

PUBLIC HEARING

Town Hall

9-15-76

8:50 P.M.

Present: Co. D'Antoni, Holbrook, Maloney, Piacentile, Super. Gerber, Town Attorney, Murray Jacobson, Asst. Town Attorney, Philip Fogel, Town Clerk, John R. Bradley

RE: ADOPTION OF SPECIAL ASSESSMENT ROLL FOR THE IMPROVEMENT OF CENTRAL AVENUE, RANDY LANE AND BLUE WILLOW LANE 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.

Questions from area residents were posed regarding the assessment. Persons did not identify themselves.

Question: Why was the project financed before the work was completed?

Answer: State law requires that the funds be available upon completion of the work.

Question: Why is the amount assessed higher than the estimate the Supt. of Highways estimated?

Answer: In effect, the cost is less than the indebtedness by some \$13,000. with a total net cost of \$46,859.

Question: Will I have to pay the total assessment or can it be paid in installments?

Answer: You have the option of paying the total within 30 days of the adoption of the roll or paying it over a period of 14 years with interest charges thereon.

Question: Why is the assessment now \$46,859 when estimate by the Supt. of Highways was approximately \$42,000?

Answer: T/A replied that the difference reflects the administrative costs plus the actual cost of the work and is very close to the first figure estimated.

After some further discussion, Co. D'Antoni offered the following resolution;

RESOLVED, that this Public Hearing be recessed until 8:30 P.M., September 29, 1976.

Seconded by Co. Maloney.

All voted Aye.

Public Hearing was adjourned.

Submitted by

  
John R. Bradley  
Town Clerk

PUBLIC HEARING

Town Hall

9-15-76

9:20 P.M.

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

RE: EXTENSION OF CLARKSTOWN WATER SUPPLY DISTRICT #1-  
HAMDEN HEIGHTS, NEW CITY, N.Y.

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

Mr. Alex Neuman, 109 Scotland Hill Rd., Spring  
Valley appeared for the petitioner.

In response to questions by the Town Attorney, Mr.  
Neuman stated that he was familiar with the petition as  
it was presented, that the proposed extension would benefit  
the property owners and that all the property owners were  
included in the extension, that it is in the Public interest  
to grant this extension, that the property owners will  
benefit by having proper safety in case of fire and that  
the extension will reduce the rate for fire insurance.

No one else appeared to testify.

On a motion offered by Co. D'Antoni, seconded by  
Co. Maloney and unanimously adopted, Public Hearing was  
closed and the Order to Extend was signed by the members  
of the Town Board.

Submitted by,

  
John R. Bradley  
Town Clerk

PUBLIC HEARING

Town Hall

9-15-76

8:30 P.M.

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

RE: ADOPTION OF THE 1977 SEWER TAX ROLL INCLUDING WEST CLARKSTOWN DISTRICT, STRAWBERRY HILL DISTRICT AND CLARKSTOWN MASTER BENEFITTED AREA.

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

Inasmuch as this hearing was advertised for 8:15 P.M. and placed on the agenda for 8:45 P.M., Co. D'Antoni offered the following resolution;

RESOLVED, that the Public Hearing be recessed until 9:15 P.M.

Seconded by Co. Maloney.

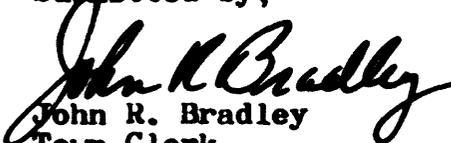
All voted Aye.

Public Hearing was reconvened by Supervisor Gerber, 9:34 P.M.

Supervisor Gerber that the total tax to be raised for the Master Benefited Sewer Area #1 is \$2,282,269.10--50% against the assessed valuation, 25% against front footage--25% against unit value. The Rates will be; On assessed value, .1018 cents per hundred dollars, \$1,142,033.59; On front footage, .2902 cents per foot, \$570,672.28; On unit charge, \$27.15 per unit, \$570,740.30. A slight increase over 1976 is indicated and is the result of the increased cost of Bonded indebtedness.

There being no further persons wishing to speak for or against the Roll, Co. Maloney moved that the Public Hearing be closed. Seconded by Co. Piacentile and unani- mously adopted.

Submitted by,

  
John R. Bradley  
Town Clerk

PUBLIC HEARING

Town Hall

9-15-76

8:15 P.M.

Present: Co. Holbrook, Maloney, Piacentile, D'Antoni, Super.  
Gerber, Town Attorney Murray N. Jacobson, Asst.  
Town Attorney, Philip Fogel, Town Clerk, John R.  
Bradley.

RE: SPECIAL PERMIT APPLICATION--TOLSTOY FOUNDATION NURSING  
HOME FOR A SPECIAL PERMIT FOR THE ERECTION OF AN EX-  
TENSION TO EXISTING NURSING HOME, LAKE ROAD, VALLEY  
COTTAGE, NEW YORK.

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

Inasmuch as no one was present for the petitioner,  
Co. D'Antoni offered the following resolution;

RESOLVED, that the Public Hearing be recessed until  
8:45 P.M.

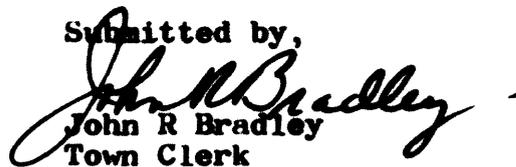
Seconded by Co. Piacentile.

All voted Aye.

Public Hearing was reconvened by Supervisor Gerber, 9:30 P.M.

Inasmuch as no one was present to represent the  
petitioner, Co. Maloney moved that the Hearing be recessed  
until 8:30 P.M., September 29, 1976. Seconded by  
Co. Piacentile and unanimously adopted.

Submitted by,

  
John R Bradley  
Town Clerk

PUBLIC HEARING

Town Hall

9-15-76

9:10 P.M.

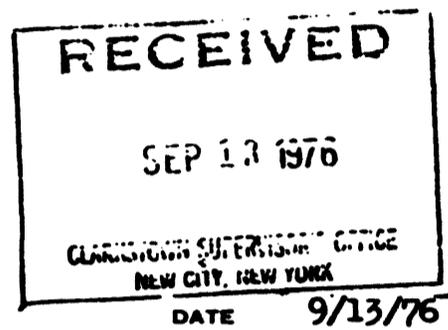
Present: Co. D'Antoni, Holbrook Maloney, Piacentile, Super.  
Gerber, Town Attorney Murray N. Jacobson, Asst.  
Town Attorney, Philip Fogel, Town Clerk, John R.  
Bradley.

RE: DESIGNATION OF FIRE LIMITS IN VARIOUS ZONES, TOWN OF  
CLARKSTOWN, AS WITHIN FIRE LIMITS "A".

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

Supervisor Gerber read the following letter from the  
Building Inspector into the record.

TOWN OF CLARKSTOWN  
INTER-OFFICE MEMORANDUM

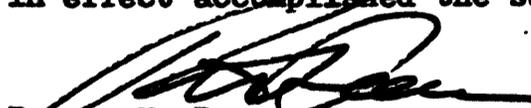


FROM : Robert H. Bowman, Building Inspector  
TO : Town Board  
SUBJECT: Public Hearing September 15, 1976 Fire Limits

I have requested our Town Attorney Murray  
Jacobson to review the designation of Fire Limits within the  
Town of Clarkstown in view of the fact that the last  
resolution designating such Fire Limits was adopted on  
December 14, 1964. Subsequent to that time, the zoning  
designations of the Town have been changed and there has been  
no public hearing to redesignate such Fire Limits.

I have basically proposed that we continue  
the designation of the following zones according to the  
current zoning map as Fire Limits A, LO, CS, MRS, M, LS,  
RS, LIO and PED and also to designate a 200 ft. buffer strip  
around such areas as Fire Limits B.

The primary change is the elimination of Fire  
Limits for the PO District. The purpose of such elimination  
is that, in my opinion, the designation of Fire Limits is  
a boundary line establishing an area in which there exists,  
or is likely to exist, a fire hazard requiring special fire  
protection. The zoning requirements of the PO District have  
in effect accomplished the same purpose.

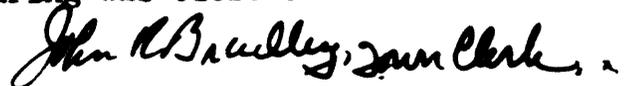
  
Robert H. Bowman,  
Building Inspector

RHB/R

CC: Town Attorney  
Fire Inspector

No one appeared to speak for or against setting Fire Limits

On motion offered by Co. D'Antoni, seconded by Co. Maloney  
and unanimously adopted, Public Hearing was closed.



PUBLIC HEARING

Town Hall

9-15-76

9:37 P.M.

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

RE: LOCAL LAW FOR THE CONDUCT OF GAMES OF CHANCE BY  
CERTAIN ORGANIZATIONS IN THE TOWN OF CLARKSTOWN.

Asst. Town Attorney, Philip Fogel offered a brief description of the proposed law. He explained that the proposed Local Law conforms with legislation made by New York State Legislature under General Municipal Law permitting certain organizations (charitable and nonprofit) to hold games of chance within the municipality other than Bingo and Lotto.

Purpose is to permit these organizations to conduct fund raising functions within prescribed limitations as per State enabling legislation, which in essence is the same as the proposed Local Law. License from the State Wagering Board and a license from the Town of Clarkstown will be required before conducting any games of chance. Limitations: No wager to exceed \$10.00, no single prize can exceed \$100.00, no total combination of prizes can exceed \$1,000.00. Strict accounting procedures are called for which may be subject to immediate examination by the Town or State Wagering Board to assure that the money is being used solely for the benefit of nonprofit or religious organizations. License fees as contained in the proposed local law (\$25.00 to \$50.00). The law limits the type of games that can be offered. License cannot exceed period of 14 months. Accounting must be made within 7 days after conducting games. No advertising is permitted other than on premises.

QUESTIONS FROM THE PUBLIC

- Q. Does adoption of the Local Law by the Town Board authorize games of chance?  
A. No. Must be certified by referendum vote on ballot, probably in November General Election.
- Q. Are incorporated villages effected by the Local Law?  
A. No - not covered.
- Q. Rabbi Kaplan - If Local Law is voted by Town Board, is it not in fact an approval of the law and shows citizenry that Town Board is in favor of such a law?  
A. Supervisor stated each member would have to speak for himself. The law will give the electorate the opportunity to express their approval or disapproval. If any of the Board wishes to express an opinion, it is their option to do so. It is merely a method to enable the electorate to make their own decision.

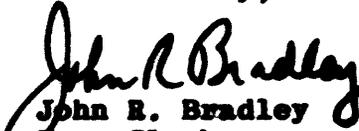
Rabbi Kaplan respectfully requested the Town Board not pass this Local Law. Expressed the feeling that there is something immoral when a religious organization looks to public to support the goals of that religious organization by games of chance. No reason why the members should not support their own institution without games of chance.

- Q. What control over the element of people who operate the games? Are fingerprints required?

- A. Only bonafide active members (4) must be responsible for each event. Fingerprinting is not required at present.
- Q. How broad is the designation "nonprofit organization"?
- A. The legislation states authorized organizations shall mean and include any bonafide religious, charitable, educational or service organization, or bonafide organization of veterans or volunteer firemen which shall have purposes described further in law and must have been serving these purposes for a period of 3 years prior to applying for license to operate games of chance.
- Q. If law is adopted and violations are found, who pays to enforce the law?
- A. Police, State Wagering Commission, possible Town Inspector whose salary would presumably be paid by the income from fees such as now being done with the operation of Bingo.
- Q. What organization sponsored the request for this Local Law?
- A. The Town Board on its own volition. Since the State Law was passed, most Town Boards throughout the State have passed enabling legislation so that the electorate may express their desires by ballot at a referendum. Now is a natural time to pass this law, prior to the regular November election.
- Q. Will political parties be allowed to use this means to raise funds?
- A. Assistant Town Attorney does not feel political parties are considered charitable or service organizations.
- Q. If an election district lies partially within an incorporated village, will the Town have to pay the costs of preparing and using a paper ballot for the referendum?
- A. No such condition exists in Clarkstown. All districts are wholly within the incorporated village or outside of them.

After a five minute recess, Councilman Maloney moved that Public Hearing be closed. Seconded by Councilman Holbrook and unanimously adopted.

Submitted by,

  
John R. Bradley  
Town Clerk

TOWN BOARD MEETING

Town Hall

9-15-76

8:15:P.M.

Present: Councilmen D'Antoni, Holbrook, Maloney, Piacentile, Supervisor Gerber, Town Clerk, John R. Bradley, Town Attorney, Murray N. Jacobson, Asst. Town Attorney, Philip Fogel.

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

(1976-603) Co. D'Antoni offered the following resolution;

RESOLVED, that the regular Town Board Meeting be adjourned for the purpose of holding Public Hearings.

Seconded by Co. Piacentile

All voted Aye.

(1976-604) Co. D'Antoni offered the following resolution;

RESOLVED, that the Town Board Meeting be resumed.

Seconded by Co. Piacentile.

All voted Aye.

(1976-605) Co. D'Antoni offered the following resolution:

RESOLVED, that the Minutes of the Town Board Meeting held on July 28th, 1976, August 25th, 1976 and the Special Town Board Meeting held on September 9th, 1976, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Piacentile.

All voted Aye.

(1976-606) 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:

Bellwood Drive, New City (as amended)  
Pineview & Westlyn Drive, Bardonia

Seconded by Co. Piacentile.

All voted Aye.

(1976-607) Co. Holbrook offered the following resolution:

RESOLVED, based upon the recommendation of the Superintendent of Recreation & Parks, that the Town Board of the Town of Clarkstown hereby accepts the proposal from Orange & Rockland Utilities, Inc., for street lighting at Tennyson Park, Nanuet.

Seconded by Co. Piacentile.

All voted Aye.

(1976-608) 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 AT ANYTIME", to be erected on both sides of Hazelton Lane from Stonehedge Drive South to and including the turn-around, West Nyack.

Seconded by Co. Piacentile.

All voted Aye.

(1976-609) Co. Piacentile offered the following resolution:

RESOLVED, that based upon the recommendation of the Town Engineer, the Spring Valley Water Co. is hereby authorized to install one (1) hydrant on the west side of proposed road, approximately 450 feet east and north from the center line of Christian Herald Road.

Seconded by Co. Holbrook.

All voted Aye.

(1976-610) Co. Piacentile offered the following resolution:

WHEREAS, Councilman Piacentile, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled "A LOCAL LAW ESTABLISHING A CONSUMER AFFAIRS COMMISSION IN THE TOWN OF CLARKSTOWN", and

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the best public interest that said local law be adopted;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 6th day of October, 1976, at 8:15 P.M., relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town, and posted in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such 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. Maloney.

All voted Aye.

(1976-611) Co. D'Antoni offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deed from KERBER ESTATES, INC. (53 Burd Street, Nyack, Ny.Y.) dated April 5, 1976 conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of

"KERBER ESTATES, Town of Clarkstown, Rockland County, New York", filed in the Rockland County Clerk's Office on May 31, 1972 in Map Book 84 at Page 14 as Map No. 4287

as follows:

Drayton Place 800 L.F.  
High Ridge Court 550 L.F.  
Valley Drive 775 L.F.  
Road Widening Strip along Lawrence Street  
Together with two temporary turnaround easements  
is hereby accepted by the Town of Clarkstown and ordered filed in the Rockland County Clerk's Office; and be it

FURTHER RESOLVED, that Maintenance Bonds No Numbers dated the 8th day of September 1976 (\$6,125 re Roads; \$1,850 re Sewers) KERBER ESTATES, INC. as principal and FIREMAN'S FUND INSURANCE COMPANY as Surety, are hereby accepted.

Seconded by Co. Maloney.

All voted Aye.

(1976-612) Co. Piacentile offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an easement for drainage purposes from Manny Apfelbaum and Abraham Meltzer to the Town of Clarkstown and the Town of Clarkstown hereby accepts all terms and conditions thereof, and be it

FURTHER RESOLVED, that the Town Attorney is hereby directed to record this easement in the Rockland County Clerk's Office.

Seconded by Co. Maloney.

All voted Aye.

(1976-613) Co. Piacentile offered the following resolution:

RESOLVED, that Resolution No. 530 of August 25, 1976 be amended so that payment for all drainage work shall be charged directly to the Drainage Capital Account.

Seconded by Co. Maloney.

All voted Aye.

(1976-614) 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 to property,

NOW, THEREFORE, be it

RESOLVED, that the sum of \$10,500.00 be allocated from the Capital Account - Drainage to correct the conditions at the following locations:

Poplar St. Nanuet	Fill low spot and construct swale	\$500.00
Clark Drive New City	Remove alluvial deposits and place on stream banks for a distance of approx. 600 ft. Remove remains of allen willow trees.	2,500.00
Lake Road Valley Cottage	Construct a concrete wall on stream NJ1-13-1A between the two existing remaining walls. Fill and grade behind walls.	7,500.00

Seconded by Co. Holbrook.

All voted Aye.

(1976-615) Co. Piacentile offered the following resolution:

RESOLVED, that the Comptroller is hereby authorized to transfer \$1,200.00 from A/C #A5630-312 to A5630-230 for purchase of communication equipment.

Seconded by Co. Maloney.

All voted Aye.

(1976-616) Co. Piacentile offered the following resolution:

RESOLVED, that the Comptroller is hereby authorized to make a temporary transfer of the stated amounts from the Capital Drainage Account to the following accounts:

A. General Fund	\$243,857.00
B. Sewer Debt Account	48,837.00
C. Sepcial Assessment Debt Account	2,763.00

Seconded by Co. Holbrook.

All voted Aye.

(1976-617) Co. Piacentile offered the following resolution:

WHREAS, the New York State Department of Environmental Conservation has issued the necessary permit to allow work to commence on the Demarest Kill Project for the relief of flood conditions in New City,

NOW, THEREFORE, be it

RESOLVED, that the Department of Environmental Control is hereby authorized to perform the work as permitted by the permit, and be it

FURTHER RESOLVED, that the sum for said project be taken from Capital Account - Drainage.

Seconded by Co. Maloney.

All voted Aye.

(1976-618) Co. Holbrook offered the following resolution:

WHEREAS, during the improvement and widening of Mountainview Avenue in Central Nyack, the Town caused the garage at the premises of Mr. and Mrs. Venis Knight to become unusable for garage purposes, and

WHEREAS, the Town feels it is obligated to construct a garage at another location on the premises;

NOW, THEREFORE, be it

RESOLVED, the upon the receipt of a duly executed receipt of a general release, the sum of \$7,700 shall be delivered to Mr. and Mrs. Venis Knight. This sum to be paid out of A-1930 Judgment and Claims Account.

Seconded by Co. Piacentile.

All voted Aye.

(1976-619) Co. Maloney offered the following resolution:

RESOLVED, based on the recommendation of the Parks Board & Recreation Commission, that Edward J. Ghiazza, Supt. of Recreation & Parks, be authorized to attend the 1976 Congress for Recreation and Parks, to be held in Boston, Massachusetts, from October 17 through October 21, 1976, and be it

FURTHER RESOLVED, that Walter Schatz, Assistant Supt., and Chuck Connington, Recreation Supervisor, be authorized to attend the above named conference for a period of 2 days each, and be it

(1976-619 Continued)

FURTHER RESOLVED, that all necessary and actual expenses not to exceed \$740.00, be allocated against Acct. #7020-414, and Acct. #7310-414.

Seconded by Co. Holbrook.

All voted Aye.

(1976-620) Co. Maloney offered the following resolution:

RESOLVED, based on the recommendation of the Parks Board & Recreation Commission, that the Chairman of the Parks Board & Recreation Commission is hereby authorized to attend the 1976 Congress for Recreation and Parks, to be held in Boston, Massachusetts, from October 17 through October 21, 1976, and be it

FURTHER RESOLVED, that all necessary and actual expenses not to exceed \$350.00 be allocated against Acct. #7020-414.

Seconded by Co. Holbrook.

All voted Aye.

(1976-621) Co. Holbrook offered the following resolution:

RESOLVED, that Joan Corley, 34 Woodside Drive, New City, New York is hereby appointed to the position of Office Worker-Student - Supervisor's Office, - at the hourly wage of \$2.40, effective retroactive to September 7, 1976 through December 31, 1976.

Seconded by Co. Maloney.

All voted Aye.

(1976-622) Co. D'Antoni offered the following resolution:

RESOLVED, that Katrice Turner, 8 North William Street, New City, New York is hereby appointed to the position of Office Worker-Student - Town Justice Office - at the hourly wage of \$2.30, effective retroactive to September 7, 1976 through December 31, 1976.

Seconded by Co. Holbrook.

All voted Aye.

(1976-623) Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on September 1, 1976 that the position of Stock Clerk (CETA) - Sewer Department - can be created,

NOW, THEREFORE, be it

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

Seconded by Co. Piacentile.

All voted Aye.

(1976-624) Co. Holbrook offered the following resolution:

RESOLVED, that Steven Taylor, 30 Concord Drive, New City, New York is hereby appointed to the position of Stock Clerk (CETA) - Sewer Department - at the annual salary for 1976 of \$7,844., effective September 20, 1976.

Seconded by Co. Maloney.

All voted Aye.

(1976-625) Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Mitchell Roth, Pomona, New York as Counselor, part-time, Counseling Center is hereby accepted, effective and retroactive to August 31, 1976.

Seconded by Co. Piacentile. All voted Aye.

(1976-626) Co. D'Antoni offered the following resolution:

RESOLVED, that the resignation of George K. Mellersten as Assessor of the Town of Clarkstown is hereby accepted effective December 31, 1976.

Seconded by Co. Piacentile. All voted Aye.

(1976-627) Co. Piacentile offered the following resolution:

RESOLVED, that Geraldine Kelly, 39 Twin Elms Lane, New City, New York is hereby appointed to the position of Typist (CETA) - Environmental Office - at the annual salary for 1976 of \$6,577., effective and retroactive to September 7, 1976.

Seconded by Co. Holbrook. All voted Aye.

(1976-628) Co. Piacentile offered the following resolution:

RESOLVED, that Cornelia A. Alemi, 160 North Main Street, New City, New York is hereby appointed to the position of Stenographer (CETA) - Town Engineer's Office - at the annual salary for 1976 of \$6,850.00, effective and retroactive to September 8, 1976.

Seconded by Co. Holbrook. All voted Aye.

(1976-629) Co. Holbrook offered the following resolution:

RESOLVED, that Rodman Herbert, Roosevelt Avenue, Central Nyack, New York is hereby appointed a Member of the Zoning Board of Appeals, at the annual salary for 1976 of \$1,000.00, effective immediately, term to expire on June 18, 1981.

Seconded by Co. Maloney.

On roll call, vote was as follows:

Co. Holbrook	Aye	Co. D'Antoni	Abstain
Co. Maloney	Aye		
Co. Piacentile	Aye		
Superivsor Gerber	Aye		

Motion Carried.

(1976-630) Co. Maloney offered the following resolution:

RESOLVED, that the resignation by retirement of Chief John Ambrose, 5 Sunrise Avenue, New City, New York is hereby accepted with regret effective October 4, 1976.

Seconded by Co. Piacentile. All voted Aye.

(1976-631) Co. Maloney offered the following resolution:

RESOLVED, that the resignation by retirement of Fred Brunjes, 385 South Mountain Road, New City, New York, as Police Officer (Detective) - Police Department - is hereby accepted with regret, effective and retroactive to September 1, 1976.

Seconded by Co. Piacentile. All voted Aye.

(1976-632) Co. Maloney offered the following resolution:

WHEREAS, based on the recommendation of the Police Commission, be it

RESOLVED, that John D. Martz is hereby appointed Chief of Police, provisionally subject to examination, appointment effective October 5, 1976, at the base rate of \$32,188.00 for the year 1976.

Seconded by Co. Piacentile. All voted Aye.

(1976-633) Co. Maloney offered the following resolution:

WHEREAS, based on the recommendation of the Police Commission and the acting Chief of Police, and

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Captain No. 73161 which contains the name of George R. Schnakenberg;

NOW, THEREFORE, be it

RESOLVED, that George R. Schnakenberg is hereby appointed Captain of Police, permanent, appointment effective October 5, 1976, at the base rate of \$29,188.00 for the year 1976.

Seconded by Co. Piacentile. All voted Aye.

(1976-634) Co. Maloney offered the following resolution:

WHEREAS, based upon the recommendations of the Police Commission and the acting Chief of Police, and

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Lieutenant No. 73162 A which contains the name of James R. Purdum;

NOW, THEREFORE, be it

RESOLVED, that James R. Purdum is hereby appointed Lieutenant of Police, permanent, appointment effective October 5, 1976, at the base rate of \$23,996.00 for the year 1976.

Seconded by Co. Piacentile. All voted Aye.

(1976-635.) Co. Maloney offered the following resolution:

WHEREAS, based upon the recommendations of the Police Commission and the acting Chief of Police, and

(1976-635 Continued)

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Lieutenant No. 73162 A which contains the of Ronald Fabis;

NOW, THEREFORE, be it

RESOLVED, that Ronald Fabis is hereby appointed Lieutenant of Police, Contingent Permanent, appointment effective October 5, 1976, at the base rate of \$23,996.00 for the year 1976.

Seconded by Co. Piacentile.

All voted Aye.

(1976-636) Co. Maloney offered the following resolution:

WHEREAS, based upon the recommendations of the Police Commission and the acting Chief of Police, and

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Sergeant No. 7392 A which contains the name of John Taylor;

NOW, THEREFORE, be it

RESOLVED, that John Taylor is hereby appointed to the position of Sergeant, permanent, effective October 5, 1976, at the base rate of \$21,330.00 for the year 1976.

Seconded by Co. Piacentile.

All voted Aye.

(1976-637) Co. Maloney offered the following resolution:

WHEREAS, based upon the recommendations of the Police Commission and the acting Chief of Police, and

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Sergeant No. 7392 A which contains the name of Paul D'Alessandro;

NOW, THEREFORE, be it

RESOLVED, that Paul D'Alessandro is hereby appointed to the position of Sergeant, permanent, effective October 5, 1976, at the base rate of \$21,330.00 for the year 1976.

Seconded by Co. Piacentile.

All voted Aye.

(1976-638) Co. Maloney offered the following resolution:

WHEREAS, based upon the recommendations of the Police Commission and the acting Chief of Police, and

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Officer No. 73155 which contains the name of James Kfourri;

NOW, THEREFORE, be it

RESOLVED, that James Kfourri is hereby appointed to the position of Patrolman, permanent, effective September 27, 1976 at the base rate of \$10,560.00 for the year 1976.

Seconded by Co. Piacentile.

All voted Aye.

(1976-639) Co. Maloney offered the following resolution:

WHEREAS, based upon the recommendation of the Police Commission and the acting Chief of Police, and

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Officer No. 73155 which contains the name of Lawrence Rudden;

NOW, THEREFORE, be it

RESOLVED, that Lawrence Rudden is hereby appointed to the position of Patrolman, permanent, effective September 27, 1976 at the base rate of \$10,560.00 for the year 1976.

Seconded by Co. Piacentile All voted Aye.

(1976-640) Co. Maloney offered the following resolution:

WHEREAS, based upon the recommendations of the Police Commission and the acting Chief of Police, and

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Officer No. 73155 which contains the name of Mark Mance, Jr.;

NOW, THEREFORE, be it

RESOLVED, that Mark Mance, Jr., is hereby appointed to the position of Patrolman, permanent, effective September 27, 1976 at the base rate of \$10,560 for the year 1976.

(1976-641) Co. D'Antoni offered the following resolution:

RESOLVED, that the regular meeting be closed for the purpose of holding Public Hearings.

Seconded by Co. Maloney All voted Aye.

(1976-642) Co. D'Antoni offered the following resolution:

RESOLVED, that the Public Hearing for the ADOPTION OF SPECIAL ASSESSMENT ROLL FOR THE IMPROVEMENT OF CENTRAL AVENUE, RANDY LANE AND BLUE WILLOW LANE be recessed until 8:30 P.M., September 29, 1976.

Seconded by Co. Maloney All voted Aye.

(1976-643) Co. D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 25th day of August, 1976 provided for a public hearing on the 15th day of September, 1976 at 8:35 P.M. to consider the designation of all areas in the following zones (according to the Zoning Map of the Town of Clarkstown) as within Fire Limits A; LO, CS, MRS, M, LS, RS, LIO, PED, and also to designate a 200 ft. buffer strip around such areas as within Fire Limit B, and

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

NOW, THEREFORE, be it

RESOLVED, that the aforementioned zones are hereby designated as within Fire Limits A and a 200 ft. buffer strip is designated around such areas as within Fire Limits B.

Seconded by Co. Holbrook.

All voted Aye.

Supervisor Gerber closed regular meeting to hold Public Hearing- EXTENSION OF CONSOLIDATED WATER DIST. #1

(1976-644) Co. D'Antoni offered the following resolution;

RESOLVED, that the public hearings be closed and the Regular order of business be resumed.

Seconded by Co. Maloney.

All voted Aye.

(1976-645) Co. Maloney offered the following resolution;

RESOLVED, that the Public Hearing for the Special Permit, TOLSTOY FOUNDATION, be recessed until 8:45 P.M., September 29, 1976.

Seconded by Co. Piacentile.

All voted Aye.

Supervisor Gerber closed the regular meeting to hold Public Hearing--ADOPTION OF SEWER TAX ROLL-1977.

(1976-646) Co. Maloney moved the Public Hearing be closed and the regular order of business be resumed.

Seconded by Co. Piacentile.

(1976-647) Co. Maloney offered the following resolution;

WHEREAS, a public hearing was held at the auditorium of the Town Hall, New City, New York, on the 15th day of September, 1976, at 8:15 P.M., to hear and consider any objections which may be made to the 1977 Sewer Tax Roll, which includes West Clarkstown District, Strawberry Hill District and the Clarkstown Master Benifited Area; and

WHEREAS, notice of filing of said Sewer Tax Roll and Notice of Public Hearing have been published as required by law; and

WHEREAS, the Town Board has heard and considered objections made to the said Sewer Tax Roll for 1977; and

WHEREAS, the Town Board has duly deliberated thereon;

NOW THEREFORE, be it

RESOLVED, that the 1977 Sewer Tax Roll for and in connection with assessment of the cost of construction, operation and maintenance of Sanitary sewers and laterals within the Town of Clarkstown, be and the same hereby is ADOPTED.

Seconded by Co. Piacentile.

All voted Aye.

Supervisor Gerber closed the regular meeting to hold Public Hearing--CONDUCT OF GAMES OF CHANCE.

(1976-648) Co. Maloney moved that the Public Hearing be closed for the purpose of resuming regular business.

Seconded by Co. Holbrook.

All voted Aye.

(1976-649) Co. Maloney offered the following resolution;

RESOLVED, That Sect. 7, paragraph I, of the proposed Local Law 8-1976 re; CONDUCT OF GAMES OF CHANCE, be amended to add the days of Rosh Hashanah and Yom Kippur.

Seconded by Co. Holbrook.

All voted Aye.

(1976- 650) Co. D'Antoni offered the following resolutuion;

RESOLUTION ADOPTING LOCAL LAW  
NO. 8-1976 re CONDUCT OF GAMES  
of CHANCE.

WHEREAS, a proposed local law entitled, "A LOCAL LAW FOR THE CONDUCT OF GAMES OF CHANCE BY CERTAIN ORGANIZATIONS IN THE TOWN OF CLARKSTOWN" was introduced by Councilman D'Antoni at a Town Board meeting held September 9, 1976, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 9th day of September, 1976, directed that a public hearing be held on the 15th day of September, 1976, at 9:00 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 September 10, 1976, and

WHEREAS, a copy of the proposed local law was placed on the desks of the Town Board members on September 9, 1976, and

WHEREAS, a public hearing was held by the Town Board on September 15, 1976;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 8-1976 entitled, "A LOCAL LAW FOR THE CONDUCT OF GAMES OF CHANCE BY CERTAIN ORGANIZATIONS 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 Anthony D'Antoni.....Aye  
Councilman John R. Maloney.....Aye  
Councilman John T. Piacentile.....Aye  
Councilman Charles E. Holbrook.....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.

(1976-651) Co. Maloney offered the following resolution:

WHEREAS, Mrs. Tina Frizalone had requested a Building Permit for premises located at 892 Flint Court, Valley Cottage, New York and paid an application fee of \$56.00, and

WHEREAS, said applicant has been unable to build,  
NOW, THEREFORE, be it

RESOLVED, that the sum of \$25.00 shall be refunded to said Mrs. Tina Frizalone and the remaining \$31.00 be retained by the Town of Clarkstown as its fee for processing said application.

Seconded by Co. D'Antoni.

All voted Aye.

(1976-652) Co. D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Town Engineer, the Spring Valley Water Co. is hereby authorized to install (3) hydrants (Inves. No. 8005) at the following location:

North side of Hamden Heights Court, approximately 50 feet west of the center line of Strawtown Road.

North side of Hamden Heights Court, approximately 260 feet west of the center line of Strawtown Road.

West side of Spirea Lane, approximately 320 feet north of the center line of Hamden Heights Court.

Seconded by Co. Maloney.

All voted Aye.

(1976-653) Co. Piacentile offered the following resolution:

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 83-65 of the Code of the Town of Clarkstown:

WARRINER SMITH UTILITIES, INC.  
61 Summit Park Road  
Spring Valley, New York

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 76-23 to WARRINER SMITH UTILITIES, INC.

Seconded by Co. Maloney.

All voted Aye.

(1976-654) Co. Piacentile offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for Rock Salt (in bulk), and 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 27, 1976, before 4:00 P.M., at which time they will be opened, and be it

(1976-654 Continued)

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

Seconded by Co. Maloney.

All voted Aye.

(1976-655) Co. D'Antoni offered the following resolution:

**RESOLVED**, that the next meeting of the Town Board shall be September 29, 1976 at 8:00 P.M.

Seconded by Co. Maloney.

All voted Aye.

(1976-656) Co. Piacentile offered the following resolution:

**WHEREAS**, the Town of Clarkstown has established Master Benefited Sewerage Improvement Area No. 2, and has received a maximum authorization to be spent on the project, and

**WHEREAS**, the New York State Department of Environmental Conservation and the United States Environmental Protection Agency are providing grants in aid for Engineering, Construction and Development expenses in sewerage projects such as Master Benefited Sewerage Improvement Area No. 2, and

**WHEREAS**, the Department of Environmental Conservation has indicated that an application by the Town of Clarkstown for such aid must be made as an addendum to the present Rockland County Sewer District No. 1 Stage 3 Application for federal aid, and be submitted by Rockland County Sewer District No. 1;

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town of Clarkstown will submit all required data for the submission of an aid application on behalf of the Master Benefited Sewerage Improvement Area No. 2, to the Rockland County Sewer District No. 1, that all Engineering and Administrative work required to complete this submission will be done and paid for by the Town of Clarkstown, that no supervisory duties will be required of the staff of Rockland County Sewer District No. 1, and that any additional data required by the Department of Environmental Conservation or United States Environmental Protection Agency, with respect to the Master Benefited Sewerage Improvement Area No. 2, will be provided and paid for by the Town of Clarkstown.

Seconded by Co. Holbrook.

All voted Aye.

(1976-657) Co. Maloney offered the following resolution:

**WHEREAS**, the Legislature of the State of New York included in its supplemental budget funding to the Department of Environmental Conservation for the purpose of state aid to municipalities for the operation and maintenance of sewage treatment works, and

**WHEREAS**, the Governor of the State of New York has impounded these funds resulting in a decrease in aid from 33% of the operation and maintenance costs to only 10% aid, and

(1976-657 Continued)

WHEREAS, this reduction in state aid will result in severe hardships to the taxpayers of Clarkstown by increasing the amount of real property taxes which must be raised in order to meet the standards of sewage operation necessary to preserve the health and welfare of the community,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown memorializes the Governor of the State of New York to permit the release of these vital funds immediately in order to preserve the previous ratio of state aid to local contribution, and be it

FURTHER RESOLVED, that a copy of this resolution be sent to the Governor of the State of New York, State Senator Linda Winikow, and Assemblyman Robert Connor.

Seconded by Co. Piacentile.

All voted Aye.

After completion of the Regular Meeting a question was raised from the audience as to why the Public Hearing on Nursery Schools held in June had not been acted upon by the Town Board.

Superivsor Gerber explained that various reasons may have prevented action, one of them being the illness of Councilman D'Antoni. He feels that the Town Board would like to to have a full board to act.

The Town Board was urged to expedite their actions in the matter.

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 29, 1976 at the Board Room of the Town Hall.

Submitted by,

  
John R. Bradley  
Town Clerk