

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall 11/15/78 8:20 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.

RESOLUTION NO. (1978-732) DENIAL OF ZONE CHANGE  
(ASPEZ CORP.)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Planning Board has  
recommended disapproval of the change of zone requested by  
ASPEZ CORP., because of potential traffic problems and the over-  
utilization of a difficult site;

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety  
and welfare, the application for change of zone of ASPEZ CORP.,  
from an R-22 district to an RG-2 district be denied.

Seconded by Co. Piacentile All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-733) SPECIAL FINDINGS  
AND RESOLUTION  
GRANTING SPECIAL  
PERMIT FOR SENIOR  
CITIZENS HOUSING

Co. Maloney offered the following resolution:

WHEREAS, UNITED BROTHERHOOD OF CARPENTERS AND JOINERS  
OF AMERICA, CARPENTERS UNION NO. 964 has made an application for  
a Special Permit for the erection of Senior Citizen Housing located  
on the south side of Squadron Boulevard, between North Main Street  
and N.Y.S. Route 304, in the Hamlet of New City, Town of Clarkstown,  
State of New York, pursuant to Section 106-31(5) of the Zoning  
Ordinance of the Town of Clarkstown, (see Attached Schedule "A") and

WHEREAS, after due notice published and posted a public  
hearing was held before the Town Board of the Town of Clarkstown  
on the 1st day of November, 1978, at 8:15 P.M., at the Town Hall,  
10 Maple Avenue, New City, New York, to consider such application;

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

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

RESOLUTION NO. (1978-733) Continued

1. Will be properly located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities;

2. Will not cause undue traffic congestion or create a traffic hazard;

3. Will not create at any point of determination set forth in Sections 106-12 F, G and H of the Zoning Ordinance of the Town of Clarkstown any more dangerous and objectionable elements referred to in Section 106-12 A than is characteristic of the use expressly permitted as of right in the same district;

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

and that the Town Board further finds:

THAT, the application for Special Permit for the erection of Senior Citizen Housing complies with all the requirements of Section 106-16 (0) of the Zoning Ordinance of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a Special Permit for the erection of Senior Citizen Housing pursuant to said application is hereby granted to UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, CARPENTERS UNION NO. 964 and the reasons for granting such Special Permit are that the proposed use of the premises will be for the convenience, comfort, prosperity and general welfare of the community, and be it

FURTHER RESOLVED, that said Special Permit is granted subject to the following conditions:

1. The applicant shall meet all requirements of Site Plan Review of the Planning Board of the Town of Clarkstown.

2. The applicant shall meet all environmental requirements of the Federal government, State of New York and Department of Environmental Control of the Town of Clarkstown, and be it

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

WHEREAS, housing accommodations for senior citizens at reduced rentals to accommodate our senior citizens living on fixed incomes are in very short supply in the Town of Clarkstown, and

WHEREAS, reduced rentals can only be provided to our senior citizens if the cost of operation and maintenance of Senior Citizen Housing is reduced by tax abatement or exemption;

NOW, THEREFORE, be it

RESOLVED, that pursuant to the Private Housing Finance Law and Real Property Tax Law of the State of New York, the Senior Citizen Housing to be constructed by the UNITED BROTHERHOOD OF

RESOLUTION NO. (1978-733) Continued

CARPENTERS AND JOINERS OF AMERICA, CARPENTERS UNION NO. 964, on the south side of Squadron Boulevard, between North Main Street and N.Y.S. Route 304, in the Hamlet of New City, New York, be and the same hereby is granted a tax exemption to the extent and amount provided by law, so long as the property herein conforms to the conditions of the Special Permit and so long as the ownership and operation of the said Senior Citizen Housing shall be a not-for-profit or limited dividend housing corporation pursuant to the Senior Citizen Housing Ordinance of the Town of Clarkstown.

TOWN BOARD OF THE TOWN OF CLARKSTOWN

By  /s/ George S. Gerber  
Supervisor

\* \* \* \* \*

SCHEDULE A

"All those certain pieces or parcels of land situate, lying and being in the Hamlet of New City, Town of Clarkstown, County of Rockland and State of New York, shown and designated as Lots 17, 18, 19, 20, and 21 on a Subdivision Plot entitled "NEW CITY OFFICE PARK, NEW CITY, TOWN OF CLARKSTOWN, ROCKLAND COUNTY, N.Y.", dated March 31, 1970, revised July 6, 1971, made by Jack D. Boswell, P.E. of Jack D. Boswell & Associates, Engineers-Land-Planners-Surveyors, and filed on July 30, 1971, in Book 82 of Maps, at Page 34, as Map 4167, in the Office of the Clerk of the County of Rockland."

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-734)

RESOLUTION DENYING  
ZONE CHANGE APPLICA-  
TION (URANUS  
CONSTRUCTION CORP.)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of Clarkstown, by resolution duly adopted on the 16th day of August, 1978, provided for a public hearing on the 6th day of September, 1978, at 8:30 P.M., to consider the application of URANUS CONSTRUCTION CORP. to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an R-40 district to a R-15 district; and

WHEREAS, notice of said public hearing was duly published 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 for reasons of public health, safety and welfare, the application be DENIED.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-735)

AMENDMENT OF ZONING  
ORDINANCE (SECTION  
106-20 B(1) AND  
106-20 B(5))

Co. Maloney offered the following resolution:

NOTICE IS HEREBY GIVEN that by resolution of the Town Board of the Town of Clarkstown adopted on the 15th day of November, 1978, the Zoning Ordinance of the Town of Clarkstown was amended and that a copy of said resolution is as follows:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 4th day of October, 1978, provided for a public hearing on the 1st day of November, 1978, at 8:30 P.M., to consider the adoption of the following proposed amendments to the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, notice of said public hearing was duly published and held 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 B(1) as follows:

ADD to 106-20 B(1) the word "chimney" after the word "arbor" and before the words "open trellis."

Amend Section 106-20 B(5) as follows:

ADD the following sentence at the end:

In the installation of any fence, for aesthetic purposes, the finished side of the fence shall face the adjoining properties.

Dated: November 15, 1978

MURRAY N. JACOBSON  
TOWN ATTORNEY  
TOWN OF CLARKSTOWN  
10 Maple Avenue  
New City, New York

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 4th day of October, 1978, provided for a public hearing on the 1st day of November, 1978, at 8:30 P.M., under the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, notice of said public hearing was duly published and held 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 B(1) as follows:

ADD to 106-20 B(1) the word "chimney" after the word "arbor" and before the words "open trellis."

Amend Section 106-20 B(5) as follows:

ADD the following sentence at the end:

In the installation of any fence, for aesthetic purposes, the finished side of the fence shall face the adjoining properties.

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-736)

AMENDMENT OF ZONING  
ORDINANCE (SABO AND  
HOPPER)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 4th day of October, 1978, provided for a public hearing on the 1st day of November, 1978, at 8:45 P.M., to consider the application of ANDREW SABO and BARRY HOPPER to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the petitioners from a PO district to an LI0 district, and

WHEREAS, notice of public hearing was duly published as required by law and the public hearing was duly held at the time and place specified in the 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 PO district to an LI0 district the property described in the attached Schedule "A"; said



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RESOLUTION NO. (1978-736) Continued

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. Shall be subject to site plan review by the Planning Board of the Town of Clarkstown;
2. The old 1 1/2 story building shall be removed;
3. There shall be a 30 ft. buffer zone along the westerly side of the property where no building or pumping of gas or servicing of automobiles shall take place;
4. That appropriate screening, as determined by the Clarkstown Department of Environmental Control, shall be placed along the westerly and northerly portions of the premises.
5. The premises shall only be used as a gasoline filling station and for no other LIO purposes.

Seconded by Co. Piacentile All voted Aye.

\* \* \* \* \*

METES AND BOUNDS DESCRIPTION OF  
AREA PROPOSED TO BE REZONED

BEGINNING at the intersection of the Southwest corner of lands now or formerly Wood and the Northwest corner of lands hereinafter described, proceeding thence on the following courses and distances:

1. S 66° 00' 00" E, 100 feet, thence
2. N 24° 00' 00" E, 20 feet, thence
3. S 66° 00' 00" E, 25.06 feet, thence
4. S 04° 45' 15" E, 210.21 feet, thence
5. Along an arc having a radius of 429.51 feet and an arc length of 206.12 feet to a point, thence
6. N 24° 00' 00" E, 240.89 feet to the point or place of beginning.

SCHEDULE "A"

\* \* \* \* \*

RESOLUTION NO. (1978-737)

SPECIAL FINDINGS  
AND RESOLUTION  
GRANTING SPECIAL PERMIT  
TO CONDUCT A GASOLINE  
FILLING STATION (SABO  
AND HOPPER)

Co. Maloney offered the following resolution:

WHEREAS, ANDREW SABO and BARRY HOPPER have petitioned the Town Board of the Town of Clarkstown for a Special Permit to conduct a gasoline filling station pursuant to the requirements of 106-16G of the Zoning Ordinance of the Town of Clarkstown for property located at the corner of Hemenway Avenue and Route 303, Congers, New York, more particularly described on the attached Schedule "A", and

RESOLUTION NO. (1978-737) Continued

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board on the 1st day of November, 1978 at 8:50 P.M., to consider such application;

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

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

1. Will be properly located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities;

2. Will not cause undue traffic congestion or create a traffic hazard;

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

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

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

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

7. Shall be subject to site plan review by the Clarkstown Planning Board;

8. There shall be a 30 ft. buffer zone along the westerly side of the property where no building or pumping of gas or servicing of automobiles shall take place;

9. That appropriate screening, as determined by the Clarkstown Department of Environmental Control, shall be placed along the westerly and northerly portions of the premises;

NOW, THEREFORE, be it

RESOLVED, that a Special Permit to conduct a gasoline filling station at the corner of Hemenway Avenue and Route 303, Congers, New York, is hereby GRANTED, and be it

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

TOWN BOARD OF THE TOWN OF CLARKSTOWN

By: /s/ George S. Gerber  
GEORGE S. GERBER  
Supervisor

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-737) Continued

METES AND BOUNDS DESCRIPTION OF  
AREA PROPOSED TO BE REZONED

BEGINNING at the intersection of the Southwest corner of lands now or formerly Wood and the northwest corner of lands hereinafter described, proceeding thence on the following courses and distances:

1. S 66° 00' 00" E, 100 feet, thence
2. N 24° 00' 00" E, 20 feet, thence
3. S 66° 00' 00" E, 25.06 feet, thence
4. S 04° 45' 15" E, 210.21 feet, thence
5. Along an arc having a radius of 429.51 feet and an arc length of 206.12 feet to a point, thence
6. N 24° 00' 00" E, 240.89 feet to the point or place of beginning.

SCHEDULE "A"

\* \* \* \* \*

RESOLUTION NO. (1978-738)

RESOLUTION ADJOURNING  
REGULAR TOWN BOARD  
MEETING IN ORDER TO  
HOLD PUBLIC HEARING

Co. Maloney offered the following resolution:

Resolved, that the regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing, time 8:47 P.M.

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-739)

RESOLUTION REOPENING  
REGULAR TOWN BOARD  
MEETING, SCHEDULED  
PUBLIC HEARING HAVING  
BEEN HELD

Co. Maloney offered the following resolution:

RESOLVED, that the regular Town Board Meeting be resumed, scheduled Public Hearing having been held, time 9:35 P.M.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-740)

RESOLUTION AWARDED  
BID TO PURCHASE SIX  
(6) NEW 1979 POLICE  
VEHICLES

Co. Piacentile:

RESOLVED, that based upon the recommendation of the Director of Purchasing and the Chief of Police, the bid to purchase six (6) new 1979 Police Vehicles is hereby awarded to:

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RESOLUTION NO. (1978-740) Continued

Mr. Kisco Dodge  
251 Main Street  
Mt. Kisco, New York 10549

as per the following:

- ITEM 1 - Five (5) 1979 Dodge - St. Regis  
4-door Sedan Patrol Vehicles @ \$6,873.00 each
- ITEM 2 - One (1) 1979 Dodge - St. Regis  
4-door Sedan @ \$6,131.00 each
- Parts and Service Manual @ \$50.00 a set

Less Trade-in Allowances as follows:

Car #204	Trade-in Offered	\$ 875.00
Car #212	" " "	1,790.00
Car #213	" " "	1,201.00
Car #215	" " "	1,101.00
Car #216	" " "	1,226.00
Car #218	" " "	<u>1,790.00</u>

Total Trade-in Allowance \$7,983.00

and be it

FURTHER RESOLVED, that funds for same be charged to account 3120 - 203.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-741)

RESOLUTION ADJOURNING  
REGULAR TOWN BOARD  
MEETING IN ORDER TO  
HOLD SCHEDULED PUBLIC  
HEARING

Co. Maloney offered the following resolution:

RESOLVED, that the regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing, time 9:40 P.M.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-742)

RESOLUTION REOPENING  
REGULAR TOWN BOARD  
MEETING, SCHEDULED  
PUBLIC HEARING HAVING  
BEEN HELD

Co. Maloney offered the following resolution:

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

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-743)

RESOLUTION REGARDING  
THE INSTALLATION OF A  
CERTAIN PUBLIC TELEPHONE  
BY THE NEW YORK TELE-  
PHONE COMPANY

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 18th day of October, 1978, provided for a public hearing on the 15th day of November, 1978, at 8:30 P.M., to consider the request of the New York Telephone Company for permission to install a sidewalk public telephone at the following location:

Lake Road and Burnside Avenue (in front of  
Clarkstown Station Square Plaza), Congers,  
New York,

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 permission is hereby granted to the New York Telephone Company to install a sidewalk public telephone at the above location, subject and conditional upon the New York Telephone Company entering into a franchise agreement with the Town of Clarkstown providing for a franchise fee for such use, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute the franchise agreement on behalf of the Town in a form satisfactory to the Town Attorney.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-744)

RESOLUTION ADOPTING  
AND ACCEPTING MINUTES  
OF TOWN BOARD MEETING  
OF NOVEMBER 1, 1978

Co. Longo offered the following resolution:

RESOLVED, that the Minutes of the Town Board Meeting held on November 1st, 1978, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-745)

RESOLUTION SETTING A  
PUBLIC HEARING ON PRO-  
POSED AMENDMENT TO THE  
ZONING ORDINANCE

Co. Maloney offered the following resolution:

RESOLUTION NO. (1978-745) Continued

**NOTICE OF PUBLIC HEARING**  
**FOR THE ADOPTION OF**  
**ZONING ORDINANCE OF**  
**THE TOWN OF CLARKSTOWN**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Clarkstown, New York, at the Town Hall, 10 New City, New York, on the 6th day of December, 1978, at 7:15 P.M., to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown:

Section 106-10 A, Table of General Use Regulations as follows:  
 Column 2, Item 1, as follows:

All interested parties are invited to attend and citizens are invited to be heard by the Town Board at the public hearing to be held as aforesaid.

Dated: November 15, 1978  
**PHYCICIA MERIDIAN**  
 TOWN CLERK  
 CLARKSTOWN  
 NEW YORK 10964

WHEREAS, a comprehensive amendment to the Zoning Ordinance of the Town of Clarkstown was adopted on June 30, 1978, and further amended, and

WHEREAS, the Town Board of the Town of Clarkstown further amend said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 New City, New York, on the 6th day of December, 1978, at 7:15 P.M., to consider the adoption of the following amendments to the Zoning Ordinance of the Town of Clarkstown:

Amend Section 106-10 A, Table of General Use Regulations as follows:

ADD to Table 15 A, PED District, Column 2, Item 1, as follows:

- (n) Existing Airports.

and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the Journal News, the official newspaper of the Town, as aforesaid, and file proof thereof in the office of the said Clerk.

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1978-746)

RESOLUTION AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL A "STOP" SIGN (PONDVIEW DRIVE AT KINGS HIGHWAY, CONGERS)

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 Pondview Drive at Kings Highway, Congers.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-747)

RESOLUTION AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO PERFORM CORRECTIVE WORK (QUASPECK BOULEVARD, VALLEY COTTAGE, NEW YORK)

Co. Piacentile offered the following resolution:

RESOLUTION NO. (1978-745) Continued

WHEREAS, a comprehensive amendment to the Zoning Ordinance of the Town of Clarkstown was adopted on June 30, 1967, and further amended, and

WHEREAS, the Town Board of the Town of Clarkstown desires to further amend said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 6th day of December, 1978, at 8:15 P.M., to consider the adoption of the following proposed amendments to the Zoning Ordinance of the Town of Clarkstown:

Amend Section 106-10 A, Table of General Use Regulations as follows:

ADD to Table 15 A, PED District, Column 2, Item 1, as follows:

(n) Existing Airports.

and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the Journal News, the official newspaper of the Town, as aforesaid, and file proof thereof in the office of the said Clerk.

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1978-746)

RESOLUTION AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL A "STOP" SIGN (PONDVIEW DRIVE AT KINGS HIGHWAY, CONGERS)

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 Pondview Drive at Kings Highway, Congers.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-747)

RESOLUTION AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO PERFORM CORRECTIVE WORK (QUASPECK BOULEVARD, VALLEY COTTAGE, NEW YORK)

Co. Piacentile offered the following resolution:

RESOLUTION NO. (1978-747) Continued

RESOLVED, that the Superintendent of Highways is hereby authorized to perform the corrective work shown on Schedule "A" attached hereto within Quaspeck Boulevard, Valley Cottage, New York, adjacent to premises shown on the Clarkstown Tax Map as Map 138, Block J, Lot 1.36, at a cost not to exceed \$3,000.00, money to be taken from Drainage Account.

Seconded by Co. Piacentle

All voted Aye.

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Oct. 12, 1978

MR. CUMMINGS - #142 QUASPECK BLVD. V.C.  
STORM DRAINAGE PROJECT  
COST ESTIMATE

		\$
1.-	15" $\phi$ CMP - 60 LF @ 1.25	75.00-
2.-	8" $\phi$ - 14 LF @ 7.50	105.00-
3.-	EXCAVATION & BACKFILL (7+14) x 5 x 2 ft <sup>2</sup> = 3120' @ 10-	310.00-
4.-	PAVEMENT RESTORATION 70 x 3 = 210 ft <sup>2</sup> = 13 YD @ 14-	312.00-
5.-	GRADING & SEEDING THRU R.O.W. = 14 x 5 = 70 ft <sup>2</sup> = 840' @ 10-	80.00-
6.-	TWO (2) DROP INLETS @ 500.00-	1,000.00-
		\$ 1,567.00-
	10% CONTINGENCIES	157.00-
	TOTAL	\$ 1,724.00-
	MAX	\$ 3,000.00-

\* ALL WORK ON THE CUMMINGS' PROPERTY WILL BE DONE BY MR. CUMMINGS AND AT NO COST TO THE TOWN.

RESOLUTION NO. (1978-748)

RESOLUTION AUTHORIZING  
FIRE LANE DESIGNATIONS  
AT MELVIN KNAPP

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 39-43 South Main Street, New City, New York (57-G-3.01) by the installation of fire lane designations, and

WHEREAS, MELVIN E. KNAPP, 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. Holbrook

All voted Aye.

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RESOLUTION NO. (1978-749)

RESOLUTION AUTHORIZ-  
ING REFUND OF  
CERTIFICATE OF OCCUPANCY  
FEE (BRIAN & ANNE WALKER)

Co. Maloney offered the following resolution:

WHEREAS, Brian & Anne Walker had requested a Building Permit for premises located at 14 Nansen Court, New City, New York and paid an application fee of \$50.00, and

WHEREAS, said applicant has decided not to build,

NOW, THEREFORE, be it

RESOLVED, that the sum of \$25.00 shall be refunded to said Brian & Anne Walker and the remaining \$25.00 be retained by the Town of Clarkstown as its fee for processing said application.

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1978-750)

RESOLUTION IN CONNEC-  
TION WITH VIOLATION  
PROCEEDINGS AGAINST  
ANTHONY AND ETHEL  
DE LOATCH

Co. Holbrook offered the following resolution:

RESOLUTION NO. (1978-750) Continued

WHEREAS, an Order of the Town Board dated September 6, 1978, was directed to Anthony and Ethel DeLoatch, 4 Elm Street, Piermont, New York, to remove the building presently existing upon the premises designated on the Clarkstown Tax Map as Map 120, Block A, Lot 20, and to commence cleaning up of all rubbish and debris within fifteen (15) days from the date thereof, and

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

WHEREAS, said Order was duly served upon Mr. and Mrs. DeLoatch on the 7th day of September, 1978, and

WHEREAS, the said Anthony and Ethel DeLoatch have failed to comply with same;

NOW, THEREFORE, be it

RESOLVED, that pursuant to Chapter 31 of the Code of the Town of Clarkstown and Section 130, subd. 16d of the Town Law of the State of New York, the Building Inspector of the Town of Clarkstown and Mr. James Tanner 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, and that Mr. and Mrs. Anthony DeLoatch 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 said Anthony and Ethel DeLoatch 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 said Anthony and Ethel DeLoatch.

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-751)

RESOLUTION APPOINTING  
PRINCIPAL ENGINEERING  
TECHNICIAN - ENVIRON-  
MENTAL OFFICE -  
(GERALD F. BRICKWOOD)

Co. Piacentile offered the following resolution:

WHEREAS, there is a vacancy in the position of Principal Engineering Technician created by the retirement of John Hill, and

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Principal Engineering Technician #75171 which contains the name of Gerald F. Brickwood,

RESOLUTION NO. (1978-751) Continued

NOW, THEREFORE, be it

RESOLVED, that Gerald F. Brickwood, 13B Quaker Road, Pomona, New York is hereby appointed to the position of Principal Engineering Technician - Environmental Office - at the annual salary for 1978 of \$13,567 (Grade 23 - Step C) effective December 4, 1978.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-752)

RESOLUTION APPOINTING  
DRAFTSMAN PROVISIONALLY -  
ENVIRONMENTAL OFFICE -  
(JAY A. GREENWELL)

Co. Piacentile offered the following resolution:

WHEREAS, there is a vacancy in the position of draftsman,

NOW, THEREFORE, be it

RESOLVED, that Jay A. Greenwell, 69 Main Street, Nyack, New York, is hereby appointed provisionally to the position of Draftsman - Environmental Office - at the annual salary for 1978 of \$9,819. (Grade 16, Step C), effective December 4, 1978.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-753)

RESOLUTION REINSTATING  
SR. STENOGRAPHER -  
FULL-TIME - SUPERVISOR'S  
OFFICE (MARILYN ONODY)

Co. Maloney offered the following resolution:

RESOLVED, that Marilyn Onody, 9C Street, Pomona, New York - Sr. Stenographer - Supervisor's Office - is hereby reinstated on a full-time basis, effective and retroactive to November 6, 1978.

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-754)

RESOLUTION AUTHORIZING  
DIRECTOR OF PURCHASING  
TO ADVERTISE FOR BIDS  
FOR UNIFORMS FOR THE  
CLARKSTOWN POLICE DEPT.

Co. Maloney offered the following resolution:

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bid for Uniforms for the Clarkstown Police Department. 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 Friday, December 15, 1978 at which time bids will be opened and read, and be it

RESOLUTION NO. (1978-754) Continued

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

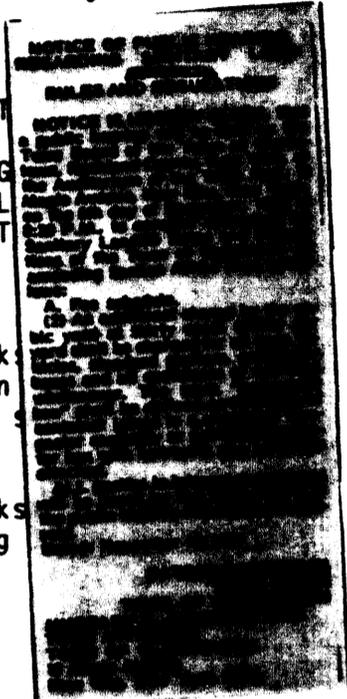
Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-755)

RESOLUT  
PUBLIC  
GARDING  
LANDFIL  
REGULAT



Co. Piacentile offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown adopted, by resolution dated December 18, 1974, certain Landfill Rules and Regulations-1975, and provided that same become effective January 1, 1975, and

WHEREAS, the Town Board of the Town of Clarkstown to further amend said Rules and Regulations by amending All5-5 Fees as follows:

A. Fee schedule.

- (2) An additional charge by the cubic yard at thirty cents (\$0.30) per yard shall be charged for all open vehicles, standard packers, compactor boxes and all containers of any kind whatsoever. The term "compactor box" shall be defined as that type of container joined to a stationary compactor assembly or portable compactor box with hydraulic ram assembly attached.

NOW, THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Town Hall, Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 6th day of December, 1978, at 8:30 P.M., relative to amending said section, and be it

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

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-756)

RESOLUTION DEFAULTING  
ESCROW FUNDS (FOREST  
BROOK ESTATES SUB-  
DIVISION)

Co. Maloney offered the following resolution:

RESOLUTION NO. (1978-754) Continued

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

Seconded by Co. Piacentile

All voted

\*\*\*\*\*

RESOLUTION NO. (1978-755)

RESOLUTION  
PUBLIC HEARING RE-  
GARDING SANITARY  
LANDFILL RULES AND  
REGULATIONS

Co. Piacentile offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown adopted, by resolution dated December 18, 1974, certain Sanitary Landfill Rules and Regulations-1975, and provided that same become effective January 1, 1975, and

WHEREAS, the Town Board of the Town of Clarkstown desires to further amend said Rules and Regulations by amending Section All5-5 Fees as follows:

A. Fee schedule.

- (2) An additional charge by the cubic yard at thirty cents (\$0.30) per yard shall be charged for all open vehicles, standard packers, compactor boxes and all containers of any kind whatsoever. The term "compactor box" shall be defined as that type of container joined to a stationary compactor assembly or portable compactor box with hydraulic raw assembly attached.

NOW, THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Town Hall, Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 6th day of December, 1978, at 8:30 P.M., relative to amending said section, and be it

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

Seconded by Co. Maloney

All voted Aye.

\*\*\*\*\*

RESOLUTION NO. (1978-756)

RESOLUTION DEFAULTING  
ESCROW FUNDS (FOREST  
BROOK ESTATES SUB-  
DIVISION)

Co. Maloney offered the following resolution:

RESOLUTION NO. (1978-756) Continued

WHEREAS, stabilization of slopes and emergency sewer repairs were performed by the Town of Clarkstown in the Forest Brook Estates Subdivision, and

WHEREAS, the National Bank of Westchester had posted in escrow the sum of \$4,000.00 to guaranty the public improvements in the Forest Brook Subdivision, and

WHEREAS, the Building Inspector of the Town of Clarkstown recommends that the sum of \$2,000.00 be defaulted to the Town of Clarkstown and the sum of \$2,000.00 be refunded to the National Bank of Westchester;

NOW, THEREFORE, be it

RESOLVED, that the sum of \$2,000.00 shall be defaulted to the Town of Clarkstown as compensation for the emergency sewer repairs and stabilization of slopes. The sum of \$2,000.00 shall be transferred to the Default Account, and be it

FURTHER RESOLVED, that the sum of \$2,000.00 shall be refunded to the National Bank of Westchester upon the exchange of appropriate releases between the National Bank of Westchester and the Town of Clarkstown, in a form satisfactory to the Town Attorney.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-757)

RESOLUTION AUTHORIZING  
ACTING ASSESSOR TO CALL  
MEETING OF BOARD OF  
ASSESSMENT AND REVIEW

Co. Holbrook offered the following resolution:

RESOLVED, that Anthony D'Antoni as acting Assessor of the Town of Clarkstown is hereby authorized to call a meeting of the Board of Assessment and Review and to execute any forms as part of this process.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1978-758)

RESOLUTION CALLING  
SPECIAL MEETING OF  
TOWN BOARD OF CLARKS-  
TOWN

Co. Holbrook offered the following resolution:

RESOLVED, that there shall be a Special Meeting of the Town Board of the Town of Clarkstown on Monday, November 20th, 1978 at 8:00 P.M.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

TBM - 11/15/78  
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## APPEARANCES:

Lee Slattery  
Schweitzer Lane  
Bardonia, New York

Rita Sakowitz  
2 Teakwood Lane  
New City, New York

David Fromson  
139 Brewery Road  
New City, New York

Daniel Cea  
132 Congers Road  
Congers, New York

Arlene Lundberg  
7 First Street  
Congers, New York

There being no further business before the Town Board, Town Board Meeting was adjourned on motion made by Co. Piacentile, seconded by Co. Maloney and unanimously adopted, time 10:20 P.M. The date of the next regularly scheduled Town Board Meeting is December 6, 1978.

Respectfully submitted,

PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

11/15/78

8:47 P.M.

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

RE: CHANGE OF ZONE APPLICATION "M" DISTRICT TO R-22 DISTRICT -  
LONG CLOVE ASSOCIATES, ROUTE 304, NEW CITY

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

Supervisor Gerber read the following correspondence  
pertinent to this Public Hearing:

(Rockland County Planning Board letterhead)

"September 8, 1977

Clarkstown Town Board  
10 Maple Avenue  
New City, New York

Re: GENERAL MUNICIPAL LAW (GML) REVIEW: 239(k) \_\_\_\_\_  
239(l&m) X 239(n) \_\_\_\_\_

Item: Long Clove Associates, N. side Route 304, S. (C-449)  
of Long Clove Road, New City

Map Dated June 14, 1977

The Rockland County Planning Board reviewed the above  
item at its September 6, 1977 meeting and

- \*approves \_\_\_\_\_
- \*\*approves subject to conditions below \_\_\_\_\_
- \*\*disapproves X
- requests extension of time \_\_\_\_\_

Modifications and Conditions:

The zone change from M to R-22 is an overutilization of the site due  
to its close proximity to the nearby quarrying operations. The noise  
and dust generated would be hazardous to the neighborhood, especially  
since existing trees, which presently act as a buffer, would be removed.  
An R-80 zone with an average density plan would be more reasonable.  
Also ingress/egress is limited, and dangerous to Route 304.

cc: Supervisor Gerber  
Clarkstown Planning Board  
NYSDOT  
L. Miller, member RC Planning Board

Very truly yours,

ROCKLAND COUNTY PLANNING BOARD

by: /s/ William M. Chase

"\*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."

\* \* \* \* \*

(Town of Clarkstown Planning Board Letterhead)

"October 6, 1977

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

ZONE CHANGE REQUEST M TO R-22,  
LONG CLOVE ASSOCIATES 115A4 & 4.02  
NEW CITY (Approx. 26 acres M-zoned  
land to N. side Route 304, S. of  
Long Clove Road).

Gentlemen:

The Members discussed the above matter at the Planning Board's meeting of September 27, 1977. There was considerable concern as to blasting due to the proximity of Martin Marietta (Trap Rock), in particular in view of the application presently being processed by Martin Marietta under the terms of the Mined Land Reclamation Law before the New York State Department of Environmental Conservation. It was also felt that adequate buffer areas could not be provided.

After further discussion Member Paris made a motion which was seconded by Thormann and carried 5:1 with Ayes of Yacyshyn, Fallon and Howell, Nay of Paikin, to approve the following...RECOMMENDATION TO THE HONORABLE TOWN BOARD: In view of the consultants' recommendations, the relationship with the surrounding area, the Town Development Plan, accessibility and sewerage, it is recommended that the petition be denied for the following reasons:

- a) the uses permitted by the proposed change would not be appropriate in the area concerned,
- b) the proposed change would add a burden to the North New City school district,
- c) there are no sewers in the area and none contemplated,
- d) it would decrease the amount of property zoned for manufacturing in the Town of Clarkstown, which would be detrimental to the Town,
- e) this is contrary to the Town's Master Plan as adopted by the Planning Board,
- f) the proposed amendment would increase the residential zoned area in the Town,
- g) if proposed amendment is adopted other areas designated for similar development are likely to be so developed.

Very truly yours,

/s/ Rudolphy J. Yacyshyn,  
Chairman

CC: Town Attorney  
Town Clerk

RJY/dsg"

APPEARANCE: Martin Cornell, Esq.  
14 South Main Street  
New City, New York 10956

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

Supervisor Gerber asked if anyone wished to be heard in favor of the proposed zone change.

IN FAVOR: No one appeared.

Supervisor Gerber asked if anyone wished to be heard in opposition to the proposed zone change.

IN OPPOSITION: Zippy Fleisher  
443 Buena Vista Road  
New City, New York 10956

She represented the West Branch Conservation Society.

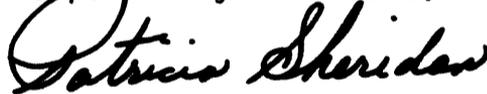
Mr. Klepper  
211 Long Clove Road  
New City, New York 10956

Mr. Boyle  
Hudson River Aggregates, Inc.  
15 Remsen Avenue  
Roslyn, New York 11756

Mr. Boyle is the new owner of the quarry in Haverstraw (formerly Martin Marietta - Trap Rock). He felt it should remain zoned for manufacturing. He said the quarry will be operating for the next fifty years, six days a week, ten hours a day.

There being no one further wishing to be heard on motion made by Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted the Public Hearing was closed, DECISION RESERVED, time 9:35 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

295

Town Hall

11/15/78

9:40 P.M.

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

RE: TO CONSIDER INSTALLATION OF SIDEWALK PUBLIC TELEPHONES -  
LAKE ROAD AND BURNSIDE AVENUE, CONGERS

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

Supervisor Gerber asked if there was anyone wishing to be heard in favor of the proposed installation of said telephones.

IN FAVOR: No one appeared.

Supervisor Gerber asked if there was anyone wishing to be heard in opposition to the proposed installation of said telephones.

IN OPPOSITION: No one appeared.

There being no one further wishing to be heard on motion made by Councilman Maloney, seconded by Councilman Holbrook and un-animously adopted the Public Hearing was closed at 9:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk