

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

4/4/79

8:19 P.M.

Present: Co. Holbrook, Longo, Piacentile, Maloney
Supv. 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.

RESOLUTION NO. (1979-267)

RESOLUTION CLOSING
REGULAR MEETING IN ORDER
TO HOLD SCHEDULED PUBLIC
HEARING

Co. Maloney offered the following resolution:

RESOLVED, that the regular Town Board Meeting be closed in
order to hold scheduled Public Hearing, time: 8:21 P.M.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1979-268)

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

Co. Maloney offered the following resolution:

RESOLVED, that the regular Town Board Meeting be resumed,
scheduled Public Hearing having been held, time: 9:00 P.M.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1979-269)

SPECIAL FINDINGS AND
RESOLUTION GRANTING
SPECIAL PERMIT TO CONDUCT
A SPECIAL CARE HOME

Co. Maloney offered the following resolution:

WHEREAS, ROCKLAND FAMILY SHELTER has petitioned the Town
Board of the Town of Clarkstown for a Special Permit for the operation
of a Special Care Home pursuant to Section 106.10A of the Zoning
Ordinance of the Town of Clarkstown for property located at 31 West
Germonds Road, New City, New York, more particularly described on
the attached Schedule "A", and

WHEREAS, after due notice published and posted, a public
hearing was held before the Town Board on the 4th day of April, 1979,
at 8:15 P.M., to consider such application;

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

CONTINUED ON NEXT PAGE

RESOLUTION NO. (1979-269) Continued

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

1. Will be properly located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities;
2. Will not cause undue traffic congestion or create a traffic hazard;
3. Will not create at any point of determination any more dangerous and objectionable elements than is characteristic of the uses permitted as of right in the same district;
4. Will not adversely affect the character of or property values in the area;
5. Will not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town;
6. Will comply with all other regulations applicable to such use;

NOW, THEREFORE, be it

RESOLVED, that a Special Permit to conduct a Special Care Home at 31 West Germonds Road, New City, New York, is hereby GRANTED, and be it

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

TOWN BOARD OF THE TOWN OF CLARKSTOWN

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

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(SCHEDULE "A" - DESCRIPTION)

Germonds Presbyterian Church

Beginning at a point in the southerly line of Germonds Road marked by an iron pipe and located the following two courses from the point of intersection of the centerline of Germonds Road with the centerline of Route 304, NYSH 9005;

- 1) South 82° 49' 30" West, 390.15 feet along the centerline of Germonds Road; thence turning and running
- 2) South 1° 40' 30" East, 20.7 feet; to said point of beginning; and running thence along the westerly line of lands now or formerly of Levine
- 1) South 1° 40' 30" East, 324.70 feet to a point marked by an iron pipe; and running thence along the westerly line of lands now or formerly of Schefkowitz

RESOLUTION NO. (1979-269) Continued

- 2) South 1° 40' 30" East, 152.95 feet to a point marked by a concrete monument; thence turning and running along the northerly line of lands now or formerly of Schefkowitz
- 3) South 82° 06' 20" West, 359.99 feet to a point marked by a concrete monument; thence turning and running along the easterly line of lands now or formerly of Wiebicke
- 4) North 3° 04' West, 477.94 feet to a point in the southerly line of Germonds Road; thence turning and running along the southerly line of Germonds Road
- 5) North 81° 40' East, 158.48 feet to a Rockland County Highway monument;
- 6) North 82° 49' 30" East, 210.81 feet to a Rockland County Highway monument;
- 7) North 82° 49' 30" East, 2.22 feet to the point of beginning; containing 4.00 acres.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1979-270)

RESOLUTION CLOSING
REGULAR MEETING IN ORDER
TO HOLD SCHEDULED PUBLIC
HEARING

Co. Maloney offered the following resolution:

RESOLVED, that the regular Town Board Meeting be closed in order to hold scheduled Public Hearing, time: 9:15 P.M.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1979-271)

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

Co. Maloney offered the following resolution:

RESOLVED, that the regular Town Board Meeting be resumed, scheduled Public Hearing having been held, time: 9:50 P.M.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1979-272)

RESOLUTION DENYING
PROPOSED AMENDMENT TO
ZONING ORDINANCE
(RECREATION VEHICLES)

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 21st day of March, 1979, provided for a public hearing on the 4th day of April, 1979, at 8:30 P.M. to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown:

RESOLUTION NO. (1979-272) Continued

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.

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, and

WHEREAS, the Town Board of the Town of Clarkstown carefully considered said proposed amendment to the Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the aforesaid proposed amendment to the Zoning Ordinance of the Town of Clarkstown be and the same is hereby DENIED.

Seconded by Co. Holbrook

All voted Aye.

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Supervisor Gerber stated that the Town Board recognized the problem of the people on Topza Court and the Town Board is going to get together with representatives of the Recreational Vehicles Association, who have experience in this area and who will assist in working out a fair and equitable solution.

Mrs. Raymond Pryor, 7 Spicer Road, Suffern, New York said she represented the Family Motor Coach Association and Good Sam Club thus representing thousands of recreational vehicle owners. Mrs. Pryor volunteered to work with the Town Board in drafting any new resolutions.

Mr. Mike Cefola, 326 South Little Tor Road, New City, New York said that there were existing restrictions in the zoning code of the Town of Clarkstown presently under 21-106 A(3) and he felt that this zoning ordinance could have been used to solve the problem presented here tonight. He also requested an interpretation as to where recreational vehicles could be parked in the R-15, R-22, R-40, etc., so that people will know under the present ordinance where they are legally allowed to park their trailers. The Supervisor said that the Town Board will review all sections of the law and meet with qualified people in drawing up any new ordinances.

Mr. Cefola said that he is sure many of the people here tonight were not aware of the existing law and he advised people to get a copy of the law and see that they are in compliance with said law.

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RESOLUTION NO. (1979-273)

RESOLUTION AMENDING THE
ZONING ORDINANCE OF THE
TOWN OF CLARKSTOWN
(SOCIAL HALLS)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown adopted on the 21st day of March, 1979, a resolution adopted on the 21st day of March, 1979, at a public hearing on the 4th day of April, 1979, at 8 o'clock P.M. to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

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

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

- 15. Social halls and cultural centers owned or operated by non-profit organizations occupying less than 80,000 sq. ft. in a

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1979-274)

RESOLUTION ADOPTING
AND ACCEPTING MINUTES
OF TOWN BOARD MEETING
FOR MARCH 21, 1979

Co. Longo offered the following resolution:

RESOLVED, that the minutes of the Town Board Meeting held on March 21, 1979, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Piacentile

All voted Aye.

* * * * *

RESOLUTION NO. (1979-275)

RESOLUTION AUTHORIZING
THE TOWN ATTORNEY TO
DEFEND A PROCEEDING AGAINST
THE TOWN (NAZZARO V.
CLARKSTOWN SANITATION COMMISSION)

Co. Holbrook offered the following resolution:

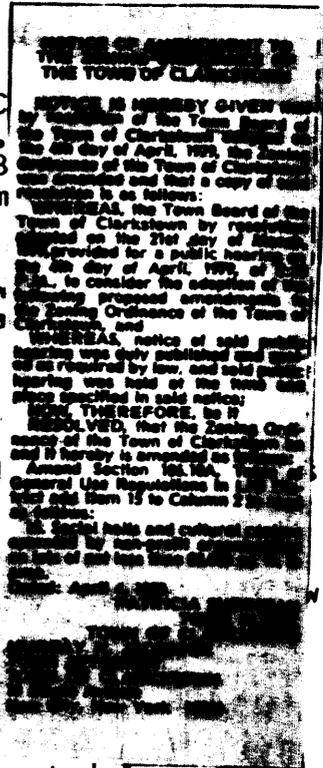
WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled as follows:

In the Matter of the Application of
PAT NAZZARO,

Petitioner,

For an Order Pursuant to Article 78
of the CPLR,

-against-





RESOLUTION NO. (1979-273)

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Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 21st day of March, 1979, provided for a public hearing on the 4th day of April, 1979, at 8:30 P.M. to consider the adoption of the following proposed amendments to the Zoning Ordinance of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

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

Amend Section 106.10A, Table of General Use Regulations in L10 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. Piacentile

All voted Aye.

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RESOLUTION NO. (1979-274)

RESOLUTION ADOPTING AND ACCEPTING MINUTES OF TOWN BOARD MEETING FOR MARCH 21, 1979

Co. Longo offered the following resolution:

RESOLVED, that the minutes of the Town Board Meeting held on March 21, 1979, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Piacentile

All voted Aye.

* * * * *

RESOLUTION NO. (1979-275)

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO DEFEND A PROCEEDING AGAINST THE TOWN (NAZZARO V. CLARKSTOWN SANITATION COMMISSION)

Co. Holbrook offered the following resolution:

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

In the Matter of the Application of
PAT NAZZARO,

Petitioner,

For an Order Pursuant to Article 78
of the CPLR,

-against-

RESOLUTION NO. (1979-275) Continued

PAUL BAVARO, JOHN DANAHY, JOHN MICHAEL O'NEILL, GREGG TACCHINO and ANN C. KOZLOWSKI, constituting the CLARKSTOWN SANITATION COMMISSION, and the TOWN OF CLARKSTOWN,

Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1979-276)

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO DEFEND A PROCEEDING INSTITUTED AGAINST THE TOWN OF CLARKSTOWN (ROBERT CLARK, ET AL.)

Co. Maloney offered the following resolution:

WHEREAS, the following proceeding has been instituted against the Town of Clarkstown:

ROBERT CLARK, LARRY KILDUFF, GARY DOYLE, BRIAN MARLEY, KEVIN KILDUFF, ALAN FEHSAL, JOHN KUBRAN, CHARLES DELO, CRAIG ANDERSON, THOMAS PURTILL, STANLEY GORZKA, CHARLES CARLETTO, ALDO DEL ROSARIO, JAMES KFOURI, LAWRENCE RUDDAN, MARK MANCE, FRANK ROSS, SCOTT DONOVAN, CHARLES BARONE, STEPHEN MURPHY, JOSEPH CLARK, PETER NOONAN, MARY PETERSON, MARTIN FARRELL, BERNARD CUMMINGS and VINCENT WHITE,

Petitioners,

-against-

THE TOWN OF CLARKSTOWN,

Respondent.

NOW, THEREFORE, be it

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

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1979-277)

RESOLUTION AUTHORIZING REFUND OF \$25.00 APPLICATION FEE FOR BUILDING PERMIT (RUDOLPH AND ROSE ABATE)

Co. Piacentile offered the following resolution:

RESOLUTION NO. (1979-277) Continued

WHEREAS, Rudolph and Rose Abate had requested a Building Permit for premises located at 6 Gandy Lane, New City, New York and paid an application fee of \$50.00, and

WHEREAS, the applicants have been unable to build,
NOW, THEREFORE, be it

RESOLVED, that the sum of \$25.00 shall be refunded to Rudolph and Rose Abate and the remaining \$25.00 be retained by the Town of Clarkstown as its fee for processing the application.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1979-278)

RESOLUTION CANCELLING TOWN BOARD MEETING OF APRIL 18, 1979 AND SETTING NEXT TOWN BOARD MEETING FOR APRIL 25, 1979

Co. Maloney offered the following resolution:

RESOLVED, that the regular meeting of the Town Board which was to be held on April 18, 1979, is hereby cancelled and

FURTHER RESOLVED, that the next Town Board Meeting be held on Wednesday, April 25, 1979.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1979-279)

RESOLUTION AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO PERFORM CORRECTIVE DRAINAGE WORK (MAP 16, BLOCK A, LOT 3.02) CHARGE TO CAPITAL ACCOUNT DRAINAGE

Co. Holbrook offered the following resolution:

WHEREAS, a drainage condition exists on a town easement on property shown on the Tax Map of the Town of Clarkstown as Map 16, Block A, Lot 3.02;

NOW, THEREFORE, be it

RESOLVED, that the Highway Superintendent is hereby authorized to perform corrective work on such property in an amount not to exceed \$2,500.00, which corrective work shall consist of the installation of two 60 foot lengths of drainage pipe, 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.

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Mr. Theodore Dusanenko, Sr., 5 Hickory Drive, New City, New York said that he had read in the paper where there was no money in the Drainage Account. Supervisor Gerber said he was incorrect. Mr. Dusanenko asked how much money is in the Drainage Account. Harold Peterson, the Town Comptroller said he believed that as of January 30, 1979 there was \$94,000.00 in the Drainage Account.

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RESOLUTION NO. (1979-280)

RESOLUTION AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO PERFORM CORRECTIVE DRAINAGE WORK (MAP 37, BLOCK A, LOT 5.11)

Co. Longo offered the following resolution:

WHEREAS, a drainage condition exists on a town easement on property shown on the Tax Map of the Town of Clarkstown as Map 37, Block A, Lot 5.11;

NOW, THEREFORE, be it

RESOLVED, that the Highway Superintendent is hereby authorized to perform corrective work on such property in an amount not to exceed \$4,000.00, which corrective work shall consist of the installation of rip-rap and/or railroad ties, and be it

FURTHER RESOLVED, that the sum of \$4,000.00 shall be a charge against Capital Account Drainage.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1979-281)

RESOLUTION ADOPTED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN SETTING PUBLIC HEARING WITH REGARD TO ZONING PETITION (PATRICIA ANN HOMES)

Co. Maloney offered the following resolution:

WHEREAS, PATRICIA ANN HOMES has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described from R-40 & R-22 district to R-22 district;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 25th day of April, 1979 at 8:15 P.M., relative to such proposed amendment; 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 official newspaper of the Town as aforesaid and file proof thereof in the office of the Clerk.

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1979-282)

RESOLUTION SETTING PUBLIC HEARING ON PROPOSED AMENDMENT TO LOCAL LAW NO. 9-1971

Co. Maloney offered the following resolution:

WHEREAS, Councilman Maloney, a member of the the Town of Clarkstown has introduced a proposed local "AMENDMENT TO LOCAL LAW NO. 9-1971, AS AMENDED, ENTITLED PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC STATE OF NEW YORK)", and

WHEREAS, the Town Board of the Town of Clarkstown that it is in the best public interest that this local

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to the Municipal Home Rule Law, be had at the Auditorium Hall, 10 Maple Avenue, New City, New York, on the 25th 1979, at 8:30 P.M., relative to such proposed local law

FURTHER RESOLVED, that notice of the time 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 such 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 Clerk.

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1979-283)

RESOLUTION AUTHORIZING CREATION OF POSITION OF SAFETY COMPLIANCE COORDINATOR

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 16, 1979 that the position of Safety Compliance Coordinator - Town of Clarkstown - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Safety Compliance Coordinator is hereby created, effective immediately.

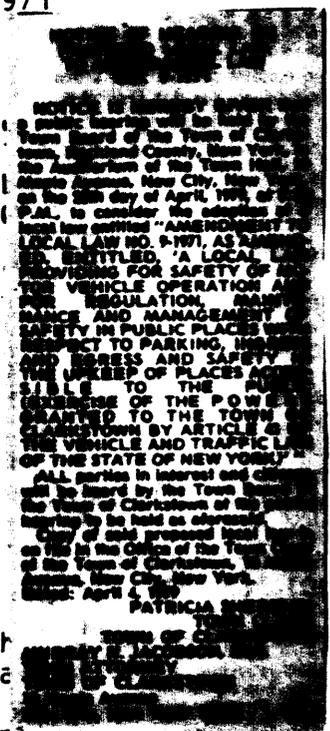
Seconded by Co. Piacentile

All voted Aye.

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Supervisor Gerber explained that the Town was required to hire a Safety Compliance Coordinator or face the possibility of losing all Town insurance.

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RESOLUTION NO. (1979-282)

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NO. 9-1

Co. Maloney offered the following resolution:

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled, "AMENDMENT TO LOCAL LAW NO. 9-1971, AS AMENDED, ENTITLED 'A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)'" , and

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 25th day of April, 1979, at 8:30 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 such 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 Clerk.

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1979-283)

RESOLUTION AUTHORIZING
CREATION OF POSITION OF
SAFETY COMPLIANCE COORDINATOR

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 16, 1979 that the position of Safety Compliance Coordinator - Town of Clarkstown - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Safety Compliance Coordinator is hereby created, effective immediately.

Seconded by Co. Piacentile

All voted Aye.

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Supervisor Gerber explained that the Town was required to hire a Safety Compliance Coordinator or face the possibility of losing all Town insurance.

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RESOLUTION NO. (1979-284)

RESOLUTION AUTHORIZING
CREATION OF POSITION OF
CLERK - ASSESSOR'S OFFICE

Co. Piacentile offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 28, 1979 that the position of Clerk - Assessor's Office - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Clerk - Assessor's Office is hereby created, effective and retroactive to March 30, 1979.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1979-285)

RESOLUTION APPOINTING
CLERK (ASSESSOR'S OFFICE) -
MARGARET MILONE

Co. Piacentile offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligible #7620 Clerk which contains the name of Margaret Milone,

NOW, THEREFORE, be it

RESOLVED, that Margaret Milone, 6 Deerfield Drive, New City, New York is hereby appointed to the position of Clerk - Assessor's Office - at the annual salary for 1979 of \$8,765.00, effective and retroactive to March 30, 1979.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1979-286)

RESOLUTION APPOINTING
MEMBERS TO CLARKSTOWN
CONSUMER AFFAIRS COMMISSION
(SACCENDE, SANDBERG, GROMACK,
GOLDBERG, DINEEN)

Co. Piacentile offered the following resolution:

RESOLVED, that the following are hereby appointed members of the Clarkstown Consumer Affairs Commission, to serve without compensation, effective immediately:

Irene Saccende, 11 Windmill Lane, New City, New York
term to expire April 4, 1980

Dale Alan Sandberg, 8 May Place, Nanuet, New York
term to expire April 4, 1980

Cam Gromack, 60 Collyer Avenue, New City, New York
term to expire April 4, 1981

Stephen E. Goldberg, 21 Jockey Hollow Drive, Nanuet, New York
term to expire April 4, 1981

Mary Jane Dineen, 36 Carolina Drive, New City, New York
term to expire April 4, 1982.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1979-287)

RESOLUTION CREATING POSITION
OF TYPIST (CETA) NANUET
PUBLIC SCHOOLS

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 16, 1979 that the position of Typist (CETA) - Nanuet Public Schools can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Typist (CETA) is hereby created, effective and retroactive to March 16, 1979.

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1979-288)

RESOLUTION APPOINTING
TYPIST (CETA) NANUET PUBLIC
SCHOOLS (DIANE COLANTUONI)

Co. Maloney offered the following resolution:

RESOLVED, that Diane D. Colantuoni, 72 Ridge Road, Valley Cottage, New York is hereby appointed to the position of Typist (CETA) Nanuet Public Schools - at the annual salary for 1979 of \$7,846.00, effective and retroactive to March 16, 1979.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1979-289)

RESOLUTION ACCEPTING
RESIGNATIONS IN PARKS
BOARD AND RECREATION
DEPARTMENT (HANDLER
AND POJAFSKY)

Co. Maloney offered the following resolution:

RESOLVED, that the following resignations are hereby accepted in Parks Board & Recreation (CETA):

Neil E. Handler, 9 Annabelle Lane, New City, New York
effective March 9, 1979.

Paul Pojafsky, 155 Sleepy Hollow Lane, Congers, New York
effective March 23, 1979.

Seconded by Co. Piacentile

All voted Aye.

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RESOLUTION NO. (1979-290)

RESOLUTION GRANTING SICK
LEAVE OF ABSENCE AT HALF
PAY TO FRANCES MARCHASELLA -
CLERK (CETA) ASSESSOR'S
OFFICE

Co. Piacentile offered the following resolution:

RESOLUTION NO. (1979-290) Continued

WHEREAS, Frances Marchasella, 38 Pondview Drive, Congers, New York has used up all sick leave, vacation time and personal leave,

NOW, THEREFORE, be it

RESOLVED, that Frances Marchasella - Clerk (CETA) - Assessor's office - is hereby granted a sick leave of absence at 1/2 salary, retroactive to March 16, 1979, not to exceed thirty (30) days.

Seconded by Co. Holbrook

On roll call the vote was as follows:

Supervisor Gerber.....	Yes
Councilman Maloney.....	Yes
Councilman Holbrook.....	Yes
Councilman Longo.....	Abstain
Councilman Piacentile.....	Yes

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RESOLUTION NO. (1979-291)

RESOLUTION APPOINTING
GROUNDWORKER (CETA) PARKS
BOARD AND RECREATION
DEPARTMENT (EDWARD LARKE)

Co. Maloney offered the following resolution:

RESOLVED, that Edward Larke, 258 South Main Street, New City, New York is hereby appointed to the position of Groundworker (CETA) - Parks Board and Recreation - at the annual salary for 1979 of \$10,000.00, effective and retroactive to March 20, 1979.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1979-292)

RESOLUTION APPOINTING
CLEANER (CETA) PARKS BOARD
AND RECREATION DEPARTMENT
(THOMAS IZZO)

Co. Maloney offered the following resolution:

RESOLVED, that Thomas Izzo, 68 Lakewood Drive, Congers, New York is hereby appointed to the position of Cleaner (CETA) - Parks Board and Recreation - at the annual salary for 1979 of \$8,765.00, effective and retroactive to April 2, 1979.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1979-293)

RESOLUTION CREATING
POSITION OF COUNSELING
SERVICE AIDE (CETA)
VOLUNTEER COUNSELING SERVICE)

Co. Piacentile offered the following resolution:
WHEREAS, the Rockland County Personnel Office has certified on March 26, 1979 that the position of Counseling Service Aide (CETA)- Volunteer Counseling Service can be created,

NOW, THEREFORE, be it

RESOLUTION NO. (1979-293) Continued

RESOLVED, that the position of Counseling Service Aide (CETA) is hereby created, effective immediately.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (1979-294)

RESOLUTION CREATING
POSITION OF TYPIST (CETA)
PUBLIC DEFENDER'S OFFICE

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified that the position of Typist (CETA) - Public Defender's office (Rockland County) can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Typist (CETA) is hereby created, effective April 9, 1979.

Seconded by Co. Piacentile All voted Aye.

* * * * *

RESOLUTION NO. (1979-295)

RESOLUTION APPOINTING
TYPIST (CETA) PUBLIC
DEFENDER'S OFFICE (CATHY E.
RIESCHL)

Co. Longo offered the following resolution:

RESOLVED, that Cathy E. Rieschl, 64 North Greenbush Road, West Nyack, New York is hereby appointed to the position of Typist (CETA) - Public Defender's Office - Rockland County - at the hourly wage of \$3.92, effective April 9, 1979.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (1979-296)

RESOLUTION AUTHORIZING
DIRECTOR OF PURCHASING TO
READVERTISE FOR BIDS FOR
SALE OF DAMAGED PATROL CAR
#211 1978 DODGE MONACO VIN
#WL41L8A152643

Co. Piacentile offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that the sole bid received for the SALE OF DAMAGED PATROL CAR #211 - 1978 Dodge Monaco VIN #WL41L8A152643 - is hereby rejected and be it,

RESOLVED, that the Director of Purchasing is hereby authorized to readvertise for bids for the sale of the above vehicle, 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 April 16, 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 Director of Purchasing.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (1979-297)

RESOLUTION ACCEPTING PROPOSALS FROM ORANGE AND ROCKLAND UTILITIES, INC., FOR STREET LIGHTING AT LIBERTY CIRCLE, NEW CITY AND EMERALD COURT, SPRING VALLEY

Co. Holbrook offered the following resolution:

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

Liberty Circle
Emerald Court

New City
Spring Valley

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (1979-298)

RESOLUTION AUTHORIZING TOWN ATTORNEY TO APPEAL DECISION OF THE SUPREME COURT (ORANGE & ROCKLAND UTILITIES, INC. V. TOWN OF CLARKSTOWN)

Co. Piacentile offered the following resolution:

WHEREAS, the Supreme Court of Rockland County has rendered a decision in the matter of ORANGE AND ROCKLAND UTILITIES, INC. against the TOWN OF CLARKSTOWN, and

WHEREAS, it is deemed appropriate that the decision be appealed;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to appeal this decision.

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (1979-299)

RESOLUTION SETTING PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE ZONING ORDINANCE OF THE TOWN OF CLARKSTOWN

Co. Maloney 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 desires to further amend the Zoning Ordinance;

NOW, THEREFORE, be it

RESOLUTION NO. (1979-297)

RESOLUTION ACCEPTING PROPOSALS FROM ORANGE AND ROCKLAND UTILITIES, INC., FOR STREET LIGHTING AT LIBERTY CIRCLE, NEW CITY AND EMERALD COURT, SPRING VALLEY

Co. Holbrook offered the following resolution:

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

Liberty Circle
Emerald Court

New City
Spring Valley

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (1979-298)

RESOLUTION AUTHORIZING TOWN ATTORNEY TO APPEAL DECISION OF THE SUPREME COURT (ORANGE & ROCKLAND UTILITIES, INC. V. TOWN OF CLARKSTOWN)

Co. Piacentile offered the following resolution:

WHEREAS, the Supreme Court of Rockland County has rendered a decision in the matter of ORANGE AND ROCKLAND UTILITIES, INC. against the TOWN OF CLARKSTOWN, and

WHEREAS, it is deemed appropriate that the decision be appealed;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to appeal this decision.

Seconded by Co. Longo

All vote

* * * * *

RESOLUTION NO. (1979-299)

RESOLUTION HEARING (MENTS TO OF THE TANCE

Co. Maloney offered the following resolution:

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

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

NOW, THEREFORE, be it

NOTICE OF PUBLIC HEARING
RESOLUTION HEARING (MENTS TO OF THE TANCE

RESOLUTION NO. (1979-299) Continued

RESOLVED, that a public hearing, pursuant to Sec. 264 of the Town Law, be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 25th day of April, 1979, at 8:45 P.M., to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown:

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 shall be permitted in this district, except on lots with more than 20,000 sq. ft. with access from a major road as classified on the Official Map, and not adjoining properties zoned for residential use.

Amend Section 106.10A, Table of General Use Regulations, in CS District, Column 6, add Item 13 to read as follows:

- 13. For auto repairs or installation of auto parts. At least three parking spaces for each service bay.

Amend Section 106.10A, Table of General Use Regulations, in CS District, Column 8, add Item 14 as follows:

- 14. For auto repairs or installation of auto parts, all work shall be performed indoors.

and be it

FURTHER RESOLVED, that this resolution be referred to the Rockland County Planning Board for report prior to the public hearing.

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (1979-300)

RESOLUTION GRANTING
CERTIFICATE OF REGISTRATION
PURSUANT TO SEC. 83-65 OF THE
CODE OF THE TOWN OF CLARKSTOWN
(MICHAEL RICKLI D/B/A RICKLI
EXCAVATING)

Co. Holbrook offered the following resolution:

WHEREAS, the following has applied for a Certificate of Registration pursuant to Sec. 83-65 of the Code of the Town of Clarkstown:

MICHAEL RICKLI d/b/a RICKLI EXCAVATING
58 Basswood Court
Bardonia, New York

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 79-11 to MICHAEL RICKLI d/b/a RICKLI EXCAVATING.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (1979-301)

RESOLUTION GRANTING LEAVE
OF ABSENCE AT HALF PAY TO
GENE FERRANTE

Co. Longo offered the following resolution:

WHEREAS, Gene Ferrante has used all of his available sick leave, vacation, holidays and personal leave credits, and

WHEREAS, Article XVIII, Section 3 (k) of the Town of Clarkstown Labor Agreement of January 1, 1978 provides for an extension of sick leave to a permanent employee,

NOW, THEREFORE, be it

RESOLVED, that Gene Ferrante, 2 Inland Road, Spring Valley, New York is hereby granted a leave of absence at one-half (1/2) his normal salary, effective April 19, 1979, for a period of three (3) months.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

Supervisor Gerber and Councilman Piacentile expressed their congratulations and approval of the appointment of Donald Hastings as Fire Coordinator.

Councilman Maloney wished Councilman Longo and his wife a Happy 15th Wedding Anniversary.

Supervisor Gerber offered the condolences of the Town Board to Wilbur Oswald, who is a member of the Parks Board and Recreation Commission, on the death of his wife, Dorothy.

Supervisor Gerber wished everyone a Happy Holiday.

* * * * *

There being no one further wishing to be heard and no further business to come before the Town Board, the meeting was adjourned, time: 10:47 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

4/4/79

8:21 P.M.

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

RE: SPECIAL PERMIT APPLICATION - ROCKLAND FAMILY SHELTER, WEST
GERMONDS ROAD, NEW CITY

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

Supervisor Gerber read the following correspondence:

(Letterhead of Rockland County Planning Board)

"March 12, 1979

Clarkstown Town Board
Town Hall
New City, New York 10956

Re: GENERAL MUNICIPAL LAW (GML) REVIEW:

239(k) _____ 239 (l&m) XXX 239 (n) _____

Item: Rockland Family Shelter, S/S _____ Map dated _____
Church St., New City (C-836)

The Rockland County Planning Board reviewed the above item at its March 6, 1979 meeting and

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

Modifications and Conditions:

Note: The Board felt this was an issue for local determination

cc: Supervisor Gerber
Clarkstown Planning Board
Mr. Lombardi, member, RCPB

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."

CONTINUED ON NEXT PAGE

(Letterhead of the Clarkstown Planning Board)

"March 14, 1979

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

Gentlemen: TOWN BOARD REFERRAL: SPECIAL PERMIT
REQUEST TO OPERATE SPECIAL CARE HOME
FOR ROCKLAND FAMILY SHELTER 35-1A6
NEW CITY (To S. side Germonds Road).

At the Planning Board meeting of March 13, 1979 motion of Paris,
second of Nowicki, carried 5:0 with Ayes of Paikin, Fallon and
Yacyshyn, approving the following...

RECOMMENDATION TO THE HONORABLE TOWN BOARD: That the Special
Permit be granted for a Special Care Home to be operated by
the Rockland Family Shelter on lot 35-1A6, New City. Prior
to the Town Board Public Hearing applicant shall provide
information as requested by Building Inspector.

Very truly yours,

Jerome Paikin,
Chairman

JP:w

cc: Town Attorney
Town Clerk"

(Letter head of Joan A. Derella Realty)

"March 2, 1979

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

Dear Sirs,

For the past six years I have been directly involved in
the sale of real estate in Rockland County. I am presently the
owner of Joan A. Derella Realty located off Route 304 in New City
and a member of the Rockland County Multiple Listing System. My
office is an active agency in the heart of this town and I am totally
aware of what is happening in the real estate market.

I understand that a women's and children's shelter would
like to acquire the property known as the manse of the Germonds
Church, 31 Germonds Road. I have personally examined the property
and come to the conclusion that it is an ideal location. The
structure is large with more than adequate facilities for the purpose
intended. There has also been excellent preventative maintenance over
the years. The plot of land is large and there is an unencumbered lawn
which is an asset. It is my valued opinion that the immediate area will
not be affected by the proposed community residence and there will not
be a depreciation of property values.

"I believe your board would be doing a tremendous humanitarian service to women and children less fortunate than you or I in need of temporary shelter and guidance. I have lived and worked in Rockland County for many years. I am thoroughly acquainted with the proposed site and I believe there is no more suitable location and wholeheartedly endorse this project.

Sincerely,

/s/ Joan A. Derella

JOAN A. DERELLA"

APPEARANCE: Peggy McLaughlin, Chairperson
Rockland Family Shelter

Ms. McLaughlin stated that she was requesting the Town Board approve the special care home; that there were twenty people on the advisory board for the special care home consisting of politicians, social workers, probation officers, etc.; and that they would like to open the shelter in a month or two. There will be a maximum six week stay. They will provide all services necessary for wives, children and husbands and that the purpose of the shelter was to stop the cycle of domestic violence.

APPEARANCE: Roxanne Koop, Elder
Germonds Presbyterian Church

She has been working to assist the Rockland Family Shelter in taking over the manse for the shelter and that this is a traditional and ongoing role for the church, that of developing a service of this kind. The members of the church would like to go forward and get this underway.

APPEARANCE: Judge Howard Miller
Rockland County Family Court

Judge Miller said that he strongly supported this program and that this is not a new concept. There are others across the country. It has been approved by both the federal government and New York State. The home would provide a holding action for special cases. He urged the Board's approval.

APPEARANCE: Paul Adler

Mr. Adler appeared as a representative of Senator Linda Winikow and read the following statement:

"...However, having been a lead sponsor of the new laws regarding battered spouses; and one who understands the needs of these women and their need for this shelter I believe that Clarkstown should be proud to issue the first permit of this type in the county.'

'The state has recognized these needs and has funded this shelter to the tune of \$70,000, furthermore I am proud to support the Rockland Family Shelter on this important consideration for all those men and women that have cried out this badly needed shelter.'

"I urge the Clarkstown Town Council to adopt this special permit for the establishment of a battered spouse shelter.

"Thank you.

Senator Linda Winikow
Chairperson, Minority Task Force
on Womens Issues."

APPEARANCE: Michelle Katz, Member
Board of Rockland Family Shelter

Ms. Katz read the following letter from Judge William F. Wray:

(Letterhead of Freedman, Wray, Wagner & Tabakman)

"April 4, 1979

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

Gentlemen:

I am writing this letter to express my total support for the Rockland Family Shelter for Victims of Domestic Violence.

I am writing this letter as a private citizen who lives in the Town of Clarkstown, as a practicing attorney who has seen first-hand the need for such a battered womens' shelter and also as one of Clarkstown's own Town Justices. I believe that this proposed shelter would be of great benefit to our community.

I am also a member of Germonds Presbyterian Church and I believe that the combination of the Rockland Family Shelter and Germonds personnel supporting it will be to the benefit of the community.

Very truly yours,

/s/ William F. Wray

WFW:gl

By: William F. Wray"

APPEARANCE: William Gerlach
Germonds Road
New City, New York

Mr. Gerlach said he lived across the street from the proposed site and he was concerned because the proposed special care home had a hot line to the Police Department and he wants a guaranty that his children will be safe.

Ms. McLaughlin said that she was sure that the children would be safe.

APPEARANCE: Roberta Maloney

Ms. Maloney asked a question on whether the property would be supported from local taxes. Supervisor Gerber said "No, it would be state funded."

APPEARANCE: Judge Howard Miller

Judge Miller commented that the situation of domestic violence exists now everywhere and that violent husbands would be kept away from the shelter because an Order of Protection would be

issued to their wives and that these are not isolated cases. This type of situation has always existed. There would not be fourteen families accomodated but only two families there at a time.

APPEARANCE: Sr. Ursula Joyce
Orangetown

Sr. Joyce said she has been involved with a similar type program for the past year and has not had one case of a husband trying to interfere.

APPEARANCE: Mrs. Cooperman
699 Route 304
Bardonia, New York

Mrs. Cooperman said she was concerned because her mother's home is the adjoining property and her house is the identical house to the manse. She is fearful for her mother and daughter if a violent husband should come and look for his wife and mistake the house.

APPEARANCE: Coop Bradford
41 Germonds Road
New City, New York

Mr. Bradford stated that he was one property away from the proposed site and that he did not feel that Sr. Joyce had a comparable situation. He was not opposed to the sheleter; he just wanted it some place else. He wanted to know what the alternative was to putting it on Germonds Road and had a sense of fear for his own children.

Ms. McLaughlin said no other site was available and the shelter had applied for and was being funded at this site. The threat of violence was minimal because the purpose of the shelter was to separate people so that they could cool down.

APPEARANCE: Judge Miller

Judge Miller said that the most important moment for the parties involved is the immediate time of the violence and that sometimes it can be motivated by alcohol. Up until now if a woman wanted to leave she had to go to a motel or a friend's house and sometimes she had no place to go. The husband could be ordered to go for counseling and that while the maximum stay is six weeks we are hopeful that it will be only six days to two weeks.

APPEARANCE: Gerald Bierker
Schweitzer Lane
Bardonia, New York

The question to be asked here is "What is a neighborhood? Is it a block? Is it six blocks or is it a town?"

APPEARANCE: George Dalzell
Germonds Road
New City, New York

Mr. Dalzell asked was the application permanent and Supervisor Gerber said it was a permanent as any other group home.

* * * * *

There being no one further wishing to be heard on motion of Councilman Maloney, seconded by Councilman Longo and unanimously adopted, the Public Hearing was closed, time: 9:00 P.M. GRANTED.

Respectfully submitted,

PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

4/4/79

9:15 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 AMENDMENTS TO THE ZONING ORDINANCE OF THE TOWN OF CLARKSTOWN

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

Supervisor Gerber read the following correspondence:

(Letterhead of Rockland County Planning Board)

"March 12, 1979

Clarkstown Town Board
Town Hall
New City, New York 10956

Attn: Town Clerk

Re: GENERAL MUNICIPAL LAW (GML) REVIEW:
239(k)_____239(l&m) XXX 239(n)_____

Item: Amend Sec. 106-21A-3, 106-10A Map dated _____
CS Col 2, Item 9 Sec. 106-10A L10, Col 2
add item 15 (C-835)

The Rockland County Planning Board reviewed the above item at its March 6, 1979 meeting and

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

Modifications and Conditions:

cc: Supervisor Gerber
Clarkstown Planning Board
Mr. Lombardi, member, RCPB
Town Attorney

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 Clarkstown Planning Board)

"March 12, 1979

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

TOWN BOARD REFERRAL: PROPOSED AMENDMENTS
TO THE ZONING ORDINANCE SECTION 106-21A(3)

Gentlemen:

At the Planning Board meeting of March 6, 1979, motion of Yacyshyn, second of Nowicki, carried 4:1 with Ayes of Paikin and Thormann, Nay of Paris, approving the following:

RECOMMENDATION TO THE HONORABLE TOWN BOARD:

The Planning Board is in agreement with the proposed amendment as written for Section 106-21A(3), as this will help clarify the portion of the Ordinance dealing with parking of recreational vehicles.

Very truly yours,

/s/ Jerome Paikin

Jerome Paikin,
Chairman

JP/dsg

CC: Town Attorney
Town Clerk"

"April 1, 1979

Mr. George Gerber
Clarkstown Town Hall
Maple Ave.
New City, N.Y. 10956

Dear Mr. Gerber,

I cannot attend the Town Board meeting this week but I do want to voice my opinion as to the proposed law restricting the parking of rec. vehicles. I am totally opposed to it as I'm sure many more people will be as they get to hear about it. If this is legal (and I do wonder about that) can we then expect older cars to be banned also-after all some of them look worse than recreational vehicle. With all the taxes we in Clarkstown pay the only type of vacations some of us can afford or want is camping. Perhaps before Mr. Bowman's proposal gets out of hand the whole town board might try a camping trip. Camping and boating are getting to be larger & larger industries, therefore this law will start to effect more & more people. It really doesn't make any sense. I personally am going to alert as many of my camping and boating friends as possible.

Virginia Keller
52 Long Meadow Drive
New City, N.Y. 10956"

CONTINUED ON NEXT PAGE

Supervisor Gerber said that in order to save time he wanted to separate the proposed amendments and he would hear the one on the trailers first and the one on the social halls second.

Supervisor Gerber explained that the first part regarding recreational vehicles was the recommendation of the Building Inspector not the Town Board and it could be separated into two sections by a show of hands. If it was agreeable to those present we would then recess in order to expedite the meeting.

There were four people in favor of the proposed law who wished to be heard. All the others (approximately 300 people) were in opposition.

Supervisor Gerber inquired if there was anyone wishing to be heard regarding social halls. There was no one wishing to be heard. The Public Hearing then heard all those regarding recreational vehicles.

IN FAVOR: Daniel Sherman
APPEARANCE: 8 Topaz Court
Spring Valley, New York

Mr. Sherman stated that they had a particular problem in their area with a recreational vehicle that was destroying the esthetic value of their area. This particular vehicle is now parked on a front lawn destroying the appearance of the community. He feels this is an infringement of his rights since he lives in a residential community and not in a trailer park. He felt that people who owned recreational vehicles should store them in a proper manner. He asked the Town Board to treat the people who were not owners of recreational vehicles fairly and respect their rights. Something must be done to keep these vehicles off front lawns.

APPEARANCE: Norman Noodleman
Topaz Court
Spring Valley, New York

Mr. Noodleman said that there was a 35 to 40 foot vehicle parked on his street and that the owner kept it on the street which was extremely dangerous for cars or other vehicles trying to get around it. The owner of the vehicle broke through the curb and put down gravel and parked his vehicle on my property line. People still cannot see the corner around this vehicle and he is sure that this will cause an accident. Mr. Noodleman said that he has a boat and he keeps it in a boatyard and feels that the owner of a recreational vehicle should do the same thing. He asked if the ordinance stated how far from the street a recreational vehicle had to be parked and if it could be parked on an easement.

The Supervisor said that he did not have a clear enough understanding of the ordinance to explain it.

APPEARANCE: David Gold
Topaz Court
Spring Valley, New York

Mr. Gold said he also was not knowledge about the proposal. However, he said the trailer blocks the visibility and he was very concerned about the children's safety.

The Supervisor said he would accept a show of hands and the Town Board would take a five minute recess and hopefully resolve this problem.

PH - 4/4/79
Page 4

There was a recess at 9:39 and the Public Hearing resumed at 9:47 P.M.

There being no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted the Public Hearing was declared closed, time 9:50 P.M. DENIED as to recreation vehicles; GRANTED as to social halls.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk