

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

2/7/79

8:08 P.M.

Present: Co. Holbrook, Longo, Maloney, Piacentile  
Supervisor Gerber  
Murray 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.

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RESOLUTION NO. (1979-79)

RESOLUTION APPOINTING  
ASSESSOR OF THE TOWN OF  
CLARKSTOWN (PROVISIONALLY)  
ROSS J. VALENZA

Co. Longo offered the following resolution:

RESOLVED, that Ross J. Valenza, 17 Highview Avenue,  
Orangeburg, New York is hereby appointed provisionally to the  
position of Assessor of the Town of Clarkstown, effective February  
23, 1979, at the annual salary for 1979 of \$21,500.00.

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1979-80)

RESOLUTION AWARDING BID  
FOR CAST IRON CURB INLETS,  
CATCH BASINS, FRAMES AND  
GRATES, ET AL.

Co. Piacentile offered the following resolution:

RESOLVED, that based upon the recommendation of the  
Director of Purchasing, the bid to supply Cast Iron Curb Inlets,  
Catch Basins, Frames and Grates, et al. is hereby awarded as follows:

1. Campbell Foundry Company, Inc.  
800 Bergen Street  
Harrison, New Jersey 07029

<u>PATTERN</u>	<u>AWARD PRICES</u>
#1203 Extension Rings	
2" Rise	@ \$ 60.00 each
2-1/2" Rise	@ 63.00 each
#1487	@ 152.00 each
#2500	@ 185.00 each
#2501	@ 244.00 each
#3084	@ 149.00 each
#3087	@ 198.00 each
#3224	@ 210.00 each

2. Brighton Steel Co., Inc.  
Route 52  
Hopewell Jct.  
New York, New York 12533

CONTINUED ON NEXT PAGE

\*\*\* Supervisor Gerber mentioned that Councilman Longo had asked to be recognized regarding the office of the Town Assessor. Councilman Longo's statement: "In the interest of providing good public relations and a little sanity as well as technical ability to the Assessor's Office in the Town of Clarkstown I am proud to introduce this resolution."

RESOLUTION NO. (1979-80) Continued

<u>PATTERN</u>	<u>AWARD PRICES</u>
#2541	@ \$ 210.00
3. Capitol Highway Materials, Inc. Route 6 Baldwin Place, New York 10505	

<u>PATTERN</u>	<u>AWARD PRICES</u>
#1203	@ \$ 120.00 each
Seconded by Co. Longo	All voted Aye.

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RESOLUTION NO. (1979-81)

RESOLUTION AWARDING  
BID FOR ROUND AND OBLATE  
CORRUGATED ALUMINUM  
CULVERT PIPE

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, the bid to supply the Town with Round and Oblate Corrugated Aluminum Culvert Pipe is hereby awarded as follows:

ROUND PIPE

COMPANIES AND PRICES

Awarded to:	Capitol Highway Materials, Inc. Rte. 6 Baldwin Pl., N.Y. 10505	Chemung Supply Corp. P.O. Box 527 Elmira, N.Y. 14902	Duroline, Inc. 230 N. Main St. Sayville, N.Y. 11782
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SIZE (Per Lin. Ft.)

12" Diameter 16" Gauge	\$ -	\$ 3.73	\$ -
15" " 16" "	-	4.63	-
18" " 16" "	-	5.57	-
21" " 16" "	-	6.44	-
24" " 14" "	-	9.07	-
30" " 14" "	-	11.46	-
36" " 12" "	19.80	-	-
40" " 12" "	-	No Award	-
42" " 12" "	23.05	-	-
48" " 12" "	26.30	-	-
54" " 10" "	37.80	-	-
60" " 10" "	41.95	-	-
66" " 10" "	46.10	-	-
72" " 8" "	-	-	56.83

OBLATE PIPE

COMPANIES AND PRICES

Awarded to:	Duroline, Inc. 230 N. Main St. Sayville, N.Y. 11782	Capitol Highway Materials Inc. Rte. 6 Baldwin Pl., N.Y. 10505
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SIZE (Per Lin. Ft.)

14" Span 9" Rise 16"Gauge	\$ No Award	\$ No Award
18" " 11" " 16" "	5.36	-
22" " 13" " 16" "	6.37	-
25" " 16" " 16" "	7.41	-
29" " 18" " 14" "	10.52	-
36" " 22" " 14" "	-	13.10
43" " 27" " 12" "	-	21.10
50" " 31" " 12" "	-	24.55
58" " 36" " 12" "	-	28.00
65" " 40" " 12" "	32.76	-
72" " 44" " 10" "	-	44.60

Seconded by Co. Piacentile All voted Aye.

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RESOLUTION NO. (1979-82)

RESOLUTION AWARDING  
BID FOR ADDITION TO  
TOWN GARAGE BUILDING IN  
NANUET, NEW YORK

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing and the project architect, Seymour D. Gurlitz that the bid entitled "An Addition to the Town Garage Building in Nanuet, N.Y." is hereby awarded as follows:

Contract No. 1 General Construction

Awarded to:

Dinardi Construction Corp.  
20 South Main Street  
New City, New York 10956

at the low bid proposal of \$108,400.00

Contract No. 2 Electrical Work

Awarded to:

Carl R. Cacioppo Electrical Contractors, Inc.  
10 Burnside Avenue  
Congers, New York 10920

at the low bid proposal of \$16,488.00

Contract No. 3 Plumbing

Awarded to:

Thomas J. Kempton, Jr., Inc.  
89 South Main Street  
New City, New York 10956

at the low bid proposal of \$7,395.00

and be it,

FURTHER RESOLVED, that funds for same be charged to Capitol Account 890-12.

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1979-83)

RESOLUTION AWARDING BID  
FOR PAPER AND PLASTIC  
SUPPLIES

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid for Paper and Plastic Supplies is hereby awarded to:

F. Wilson Smith, Inc.  
22 Hudson Drive  
Stony Point, New York 10980

M & I Cleaning Supply Co., Inc.  
37 New Main Street  
Haverstraw, New York 10927

Strauss Paper Co., Inc.  
10 Slater Street  
Port Chester, New York 10573

Century Paper & Box Co., Inc.  
25 Lincoln Street  
Haverstraw, New York 10927

RESOLUTION NO. (1979-83) Continued

Mt. Ellis Paper Co., Inc.  
214 MacArthur Avenue  
Newburgh, New York 12550

M. Tucker Co., Inc.  
1260 Oak Point Avenue  
Bronx, New York 10474

Rockland Paper Products, Inc.  
4 Prospect Avenue  
Nanuet, New York 10954

as per the attached schedule of prices.

Seconded by Co. Piacentile

All voted Aye.

PAPER & PLASTIC SUPPLIES

NO.	ITEM	VENDOR	UNIT PACK	PRICE
1	8 oz. styrofoam coffee cups	M & I Cleaning Supply	LM/cs	\$8.50
1a	8 oz. lids for above	M & I Cleaning Supply	LM/cs	\$5.50
2	6 oz. styrofoam coffee cups	M & I Cleaning Supply	LM/cs	\$7.55
3	8 oz. hot cups w/handle	Strauss Paper Co.	LM/cs	\$27.05
4	8 oz. lids for above	Strauss Paper Co.	LM/cs	\$6.40
5	5 oz. cold cups plastic	M. Tucker Co.	2400/cs	\$15.05
6	7 oz. cold cups wax coated	Strauss Paper Co.	2500/cs	\$21.95
7	12 oz. cold cups wax coated	Strauss Paper Co.	2500/cs	\$35.75
8	6" paper plates shallow	Strauss Paper Co.	2M/cs	\$8.25
9	9" paper plates flat woodlike	F. Wilson Smith	LM/cs	\$15.20
10	10 1/2 round sectioned dinner plates - plastic laminate	M & I Cleaning Supply	500/cs	\$20.95
11	paper napkins 13x13 1/8	M. Tucker Co.	6M/cs	\$15.54
12	napkap dispenser napkins	Mt. Ellis Paper	10M/cs	\$17.80
13	plastic spread table cloth 40x300 white	F. Wilson Smith	roll	\$5.40
14	paper spread table cloth a) white 40x300 b) colors " c) patterns " & checks	Strauss Paper Co. no award Strauss Paper Co.	roll roll	\$5.55 \$6.55
15	plastic flatware lightweight a) teaspoons b) forks	Strauss Paper Co. " " "	LM/cs " "	\$2.90 "
16	plastic spoons heavyweight	M. Tucker Co.	LM/cs	\$6.95
17	plastic knives heavyweight	M. Tucker Co.	LM/cs	\$7.10
18	plastic forks heavyweight	M. Tucker Co.	LM/cs	\$7.10

PAPER & PLASTIC SUPPLIES

NO.	ITEM	VENDOR	UNIT PACK	PRICE
19	wooden cocktail fork 2 prong	F. Wilson Smith	1M/cs	\$16.00
20	plastic stirrers	M. Tucker Co.	10M/cs	\$5.15
21	½ lb. french fry boatdish	Mt. Ellis Paper	1M/cs	\$8.50
22	Towels C fold 10½x 13 full bleached	Mt. Ellis Paper	3M/cs	\$13.20
23	wiping towels roll perf.	Mt. Ellis Paper	30/cs	\$15.50
24	hand towel roll 9" wide w/¼" core	Century Paper & Box	12/cs	\$16.00
25	toilet tissue	Strauss Paper Co.	96/cs	\$21.75
26	popcorn boxes size 1A	Mt. Ellis Paper	500/cs	\$15.20
27	carry all trays w/soft drink slots	Mt. Ellis Paper	1M/cs	\$10.00
28	aluminum foil roll 18x500 .007 gauge	F. Wilson Smith	roll	\$11.30
29	foil disposable ash tray	F. Wilson Smith	1M/cs	\$14.10
30	drinking straws 8½" indiv. wrap	M. Tucker Co.	20 box/ cs	\$17.95
31	bags plastic poly opaque			
	<u>size</u>	<u>ML</u>		
a.	12"x8"x22"	1.0	M & I Cleaning Supply	1M/cs \$15.25
b.	15"x 9"x 24"	1.0	Mt. Ellis Paper	500/cs \$9.80
c.	15"x 9"x 33"	1.0	M & I Cleaning Supply	500/cs \$13.30
d.	16"x 14"x 37"	1.25	Mt. Ellis Paper	250/cs \$10.15
e.	16"x 14"x 37"	1.5	Rockland Paper Products	250/cs \$11.70
f.	22"x 14"x 60"	2.0	M & I Cleaning Supply	100/cs \$12.50
g.	22"x 16"x 60"	1.5	Rockland Paper Products	100/cs \$11.20
h.	23"x 10"x 40"	1.5	Mt. Ellis Paper	250/cs \$14.30
i.	23"x 17"x 48"	1.5	Mt. Ellis Paper	250/cs \$21.60
j.	23"x 17"x 48"	2.0	Strauss Paper Co.	125/cs \$12.40

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RESOLUTION NO. (1979-84)

RESOLUTION AWARING BID  
FOR ROUND AND OBLATE  
CORRUGATED STEEL CULVERT  
PIPE

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid to provide Round and Oblate Corrugated Steel Culvert Pipe is hereby awarded as follows:

RESOLUTION NO. (1979-84) Continued

ROUND PIPE	AWARDED TO	CHEMUNG SUPPLY CORP. P.O. Box 328 Elmira, N.Y. 14902	
SIZE		PRICES	
12" DIAMETER	16 GAUGE	-----	4.54
15" DIAMETER	16 GAUGE	-----	5.64
18" DIAMETER	16 GAUGE	-----	6.74
24" DIAMETER	14 GAUGE	-----	10.27
30" DIAMETER	14 GAUGE	-----	12.80
36" DIAMETER	12 GAUGE	-----	19.88
42" DIAMETER	12 GAUGE	-----	23.14
48" DIAMETER	12 GAUGE	-----	26.40
54" DIAMETER	12 GAUGE	-----	29.68
60" DIAMETER	10 GAUGE	-----	39.54

OBLATE PIPE	AWARDED TO	CAPITOL HIGHWAY MATERIALS, INC. Route 6 Baldwin Place, N.Y. 10505	and	CHEMUNG SUPPLY CORP. P.O. Box 328 Elmira, N.Y. 14902
SIZE		PRICES		
14" SPAN 9" RISE	16 GAUGE	-----		5.35
18" SPAN 11" RISE	16 GAUGE	-----		6.65
22" SPAN 13" RISE	16 GAUGE	-----		7.95
29" SPAN 18" RISE	14 GAUGE	-----		11.90
36" SPAN 22" RISE	14 GAUGE	-----		14.85
43" SPAN 27" RISE	12 GAUGE	-----		22.60
50" SPAN 31" RISE	12 GAUGE	-----		26.35
58" SPAN 36" RISE	12 GAUGE	-----		30.05
65" SPAN 40" RISE	12 GAUGE	-----		33.80
72" SPAN 44" RISE	10 GAUGE	-----		44.32

Seconded by Co. Piacentile All voted Aye.

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RESOLUTION NO. (1979-85) RESOLUTION AWARDED BID FOR CRUSHED STONE

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid to supply the Town with Crushed Stone is hereby awarded as follows:

F.O.B. PLANT LOADED IN OUR TRUCKS

TYPE OF STONE	NEW YORK TRAP ROCK CORP. 162 Old Mill Road West Nyack, N.Y. 10994		HUDSON RIVER AGGREGATES Scratchup Road Haverstraw, N.Y. 10927	
3/8" CRUSHED STONE	-----	7.05 TON	-----	7.10 TON
2 1/2" CRUSHED STONE	-----		-----	NO AWARD
1 1/2" CRUSHED STONE	-----	4.80 "	-----	5.10 "
3/4" CRUSHER STONE	-----	5.20 "	-----	5.10 "
5/8" CRUSHED STONE	-----	5.20 "	-----	5.10 "
1/2" CRUSHED STONE	-----	8.60 "	-----	8.10 "
SCREENINGS	-----	3.80 "	-----	3.75 "
ITEM 4	-----	5.40 "	-----	5.10 "
SHOULDER STONE	-----	4.55 "	-----	4.35 "
SURGE STONE	-----	5.30 "	-----	NO BID

RESOLUTION NO. (1979-85) Continued

F.O.B. DELIVERED TO JOB SITE IN VENDORS TRUCKS - UNLOADED

KEAHON BROS., INC.  
165 So. Main Street  
Pearl River, N.Y. 10965

WARD PAVEMENTS, INC.  
Riverside Avenue  
Haverstraw, N.Y. 10927

TYPE OF STONE	KEAHON BROS., INC.	WARD PAVEMENTS, INC.
3/8" CRUSHED STONE	9.55 TON	10.35 TON
2 1/2" CRUSHED STONE		NO AWARD
1 1/2" CRUSHED STONE	7.30 "	8.35 "
3/4" CRUSHED STONE	7.70 "	8.35 "
5/8" CRUSHED STONE	7.70 "	8.35 "
1/2" CRUSHED STONE	11.10 "	11.35 "
SCREENINGS	6.30 "	7.00 "
ITEM 4	7.90 "	8.40 "
SHOULDER STONE	7.05 "	7.70 "
SURGE STONE	7.80 "	NO BID

Seconded by Co. Piacentile All voted Aye.

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RESOLUTION NO. (1979-86)

RESOLUTION CLOSING REGULAR MEETING IN ORDER TO HOLD SCHEDULED PUBLIC HEARING

Co. Longo offered the following resolution:

RESOLVED, that the Regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing, time: 8:17 P.M.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (1979-87)

RESOLUTION CLOSING PUBLIC HEARING AND REOPENING REGULAR TOWN BOARD MEETING

Co. Maloney offered the following resolution:

RESOLVED, that the Regular Town Board Meeting be resumed scheduled Public Hearing having been held, time: 8:45 P.M.

Seconded by Co. Longo All voted Aye.

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RESOLUTION NO. (1979-88)

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Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown adopted on the 20th day of December, 1978, a resolution adopted on the 7th day of February, 1979, to consider the adoption of the following proposed Zoning Ordinance of the Town of Clarkstown, and

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

**NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Clarkstown adopted on the 20th day of December, 1978, a resolution adopted on the 7th day of February, 1979, to consider the adoption of the following proposed Zoning Ordinance of the Town of Clarkstown, and

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

**IT IS THEREFORE** resolved, that the Town Board of the Town of Clarkstown do hereby amend the following sections of the Zoning Ordinance of the Town of Clarkstown, as follows:

**SECTION 166-28. SPECIAL CARE HOMES - A** shall be amended by a public hearing to read as follows:

**Section 166-28. Special Care Homes - A** shall be amended to read as follows:

agency group homes and special care homes

Amend Section 166-17, Column 1, Table of Built Regulations for Permit Uses as follows:

ADD to Section 166-17, Column 3, Table of Built Regulations for Special Permit Uses to read as follows:

agency group homes and special care homes

Dated: February 7, 1979  
PATRICIA SHERIDAN  
TOWN CLERK  
TOWN OF CLARKSTOWN  
MURRAY N. JACOBSON  
TOWN ATTORNEY  
TOWN OF CLARKSTOWN  
10 Maple Avenue  
New City, New York 10956

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RESOLUTION NO. (1979-85) Continued

F.O.B. DELIVERED TO JOB SITE IN VENDORS TRUCKS - UNLOADED

TYPE OF STONE	KEAHON BROS., INC. 165 So. Main Street Pearl River, N.Y. 10965		WARD PAVEMENTS, INC. Riverside Avenue Haverstraw, N.Y. 10927	
3/8" CRUSHED STONE	-----	9.55 TON	-----	10.35 TON
2 1/2" CRUSHED STONE	-----		NO AWARD	-----
1 1/2" CRUSHED STONE	-----	7.30 "	-----	8.35 "
3/4" CRUSHED STONE	-----	7.70 "	-----	8.35 "
5/8" CRUSHED STONE	-----	7.70 "	-----	8.35 "
1/2" CRUSHED STONE	-----	11.10 "	-----	11.35 "
SCREENINGS	-----	6.30 "	-----	7.00 "
ITEM 4	-----	7.90 "	-----	8.40 "
SHOULDER STONE	-----	7.05 "	-----	7.70 "
SURGE STONE	-----	7.80 "	-----	NO BID

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1979-86)

RESOLUTION CLOSING REGULAR MEETING IN ORDER TO HOLD SCHEDULED PUBLIC HEARING

Co. Longo offered the following resolution:

RESOLVED, that the Regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing, time: 8:17 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1979-87)

RESOLUTION CLOSING PUBLIC HEARING AND REOPENING REGULAR TOWN BOARD MEETING

Co. Maloney offered the following resolution:

RESOLVED, that the Regular Town Board Meeting be resumed scheduled Public Hearing having been held, time: 8:45 P.M.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1979-88)

RESOLUTION AMENDING ZONING ORDINANCE OF THE TOWN OF CLARKSTOWN (SPECIAL CARE HOMES)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 20th day of December, 1978, provided for a public hearing on the 7th day of February, 1979, at 8:15 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 posted as required by law, and said public hearing was duly held at the time and place specified in said notice;

RESOLUTION NO. (1979-88) Continued

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

Amend Section 106-3B. Defined Words as follows:

ADD to Section 106-3B. Defined Words as follows:

SPECIAL CARE HOMES - A facility operated by a public service agency or private, non-profit agency, authorized by the New York State Social Services Law, Section 2.31, with occupancy limited to not more than fifteen (15) persons.

Amend Section 106-10A, Column 3, Table of General Use Regulations as follows:

ADD to all districts except RS, MRS, LIO, M and PED to uses permitted by Special Permit of the Town Board as follows:

Agency boarding homes, agency group homes, agency community residences and special care homes.

Amend Section 106-17, Column 3, Table of Bulk Regulations for Special Permit Uses as follows:

ADD to Section 106-17, Column 3, Table of Bulk Regulations for Special Permit Uses to read as follows:

agency group home and special care home

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1979-89)

RESOLUTION CLOSING REGULAR MEETING AND OPENING PUBLIC HEARING

Co. Longo offered the following resolution:

RESOLVED, that the Regular Meeting be adjourned in order to hold scheduled Public Hearing, time: 8:47 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1979-90)

RESOLUTION CLOSING PUBLIC HEARING AND RESUMING REGULAR TOWN BOARD MEETING

Co. Maloney offered the following resolution:

RESOLVED, that the regular Town Board Meeting be resumed, scheduled Public Hearing having been held, time: 8:55 P.M.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1979-91)

RESOLUTION DESIGNATING  
ANHISTORICAL SITE  
(CUSHNER HOUSE)

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 17th day of January, 1979, provided for a public hearing on the 7th day of February, 1979, at 8:25 P.M., to consider the designation of the Cushner House located at 233 Brewery Road, New City, New York, more particularly described on the Tax Map of the Town of Clarkstown as Map 75, Block A, Lot 18.25, as an historical site pursuant to Chapter 12, Sec. 3, Subd. C. of the Code of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, that the aforementioned Cushner House be and the same hereby is designated as an historical site, and be it

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

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1979-92)

RESOLUTION ADOPTING  
AND ACCEPTING MINUTES  
OF TOWN BOARD MEETING  
OF JANUARY 17, 1979  
AND SPECIAL TOWN BOARD  
MEETING OF FEBRUARY 1,  
1979

Co. Longo offered the following resolution:

RESOLVED, that the Minutes of the Town Board Meeting held on January 17, 1979 and the Special Town Board meeting held on February 1, 1979, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1979-93)

RESOLUTION ACCEPTING  
PROPOSALS FROM ORANGE &  
ROCKLAND UTILITIES FOR  
INSTALLATION OF STREET  
LIGHTS (VARIOUS LOCATIONS)

Co. Holbrook offered the following resolution:

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

Renfrew Road	New City
Fairhaven Drive	New City
London Terrace	New City
Sterling Place	New City

RESOLUTION NO. (1979-93) Continued

Freund Drive	New City
Acorn Terrace	New City
East Street	West Nyack
Debra Lee Court	West Nyack
Mitchell Drive	Valley Cottage
Lamborn Avenue	Congers
Renee Lane	Bardonia

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1979-94)

RESOLUTION AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE THREE (3) STOP SIGNS (ROCKFORD DRIVE AT DEARBORN ROAD, WEST NYACK - ROCKFORD DRIVE AT PINE ROAD, WEST NYACK - ROCKFORD DRIVE AT HAZELTON LANE, WEST NYACK

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 three Stop signs at the following locations - Rockford Drive at Dearborn Road, West Nyack, Rockford Drive at Pine Road, West Nyack and Rockford Drive at Hazelton Lane, West Nyack.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1979-95)

RESOLUTION AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL "SCHOOL CROSSING" SIGN ON THE WEST SIDE OF BURDA AVENUE, NORTH OF NEW VALLEY 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 install a "School Crossing" sign on the west side of Burda Avenue, north of New Valley Road, New City.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1979-96)

RESOLUTION AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO ERECT "STOP" SIGN - NORTH SIDE OF FIRST STREET AT SOUTH CONGER AVENUE, 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 erect a "Stop" sign on the north side of First Street at the intersection of South Conger Avenue, Congers.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1979-97)

RESOLUTION GRANTING  
CERTIFICATE OF REGISTRA-  
TION 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:

Peter J. Mayer  
27 Old Hempstead Road  
New City, New York 10956

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration  
be issued:

No. 79-9 issued to Peter J. Mayer

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-98)

RESOLUTION AUTHORIZING  
SPRING VALLEY WATER CO.  
TO INSTALL ONE (1)  
HYDRANT - BEACON STREET,  
CONGERS (INVEST. NO.  
8728)

Co. Piacentile 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  
Beacon Street, approximately 685 feet west and south from the center  
line of Old Haverstraw Road, Congers, Investigation No. 8728.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-99)

RESOLUTION CALLING FOR  
PUBLIC HEARING IN THE  
MATTER OF THE EXTENSION  
OF THE CLARKSTOWN CON-  
SOLIDATED WATER SUPPLY  
DISTRICT NO. 1  
(BEECHWOOD ESTATES)

Co. Holbrook offered the following resolution:

WHEREAS, a written Petition dated 12/29/79 in due form and  
containing the required signatures has been presented to and filed  
with the Town Board of the Town of Clarkstown, Rockland County, New  
York for the Extension of the Clarkstown Consolidated Water Supply  
District #1 in the said Town, to be bounded and described as follows:

SCHEDULE "A"

All that certain tract or parcel of land, situate, lying and  
being in the Town of Clarkstown, County of Rockland, State of New York,  
being more fully bounded and described as follows:

RESOLUTION NO. (1979-99) Continued

BEGINNING at a point in the westerly right of way of Strawtown Road, which point marks the northeasterly corner of the premises being described and the southeasterly corner of lands N/F of Newton Zuckerman (Tax Map Ref.: 93-A-11) and which point is distant  $S11^{\circ}-21'-29''W$ , 86.84 feet from an angle point in the westerly side of said Strawtown Road, running thence along the westerly and northerly side of said Strawtown Road the following six (6) courses and distances:

1.  $S11^{\circ} 21' 29''W$ , 329.33 feet; thence,
2.  $N78^{\circ} 38' 31''W$ , 8.50 feet; thence,
3.  $S11^{\circ} 21' 29''W$ , 50.00 feet; thence,
4. On a curve to the right having a radius of 169.84 feet for a length of 233.44 feet; thence,
5.  $S86^{\circ} 19' 07''W$ , 130.07 feet; thence,
6.  $N88^{\circ} 56' 31''W$ , 383.91 feet to the easterly end of a curve connecting the northerly side of Strawtown Road and the easterly side of Brewery Road; thence,
7. Along said curve to the right having a radius of 50.62 feet for a length of 49.84 feet; thence,

Running along the easterly side of Brewery Road the following six (6) courses and distances:

8.  $N32^{\circ} 31' 46''W$ , 137.74 feet; thence,
9.  $N42^{\circ} 39' 46''W$ , 209.06 feet; thence,
10.  $N55^{\circ} 16' 46''W$ , 220.26 feet; thence,
11.  $N61^{\circ} 04' 46''W$ , 147.66 feet; thence,
12.  $N47^{\circ} 01' 16''W$ , 116.12 feet; thence,
13.  $N39^{\circ} 49' 31''W$ , 31.54 feet; thence,

Running along the southerly and easterly property lines of land N/F M. Toll (Tax Map Ref. 75-A-3.01) and land N/F Piccinich (Tax Map Ref. 75-A-3.15) the following four (4) courses and distances:

14.  $S87^{\circ} 27' 11''E$ , 492.97 feet; thence,
15.  $N3^{\circ} 05' 59''E$ , 70.60 feet; thence,
16.  $N51^{\circ} 28' 21''E$ , 85.05 feet; thence,
17.  $N3^{\circ} 07' 32''W$ , 102.70 feet to the northwest corner of described land; thence
18. Along southerly property line of lands N/F Pellegrino  $S89^{\circ} 37' 50''E$ , 643.54 feet; thence,
19.  $S11^{\circ} 13' 50''W$ , 298.35 feet through lands N/F Zuckerman to the northerly property line of described land; thence,
20.  $N88^{\circ} 37' 36''E$ , 293.88 feet to the westerly side of Strawtown Road back to the point or place of BEGINNING.

RESOLUTION NO. (1979-99) Continued

Excepting that portion of the above described property previously included in the Consolidated Water District No. 1 of the Town of Clarkstown.

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 21st day of February, 1979, at 8:15 P.M. EST time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-100)

RESOLUTION SETTING  
PUBLIC HEARING ON  
PROPOSED LOCAL LAW  
CONCERNING ADVERTISING  
MATERIALS WITHIN THE  
TOWN OF CLARKSTOWN

Co. Longo offered the following resolution:

WHEREAS, Councilman Nicholas A. Longo, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled "A LOCAL LAW RESTRICTING THE DISTRIBUTION OF UNSOLICITED ADVERTISING MATERIALS OR SAMPLES WITHIN THE TOWN OF CLARKSTOWN", and

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to Section 20 of the Municipal Home Rule, be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 21st day of February, 1979, at 8:17 P.M., relative to such proposed local law, and be it

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

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

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-101)

RESOLUTION SETTING  
PUBLIC HEARING ON PRO-  
POSED AMENDMENT TO  
CHAPTER 85 OF THE CODE  
OF THE TOWN OF CLARKSTOWN  
ENTITLED "SHOPPING CENTER  
PARKING AREAS"

Co. Maloney offered the following resolution:



RESOLUTION NO. (1979-101) Continued

WHEREAS, the Town Board of the Town of Clarkstown considers it to be in the interest of the Town to amend Chapter 85 of the Code of the Town of Clarkstown entitled "SHOPPING CENTER PARKING AREAS" by amending Section 85-4 to read as follows:

Sec. 85-4. Repair and Maintenance.

Every owner shall maintain the shopping center parking area clear and free from snow, ice, dirt, debris, rubbish and other obstructions. Every owner shall repair and maintain the surface of said areas so that they will be free from holes, obstructions and other hazards that will impair the health, safety and welfare of persons using such areas. Snow and ice shall be removed and cleaned away from shopping center parking areas and sidewalks within 36 hours after such snow or ice shall have fallen or formed;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Town Hall, 10 Maple Avenue, New City, New York in the Town of Clarkstown on the 21st day of February, 1979 at 8:20 P.M., relative to such proposed amendment, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the official newspaper of the Town, and posted in the manner provided by law.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-102)

RESOLUTION SETTING PUBLIC HEARING TO CONSIDER THE DESIGNATION OF HISTORICAL SITES (MAJOR JOHN SMITH HOUSE AND BARN)

Co. Holbrook offered the following resolution:

WHEREAS, it has been proposed that the house of Major John Smith located at 61 West Germonds Road, New City, New York, more particularly described on the Tax Map of the Town of Clarkstown as Map 35, Block B, Lot 23 and the barn of Major John Smith located at 60 West Germonds Road, New City, New York, more particularly described on the Tax Map of the Town of Clarkstown as Map 36, Block E, Lot 7. be designated as Historical Sites pursuant to Chapter 12, Section 3, subdivision C. of the Code of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 21st day of February, 1979 at 8:25 P.M., to consider the designation of the aforesaid house and barn as Historical Sites, and be it

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

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-103)

LEGAL NOTICE

RES HEA CHA OF PUBLIC LOCAL CONCERN IN TOWN

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Clarkstown, New York, is holding a public hearing on the repeal of Chapter 31 of the Town Code of the Town of Clarkstown, New York, entitled "Building, Unsafe"; and that the hearing will be held at the Town Hall of the Town of Clarkstown, New York, on the 21st day of February, 1979, at 8:30 P.M. to consider the repeal of the Town Code of the Town of Clarkstown, and it is the intention of the Town Board to take action thereon at the hearing.

DATED: February 7, 1979

WALTER J. MALONEY, Town Clerk

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, New York, it to be in the public interest to repeal Chapter 31 of the Town Code of the Town of Clarkstown entitled "Building, Unsafe";

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, in the said Town of Clarkstown on the 21st day of February, 1979, at 8:30 P.M. to consider the repeal of the Town Code of the Town of Clarkstown, and it is

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

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-104)

LEGAL NOTICE

RES HEA CHA OF PUBLIC LOCAL CONCERN IN TOWN

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Clarkstown, New York, is holding a public hearing on the proposed local law entitled "A LOCAL LAW CONCERNING UNSAFE BUILDINGS IN CLARKSTOWN"; and that the hearing will be held at the Auditorium in the Town Hall, 10 Maple Avenue, New City, New York, on the 21st day of February, 1979, at 8:35 P.M. to consider the proposed local law, and it is the intention of the Town Board to take action thereon at the hearing.

DATED: February 7, 1979

WALTER J. MALONEY, Town Clerk

Co. Holbrook offered the following resolution:

WHEREAS, Councilman Charles E. Holbrook, a member of the Town Board of the Town of Clarkstown has introduced a local law entitled, "A LOCAL LAW CONCERNING UNSAFE BUILDINGS IN CLARKSTOWN", and

WHEREAS, the Town Board of the Town of Clarkstown, New York, that it is in the best public interest that said local law be enacted;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to the Municipal Home Rule Law, be held at the Auditorium in the Town Hall, 10 Maple Avenue, New City, New York, on the 21st day of February, 1979, at 8:35 P.M., relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the the Town of Clarkstown, and posted in the manner provided by law, 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 and posted as aforesaid and file proof thereof in the office of the said Clerk.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-103)

RESOLUTION SETTING PUBLIC HEARING ~~ON REPEAL~~ OF CHAPTER 31 OF THE CODE OF THE TOWN OF CLARKSTOWN

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown considers it to be in the public interest to repeal Chapter 31 of the Code of the Town of Clarkstown entitled "Building, Unsafe";

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, in the said Town of Clarkstown on the 21st day of February, 1979, at 8:30 P.M. to consider the repeal of Chapter 31 of the Town Code of the Town of Clarkstown, and it is

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

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-104)

RESOLUTION SETTING PUBLIC HEARING ON PROPOSED LOCAL LAW "A LOCAL LAW CONCERNING UNSAFE BUILDINGS IN THE TOWN OF CLARKSTOWN"

Co. Holbrook offered the following resolution:

WHEREAS, Councilman Charles E. Holbrook, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled, "A LOCAL LAW CONCERNING UNSAFE BUILDINGS IN THE TOWN OF CLARKSTOWN", and

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be held at the Auditorium in the Town Hall, 10 Maple Avenue, New City, New York, on the 21st day of February, 1979, at 8:35 P.M., relative to such proposed local law, and be it

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

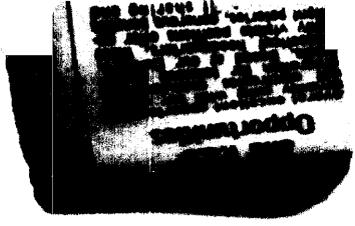
FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the office of the said Clerk.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*





RESOLUTION NO. (1979-105)

RESOLUTION AMENDING THE  
ZONING ORDINANCE OF THE  
TOWN OF CLARKSTOWN  
(YASSKY & FAIST - PED)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 20th day of December, 1978, provided for a public hearing on the 17th day of January, 1979, at 8:21 P.M., to consider the application of Alan Yassky and George Faist to amend the Zoning Ordinance of the Town of Clarkstown by creating a Planned Economic District for property located at the south side of Smith Road, Spring Valley, New York, designated on the Tax Map of the Town of Clarkstown as Map 164, Block A, Lots 12.02, 12.03 and 13 consisting of 69.714 acres of land and as more particularly described on the attached Schedule "A", and

WHEREAS, notice of public hearing was duly published as required by law and said 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 creating a Planned Economic District for the property described in the attached Schedule "A", and approving the overall master plan for the property submitted by the applicant, and be it

FURTHER RESOLVED, that a formal SEQR determination shall be made by the appropriate Town agency, and be it

FURTHER RESOLVED, that this amendment is 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. That the applicants will extend the Clarkstown Consolidated Water Supply District No. 1 to include the entire premises which are the subject of the Planned Economic District.
2. That all lands necessary for the widening of Smith Road will be dedicated by the applicants to the Town of Clarkstown at no cost or expense to the Town of Clarkstown. Such widening strip shall be on the southerly side of Smith Road and shall be of suitable width and location as provided by the Planning Board and other municipal agencies of the Town of Clarkstown.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

All that certain tract or parcel of land, situate in the Town of Clarkstown, County of Rockland, State of New York, being more fully bounded and described as follows:

BEGINNING at a point in the southerly line of Smith Road where the same is intersected by the easterly line of the lands now or formerly of Minnie Cohen (Tax Re.: 164-A-17), said point being distant 199.11 feet on a course of N86° 52' 40"E from a Rockland County Monument in the southerly line of Smith Road and runs thence along the southerly line of Smith Road on the four (4) following courses and distances:

(Description of Yasky and Faist - PED District)

1. N86° 52' 40"E for a distance of 168.61 feet; thence,
2. N83° 20' 40"E for a distance of 412.48 feet; thence,
3. N86° 42' 30"E for a distance of 517.41 feet; thence,
4. N88° 05' 50"E for a distance of 480.15 feet; thence,

Along the lands now or formerly of Taylor (Tax Ref.: 164-A-12) on the three (3) following courses and distances:

5. S6° 23' 30"W for a distance of 397.12 feet; thence,
6. S83° 36' 30"E for a distance of 243.87 feet; thence,
7. N6° 23' 30"E for a distance of 400.00 feet; thence

Along the southerly line of Smith Road on the two (2) following courses and distances:

8. S83° 36' 30"E for a distance of 31.09 feet; thence,
9. S80° 28' 52"E for a distance of 118.99 feet; thence,

Along the lands now or formerly of Hoag (tax Ref.: 164-A-3) on the two (2) following courses and distances:

10. S9° 31' 08"W for a distance of 216.60 feet; thence,
11. S80° 28' 52"E for a distance of 226.16 feet; thence,
12. S2° 39' 32"W for a distance of 744.13 feet, partly along the lands now or formerly of Bihari (Tax Ref.: 164-A-2) and partly along the lands now or formerly of Kohl Industrial Park Co. (Tax Ref.: 164-A-2.01 & 12.01); thence,
13. S1° 09' 32"W for a distance of 825.00 feet, partly along the lands now or formerly of Kohl Industrial Park (Tax Ref.: 164-A-12.01), partly along the lands now or formerly of McClelland (Tax Ref.: 164-A-4), and partly along the lands now or formerly of Edmunds (Tax Ref.: 164-A-4.01); thence,
14. N85° 53' 17"W for a distance of 214.50 feet along the lands of the said Edmunds; thence,

Along the lands now or formerly of Conrail (formerly Erie Railroad, Piermont Branch) on the five (5) following courses and distances:

15. Along a curve to the left having a radius of 1,851.32 feet for a distance of 380.42 feet; thence,
16. N69° 03' 15"W for a distance of 600.04 feet; thence,
17. N66° 51' 36"W for a distance of 500.63 feet; thence,
18. N71° 21' 31"W for a distance of 700.29 feet; thence,
19. N69° 08' 31"W for a distance of 424.95 feet; thence,
20. S86° 06' 21"E for a distance of 423.63 feet, partly along the lands now or formerly of Pascack Motel, Inc.

(Tax Ref.: 164-A-14) and partly along the lands of the aforesaid Cohen; thence,

- 21. N7° 39' 01"E for a distance of 826.96 feet along the lands of the said Cohen to the point or place of BEGINNING.

Containing 69.714 acres of land.

\* \* \* \* \*

RESOLUTION NO. (1979-106)

RESOLUTION ORDERING  
SUSPENSION OF USE OF  
SANITARY LANDFILL FOR  
PERIOD OF THIRTY (30)  
DAYS (MIELE)

Co. Piacentile offered the following resolution:

WHEREAS, a hearing was held on December 13, 1978, concerning an investigation of Miele Sanitation Company on an allegation of dumping in violation of the Clarkstown Sanitary Landfill Rules and Regulations at the Clarkstown Sanitary Landfill, Route 303, West Nyack, New York, on October 7, 1978;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby finds that Miele Sanitation Company did violate Section A115-3(A) of the Sanitary Landfill Rules and Regulations on October 7, 1978, and orders that the Miele Sanitation Company be suspended from the use of the Clarkstown Sanitary Landfill for a period of thirty (30) days to commence on March 1, 1979, and running to and including March 30, 1979, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby adopts and executes the decision attached.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

STATE OF NEW YORK  
COUNTY OF ROCKLAND  
TOWN OF CLARKSTOWN

-----X

In the Matter of

MIELE SANITATION COMPANY

AN INVESTIGATION INTO ILLEGAL DUMPING AT  
THE SANITARY LANDFILL, ROUTE 303, WEST  
NYACK, NEW YORK, BY THE TOWN BOARD OF THE  
TOWN OF CLARKSTOWN.

DECISION

-----X

The undersigned Town Board members pursuant to the authority granted to them by the Sanitary Landfill Rules and Regulations of the Town of Clarkstown hereby set forth the decision reached by them.

PROCEEDINGS

1. That on November 21, 1978, a statement of allegations was sent to Miele Sanitation Company by the Town Board in which statement it was alleged as follows:

"That Miele Sanitation Company, 745 Closter Dock Road, Closter, New Jersey, did violate the Sanitary Landfill Rules and Regulations of the Town of Clarkstown, specifically Section A115-3(A), in that it permitted its truck to dump garbage and refuse into the Clarkstown Sanitary Landfill which was collected outside of the Towns of Clarkstown and Orangetown or any other permitted area. SPECIFICALLY:

On October 7, 1978, at approximately 9:30 A.M., an unladen GMC roll-off garbage truck owned by Miele Sanitation Company and bearing Registration No. 1306-NC, picked up a loaded, green, open roll-off container from behind the Grand Union building located on the east side of Kinderkamack Road in Montvale, New Jersey and took the container to the Clarkstown Sanitary Landfill where, at approximately 10:00 A.M., on October 7, 1978, the garbage from the said container was dumped into the Sanitary Landfill Area."

2. That on December 13, 1978, at 7:00 P.M., a hearing upon these allegations was held by the Town Board of the Town of Clarkstown at Town Hall, 10 Maple Avenue, New City, New York, at which hearing Joseph Miele, Jr., representative of the Miele Sanitation Company was present and the company was represented by counsel. Testimony was taken as to the events alleged to have occurred on October 7, 1978.

#### FINDINGS OF FACT

The following findings of fact are based upon the entire record including consideration of the testimony given and exhibits received into evidence. The undersigned find that on October 7, 1978, a truck belonging to Miele Sanitation Company picked up a roll-off container containing garbage from behind the Grand Union building located on the east side of Kinderkamack Road in Montvale, New Jersey and dumped the garbage from said roll-off container into the Clarkstown Sanitary Landfill Area.

#### CONCLUSION

It is the conclusion of the undersigned that Miele Sanitation Company did violate Section A115-3(A) of the Sanitary Landfill Rules and Regulations on October 7, 1978, in that it permitted its truck to dump refuse into the Clarkstown Sanitary Landfill which was collected outside of the Towns of Clarkstown and Orangetown or any other permitted area.

#### DISPOSITION

It is the decision of the undersigned that Miele Sanitation Company be suspended from the use of the Clarkstown Sanitary Landfill for a period of thirty (30) days for the violation which occurred on October 7, 1978, which thirty (30) day period shall commence on March 1, 1979, running to and including March 30, 1979.

Dated: February 7, 1979

TOWN BOARD OF THE TOWN OF CLARKSTOWN

/s/ George S. Gerber  
Supervisor George S. Gerber

/s/ John R. Maloney  
Councilman John R. Maloney

/s/ Nicholas A. Longo  
Councilman Nicholas A. Longo

/s/ Charles E. Holbrook  
Councilman Charles E. Holbrook

/s/ John T. Piacentile  
Councilman John T. Piacentile

RESOLUTION NO. (1979-107)

RESOLUTION ADOPTING AN  
AMENDMENT TO THE SANITARY  
LANDFILL RULES AND  
REGULATIONS

Co. Piacentile offered the following resolution:

WHEREAS, a public hearing was held on December 6, 1978,  
at 8:30 P.M., to consider the adoption of an amendment to the Sanitary  
Landfill Rules and Regulations;

NOW, THEREFORE, be it

RESOLVED, that the following amendment to the Sanitary  
Landfill Rules and Regulations is hereby adopted:

Section A115-5 Fees.

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.

This amendment shall take effect March 1, 1979.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-108)

RESOLUTION ESTABLISH-  
ING PETTY CASH FUND  
(HISTORICAL REVIEW  
BOARD)

Co. Holbrook offered the following resolution:

RESOLVED, that a petty cash fund be established for the  
Historical Review Board in the amount of \$25.00, and

FURTHER RESOLVED, that the Comptroller is authorized to  
disperse the monies in accordance with the requirements of various  
accounts within the department.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-109)

RESOLUTION AUTHORIZING  
DIRECTOR OF PURCHASING  
TO ADVERTISE FOR BID  
(PRINTING OF SPRING/  
SUMMER RECREATION  
DEPARTMENT BROCHURE)

Co. Maloney offered the following resolution:

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

Printing of Spring/Summer Recreation Dept. Brochure

RESOLUTION NO. (1979-109) Continued

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 Friday, March 2, 1979 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. Piacentile All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-110)

RESOLUTION AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR SIX (6) 1979 POLICE VEHICLES

Co. Maloney offered the following resolution:

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

Six (6) 1979 Police Vehicles

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 2:00 P.M. on Monday, February 26, 1979 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. Piacentile All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-111)

RESOLUTION AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR STATIONERY SUPPLIES

Co. Piacentile offered the following resolution:

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

Bid #11-1979 Stationery Supplies

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 Friday, February 23, 1979 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.

\* \* \* \* \*

RESOLUTION NO. (1979-112)

RESOLUTION AUTHORIZING DIRECTOR OF PURCHASING TO READVERTISE FOR BIDS FOR REPAIR OF TRACKS ON CATERPILLAR D-8

Co. Longo offered the following resolution:

RESOLUTION NO. (1979-112) Continued

RESOLVED, that resolution 1979-77 authorizing the Director of Purchasing to readvertise for bids for the repair of tracks on a Caterpillar D-8 - Serial Number 46A23161 is hereby amended to reflect the new bid opening date and time as follows:

Wednesday, February 21, 1979 at 11:00 A.M.

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-113)

RESOLUTION REJECTING BIDS RECEIVED FOR WATER LEVEL AND POWER FAILURE ALARM SYSTEM FOR 19 TOWN OF CLARKSTOWN SEWER PUMPING STATIONS AND AUTHORIZING DIRECTOR OF PURCHASING TO READVERTISE FOR SAME

Co. Piacentile offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, all bids received for a Water Level and Power Failure Alarm System for 19 Town of Clarkstown Sewer Pumping Stations are hereby rejected and be it,

RESOLVED, that the Director of Purchasing is hereby authorized to readvertise for bids for a Water Level and Power Failure Alarm System for 19 Town of Clarkstown Sewer Pumping Stations. 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 Thursday, February 22, 1979, 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.

\* \* \* \* \*

RESOLUTION NO. (1979-114)

RESOLUTION AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH SPRING VALLEY WATER COMPANY (RESERVOIR DRIVE, LAKESIDE VILLAGE SUBDIVISION, NEW CITY

Co. Holbrook offered the following resolution:

WHEREAS, the Spring Valley Water Company is desirous of granting a storm drainage easement to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a storm drainage easement agreement with Spring Valley Water Company for property located on the east side of Reservoir Drive in the Lakeside Village Subdivision, New City, New York, as more particularly described in said storm drainage easement agreement, without cost to the Town of Clarkstown.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-115)

RESOLUTION AUTHORIZING  
SUPERVISOR TO ENTER  
INTO AGREEMENT WITH  
SPRING VALLEY WATER  
COMPANY (ROCKLAND  
COUNTRY DAY SCHOOL,  
CONGERS

Co. Holbrook offered the following resolution:

WHEREAS, the Spring Valley Water Company is desirous of granting an easement to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an easement agreement with Spring Valley Water Company for property located in Congers, New York, known as Rockland Country Day School, more particularly described in the easement agreement, without cost to the Town of Clarkstown.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-116)

RESOLUTION AUTHORIZING  
SUPERVISOR TO ENTER  
INTO AGREEMENT WITH  
SPRING VALLEY WATER  
COMPANY (MAP 17,  
LOT 12, BLOCK A)

Co. Holbrook offered the following resolution:

WHEREAS, the Spring Valley Water Company is desirous of granting an easement to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an easement agreement with Spring Valley Water Company for property described on the Tax Map of the Town of Clarkstown as Map 17, Lot 12, Block A, more particularly described in said easement agreement, at no cost to the Town of Clarkstown.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-117)

RESOLUTION AUTHORIZING  
SUPERVISOR TO ENTER  
INTO AGREEMENT WITH  
SPRING VALLEY WATER  
COMPANY (MAP 96, LOT  
9, BLOCK A AND MAP  
94, LOT 4.01, BLOCK A)

Co. Holbrook offered the following resolution:

WHEREAS, the Spring Valley Water Company is desirous of granting an easement to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an easement agreement with Spring Valley Water Company for property

RESOLUTION NO. (1979-117) Continued

described on the Tax Map of the Town of Clarkstown as Map 96, Lot 9, Block A and Map 94, Lot 4.01, Block A, more particularly described in said easement agreement, without cost to the Town of Clarkstown.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-118)

RESOLUTION AUTHORIZING SUPERVISOR TO ENTER INTO LICENSE AGREEMENT WITH SPRING VALLEY WATER COMPANY FOR MAINTENANCE OF SIDEWALKS (WEST SIDE STRAWTOWN ROAD SOUTH OF BREWERY ROAD, WEST NYACK

Co. Longo offered the following resolution:

WHEREAS, the Spring Valley Water Company is desirous of granting a license to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a license agreement with Spring Valley Water Company for the maintenance of sidewalks on the west side of Strawtown Road south of its intersection with Brewery Road, West Nyack, New York.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-119)

RESOLUTION AUTHORIZING FIRE LANE DESIGNATIONS AT BURGUNDY GARDEN APARTMENTS, VALLEY COTTAGE

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 Route 303, Valley Cottage, New York by the installation of fire lane designations, and

WHEREAS, Connie DiMaggio, 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.

\* \* \* \* \*

RESOLUTION NO. (1979-120)

RESOLUTION AUTHORIZING  
TOWN ATTORNEY TO DEFEND  
ACTION (BIERKER, ET AL.  
V. TOWN OF CLARKSTOWN)

Co. Holbrook offered the following resolution:

WHEREAS, an action has been instituted against the Town of  
Clarkstown entitled as follows:

GERALD BIERKER, TAMARA BIERKER, FAITH BOSTON,  
SAMUEL BOSTON, EVERETT DUSTMAN, PAULINE  
DUSTMAN, ROBERT GARCIA, TANYA GARCIA, ASSUNTA  
GERUS, JOSEPH GERUS, DIETER GOBBELET, ESTHER  
GOBBELET, ELIAS GORSKY, ERENE GORSKY, CATHY HAY,  
MICHAEL HAY, ALLEN KOPFLER, JUDITH KOPFLER,  
JAMES LINWOOD, LINDA LINWOOD, PAT MILAZZO,  
PAUL MILAZZO, CECELIA PEDRI, MARGARET ANNE  
REILLY, LEE SLATTERY, MARY SLATTERY, JACKIE  
STEIN, RICHARD STEIN, NINA VOLIN, GUNTHER  
WAITSZIES,

Plaintiffs,

-against-

TOWN OF CLARKSTOWN; GEORGE GERBER, SUPERVISOR OF  
THE TOWN OF CLARKSTOWN, JOHN MALONEY, CHARLES  
HOLBROOK, JOHN PIACENTILE, NICHOLAS LONGO,  
CONSTITUTING THE TOWN BOARD OF CLARKSTOWN;  
BEVERLY DEGENSHEIN,

Defendants.

NOW, THEREFORE, be it

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

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-121)

RESOLUTION AUTHORIZING  
SUPERINTENDENT OF  
HIGHWAYS TO PERFORM  
CORRECTIVE WORK ON  
SOUTH HARRISON AVENUE,  
CONGERS (ACCOUNT NO.  
5110-383)

Co. Longo offered the following resolution:

WHEREAS, a dangerous condition exists on South Harrison  
Avenue, Congers, New York, concerning the coverage of the sewer  
main therein;

NOW, THEREFORE, be it

RESOLVED, that the Highway Superintendent is hereby  
authorized to perform corrective work on South Harrison Avenue in an  
amount not to exceed \$500.00 to protect such sewer main, and be it

FURTHER RESOLVED, that the sum of \$500.00 be charged against  
Account No. 5110-382.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-122)

RESOLUTION IN CONNECTION  
WITH VIOLATION PROCEED-  
INGS AGAINST FRANKLYN  
BACON

Co. Holbrook offered the following resolution:

WHEREAS, an Order of the Town Board dated November 1, 1978, was directed to Franklyn Bacon, 27 Brighton Street, Springfield, Massachusetts, to remove the building presently existing upon the premises designated on the Clarkstown Tax Map as Map 140, Block D, Lot 2, 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. Franklyn Bacon on the 8th day of November, 1978, and

WHEREAS, the said Franklyn Bacon has 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 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. Franklyn Bacon be notified in writing by certified mail, return receipt, to appoint either a practical builder, engineer or architect to serve as his representative on such survey, and be it

FURTHER RESOLVED, that the said Franklyn Bacon be notified that in the event the building or other structure shall be reported unsafe or dangerous in such survey, and 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 Franklyn Bacon.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-123)

RESOLUTION ACCEPTING  
ROADS AND RELATED  
IMPROVEMENTS (BLOSSOM  
MANOR - DORE COURT AND  
RONE COURT)

Co. Holbrook offered the following resolution:

WHEREAS, final subdivision plat of Blossom Manor, New City, Town of Clarkstown, Rockland County, New York, dated August 21, 1967, revised October 31, 1967, filed in the Rockland County Clerk's Office April 10, 1968, in Book 75 of Maps at Page 12 as Map No. 3699 contains a map note which reads as follows:

"The owner, or his representative, hereby irrevocably offers for dedication to the Town of Clarkstown all the streets, easements, parks and required utilities shown on the within Subdivision Plat and Construction Plans."

and

RESOLUTION NO. (1979-123) Continued

WHEREAS, the Town of Clarkstown desires to accept the aforesaid improvements;

NOW, THEREFORE, be it

RESOLVED, that pursuant to the recommendation of the Town Attorney, the Town of Clarkstown hereby accepts the following roads and the related improvements in the aforementioned subdivision:

- Road widening strip along Strawtown Road
- Dore Court            525 L.F.
- Rone Court            575 L.F.

and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to record a deed dated November 10, 1969, from MILJO CONSTRUCTION CORP. conveying the roads and related improvements in the Rockland County Clerk's Office.

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-124)

RESOLUTION REQUIRING EVIDENCE OF TITLE WITH REGARD TO SIERRA VISTA LANE (MOUNTAIN VIEW CONDOMINIUMS)

Co. Piacentile offered the following resolution:

WHEREAS, Resolution No. 88 of 1976 adopted on February 18, 1976, provided as follows:

"RESOLVED, that subject to the receipt of an appropriate survey, deed of conveyance and evidence of title, the Town of Clarkstown hereby accepts dedication of that portion of Sierra Vista Lane, as shown on the Site Plan and Utilities for the Improvement of 'Princess Anne Apartments', Baker-Firestone, Inc., last revised October 30, 1970, now known as Mountain View Condominiums, and be it

FURTHER RESOLVED, that the said deed is hereby ordered filed in the Rockland County Clerk's Office, upon fulfillment of the conditions herein.", and

WHEREAS, it has been proposed that evidence of title required by Resolution 88 of 1976 shall be fulfilled by the following certifications and indemnifications:

1. An appropriate certification of:
  - (a) The proper amendment of the By-Laws of the condominium to give the power to the condominium Board of Managers to dedicate the roads to the Town of Clarkstown, and
  - (b) The consent from qualifying mortgagees to the By-Laws amendment, and
  - (c) Proof of recording of the amendment to the By-Laws in the Rockland County Clerk's office making the amendment effective.

RESOLUTION NO. (1979-124) Continued

2. The collateral assignment to the Town of Clarkstown of a savings account in the amount of \$5,000.00 for a period of five (5) years from the date of filing of the deed of dedication to guaranty against suits by nonconsenting unit owners in the condominium.

3. An indemnification agreement by the Board of Managers indemnifying the Town of Clarkstown against suits by nonconsenting unit owners for a period of ten (10) years from the date of filing of the deed of dedication;

NOW, THEREFORE, be it

RESOLVED, that the evidence of title requirement shall be fulfilled upon the performance of the three requirements for certification and indemnification listed above, and upon the satisfaction of these requirements, the deed is hereby ordered filed in the Rockland County Clerk's office.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-125)

RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE A COOPERATIVE AGREEMENT WITH GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR

Co. Piacentile offered the following resolution:

WHEREAS, the Town of Clarkstown has been participating with the United States Department of Interior in the operation and maintenance of four (4) gauging stations within the Town of Clarkstown, and

WHEREAS, the Director of Environmental Control has indicated that these stations have been found to be very valuable to the Town's drainage program and recommends the approval of the continuation of the agreement;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown be authorized to execute a cooperative agreement with the Geological Survey, United States Department of the Interior, participating in water resources investigations in the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Supervisor be authorized to pay the amount of \$1,700.00 from Capital Account No. 2 as the Town's contribution to the operation and maintenance of these record stations.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-126)

RESOLUTION DECLARING ESCROW ACCOUNTS IN DEFAULT (BALMORAL ESTATES II, NEW CITY)

Co. Longo offered the following resolution:

WHEREAS, the streets and other public improvements in a subdivision known as Balmoral Estates II have not been completed, and

RESOLUTION NO. (1979-126) Continued

WHEREAS, the Town of Clarktown is holding money in escrow to guaranty the completion of said streets and public improvements;

NOW, THEREFORE, be it

RESOLVED, that said sums to complete the streets and other public improvements are hereby defaulted to the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Town of Clarkstown will use the aforesaid escrow funds to complete the streets and public improvements in said subdivision and the funds be transferred to the Highway Fund for that purpose, and be it

FURTHER RESOLVED, that any sums necessary to complete the streets and public improvements in excess of the amounts previously defaulted shall continue to be a charge on the uncompleted lots in the Balmoral Estates II subdivision and the Building Inspector of the Town of Clarkstown is hereby requested not to issue any building permits and/or certificates of occupancy upon such uncompleted lots until the proportionate share of the cost of completion of the streets and other public improvements as determined by the Director of Environmental Control, which are attributable to these lots have been paid to the Town of Clarkstown.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

At this point Supervisor Gerber read the following letter which relates to the resolution immediately following:

(Letter head of Raymond, Parish, Pine & Weiner, Inc.)

"February 6, 1979

Memo to: Supervisor George S. Gerber

From: Robert Geneslaw

Subject: Amendments to 1976 Community Development Program

At the February 1 Town Board workshop representatives of Camp Jawanio requested that \$25,000 be programmed for the removal of architectural barriers to the handicapped. Our primary reservation at that time concerned the ultimate local cost of the New City traffic signal project. It was originally budgeted for about \$53,000, representing 30% of the total cost. Changes in state legislation since then suggest that the local cost will be only 5 or 6%. Therefore, no additional funds should be set aside, and there may well be a substantial excess.

A construction contract should be awarded about the end of March, by which time the sharing and cost should be certain. We suggest that we wait until that time to reprogram any available funds.

In light of the above, we suggest that the \$25,000 requested be so programmed.

          /S/                  RG          

RG/dsg

\* \* \* \* \*

RESOLUTION NO. (1979-127)

RESOLUTION REGARDING  
AMENDMENTS TO COMMUNITY  
DEVELOPMENT PROGRAM  
FOR 1976

Co. Maloney offered the following resolution:

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to make grants to States and units of general local government to help finance Community Development Programs, and

WHEREAS, the United States Department of Housing and Urban Development is providing funds to Rockland County as an Urban County, and

WHEREAS, the Town of Clarkstown is a cooperating community and has programmed funds from the 1976 program year for certain activities, and

WHEREAS, the Town has determined that changes to the program are necessary, and

WHEREAS, this program has been discussed at the Town Board meeting of January 17, 1979;

NOW, THEREFORE, be it

RESOLVED, the Town Board of the Town of Clarkstown does hereby request the County to reprogram its 1976 Community Development Urban County program by establishing the following activities:

- a) \$53,520 for the New City Intersection Design and Construction.
- b) \$35,000 for activities related to the Central Nyack Community Center, including acquisition of a vacant unimproved parcel of land, improvements to the interior of the buildings and addition of exterior improvements including fencing, landscaping, benches, recreation equipment, and elimination of architectural barriers to the handicapped.
- c) \$2,145 to the Village of Upper Nyack for removal of architectural barriers at Upper Nyack Village Hall.
- d) \$25,000 for the elimination of architectural barriers to the handicapped, for qualified households, in cooperation with Camp Jawonio.
- e) \$20,835 to remain as Local Options (activities to be determined by Town).

Seconded by Co. Holbrook

On roll call Councilman Longo asked the following:

Co. Longo: Again, Mr. Supervisor, a question. These are funds that were already received by the Town of Clarkstown or allocated to us in 1976?

Supv. Gerger: None of these have been received to date. They were the original allocations by Rockland County.

Co. Longo: And all we are doing now is dispensing them to these different organizations?

Supv. Gerber: Right.

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-128)

RESOLUTION REGARDING  
COMMUNITY DEVELOPMENT  
PROGRAM FOR 1980-1981  
PROGRAM YEARS

Co. Maloney offered the following resolution:

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to make grants to States and units of general local government to help finance Community Development Programs, and

WHEREAS, the United States Department of Housing and Urban Development is providing funds to Rockland County as an Urban County, and

WHEREAS, the Town of Clarkstown may be a cooperating community, and

WHEREAS, this program has been discussed at the Town Board Meeting of January 17, 1979;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown does hereby determine that, for the 1980-1981 program years, the Town shall participate in the County Housing Rehabilitation Program and consider the selection of neighborhood strategy areas if the Town is a cooperating community for those years.

Seconded by Co. Holbrook

On roll call the vote was as follows:

Co. Holbrook.....Yes  
Co. Longo.....No  
Co. Maloney.....Yes  
Co. Piacentile.....Yes  
Supv. Gerber.....Yes

\* \* \* \* \*

RESOLUTION NO. (1979-129)

RESOLUTION GRANTING  
DIFFERENTIAL TO TWO  
(2) TYPISTS - POLICE  
DEPARTMENT

Co. Maloney offered the following resolution:

RESOLVED, that Typists (2) employed on the 2:00 P.M. to 10:00 P.M. shift in the Police Department are to be compensated at 10% above the Grade 12 salary schedule, and be it further

RESOLVED, that the said differential shall be applicable only on the weeks the employee works the night shift, effective and retroactive to January 1, 1979.

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-130)

RESOLUTION AMENDING  
AND CORRECTING 1979  
SALARY SCHEDULE

Co. Holbrook offered the following resolution:

RESOLUTION NO. (1979-130) Continued

RESOLVED, that the 1979 salary schedule be amended and corrected to show the salaries of the following, effective and retroactive to January 1, 1979:

- Lawrence Degnan (Maintenance Department) \$15,335.00
- Gerald Brickwood (Environmental Department) \$14,603.00
- Jay Greenwell (Environmental Department) \$10,553.00
- Angelo Breganti (Highway Department) \$15,391.00
- Michael Breganti (Highway Department) \$15,303.00
- John O'Connell (Highway Department) \$11,054.00
- Harry Dillon (Sanitary Landfill) \$3,400.00

Seconded by Co. Piacentile All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-131) RESOLUTION AMENDING AND CORRECTING CETA SALARY SCHEDULE FOR 1979

Co. Holbrook offered the following resolution:

RESOLVED, that the attached CETA salary schedule is hereby adopted for 1979 in accordance with CETA Rules and Regulations, Section 93.2, Article A(3).

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

CETA Employees - Salary for 1979

The following are the CETA employees in the Town of Clarkstown with earnings in excess of \$10,000.00:

Armano, Carl	Bus Drive	\$11,054	Title VI
Bullerick, Carol	Radio Operator	10,074	"
Chadwick, Brian	Bus Driver	11,054	"
Collins, Kenneth	Laborer	10,074	"
Duffy, Patrick	Bus Driver	11,054	"
Feldi, Marco	Maintenance Helper	10,553	"
Handler, Neil	Groundsworker	11,054	"
Kirkland, Edward	Laborer	10,074	"
Koch, Michael	Bus Driver	11,054	"
Lanton, Carol	Bus Driver	10,553	Title II
Malecot, George	Bus Driver	10,553	"
Monroe, Charles	Shade Tree Ins.	11,054	Title VI
Muller, Karl	Radio Operator	10,553	"
Myles, Robert	Storekeeper	12,129	"
Nebel, Thomas	Sr. Security Aide	10,553	Title II
Rist, George	Asst. Main. Mech.	10,074	Title VI
Ross, Claire	Trans. Oper. Super.	15,297	"
Tapp, Joan	Radio Operator	10,553	"
Tobin, John	Radio Operator	10,074	"
Pojafsky, Paul	Asst. Main. Mech.	10,074	"
Gallagher, Edwin	Laborer	10,074	Title VI Proj.
Memis, George	Laborer	10,074	" "
Osborne, Robert	Laborer	10,074	" "
Jones, Alvin	Laborer	10,074	" "
Shockley, Herman	Laborer	10,074	" "
Washington, Ronald	Laborer	10,074	" "
Williams, James	Laborer	10,074	" "
Altman, Ronald	Laborer	10,074	" "
Holland, Joseph	Laborer	10,074	" "
Laws, Maurice	Laborer	10,074	" "

CONTINUED ON NEXT PAGE

CETA Employees - Salary for 1979(Continued

Meyer, August	Laborer	10,074	"	"
Moriarty, James E.	Laborer	10,074	"	"
Ross, Kevin	Laborer	10,074	"	"
Whittingham, Glen	Laborer	10,074	"	"
Bowser, Douglas	Groundswoker	11,054	"	"
Maloney, Robert J.	Groundswoker	11,054	"	"
Presta, Louis	Groundswoker	11,054	"	"
Ferguson, Brian	Laborer	10,074	"	"
Flamino, Rocco	Laborer	10,074	"	"
Hogan, Stanley	Laborer	10,074	"	"
Sultan, Floyd	Laborer	10,074	"	"

There was also read into the minutes the following provision from the Rules and Regulations relating to CETA workers:

Sec. 93.2 Supplementation provisions

3. Any person in a public service employment position on September 30, 1978, who was receiving wages on September 30, 1978, less than \$10,000 may have such wages supplemented above \$10,000 from non-CETA sources after September 30, 1978, if such increase is a bona-fide cost of living increase or a scheduled raise, and the person remains in the same position.

\* \* \* \* \*

RESOLUTION NO. (1979-132)

RESOLUTION ACCEPTING  
RESIGNATION OF STUART  
POLLACK - TOWN ATTORNEY'S  
OFFICE

Co. Holbrook offered the following resolution:

RESOLVED, that the resignation of Stuart Pollack, 4 Butternut Lane, Nanuet, New York as Office Worker - Student - Town Attorney's Office - is hereby accepted, effective and retroactive to February 1, 1979.

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-133)

RESOLUTION GRANTING  
THIRTY (30) DAY LEAVE  
OF ABSENCE (HENRY  
PETERSON)

Co. Longo offered the following resolution:

WHEREAS, Henry Peterson has requested a leave of absence without pay, and

WHEREAS, Article XIX, Section 1 of the Town of Clarkstown Labor Agreement of January 1, 1978 provides for a leave of absence without pay, and based upon the recommendation of Fred J. Seeger, Supt. of Highways,

NOW, THEREFORE, be it

RESOLVED, that Henry Peterson, 570 West Nyack Road, West Nyack, New York - Motor Equipment Operator - Highway Department - is hereby granted a thirty day leave of absence without pay, effective and retroactive to February 1, 1979.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-134)

RESOLUTION ALLOWING  
ALL ELECTED AND APPOINTED  
OFFICIALS COVERED UNDER  
HEALTH INSURANCE PLAN  
TO BE INCLUDED UNDER  
GHI DENTAL PLAN

Co. Maloney offered the following resolution:

RESOLVED, that all Elected and Appointed Officials presently covered under the Health Insurance Plan may, upon application, be included in the GHI Dental Plan.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-135)

RESOLUTION APPOINTING  
CUSTODIAN (CETA) -  
ROCKLAND COUNTY EXTENSION  
SERVICE (LEE SKINNER)

Co. Piacentile offered the following resolution:

RESOLVED, that Lee Skinner, 438C Mountainview Avenue, Valley Cottage, New York is hereby appointed to the position of Custodian (CETA) - Rockland County Extension Service at the annual salary for 1979 of \$8,368, effective and retroactive to January 23, 1979.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-136)

RESOLUTION ACCEPTING  
RESIGNATION OF TEACHER  
(PRE-SCHOOL) (CETA)  
(JOANNE SCHOOLCRAFT)

Co. Piacentile offered the following resolution:

RESOLVED, that the resignation of Joanne Schoolcraft, 24 Stratford Place, New City, New York as Teacher (Pre-School) (CETA) - Intercommunity Relations Council is hereby accepted, effective and retroactive to January 12, 1979.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-137)

RESOLUTION APPOINTING  
TEACHER (PRE-SCHOOL)  
(CETA) (SUSAN CLARK)

Co. Piacentile offered the following resolution:

RESOLVED, that Susan Clark, 26 Mark Lane, New City, New York is hereby appointed to the position of Teacher (Pre-School) (CETA) - Intercommunity Relations Council - at the annual salary for 1979 of \$8,500., effective and retroactive to January 22, 1979.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-138)

RESOLUTION APPOINTING  
TYPIST (CETA) PERSONNEL  
OFFICE (ETTA SPECTOR)

Co. Piacentile offered the following resolution:

RESOLVED, that Etta Spector, 5 Verdin Drive, New City, New York is hereby appointed to the position of Typist (CETA) - Personnel Office - at the annual salary for 1979 of \$7,627., effective and retroactive to January 24, 1979.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-139)

RESOLUTION APPOINTING  
CLEANER (CETA) - MINI  
TRANS (WILLIAM J. GRIGGS)

Co. Maloney offered the following resolution:

RESOLVED, that William J. Griggs, 90 Lyncrest Avenue, New City, New York is hereby appointed to the position of Cleaner (CETA) - Mini Trans - at the annual salary for 1979 of \$8,368., effective and retroactive to January 22, 1979.

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-140)

RESOLUTION APPOINTING  
BUS DRIVERS (CETA) -  
(BRIAN J. CHADWICK AND  
MICHAEL KOCH)

Co. Piacentile offered the following resolution:

RESOLVED, that the following are hereby appointed to the position of Bus Driver (CETA) at the annual salary for 1978 of \$9,634., effective and retroactive to December 15, 1978:

Brian J. Chadwick, 137 Kings Highway, Congers, New York  
Michael Koch, 357 W. Clarkstown Rd., Spring Valley, New York

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-141)

RESOLUTION APPOINTING  
BUS DRIVERS - PART-TIME  
(THOMAS A. D'ANNA,  
ALBERT CHIANESE AND  
KENNETH O. McLEOD)

Co. Maloney offered the following resolution:

RESOLVED, that the following are hereby appointed to the position of Bus Driver, part-time, at the hourly wage of \$4.84, effective and retroactive to January 1, 1979:

Thomas A. D'Anna, 3 E. Stemmer Lane, Suffern, N.Y.  
Albert Chianese, 196 N. Middletown Rd., Nanuet, N.Y.  
Kenneth O. McLeod, 30 Quaker Rd., Pomona, N.Y.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-142)

RESOLUTION CREATING  
POSITION - COURT  
ATTENDANT (CETA)

Co. Piacentile offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on January 30, 1979 that the position of Court Attendant (CETA) can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Court Attendant (CETA) is hereby created, effective and retroactive to January 30, 1979.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-143)

RESOLUTION APPOINTING  
COURT ATTENDANT (CETA)  
(JOSEFINA M. POUGET)

Co. Piacentile offered the following resolution:

RESOLVED, that Josefina M. Pouget, 48 Poplar Street, Nanuet, New York is hereby appointed to the position of Court Attendant (CETA) at the annual salary for 1979 of \$7,627., effective and retroactive to January 31, 1979.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-144)

RESOLUTION APPOINTING  
STOCK CLERK (CETA)  
PARKS BOARD & RECREATION  
(JOHN SIKORA)

Co. Maloney offered the following resolution:

RESOLVED, that John Sikora, 8 Orchard Drive, New City, New York is hereby appointed to the position of Stock Clerk (CETA) - Parks Board & Recreation - at the annual salary for 1979 of \$7,989., effective and retroactive to February 5, 1979.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-145)

RESOLUTION CREATING  
TWO (2) CLEANER POSITIONS  
(CETA) - PARKS BOARD &  
RECREATION

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel office has certified on January 30, 1979 that two (2) Cleaner positions (CETA) can be created,

NOW, THEREFORE, be it

RESOLVED, that two (2) Cleaner positions (CETA) - Parks Board & Recreation are hereby created, effective immediately.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-146)

RESOLUTION CREATING  
POSITION - GROUNDWORKER -  
(CETA) - PARKS BOARD &  
RECREATION

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on January 30, 1979 that the position of Groundswoker (CETA) can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Groundswoker (CETA) - Parks Board & Recreation - is hereby created, effective immediately.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-147)

RESOLUTION REFERRING  
AMENDMENT TO THE  
ZONING ORDINANCE OF  
THE TOWN OF CLARKSTOWN  
TO THE ROCKLAND COUNTY  
AND CLARKSTOWN PLANNING  
BOARDS

Co. Holbrook offered the following resolution:

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 is considering further amending said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that the following proposed amendments to the Zoning Ordinance be referred to the Planning Board of the Town of Clarkstown and the Rockland County Planning Board for their recommendations and reports:

Amend Section 106-21A(3) to read as follows:

- 3. One (1) currently registered unoccupied trailer or mobile home, camper, motor home, recreational vehicle, boat, or utility trailer may be permitted to park in an open parking space, adequately screened, in a residential zone, provided that such parking will not be in any required yard or within twenty (20) feet of a side lot line or building, except where there are driveways abutting lot lines or common driveways in use by two (2) or more homes, nor shall such parking be between the street line and the principal building.

Amend Section 106.10A, Table of General Use Regulations in CS District, Column 2, Item 9 to read as follows:

- 9. Other retail stores and service establishments, such as automobile salesrooms, auto-supply stores, home appliance stores, jewelry and art shops, upholsterers and commercial printing shops, provided that no auto repairs or installation of auto parts

RESOLUTION NO. (1979-147) Continued

shall be permitted in this district, except on lots with more than 20,000 sq. ft. located on major roads as classified on the Official Map.

Amend Section 106.10A, Table of General Use Regulations in LIO District add Item 15 to Column 2 to read as follows:

- 15. Social halls and cultural centers operated by non-profit organizations on lots of not less than 80,000 sq. ft. in area.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-148)

RESOLUTION AUTHORIZING HIGHWAY SUPERINTENDENT TO PERFORM CORRECTIVE WORK ON STREAM (MAP 53, BLOCK A, LOT 17)

Co. Holbrook offered the following resolution:

WHEREAS, a drainage condition exists in the stream adjacent to property shown on the Tax Map of the Town of Clarkstown as Map 53, Block A, Lot 17;

NOW, THEREFORE, be it

RESOLVED, that the Highway Superintendent is hereby authorized to perform corrective work on such stream in an amount not to exceed \$2,500.00, which corrective work shall consist of the following:

- 1. Removal of the remains of a concrete intake structure on the west bank of the stream.
- 2. Widening the stream by improving the west bank for approximately 300 L.F.,

and be it

FURTHER RESOLVED, that the sum of \$2,500.00 shall be a charge against Capital Account Drainage.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-149)

RESOLUTION APPOINTING APPRAISER FOR SEWER PROJECT #7146

Co. Piacentile offered the following resolution:

WHEREAS, an easement must be acquired in order to continue with Sewer Project No. 7146, and

WHEREAS, the Eminent Domain Procedure Law requires that the real property to be acquired must be appraised on behalf of the Condemnor;

NOW, THEREFORE, be it

RESOLUTION NO. (1979-149) Continued

RESOLVED, that The Albert Appraisal Company, Inc., be employed as an appraiser at a fee not to exceed \$700 for the purpose of ascertaining the value of one easement to be acquired.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

APPEARANCE:

Edward Kirkland  
2 Gillis Avenue  
Central Nyack, New York 10960

Mr. Kirkland spoke regarding a sewerage problem in Central Nyack where raw sewerage surfaces. Supervisor Gerber assured him that it would be looked into immediately.

\* \* \* \* \*

There being no further business to come before the Board and no one further wishing to be heard, the meeting was adjourned, time: 10:03 P.M. Next scheduled Town Board Meeting is February 21, 1979.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

2/7/79

8:17 P.M.

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

RE: PROPOSED AMENDMENT TO ZONING ORDINANCE - SECTION 106-3B -  
SPECIAL CARE HOME

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:

(Letterhead of Clarkstown Planning Board)

"January 24, 1979

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

TOWN BOARD REFERRAL: PROPOSED AMENDMENT  
TO ZONING ORDINANCE  
Section 106-3.B. Definitions, "Special  
Care Home"  
Section 106-10A-Column 3, Table of General  
Use Regulations and  
Section 106-17 Column 3, Table of Bulk  
Regulations for Special Permit Uses

Gentlemen:

The Members discussed the above matter at several meetings.

At the Planning Board meeting of January 16, 1979 motion of  
Paris with second of Thormann and carried 7:0 with Ayes of  
Yacyshyn, Howell, Nowicki, Paikin and Fallon, approving the  
following...

RECOMMENDATION TO THE HONORABLE TOWN BOARD: The Planning Board  
supports the proposed amendment to the Zoning Ordinance, as  
written.

Very truly yours,

PLANNING BOARD

/s/ Jerome Paikin

Jerome Paikin  
Chairman

CC: T.A.  
T.C."

\* \* \* \* \*

CONTINUED ON NEXT PAGE

PH - 2/7/79  
Page 2

(Letterhead of Roman Catholic Vicariate of Rockland County)

"January 30, 1979

Supervisor George Gerber and  
Members of the Clarkstown Town Board  
New City  
New York 10956

Dear Friends,

It would be my wish to attend the Board hearing scheduled for the evening of February 7 at 8:15 P.M. A previous commitment may very well prevent me from being present at the time the request of the Rockland Family Shelter is presented to the Board. In view of that, I wish - through the instrumentality of this letter - to support the request of the representatives of the Rockland Family Shelter. I urge that you enact the enabling legislation so that it will be legally possible for parents and children to live together in the family shelter. In the moment of crisis, it is so important that the abused family member have the support, not only of interested professionals, but also of the most cherished possession - the children. Also the separation which the children are required to experience should not go beyond what is judged to be absolutely necessary at the time.

With gratitude for this opportunity to present my view for your consideration, I remain

Sincerely in Christ,

/s/ Rev. Msgr. James F. Cox

Rev. Msgr. James F. Cox  
Roman Catholic Vicar  
Rockland County"

\* \* \* \* \*

(Letterhead of County of Rockland Planning Board)

"December 28, 1978

AGENCY

Ms. Pat Sheridan, Town Clerk  
Town of Clarkstown  
Town Hall  
New City, New York 10956

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

ITEM: Amend Zoning Ordinance, "Special Care Home" (C-826)

The Rockland County Planning Board reviewed the above item at its December 26, 1978 meeting and

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

Modifications and Conditions:

(Letter of Rockland County Planning Board Continued)

cc: Supervisor Gerber  
Clarkstown Town Atty.  
Clarkstown Planning Board  
Mr. Lombardi, Member, FCPB

Very truly yours,  
Rockland County Planning Board

By /s/ Aaron D. Fried \_\_\_\_\_  
Aaron D. Fried, Planning Director

\*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."

\* \* \* \* \*

(Letterhead of County of Rockland Family Court)

"February 2, 1979

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

RE: Zoning Code Amendment  
Special Care Homes

Dear Board Members:

I intended to address this Board regarding the proposed amendment to the Zoning Code of the Town of Clarkstown permitting Special Care Homes. Because of a previous engagement, I am unable to appear personally before this Board at such hearing. Accordingly, I submit to you this letter adding my voice endorsing the need for such amendment which would permit the Special Care Home, particularly a Family Shelter for abused and battered women and their children.

As a Judge in the Family Court, it is apparent to me that in the course of my daily contact with families in trouble most cases do not require a shelter, but, there are a significant number of cases where such shelter is indispensable where neither the Court's authority nor the auxiliary service available can help these people because of violence committed at home by family members.

There are instances where the dwelling becomes a battleground wherein threats and violence are regular occurrences. The victims need a safe family shelter in which to find sanctuary, a place to think, plan, consider alternatives, remedies or seek "cooling-off" time.

CONTINUED ON NEXT PAGE

(Letter from Rockland County Family Court Continued)

A family shelter offers practical help for a woman who has been assaulted or menaced by her husband. If a woman is beaten, but returns home without intervention or counseling the whole cycle all too often repeats. The intended shelter would be of significant social value and would concurrently reduce county wide costs in the elimination of many police calls and releasing court time and auxiliary services processing the "abused" wife.

It is hoped that you will favorably consider this amendment to the Zoning Code to permit Special Care Homes. Thank you for considering this letter.

Very truly yours,

/s/ Howard Miller

Howard Miller  
Family Court Judge"

\* \* \* \* \*

(Letterhead of Saint John's Episcopal Church)

"February 5, 1979

Clarkstown Town Board  
Clarkstown Town Hall  
Maple Avenue  
New City, New York 10956

Greetings:

We wish to inform those charged with the overall wellbeing of our community that we do urge the Clarkstown Town Board to look favourably on the necessity to change the law regarding a family shelter that will allow families to stay together. Domestic intranquility is difficult enough without the added trauma of having children removed to separate facilities away from the battered parent.

I do hope to attend the Wednesday evening meeting, but a prior appointment will delay that attendance.

Sincerely yours,

/s/ Robert E. Morisseau

Robert E. Morisseau  
Rector"

\* \* \* \* \*

Supervisor Gerber noted that since this is not a request for a specific permit, special permit, or zone change, but is a proposed amendment based upon the Town Board's own request to have it considered, we will have the Town Attorney simply indicate what the paragraph of the proposed amendment does to the existing zoning law and what the existing zoning law specifically covers now, and what this amendment will do to it.

CONTINUED ON NEXT PAGE

Mr. Jacobson explained that in all districts except RS, MRS, LIO, M and PED districts which are heavy commercial, light industrial and industrial, we allow agency boarding homes or group homes at present. The proposal here is to allow a special care home as defined in the State Social Service Law, Section 2 - Sub-Section 31, which says a Special Care Home shall mean a facility providing maintenance and special care programs for (a) Any parent accompanied by his or her minor child or children in situations in which the parent is the victim of an act which would constitute disorderly conduct, harassment, menacing, reckless endangerment and assault, or any attempted murder by a related member of the same family or household. (b) Any parent accompanied by his or her abused or maltreated minor child or children. Basically, this is the type of facility we are talking about today and propose to amend the zoning ordinance to provide for this type of facility in any residential zone.

Supervisor Gerber stated it is also a further amendment to the existing ordinance which already provides for certain different types of homes, and it also requires that each application must be heard separately for a special permit.

Mr. Jacobson said that was correct.

APPEARANCES:

IN FAVOR:

Peggy McLaughlin, Attorney  
48 Maple Avenue  
Blauvelt, New York

Law Office  
90 North Broadway  
Nyack, New York

Ms. McLaughlin is also a Social Worker and Chairperson of the Rockland Family Shelter. The Rockland Family Shelter is a coalition of local people in Rockland County who are working to start a shelter for battered women and their children.

The people in favor of starting a shelter, who will be here tonight, if possible, are Judges Miller, Weiner and Wray, Dr. Donald Van Wagenen, Superintendent of Clarkstown Schools, Joy Emanuele, President of the Clarkstown School Board, and representation from some of thirty-five interested organizations. Senator Linda Winikow, Assemblyman Robert Connor, Assemblyman Gene Levy and Mr. Gene Ostertag, a member of Germonds Presbyterian Church will also be present, if possible.

Ms. McLaughlin explained why there is a need to amend the law to allow for these kinds of homes and why the law had to be passed in Albany in 1977. The Rockland Family Shelter is asking for an amendment to the Town of Clarkstown Zoning Ordinance. It was considered a progressive step in social legislation when adults were finally separated from children in prisons, workhouses and institutions. Previous to that, children had been lumped in with the most hardened criminals and most people felt that it was extremely detrimental.

In the early 1900's adults' and children's homes were set up separately and that was considered most humane. It wasn't until the recent interest in the problems of battered women that this came to light. In 1977, New York State changed its Department of Social Services Law to establish a new category. It was nothing more than an attempt to allow women and children to leave together rather than live in a dangerous situation.

The shelter is non-profit, tax exempt and must be licensed by the New York State Department of Social Services. The Rockland Family Shelter is staffed by volunteers and includes representatives of the Probation Department, Volunteer Counseling, Social Workers and will provide a safe residence.

Gene Ostertag  
302 North Middletown Road  
Nanuet, New York

Mr. Osterrag is supportive of the Rockland Family Shelter and stated he has been active on a day-to-day basis and will remain so.

Hon. Alfred J. Weiner  
Rockland County Family Judge  
County Office Building  
New City, New York

Judge Weiner cited the need for Special Care Homes stating all cases are serious and the injured parties need a place to go. This cycle can be broken by availing ourselves of all human resources in Rockland County.

Dr. Donald Van Wagenen,  
Supt. of Clarkstown Schools  
27 Thornwood Drive  
New City, New York

Dr. Van Wagenen indicated that the schools are aware of the educational consequences of the children involved and said all seven school superintendents are supportive of the efforts to change current legislation and will interact with shelters to keep children attending their home schools.

Sister Helen Robert Boyd, Principal  
St. Augustine's School  
3 Muller Court  
New City, New York

Sr. Helen spoke of the need for this type of shelter, as she, herself, has opened her own home to people in this crisis situation.

OPPOSED:

Mr. Richard Greening  
5 Prides Crossing  
New City, New York

Mr. Greening said he wasn't really in opposition, but did question the length of stay and how many people would be allowed in a shelter of this type. Response to Mr. Greening's questions was a stay of six weeks and a maximum of fifteen people would be allowed. In addition, if a shelter was to be put into operation, a Special Permit application would have to be made to the Town Board and all surrounding residents would be notified.

\* \* \* \* \*

There being no one further wishing to be heard, on motion made by Councilman Maloney, seconded by Councilman Longo and unanimously adopted the Public Hearing was closed at 8:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

2/7/79

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: TO CONSIDER DESIGNATION OF AN HISTORICAL SITE - CUSHNER HOUSE,  
BREWERY ROAD, NEW CITY, NEW YORK

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.

APPEARANCES:

IN FAVOR: Miss Eleanor Fitch, Chairman  
Historical Review Board  
Phillips Hill Road  
New City, New York

Ms. Fitch presented the Historical Review Board's recommendation for designation of this historical site. She indicated that this was a three story, tiny, sandstone farmhouse, whose outer walls had been hand cut from a nearby quarry, placing it as built in the early 1800's, and urged designation as an historical site.

Jacob Ebeling-Konig, Member  
Historical Review Board  
431 Buena Vista Road  
New City, New York

Mr. Ebeling-Konig indicated that this house has been in the same family for 80 years and is rich in the history of Clarkstown.

Sally Wiseley, Owner  
233 Brewery Road  
New City, New York

Ms. Wiseley said the house is one of a kind and hopes the house receives this designation and can be preserved.

Councilman Holbrook commended the Clarkstown Historical Review Board for their efforts in helping to preserve Clarkstown's rich heritage and for reminding our residents that Clarkstown existed long before the Palisades Parkway and the Tappan Zee Bridge were constructed.

Supervisor Gerber read excerpts from the following:

RECOMMENDED FOR DESIGNATION AS HISTORICAL LANDMARK BY  
THE HISTORICAL REVIEW BOARD OF THE TOWN OF CLARKSTOWN

CUSHNER HOUSE

LOCATION: On the west side of Brewery Road between Laurel and Seymour Roads, known as 233 Brewery Road, New City, New York

OWNER: S. F. Wiseley

HISTORY: The house's construction and style make it akin to many of those in Rosalie Fellows Bailey's Pre-Revolutionary Dutch Houses and Families in Northern New Jersey and Southern New York. It is recorded on O'Conner's 1854 survey map as owned by Stephens, information reflected on the Historical Society's Landmarks map of 1975 by a red dot on Brewery Road just south of Wallmenick's 1769 house, also still standing (now owned by Melvin Knapp). It is registered

with the Rockland Co. Historical Society and awaits consideration by the state.

An 1878 deed shows that farmer Schild sold it to Schriever, especially reserving use of the garden. The deed located it on the public road south of Wallmenick's farm. In 1879 Schriever sold it to Margaret O'Neil and her husband, who in turn sold to another Schiever (Schreiber) and wife in 1881 with the deed mentioning again Wallmenick's farm and also Schmersahl's Brewery by the road.

There was a stipulation that the owners "may at all times hereafter peaceably and quietly have hold use occupy possess and enjoy the above granted premises" without hinderance let. In 1884 Schriever sold to Kosnier and wife, a couple of Czeck descent who anglicized their name's spelling to Cushner and there raised two children, Michael and Mary. The two lived here after their father's death in 1929, and Michael, in failing health, sold the property in 1941 to his sister "for love and affection and \$1.00 and other good and valuable considerations".

In 1967 Mary, in turn, sold most of the farm to Stowell, but reserved the house and its acre on contract retaining it until her death. When that occurred in 1977 (after a vacancy of 2 years), it was sold to the present owner S. F. Wiseley.

DESCRIPTION: This 3 story tiny sandstone farm house whose outer walls hand cut from a nearby quarry, place the house in, at least, the early 1800's. Interior details include the original (pre-1840) stencil on the hall's outer stone wall, 2 12-over-12 windows with most of their original glass. There is an Adams fireplace mantel with original adjacent cupboard, stairs and railings, back and front doors (front has swing-in half-glass window section), and original kitchen 6 ft. fireplace with hewn mantel. In the garden several plantings are characteristic of the early colonial period, e.g. the sweet-scented shrub, Calycanthus floridus (bark used in sachets between stored sheets, etc.). Lilacs were 20 ft. tall until recently pruned. Marvin Schwartz, curator at the MMA, inspected the house before and after restoration, and was amazed and pleased.

The present owner is anxious to have the house receive the recommended designation.

\* \* \* \* \*

There being no one further wishing to be heard, on motion made by Councilman Maloney and seconded by Councilman Longo and unanimously adopted, the Public Hearing was closed at 8:55 P.M.

Respectfully submitted,

*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk