

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

2/15/78

8:00 PM

Present: Co. Holbrook, Longo, Piacentile
Deputy Supervisor Maloney
Edward Aufenanger, Confidential Secretary
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

Absent: Supervisor Gerber

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

RESOLUTION NO. (1978-92)

REGULAR TOWN BOARD MEETING
ADJOURNED IN ORDER TO HOLD
SCHEDULED PUBLIC HEARING
(Proposed Amendment to Zoning
Ordinance - Sec. 106.20)

Co. Holbrook offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing, time 8:05 PM.

Seconded by Co. Longo.

All voted Aye.

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RESOLUTION NO. (1978-93)

PUBLIC HEARING RECESSED
(Proposed Amendment to Zoning
Ordinance - Sec. 106.20)

Co. Holbrook offered the following resolution:

RESOLVED, that Public Hearing be recessed for five (5) minutes, time 8:20 PM.

Seconded by Co. Longo.

All voted Aye.

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RESOLUTION NO. (1978-94)

REGULAR TOWN BOARD MEETING
RESUMED - SCHEDULED PUBLIC
HEARING HELD

Co. Holbrook offered the following resolution:

RESOLVED, that regular Town Board Meeting be resumed, scheduled Public Hearing having been held, time 8:35 PM.

Seconded by Co. Longo.

All voted Aye.

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RESOLUTION NO. (1978-95)

AMENDING ZONING ORDINANCE
OF THE TOWN OF CLARKSTOWN
(Sec. 106.20 "Exceptions")

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on January 18, 1978, provided for a public hearing on the 15th day of February, 1978, at 8:05 PM, to consider the adoption of the following amendments to the Zoning Ordinance of the Town of Clarkstown, designated as Chapter 106 of the Code of the Town of Clarkstown; 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 Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

Amend Section 106.20 "Exceptions" by deleting Section 106-20A and substituting the following and deleting Section 106-20F in its entirety:

106.20 EXCEPTIONS

- A. Pre-existing single-family residential lots with less than minimum requirements.
- (1) Pre existing single family residential lots with less than required area. Pre-existing residential lots, owned individually and separately, and separated from any adjoining lot or lots in the same ownership prior to June 30, 1967, or located on a subdivision plat which received preliminary approval by the Planning Board prior to June 30, 1967, with a lot area less than the minimum requirements set forth in the General Bulk Regulations Table 16, but meeting all other bulk requirements shall be deemed conforming.
 - (2) Pre-existing single-family residential lots with less than required lot width. A lot, either owned individually and separately and separated from any adjoining lot or lots in the same ownership prior to June 30, 1967, or located on a subdivision plat which received preliminary approval by the Planning Board prior to June 30, 1967, which has a total lot width less than the minimum required in the Bulk Table, may be used for the construction of a single-family detached residence, provided such lot shall conform to the use regulations and or other bulk regulations except as follows:

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RESOLUTION NO. (1978-95) Continued

DISTRICT	LOT WIDTH (FEET)	MINIMUM EACH SIDE YARD (FEET)	MINIMUM LOT WIDTH (FEET)
R-80	175-150	30	R-80 - 100
	149-125	25	
	Less than 125	20	
R-40	150-125	25	R-40 - 100
	Less than 125	20	
R-22	125-85	20	R-22 - 75
	Less than 85	15	
R-15	100-85	20	R-15 - 60
	84-70	15	
	Less than 70	12	
R-10	85-70	15	R-10 - 60
	Less than 70	12	

- (3) Pre-existing single-family lots in a R-10 district with less than minimum requirements. All pre-existing single-family lots in an R-10 district, which lots were zoned previously R-7.5 under Zoning Map dated June 30, 1967, and revised May 22, 1972, and which lots were owned individually and separately and separated from any adjoining lot or lots in the same ownership prior to June 30, 1967 or located on a subdivision plat which received preliminary approval from the Planning Board prior to June 30, 1967, and which lots cannot conform to the R-10 requirements set forth in the Bulk Table shall be regulated by the following:
- (a) Required front yard, twenty-five (25) feet
 - (b) Required side yards, see 106.20A (2)
 - (c) Required rear yard, twenty (20) feet.
- (4) For all lots in the subsection, the height limitation imposed in the Bulk Table shall not apply, and the maximum building height shall be twenty-five (25) feet.
- (5) All bulk requirements relating to single-family residential lots, not modified by this subsection, shall be met.
- (6) Proof of individual and separate ownership on June 30, 1967, shall be submitted in the form of a title search prepared by a title or abstract company certifying ownership on June 30, 1967, covering the subject premises and all contiguous property.

Amend Section 106-3 "Definitions" by deleting the present definition of "lot" and substitute the following:

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RESOLUTION NO. (1978-95) Continued

"LOT: Parcel of land not divided by streets, occupied or to be occupied by one or more principal buildings and accessory buildings or uses customarily incident thereto, including such open spaces as are arranged and designed to be used in connection with such buildings. A lot may or may not coincide with the land shown as a lot on a duly recorded plat."

Seconded by Co. Longo. All voted Aye.

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RESOLUTION NO. (1978-96)

REGULAR TOWN BOARD MEETING
ADJOURNED IN ORDER TO HOLD
SCHEDULED PUBLIC HEARING
(Proposed designation of
Historical Site - Roberts
Farm)

Co. Holbrook offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing, time 8:37 PM.

Seconded by Co. Longo. All voted Aye.

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RESOLUTION NO. (1978-97)

REGULAR TOWN BOARD MEETING
RESUMED - SCHEDULED PUBLIC
HEARING HELD

Co. Holbrook offered the following resolution:

RESOLVED, that regular Town Board Meeting be resumed, scheduled Public Hearing having been held, time 8:42 PM. DECISION RESERVED (Roberts Farm proposed Historical Site).

Seconded by Co. Longo. All voted Aye.

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RESOLUTION NO. (1978-98)

TOWN BOARD MINUTES ADOPTED
MEETING HELD 1/18/78

Co. Piacentile offered the following resolution:

RESOLVED, that the Minutes of the Town Board Meeting dated January 18, 1978, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Holbrook. All voted Aye.

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Monthly Reports -- January, 1978 from Office of the Building Inspector and the Board of Appeals received and on file in Town Clerk's office for inspection.

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RESOLUTION NO. (1978-99)

BID ADVERTISEMENT - SPRING-SUMMER RECREATION DEPARTMENT BROCHURE

Co. Piacentile offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids to print the 1978 Spring-Summer Recreation Department Brochure, said bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York be 3:00 PM, EST, on Tuesday, February 28, 1978, at which time they will be opened and read, and be it

FURTHER RESOLVED, that specifications and bid documents can be obtained at the office of the Director of Purchasing.

Seconded by Co. Holbrook.

All voted Aye.

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RESOLUTION NO. (1978-100)

BID ADVERTISEMENT - BITUMINOUS CONCRETE

Co. Piacentile offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids on Bituminous Concrete, said bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York on Tuesday, March 14, 1978, at 11:00 AM, EST, at which time they will be opened and read, and be it,

FURTHER RESOLVED, that bid specification and proposal documents may be obtained at the office of the Director of Purchasing.

Seconded by Co. Holbrook.

All voted Aye.

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RESOLUTION NO. (1978-101)

BID ADVERTISEMENT - WASHED SAND AND GRAVEL

Co. Piacentile offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for Washed Sand and Gravel, said bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York be 2:00 PM, EST, on Monday, March 13, 1978, at which time they

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RESOLUTION NO. (1978-101) Continued

will be opened and read, and be it,

FURTHER RESOLVED, that specifications and bid documents can be obtained at the office of the Director of Purchasing.

Seconded by Co. Holbrook.

All voted Aye.

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RESOLUTION NO. (1978-102)

AMENDING SITE PLAN
REGULATIONS - PARKING
DESIGN REQUIREMENTS

Co. Holbrook offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves the following changes to the Site Plan Regulations as recommended by the Planning Board of the Town of Clarkstown:

Amend the Site Plan Regulations be adding a new section setting parking design requirements as follows:

42.200 Parking: Except for agreement with other dimensions, Sections 49.900 and 12.300, the Planning Board shall determine whichever of the following designs are applicable:

- 42.210 Two-way (90^o) parking
 - 42.211 Stall width/depth 10'/19.5'
 - 42.212 Aisle width between stalls: 25'
 - 42.213 Wall-to-wall: 64'
 - 42.214 Cross-aisles joining stall blocks: 24'
- 42.220 One-way (60^o) parking
 - 42.221 Stall width/depth 10'/19.5'
 - 42.222 Aisle width between stalls: 15'
 - 42.223 Wall-to-wall: 54.0
 - 42.224 Cross-aisle joining stall blocks: 14' one-way; 24' two-way.
- 42.230 All parking spaces shall be outlined on the pavement with reflectorized paint equal to specifications for reflectorized paint used by the Town of Clarkstown. Lines shall be no less than four (4) inches or more than six (6) inches in width, shall run the full length of the space and shall be maintained.

Seconded by Co. Piacentile.

All voted Aye.

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RESOLUTION NO. (1978-103)

AMENDING SUBDIVISION
REGULATIONS - SEC. 53.2
DEFERMENT OF BUILDING PERMITS

Co. Holbrook offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves the following changes to the Subdivision Regulations as recommended by the Planning Board of the Town of Clarkstown:

Amend Section 53.2 Deferment of Building Permits, to read as follows:

"In compliance with Section 36.1 of the herein regulations, final maps shall contain a note reading, '_____ lots as determined by the Director of Environmental Control shall be restricted to foundation permits only until the public improvements have been dedicated to the Town.'"

Seconded by Co. Piacentile.

All voted Aye.

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RESOLUTION NO. (1978-104)

AUTHORIZING PLANNING BOARD
TO APPLY TOWN LAW, SEC. 281
(DeBevoise Property)

Co. Holbrook offered the following resolution:

WHEREAS, John L. DeBevoise has made written application for the use of Town Law, Sec. 281 in connection with subdivision known as DeBevoise Property, 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, and

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law 281 is used in this subdivision to set aside a retention pond for drainage purposes,

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.

Seconded by Co. Piacentile.

All voted Aye.

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RESOLUTION NO. (1978-105)

AUTHORIZING PLANNING BOARD
TO APPLY TOWN LAW, SEC. 281
(Forest Green Estates)

Co. Piacentile offered the following resolution:

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RESOLUTION NO. (1978-105) Continued

WHEREAS, Frank J. Kobb, Esq., attorney for applicant TSFB Associates has made written application for the use of Town Law Section 281 in connection with the subdivision known as Forest Green Estates, Spring Valley Section, 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, and

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law 281 is used in this subdivision to provide for improved road design and an improved drainage solution in the form of a retention pond;

NOW, THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law, Section 281 in connection with this subdivision.

Seconded by Co. Holbrook.

All voted Aye.

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RESOLUTION NO. (1978-106)

ROAD DEDICATION -
(Conger Estates, Inc.
Subdivision Section One)

Co. Piacentile offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways and the Director of the Department of Environmental Control, deeds from:

Arthur J. Nelson and Doris J. Nelson, residing at No. 1 Lamborn Avenue, Congers, New York and George B. Dick, residing at No. 50 Southward Avenue, Congers, New York, dated October 12, 1977

and

Dennis L. Coyle, residing at No. 1 Sherwood Road, Congers, New York, Robert A. Ries, residing at No. 48 Second Street, New City, New York, Albert G. Lamborn, residing at No. 13 Old Lake Road, Congers, New York, and Aland Properties Corp., a domestic corporation, having its principal office at No. 13 Old Lake Road, Congers, New York

conveying roads and other improvements to the Town of Clarkstown in a subdivision known as "CONGER ESTATES, INC. CONGERS, NEW YORK, SUBDIVISION SECTION ONE," Reginald W. Wells, Civil Engineer and Surveyor, dated May 1929, and filed in the Rockland County Clerk's Office on September 12, 1929, in Map Book 12 at Page 99 as Map 110, as follows:

RESOLUTION NO. (1978-106) Continued

500 L.F. of Lamborn Avenue
Together with a 5 foot drainage easement affecting Lot 7
Together with a temporary turn-around

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

FURTHER RESOLVED, that Maintenance Bond No.
74 S 11723 BCA dated the 9th day of February 1978, Dennis
L. Coyle as Principal and Aetna Casualty and Surety Company as
Surety, are hereby accepted.

Seconded by Co. Holbrook. All voted Aye.

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RESOLUTION NO. (1978-107)

ROAD DEDICATION -
(Subdivision of Milwick
Construction Corp. Section I&II)

Co. Piacentile offered the following resolution:

RESOLVED, that upon the recommendation of the
Superintendent of Highways and the Director of the Department
of Environmental Control, deed from:

Milwick Construction Corp., dated October 25, 1977
(542C Branchville Road, Valley Cottage, NY 10989)

conveying roads and other improvements to the Town of Clarkstown
in a subdivision as shown on Final Plat of "Subdivision of
Milwick Construction Corp. Section I" filed December 3, 1975
in Map Book 89, Page 46, as Map No. 4690, and "Section II,
Subdivision of Property for Milwick Construction Corp." filed
September 8, 1976 in Map Book 90, Page 39, as Map No. 4758 in
the Rockland County Clerk's Office, as follows:

Wisconsin Ave. 950 L.F.
Wisconsin Court 300 L.F.
Quaspeak Road 645 L.F.
Together with an easement for drainage purposes
affecting Lot No. 6; and two 25 feet by 40 feet
temporary turnarounds affecting Lots 11 and 12

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

FURTHER RESOLVED, that Maintenance Bonds Nos. 921720
and 921721 dated the 3rd day of February 1978 Milwick Construction
Corp. as Principal and George Miller and Warren Wicks as
Co-Principal and Republic Insurance Company as Surety, are
hereby accepted.

Seconded by Co. Holbrook. All voted Aye.

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RESOLUTION NO. (1978-108)

APPOINTMENT - SR.
REGISTRY CLERK, PART-TIME,
TOWN CLERK'S OFFICE
(Linda McDermott)

Co. Holbrook offered the following resolution:

RESOLVED, that Linda McDermott, 176 Red Hill Road, New City, New York is hereby appointed Sr. Registry Clerk, part-time, Town Clerk's Office, at the hourly wage of \$6.84, effective and retroactive to January 31, 1978, not to exceed thirty days.

Seconded by Co. Piacentile. All voted Aye.

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RESOLUTION NO. (1978-109)

APPOINTMENT - SR.
REGISTRY CLERK, PROVISIONAL
(Sheila Reiter)

Co. Holbrook offered the following resolution:

RESOLVED, that Sheila Reiter, 7 Brenda Lane, Bardonia, New York is hereby appointed provisionally to the position of Sr. Registry Clerk - Town Clerk's Office - at the annual salary for 1978 of \$8,813.00, effective February 27, 1978.

Seconded by Co. Piacentile. All voted Aye.

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RESOLUTION NO. (1978-110)

POSITION CREATED -
MENTAL HYGIENE THERAPY
AIDE (CETA)

Co. Holbrook offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on January 27, 1978 that the position of Mental Hygiene Therapy Aide (CETA) can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Mental Hygiene Therapy Aide (CETA) is hereby created, effective and retroactive to January 27, 1978.

Seconded by Co. Piacentile. All voted Aye.

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RESOLUTION NO. (1978-111)

APPOINTMENT - MENTAL
HYGIENE THERAPY AIDE
(CETA) - (K. Sunny)

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RESOLUTION NO. (1978-111) Continued

RESOLVED, that Kuruppasserill Sunny, 95 Lake Road, Valley Cottage, New York is hereby appointed to the position of Mental Hygiene Therapy Aide (CETA) at the hourly wage of \$4.15, effective and retroactive to January 27, 1978.

Seconded by Co. Piacentile. All voted Aye.

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RESOLUTION NO. (1978-112) RESIGNATION - CROSSING GUARD,
POLICE DEPT. - (Patricia A. Roberts)

Co. Piacentile offered the following resolution:

RESOLVED, that the resignation of Patricia Ann Roberts, 2 Westgate Blvd., New City, New York as Crossing Guard - Police Department - is hereby accepted, effective and retroactive to February 10, 1978.

Seconded by Co. Holbrook. All voted Aye.

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RESOLUTION NO. (1978-113) APPOINTMENT - CROSSING GUARD,
POLICE DEPT. - (Winifred Hennelly)

Co. Piacentile offered the following resolution:

RESOLVED, that Winifred Hennelly, 4 Homestead Lane, New City, New York is hereby appointed to the position of Crossing Guard - Police Department - at the daily salary of \$8.00, effective and retroactive to February 13, 1978.

Seconded by Co. Holbrook. All voted Aye.

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RESOLUTION NO. (1978-114) APPOINTMENT - SUBSTITUTE
CROSSING GUARD, POLICE DEPT.
(Connie O'Neill)

Co. Piacentile offered the following resolution:

RESOLVED, that Connie O'Neill, 20 Homestead Lane, New City, New York is hereby appointed to the position of Substitute Corssing Guard - Police Department - at the prevailing salary of the post covered, effective and retroactive to February 13, 1978.

Seconded by Co. Holbrook. All voted Aye.

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RESOLUTION NO. (1978-123) Continued

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

WHEREAS, said Order was duly served upon Joseph A. Carleo on the 8th day of September, 1977, and

WHEREAS, the said Joseph A. Carleo had failed to comply with same and has since deceased;

NOW, THEREFORE, be it

RESOLVED, that pursuant to Chapter 31 of the code of the Town of Clarkstown and Section 130, subd. 16d of the Town Law of the State of New York, the Building Inspector of the Town of Clarkstown and William A. Yuda are hereby named to conduct a survey of the premises pursuant to law and to render a report of such survey in writing, and that an agreed appropriate fee be paid to the above-named engineer or architect and that the estate of Joseph A. Carleo be notified in writing by Certified Mail, Return Receipt, to appoint either a practical builder, engineer or architect to serve as their representative on such survey, and be it

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

FURTHER RESOLVED, that a copy of this resolution be served on the estate of Joseph A. Carleo.

Seconded by Co. Piacentile. All voted Aye.

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RESOLUTION NO. (1978-124) BARRIER TO BE REMOVED -
WELLS AVENUE, CONGERS -

Co. Holbrook offered the following resolution:
WHEREAS, pursuant to Resolution No. 248-76, a portion of Wells Avenue was deleted from the Official Map of the Town of Clarkstown and a barrier was erected on Wells Avenue at its intersection with Brenner Drive, and

WHEREAS, the Town Board has received a request for the use of the abandoned portion of Wells Avenue for ingress and egress into the industrial area lying on either side of the abandoned portion of Wells Avenue;

NOW, THEREFORE, be it

RESOLVED, that the barrier be removed by the Highway Superintendent from the northerly end of the abandoned portion of Wells Avenue at its intersection with Brenner

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RESOLUTION NO. (1978-124) Continued

Drive and that the abandoned portion of Wells Avenue be used for ingress and egress to the industrial area, provided however, that no through traffic be allowed in a southerly direction past the turnaround presently existing on Wells Avenue 200 ft. north of Sherwood Road, and provided that the owners of the industrial properties shall provide the following:

1. A gate at the intersection of Brenner Drive and Wells Avenue to regulation ingress and egress to the above described portion of Wells Avenue, and

2. The pavement upon the above described portion of Wells Avenue shall be restored to a condition acceptable to the Highway Superintendent of the Town of Clarkstown, and such pavement shall be maintained in a condition acceptable to the Highway Superintendent of the Town of Clarkstown.

Seconded by Co. Piacentile. All voted Aye.

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RESOLUTION NO. (1978-125) AUTHORIZING TOWN ATTORNEY TO DEFEND PROCEEDING - MANNY APPELBAUM & ABRAHAM MELTZER

Co. Piacentile offered the following resolution:

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

In the Matter of the Application of MANNY APPELBAUM and ABRAHAM MELTZER, Petitioners,

for a judgment pursuant to CPLR Article 78,

-against-

TOWN OF CLARKSTOWN,

Respondent.

NOW, THEREFORE, be it

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

Seconded by Co. Holbrook. All voted Aye.

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RESOLUTION NO. (1978-126)

AUTHORIZING SUPERVISOR
TO EXECUTE AGREEMENT -
DIVISION OF STATE POLICE,
PARTICIPATION IN NYSPIN SYSTEM

Co. Piacentile offered the following resolution:

WHEREAS, the Town of Clarkstown Police Department desires to join the New York Statewide Police Information Network (NYSPIN), and

WHEREAS, in order to obtain a terminal on NYSPIN, it is necessary to enter into a contract with the Division of State Police for participation in the NYSPIN system;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor be and he hereby is authorized to execute said agreement.

Seconded by Co. Holbrook.

All voted Aye.

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RESOLUTION NO. (1978-127)

REQUESTING HOME RULE AMENDMENT
TO HIGHWAY LAW, SEC. 271
(increase limits on expenditures
for highway equipment)

Co. Holbrook offered the following resolution:

WHEREAS, the cost of the purchase of certain highway equipment has risen rapidly in recent years, and

WHEREAS, Section 271 of the Highway Law provides in subdivision 3a(4) that a limitation of \$60,000 only may be raised by taxes for highway equipment in Clarkstown, and

WHEREAS, Section 271 of the Highway Law provides for \$200,000 limit for certain towns in Nassau, Suffolk, Erie, Westchester, Albany, Monroe and Onondaga Counties and the Town of Orangetown in Rockland County, and

WHEREAS, the Town Board is desirous to increase the limits in the Town of Clarkstown to \$200,000 for the purchase of the highway equipment enumerated in Section 271 of the Highway Law and to have introduced into the State Legislature An Act to amend the highway law, in relation to the limitation on the amount expendable for equipment with respect to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authroized the Supervisor of the Town of Clarkstown to sign a Home Rule request concerning such bill amending Section 271 of the Highway Law, and be it

FURTHER RESOLVED, that such Home Rule request shall be forwarded to the Assembly and/or Senate of the State of New York.

Seconded by Co. Piacentile.

All voted Aye.

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RESOLUTION NO. (1978-130) Continued

RESOLVED, that pursuant to Section 938 of the Real Property Tax Law of the State of New York, the Supervisor, or, the Deputy Supervisor, in his absence, of the Town of Clarkstown is hereby authorized to make application to the Rockland County Reasurer for an extension of time for the collection of the 1978 taxes by the Clarkstown Receiver of Taxes from April 1, 1978 to June 1, 1978.

Seconded by Co. Holbrook. All voted Aye.

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APPEARANCE:

Marcella Beigel
416 South Mountain Road
New City, New York

Spoke to Town Board with reference to the Hackensack Brook running through her property and the problems as a result of the flooding which occurred November 8, 1977. She is concerned with a recurrence of flood damages because of the possibility of a fast thaw.

Deputy Supervisor Maloney stated Director of Environmental Control, Les Bollman, will be asked to look into Mrs. Beigel's problem.

Co. Holbrook suggested this item be placed on the agenda for the next Town Board Workshop Meeting, and if so, Mrs. Beigel would be contacted to appear before the Board at that time.

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There being no further business before the Board, Town Board Meeting was adjourned at 9:25 PM. Next Town Board Meeting scheduled for March 1, 1978.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

2/15/78

8:05 PM

Present: Co. Holbrook, Longo, Piacentile
Deputy Supervisor Maloney
Edward Aufenanger, Confidential Secretary
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

Absent: Supervisor Gerber

RE: PROPOSED AMENDMENT TO ZONING ORDINANCE - SECTION 106.20
"EXCEPTIONS"

Deputy Supervisor Maloney declared Public Hearing open; Town Clerk read Notice calling Public Hearing and testified as to proper posting and publication for the Public Hearing.

Deputy Supervisor Maloney read the following correspondence with regard to the proposed amendment:

Letter from Clarkstown Planning Board - Dated February 3, 1978

The Planning Board discussed the above proposed amendment and are in agreement that this will provide greater clarity.

After much discussion Member Thormann made a motion which was seconded by Nowicki and carried 4:0 with Ayes of Paris and Yacyshyn approving the following...

RECOMMENDATION TO THE HONORABLE TOWN BOARD: Planning Board supports the amendment to Section 106-20 exceptions as follows: Delete Section 106-20A, substituting new Section 106-20: Delete Section 106-20F, entirely and amend Section 106-3 definitions, deleting the present definition of "lot", substituting new definition as provided in Exhibit B.

Very truly yours,
s/Rudolph J. Yacyshyn,
Chairman

* * * * *

APPEARANCES: Robert Geneslaw
Planning Consultant
Raymond, Parish, Pine & Weiner
55 White Plains Road
Tarrytown, New York

Mr. Geneslaw clarified this proposed amendment and indicated what it comprised.

Penny Leonard
7 Conger Avenue
Congers, New York

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Ms. Leonard read statement in favor of this proposed amendment and indicated a correction should be made in the R-10 District, Lot Width Less than 70. She felt the minimum footage requirement for each side yard should read 12 (not 10).

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

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

271

Town Hall

2/15/78

8:37 PM

Present: Co. Holbrook, Longo, Piacentile
Deputy Supervisor Maloney
Edward Aufenanger, Confidential Secretary
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

Absent: Supervisor Gerber

RE: CONSIDERATION OF DESIGNATION OF HISTORICAL SITE - ROBERTS
FARM, NORTH LITTLE TOR ROAD, NEW CITY

Deputy Supervisor Maloney declared Public Hearing open; Town Clerk read Notice calling Public Hearing and testified as to proper posting and publication for the Public Hearing.

Deputy Supervisor Maloney read "Recommendation for Designations as Historical Landmark by the Historical Review Board of the Town of Clarkstown" (Recommendation on file and available for inspection in Office of the Town Clerk).

APPEARANCES: Walter Fleisher
Vice President
West Branch Conservation Association
443 Buena Vista Road
New City, New York

Mr. Fleisher spoke in favor of this proposed historical site.

Bozena Fishbein
402 South Mountain Road
New City, New York

Ms. Fishbein also spoke in favor of this proposed historical site.

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

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk