

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall 9/6/78 8:15 P.M.

Present: Co. Holbrook, Longo, Maloney, Piacentile
Supervisor Gerber
Murray N. Jacobson, Town Attorney
Stanley Burns, Director of Finance
Patricia Sheridan, Town Clerk

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

Supervisor Gerber commented that the schools in the Town had opened and complimented the Clarkstown Police Department for aiding the Clarkstown School District with traffic control and school crossings and making the first day of school run smoothly.

RESOLUTION NO. (1978-592) BID AWARD - RECREATION DEPT.
DEMOLITION PROJECT-DAVENPORT
PRESERVE

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of the Director of Purchasing and in concurrence with the Superintendent of Recreation and Parks that the bid for Demolition Project - Davenport Preserve is hereby awarded to:

WILFRED GAGNON & SON, INCORPORATED
37 West Washington Avenue
Pearl River, New York 10965

at the low bid price of \$12,600.00

FURTHER RESOLVED, that funds for said project be charged against Money-In-Lieu-of-Land Account.

FURTHER RESOLVED, in accordance with the contract between the Town of Clarkstown and the Bureau of Outdoor Recreation, Project #36-00262, and a designated contract with the Sate of New York, #C80992, upon completion of said project, up to 50% of said project will be reimbursed to the Town of Clarkstown, Money-In-Lieu-of-Land Account.

Seconded by Co. Holbrook. All voted Aye.

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RESOLUTION NO. (1978-593) BID AWARD - SANITARY SEWER
SYSTEM - N.Y.S. RT. 59,
HUTTON AVE./KEMMER AVE., NANUET

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing and Charles R. Velzy Associates, Consulting Engineers that the bid for the Construction of a Sanitary Sewer System - New York State Route 59, Hutton Avenue - Kemmer Avenue, Nanuet, New York is hereby awarded to:

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RESOLUTION NO. (1978-593) Continued

A. CESTONE COMPANY
710 Bloomfield Avenue
Glen Ridge, New Jersey 07028

at the low bid price of \$238,128.05, and be it

FURTHER RESOLVED, that funds for same be charged to Capital Account - Master Benefited Sewerage Improvement Area No. 2.

Seconded by Co. Holbrook. All voted Aye.

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RESOLUTION NO. (1978-594)

BID AWARD - SANITARY SEWER SYSTEM - CHRISTIAN HERALD RD., VALLEY COTTAGE

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing and Charles R. Velzy Associates, Consulting Engineers that the bid for the Construction of a Sanitary Sewer System - Christian Herald Road, Valley Cottage, New York is hereby awarded by:

A. CESTONE COMPANY
710 Bloomfield Avenue
Glen Ridge, New Jersey 07028

at the low bid price of \$73,560.00, and be it

FURTHER RESOLVED, that funds for same be charged to Capital Account - Master Benefited Sewerage Improvement Area No. 2.

Seconded by Co. Holbrook. All voted Aye.

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RESOLUTION NO. (1978-595)

REGULAR TOWN BOARD MEETING
ADJOURNED IN ORDER TO HOLD
SCHEDULED PUBLIC HEARINGS

Co. Maloney offered the following resolution:

RESOLVED, that regular Town Board Meeting be adjourned in order to hold scheduled Public Hearings, time 8:25 P.M.

Seconded by Co. Holbrook. All voted Aye.

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RESOLUTION NO. (1978-596)

RESOLUTION ACCEPTING AND
ADOPTING MINUTES OF THE
REGULAR TOWN BOARD MEETING
OF AUGUST 16, 1978 AND
SPECIAL TOWN BOARD MEETING
OF AUGUST 31, 1978

Co. Longo offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board Meeting held on August 16, 1978 and the Special Town Board Meeting held on August 31, 1978, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Piacentile

All voted Aye.

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Monthly Reports -- July, 1978 from the 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. (1978-597)

RESOLUTION ACCEPTING
PROPOSALS FROM ORANGE &
ROCKLAND UTILITIES, INC.
FOR STREET LIGHTING
(VARIOUS LOCATIONS)

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of the Department 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:

- | | |
|------------------------|----------------|
| Avon Lane (as amended) | New City |
| Cairngorm Road | New City |
| Old Mill Acres | Valley Cottage |
| Lakeside Village | |
| Sec. III | New City |

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1978-598)

RESOLUTION AUTHORIZING
SPRING VALLEY WATER
COMPANY TO INSTALL HYDRANTS
(3) (FULLE DRIVE) VALLEY COTTAGE

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Co., is hereby authorized to install three (3) hydrants, one on the west side of Fulle Drive, east and north of Fulle Drive, one on the north side of Fulle Drive, and one on the west side of Fulle Drive south of Westfield Drive, Valley Cottage, New York. (Invest. No. 8222)

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1978-599)

RESOLUTION AUTHORIZING
SPRING VALLEY WATER
COMPANY TO INSTALL
HYDRANTS (2) (SYRACUSE
COURT - DIXWELL ROAD)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the
Director of Environmental Control, the Spring Valley Water Co. is
hereby authorized to install two (2) hydrants, one on the west
side of Syracuse Court and one on the west side of Dixwell Road,
New City. (Inves. No. 8582)

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1978-600)

RESOLUTION AUTHORIZING
SPRING VALLEY WATER
COMPANY TO INSTALL
HYDRANT (1) (WOODBINE ROAD)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the
Director of Environmental Control, the Spring Valley Water Co. is
hereby authorized to install one (1) hydrant on the west side of
Woodbine Road, New City. (Inves. No. 8657).

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1978-601)

RESOLUTION AUTHORIZING
SPRING VALLEY WATER
COMPANY TO INSTALL
HYDRANT (1) (FREMONT
AVENUE)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the
Director of Environmental Control, the Spring Valley Water Company
is hereby authorized to install one (1) hydrant on the west side
of Fremont Avenue, Nanuet. (Inves. No. 8065).

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1978-602)

RESOLUTION AUTHORIZING
SPRING VALLEY WATER
COMPANY TO INSTALL
HYDRANTS (3) (VARIOUS
LOCATIONS)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the
Director of Environmental Control, the Spring Valley Water Company

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RESOLUTION NO. (1978-602) Continued

is hereby authorized to install three (3) hydrants, one on the west side of Route 303, north of center line of Route 59, West Nyack, one on the west side of Route 303, north of center line of NY State Thruway, and one on west side of Casper Hill Road, Valley Cottage. (Inves. No. 8715).

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1978-603)

RESOLUTION AUTHORIZING
DIRECTOR OF PURCHASING
TO ADVERTISE FOR BIDS
FOR THREE (3) 1979 1/2
TON PICK-UP TRUCKS)

Co. Longo offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bid for:

Three (3) 1979 1/2 Ton Pick-Up Trucks

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 10:00 A.M. on Monday, September 18, 1978 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1978-604)

RESOLUTION AUTHORIZING
DIRECTOR OF PURCHASING
TO ADVERTISE FOR BIDS
FOR THE SALE OF FOUR (4)
USED 1974 MINI BUSES

Co. Piacentile offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:

The sale of Four (4) used 1974 Mini Buses

bids to be returnable to the Office of the Director of Purchasing 10 Maple Avenue, New City, New York by 11:00 A.M. on September 29, 1978 at which time bids will be opened and read, and be it

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1978-605)

RESOLUTION GRANTING
CERTIFICATE OF REGISTRATION
PURSUANT TO SECTION 83-65
OF THE CODE OF THE TOWN
OF CLARKSTOWN

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:

MARTIN C. WORTENDYKE
CAL MART CONSTRUCTION CORP.
11 Seeger Drive
Nanuet, New York 10954

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 78-16 issued to Martin C. Wortendyke
(Cal Mart Construction Corp.)

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1978-606)

RESOLUTION AUTHORIZING
THE TOWN ATTORNEY TO DEFEND
A PROCEEDING AGAINST THE
TOWN OF CLARKSTOWN

Co. Holbrook offered the following resolution:

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

ROBERT H. BOWMAN,

Petitioner,

-against-

ELIZABETH J. SQUILLACE, RODMAN HERBERT,
EUGENE A. QUAGLIA, RICHARD E. GARDNER,
WILLIAM NIEHAUS, JOSEPH MARAIA and
WILLIAM J. CAREY, constituting the
ZONING BOARD OF APPEALS of the TOWN of
CLARKSTOWN; ROBERT DILLON and KEVIN
DILLON, doing business as ALL POINTS
TEXACO,

Respondents.

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that Robert H. Bowman, Building Inspector of the Town of Clarkstown is not authorized to bring this proceeding.

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1978-607)

RESOLUTION AUTHORIZING
TOWN ATTORNEY TO INSTITUTE
PROCEEDINGS IN ACCORDANCE
WITH CHAPTER 31 OF THE CODE
OF THE TOWN OF CLARKSTOWN

Co. Piacentile offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to
institute proceedings as stipulated in Chapter 31 of the Code of
the Town of Clarkstown to rectify violation on premises owned by

ANTHONY & ETHEL DeLOATCH

in the Town of Clarkstown, more particularly described on Tax Map
of the Town of Clarkstown as

MAP 120, BLOCK A, LOT 20

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-608)

RESOLUTION AUTHORIZING
TOWN ATTORNEY TO INSTITUTE
PROCEEDINGS IN ACCORDANCE
WITH CHAPTER 31 OF THE CODE
OF THE TOWN OF CLARKSTOWN

Co. Piacentile offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to
institute proceedings as stipulated in Chapter 31 of the Code of
the Town of Clarkstown to rectify violation on premises owned by

ROSELYN GURLITZ

in the Town of Clarkstown, more particularly described on Tax Map
of Clarkstown as

MAP 32, BLOCK B, LOT 86

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-609)

RESOLUTION AUTHORIZING
TOWN ATTORNEY TO INSTITUTE
PROCEEDINGS IN ACCORDANCE
WITH CHAPTER 31 OF THE CODE
OF THE TOWN OF CLARKSTOWN

Co. Piacentile offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to
institute proceedings as stipulated in Chapter 31 of the Code of
the Town of Clarkstown to rectify violation on premises owned by

SANDY STEINBERG

in the Town of Clarkstown, more particularly described on Tax Map
of the Town of Clarkstown as

MAP 24, BLOCK A, LOT 25.02

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (1978-610)

RESOLUTION AUTHORIZING
FIRE LANE DESIGNATIONS
AT HONEY'S RESTAURANT

Co. Longo offered the following resolution:

WHEREAS, the Building Inspector and the Fire Inspector of the Town of Clarkstown recommend implementing certain provisions of Local Law No. 9-1971, as amended, known as the Vehicle and Traffic Local Law, more particularly designated as Chapter 102 Sec. 14, of the Code of the Town of Clarkstown, at Honey's Restaurant (142-A-8.01) by the installation of fire lane designations, and

WHEREAS, Milton B. Shapiro, Vide President of 201 9-W Corp., the owner and or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said fire lane designations;

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector and the Fire Inspector with regard to the installation of certain fire lane designations shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1978-611)

RESOLUTION INCREASING
APPROPRIATION ACCOUNT
TO REFLECT USE OF ANTI-
RECESSION FUNDS

Co. Holbrook offered the following resolution:

RESOLVED, that Appropriation Account No. 5110-110 be increased by \$40,000.00 and that estimated revenue account No. 4090 be increased by \$40,000.00 to reflect the use of Anti-Recession funds in accordance with government regulations.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1978-612)

RESOLUTION AUTHORIZING
SUPERVISOR TO ENTER INTO
AGREEMENT WITH CHARLES R.
VELZY ASSOCIATES, INC.
(SCALE HOUSE AT CLARKSTOWN
SANITARY LANDFILL)

Co. Piacentile offered the following resolution:

WHEREAS, it has been proposed that a scale be installed at the Clarkstown Sanitary Landfill in order to effectively determine the quantity of refuse being brought to the site and to provide a more efficient and accurate method of billing for such refuse;

RESOLUTION NO. (1978-612) Continued

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with Charles R. Velzy Associates, Inc., to design a scale and scale house at the Clarkstown Sanitary Landfill as per the proposal submitted August 9, 1978, by Charles R. Velzy Associates, Inc.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1978-613)

RESOLUTION AUTHORIZING
PLANNING BOARD OF THE
TOWN OF CLARKSTOWN TO
APPLY TOWN LAW, SEC. 281

Co. Maloney offered the following resolution:

WHEREAS, William A. Yuda, as agent for Nyack Motor Hotel, Inc., has made written application for the use of Town Law, Sec. 281 in connection with subdivision known as Nyack Motor Hotel, Inc., 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 in order to provide for better design;

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. (1978-614)

RESOLUTION ADJOURNING
LEGISLATIVE HEARING

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown has scheduled a Legislative Hearing, as it affects the Civil Service Employees Association Bargaining Unit, for September 11, 1978 at 8:00 P.M., and

WHEREAS, the Civil Service Employees Association and the Town of Clarkstown have agreed to further negotiating sessions prior to any such Legislative Hearing;

NOW, THEREFORE, be it

RESOLVED, that the Legislative Hearing scheduled for September 11, 1978, at 8:00 P.M., be and the same hereby is adjourned upon the consent of both sides without date.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1978-615)

RESOLUTION AUTHORIZING
SUPERINTENDENT OF HIGHWAYS
TO REMOVE "YIELD" SIGN
AND REPLACE WITH "STOP"
SIGN (BREWERY ROAD AT
CONGERS ROAD, NEW CITY)

Co. Longo 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 remove the "Yield" sign on Brewery Road at Congers Road, New City, and replace it with a "Stop" sign.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-616)

RESOLUTION AUTHORIZING
SUPERINTENDENT OF HIGHWAYS
TO INSTALL "STOP" SIGNS ON
CAROLINA DRIVE

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install a "Stop" sign on the northwest corner of Carolina Drive at William Street, New City and a "Stop" sign on the south side of Carolina Drive at William Street, New City.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-617)

RESOLUTION AUTHORIZING
SUPERINTENDENT OF HIGHWAYS
TO INSTALL "STOP" SIGN ON
EILEEN AVENUE

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install a "Stop" sign on Eileen Avenue at Susan Drive, New City.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-618)

RESOLUTION AUTHORIZING
ATTENDANCE AT 1978
NEW YORK STATE PARKS
OPERATIONS AND MAINTENANCE
CONFERENCE

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of Edward J. Ghiazza, Superintendent of Recreation and Parks, that Albert Moroni, Parks Supervisor; Raymond Barbier, Groundskeeper and Bruce Knarich, Groundskeeper; are hereby authorized to attend the "1978 New York

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RESOLUTION NO. (1978-618) Continued

State Parks Operation and Maintenance conference" from October 29, 1978 to November 1, 1978 to be held at Saratoga State Park.

FURTHER RESOLVED, that all necessary and actual expenses not to exceed \$270.00 be allocated against account 7180-414.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (1978-619)

RESOLUTION AUTHORIZING
EDWARD J. GHIAZZA TO
ATTEND THE "1978
NATIONAL CONGRESS FOR
RECREATION AND PARKS"

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of the Parks Board and Recreation Commission, Edward J. Ghiazza, Superintendent of Recreation and Parks, is hereby authorized to attend the "1978 National Congress for Recreation and Parks" from October 13, 1978 to October 18, 1978 to be held in Miami, Florida.

FURTHER RESOLVED, that all necessary and actual expenses not to exceed \$475.00 be allocated against account 7020-414.

Seconded by Co. Holbrook All voted Aye.

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RESOLUTION NO. (1978-620)

ORDER CALLING FOR PUBLIC
HEARING IN THE MATTER OF
EXTENSION OF THE CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT #1 - PINE VIEW
ROAD - WEST NYACK

Co. Holbrook offered the following resolution:

WHEREAS, in order to alleviate a serious condition of contamination of existing wells and provide fire protection to the properties on Pine View Road, West Nyack, New York, it has been recommended that water service be extended from a main of the Spring Valley Water Company situate in Western Highway, West Nyack, New York, and

WHEREAS, it would be necessary to extend the Clarkstown Consolidated Water Supply District No. 1 to include the properties affected at a cost not to exceed \$15,000.00

NOW, THEREFORE, be it

RESOLVED, that an Order be prepared and signed by the Town Board calling a public hearing on the proposed extension of the Clarkstown Consolidated Water Supply District No. 1 to include the property shown on the Tax Map of the Town of Clarkstown as Map 88, Block A, Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21 and 22.

Seconded by Co. Maloney All voted Aye.

(Original Order on file in Town Clerk's Office)

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RESOLUTION NO. (1978-621)

RESOLUTION AUTHORIZING
CHANGE OF NAME OF STREET
IN TOWN OF CLARKSTOWN

Co. Maloney offered the following resolution:

WHEREAS, a request has been made that the street shown as Walnut Court on a final map entitled "Subdivision of Property for Foxwood Hills" be changed to Ash Court;

NOW, THEREFORE, be it

RESOLVED, that the name of Walnut Court is hereby changed to ASH COURT, and be it

FURTHER RESOLVED, that the Highway Superintendent take notice of this resolution and make appropriate changes in the street signs as may be necessary and that a copy of this resolution be forwarded to the residents of the aforementioned Walnut Court, the Clarkstown School District, New City Post Office, New City Fire Department, New City Ambulance Corp and Clarkstown Police Department, and be it

FURTHER RESOLVED, that this resolution take effect immediately.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1978-622)

APPOINTING - PAUL
POJAFSKY - ASSISTANT
MAINTENANCE MACHANIC
(CETA)

Co. Maloney offered the following resolution:

RESOLVED, that Paul Pojafsky, 155 Sleepy Hollow Lane, Congers, New York is hereby appointed to the position of Assistant Maintenance Mechanic (CETA) - Parks & Recreation - at the annual salary for 1978 of \$8,813., effective and retroactive to August 21, 1978.

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1978-623)

APPOINTING - OFFICE
WORKER-STUDENT-TOWN
JUSTICE OFFICE

Co. Piacentile offered the following resolution:

RESOLVED, that the following are hereby appointed to the position of Office Worker-Student - Town Justice Office - at the hourly wage of \$2.65, effective and retroactive to September 1, 1978 through December 31, 1978

Deborah Cetrone, 7 White Oak Lane, Bardonia, NY
Anne Hoenninger, 6 Karl Court, Congers, New York

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-624)

REAPPOINTING-RUTH T.
JUECHTER - OFFICE
WORKER-STUDENT COUNSELING
CENTER

Co. Maloney offered the following resolution:

RESOLVED, that Ruth T. Juechter, 87 Zukor Road,
New City, New York is hereby reappointed to the position of
Office Worker-Student - Counseling Center - at the hourly wage of
\$2.65, effective September 1, 1978 through December 31, 1978.

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1978-625)

APPOINTING-NORMAN
PEACHEY-CHAIRMAN -
TRAFFIC ADVISORY BOARD

Co. Longo offered the following resolution:

RESOLVED, that Norman Peachey, 260 Germonds Road,
West Nyack, New York is hereby appointed to the position of
Chairman of the Traffic Advisory Board, at the annual salary
for 1978 of \$125., effective immediately.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-626)

RESOLUTION ACCEPTING
DEDICATION OF 1,050
FEET OF FOREST BROOK
ROAD

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the
Superintendent of Highways of the Town of Clarkstown and the
Director of the Department of Environmental Control of the Town
of Clarkstown, 1,050 L.F. of Forest Brook Road between Pascack
Road and Spring Brook Road, commencing at the westerly side of
Pascack Road and running to the easterly side of Spring Brook
Road in a subdivision as shown on a Final Plat of "FOREST BROOK
ESTATES" filed in the Rockland County Clerk's Office on December
2, 1970, in Book 81 at Page 15 as Map No. 4082 is hereby accepted
for dedication.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-627)

RESOLUTION SETTING A
PUBLIC HEARING - SPECIAL
PERMIT - SENIOR CITIZEN
HOUSING

Co. Maloney offered the following resolution:

RESOLUTION NO. (1978-627) Continued

WHEREAS, UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, CARPENTERS UNION NO. 964, has petitioned for a Special Permit for Senior Citizen Housing pursuant to the requirements of Section 106-16 (0) of the Town of Clarkstown Zoning Ordinance adopted on April 4, 1939, and as amended, for property located on the south side of Squadron Boulevard, between North Main Street and N.Y.S. Route 304, Hamlet of New City, Town of Clarkstown, New York;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to said ordinance be had at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 4th day of October, 1978, at 8:15 P.M., to consider the application of UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, CARPENTERS UNION NO. 964, relative to said Special Permit, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk shall cause the same to be published in the Journal news, the official newspaper of the Town of Clarkstown.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1978-628)

AMENDMENT TO STREET SPECIFICATIONS

Co. Holbrook offered the following resolution.

RESOLVED, that the Street Specifications of the Town of Clarkstown shall be amended to make provisions for the following:

1. Substitution of concrete aprons over driveways by asphaltic concrete aprons.
2. Provide that where concrete aprons must be replaced, that same shall be replaced by asphaltic concrete aprons.
3. Curbs shall be either asphaltic concrete curbs or belgium block, and be it

FURTHER RESOLVED, that these modifications shall apply only to new subdivisions or existing subdivisions where no construction has been commenced.

Seconded by Co. Piacentile

All voted Aye.

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There being no further business before the Board, Town Board Meeting was adjourned at 12:45 A.M. Next Town Board Meeting scheduled for September 20, 1978.

Respectfully submitted,

PATRICIA SHERIDAN,
Town Clerk

PUBLIC HEARING

Town Hall

9/6/78

8:25 P.M.

Present: Co. Holbrook, Longo, Maloney, Piacentile
Supervisor Gerber
Murray N. Jacobson, Town Attorney
Stanley Burns, Director of Finance
Patricia Sheridan, Town Clerk

RE: PETITION FOR CHANGE OF ZONE APPLICATION FROM R-15, LO, LIO
AND CS DISTRICT TO RG-2 DISTRICT; AND FROM R-15, LO, LIO AND
CS DISTRICT TO RG-2 AND RS DISTRICT - BEVERLY DEGENSHEIN,
SCHWEITZER LANE, BARDONIA

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

Supervisor Gerber read correspondence from Rockland County Planning Board, Palisades Interstate Park Commission and Clarkstown Planning Board, as follows:

(On County of Rockland Planning Board Letterhead)

"August 2, 1978

Clarkstown Town Board
Town Hall
New City, New York 10956

Re: GENERAL MUNICIPAL LAW (GMP) REVIEW: 239(k) _____
239(l&m) XXX 239(n) _____

Item: Degenshein, Zone Change, W. Side Rt. 304,
Bardonia (C-499)

Map Dated _____

The Rockland County Planning Board reviewed the above item at its July 27, 1978 meeting and

* approves
** approves subject to conditions below XXX
** disapproves _____
requests extension of time _____

Modifications and Conditions:

1. Favors change to RG-2
2. Provide a minimum of 50' for a landscaped buffer along Rt. 304.
3. Subject to Findings of Rockland County Soil and Water Conservation District and N.Y.S. Department of Transportation.

cc: Supervisor Gerber
Mr. Lombardi, member, RCPB
Mr. Lee, RCS & WCD
N.Y.S.D.O.T.

Very truly yours,

ROCKLAND COUNTY PLANNING BOARD

by: /s/ Aaron D. Fried
Aaron D. Fried, Planning Director

(CONTINUED ON NEXT PAGE)

"* The proposed action is deemed by the Board to have no significant negative impact on nearby municipalities, County or State roads or facilities and, therefore, the action is for local determination. Approval does not necessarily mean the Board endorses the subject action as desirable from the viewpoint of your municipality.

** The GML requires a vote of "two-thirds of all the members" or 'majority plus one' of your agency to act contrary to the above findings."

(On Palisades Interstate Park Commission letterhead)

"August 30, 1978

Town Board of Clarkstown
10 Maple Avenue
New City, New York 10956

Gentlemen:

Re: Proposed Zoning Change -
Beverly Degenshein

We have reviewed the proposed zoning change requested by Beverly Degenshein and have no objections at this time.

Sincerely yours,

/s/ Neil Castro

General Manager"

(On Town of Clarkstown Planning Board Letterhead)

"August 28, 1978

The Honorable Town Board
10 Maple Avenue
New City, New York 10956

TOWN BOARD REFERRAL: ZONE CHANGE REQUEST
DEGENSHEIN, 33-2B1, 34B26, 34B26.01 &
34B28, BARDONIA: FROM R-15 (3.45 acres),
L10 (1.10 acres), LS (2.81 acres) and CS
(1.06 acres) TO RG-2 OR RG-2/RS (Request-
ing change of approx. 8.42 acres to either
all RG-2 or 5 acres to RG-2 and 3.41 acres
fronting along Route 304 to RS bounded by
PIP on the North, Route 304 on the East,
Schweitzer Lane on the West.

Gentlemen:

At the Planning Board meeting of August 1, 1978 Member Nowicki made a motion which was seconded by Paikin and carried 4:0 with Ayes of Yacyshyn and Paris, approving the following...
RECOMMENDATIONS TO THE HONORABLE TOWN BOARD: A. The Members have examined the subject petition in relation to the surrounding area, the Town Development Plan, the existing topography, drainage, accessibility and statutory changes. It is recommended that the petition be granted with the following conditions:

1. Applicant to join in a road improvement district including Dustman and Schweitzer Lanes, from Route 304 to the site,

(CONTINUED ON NEXT PAGE)

2. That some precautionary measures be provided to abate noise levels because of three major roadways nearby and considerable amount of highway noise,
3. If zone change is granted, applicant to return to Planning Board for site plan review and approval.

In response to Section 106-32B(2) the following determinations have been made:

- a) the uses permitted by the proposed change would be appropriate in the area concerned,
- b) adequate public school facilities do exist and other public services can be created to serve the needs of any additional residences likely to be constructed as a result of such change,
- c) the proposed change is in accord with any existing or proposed plans for providing public water supply and sanitary sewers in the vicinity,
- d) the amount of vacant land currently zoned for similar development in the Town is minimal and particularly in the vicinity (immediate vicinity has the Hilburg property, zoned for senior citizens apartments).
- e) there are presently no apartment complexes proposed in the area,
- f) there would be no adverse effect upon the growth of the existing communities as the 1966 & 1971 Master Plan recommends this area for apartments, at 8-10 d.u.'s per acre,
- g) the proposed amendment would have minimal effect on the total zoned residential capacity of the Town,
- h) although other areas may request similar zone change, this appears to be the best use of the land in this particular area.

The above is a draft resolution, the minutes not having been approved as of this date.

Very truly yours,

Rudolph J. Yacyshyn,
Chairman

cc: Town Attorney
Town Clerk"

APPEARANCE: Henry Horowitz
55 Virginia Avenue
West Nyack, New York

Mr. Horowitz is the attorney for the petitioner and made a presentation on behalf of said petitioner.

IN FAVOR: No appearance.

IN OPPOSITION: Paul Savad
101 North Middletown Road
Nanuet, New York

Mr. Savad represented families on Schweitzer Lane, Bardonia, New York

The following people spoke not in opposition to the change per se but in opposition to any change that would affect Schweitzer Lane:

Richard Stein
120 Schweitzer Lane
Bardonia, New York

Gerald Bierker
131 Ludvigh Road
Bardonia, New York

Lee Slattery
Schweitzer Lane
Bardonia, New York

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Henry Horowitz again spoke and said his client was absolutely not interested in any changes to Schweitzer Lane.

No further persons wishing to be heard, Councilman Maloney offered a resolution to close the Public Hearing and reserve decision, which was seconded by Councilman Holbrook and unanimously adopted. Public Hearing closed at 9:05 P.M.

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

PUBLIC HEARING

Town Hall

9/6/78

9:06 P.M.

Present: Co. Holbrook, Longo, Maloney, Piacentile
 Supervisor Gerber
 Murray N. Jacobson, Town Attorney
 Stanley Burns, Director of Finance
 Patricia Sheridan, Town Clerk

RE: PETITION FOR CHANGE OF ZONE APPLICATION FROM R-40 DISTRICT
 TO R-15 DISTRICT - URANUS CONSTRUCTION CORP., NEW CITY

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

Supervisor Gerber read correspondence from the Clarkstown Planning Board, as follows:

(On Town of Clarkstown Planning Board Letterhead)

"July 27, 1978

The Honorable Town Board
 10 Maple Avenue
 New City, New York 10956

TOWN BOARD REFERRAL ZONE CHANGE REQUEST R-40 TO
 R-15: URANUS CONST. CORP. 20B18 NEW CITY
 (formerly Schremer parcel, request is for rezoning
 of northerly portion of R-40 Land to N. side
 Red Hill Road, E. side Carrie Drive).

Gentlemen:

The above matter has been discussed at several Planning Board meetings. It appeared to be the consensus that a change from R-40 to R-15, only for that portion north of Red Hill Road, would not be unreasonable.

At the Planning Board meeting of July 11, 1978 Member Nowicki made a motion which was seconded by Fallon and carried 5:0 with Ayes of Paikin, Paris and Howell, approving the following:

RECOMMENDATION TO THE HONORABLE TOWN BOARD:

- A. The Members have examined the subject petition in relationship to the surrounding area, the Town Development Plan, the existing topography, drainage, accessibility and statutory changes. It is recommended that the petition be granted based on developer's offer that he will install all off-site drainage as agreed to, and in accordance with the requirements of Director of E.C.

In response to Section 106-32B (2) the following determinations have been made:

- a) the uses permitted by the proposed change would be appropriate in the area as northerly portion is surrounded by R-15 zoning,
- b) adequate public school facilities do exist and other public services would not need to be created to serve the additional residences likely to be constructed as a result of such change,
- c) the proposed drainage work would help alleviate some of the existing drainage problems,
- d) the amount of vacant land north of Red Hill Road currently zoned R-15 is now almost fully developed. The property across the street, to remain R-40 zoning.

CONTINUED ON NEXT PAGE

- "e) there is very little land being developed in this vicinity in the R-15 district,
- f) the proposed change will have little effect on the existing communities as envisaged by the comprehensive plan.
- g) the proposed amendment will result in small increase in the total zoned R-15 capacity, and would have little effect for such change on cost of providing public services.
- h) although there are other areas designated for similar development if the proposed amendment is adopted, it is respectfully recommended that a restrictive covenant be placed on that portion of property owned by Uranus Const. Corp. south of Red Hill Road, primarily for reasons relating to drainage, limiting portion to R-40 district.

Very truly yours,

/s/ Richard J. Paris

Richard J. Paris
Vice-Chairman

RJP/dsg

CC: Town Attorney
Town Clerk:

APPEARANCE: Everett Johns, Esq.
123 Park Avenue
New City, New York 10956

Mr. Johns is the attorney for the petitioner and made a presentation on behalf of said petitioner at which time maps and site plans were presented.

John Booth
400 East 52nd Street
New York, New York

Mr. Booth was sworn in by Supervisor Gerber and questioned as a witness by Everett Johns. Mr. Booth is the President of Uranus Construction Corp.

Thomas G. Martin
33 Route 303
Valley Cottage, New York

Mr. Martin was sworn in by Supervisor Gerber and questioned as a witness by Everett Johns.

IN FAVOR: No appearance.

IN OPPOSITION:

Theodore Dusanenko 2 Scott Drive New City, New York	William Heatherington* 3 Hull Avenue New City, New York	Robert Orth 9 Grand Street New City, New York
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*Mr. Heatherington appeared on behalf of the Directors of New City Park.

IN OPPOSITION (Continued):

Theodore Dusanenko, Sr.
5 Hickory Drive
New City, New York

Joseph F. Hannes
40 Grand Street
New City, New York

Irene Schaap
42 Grand Street
New City, New York

John Onderdonk
43 Badger Lane
New City, New York

Mary Loeffler
15 Oak Road
New City, New York

Harold Burke
23 Emerson Park
New City, New York

Everett Johns spoke again in rebuttal.

No further persons wishing to be heard, Councilman Longo offered a resolution to close the Public Hearing and reserve decision, which was seconded by Councilman Holbrook and unanimously adopted. Public Hearing closed at 9:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

PUBLIC HEARING

Town Hall

9/6/78

10:05 P.M.

Present: Co. Holbrook, Longo, Maloney, Piacentile
Supervisor Gerber
Murray N. Jacobson, Town Attorney
Stanley Burns, Director of Finance
Patricia Sheridan, Town Clerk

RE: PETITION FOR CHANGE OF ZONE APPLICATION - PO DISTRICT TO
RS DISTRICT - ELI B. FINE AND VINCENT D'ANGELO, NANUET

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

Supervisor Gerber read correspondence from Clarkstown Planning Board and from Raymond, Parish, Pine & Weiner, Inc., as follows:

(On Town of Clarkstown Planning Board Letterhead)

"August 3, 1978

The Honorable Town Board
10 Maple Avenue
New City, New York 10956

TOWN BOARD REFERRAL: ZONE CHANGE REQUEST:
PO TO RS 163D38 & 38.01 FINE & D'ANGELO, NANUET
(Requesting change of zone to N. side Old Nyack Turnpike, E. of Pascack Road, abutting Spring Valley Racquet Club, property consisting of some 7.7 acres).

Gentlemen:

The above referral was discussed at several Planning Board meetings. The Members were concerned with the effect of additional traffic on Old Nyack Turnpike and the effect to the surrounding residential area.

At the Planning Board meeting of 7/27/78 Member Howell made a motion which was seconded by Nowicki and carried 6:0 with Ayes of Yacyshyn, Fallon, Paikin and Paris, approving the following...

RECOMMENDATION TO THE HONORABLE TOWN BOARD: The Members have examined the subject petition in relationship to the surrounding area, the Town Development Plan, accessibility and statutory changes and recommends that the petition be Denied for the following reasons:

1. The effect on the residential area to the South will be undesirable: the addition of the levels of traffic associated with RS development are likely to exceed the capacity of Old Nyack Turnpike when added to the existing levels,
2. The property has access only from Old Nyack Turnpike which is presently a two-lane road, and this appears to be the only access. This would be a danger to the residential area, and would be bringing large volumes of traffic at specific times of day rather than scattered throughout the day.

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"Very truly yours,

/s/ Rudolph J. Yacyshyn,

Rudolph J. Yacyshyn,
Chairman

RJY/dsg

CC: T.A.
Town Clerk"

(On letterhead of Raymond, Parish, Pine & Weiner, Inc.
55 White Plains Road, Tarrytown, New York)

"July 18, 1978

Memo: Clarkstown Planning Board
&
The Honorable Town Board

From: Robert Geneslaw

Subject: Town Board Referral: Zone Change Request PO to RS
163D38 & 163D38.01 Fine & D;Angelo, Nanuet

The subject petition is an application for a change of zone from PO (Professional Office) to RS (Regional Shopping), for two parcels with a total area of 7.708 acres.

The parcel is presently wooded, with many trees having been cut down within the past few months. The site slopes downward from its eastern end. The property is bounded on the west by a ramp from Old Nyack Turnpike to the New York State Thruway. The boundary on the north is the Thruway and the Howard Johnson Motel, which has access from Route 59 and is zoned RS. To the east the property is bounded by a private indoor tennis club, which is also zoned RS, as are the developed properties to the east. However, most of these RS zoned properties have access to Route 59, a characteristic that sets them apart from the subject property. The subject is bounded on the south by Old Nyack Turnpike. Across this local road is an area zoned R-15 and developed with single-family homes. A residential condominium garden type development is located on the south side of Old Nyack Turnpike, just west of the subject property.

The property has access only from Old Nyack Turnpike, which is presently a two lane road. The Official Map calls for a sixty foot right of way and for square foot pavement as the future width. Old Nyack Turnpike has its easterly terminus at the intersection of Grandview Avenue and Route 59. This intersection is presently undergoing a design study by NYS DOT under the TOPICS program, for improvement in the near future.

From a land use zoning/traffic perspective the important points are:

1. the presence of an established single-family residential area to the south
2. the lack of access to Route 59
3. the use of Old Nyack Turnpike as the only access

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"In our opinion a change of zone to RS for unrestricted use by all activities permitted in an RS district should not be made. The effect on the residential area to the south will be undesirable and the addition of the levels of traffic associated with RS development are likely to exceed the capacity of Old Nyack Turnpike when added to the traffic levels already present.

The only way in which a change to RS might be appropriate would be to limit the proposed use to one which will have a minimal effect on the surrounding area.

The petitioner offers to file a covenant in recordable form limiting the use of the easterly portion to a dinner theater and the westerly portion appropriate for the development of the 7.7 acre area. However, we recommend that, prior to the granting of a change, the offered covenant include information relating to the size, hours of operation, and traffic generation of each type of use, and that this information be evaluated prior to the granting of a change of zone.

We also suggest that the two types of uses not be assigned separately to the two tax lots, since, in the development of an overall site plan, this separation may not allow for the best possible site layout, including parking, circulation, access and protection of neighboring properties.

Submitted by:

RAYMOND, PARISH, PINE & WEINER, INC.

/s/ R. Geneslaw

Robert Geneslaw,
Planning Consultant

RG/dsg"

APPEARANCE: Henry Horowitz
55 Virginia Avenue
West Nyack, New York

Mr. Horowitz is the attorney for the petitioner and made a presentation on behalf of said petitioner.

Vincent D'Angelo
38 Alan Road
Spring Valley, New York

Mr. D'Angelo was sworn in by Supervisor Gerber and made a presentation to the Board.

Samuel Belkin
439 Frank Smith Road
Long Meadow, Massachusetts

Mr. Belkin was sworn in by Supervisor Gerber and made a presentation in favor of the dinner theater.

IN FAVOR:	William Hamilton*	Abe Renko	John Maraia**
	130 North Main Street	Tara Drive	12 Randy Lane
	New City, New York	Pomona, New York	New City, New York

*President of Carpenter's Union
**Representing Electrical Workers

IN FAVOR (Continued):

Martin Michaelson
10 Colgate Drive
Bardonia, New York

IN OPPOSITION:

Tony Camilli*
5 Freedman Avenue
Nanuet, New York

John Begley
138 New Holland Village
Nanuet, New York

William Cunningham**
56 Old Nyack Turnpike
Nanuet, New York

Richard Gardner
34 Freedman Avenue
Nanuet, New York

Joseph Gregory
48 Freedman Avenue
Nanuet, New York

Anon G. Wagner
13 Charles Street
Nanuet, New York

Phil Hatch
17 Judith Street
Nanuet, New York

Anil Shah
10 Charles Street
Nanuet, New York

John Blackwell
2 Judith Street
Nanuet, New York

Clifford Stiebeck
6 New Holland Village
Nanuet, New York

Arthur Spector
6 Charles Street
Nanuet, New York

Theresa Poznanski
1 Judith Street
Nanuet, New York

Marjorie Russo
10 Carrie Lane
Nanuet, New York

Robert Foronti
13 Charles Street
Nanuet, New York

Henry Ehrlich
5 Judith Street
Nanuet, New York

Helen Douglas
25 New Holland Village
Nanuet, New York

Bob Lombardo
51 New Holland Village
Nanuet, New York

Norman Lazev
15 Charles Street
Nanuet, New York

Anthony Petriccione
1 Charles Street
Nanuet, New York

No further persons wishing to be heard Councilman Maloney offered a resolution to close the Public Hearing and reserve decision, which was seconded by Councilman Holbrook and unanimously adopted. Public Hearing closed at 12:01 P.M.

*Mr. Camilli made a presentation in opposition to this zone change which presentation included a group of photographs.

**Mr. Cunningham presented a petition of 500 signatures in opposition to the dinner theater.

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

PUBLIC HEARING

Town Hall

9/6/78

12:02 A.M.*

Present: Co. Holbrook, Longo, Maloney, Piacentile
Supervisor Gerber
Murray N. Jacobson, Town Attorney
Stanley Burns, Director of Finance
Patricia Sheridan, Town Clerk

RE: PETITION FOR THE EXTENSION OF CLARKSTOWN CONSOLIDATED WATER
SUPPLY DISTRICT #1 - JAMES & MARILYNN FAY, CONVENT ROAD, MANUET

Supervisor Gerber declared Public Hearing open. Town Clerk read notice calling Public Hearing and restified as to proper posting and publication for the Public Hearing.

APPEARANCE: Leslie Bollman
Director of Environmental Control
10 Maple Avenue
New City, New York 10956

Mr Bollman presented testimony that everyone will benefit from the proposed water extension.

There being no other speakers the order extending the water district was signed by Supervisor Gerber and the Town Board members.

The Public Hearing was closed upon motion made and seconded and unanimously agreed to at 12:04 A.M.

* Note that the time of this Public Hearing was after midnight but it was still part of the Public Hearings scheduled for the September 6, 1978 Board Meeting and is to be considered as such.

Respectfully submitted,
Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk