

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

4/25/79

8:15 P.M.

Present: Co. Holbrook, Longo, Piacentile, Maloney  
Supv. Gerber  
Murray Jacobson, Town Attorney  
Patricia Sheridan, Town Clerk

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

Mr. Gerber recognized Luther Radway of the Central Nyack Civic Association. Mr. Radway thanked the Supervisor, The Town Board, Mr. Chase and Mr. Ghiazza for taking time to explain and answer any questions which the Central Nyack Civic Association had regarding the Community Development program.

Supervisor Gerber read the following letter:

"April 1979

To:

The Town Board:

The Central Nyack Civic Association which met the first week in March unanimously voted to approve the \$35 thousand dollar grant allocated the center.

We are hoping that the Town Board will give this matter your utmost attention and consideration.

Thank you.

/s/ Luther Radway"

Supervisor Gerber thanked the Civic Association for support and said the Town Board would continue to be responsive and that they looked forward to seeing the Community Center approved through Housing and Community Development Act funds.

RESOLUTION NO. (1979-302)

RESOLUTION CLOSING  
REGULAR MEETING AND  
OPENING PUBLIC HEARING

Co. Maloney offered the following resolution:

RESOLVED, that the regular Town Board Meeting be closed and scheduled Public Hearing be held, time: 8:18 P.M.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (1979-303)

RESOLUTION CLOSING PUBLIC  
HEARING AND RESUMING  
REGULAR TOWN BOARD MEETING

Co. Holbrook offered the following resolution:

RESOLVED, that the regular Town Board Meeting be resumed, scheduled Public Hearing having been held, time: 9:07 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1979-304)

RESOLUTION ADOPTING  
LOCAL LAW NO. 3 - 1979  
(ABANDONED VEHICLES)

Co. Maloney offered the following resolution:

WHEREAS, 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)'" , was introduced by Councilman John R. Maloney at a Town Board meeting held April 4, 1979; and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 4th day of April 1979, directed that a public hearing be held on the 25th day of April, 1979, at 8:30 P.M., to consider the adoption of the local law, and

WHEREAS, a notice of hearing was duly prepared and published in the Journal News on April 10, 1979; and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Town Board members on March 28, 1979, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on the 25th day of April, 1979;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 3 - 1979 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)'" , is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

Hon. George S. Gerber, Supervisor.....AYE  
Councilman John R. Maloney.....AYE  
Councilman Charles E. Holbrook.....AYE  
Councilman Nicholas A. Longo.....AYE  
Councilman John T. Piacentile.....AYE

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (1979-305)

RESOLUTION CLOSING  
REGULAR MEETING AND  
OPENING PUBLIC HEARING

Co. Piacentile offered the following resolution:

RESOLVED, that the regular Town Board Meeting be closed and scheduled Public Hearing be held, time: 9:10 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1979-306)

RESOLUTION CLOSING PUBLIC  
HEARING AND RESUMING  
REGULAR TOWN BOARD MEETING

Co. Holbrook offered the following resolution:

RESOLVED, that the regular Town Board Meeting be resumed,  
scheduled Public Hearing having been held, time: 9:22 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (1979-307)

RESOLUTION  
ZONING ORDINANCE  
TOWN OF CLARKSTOWN  
RETAIL STORES  
ESTABLISHMENTS

NOTICE OF AMENDMENT TO  
ZONING ORDINANCE IN  
THE TOWN OF CLARKSTOWN  
WHEREAS, the Town Board of  
Clarkstown, New Jersey, on the  
4th day of April, 1979, adopted  
a resolution amending the  
Zoning Ordinance of the Town of  
Clarkstown, New Jersey, in CS  
District, Column 2, Item 9, to  
read as follows:  
9. Other retail stores and service  
establishments, such as general  
merchandise, auto-supply stores,  
appliance stores, jewelry and  
watch shops, upholsterers and  
commercial print 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  
for zoning purposes and zoned  
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, all work shall be  
performed indoors.  
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.  
Date: April 25, 1979

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, New Jersey, on the 4th day of April, 1979, proposed a public hearing 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, New Jersey, and

WHEREAS, notice of said public hearing was 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 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 watch shops, upholsterers and commercial print 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.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-306)

RESOLUTION CLOSING PUBLIC  
HEARING AND RESUMING  
REGULAR TOWN BOARD MEETING

Co. Holbrook offered the following resolution:

RESOLVED, that the regular Town Board Meeting be resumed,  
scheduled Public Hearing having been held, time: 9:22 P.M.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-307)

RESOLUTION AMENDING THE  
ZONING ORDINANCE OF THE  
TOWN OF CLARKSTOWN (106.10A  
RETAIL STORES AND SERVICE  
ESTABLISHMENTS)

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by  
resolution adopted on the 4th day of April, 1979, provided for a  
public hearing on the 25th day of April, 1979, at 8:45 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 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 installa-  
tion 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.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

At this point there was a recess from 9:26 P.M. to 9:37 P.M. at which time the Town Board Meeting resumed.

RESOLUTION NO. (1979-308)

RESOLUTION SETTING  
PUBLIC HEARING FOR EXTENSION  
OF CLARKSTOWN CONSOLIDATED  
WATER SUPPLY DISTRICT # 1  
(WATERS MILL ESTATES,  
VALLEY COTTAGE)

Co. Maloney offered the following resolution:

WHEREAS, a written Petition dated March 27, 1979 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 No. 1 in the said Town, to be bounded and described as follows:

SCHEDULE "A" (amended)

WATERS MILL ESTATES SUBDIVISION

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York, more particularly bounded and described as follows:

BEGINNING at a point on the northerly side of Old Mill Road, said point being the southwesterly corner of the premises herein intended to be described and the southeasterly corner of lands now or formerly of William Goldbach; running thence

(1) along the easterly line of lands now or formerly of Goldbach, Garrett, Ostlund, Ishler and Lydecker, and part of the way through a stone wall, N 18° 38' 40" E a distance of 1,005.76 feet; thence

(2) along the northerly line of lands now or formerly of Lydecker and through a stone wall, N 86° 27' 50" W a distance of 277.68 feet; thence

(3) along the northerly line of lands now or formerly of Will, N 50° 59' 20" W a distance of 276.80 feet; thence

(4) along the easterly line of lands now or formerly of Spring Valley Water Works, N 33° 32' 08" E a distance of 614.92 feet; thence

(5) along the southerly line of lands now or formerly of Desai and Schutz and through a stone wall, S 85° 16' 36" E a distance of 563.42 feet; thence

(6) along the westerly line of lands now or formerly of Kane, Cobban, Jobson, Brucker and Freeman, and partly through a stone wall, S 11° 47' 50" W a distance of 624.72 feet; thence

(7) along the westerly line of lands now or formerly of Freeman, Boepple, Craven, Griffith and Conlon and partly through a stone wall, S 13° 55' 50" W a distance of 585.46 feet; thence

(8) along the westerly line of lands now or formerly of Moore and Detch, S 3° 49' 11" E a distance of 342.23 feet to the northerly side of Old Mill Road; thence

(9) along the same, the following courses and distances:  
(a) S 74° 08' 47" W a distance of 160.01 feet to a Rockland County Monument;

At this point there was a recess at 9:37 P.M. at which time the Town Board resumed.

RESOLUTION NO. (1979-308)

Co. Maloney offered the following

WHEREAS, a written Petition form and containing the required and filed with the Town Board of County, New York for the Extension of Water Supply District No. 1 in the described as follows:

SCHEDULE "A"

WATERS MILL ESTATES SUBDIVISION

ALL that certain plot, piece or parcel being in the Town of Clarkstown, New York, more particularly bounded

BEGINNING at a point on the north side of the road, the southwest corner of the property to be described and the southeast corner of William Goldbach; running thence

(1) along the easterly line of lands now or formerly of Garrett, Ostlund, Ishler and Lydecker, through a stone wall, N 18° 38' 40" E a distance of 1,085.76 feet; thence

(2) along the northerly line of lands now or formerly of Lydecker and through a stone wall, N 86° 2' 30" W a distance of 277.68 feet; thence

(3) along the northerly line of lands now or formerly of Will, N 50° 59' 20" W a distance of 276.80 feet; thence

(4) along the easterly line of lands now or formerly of Kane, Cobban, Jobson, Brucker and Freeman, through a stone wall, S 11° 47' 50" W a distance of 614.92 feet; thence

(5) along the southerly line of lands now or formerly of Desai and Schutz and through a stone wall, S 563.42 feet; thence

(6) along the westerly line of lands now or formerly of Kane, Cobban, Jobson, Brucker and Freeman, through a stone wall, S 11° 47' 50" W a distance of 614.92 feet; thence

(7) along the westerly line of lands now or formerly of Freeman, Craven, Griffith and Conlon, through a stone wall, S 13° 55' 50" W a distance of 563.42 feet; thence

(8) along the westerly line of lands now or formerly of Detch, S 3° 49' 11" E a distance of 614.92 feet to the point of beginning; thence

(9) along the same, the following (a) S 74° 08' 47" W a distance of 614.92 feet to a Rockland County Monument;

LEGAL NOTICE

At a meeting of the Town Board of the Town of Clarkstown, Rockland County, New York, held at the Meeting Room of the Town Hall, at 10 Maple Ave., New City, in said Town of Clarkstown on the 25th day of APRIL 1979.

PRESENT  
GEORGE S. GERBER, Supervisor  
JOHN R. MALONEY, Councilman  
NICHOLAS A. LONGO, Councilman  
CHARLES E. HOLBROOK, Councilman  
JOHN T. PIACENTILE, Councilman

ORDER CALLING  
PUBLIC HEARING

IN THE MATTER OF: PETITION for the EXTENSION of the CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1 to include WATERS MILL ESTATES, Valley Cottage in the Town of Clarkstown, Rockland County, New York.

WHEREAS, a written Petition dated March 27, 1979 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 NO. 1 in the said Town, to be bounded and described as follows:

SCHEDULE "A"  
WATERS MILL ESTATES SUBDIVISION

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York, more particularly bounded and described as follows:

BEGINNING at a point on the north side of the road, the southwest corner of the property to be described and the southeast corner of William Goldbach; running thence

(1) along the easterly line of lands now or formerly of Garrett, Ostlund, Ishler and Lydecker, through a stone wall, N 18° 38' 40" E a distance of 1,085.76 feet; thence

(2) along the northerly line of lands now or formerly of Lydecker and through a stone wall, N 86° 2' 30" W a distance of 277.68 feet; thence

(3) along the northerly line of lands now or formerly of Will, N 50° 59' 20" W a distance of 276.80 feet; thence

(4) along the easterly line of lands now or formerly of Spring Valley Water Works, N 33° 32' 08" E a distance of 1,085.76 feet; thence

(5) along the southerly line of lands now or formerly of Desai and Schutz and through a stone wall, S 563.42 feet; thence

(6) along the westerly line of lands now or formerly of Kane, Cobban, Jobson, Brucker and Freeman, through a stone wall, S 11° 47' 50" W a distance of 614.92 feet; thence

(7) along the westerly line of lands now or formerly of Freeman, Craven, Griffith and Conlon, through a stone wall, S 13° 55' 50" W a distance of 563.42 feet; thence

(8) along the westerly line of lands now or formerly of Detch, S 3° 49' 11" E a distance of 614.92 feet to the point of beginning; thence

(9) along the same, the following (a) S 74° 08' 47" W a distance of 614.92 feet to a Rockland County Monument;

RESOLUTION NO. (1979-308)

WHEREAS, a written Petition form and containing the required and filed with the Town Board of County, New York for the Extension of Water Supply District No. 1 in the described as follows:

WHEREAS, a written Petition form and containing the required and filed with the Town Board of County, New York for the Extension of Water Supply District No. 1 in the described as follows:

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WHEREAS, a written Petition form and containing the required and filed with the Town Board of County, New York for the Extension of Water Supply District No. 1 in the described as follows:

WHEREAS, a written Petition form and containing the required and filed with the Town Board of County, New York for the Extension of Water Supply District No. 1 in the described as follows:

9:26 P.M. to resumed.

PETITION SETTING HEARING FOR EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT # 1 TO INCLUDE WATERS MILL ESTATES, VALLEY COTTAGE)

March 27, 1979 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 NO. 1 in the said Town, to be bounded and described as follows:

ALL that certain plot, piece or parcel being in the Town of Clarkstown, New York, more particularly bounded

BEGINNING at a point on the north side of the road, the southwest corner of the property to be described and the southeast corner of William Goldbach; running thence

(1) along the easterly line of lands now or formerly of Garrett, Ostlund, Ishler and Lydecker, through a stone wall, N 18° 38' 40" E a distance of 1,085.76 feet; thence

(2) along the northerly line of lands now or formerly of Lydecker and through a stone wall, N 86° 2' 30" W a distance of 277.68 feet; thence

(3) along the northerly line of lands now or formerly of Will, N 50° 59' 20" W a distance of 276.80 feet; thence

(4) along the easterly line of lands now or formerly of Spring Valley Water Works, N 33° 32' 08" E a distance of 1,085.76 feet; thence

(5) along the southerly line of lands now or formerly of Desai and Schutz and through a stone wall, S 563.42 feet; thence

(6) along the westerly line of lands now or formerly of Kane, Cobban, Jobson, Brucker and Freeman, through a stone wall, S 11° 47' 50" W a distance of 614.92 feet; thence

(7) along the westerly line of lands now or formerly of Freeman, Craven, Griffith and Conlon, through a stone wall, S 13° 55' 50" W a distance of 563.42 feet; thence

(8) along the westerly line of lands now or formerly of Detch, S 3° 49' 11" E a distance of 614.92 feet to the point of beginning; thence

(9) along the same, the following (a) S 74° 08' 47" W a distance of 614.92 feet to a Rockland County Monument;

RESOLUTION NO. (1979-308) Continued

- (b) S 77° 03' 22" W a distance of
  - (c) N 89° 43' 38" W a distance of
  - (d) S 84° 34' 52" W a distance of
- place of BEGINNING.

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 Town of Clarkstown, New York, in the Town of Clarkstown, on the 25th day of April, 1979, at 8:15 P.M. to consider the petition and the subject thereof, concerning the extension of the water supply district No. 1 as may be required by law or proper authority.

Seconded by Co. Holbrook

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RESOLUTION NO. (1979-309)

Co. Piacentile offered the following

WHEREAS, a written Petition form and containing the required signatures and filed with the Town Board of the Town of Clarkstown, New York for the Extension of Water Supply District No. 1 in the said Town, to be bounded and described as follows:

BEGINNING at an iron pin set in the north side of the premises being the southeast corner of the premises southwest corner of lands now or formerly of Boston;

running thence (1) westerly along the northern side of Route 59A, the following courses and distances:

- (a) North 88° 13' 15" West a distance of 117.25 feet to a monument; thence
- (b) South 88° 09' 45" West a distance of 125.80 feet; thence
- (c) South 89° 59' 05" West a distance of 125.80 feet; thence
- (d) North 84° 31' 55" West a distance of 125.80 feet; thence
- (e) South 89° 59' 05" West a distance of 125.80 feet; thence
- (f) South 85° 59' 05" West a distance of 125.80 feet; thence
- (g) South 89° 59' 05" West a distance of 125.80 feet; thence
- (h) North 00° 00' 55" West a distance of 125.80 feet; thence
- (i) South 89° 59' 05" West a distance of 125.80 feet; thence
- (j) South 00° 00' 55" East a distance of 125.80 feet; thence
- (k) South 89° 59' 05" West a distance of 125.80 feet; thence

thence (2) along the aforementioned line of Partridge the following courses and distances:

LEGAL NOTICE

At a meeting of the Town Board of the Town of Clarkstown, Rockland County, New York, held at the Meeting Room of the Town Hall at 10 Maple Ave., New City, in said Town of Clarkstown on the 25th day of APRIL 1979.

PRESENT  
GEORGE S. GERBER, Supervisor  
JOHN R. MALONEY, Councilman  
NICHOLAS A. LONGO, Councilman  
CHARLES E. HOLBROOK, Councilman  
JOHN T. PIACENTILE, Councilman

ORDER CALLING  
PUBLIC HEARING  
IN THE MATTER OF:  
PETITION FOR THE EXTENSION OF THE CLARKSTOWN CONSOLIDATED

WATER SUPPLY DISTRICT NO. 1 TO INCLUDE ST. REGIS PAPER COMPANY IN THE TOWN OF CLARKSTOWN, ROCKLAND COUNTY, NEW YORK.

WHEREAS, a written Petition dated March 8, 1979 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 NO. 1 in the said Town, to be bounded and described as follows:

BEGINNING at an iron pin set in the northern line of Route 59A, being the southeast corner of the premises herein described and the southwest corner of lands now or formerly of Boston;

- running thence (1) westerly along the northern side of Route 59A, the following courses and distances:
- (a) North 88 degrees 13' 15" West a distance of 117.25 feet to a monument; thence
- (b) South 88 degrees 09' 45" West a distance of 125.80 feet; thence
- (c) South 89 degrees 59' 05" West a distance of 125.80 feet; thence
- (d) North 84 degrees 31' 55" West a distance of 125.80 feet; thence
- (e) South 89 degrees 59' 05" West a distance of 125.80 feet; thence
- (f) South 85 degrees 59' 05" West a distance of 125.80 feet; thence
- (g) South 89 degrees 59' 05" West a distance of 125.80 feet; thence
- (h) North 00 degrees 00' 55" West a distance of 125.80 feet; thence
- (i) South 89 degrees 59' 05" West a distance of 125.80 feet; thence
- (j) South 00 degrees 00' 55" East a distance of 125.80 feet; thence
- (k) South 89 degrees 59' 05" West a distance of 125.80 feet; thence

thence (2) along the aforementioned line of Partridge the following courses and distances:

- (a) North 15 degrees 15' 15" East a distance of 202.50 feet; thence
- (b) South 89 degrees 59' 05" West a distance of 202.50 feet; thence
- (c) North 88 degrees 13' 15" East a distance of 202.50 feet; thence
- (d) North 88 degrees 13' 15" West a distance of 202.50 feet to the center line of the Palisades Interstate Park Commission; thence
- (e) along said land of the Palisades Interstate Park Commission in a southerly direction on a curve bearing to the left having a radius of 779.45 feet, a distance of 202.50 feet to a point; thence
- (f) still along said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (g) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (h) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (i) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (j) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (k) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (l) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (m) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (n) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (o) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (p) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (q) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (r) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (s) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (t) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (u) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (v) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (w) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (x) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (y) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;
- (z) along the said land of the Palisades Interstate Park Commission North 24 degrees 09' 45" West a distance of 202.50 feet to the easterly side of land of the New York State Thruway;

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, on the 16th day of May 1979 at 8:30 P.M. 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 authority in the premises.

DATED: April 25, 1979  
GEORGE S. GERBER, Supervisor  
NICHOLAS A. LONGO, Councilman  
JOHN T. PIACENTILE, Councilman  
JOHN R. MALONEY, Councilman  
CHARLES E. HOLBROOK, Councilman

STATE OF NEW YORK  
COUNTY OF ROCKLAND SS:  
TOWN OF CLARKSTOWN  
I, Patricia Sheridan, Town Clerk of said Town of Clarkstown, County of Rockland, hereby certify that I have compared the foregoing copy of an ORDER SETTING PUBLIC HEARING RE PROPOSED EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1 with the original now on file in said office, and find same to be a true and correct transcript therefrom and of the whole of such original. IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of said Town of Clarkstown, this 25th day of APRIL, 1979.  
Patricia Sheridan  
Town Clerk

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CONTINUED ON

RESOLUTION NO. (1979-308) Continued

- (b) S 77° 03' 22" W a distance of 199.63 feet;
- (c) N 89° 43' 38" W a distance of 121.04 feet; and
- (d) S 84° 34' 52" W a distance of 15.30 feet to the point or place of BEGINNING.

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 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 the Town of Clarkstown, on the 16th day of May, 1979, at 8:15 P.M. to consider the 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. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-309)

RESOLUTION SETTING PUBLIC HEARING FOR EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT #1 (ST. REGIS PAPER COMPANY)

Co. Piacentile offered the following resolution:

WHEREAS, a written Petition dated March 8, 1979 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 No. 1 in the said Town, to be bounded and described as follows:

BEGINNING at an iron pin set in the northerly line of Route 59A, being the southeast corner of the premises herein described and the southwest corner of lands now or formerly of Bazlen;

running thence (1) westerly along the northerly side of Route 59A, the following courses and distances:

- (a) North 88° 13' 15" West a distance of 117.24 feet to a Rockland County monument; thence
- (b) South 88° 09' 45" West a distance of 543.31 feet to an iron pin; thence
- (c) South 89° 59' 05" West a distance of 169.50 feet; thence
- (d) North 84° 31' 55" West a distance of 73.25 feet; thence
- (e) South 89° 59' 05" West a distance of 135.00 feet; thence
- (f) South 85° 59' 05" West a distance of 100.33 feet; thence
- (g) South 89° 59' 05" West a distance of 119.51 feet; thence
- (h) North 00° 00' 55" West a distance of 12.00 feet; thence
- (i) South 89° 59' 05" West a distance of 8.00 feet; thence
- (j) South 00° 00' 55" East a distance of 12.00 feet; thence
- (k) South 89° 59' 05" West a distance of 354.85 feet to the easterly side of lands now or formerly of Spring Valley Water Co., Inc.;

thence (2) along the aforementioned lands and lands now or formerly of Partridge the following courses and distances:

RESOLUTION NO. (1979-309) Continued

- (a) North 15° 25' 15" East a distance of 353.54 feet; thence
- (b) South 89° 34' 50" West a distance of 233.64 feet; thence
- (c) North 03° 52' 41" East a distance of 349.43 feet; thence
- (d) North 88° 57' 50" West a distance of 393.56 feet to the easterly line of lands of Palisades Interstate Park Commission; thence

(3) along said land of the Palisades Interstate Park Commission, in a northwesterly direction on a curve bearing to the left having a radius of 799.48 feet, a distance of 257.06 feet to a point; thence

(4) still along said land of the Palisades Interstate Park Commission, North 24° 00' 40" West a distance of 30.00 feet to the southeasterly side of land of the New York State Thruway;

thence (5) along the said land of the New York State Thruway the following courses and distances:

- (a) North 40° 37' 20" East a distance of 232.52 feet; thence
- (b) North 40° 23' 10" East a distance of 581.95 feet; thence
- (c) North 40° 28' 00" East a distance of 110.92 feet; thence
- (d) along the arc of a curve bearing to the right having a radius of 277.05 feet a distance of 221.53 feet; thence
- (e) along the arc of a curve bearing to the right having a radius of 607.00 feet a distance of 175.10 feet; thence
- (f) South 83° 06' 28" East a distance of 300.73 feet; thence
- (g) South 67° 46' 30" East a distance of 335.02 feet; thence
- (h) South 84° 16' 31" East a distance of 432.63 feet; thence
- (i) South 83° 15' 09" East a distance of 270.22 feet; thence
- (j) South 86° 41' 04" East a distance of 149.74 feet to a New York State Monument and the northeast corner of the premises herein described; thence

(6) South 0° 12' 50" East a distance of 1160.16 feet to a white oak tree and lands now or formerly of Bazlen; thence

(7) along said lands of Bazlen, South 89° 36' 25" West a distance of 242.58 feet; thence

(8) still along lands now or formerly of Bazlen, South 03° 32' 30" East a distance of 340.85 feet to the northerly side of Route 59A, the point or place of BEGINNING.

Excepting that portion of the above described property previously included in the Consolidated Water District #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 16th day of May, 1979, at 8:20 P.M. 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. (1979-310)

RESOLUTION AWARDDING BID FOR  
ONE DAMAGED PATROL CAR 1978  
DODGE MONOCO, VIN. NO.  
WL41L8A152643 (KEAHON AUTO  
WRECKERS, INC.)

Co. Piacentile offered the following resolution:

RESOLUTION NO. (1979-310) Continued

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid to sell One Damaged Four Door Patrol Car - 1978 Dodge Monaco, Vin. No. WL41L8A152643 is hereby awarded to:

Keahon Auto Wreckers, Inc.  
Beach Road  
West Haverstraw, New York 10993

at the high bid price of \$503.00.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-311)

RESOLUTION AWARDING BID  
FOR CHEMICALS FOR RECREATION  
AND SEWER DEPARTMENTS

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid to provide chemicals for the Recreation and Sewer Departments is hereby awarded to per the attached Schedule A:

P. H. Doremus Chemical Co., Inc.  
86 Porete Ave.  
No. Arlington, N.J. 07032

Jones Chemical, Inc.  
P.O. Box 280  
Warwick, N.Y. 10990

Utilitly Chemical Co., Inc.  
Sixth Ave. & Wait St.  
Paterson, N.J. 07524

Wechsler Contracting Co., Inc.  
P.O. Box 333  
Monticello, N.Y. 12701

Jersey Chemicals, Inc.  
775 River St.  
~~Paterson, N.J.~~ 07524

SCHEDULE "A"

ITEM NO.	ITEM DESCRIPTION	UNIT PACK/SIZE	AWARDED VENDOR	AWARDED UNIT COST
1.	Chlorine gas	150 lb. cyl.	P.H. Doremus	\$ 23.61/cyl.
2.	Javelle water			
	Option A	18 gal. carboy Doorstep delvy	No Award	
	Option B	18 gal. carboy Inside delvy	No Award	
	Option C	Tank truck delvy appx 150 gal.per	Utility Chemical	.75/gal
3.	Aluminum sulfate	100 lb. bag	Jersey Chemical	10.15/bag
4.	Lake algaecide	4x1 gal/case	Wechsler Contracting	13.88/cs.
5.	Soda Ash	100 lb. bag	Utility Chemical	9.15/bag
6.	Calcium hypochlorite Gran.	100 lb. drum	Jersey Chemical	73.25/drum
7.	Calcium hypochlorite Tabs	100 lb. drum	Utility Chemical	76.40/drum
8.	Muriatic acid	4x1 gal/case	Wechsler Contracting	7.72/cs.
9.	P.H. Reducer	100 lb. drum	Jersey Chemical	17.10/drum
10.	P.H. Increaser ash briquets	100 lb. bag	Jersey Chemical	16.25

CONTINUED ON NEXT PAGE

RESOLUTION NO. (1979-311) Continued

1.	Sequesteral water de-mineralizer	12x1 qt/case	Utility Chemical	42.50/cs.
2.	Copper Sulfate	100 lb. bag	Jersey Chemical	48.10/bag
3.	Ortho Toluidine Solution	8 oz. bottle	Utility Chemical	1.35/bottle
4.	Phenol Red	8 oz. bottle	Utility Chemical	1.35/bottle
5.	Aqua Amonia	8 oz. bottle	Jersey Chemical	1.00/bottle
6.	Lithium Hypo- chlorite - gran.	100 lb. drum	Jersey Chemical	115.00/drum
7.	Caustic Soda 50% solution	tank truck delvry	Jones Chemical	.91/gal
8.	Sodium Bicarbonate	100 lb. bag	Jones Chemical	17.05/CWT
9.A.	Hydrogen Peroxide 35%	15 gal. carboy	Utility Chemical	40.60/carboy
9.B.	Same	30 gal. carboy	Jones Chemical	90.13/carboy

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-312)

RESOLUTION AWARDDING  
BID FOR REFUSE COLLECTION  
SERVICE (PAT NAZZARO)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, the bid for REFUSE COLLECTION SERVICE is hereby awarded to:

PAT NAZZARO DISPOSAL  
Box 481  
Valley Cottage, New York 10989

as per the following:

<u>SECTION</u>	<u>TOWN LOCATION</u>	<u>TIME PERIOD</u>	<u>BID AWARD AMOUNT</u>
A	Lake Nanuet Park	Months of May, June, July, August, thru Labor Day	@ \$75.00 Month
B	Congers Lake Park	Months of May, June, July August, thru Labor Day Balance of Year	@ \$70.00 Month @ \$55.00 "
C	Germonds Park Complex	Months of May, June, July, August	
		Three (3) Pick-ups Per week.	@ \$75.00 Month
		Daily Pick-ups (if required)	@ \$75.00 Month

RESOLUTION NO. (1979-312) Continued

<u>SECTION</u>	<u>TOWN LOCATION</u>	<u>TIME PERIOD</u>	<u>BID AWARD AMOUNT</u>
D)	<u>Central Nyack Comm. Cntr.</u>	Year Round Pick-ups	@ \$25.00 Month
E)	<u>South Clarkstown Recreation Area</u>	Pick-ups April - November	@ \$10.00 Month
F)	<u>Clarkstown Central Warehouse</u>	Year Round	@ \$20.00 Month
G)	<u>Kings Park, Congers</u>	Pick-ups April - October	@ \$17.00 Month
H)	<u>Twin Ponds Park, Valley Cottage</u>	Pick-ups April - October	@ \$ 4.00 Month
1-A	<u>Counseling Center</u>	Pick-ups Year Round	@ \$ 5.00 Month
1-B	<u>Station Square, Congers</u>	Pick-ups Year Round	@ \$ 5.00 Month
J)	<u>Street Refuse Containers</u> Main Sts. New City, Nanuet and Congers	Year Round pick-ups	@ \$15.00 Month
K)	<u>Town Hall Complex</u>	Year Round pick-ups	@ \$50.00 Month

Per bid specifications, and be it

FURTHER RESOLVED, that funds for same be charged to accounts:

<u>ACCOUNT</u>	<u>LINE</u>
1620	412
1621	409
4210	412
7140	424
7141	424
7180	424

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-313)

RESOLUTION ADOPTING AND  
ACCEPTING MINUTES OF TOWN  
BOARD MEETING (4/4/79)

Co. Piacentile offered the following resolution:

RESOLVED, that the Minutes of the Town Board Meeting held on April 4, 1979, are hereby adopted and accepted as submitted by the Town Clerk.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-314)

RESOLUTION ACCEPTING  
SEWER EASEMENT TO THE  
TOWN OF CLARKSTOWN  
(JOSEPH E. GRIFFIN)

Co. Longo offered the following resolution:

WHEREAS, Joseph E. Griffin is desirous of granting a sewer easement to the Town of Clarkstown located on property designated on the Clarkstown Tax Map as Map 22, Block A, Lot 12;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby accepts a sewer easement from Joseph E. Griffin as more particularly described in the easement agreement dated April 7, 1979.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-315)

RESOLUTION AUTHORIZING THE  
TOWN ATTORNEY TO DEFEND AN  
ACTION AGAINST THE TOWN OF  
CLARKSTOWN (GUSMAN V.  
LOWENTHAL, ET AL.)

Co. Longo offered the following resolution:

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

SAMUEL GUSMAN,

Plaintiff,

-against

ARNOLD LOWENTHAL, BARBARA LOWENTHAL,  
THE PEOPLE OF THE STATE OF NEW YORK,  
COUNTY OF ROCKLAND, TOWN OF CLARKSTOWN,  
BOARD OF EDUCATION OF THE TOWN OF  
CLARKSTOWN, EUROPEAN AMERICAN BANK AS  
SUCCESSOR IN INTEREST TO THE FRANKLIN  
NATIONAL BANK, LAKE LUCILLE PROPERTY  
OWNERS ASSOCIATION, INC., "JOHN DOE",  
the last name being fictitious, true name  
being unknown to plaintiff, said defendant  
being tenant or occupant of 8 Milson Drive,  
New City, Rockland County, New York,

Defendants.

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.

\* \* \* \* \*

RESOLUTION NO. (1979-316)

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

Co. Holbrook offered the following resolution:

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

Snedecker Avenue	Congers
East Evergreen Road	New City
East Evergreen Road	New City
(Floodlight - Town Parking lot)	
Water's Mill Estates	Valley Cottage
Millcreek Road	New City

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

Monthly Reports -- March, 1979 -- from the Office of the Building Inspector and the Board of Appeals received and on file in the Town Clerk's Office.

\* \* \* \* \*

RESOLUTION NO. (1979-317)

RESOLUTION AUTHORIZING  
PLANNING BOARD OF THE TOWN  
OF CLARKSTOWN TO APPLY TOWN  
LAW, SEC. 281 (J.H.M.  
HOMES, INC.)

Co. Maloney offered the following resolution:

WHEREAS, Theodore F. Atzl, as Engineer for Applicant has made written application for the use of Town Law, Sec. 281 in connection with subdivision known as J.H.M. Homes, Inc. and

WHEREAS, the Planning Board of the Town of Clarkstown recommends the approval of the use of Town Law 281 in connection with this subdivision, and

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law 281 is used in this subdivision to allow for better drainage and the addition of lands to Kings Park,

NOW, THEREFORE, be it

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

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-318)

RESOLUTION ADOPTED BY THE  
TOWN BOARD OF THE TOWN OF  
CLARKSTOWN REFERRING  
PETITION FOR CHANGE OF  
ZONE (MARTIO COLANDREA)

Co. Maloney offered the following resolution:

RESOLVED, that the application of Martio Colandrea for a change of zoning from R-15 District to RS District, on property located at the intersection of the southerly side of Palmer Avenue and the easterly side of North Middletown Road, Nanuet, New York be referred to the Town Planning Board for report within 45 days pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board pursuant to Secs. 239-1 and 239-m of the General Municipal Law.

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-319)

RESOLUTION ADOPTED BY THE  
TOWN BOARD OF THE TOWN OF  
CLARKSTOWN REFERRING  
PETITION FOR CHANGE OF  
ZONE (BRUCE MAC DONALD)

Co. Maloney offered the following resolution:

RESOLVED, that the application of Bruce Mac Donald for a change of zoning from PO District to RS District, on property located at Kemmer Lane, Nanuet, New York be referred to the Town Planning Board for report within 45 days pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board pursuant to Secs. 239-1 and 239-m of the General Municipal Law.

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-320)

MEMORIALIZING RESOLUTION IN  
OPPOSITION TO COOLING TOWERS  
AT BOWLINE POINT PLANT

Co. Piacentile offered the following resolution:

RESOLVED, that the position in opposition to the installation of Cooling Towers at the Bowline Point Plant contained in a letter attached hereto from the Hon. Philip J. Rotella, Supervisor of the Town of Haverstraw, to the Hon. Robert Flacke, Commissioner of the New York State Department of Environmental Conservation is hereby adopted as the position of the Town Board of the Town of Clarkstown, and be it

FURTHER RESOLVED, that this resolution shall be memorialized to the members of the Legislature of the State of New York.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

(Letter to Hon. Robert Flacke, Commissioner of the  
New York State Department of Environmental Conservation  
On File in the Town Clerk's Office)

\* \* \* \* \*

RESOLUTION NO. (1979-321)

RESOLUTION AUTHORIZING  
ATTENDANCE AT COMPOSTING  
AND WASTE RECYCLING  
CONFERENCE (TOBY MARRAZZO)

Co. Piacentile offered the following resolution:

RESOLVED, that Toby Marrazzo, Deputy Director/ Operations of Environmental Control of the Town of Clarkstown, is hereby authorized to attend the Composting and Waste Recycling Conference in Philadelphia, Pennsylvania, on May 2, 3 and 4, 1979, and be it

FURTHER RESOLVED, that all proper charges not to exceed \$250.00 be charged against Account No. 8730-0414.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-322)

RESOLUTION ACCEPTING  
MAINTENANCE BONDS FOR  
ROADS AND SEWERS IN LIEU  
OF PASSBOOKS (ROCKLAND  
COUNTRY DAY SCHOOL)

Co. Longo offered the following resolution:

RESOLVED, that the Town Board is hereby authorized to accept Maintenance Bonds for roads and sewers in lieu of passbooks which have been returned to the developer in connection with the dedication of a subdivision known as Rockland Country Day School on March 7, 1979; this action to be retroactive to March 21, 1979.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-323)

RESOLUTION AUTHORIZING  
SUPERINTENDENT OF HIGHWAYS  
TO INSTALL "STOP" SIGN ON  
CHRISTOPHER DRIVE AT SUSAN  
DRIVE, 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 "Stop" sign on Christopher Drive at Susan Drive, New City.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-324)

RESOLUTION AUTHORIZING  
SUPERINTENDENT OF HIGHWAYS  
TO INSTALL "NO RIGHT TURN"  
SIGN (PRENTICE-HALL ACCESS  
ROAD AT BROOK HILL DRIVE,  
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 install a sign reading "No Right Turn" on the exit of the Prentice-Hall access road where it intersects Brook Hill Drive, West Nyack.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-325)

RESOLUTION AUTHORIZING  
SUPERINTENDENT OF HIGHWAYS  
TO INSTALL "NO PARKING"  
SIGNS (BALSAM COURT, 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 signs on Balsam Court, New City stating "No Parking - 8:00 A.M. - 4:00 P.M. Monday - Friday", and

FURTHER RESOLVED, that a Stop sign be installed on Balsam Court at Cairnsmuir Lane, New City.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-326)

RESOLUTION AUTHORIZING  
SUPERINTENDENT OF HIGHWAYS  
TO REPLACE "YIELD" SIGN  
WITH "STOP" SIGN (ENDICOTT  
STREET AT INTERSECTION WITH  
GRANT 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 replace the "Yield" sign on Endicott Street where it intersects Grant Avenue, Congers, with "Stop" signs.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-327)

RESOLUTION AUTHORIZING  
REAPPOINTMENT OF CUSTODIAN  
AT WELLS PARK, CONGERS  
(JAMES SUMMERS)

Co. Longo offered the following resolution:

RESOLVED, that James Summers, 16 Highway Avenue, Congers, New York is hereby reappointed to the position of Custodian (part-time) of Wells Park, Congers, New York, term to commence on May 1, 1979 and to terminate on October 31, 1979, at the salary of \$3.20 per hour.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-328)

RESOLUTION ACCEPTING  
RESIGNATION OF ANITA  
CALLAHAN AS TYPIST -  
PARKS BOARD AND RECREATION  
COMMISSION

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Parks Board and Recreation Commission, the resignation of Anita Callahan, 10 Lynne Drive, New City, New York as Typist is hereby accepted, with regret, effective April 27, 1979.

Seconded by Co. Piacentile

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-329)

RESOLUTION AUTHORIZING  
ALMOR COMPANY TO REMOVE  
PAVEMENT AND SEED AND LAND-  
SCAPE WELLS AVENUE IN THE  
CONGERS INDUSTRIAL PARK AREA

Co. Maloney offered the following resolution:

WHEREAS, the Clarkstown Planning Board adopted a resolution on April 3, 1979, recommending that the southerly 200 feet of Wells Avenue as it runs through the Congers Industrial Park Area be left in an unpaved state and be seeded;

NOW, THEREFORE, be it

RESOLVED, that the Almor Company is hereby authorized to remove any pavement in the above described area of Wells Avenue and seed and landscape same.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-330)

RESOLUTION AUTHORIZING  
REFUND OF FEE (J.H.M.  
HOMES, INC.)

Co. Longo offered the following resolution:

WHEREAS, a petition for an extension of the Clarkstown Consolidated Water Supply District No. 1 was made by J.H.M. Homes, Inc., and a filing fee of \$150.00 paid therefor, and

WHEREAS, it appears that the property which is the subject of the petition is presently in a water district;

NOW, THEREFORE, be it

RESOLVED, that the filing fee of \$150.00 be refunded to J.H.M. Homes, Inc.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-331)

RESOLUTION GRANTING  
CERTIFICATE OF REGISTRATION  
PURSUANT TO SEC. 83-65 OF  
THE CODE OF THE TOWN OF  
CLARKSTOWN (MARTIN C.  
WORTENDYKE - CAL MART  
CONSTRUCTION CORP.)

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:

Martin C. Wortendyke  
Cal Mart Construction Corp.  
11 Seeger Drive  
Nanuet, New York 10954

NOW, THEREFORE, be it

RESOLUTION NO. (1979-331) Continued

RESOLVED, that the following Certificate of Registration be issued:

No. 79-12 issued to Martin C. Wortendyke  
(Cal Mart Construction Corp.)

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-332) RESOLUTION AUTHORIZING  
THE ISSUANCE OF BUILDING  
PERMIT UNDER 280-a OF  
TOWN LAW (HAV ROCK CORP.)

Co. Longo offered the following resolution:

RESOLVED, that a Building Permit under provisions of Section 280-a of the Town Law is hereby granted to Hav Rock Corp., for property situate on the west side of Second Street and southwest corner of Grant Avenue, Congers, New York, more specifically designated on the Clarkstown Tax Map as Map 111, Block A, Lot 11.06.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-333) RESOLUTION AUTHORIZING  
THE ISSUANCE OF BUILDING  
PERMIT UNDER 280-a OF  
TOWN LAW (CONGERS CLARKS-  
TOWN REALTY CORP.)

Co. Maloney offered the following resolution:

RESOLVED, that a Building Permit under provisions of Section 280-a of the Town Law is hereby granted to Congers Clarkstown Realty Corp., for property situate on the west side of Greene Street, 247+ feet south of Lake Road, Congers, New York, more specifically designated on the Clarkstown Tax Map as Map 127 Block D, Lot 22.0301.

Seconded by Co. Longo All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (1979-334) RESOLUTION DESIGNATING  
REPRESENTATIVES TO BOARD  
OF DIRECTORS OF TIGERS DEN  
(PATRICK F. BRAITHWAITE  
AND JOHN R. MALONEY)

Co. Holbrook offered the following resolution:

WHEREAS, the Town of Clarkstown as a participating municipality is entitled to two representatives on the Board of Directors of the Youth Activities Committee (The Tigers Den),

NOW, THEREFORE, be it

RESOLVED, that John R. Maloney, 1 Victoria Drive, Nanuet, New York and Patrick F. Braithwaite, Buttermilk Falls, Central Nyack,

RESOLUTION NO. (1979-334) Continued

New York, be designated by the Town of Clarkstown as the representatives on the Board of Directors of The Tigers Den.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

Supervisor Gerber gave an explanation of the difference between the proposed contract and that of binding arbitration. He said that there has been discussions with PBA representatives and there are some cases still pending in the courts. Supervisor Gerber felt that the present proposal will save the town money in the long run since the binding arbitration was only for the years 1978 and 1979 where the present proposal is for 1978-1979-1980. Deleting the bonus of \$450.00 the Police will be able to cash in sick leave and the Town will not be held for the lump sum payment upon their retirement.

RESOLUTION NO. (1979-335)

RESOLUTION SETTLING  
ACTIONS AND AUTHORIZING  
EXECUTION OF MEMORANDUM  
OF UNDERSTANDING (POLICE  
DEPARTMENT CONTRACT)

Co. Piacentile offered the following resolution:

WHEREAS, several actions are pending in the Supreme Court, Rockland County and the Appellate Division, Second Department, between the Rockland County Patrolmen's Benevolent Association, Inc., and its members in the Town of Clarkstown Police Department and the Town of Clarkstown concerning an arbitration award, which actions are entitled as follows:

THE ROCKLAND COUNTY PATROLMEN'S  
BENEVOLENT ASSOCIATION, INC.,

Petitioner,

-against-

Index No.  
7900/78

THE TOWN OF CLARKSTOWN,

Respondent.

and

ROBERT CLARK, et al,

Petitioners,

-against-

Index No.  
1980/79

THE TOWN OF CLARKSTOWN,

Respondent.

and

WHEREAS, a proposal has been made to settle these actions and disputes, which proposal is embodied in a Memorandum of Understanding attached hereto;

RESOLUTION NO. (1979-335) Continued

NOW, THEREFORE, be it

RESOLVED, that these actions be settled pursuant to the terms of the the Memorandum of Understanding attached hereto, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute this Memorandum of Understanding on behalf of the Town of Clarkstown and subsequently execute a collective bargaining agreement based on the Memorandum of Understanding, in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to seek court approval of this settlement.

\* \* \* \* \*

MEMORANDUM OF UNDERSTANDING

IT IS HEREBY AGREED BY AND BETWEEN the ROCKLAND COUNTY PATROLMEN'S BENEVOLENT ASSOCIATION, INC., and THE TOWN OF CLARKSTOWN, to resolve the impasse in negotiations regarding a collective bargaining agreement commencing January 1, 1978, as follows:

1. The contract shall be for a three year duration from January 1, 1978 through December 31, 1980.

2. a. The following wage schedule shall prevail:

1978

Fifth Grade	\$11,560
Fourth Grade	15,769
Third Grade	17,166
Second Grade	18,563
First Grade	19,960

1979

Fifth Grade	\$12,957
Fourth Grade	17,166
Third Grade	18,563
Second Grade	19,960
First Grade	21,357

1980

Fifth Grade	\$14,666
Fourth Grade	18,875
Third Grade	20,272
Second Grade	21,669
First Grade	23,066

b. Sergeants and lieutenants shall maintain the 12-1/2% differential. Detectives shall maintain one-half the difference between first grade patrolmen and sergeant.

3. The Contract shall be fully retroactive in all respects to January 1, 1978.

CONTINUED ON NEXT PAGE

RESOLUTION NO. (1979-335) Continued

4. Amend Article 3.1(6) to read as follows: "If any employee in the police department is called to work during the time that such police officer is off duty, he shall be entitled, at his sole option, to either work four (4) hours or to work the minimum required, at overtime rates, provided, however, that any overtime work which commences within one-half hour after completion of a regularly scheduled tour of duty, shall be considered as "continuous time" to which the aforementioned minimum hour requirement shall not apply. "Continuous time" overtime shall be paid commencing with the end of the regularly scheduled tour of duty. Where an employee is required to report to work at a time which is no more than two hours prior to the commencement of his regularly scheduled tour of duty, the aforementioned "minimum overtime" provision shall not apply, provided such early call in time shall be continuous to the commencement of the regular tour of duty.

5. The following clause shall be added as a new section 5.4 of the agreement: "Effective January 1, 1980, for each U.S. savings bond purchased by a member of the unit during any given month at a cost of \$18.75, the Town shall purchase, in behalf of each such employee, a matching U.S. savings bond in equivalent amount. The aforementioned shall be limited to a maximum of one such bond per employee per month (\$225 per year per employee). Should the federal government change the denomination of savings bonds available, this clause shall be interpreted in such a manner as to comply as nearly as possible to effectuate the Town's obligation under the above formula."

6. During any employee's tenth, fourteenth and seventeenth year of employment, and every three years thereafter, such employee may relinquish accumulated sick leave days back to the Town up to the maximum of 120, 180, and 216 days in each such year, respectively. Employees shall be reimbursed for such relinquishment in accordance with the following formula:

$$\text{Annual salary} \div 260 \times \text{number of accumulated sick days being relinquished.}$$

The "annual salary" shown in the aforementioned formula shall be the base pay and longevity of the employee at his last anniversary date. It is understood and agreed that the maximum total number of accumulated sick days for which an employee may be reimbursed during his entire employment period with the police department is 240 days. In any event, during his active employment with the police department an employee must have no less than 24 days of accumulated sick leave remaining credited to his account after the date of any such relinquishment.

/s/ Gerald Fleming  
FOR THE ASSOCIATION

/s/ George S. Gerber  
FOR THE TOWN

Seconded by Co. Maloney

APPEARANCE:

John Lodico  
2 Birch Drive  
New City, New York 10956

RESOLUTION NO. (1979-335) Continued

Mr. Lodico read excerpts from "Nation's Business" dated December 1975:

"...Swarms of Officers to harrass our People, and eat out their Substance."

"On July 4 of next year, we will observe the 200th anniversary of the signing of the Declaration of Independence.

In that document, the distinguished representatives of the colonies listed a series of grievances against King George III. Among those grievances: 'He has erected a Multitude of new Offices, and sent hither Swarms of Officers to harrass our People, and eat out their Substance.'

Those words are being echoed today by America's middle-income taxpayers, who contribute the bulk of the money to finance government, as spending continues to rise at an alarming rate.

\* \* \*

That factor is how long middle-income taxpayers will put up with the triple impact they suffer under present fiscal policies.

The triple impact is felt this way:

1. The government takes from middle-income workers a substantial amount of the money they earn. A recent congressional report points out that the family outlay going up the fastest is not for food or energy, but for taxes.
2. The government then uses that tax money to pursue programs that feed inflation, causing further erosion of personal incomes. The average American lost purchasing power last year for the first time in 15 years.
3. Finally, most middle-income families are shut out of many programs they pay for, such as tax-financed college scholarships.

And so, after 200 years, the basic grievance is the same - 'Swarms of Officers to harrass our People, and eat out their Substance.'

Mr. Lodico said that people cannot afford to pay the tax on the budget and that if we give services the people are going to have to pay for them and if we continue to increase the funded indebtedness in Clarkstown we are going to run into the same problem that they did in the City of New York where they were funded into bankruptcy.

Mr. Longo, who is a minority member of this Board, had no information regarding this police contract when I spoke with him this morning. I told Mr. Longo that I would sue Mr. Longo if this contract is not to the benefit of the taxpayers. The Town allocated \$20,000 to hire a negotiator and had gone to Court. Mr. Lodico said

RESOLUTION NO. (1979-335) Continued

that he could not believe that the Town had money to give away like this and he asked "What does binding arbitration mean."

Mr. Jacobson said that even if there was binding arbitration the principals involved have a right to go to court. Mr. Lodico said we went to court and the Town was ruled in favor of. Mr. Jacobson said that the arbitration award will be sustained if it is not irrational. Mr. Lodico said that the Town of Clarkstown is paying the highest salaries in the State of New York except for Nassau. He feels the raise was exorbitant and we cannot equate Clarkstown to the environment in New York City. The City of New York is hell and the precincts are hell. New York City policemen should receive \$50,000.00 per year. He cannot understand how Clarkstown, which is a good environment, can provide benefits and money higher than the City.

The Supervisor said Mr. Lodico you were a member of the Town Board and were in a position where you had to vote for against department contracts. We are agreed that binding arbitration is wrong and that the police are appealing in court. Maybe we'll win but maybe we'll lose and this way we extend this contract between the two years and get rid of the \$450.00 bonus. The 7% police salary increase was included in the 1979 budget and the taxpayers will not have to pay 1¢ more in 1979. The proposed contract is an advantage over the long run and it gives a little over 15% over a three year period.

Mr. Lodico said that there should be a new way to negotiate and the Supervisor said that those laws are made in Albany. Mr. Lodico also remarked that percentage raises are bad and feed inflation.

APPEARANCE: Mr. Joseph L. Molina  
2 Aura Drive  
Valley Cottage, New York

Mr. Molina stated that he was a representative of the Organized Taxpayers Association. He asked "Are there any other alternatives?" A sick day is for when you are sick and what they are doing is making a sick day like an additional vacation. He said that if you are going to buy back their sick time it should be at one-half the rate of their normal pay. He feels that the Clarkstown Police Department is a very find police department but that supporting the police department is very burdensom to the taxpayer and is contributing to inflation.

The Supervisor said that we do not have a choice of buying back their sick time at a one-half rate. The choices are to accept the present proposal or pay for the 240 days in one lump sum.

APPEARANCE: Mr. Charles Maneri  
2 Twin Peg Drive  
New City, New York 10956

Mr. Maneri, who is President of the Clarkstown CSEA unit, said that when the CSEA negotiated he had asked Dr. Gannon "Will the Police get a better contract than the CSEA?" The CSEA had taken 0% in 1978, 6-1/2% in 1979 and 6-1/2% in 1980. Why are you giving us less than you are giving the police?

On roll call the vote was as follows:

RESOLUTION NO. (1979-335) Continued

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

\* \* \* \* \*

There being no one further wishing to be heard and no further business to come before the Town Board, Town Board Meeting was closed at 10:32 P.M.

Respectfully submitted,

*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

4/25/79

8:18 P.M.

Present: Co. Holbrook, Longo, Piacentile, Maloney  
Supv. Gerber  
Murray Jacobson, Town Attorney  
Patricia Sheridan, Town Clerk

RE: TO CONSIDER CHANGE OF ZONE PETITION R-40/R-22 DISTRICT TO ALL  
R-22 DISTRICT - PATRICIA ANN HOMES, 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 Clarkstown Planning Board)

"March 12, 1979

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

TOWN BOARD REFERRAL: ZONE CHANGE REQUEST  
R-40/R-22 TO ALL R-22 PATRICIA ANN HOMES,  
79A3, NEW CITY (Approx. 50 acres R-40/R-22  
land to W. side Goebel Road, S. side Route  
304, opposite Phillips Hill Road, abutting  
Ferndale Estates, and opposite Sweet Clover  
Estates.)

Gentlemen:

During the SEQR process, the applicant was required to submit a traffic report for the above site. It was found after reviewing the road conditions, traffic, development traffic and conclusions, that the road system can accommodate the additional traffic that would be generated should the zone change be granted, and is not likely to result in a significant impact on the environment.

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

RECOMMENDATION TO THE HONORABLE TOWN BOARD:

The Members have examined the above petition in relation to the Comprehensive Development Plan, the topography, the existing land uses, accessibility, traffic and statutory changes and finds that the requested change is not unreasonable. One of the primary considerations is access and it is respectfully recommended that the choice of access be resolved as part of the subdivision process, since access and lot layout should be considered at the same time. If the Honorable Town Board finds that access should be provided on Route 304, that access should be opposite Phillips Hill Road, in accordance with the environmental review findings and recommendations.

In accordance with the statutory requirements of the Zoning Ordinance (Section 106-32B(2)) the Planning Board has made the following determinations:

- a) The uses permitted by the proposed change would be appropriate in the area as the area on the other side of Route 304 is zoned RG-1/R-15 and is being so developed; immediately to the South the area is zoned R-22.

- b) Adequate public school facilities do exist; other public services exist or can be provided.
- c) Sanitary sewers and water supply can be provided in the area.
- d) There is approx. some 80 acres of undeveloped R-22 land in the area, therefore the R-22 zoning would be compatible.
- e) There are a number of subdivisions being built under the provisions of TL 281 in the area, i.e. Long Meadow, Torne Brook and Sweet Clover, all having lots within the R-22 size.
- f) The Comprehensive Development Plan shows this area as for medium-density and therefore would not be incompatible with the Master Plan for the area.
- g) Although there may be a slight increase in the amount of R-22 zoned land, do not see any probable effect of such change on the cost of providing public services.

Very truly yours,

/s/ Jerome Paikin

Jerome Paikin,  
Chairman

JP/dsg

CC: Town Attorney  
Town Clerk

\* \* \* \* \*

(Letterhead of Rockland County Planning Board)

"January 26, 1979

Town Board-Clarkstown  
Town Clerk  
Town Hall, New City, New York 10956  
Re: GENERAL MUNICIPAL LAW (GML) REVIEW:  
239(k) \_\_\_\_\_ 239(l&m) XXX 239(n) \_\_\_\_\_

Item: Patricia Ann Homes, Zone Change, Map dated 8/14/74  
S/S Rt. 304 & W. Side Goebel Rd.,  
New City (C-827)

The Rockland County Planning Board reviewed the above  
item at its January 24, 1979 meeting and

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

Modifications and Conditions:

Retain R-40 Zone and Use TL 281

A zone change from R-40 to R-22 would intensify traffic on Rt. 304 and has potential for drainage problems.

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

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."

\* \* \* \* \*

"April 19, 1979

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

Gentlemen:

I am unable to attend the public hearing on April 25, 1979 at which time you will consider the application of Patricia Ann Homes for a change in zoning on their property located at new Route 304 and Goebel Road, New City.

I reside at 20 Ferndale Road, New City and my property abuts the property in question.

On April 18th I visited the Town Hall to see if a proposed site plan for the Patricia Ann Homes was available and learned at that time that such a plan was not available.

In view of the fact that a site plan for the proposed subdivision is not available I would like to cite my objections to the proposed application and wish to state that if my objections are answered favorably, then I would not object to the proposed application.

1. The Phillips Hill Road extension which appears on the survey submitted by Patricia Ann Homes and is located in the Lake View Homes subdivision not be extended into the Patricia Ann Homes subdivision and thusly connect the two developments. Activation of this piece of road would greatly increase traffic into our subdivision with its winding roads, blind curves and hundreds of small children. Furthermore, it was my understanding that this piece of proposed road was, in fact, to be removed from the town map.
2. That the layout of the proposed Patricia Ann Homes subdivision be laid out in such a way that the roads within their subdivision be within the area and not on that part of their land which abuts the Lake View subdivision. If the homes are positioned with back yards facing back yards then I feel that the property value in Lake View will not be lessened, the noise and air pollution will not be greatly increased and the quiet atmosphere which we wished to enjoy by moving to New City, will be maintained.
3. That installation of a traffic light on Route 304 and Goebel Road be installed. Over the past 6 years there have been a number of serious accidents at that intersection and with the increase in traffic brought about by the Patricia Ann Homes Subdivision, a dangerous area will become even more dangerous.

I thank you for your consideration to my suggestions and wish to have this letter entered into the record.

Sincerely yours,

/s/ Harold L. Center

Harold L. Center  
20 Ferndale Road  
New City, New York 10956

cc: Lake Deforest Home Owners Association, Inc.

HLC:ddt

\* \* \* \* \*

"MAK DEVELOPMENT CORP.  
c/o Dore Anisman  
8261 W. Country Club Drive  
Sarasota, Florida 33580

April 20, 1979

Patricia Sheridan  
Town Clerk  
Town of Clarkstown  
10 Maple Avenue  
New City, New York 10956

Re: Incorrect Address Notification of a  
Notice of Public Hearing on Change  
of Zoning Ordinance of Town of  
Clarkstown

Dear Ms. Sheridan,

MAK Development Corporation as owners of parcel 59 A 20.18 recently notified Town of Clarkstown agencies including Planning Board, Assessor, Receiver of Taxes, Rockland County Treasurer, etc., of an address change from:

MAK Development Corp.  
c/o Bernard Goldberg  
73-11 Bell Boulevard  
Bayside, New York 11364

to:

MAK Development Corp.  
c/o Dore Anisman  
8621 W. Country Club Drive  
Sarasota, Florida 33580

Recently Mr. Goldberg was sent via Certified Mail (copy of envelope enclosed) a notice of public hearing on change of zoning ordinance of Town of Clarkstown referring to the application of PATRICIA ANN HOMES to be held on the 25th of April 1979 at 8:15 P.M. This letter was sent by Mr. and Mrs. C. R. Clemensen of 19 Marietta Drive, Pomona, New York 10970.

Due to the time lapse in redirecting the notice to my attention, MAK will be unable to make an appearance to be heard before the Town Board, in an attempt to protect its interests.

Very truly yours,

/s/ Dore Anisman

Dore Anisman, Pres.  
MAK Development Corp.

DA/aa"

\* \* \* \* \*

APPEARANCE: Mr. C. R. Clemensen  
20 Squadron Boulevard  
New City, New York 10956

Mr. Clemensen is the attorney for the petitioner and one of the owners of the property. Mr. Clemensen said that the property had been purchased with the express purpose of developing the land. After discussion with various boards of the Town of Clarkstown he was advised to look in the direction of developing the property in a residential fashion although he had had other proposals which were all discouraged.

The property consists of 50 acres and Mr. Jacobson, one of the foremost builders in the county, feels that the reason people want one acre lots is because they wish to have privacy. One acre lots is not in conformity with the surrounding property which is of much higher density. Our properties would be overlooking the condominiums and that would not be in keeping with one acre privacy. We are an island. Our request will not change the area but rather conform to the surrounding area.

Presently, the Phillips Hill Extension is owned by the Town and the New Rt.304 has limited access with approval from the State needed. Our only present road is Goebel Road and we are working on the single access road problem now. Our request is to maintain the character of the neighborhood rather than change it.

Supervisor Gerber asked how many lots were involved. Mr. Clemensen said approximately 55 to 62 under the present zoning and approximately 85 to 90 homes would be built if the zoning were changed to R-22. Average density would give them 55 to 62 homes.

Supervisor Gerber said he wanted it clearly understood that the Phillips Hill Extension does not exist on that side of Route 304. It is only a right of way and does not show on any map either Town or County or even as a paper street.

Mr. Clemensen said that if the property were developed they would petition the Town Board for use of that right of way.

APPEARANCE: Mr. John Lodico  
2 Birch Drive  
New City, New York 10956

Mr. Lodico said that he recalled that this parcel had come before the Town Board when he was a member and that there had been a request for industrial use which would have brought good clean ratables to the Town but the requests had been denied. This property is what is considered as downtown New City and it is an island. He felt it would be appropriate to reduce it to R-22 or even R-15.

APPEARANCE: Mr. Roy Pomerantz  
9 Oriole Road  
New City, New York 10956

Mr. Pomerantz is a member of the Lake DeForest Homeowners Association. Mr. Pomerantz presented to the Town Board a resume of the position of Lake DeForest homeowners. He said that he did not oppose the change of zone. He knew it was not economically feasible to develop it as one acre zoning. His concern was that if the land is rezoned the petitioners did not state that they intended to build 1/2 acre houses. He was concerned that if they get this present change of zone they will request further zone changes. He was also concerned that if this change of zone was granted the petitioners

will attempt to open the Phillips Hill road. He said his development was all hills, blind spots and there are many children living there. Ninety homes would constitute a danger to our development. He felt that Goebel Road or Route 304 should be used as the access road. Mr. Pomerantz also requested of the Town Board that if the houses are not started within two years that the property revert back to R-40. The people in his development do not want a roadway behind their houses. They want the wooded land to be maintained and would like the houses to be built seventy-five feet back from the property line. Mr. Pomerantz also pointed out that since there are no plans to look at at this time there is no assurance that the character of the land will be maintained.

Supervisor Gerber said there is no way the Town Board can insist that if a zone change is granted that there be a requirement that it revert back. There is no legal device that requires an owner to build. Supervisor Gerber said that no petitioner comes in with plans. The petition is for a change of zone. A Town Board can write in restrictive covenants but cannot require a builder to build or have the property revert back to its original zoning.

Mr. Pomerantz said that the State does not say that you cannot make that requirement.

APPEARANCE: Mr. Walter Fleisher  
443 Buena Vista Road  
New City, New York 10956

Mr. Fleisher opposed the zone change and he did not see any way that the public would be benefited by it but he does see problems if the zoning continues to change. It makes planning impossible and it affects our water and our drainage. The Spring Valley Water Company is spending \$25,000,000 and we have a completed sewer study but we cannot keep adding to it without affecting it. In addition, it causes road congestion and we will need new roads.

Mr. Fleisher mentioned that Torne Brook is one and two acre zoning. There are 141 homes on 194 acres and they have used cluster zoning. Zoning along Phillips Hill Road to South Mountain Road is one half to one and two acres. Mr. Fleisher said he was also disappointed with the Town Planning Board because when this matter came before them they denied him the right to speak.

APPEARANCE: Mr. Theodore Dusanenko, Sr.  
5 Hickory Drive  
New City, New York 10956

Mr. Dusanenko spoke in opposition. He said people come up here and know how the land is zoned when they buy it but then they claim hardship and request down zoning which creates big flood problems.

APPEARANCE: Mr. Stuart Simon  
25 Finch Road  
New City, New York 10956

Mr. Simon said that this development will need two roads for ingress and egress and he wanted to know where the equipment to develop the property would be brought in. He hoped that it would be brought in via the right of way and not Goebel Road. He asked the Town Board to defer their ruling on this application until the lot maps are presented.

APPEARANCE:

Mr. Ed Graybow  
27 Oriole Road  
New City, New York 10956

Mr. Graybow said the change from R-40 to R-22 is not unreasonable. It is the lay-out that is in question. There is also some question regarding traffic congestion which will be caused and the means of ingress and egress.

Mr. Clemensen said that the Town Board is empowered to provide us with limitations in the form of restrictive covenants which will require us to build on R-22 even if the property is sold. Mr. Clemensen said that this is not a ploy to get a further zone change and that it is very expensive to apply for a change of zone. We certainly cannot afford to continue to grow corn there. While the applicant has the right to petition for use of the right of way from the Town, the Town Board has the right to deny. The installation of any road that is put in will not front on any existing lots.

- Mr. Clemensen said that he was informed by Mr. Larway that if the Town Board makes a request to have a curb cut on to new Route 304 it will be granted. The Town will limit us as to how we will be able to lay out our lots and we will not wait two years to develop our property and if we do wait two years it will be because we are in a depression.

Supervisor Gerber asked if there was anyone else wishing to be heard. There being no one further wishing to be heard on motion of Councilman Piacentile, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was closed, DECISION RESERVED, at 9:02 P.M.

Respectfully submitted,

*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

4/25/79

9:02 P.M.

Present: Co. Holbrook, Longo, Piacentile, Maloney  
Supv. Gerber  
Murray Jacobson, Town Attorney  
Patricia Sheridan, Town Clerk

RE: PROPOSED AMENDMENT TO LOCAL LAW #9-1971 - entitled "A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLES 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".

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

Town Attorney Murray Jacobson explained that the reason for the new local law was that under the present law the sole option available to the Town is to auction off abandoned vehicles and since the police have found that they can use them for unmarked police vehicles they wished to include this and make it possible.

Supervisor Gerber asked if there was anyone wishing to be heard for or against the proposed local law.

There being no one wishing to be heard on motion of Councilman Holbrook, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was closed, GRANTED, at 9:07 P.M.

Respectfully submitted,

*Patricia Sheridan*

PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

4/25/79

9:10 P.M.

Present: Co. Holbrook, Longo, Piacentile, Maloney  
Supv. Gerber  
Murray Jacobson, Town Attorney  
Patricia Sheridan, Town Clerk

RE: PROPOSED AMENDMENT TO ZONING ORDINANCE, SECTION 106.10a, TABLE  
OF GENERAL USE REGULATIONS

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

There was no correspondence from either the County or the Town Planning Boards. However, Murray Jacobson, Town Attorney, said that he had spoken with members of the County Planning Board and they had had a meeting on this and they had not disapproved this. This means that they approved it. The Town Planning Board did approve and had assisted in the preparation of this ordinance.

APPEARANCE: Mr. Robert Bowman  
10 Maple Avenue  
New City, New York 10956

Mr. Bowman, Building Inspector for the Town of Clarkstown, gave the reason for the change in the zoning ordinance. He said that auto salesrooms are permitted in CS but that the present ordinance excludes auto parts and repairs being permitted in the area. This would only include those on major arteries such as Route 304 and not on a local road and not if adjacent to a local residential district on a major road. No repairs are allowed to be done out of doors.

APPEARANCE: Ms. Madeline Tetenes  
33 Ralphs Avenue  
New City, New York 10956

Ms. Tetenes was in opposition to the proposed amendment because of what she had read in the newspaper and the Supervisor said the article in the newspaper was not true. He said that the headline was incorrect.

Ms. Tetenes asked what property was in question and the Supervisor said it was to apply to the Town universally and that the Town was limiting where these specific businesses could be located.

Supervisor Gerber asked if there was anyone else wishing to be heard for or against the proposed amendment.

There being no one wishing to be heard on motion of Councilman Holbrook, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was closed, GRANTED, at 9:22 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk