

## PUBLIC HEARING

Town Hall

6/1/77

8:15 PM

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

RE: Zone Change Petition -- ROBERT A. RIES -- CS & R-15 to RG-2  
Property Located -- east line of Route 304 and North line  
of Second Street, New City

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

Supervisor Gerber read correspondence received from the Rockland County Planning Board and the Town of Clarkstown Planning Board as follows:

RECOMMENDATION OF THE ROCKLAND COUNTY PLANNING BOARD:

The Rockland County Planning Board reviewed the above item at its April 4, 1977 meeting and approves subject to conditions below:

Provide a 15 foot landscaped buffer along the property abutting Route 304

(signed) Aaron D. Fried, Planning Director  
(Entire letter on file in Town Clerk's office)

RECOMMENDATION OF THE CLARKSTOWN PLANNING BOARD:

.....THAT ZONE CHANGE REQUEST FOR SD57M12.01, CS/R-15 TO RG-2 BE GRANTED BASED UPON THE FOLLOWING DETERMINATIONS (Z0106-32B2) AND REQUIREMENTS:

1. Provide retention through the use of rooftop storage, surge-filled trenches, or such measures as may be feasible.
2. The uses permitted by the proposed change would be appropriate in the area concerned.
3. Adequate public school facilities and other public services exist or can be created to serve the needs of any additional residences likely to be constructed as a result of such change.
4. The proposed change is in accord with any existing or proposed plans for providing public water supply and sanitary sewers in the vicinity.
5. The amount of vacant land which is currently zoned for similar development in the Town and particularly in the vicinity of the area included in the proposed amendment, and any special circumstances which may make a substantial part of such vacant land unavailable for development, would not be materially affected by the proposed amendment.

(continued)

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TOWN PLANNING BOARD RECOMMENDATION (continued)

6. The recent rate at which land is being developed in the proposed district in the Town, and particularly in the vicinity of the area included in the proposed amendment would not be materially affected by the proposed amendment.
7. The effect of the proposed amendment upon the growth of existing communities in the Town as envisaged by the comprehensive plan would not be material.
8. The proposed amendment is not likely to result in an increase or decrease in the total zoned residential capacity of the Town in a material way and the probable effect of such a change on the cost of providing public services would not be material.
9. Other areas designated for similar development are not likely to be so developed if the proposed amendment is adopted because of the comparatively small number of units to be constructed under the proposed amendment and the designation for such future development should not be withdrawn from such areas by further amendment to the Zoning Map.
10. Any site plan prepared for the property will have to take into account the location of adjoining buildings and the presence of Route 304. The height, location, and bulk of any proposed buildings must carefully consider existing development.
11. Because of the proximity to Route 304, suggest that the units be primarily in the efficiency and one-bedroom size, to minimize the likelihood of young children as residents.
12. Access to be from Scarlett Court.

(signed) Rudolph J. Yacyshyn, Chairman  
(complete letter on file in Town Clerk's Office)

Everett Johns, Esq. appeared before the Board on behalf of the Petitioner and stated that the petitioner had acquired the properties involved along with other plots in the area in 1971. Previous approval for the particular lots involved in this petition had been obtained to construct 14,000 sq. ft. office building. The market for the erection and utilization of this building at the time of approval was not favorable, so it was not built. A later application for another commercial use was not feasible either, as the commercial portion of the property was not of sufficient size. Being unable to utilize the properties as they exist, the applicant wishes the change of zoning so that he may erect apartments, for which there exists a need at this time, particularly in this area.

Mr. Johns introduced Dennis Coyle, a realtor and a part owner of the property involved. Mr. Coyle was sworn in to give testimony pertinent to the Petition.

(continued)

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Mr. Coyle stated that he was an equal partner with Mr. Ries and that he was speaking for both parties. Mr. Coyle also described their effort to develop the site for office use and/or commercial use. He stated that his current knowledge of the real estate needs in the community indicate a strong need for efficiency and one bedroom apartments. He and Mr. Ries engaged the services of Russell Turley, 3 Clover Court, New City as a recognized architect and planner to design a unit of apartments for this site. Preliminary plans are for 16 one-bedroom units and 10 efficiency units in a 3 story configuration to conform with the topography of the site, furnishing proper requirements under local agency regulations and engineering. A preliminary and finished plan was displayed of the project.

Mr. Russell was sworn in to give testimony. He offered a statement as to his qualifications as well as a description of various projects he had been responsible for in and around this community. In response to questions from the members of the Town Board, Mr. Turley have answers as to the type of construction, location with respect to boundaries, buffer zones, parking areas, etc. It was ascertained that these apartments will be for rent on a monthly or lease basis and not for transient use.

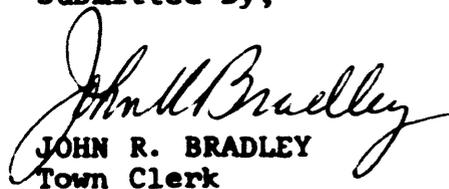
Supervisor Gerber asked that persons IN FAVOR of the petition address the Board at this time. NO ONE APPEARED.

OPPOSED:

Owners of properties on Scarlett Court, adjacent to the site inquired as to the exact distance from the nearest residence to the apartments as proposed. Answer: approximately 90'. Question was asked why southern tip of property could not be used as an exit, as was proposed in the plan when the office building had been proposed. Answer: The property is now of different dimension, only 29 feet wide and could not accommodate the traffic. Also, the State of New York would object because of its proximity to Route 304. Question -- safety of children attending New City Elementary school and walking to same -- Supervisor Gerber said that in other areas similar to this, the state has granted permission for the construction of a sidewalk along the State right-of-way and that upon request from the Board of Education, the Town would construct such a walk.

After a short recess, Councilman Maloney moved to close the public hearing, seconded by Co. Holbrook and unanimously adopted.

Submitted by,

  
JOHN R. BRADLEY  
Town Clerk

AAA073

## PUBLIC HEARING

Town Hall

6/1/77

8:30 PM

Present: Co. D'Antoni, Holbrook, Maloney, Piacentile, Supv. Gerber  
Deputy Town Attorney Philip B. Fogel  
Town Clerk, John R. Bradley

RE: PROPOSED LOCAL LAW REGARDING NEW YORK ENVIRONMENTAL  
CONSERVATION LAW -- "LOCAL LAW OF THE TOWN OF CLARKSTOWN  
PURSUANT TO ARTICLE 8 OF THE NEW YORK ENVIRONMENTAL  
CONSERVATION LAW PROVIDING FOR ENVIRONMENTAL QUALITY  
REVIEW OF ACTIONS WHICH MAY HAVE A SIGNIFICANT EFFECT  
ON THE ENVIRONMENT"

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

Deputy Town Attorney Philip Fogel was asked to explain the Local Law as proposed. He stated that the law attempts to comply with the New York State Environmental Conservation Law adopted approximately two years ago, and, for the most part, follows those provisions of the New York Code, Rules and Regulations as published by the New York State Environmental Conservation Law, i.e. Article 6 of Section 617 and 618. The purpose of the law is to seek to have certain environmental reviews before certain actions are taken by Planning Boards, Zoning Boards or Town Boards, etc., and to make certain that environmental considerations are made prior to action. No licenses or permits are required. Provision is made to provide two types of action.

TYPE I -- Actions which are likely to have an environmental impact and which may require drafts of environmental impact statements and final environmental impact statements.

TYPE II - Indicates such construction or action that will not have any significant effect on the environment.

The law also provides that before any action is taken an applicant must provide the Town Office of Environmental Control certain statements that will be a basis for determining whether the application will have a Type I or II effect on the environment. The law allows for 15 days for the Director of Environmental Control to make a written decision as to what will be required of the applicant insofar as an environmental impact statement is required. Mr. Fogel further stated that certain time elements were provided for the Director of Environmental Control to make a decision and hold Public Hearings. Certain fee schedules have been set to cover cost of implementation of the Law.

Mr. Fogel also noted that at the present time there are certain changes proposed at the State level. Inasmuch as this legislation has not been signed, the Law is being presented without any consideration of the expected changes.

Supervisor Gerber stated that when, and if, the mentioned legislation is passed, it may be necessary to amend this Local Law. In any event, after the Public Hearing is held tonight, the decision will be reserved pending the decisions of the Legislature

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Mr. Henry Horowitz asked to be heard. He expressed the concern of environmentalists of the possibility of moving too fast and too far because they (the environmentalists) do not wish to jeopardize the Environmental Control Bill. President Carter urged 8 days ago to have Federal Agencies review all of their procedures in order to make the Environmental Impact Statement process more useful to decision makers and the public, to reduce paperwork and the accumulation of extemporaneous background data, and to emphasize the need to focus on the real environmental need and alternatives. The law now to be adopted will add another level of government by having the Environmental Impact Process done by the Director of Environmental Control. This was not the intention of the State Environmental Conservation Act. This process should be integrated with existing departmental procedures and not delay agency planning and decision making. It is his opinion, that the planning and zoning boards should have the review available to them prior to any action. Prior proposal to the Director of Environmental Control will delay application as he may or may not require publications or hearings. He must give his decision within 15 days if he does not publish, or within 45 days if he does decide to publish and hold a Public Hearing.

Mr. Horowitz further pointed out that once the Director of Environmental Control decides an impact statement is required, an applicant has not the opportunity to have an informal review with the Board of Appeals, the Architectural Review Board, etc., until after the decision is made by the Director of Environmental Control. He questioned as to where the Town Board stood with its authority in the process. There is much confusion on this section. With regard to the fee schedule, Mr. Horowitz cited a case stating that a rough draft review of the impact statement for a 40-acre plot would be \$7000 and does not account for the value of any buildings thereon. If this review has to be re-submitted, an additional 40% of the original fee is added. These costs are prohibitive. It is important for the Town Board to review the fee schedule.

Mr. Horowitz voiced objections to the Towns making restrictions more severe under the Local Law than those presented by the State in its' requirements. This makes things more difficult.

In closing, Mr. Horowitz stated that the Environmental Impact Statement is part and parcel of the planning process and that this Law is not something that is new, but is now in effect from the national level on down and that our Town has been using environmental considerations in its planning for some time. Integration of the State Environmental Conservation Act with local procedures must be accomplished without creating obstructions or delays in the development process.

Leslie Bollman, Director of Environmental Control, Town of Clarkstown addressed the Board. Agrees that integration of the impact statement with whichever Town agencies in control is issential. However, it is important that the decision to be made first is whether or not an impact statement is required and that if no statement is required, then not later than 15 days, it will be sent on to the proper agencies, without delay, for processing in the usual manner. If a statement were required, his department would cooperate and probably a hearing would be held in conjunction

(continued)

Leslie Bollman (continued)

with the planning board so as not to make the review a burden or prolong the process. He pointed out that only a small percentage of properties in Clarkstown would require an impact statement.

Mr. Robert Geneslaw, Planning Consultant to the Town addressed the Board. Mr. Geneslaw stated that using the Planning Board as an initial agency for the Impact Statement is not directed by the State Law -- he felt that inasmuch as only a small percentage of applicants would require the Statement, scheduling of Public Hearing would be prior to the Planning Board hearings at convenient times so as to expedite the process. Various changes of the law are now proposed in Albany and awaiting Legislative approval with regard to fee schedules, publication, notices, hearings, etc. This Local Law is based on the State Law, with all the inconsistencies thereof, and an attempt has been made to structure it in the best way to handle it for the Town.

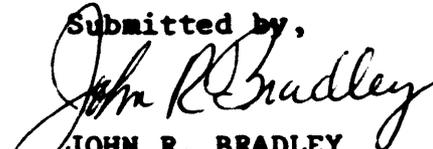
Mr. Martus Granirer -- representing the West Branch Conservation Assoc., stated that he was in agreement with most of Mr. Horowitz' remarks. If the present legislation in Albany is passed, the process will, by law, be incorporated with existing processes. There never was any intention to create a separate agency or another level of government to the process. The Town itself is more likely subject to review, as it is not obligated to submit its actions to the Planning Board or other advisory agencies. It may prevent the Town from doing some projects that it believes to be worthwhile, but only by the submission of an impact statement, various matters may appear which would change their viewpoint. Naturally, any Environmental Impact Statement should be reviewed by persons other than those employed by the Town, so that it would be completely impartial. Who writes the Impact Statement is not as important as who reviews the statement. This should be done by an impartial agency, such as the agency the County of Rockland uses.

Mr. Granirer requested that an additional requirement be made in the Impact Statement as to the location of the project. Other requirements are size, value and type of project. Also, such things as Historical Sites, scenic places and environmental vulnerable natural places should be considered.

A member of the audience who described himself as a Bank Mortgage Officer, expressed his concern at the cost of administration of this law -- more and more applicants to purchase homes, subdivide property and those wishing to develop commercial sites are discouraged because of the high costs involved. Implored the Town Board to keep the costs at a minimum.

Their being no further testimony offered, Councilman Maloney moved to close the Public Hearing and RESERVE DECISION, Seconded by Co. Holbrook and unanimously adopted.

Submitted by,

  
JOHN R. BRADLEY  
Town Clerk

## PUBLIC HEARING

Town Hall

6/1/77

8:35 PM

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

RE: Proposed Local Law entitled "A LOCAL LAW PROVIDING FOR  
WRITTEN NOTIFICATION OF DEFECTS AND OBSTRUCTIONS ON  
TOWN HIGHWAYS AND SIDEWALKS 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 for the hearing.

Town Attorney, Murray Jacobson explained the purpose of the Law, stating that under present Town Law, Section 65A provides for two methods by which the Town may be subject to suit for defects in Town Highways -- one is if written notice is given of the defects and the other is where the defects are of such duration that they are considered to be constructive notice of the defects.

The Home Rule Act of the State of New York was amended and as part of this amendment, certain new powers were given to the Town, one of which is to amend 65A so that only one method of notification would subject the Town to suit, and that would be by written notification. This Local Law is proposed to make written notification required for all suits against the Town for defects of Highways.

No questions were asked by members of the Town Board, nor did anyone appear in favor or in opposition to the proposed Local Law.

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

Submitted by,

  
JOHN R. BRADLEY  
Town Clerk

AAA073

## PUBLIC HEARING

Town Hall

6/1/77

8:40 PM

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

RE: PROPOSED DESIGNATION OF THE JOHN STORMS HOUSE LOCATED AT  
THE SOUTHEAST CORNER OF CASPER HILL ROAD AND STORMS ROAD,  
VALLEY COTTAGE, NEW YORK, AS A HISTORICAL SITE

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

Supervisor Gerber read description of the house --

Frank Green writing the History of Rockland County in 1886 mentions the house twice. Once when he speaks of the roads of colonial times, that meandered up from Tappan over Casper Hill by the old hotel at one time kept by John Storms. Later in discussing the numerous inns along the highway, he says only three remain, one is '76 House in Tappan, "one on Casper Hill now owned by John Storms was kept by a Mr. Tenure" and one was kept by John Coe on the road to Kings Ferry.

.....The house was seriously damaged by fire during the last decades of the 19th Century and less than half of it remains. It was subsequently rebuilt with Victorian porches, fish scales, new windows. The present kitchen wing was added and the over-hanging Dutch colonial eaves were removed.

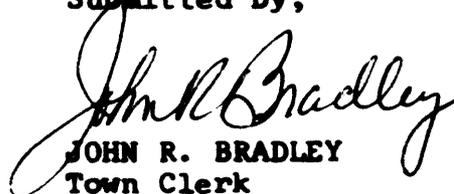
Interesting features of the house include the fact that it is of frame construction - unusual at the time it was built, and the high red sandstone block in front of the front door of the house, for the convenience of passengers alighting from coaches. The extremely large sycamore tree in front of the house, one of two that were planted there when the house was built.

The masonry in the cellar is out of all proportion to its function, indicating perhaps that the house was constructed on the foundations of an even older building.

Councilman Holbrook: Location is unique and the house is one of the oldest in Rockland County. Descendants still live in the area. This is a site worthy of dedication because of its historical value.

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

Submitted by,

  
JOHN R. BRADLEY  
Town Clerk

## TOWN BOARD MEETING

Town Hall

6/1/77

8:00 PM

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

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

(1977-349) Co. Maloney offered the following Proclamation:

WHEREAS, the natural environment of our Town, which encompasses such diverse elements as the Hudson River and High Tor Mountain, is a heritage to be preserved for future generations, and

WHEREAS, our government and all our citizens must work together in a spirit of cooperation in order to preserve and protect these natural resources; and

WHEREAS, littering is the most immediately destructive element to our environment, causing health and safety hazards, great public expense and defacing of our Town's natural beauty, and

WHEREAS, S-E-A-R-C-H Foundation, a non-profit foundation is coordinating a Litter-Ender campaign along with the West Nyack and New City Rotary Clubs, the Clarkstown Garden Club, students from the Clarkstown High School South and other public-spirited organizations and private citizens, and

WHEREAS, we are all charged with the responsibility to act every day to do what we can in order that these resources shall not disappear, and

WHEREAS, during the year 1977-1978 we ask all our residents together to re-dedicate themselves to the task of keeping Clarkstown beautiful and its environment protected,

NOW, THEREFORE, I, George S. Gerber, Supervisor of the Town of Clarkstown do hereby proclaim June, nineteen hundred and seventy-seven to June, nineteen hundred seventy-eight as "ANTI-LITTER YEAR" and urge all Clarkstown citizens to join together in observance of this occasion and to share in our effort to keep Clarkstown beautiful by not littering now and in the future.

Seconded by Co. D'Antoni

All voted Aye.

(1977-850) Co. Maloney offered the following resolution:

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

Seconded by Co. D'Antoni

All voted Aye.

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(1977-351) 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.

(1977-352) Co. Piacentile offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 4th day of May, 1977, provided for a public hearing on the 1st day of June, 1977, at 8:15 P.M., to consider the application of Robert A. Ries to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property more particularly described in Schedule "A", from a CS and R-15 to an RG-2 district, and

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

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from a CS and R-15 district to an RG-2 district, the property described in Schedule "A"; said amendment conditioned upon the execution and recording of a Declaration of Restrictive Covenants in a form and manner satisfactory to the Office of the Town Attorney, and to contain the following covenants:

1. The owner shall construct no more than 26 units on this property, which shall consist of 16 single bedroom units and 10 efficiency units.

2. During construction, construction vehicles shall enter and exit to Second Street through strip along Route 304 and no construction vehicles shall enter or exit over Scarlett Court.

3. Parcel designated as recreation area on schematic plan, which parcel fronts on Second Street, shall only be used for recreation purposes and not for parking or construction, and shall not be further subdivided.

Seconded by Co. Maloney

All voted Aye.

SCHEDULE "A" FOLLOWS:

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(1977-352 continued)

SCHEDULE "A")

EXHIBIT "A"

DESCRIPTION OF PREMISES

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

PARCEL I:

BEGINNING at a point formed by the intersection of the Easterly line of Route 304 and the Northerly line of Second Street, said beginning point being the Southwesterly corner of the within described premises; running thence

- (1) Along the Easterly line of Route 304, North 4 degrees 16 minutes 08 seconds East 175.37 feet to a New York State Monument thence
- (2) Still along same, North 1 degree 16 minutes 22 seconds West 310.17 feet to a New York State Monument; thence
- (3) Still along same North 3 degrees 38 minutes 13 seconds West 51.23 feet to lands now or formerly of DeBevoise; thence
- (4) Along same South 86 degrees 00 minutes 20 seconds East 102.99 feet; thence
- (5) Still along same South 11 degrees 26 minutes 40 seconds West 13.23 feet; thence
- (6) Still along same North 29 degrees 10 minutes 40 seconds East 70.00 feet; thence
- (7) South 5 degrees 16 minutes 18 seconds West 335.39 feet to lands now or formerly of Kaehny; thence
- (8) Along same North 78 degrees 08 minutes 30 seconds West 30.17 feet; thence
- (9) South 11 degrees 25 minutes 30 seconds West 100.51 feet; thence
- (10) On a curve to the left having a radius of 2834.93 feet, an arc distance of 52.08 feet to the North line of Second Street; thence
- (11) Along same North 88 degrees 02 minutes 00 degrees West 29.31 feet to the point or place of Beginning.

END SCHEDULE "A"

Supervisor Gerber declared regular Town Board Meeting closed in order to hold scheduled Public Hearings.

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(1977-353) Co. D'Antoni offered the following resolution:

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

Seconded by Co. Holbrook All voted Aye.

(1977-354) Co. D'Antoni offered the following resolution:

WHEREAS, a proposed local law entitled, "A LOCAL LAW PROVIDING FOR WRITTEN NOTIFICATION OF DEFECTS AND OBSTRUCTIONS ON TOWN HIGHWAYS AND SIDEWALKS IN THE TOWN OF CLARKSTOWN", was introduced by Councilman D'Antoni at a Town Board meeting held May 18, 1977, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 18th day of May, 1977, directed that a public hearing be held on the 1st day of June, 1977, at 8:35 P.M., to consider the adoption of said local law, and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on May 24, 1977, and

WHEREAS, a copy of proposed local law in final form was placed on the desks of the Town Board members on May 18, 1977, and

WHEREAS, a public hearing was held by the Town Board on the 1st day of June, 1977;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 4-1977 entitled, "A LOCAL LAW PROVIDING FOR WRITTEN NOTIFICATION OF DEFECTS AND OBSTRUCTIONS ON TOWN HIGHWAYS AND SIDEWALKS IN THE TOWN OF CLARKSTOWN" is hereby ADOPTED and passed by an affirmative vote 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.....Aye  
Councilman Charles E. Holbrook.....Aye  
Councilman John T. 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.

Supervisor Gerber declared regular Town Board Meeting closed in order to hold scheduled Public Hearing.

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(1977-355) 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.

(1977-356) Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 18th day of May, 1977, provided for a public hearing on the 1st day of June, 1977, at 8:40 P.M., to consider the designation as a historical site the JOHN STORMS HOUSE, pursuant to Chapter 12, Sec. 3, sub-paragraph C of the Code of the Town of Clarkstown, which house is located at the corner of Casper Hill Road and Storms Road, Valley Cottage, New York and more particularly designated on the Clarkstown Tax Map as Map 108, Block A, Lot 26, 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 aforesaid JOHN STORMS HOUSE be and the same is hereby designated as a historical site, and be it

FURTHER RESOLVED, That said historical site be so indicated on the Official Map of the Town of Clarkstown.

Seconded by Co. Piacentile All voted Aye.

(1977-357) Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the DIRECTOR OF PURCHASING that the bid to provide UNIFORM MAINTENANCE SERVICE to the Clarkstown Police Department is hereby awarded to:

ARTISTIC DRY CLEANERS  
89 North Main Street  
Spring Valley, New York 10977

at the following low bid prices

TROUSERS	-	per unit	.40
SHIRT	-	per unit	.40
LEATHER JACKET	-	per unit	3.00
POPLIN JACKET	-	per unit	.75
WHITE DRESS SHIRTS	-	per unit	.30

and be it,

FURTHER RESOLVED, that funds for the same be taken from Account 3120, line 416.

Seconded by Co. Piacentile All voted Aye.

AAA073

(1977-358) Co. Piacentile offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, the bid to provide soft drinks and ice cream to be sold at the Town operated refreshment stands be awarded as follows:

SOFT DRINKS: Hudson Valley Beverage  
Distributors, Inc., (Pepsi-Cola)  
237-241 Dupont Ave.  
Newburgh, New York 12550

ICE CREAM: McDermott Brothers, Inc.  
Route 59  
West Nyack, New York 10994

and be it

FURTHER RESOLVED, that funds for same be charged to account 7210 - line 301.

Seconded by Co. Maloney

All voted Aye.

(1977-359) Co. D'Antoni offered the following resolution:

RESOLVED, that the Minutes of the Town Board Meeting held on May 18th, 1977 are hereby adopted and accepted as submitted by the Town Clerk.

Agenda Item #2 - Setting Public Hearing re BP Oil --  
withdrawn from agenda (tabled)

(1977-360) Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Town Board of the Town of Clarkstown hereby accepts proposals from Orange & Rockland Utilities, Inc. for street lighting at the following locations:

Pole #7 - Lindberg Lane, New City  
Balsam Court, New City (Bella Vista Underground  
Subdivision)

Seconded by Co. Maloney

All voted Aye.

(1977-361) 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 to read,

(continued)

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(1977-361 continued)

"No Parking from Here to Corner". The first sign should be erected on Old Lake Road, 15 feet east of the intersection with Kings Highway, Valley Cottage. The second, on the east side of Kings Highway, 15 ft. north of Old Lake Road, Valley Cottage and the third sign to be erected on the east side of Main St., 15 ft. north of the intersection of Main St. and Demarest Ave., New City.

Seconded by Co. Maloney

All voted Aye.

(1977-362) Co. D'Antoni offered the following resolution:

RESOLVED, by the Town Board of the Town of Clarkstown, that John R. Bradley, Town Clerk, be and hereby is authorized to dispose of record item numbers 5, 6, 7, 8, 9, 10, 11, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 33, 34, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 69, 70, 85, 124, 126, 127, 128, 129, 130, 131, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 155, 157, 158, 159, 161, 162, 164, 165, 166, 167, 168, 173, 174, 175, 176, 177, 178, 181, 182, 183, 184, 191, 192, 193, 195, 196, 197, 198, 199, 200, 201, 202, 208, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 227, 228, 229, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 265, 266, 268, 269, 270, 275, 276, 279, 281, 282, 283, 285, 286, 288, 289, 290, 294, 295, 296, 297, 298, 299, 300, 301, 302, 304, 306, 307, 308, 309, 310, 311, 312, 313, 316, 317, 318, 319, 320, 322, 323, 324, 325, 326, 327, 329, 330, 332, 333, 336, 338, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 385, 386, 387, 388, 389, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 404, 405, 406, 407, 409, 410, 412, 413, 414, 427, 428, 429, 430, 431, 437, 438, 446, 447, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 466, 467 and 477 on Records Disposition Request List No. 272-TC-14 issued pursuant to the provisions of section 65-b of the Public Officers Law, and be it

FURTHER RESOLVED, that the Clerk of this Board be, and hereby is directed to furnish a certified copy of this resolution to be forwarded to the Commissioner of Education.

Seconded by Co. Maloney

All voted Aye.

(1977-363) Co. Maloney offered the following resolution:

WHEREAS, Miller and Jacobson have made written application for the use of Town Law, Sec. 281 in connection with subdivision known as BUENA VISTA WEST/EAST, and

WHEREAS, the Planning Board of the Town of Clarkstown recommends the approval of the use of Town Law 281 in connection with this subdivision, subject to certain restrictions, and

(continued)

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(1977-363 continued)

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town if Town Law 281 is used in this subdivision for better road design and the preservation of a stream;

NOW, THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law, Sec. 281 in connection with this subdivision, subject to the filing of a Declaration of Restrictive Covenants by the applicants, in recordable form and satisfactory to the Town Attorney's Office, containing the following restrictions:

1. That the lot lines for lots 10 through 21 inclusive in Buena Vista East be extended through a conservation area.
2. A portion of the property in each of the aforesaid lots is to be designated for conservation purposes, and that no land work, construction or development of any kind may be done on these lots without the express written approval of the Director of Environmental Control. The Town shall have the right to enter upon the property subject to the conservation easement to determine the need for essential environmental conservation work and to carry out such work authorized by the Director of Environmental Control. The granting of this conservation easement does not include public access to the area so designated.
3. That there shall be no further subdivision or construction of any sort within the conservation easement without obtaining prior Town Board approval.
4. The applicants, their heirs, successors and assigns will covenant that every contract of sale and deed of conveyance affecting the aforesaid lots shall specifically state that they are subject to the above terms and conditions.

Seconded by Co. Piacentile

All voted Aye.

(1977-364) Co. Holbrook offered the following resolution:

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

In the Matter of the Application of  
ROBERT CASTIGNOLI,  
Petitioner,

For an Order Pursuant to Article 78  
CPLR, Directing the Issuance of a  
Building Permit,

- against -

ROBERT H. BOWMAN, as Building and Zoning  
Inspector of the Town of Clarkstown,

Respondent.

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(1977-364 continued)

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to defend said proceeding.

Seconded by Co. Maloney

All voted Aye.

(1977-365) Co. Piacentile offered the following resolution:

WHEREAS, the Town of Clarkstown is desirous of leasing more commuter parking space for use by residents of the Town of Clarkstown, and

WHEREAS, there is certain property located at the Town Plaza, South Main Street, New City, more particularly described on the Tax Map of the Town of Clarkstown as Map 57, Block D, Lot 16, which may be leased by the Town of Clarkstown from ROCKGREEN ASSOCIATES, INC. for said purpose;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with ROCKGREEN ASSOCIATES, INC. for commuter parking space at \$1.00 per year.

Seconded by Co. Holbrook

All voted Aye.

(1977-366) Co. Piacentile offered the following resolution:

RESOLVED, BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, (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 authorized (1) to reconstruct and resurface certain Town roads in the Town, using pavement of sand and gravel, water bound macadam or penetration process with single surface treatment, including curbs, gutters, drainage, landscaping, grading and improving the rights of way and improvements in connection therewith, at an estimated maximum cost of \$200,000, (2) the reconstruction of certain curbs along various Town roads, at an estimated maximum cost of \$100,000, and (3) the payment of a settled claim for the purchase of a certain piece or parcel of land for use as a sanitary landfill site, in the matter of Orange Rock Corporation v. Town of Clarkstown, Index No. 2812/77 in the Supreme Court of State of New York, dated May 19, 1977 at an estimated maximum cost of \$193,000. The estimated total cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof of \$493,000 and the said amount is hereby appropriated therefor. The plan of financing is the issuance of serial bonds of the Town to finance said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable.

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(1977-366 continued)

Section 2. Serial bonds of the Town in the principal amount of \$493,000 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 reconstructing and resurfacing Town roads, within the limitations of Section 11.00 a. 20 (a) of the Law, is five (5) years.

(b) The period of probable usefulness of reconstructing curbs along Town roads, within the limitations of Section 11.00 a. 24 of the Law, is ten (10) years, but the maturity of said bonds shall not exceed five (5) years.

(c) The period of probable usefulness of said settled claim, within the limitations of Section 11.00 a. 33 of the Law, is five (5) years.

(d) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of Section 107.00 d. 5 of the Law.

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

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by §52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocable 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 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, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals 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:

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(1977-366 continued)

- (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 dates 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.

Seconded by Co. Holbrook

On roll call the vote was as follows:

AYES: Co. D'Antoni, Holbrook, Maloney, Piacentile,  
Supervisor Gerber

NOES: None

The resolution was declared adopted.

(1977-367) Co. D'Antoni offered the following resolution:

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.

Seconded by Co. Piacentile                      All voted Aye.

The resolution was declared unanimously adopted.

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(1977-368) Co. Holbrook offered the following resolution:

RESOLVED, that Appropriation Account Number A-9000-801, State Retirement, be decreased by \$12,000.00 and that Appropriation Account Number A-8110-110, Sewer O & M, be increased by \$12,000.00.

Seconded by Co. Piacentile All voted Aye.

(1977-369) Co. Holbrook offered the following resolution:

RESOLVED, that Appropriation Account Number A-9000-801, State Retirement, be decreased by \$10,000.00 and that Contingency Account Number A-1990-505 be increased by \$10,000.00.

Seconded by Co. Piacentile All voted Aye.

(1977-370) Co. Holbrook offered the following resolution:

RESOLVED, that Appropriation Account Number B-9000-801, State Retirement, be decreased by \$15,000.00 and that Appropriation Account Number B-3620-110, Building Department, be increased by \$15,000.00.

Seconded by Co. Maloney All voted Aye.

(1977-371) Co. Holbrook offered the following resolution:

RESOLVED, that Estimated Revenue Account Number B-3001, Per Capita Aid, be increased by \$10,000.00 and that Appropriation Account Number B-3620-110, Building Department, be increased by \$10,000.00.

Seconded by Co. Piacentile All voted Aye.

(1977-372) Co. Holbrook offered the following resolution:

RESOLVED, that Estimated Revenue Account Number A-3001, Per Capital Aid, be increased by \$35,000.00, and be it

FURTHER RESOLVED, that Appropriation Account Number A-1355-409, Assessor, be increased by \$25,000.00 and Appropriation Account Number A-8110-110, Sewer O & M, be increased by \$10,000.00.

Seconded by Co. Piacentile All voted Aye.

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(1977-373) Co. D'Antoni offered the following resolution:

WHEREAS, a proposal had been made by Stonegate Homes, Inc. to relocate a portion of Kingsgate Parkway to provide a secondary emergency vehicle access road from Section A of the Plan of Kingsgate to West Clarkstown Road at the developer's sole cost and expense, and

WHEREAS, a portion of the property upon which the proposed emergency vehicle access road is to be located is a New York State Highway right-of-way for which the Town of Clarkstown and the State of New York have entered into a lease agreement dated October 30, 1975, and providing for the use of this property by the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that, subject to the approval of the Planning Board of the Town of Clarkstown to the relocation of Kingsgate Parkway and the approval of the State of New York to the construction proposed, Stonegate Homes, Inc. is authorized to cut, grade and stone a fifteen (15) foot emergency vehicle access road to West Clarkstown Road through the leased premises at the developer's sole cost and expense, and under the supervision and direction of the Director of the Department of Environmental Control and/or the Superintendent of Highways of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the area upon Section E-1 of the map and leading up to the leased parcel shall be cut, graded and stone placed thereon by the developer to provide an emergency vehicle access road, and upon the development of Section E-1, that portion of the emergency vehicle access road on Section E-1 shall be improved to Town specifications.

Seconded by Co. Piacentile

All voted Aye.

(1977-374) Co. Maloney offered the following resolution:

WHEREAS, a petition has been received for the discontinuance of a portion of Charles Boulevard at or near its intersection with Rock Drive, Valley Cottage, New York, and

WHEREAS, the Superintendent of Highways recommends that this portion of Charles Boulevard be discontinued pursuant to Section 207 of the Highway Law, and

WHEREAS, a request has been made that this portion of Charles Boulevard be conveyed to Francis W. Graff and Rose Marie A. Graff;

NOW, THEREFORE, be it

RESOLVED, that the attorney for the petitioner submit an accurate survey and description of that portion of Charles Boulevard to be abandoned to the Graff's and be it

FURTHER RESOLVED, that any abutting property owners submit their consent to this abandonment to Francis W. Graff and Rose Marie A. Graff in a form satisfactory to the Town Attorney.

Seconded by Co. Holbrook

All voted Aye.

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(1977-375) Co. Piacentile offered the following resolution:

RESOLVED, that James Hoyt, 326 North Middletown Road, Nanuet, New York is hereby appointed to the position of Automotive Mechanic - Town Garage - at the hourly wage of \$5.56, effective and retroactive to May 2, 1977, not to exceed sixty days.

Seconded by Co. Holbrook                      All voted Aye.

(1977-376) Co. Holbrook offered the following resolution:

RESOLVED, that Joseph Lewis, 11 Donna Street, New City, New York is hereby appointed to the position of Bus Driver (part-time) - Mini Trans - at the hourly wage of \$4.63, effective and retroactive to May 2, 1977.

Seconded by Co. Piacentile                      All voted Aye.

(1977-377) Co. Holbrook offered the following resolution:

RESOLVED, that Daniel McCormack, 95 Ridge Road, New City, New York is hereby appointed to the position of part-time Bus Driver - Mini Trans - at the hourly wage of \$4.63, effective and retroactive to May 26, 1977.

Seconded by Co. Piacentile                      All voted Aye.

(1977-378) Co. Holbrook offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Maintenance Supervisor (Sewers) #7696 which contains the name of Michael Franchino, Sr.,

NOW, THEREFORE, be it

RESOLVED, that Michael Franchino, Sr., 3 Bull Run, West Nyack, New York is hereby appointed to the position of Maintenance Supervisor (Sewers) at the annual salary for 1977 of \$14,602., effective June 6, 1977.

Seconded by Co. Piacentile                      All voted Aye.

(1977-379) Co. Maloney offered the following resolution:

RESOLVED, that Sandra L. Owens, 41 Highview Court, Central Nyack, New York is hereby appointed to the position of Security Aide (CETA) - Lakeview Housing - at the annual salary for 1977 of \$7,697., effective and retroactive to May 26, 1977.

Seconded by Co. Holbrook                      All voted Aye.

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(1977-380) Co. Maloney offered the following resolution:

RESOLVED, that Richard D. Williams, 11 New Haven Avenue, Nanuet, New York is hereby appointed to the position of Office Worker-Student - Planning Office, effective and retroactive to May 31, 1977 through August 5, 1977 at the hourly wage of \$2.30, and be it

FURTHER RESOLVED, that above be charged against 701 funds.

Seconded by Co. Holbrook

All voted Aye.

(1977-381) Co. D'Antoni offered the following resolution:

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

FURTHER RESOLVED, that the period of summer employment be from June 13, 1977 through September 2, 1977.

Seconded by Co. Maloney

All voted Aye.

(1977-382) Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Supt. of Recreation & Parks and the Parks Board & Recreation Commission, and in accordance with Article XIX, Section 1 of the Clarkstown Labor Agreement of January 1, 1975, Marybeth Greene, 27 Amundsen Lane, New City, New York is hereby granted a Leave of Absence without pay for the period August 1, 1977 through November 4, 1977.

Seconded by Co. Holbrook

All voted Aye.

(1977-383) Co. D'Antoni offered the following resolution:

RESOLVED, that the resignation by retirement of Harold E. Aber, Sr., 125 Mass. Avenue, Congers, New York as Appraisal Supervisor - Assessor's Office - is hereby accepted with regret, effective July 2, 1977.

Seconded by Co. Piacentile

All voted Aye.

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(1977-384) Co. Holbrook offered the following resolution:

RESOLVED, that the resignation by retirement of Arthur Huggins, Dykes Park Road, Nanuet, New York as Assistant Building Inspector - Building Department - is hereby accepted with regret, effective June 20, 1977.

Seconded by Co. Piacentile                      All voted Aye.

(1977-385) Co. Holbrook offered the following resolution:

RESOLVED, that Elizabeth Squillace, 25 Glen Drive, Bardonia, New York is hereby reappointed Chairman of the Zoning Board of Appeals, at the annual salary for 1977 of \$1,500., term to expire June 18, 1978.

Seconded by Co. Maloney                      All voted Aye.

(1977-386) Co. Holbrook offered the following resolution:

RESOLVED, that William R. Niehaus, 13 Red Rock Road, New City, New York is hereby reappointed a member of the Zoning Board of Appeals, at the annual salary for 1977 of \$1,000., term to expire June 18, 1982.

Seconded by Co. Maloney

On roll call the vote was as follows:

AYES: Co. Holbrook, Maloney, Piacentile, Supv. Gerber  
ABSTAIN: Co. D'Antoni  
Motion adopted.

(1977-387) Co. D'Antoni offered the following resolution:

WHEREAS, the Town has undertaken corrective measures on the Demarest Kill in New City, and

WHEREAS, Ralph Lombardi, Clerk of the Works for this project, has been transferred to other duties in the Department of Environmental Control,

NOW, THEREFORE, be it

RESOLVED, that John Eterno, Verdin Avenue, New City, is appointed Construction Coordinator/Clerk of the Works for this project, effective June 1, 1977 at the current salary adopted for 1977, and be it

FURTHER RESOLVED, that the compensation shall be a charge against the drainage account.

Seconded by Co. Piacentile                      All voted Aye.

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(1977-388) Co. D'Antoni offered the following resolution:

WHEREAS, Section 106.25 D. of the Town Code provides for access to accessory parking spaces and loading berths in RS Zones from other than major roads by Town Board resolution, and

WHEREAS, a request has been made by George Reiss and Harold Reiss for four accesses to Hutton Avenue, Nanuet, New York, as shown on site plan prepared by Morton Marcus, Architect, dated February 16, 1977 and revised March 3, 1977, and

WHEREAS, the Planning Board of the Town of Clarkstown, in their letter of May 12, 1977, has indicated that they are agreeable to the granting of four access points to Hutton Avenue, if certain improvements are made to Hutton Avenue, and

WHEREAS, George Reiss and Harold Reiss have offered to contribute the sum of \$2000 to the Town of Clarkstown to be used for the performance of the work proposed by the Planning Board in its letter of May 12, 1977;

NOW, THEREFORE, be it

RESOLVED, that the four access points to Hutton Avenue as shown on the drawing by Morton Marcus, above described, is hereby approved, subject to George Reiss and Harold Reiss contributing the sum of \$2000 to the Town of Clarkstown to be used for the improvement work of Hutton Avenue.

Seconded by Co. Holbrook

All voted Aye.

(1977-389) Co. Holbrook offered the following resolution:

WHEREAS, Sec. 64 5-a. of the Town Law of the State of New York provides that a town board may authorize removal of fire and health hazards from private property if the owner or owners of such property fail to remove said hazards, and

WHEREAS, Jacob Mendelsohn, Esq. for DXD Rest., Inc. was duly notified by the Building Inspector's Office of the Town of Clarkstown that certain violations which were causing fire and health hazards existed on his property, more particularly designated on the Clarkstown Tax Map as Map 162, Block D, Lot 4, and

WHEREAS, said owner has filed to comply with the violation notice numbered 77-167 and has failed to remove such hazards;

NOW, THEREFORE, be it

RESOLVED, that pursuant to Sec. 64 5-a. of the Town Law of the State of New York, the Clarkstown Superintendent of Highways, or private contractors, when necessary, are hereby authorized to remove the nuisance, hazard and litter consisting of rubbish, debris and building materials and matter attractive to vermin and likely to breed disease from the aforesaid premises, and be it

(continued)

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(1977-389 continued)

FURTHER RESOLVED, that the total expense incurred in such removal shall be assessed by the Town Board, and the expense so assessed shall constitute a lien and charge on the real property until paid or otherwise satisfied or discharged, and shall be collected in the same manner and at the same time as other town charges.

Seconded by Co. D'Antoni

All voted Aye.

There being no further business before the Board, Town Board Meeting was adjourned -- next regularly scheduled Town Board Meeting to be held on June 15, 1977 at 8:00 PM in the Town Hall Auditorium.

Submitted by,

  
JOHN R. BRADLEY  
Town Clerk