact the Rockland County Soil and Water Conservation District for technical assistance in forming a plan which will suit the needs of the applicant while creating the least possible disruption to the natural integrity of the site.

(signed) Brian Sigmon, Executive Director

NOTE: Above letter available in Town Clerk's Office in its entirety.

U.S. DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE --
 June 16, 1976

This technical land use review is made at the request of the Rockland County Soil and Water Conservation District. It is based on a property map showing existing and proposed 2 ft. contours. This map is stamped as having been received by the Clarkstown Planning Board 5/5/76.

The soilson this site are mapped as 21B Wethersfield loam on 3-8% slope. Wethersfield is a deep well drained soil. It has slight soil limitations for most land uses.

This site had excellent potential for development in the unfilled state. We doubt that filling will enhance this property for any land use.

If a filling permit is granted a complete grading and rehabilitation plan should be prepared and scheduled for the site. Otherwise the site will be aesthetically degraded and will attract indiscriminate disposal of debris.....

(signed) Robert S. Jonas, District Conservationist -- BY
 George E. Lee, Resource Conservationist

(NOTE: Above letter available in Town Clerk's Office in its entirety)

END OF CORRESPONDENCE

FOR THE PETITIONER:

Donald S. Tracy of the Law Firm of Tracy & Werner called Michael Cestone, 56 Pocano Street, North Tarrytown, Secretary of County Asphalt as first witness. Mr. Tracy stated the property is located on the west side of Route 303 north of Rockland Lake Road and is a 2.18 parcel.

Mr. Cestone testified County Asphalt is the owner of the property. The proposed land fill will not have an adverse effect. There will be no operation between 7:00 PM and 7:00AM or on Sundays and legal holidays. Will be no excavation in excess of 10 feet or more or slope in excess of 30°. Dustless surface will be provided for any access road within 500 feet of any lot line. Has submitted a plan for rehabilitation showing the proposed and final contours. The fill will be of suitable material approved by the Town Engineer. Agrees to furnish bond sufficient in the opinion of the Town Board to secure the rehabilitation of the site in the event the permit is granted.

(continued)

PH - 8/25/76
 SP. PERMIT - COUNTY ASPHALT
 Page 3

Mr. Cestone(continued)

Also agrees to abide by directions and instructions regarding drainage control and soil erosion during the period of filling.

Councilman Holbrook questioned whether the site was a wet area and was advised it was not.

Mr. Tracy stated what has been testified to are the conditions required under Section 106 10A for the granting of a Special Permit for Landfill by the Town Board.

IN FAVOR: No one appeared.

OPPOSED:

Louis Appel, Ridge Road, Valley Cottage --questioned who determines what is proper fill -- is it garbage with dirt on top -- is owner of property north of this property and it is wet -- might interfere with proper drainage.

Andres Verhille, Route 303, Valley Cottage -- lives across the street -- complained area is already being used as landfill and trees are being removed.

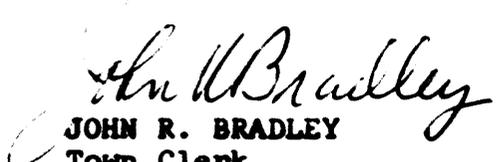
Dave Bitner, Route 303, Valley Cottage -- owns property opposite -- Exxon Station adjacent to site in question -- affirms traffic problems -- environmental hazard -- landfill there would encourage disposal by public at property.

REBUTTAL BY MR. TRACY.

This is not a sanitary landfill -- County Asphalt is in the business of building roads -- it is County Asphalt's desire to fill this site with dirt then rehabilitate it, then develop it.

On motion offered by Councilman Maloney, seconded by Councilman Piacentile and unanimously adopted, Public Hearing was closed with DECISION RESERVED.

Submitted by,


 JOHN R. BRADLEY
 Town Clerk

GEB179

TOWN BOARD MEETING

Town Hall

8/25/76

8:00 PM

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

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

Councilman John Maloney presented Certificates of Award to Kevin Niblo, 34 Poplar Street, Nanuet and William Decker, 17 Hollow Drive, New City who rode 3700 miles cross-country by Tandem bike in honor of the Bi-Centennial.

(1976-503) Co. Piacentile offered the following resolution:

RESOLVED, that based on the recommendation of the Director of Purchasing, the bid for the Drainage Project, Salem Road - Long Meadow Drive, Town of Clarkstown, is hereby awarded to J. H. Reid, General Contractor and Ashland Contractors, Inc., 32 Ashland Avenue, West Orange, New Jersey, 07052, a joint venture, lowest responsive bidders, at the total low net bid amount of \$205,900.00, and be it

FURTHER RESOLVED, that funds for this project be taken from the Drainage Capital Account.

Seconded by Councilman Maloney All voted Aye.

(1976-504) Co. Maloney offered the following resolution:

RESOLVED, that the Minutes of the Special Town Board Meetings held on August 11th and August 19th, 1976, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Holbrook All voted Aye.

Monthly report for July 1976 for office of the Building Inspector and the Zoning Board of Appeals on file in Town Clerk's Office.

(1976-505) 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:

Javlyn Homes Subdivision, New City
 Pine Street, New City
 Pepperidge Drive, New City
 Donna Street, New City
 Tomkins Avenue, New City
 Route 59, West Nyack

Seconded by Co. Maloney All voted Aye.

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Page 2

(1976-506) Co. Holbrook 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 a "STOP" sign to be erected on Woodglen Drive where it intersects Phillips Hill Road, New City.

Seconded by Co. Piacentile All voted Aye.

(1976-507) Co. Piacentile offered the following resolution:

RESOLVED, that all bids for supplying Police Uniforms which were returnable 4/26/76, are hereby rejected.

Seconded by Co. Maloney All voted Aye.

(1976-508) Co. Piacentile offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to re-advertise for bids to supply police uniforms for the Clarkstown Police Department; said bids to be returnable at the office of the Director of Purchasing, Clarkstown Town Hall, 10 Maple Avenue, New City, New York, no later than 11 A.M. September 24, 1976, and be it

FURTHER RESOLVED, that specifications can be obtained at the aforesaid office of the Director of Purchasing.

Seconded by Co. Maloney All voted Aye.

(1976-509) Co. Piacentile offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for three (3) 5 Cubic Yard Body-Type Sand and Salt and Stone Spreaders; said bids to be returnable at the office of the Director of Purchasing, Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on September 13, 1976, before 11:00 A. M. D.S.T., at which time they will be opened, and be it

FURTHER RESOLVED, that specifications can be obtained at the aforesaid office of the Clarkstown Director of Purchasing.

Seconded by Co. Maloney All voted Aye.

(1976-510) Co. Maloney offered the following resolution:

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

Seconded by Co. Piacentile All voted Aye.

GEB179

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Page 3

(1976-511) Co. Maloney 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.

(1976-512) Co. Holbrook offered the following resolution:

WHEREAS, a County Road known as the extension of Phillips Hill Road appears on the Official Map of the Town of Clarkstown, and

WHEREAS, the Town of Clarkstown has been informed that the County of Rockland is considering the deletion of that portion of the County road running westerly from Route 304 to North Main Street, New City, from the Official Map of the County of Rockland, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider the deletion of that portion of the said County road running Westerly from Route 304 to North Main Street, New City;

NOW, THEREFORE, be it

RESOLVED, that the matter of the deletion of the portion of Phillips Hill Road Extension running westerly from Route 304 to North Main Street, New City, is hereby referred to the Clarkstown Planning Board and the Rockland County Planning Board for report and recommendation.

Seconded by Co. Maloney All voted Aye.

(1976-513) Co. Holbrook offered the following resolution:

WHEREAS, a number of tax certiorari proceedings are still pending against the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that Arnold Becker, Esq., is hereby appointed Special Counsel to the Town of Clarkstown for the purpose of continuing to process all tax certiorari proceedings for the years prior to 1976 still pending against the Town of Clarkstown, excluding those brought by Spring Valley Water Company, Inc., and Corwick Realty Corp., and all tax certiorari proceedings concerning the 1976 tax assessment roll, at a fee for the year August 15, 1976 to August 15, 1977, of \$17,000.00.

Seconded by Co. Piacentile All voted Aye

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(1976-514) Co. Maloney offered the following resolution:

WHEREAS, North American Revaluation Co., has not performed and/or completed the tax services for which it was employed by the contract dated March 2, 1972;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is authorized to institute an action against Safeco Insurance Company, 666 Kinderkamack Road, River Edge, New Jersey, surety on the performance bond dated March 2, 1972, for the full amount of the bond, \$158,500.00.

Seconded by Co. Piacentile

All voted Aye.

(1976-515) Co. Piacentile offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED AUGUST 25, 1976, AUTHO-
RIZING THE EMPLOYMENT OF EXPERTS TO APPRAISE
THE VALUE OF REAL PROPERTY IN SAID TOWN,
STATING THE ESTIMATED MAXIMUM COST THEREOF
IS \$60,000, APPROPRIATING SAID AMOUNT
THEREFOR, AND AUTHORIZING THE ISSUANCE OF
\$60,000 SERIAL BONDS OF SAID TOWN TO FINANCE
SAID APPROPRIATION.

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

Section 1. The Town of Clarkstown (herein called
"Town"), in the County of Rockland, New York, is hereby autho-
rized to employ experts to appraise the value of real property
in the Town, to assist in the assessment thereof for taxation
and necessary work in connection therewith. The estimated maxi-
mum cost of said specific object or purpose is \$60,000, including
preliminary costs and costs incidental thereto and the financing
thereof, and the said amount is hereby appropriated therefor.

(continued)

GEB179

(1976-515 continued)

The plan of financing includes the issuance of serial bonds in the principal amount of \$60,000 to finance said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon.

Section 2. Serial bonds of the Town in the principal amount of \$60,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

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

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized pursuant to this resolution are to be issued, within the limitations of §11.00 a. 53 of the Law, is five (5) years.

(b) Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with the provisions of §107.00 d. 5 of the Law.

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

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by §52.00 of the Law, and said bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, and shall be payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization

(continued)

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(1976-515 continued)

and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

Section 7. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Councilman Holbrook and duly put to a vote on roll call, which resulted as follows:

AYES: Co. Holbrook, Maloney, Piacentile,
Supv. Gerber

NOES: None

ABSENT: Co. D'Antoni

The resolution was declared unanimously adopted.

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(1976-516)

Co. Piacentile offered the following resolution
and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN,
IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk is hereby directed to publish the foregoing bond resolution, in full, in the "JOURNAL NEWS," a newspaper published in Nyack, New York, having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

*

*

*

The adoption of the foregoing resolution was seconded
by Co. Holbrook and duly put to a vote on roll
call, which resulted as follows:

AYES: Co. Holbrook, Maloney, Piacentile,
Supv. Gerber

NOES: None

ABSENT: Co. D'Antoni

The resolution was declared unanimously adopted.

(1976-517) Co. Maloney offered the following resolution:

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

Seconded by Co. Holbrook

All voted Aye.

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(1976-518) Co. Maloney offered the following resolution:

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

Seconded by Co. Holbrook All voted Aye.

(1976-519) Co. Maloney offered the following resolution:

WHEREAS, a public hearing has been scheduled for August 25, 1976 at 8:15 P. M., to consider the application of Bertis Blanks for a Special Permit to conduct a landfill operation at property located to the east side of Dykes Park Road, Nanuet, New York, and

WHEREAS, a letter dated August 15, 1976 has been received from the attorney for Bertis Blanks wherein he requests that the public hearing be adjourned;

NOW, THEREFORE, be it

RESOLVED, that the public hearing scheduled as aforesaid is hereby adjourned without date.

Seconded by Co. Holbrook All voted Aye.

Supervisor Gerber declared Public Hearing regarding Establishment of Department of Environmental Control open.

(1976-520) Co. Piacentile offered the following resolution:

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

Seconded by Co. Maloney All voted Aye.

(1976-521) Co. Piacentile offered the following resolution:

WHEREAS, a proposed Local Law entitled, "LOCAL LAW ESTABLISHING A DEPARTMENT OF ENVIRONMENTAL CONTROL IN THE TOWN OF CLARKSTOWN", was introduced by Councilman Piacentile at a Town Board meeting held July 28, 1976, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution dated on the 28th day of July, 1976, directed that a public hearing be held on the 25th day of August, 1976, at 8:30 P. M., to consider the adoption of said local law, and

(continued)

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(1976-521 continued)

WHEREAS, a notice of said public hearing was duly prepared and published in the Journal News on August 10, 1976, and

WHEREAS, a copy of the proposed local law was mailed to Councilman D'Antoni on August 10, 1976, and

WHEREAS, copies of the proposed local law were placed on the desks of Supervisor George S. Gerber, Councilman John R. Maloney, Councilman Charles E. Holbrook and Councilman John R. Piacentile on August 11, 1976, and

WHEREAS, a public hearing was held by the Town Board on the 25th day of August, 1976;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 7-1976 entitled, "LOCAL LAW ESTABLISHING A DEPARTMENT OF ENVIRONMENTAL CONTROL IN THE TOWN OF CLARKSTOWN", is hereby ADOPTED and passed by an affirmative vote of the majority of voting power of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

Hon. George S. Gerber, Supervisor.....AYE
Councilman John R. Maloney.....AYE
Councilman Anthony D'Antoni.....ABSENT
Councilman Charles E. Holbrook.....AYE
Councilman John R. Piacentile.....AYE

The said Clerk of the Town of Clarkstown was directed to file said local law pursuant to Sec. 27 of the Municipal Home Rule Law.

Seconded by Co. Maloney

All voted Aye.

(1976-522) Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown has adopted the Local Law establishing a Department of Environmental Control,

NOW, THEREFORE, be it

RESOLVED, that Leslie Bollman, 2 Norlen Lane, New City, New York is hereby appointed to the position of Director of Environmental Control, at the present annual salary of \$25,128., effective immediately.

Seconded by Co. Piacentile

All voted Aye.

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(1976-523) Co. Piacentile offered the following resolution:

WHEREAS, a proposed local law entitled, "A LOCAL LAW OF THE TOWN OF CLARKSTOWN PURSUANT TO ARTICLE 24 OF THE STATE ENVIRONMENTAL CONSERVATION LAW TO PROVIDE FOR THE PROTECTION, PRESERVATION AND CONSERVATION OF THE FRESHWATER WETLANDS WITHIN ITS BOUNDARIES BY ESTABLISHING A PERMIT SYSTEM WITH REGARD TO REGULATED ACTIVITIES IN FRESHWATER WETLANDS AND ADJACENT AREAS AND BY ESTABLISHING THE PROCEDURES AND STANDARDS FOR THE PROCESSING OF PERMIT APPLICATIONS", was introduced by Councilman Piacentile at a Town Board meeting held on August 11, 1976, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 11th day of August, 1976 directed that a public hearing be held on the 25th day of August, 1976, at 8:13 P.M., to consider the adoption of said local law, and

WHEREAS, a notice of said public hearing was duly prepared and published in the Journal News on August 18, 1976, and

WHEREAS, a copy of the proposed local law was mailed to Councilman Anthony D'Antoni on August 12, 1976, and

WHEREAS, copies of the proposed local law were placed on the desks of Supervisor George S. Gerber, Councilman John R. Maloney, Councilman Charles E. Holbrook and Councilman John R. Piacentile on August 11, 1976, and

WHEREAS, a public hearing was held by the Town Board on the 25th day of August, 1976;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 6-1976 entitled, "A LOCAL LAW OF THE TOWN OF CLARKSTOWN PURSUANT TO ARTICLE 24 OF THE STATE ENVIRONMENTAL CONSERVATION LAW TO PROVIDE FOR THE PROTECTION, PRESERVATION AND CONSERVATION OF FRESHWATER WETLANDS WITHIN ITS BOUNDARIES BY ESTABLISHING A PERMIT SYSTEM WITH REGARD TO REGULATED ACTIVITIES IN FRESHWATER WETLANDS AND ADJACENT AREAS AND BY ESTABLISHING THE PROCEDURES AND STANDARDS FOR THE PROCESSING OF PERMIT APPLICATIONS", is hereby ADOPTED with the amendments shown on Schedule "A" attached hereto, and passed by an affirmative vote of the majority of voting power of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

Hon. George S. Gerber, Supervisor.....	AYE
Councilman John R. Maloney.....	AYE
Councilman Anthony D'Antoni.....	ABSENT
Councilman Charles E. Holbrook.....	AYE
Councilman John R. Piacentile.....	AYE

The said Clerk of the Town of Clarkstown was directed to file said local law pursuant to Sec. 27 of the Municipal Home Rule Law.

Seconded by Co. Holbrook

All voted Aye.

NOTE: See Schedule "A" which follows

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(1976-523 continued)

SCHEDULE "A"

(a) At the end of the last sentence of Section 2 (page 1), delete the period and add the following: , as such article may from time to time be amended.

(b) In the definition of Freshwater Wetlands Map (definition #8 on page 7), delete the period at the end of the definition and add the following: , as such map may from time to time be amended.

(c) A new paragraph (g) is added to subdivision 2 of Section 5 (the new paragraph is to be added after paragraph (f) on page 11):

"(g) Ordinary maintenance and repair of existing structures or improved areas which does not involve expansion or substantial restoration, reconstruction, rehabilitation or modification, including but not limited to bridges, roads, highways, railroad beds, bulkheads, docks, piers, pilings or paved streets.

(d) A new paragraph (h) is added to subdivision 2 of Section 5 to follow new paragraph (g) above:

(h) Any land use, improvement or development for which final approval shall have been obtained prior to September 1, 1975 from the Town of Clarkstown or its agencies. As used in this paragraph the term "final approval" shall mean:

(1) in the case of the subdivision of land conditional approval of a final plat as the term is defined in Section 276 of the Town Law;

(2) in the case of a site plan not involving the subdivision of land, approval by the appropriate body or office of the Town of Clarkstown.

(3) in those cases not covered by (1) or (2) above, the issuance of a building permit or other authorization for the commencement of the use, improvement or development for which such permit or authorization was issued.

END OF SCHEDULE "A"

Town Board signed ORDER CALLING PUBLIC HEARING in the matter of PETITION FOR THE EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT #1 to include HAMDEN HEIGHTS, New City, New York -- Public Hearing to be held September 15, 1976 at 8:37 P.M.

ORDER FOLLOWS

At a meeting of the Town Board of the Town of Clarkstown, Rockland County, New York, held at the Meeting Room of the Town Hall, at 10 Maple Ave., New City, in said Town of Clarkstown on the 25th day of August 19 76.

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PRESENT:

GEORGE S. GERBER, Supervisor
JOHN R. MALONEY, Councilman
ANTHONY D'ANTONI, Councilman
CHARLES E. HOLBROOK, Councilman
JOHN T. PIACENTILE, Councilman

ORDER CALLING
PUBLIC HEARING

IN THE MATTER OF:

PETITION for the Extension of the Clarkstown Consolidated Water Supply District #1 to include HANDEN HEIGHTS, New City, New York in the Town of Clarkstown, Rockland County, New York

WHEREAS, a written Petition dated August 4, 1976 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District #1 in the said Town, to be bounded and described as follows:

GERBER

(INSERT DESCRIPTION)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 15th day of September 1976, at 8:30 P.M. time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

DATED: August 25, 1976

John R. Maloney
Councilman
ABSENT
Councilman

George S. Gerber
SUPERVISOR
John T. Piacentile
Councilman
Charles E. Holbrook
Councilman

STATE OF NEW YORK
COUNTY OF ROCKLAND SS:
TOWN OF CLARKSTOWN

I, JOHN R. BRADLEY, Town Clerk of said Town of Clarkstown, County of Rockland, hereby certify that I have compared the foregoing copy of an ORDER SETTING PUBLIC HEARING RE: Extension of Clarkstown Consolidated Water Supply District #1 - HANDEN HEIGHTS with the original now on file in said office, and find same to be a true and correct transcript therefrom and of the whole of such original. IN TESTIMONY WHEREOF, I have herunto subscribed my name and affixed the seal of said Town of Clarkstown, this 25th day of August, 1976.

John R. Bradley
Town Clerk

(SEAL)

~~File No. 7-48~~
DESCRIPTION SHEET

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Hamlet of New City, Town of Clarkstown, Rockland County, New York, and more particularly described as follows:

ALL of the land and property within the perimeter of the subdivision plat of Hamden Heights made by Henry Horowitz, P. E., L. S., West Nyack, New York, dated September 27, 1974, revised under date of March 21, 1975 and filed in the Rockland County Clerk's Office on April 10, 1975 as Map No. 4605, Book 88, Page 33, including all those certain lots, pieces or parcels of land shown and designated on the aforesaid map as Lots 1, 2, 3, 4, 5, 6 and 7 in Block A, and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 in Block B.

END OF DESCRIPTION

(1976-524) Co. Maloney offered the following resolution:

WHEREAS, Section 130 sub-paragraph 5 of the Town Law authorizes the Town Board to establish Fire Limits and prohibit the erection of frame buildings or structures therein, and

WHEREAS, it has been proposed that the Building Inspector be authorized to designate all areas in the following zones (according to the Zoning Map of the Town of Clarkstown) as within Fire Limits A,

LO	LS
CS	RS
MRS	LIO
M	PED

and also to designate a 200 ft. buffer strip around such areas as within Fire Limit B;

NOW, THEREFORE, be it

RESOLVED, that a public hearing will be held pursuant to Section 130 of the Town Law on the 15th day of September, 1976, at 8:35 P.M. for the purposes of establishing fire limits as set forth above and that it be

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

Seconded by Co. Piacentile

All voted Aye.

(1976-525) Co. Piacentile offered the following resolution:

WHEREAS, the assessment roll with respect to road improvement of a portion of Central Avenue, Randy Lane and Blue Willow Lane at New City, New York, in the Town of Clarkstown, having been completed and filed in the office of the Town Clerk on August 20, 1976;

NOW, THEREFORE, be it

RESOLVED, that a meeting be held at the Board Room of the Town Hall, 10 Maple Avenue, New City, New York on the 15th day of September, 1976, at 8:30 P.M. to hear and consider any objections which may be made to said assessment roll; and it is

FURTHER RESOLVED, that the Town Attorney prepare Notice of Filing of said assessment roll and Notice of Meeting; and be it

FURTHER RESOLVED, that the Town Clerk give notice of such public hearing in the manner provided in Section 239 of the Town Law, and that such notice be published at least once in the official newspaper of the Town as required by Law, the first publication shall be no less than ten (10) days nor more than twenty (20) days before the time specified for the public hearing and such notice to be substantially in the following form:

**NOTICE OF MEETING TO HEAR
OBJECTIONS TO ASSESSMENT
FOR ROAD IMPROVEMENT**

TAKE NOTICE that the Town Board of the Town of Clarkstown, Rockland County, New York, has completed its assessment roll for and in connection with the certain special improvement consisting of a portion of Central Avenue, Randy Lane and Blue Willow Lane, public highways in said Town of Clarkstown; that the same was filed with the Town Clerk of said Town of Clarkstown on the 20th day of August, 1976, and that the Town Board will meet at the Board Room of the Town Hall, 10 Maple Avenue, New City, New York on the 15th day of September, 1976 at 8:30 P.M. for the purpose of hearing and considering any objections which may be made to the said assessment roll.

Seconded by Co. Maloney

All voted Aye.

(1976-526) Co. Piacentile offered the following resolution:

WHEREAS, the 1977 Sewer Tax Roll, which includes West Clarkstown District, Strawberry Hill District, and Clarkstown Master Benefited Area, has been prepared, and

WHEREAS, a copy of the said Roll is on file with and may be examined in the Office of the Town Clerk,

NOW, THEREFORE, be it

(continued)

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(1976-526 continued)

RESOLVED, that a Public Hearing will be held by the Town Board of the Town of Clarkstown at the Town Hall, 10 Maple Avenue, New City, New York, on the 15th day of September, 1976, at 8:45 P.M. to consider the adoption of said 1977 Sewer Tax Roll.

Seconded by Co. Holbrook All voted Aye.

(1976-527) Co. Piacentile offered the following resolution:

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

Seconded by Co. Holbrook All voted Aye.

(1976-528) Co. Piacentile offered the following resolution:

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

Seconded by Co. Holbrook All voted Aye.

TOWN BOARD signed ORDER extending the Clarkstown Consolidated Water Supply District #1 to include LAKESIDE VILLAGE, NEW CITY, NEW YORK.

(1976-529) Co. Piacentile offered the following resolution:

WHEREAS, an Order of the Town Board dated March 17, 1976, was directed to HARRY ZUCKER and ARTHUR ZUCKER, 31 Devon Road, Great Neck, New York, to remove the building (barn) presently existing upon the premises designated on the Clarkstown Tax Map as Map 88, Block B, Lot 1, and to commence cleaning up of all rubbish and debris within fifteen (15) days from the date thereof, and

WHEREAS, the said Order required completion of the removal of the building and the cleaning up of all rubbish and debris within sixty (60) days from the date of service, therefore, and

WHEREAS, said Order was duly served upon Arthur Zucker and Estate of Harry Zucker on the 18th day of March, 1976, and

(continued)

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(1976-529 continued)

WHEREAS, the parties have failed to comply with same;

NOW, THEREFORE, be it

RESOLVED, that pursuant to Chapter 31 of the Code of the Town of Clarkstown and Section 130, subd. 16d of the Town Law of the State of New York, the Building Inspector of the Town of Clarkstown and Frederick G. Busch are hereby named to conduct a survey in writing, and that an agreed appropriate fee be paid, and that Arthur Zucker and the Estate of Harry Zucker be notified in writing by certified mail, return receipt, to appoint either a practical builder, engineer or architect to serve as their representative on such survey, and be it

FURTHER RESOLVED, that Arthur Zucker and the attorney for the Estate of Harry Zucker be notified that in the event the building or other structure shall be reported unsafe or dangerous in such survey, an application will be made at Special Term of the Supreme Court held in and for the County of Rockland for an order determining that the building or other structure is a public nuisance and directing that it shall be repaired and secured or taken down and removed as the Court may determine, and be it

FURTHER RESOLVED, that a copy of this resolution be served on the aforementioned parties.

Seconded by Co. Holbrook

All voted Aye.

(1976-530) Co. Maloney offered the following resolution:

WHEREAS, certain drainage problems exist in the Town of Clarkstown as a consequence of the June 30th storm, and

WHEREAS, these problems require immediate remedial action to prevent further destruction of property,

NOW, THEREFORE, be it

RESOLVED, that the sum of \$35,000.00 be transferred from the Capital Account - Drainage to Highway Account Item No. 1 to correct the conditions at the following locations:

Candlewood Court New City	reconstruct swail	\$2,000.00
Esquire Drive New City	clean and remove alluvial debris from stream bed	5,000.00
Jerrys Avenue Nanuet	removal of earthen roadway and cleaning of stream bed	1,000.00

(continued)

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(1976-530 continued)

Highway Avenue Congers	clean out stream \$ and provide an outlet into existing 36" pipe 2,500.00
Treelyn Court Bardonia	rebuilding of drainage ditch that runs westerly to PIP 2,000.00
Strawtown Road West Nyack	on stream NJ-1-10 repair retaining walls, install bank rip-rap and clean main stream bed 15,000.00
Stream NJ-1-4-7	remove alluvial deposits from the culvert to re- profile existing stream 5,000.00
Heritage Drive New City (easement)	replace washed-out berm with concrete wall and construct a head wall 2,500.00
Seconded by Co. Piacentile	All voted Aye.

(1976-531) Co. Maloney offered the following resolution:

RESOLVED, that the following members and staff of the Planning Board of the Town of Clarkstown are hereby authorized to attend the Annual Planning Federation Seminar in Monticello, New York, August 10-12, 1976,

Rudolph Yachyshyn, Chairman
Jerome Paikin
Francis E. Fallon
Charles Cassels

and be it

FURTHER RESOLVED, that all proper charges not to exceed \$200.00 be charged against B8020-414.

Seconded by Co. Holbrook All voted Aye.

(1976-532) Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of the Parks Board & Recreation Commission, that the following staff members be authorized to attend the N. Y. State Recreation and Park Society Parks Maintenance and Operations Conference being held

(continued)

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(1976-532 continued)

at Eisenhower Park, East Meadow, N. Y., from September 26 through September 29, 1976: Albert T. Moroni, Park Maintenance Supervisor, and Richard Tighe, Groundskeeper; and be it

FURTHER RESOLVED, that all necessary and actual expenses not to exceed \$250.00, be allocated against Acct. #7140-414, and Acct. #7180-414.

Seconded by Co. Holbrook

All voted Aye.

(1976-533) Co. Holbrook offered the following resolution:

RESOLVED, that Robert H. Bowman, Building Inspector of the Town of Clarkstown, is hereby authorized to attend the New York State Building Officials School at Ellenville, New York, September 15th, 16th and 17th, 1976, and be it

FURTHER RESOLVED, that all proper charges not to exceed \$100.00 be charged against Account B-3620-414.

Seconded by Co. Maloney

All voted Aye.

(1976-534) Co. Piacentile offered the following resolution:

RESOLVED, that the Town Board hereby declares the sum of \$2,635.21 the balance remaining in the escrow account of Farice Homes, Inc., in connection with the Laurels subdivision, in default.

Seconded by Co. Holbrook

All voted Aye.

(1976-535) Co. Piacentile offered the following resolution:

WHEREAS, the sum of \$,265.21 has been declared in default in connection with the Laurels Subdivision,

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways is hereby directed to do the following work for a total sum not to exceed \$2,635.21.

Lot 19 Excavate shallow ditch at east and north edge of property

(continued)

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(1976-535 continued)

- Lot 18 Excavate shallow ditch and east and south edge of property
- Lot 17 Replace two dead street trees
- Lot 8 Replace three dead street trees
- Lot 5 Remove and replace all spalled curbs
Landscaping of two cul-de-sac islands
- Lot 7 Fill holes in pavement
- Lot 15 Build up and regrade front yard, behind curb

Seconded by Co. Holbrook All voted Aye.

(1976-536) Co. Holbrook offered the following resolution:

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

FARICE HOMES, INC., dated June 26, 1975
(1 North Main Street, Pearl River, N. Y.)

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

"THE LAURELS, INC.," New City, Rockland County, New York made by Atzl, Scatassa and Busch, engineers and surveyors, last dated 2/26/74 and filed in the Rockland County Clerk's Office on 2/27/74 in Book 86 of Maps at Page 70 as Map No. 4492

as follows:

Tor View Avenue	915 L.F.
Alan Drive	640 L.F.
Aldan Court	325 L.F.
Together with easements for sewer and drainage	

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

Seconded by Co. Piacentile All voted Aye.

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(1976-537) Co. Piacentile offered the following resolution:

RESOLVED, that the sum of \$1,050.00 be transferred from Federal Revenue Sharing Account to Account No. B-3620-203 for the purchase of a vehicle for the Building Department.

Seconded by Co. Holbrook All voted Aye.

(1976-538) Co. Maloney offered the following resolution:

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

Seconded by Co. Piacentile All voted Aye.

(1976-539) Co. Maloney 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.

(1976-540) Co. Maloney offered the following resolution:

WHEREAS, ROCKLAND CENTER FOR THE PHYSICALLY HANDICAPPED, has petitioned the Town Board of the Town of Clarkstown for a Special Permit for the purpose of operating an Agency Community Residence as defined in 106-3 Sub. (B), and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board on the 25th day of August, 1976, at 9:00 P.M., to consider such application;

NOW, THEREFORE, the Town Board makes the following Special Findings pursuant to Sec. 106-14 B of the Zoning Ordinance of the Town of Clarkstown:

THAT, the proposed use as described and represented by the applicant:

1. will be properly located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities;
2. will not cause undue traffic congestion or create a traffic hazard;

(continued)

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(1976-540 continued)

3. will not create at any point of determination any more dangerous and objectionable elements than is characteristic of the uses permitted as of right in the same district;

4. will not adversely affect the character of or property values in the area;

5. will not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town;

6. will comply with all other regulations applicable to such use;

7. will be subject to site plan review by the Building Inspector;

8. will be subject to getting any required variance from the Board of Appeals;

NOW, THEREFORE, be it

RESOLVED, that a Special Permit to operate an Agency Community Residence at 260 Little Tor Road, New City, New York, is hereby GRANTED, and be it

FURTHER RESOLVED, that the within Special Findings and Resolution setting forth the reasons for granting such Special Permit shall constitute a written report to be filed with the Town Clerk.

Seconded by Co. Piacentile

All voted Aye.

Supervisor Gerber declared Public Hearing re Special Permit Application of County Asphalt in session.

(1976-541) Co. Maloney 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.

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(1976-542) Co. Piacentile offered the following resolution:

RESOLVED, that based upon the recommendation of the Town Engineer, the Spring Valley Water Company is hereby authorized to install hydrants at Lakeside Village, New City, (Inves. No. 8408) as follows:

west side of Reservoir Drive, approximately 50 feet north of center line of Waters View

north side of Village Way, approximately 50 feet west of the center line of Reservoir Drive.

Seconded by Co. Maloney

All voted Aye.

(1976-543) Co. Piacentile offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 5, 1976 that the position of Stenographer (CETA) - Town Engineer's office can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Stenographer (CETA) - Town Engineer's office - is hereby created, effective immediately.

Seconded by Co. Maloney

All voted Aye.

(1976-544) Co. Piacentile offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 5, 1976 that the position of Groundswoker (CETA) (Middlewood Sr. Citizen Housing) can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Groundswoker (CETA) is hereby created, effective immediately.

Seconded by Co. Holbrook

All voted Aye.

Agenda Item #21C, creation of Administrator position -- personnel -- deferred.

GLEBI79

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(1976-545) Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of C. Elsie Monneret, Receiver of Taxes, the following are hereby appointed to the position of Clerk (Seasonal) in the Receiver of Taxes office, effective September 1, 1976:

Florence Pratt, 30 No. Middletown Rd., Nanuet,
New York @ \$5.05 per hr.

Anna M. Selke, 95 Mass. Avenue, Congers, New
York @ \$4.82 per hr.

Frances Knarich, 648 Route 59A, West Nyack,
New York @ \$4.00 per hr.

Marie P. Joyce, 2 Pepperill Court, New City,
New York @ \$3.59 per hr.

Gaston L. Monneret, 714 Route 59A, West Nyack,
New York @ \$3.59 per hr.

Theresa J. Smith, 832A North Main Street, Spring
Valley, New York @ \$3.59 per hr.

Seconded by Co. Holbrook

All voted Aye.

(1976-546) Co. Holbrook offered the following resolution:

RESOLVED, that Elizabeth Squillace, 25 Glen Drive, Bardonia, New York is hereby appointed Chairman of the Zoning Board of Appeals at the annual salary for 1976 of \$1,500., effective immediately, term to expire on June 30, 1977.

Seconded by Co. Piacentile

All voted Aye.

(1976-547) Co. Maloney offered the following resolution:

RESOLVED, that Dr. David Kelly, 735 Jacqueline Drive, Valley Cottage, New York is hereby reappointed a member of the Parks Board & Recreation Commission, to serve without compensation, term to expire on August 15, 1981.

Seconded by Co. Holbrook

All voted Aye.

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(1976-548) Co. Maloney offered the following resolution:

RESOLVED, that Wilber T. Oswald, 17 Beach Street, Nanuet, New York is hereby appointed a member of the Parks Board & Recreation Commission, to serve without compensation, term to expire on August 15, 1981.

Seconded by Co. Holbrook All voted Aye.

(1976-549) Co. Piacentile offered the following resolution:

RESOLVED, that Eileen M. Kevane, 46 Briar Road, Nanuet, New York is hereby appointed to the position of Mail Clerk (CETA) at the annual salary for 1976 of \$6,557., effective August 31, 1976.

Seconded by Co. Holbrook All voted Aye.

Agenda Item #21H -- appointment -- Assessor's Office -
(CETA) -- deferred

(1976-550) Co. Maloney offered the following resolution:

WHEREAS, there is a vacancy in the position of Assistant Maintenance Mechanic (CETA) - Parks Board & Recreation - and based upon the recommendation of the Parks Board & Recreation Commission,

NOW, THEREFORE, be it

RESOLVED, that Francis L. Klass, 6 Hillside Terrace, Nanuet, New York is hereby appointed to the position of Assistant Maintenance Mechanic (CETA), at the annual salary of \$8,575.00, effective August 30, 1976.

Seconded by Co. Holbrook All voted Aye.

(1976=551) Co. Holbrook offered the following resolution:

RESOLVED, that the resignation of Louanne Maguire, Parker Avenue, New City, New York as Account Clerk - Comptroller's Office - is hereby accepted with regret, effective August 31, 1976.

Seconded by Co. Piacentile All voted Aye.

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(1976-552) Co. Piacentile offered the following resolution:

WHEREAS, the Rotary Club of New City has expressed a willingness to contribute \$800.00 toward the installation of a bus shelter at Kevin Landau Memorial Park; and

WHEREAS, the total cost of the bus shelter, including delivery and installation, will be \$1,350.00;

NOW, THEREFORE, be it

RESOLVED, that the sum of \$550.00 be expended to complete payment for this bus shelter; and be it

FURTHER RESOLVED, that said monies be charged against Acct. #7140-424.

Seconded by Co. Maloney

All voted Aye.

(1976-553) Co. Piacentile offered the following resolution:

RESOLVED, that the compensation for the Election Inspectors for the Town of Clarkstown be increased from \$30.00 per diem to \$35.00 per diem, effective September 14, 1976.

Seconded by Co. Maloney

All voted Aye.

(1976-554) Co. Piacentile offered the following resolution:

WHEREAS, the Rockland County Legislature has memorialized the five towns of the County of Rockland to notify the Legislature and the Rockland County Sewer District No. 1 of any proceedings to review the assessment of property in the County of Rockland;

NOW, THEREFORE, be it

RESOLVED, that the Special Counsel of the Town of Clarkstown is hereby directed to notify the Legislature of the County of Rockland and the Rockland County Sewer District No. 1 of any proceedings to review the assessment of property in the Town of Clarkstown.

Seconded by Co. Holbrook

All voted Aye.

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(1976-555) Co. Piacentile offered the following resolution:

RESOLVED, that pursuant to Resolution No. 723-1975 that the Superintendent of Highways be authorized to install a fire hydrant and water main to be located westerly from Ridge Road to the easterly side of Route 303, Valley Cottage, New York, and be it

FURTHER RESOLVED, that the sum of \$2,200.00 be transferred from Contingency Account to Account 5110-443 for this purpose.

Seconded by Co. Holbrook All voted Aye.

Carried over to next meeting

Agenda Item #26 -- amendment to covenant -- Reigert -- deferred.

(1976-556) Co. Maloney offered the following resolution:

RESOLVED, that the Regular Town Board meeting of September 1st, 1976 is hereby cancelled, the next regular meeting of the Town Board to be held September 15th, 1976 at 8:00 P.M.

Seconded by Co. Piacentile All voted Aye.

(1976-557) Co. Holbrook offered the following resolution:

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

In the Matter of the Application of

JOHN TOTANI, FRANK R. FISCHETTE, RICHARD DELARDI, LEE SLATTERY, RAE BARONE, AND THE BARDONIA CITIZENS FOR BETTER LIVING, the latter being a nominal petitioner only,

Petitioners,

-against-

ZONING BOARD OF APPEALS of the Town of Clarkstown

Respondents.

NOW, THEREFORE, be it

(Continued)

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(1976-557 continued)

RESOLVED, that the Supervisor is hereby authorized to employ David G. Roepe, Esq., 60 Maple Avenue, New City, New York, as special counsel to take any and all necessary steps to defend the Town of Clarkstown in said proceeding, at a sum not to exceed \$750.00.

Seconded by Co. Piacentile

All voted Aye.

(1976-558) Co. Maloney offered the following resolution:

WHEREAS, Conrail serves an ever increasing number of railroad passengers from the Town of Clarkstown through its Manuet Railroad Station, and

WHEREAS, Conrail has applied for, and has been granted, a fare increase out of proportion to those fares paid by others served by rail service in New York State who are comparably distant from New York City, and

WHEREAS, it is the view of the Town Board of the Town of Clarkstown that this rate increase was granted without consideration to the quality and frequency of the service provided by Conrail, and

WHEREAS, this rate increase was established upon a formula that bases the rates upon those in the State of New Jersey to the detriment of the people of the Town of Clarkstown and all of Rockland County, and

WHEREAS, the responsibility for approving and justifying such a rate increase has been abrogated by those state agencies to whom we look for relief and protection,

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown memorializes its opposition to this arbitrary rate increase which adversely affects the residents of the Town of Clarkstown, and be it

FURTHER RESOLVED, that a copy of this resolution be sent to the chairman of the Metropolitan Transportation Authority, Commissioner Schuler of the New York State Department of Transportation, to the Governor of the State of New York and to State Senator Linda Winikow and Assemblyman Robert Connor, in order that they may intervene in whatever way possible on behalf of all those individuals who are served by rail service from the Town of Clarkstown.

Seconded by Co. Piacentile

All voted Aye.

(1976-559) Co. Piacentile offered the following resolution:

WHEREAS, Decision Systems, Inc., has submitted a proposal to the Town of Clarkstown for an automated property appraisal system for tax assessment purposes;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a contract with Decision Systems, Inc., for tax assessing services as set forth in the proposal submitted, which contract shall be in a form satisfactory to the Town Attorney and for a sum not to exceed \$60,000.00.

Seconded by Co. Holbrook

All voted Aye.

APPEARANCES:

Ronald Rothstein, 12 Vailshire Circle, Manuet, New York -- representing 56 families living in 28 semi-attached buildings in the development presented petition to the Town Board signed by 56 families requesting dedication of the development. Asked the Board to do everything in its power to have the roads dedicated. Referred to emergency situations which have occurred during recent weeks and was advised by the Supervisor that the town will respond as best as possible in any emergency situation regardless of dedication status. Town Attorney Jacobson indicated his office had been in touch with the developer and advised him that he had to dedicate and further stated the dedication process has been started on the Town's portion of the road.

Regarding that portion of the road which comes into the County road system, the Town has no jurisdiction over that section and over the county requirements for dedication.

There being no further business before the Town Board, Town Board meeting was adjourned -- next Town Board Meeting to be held at 8:00 PM on September 15, 1976 at the Board Room of the Town Hall.

Submitted by,


JOHN R. BRADLEY
Town Clerk

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