

TOWN BOARD MEETING
TOWN OF CLARKSTOWN

209

Town Hall

11/8/79

7:39 P.M.

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

Supervisor Gerber declared the Town Board Meeting open:
assemblage saluted the Flag.

Supervisor Gerber welcomed and congratulated the newly
elected officials Theodore Dusananko, Edward Lettre, Murray Jacobson
and those re-elected, Charles Holbrook and Patricia Sheridan.
Supervisor Gerber explained that it had always been the policy of
the Town Board to invite newly elected board members to meetings for
an orderly transition.

AAG408

RESOLUTION NO. (1979-794)

RESOLUTION CLOSING REGULAR
TOWN BOARD MEETING IN ORDER
TO HOLD SCHEDULED PUBLIC
HEARINGS

Co. Holbrook offered the following resolution:

RESOLVED, that the regular Town Board Meeting be adjourned
in order to hold scheduled Public Hearings, time: 7:43 P.M.

Seconded by Co. Maloney

All Voted Aye.

RESOLUTION NO. (1979-795)

RESOLUTION ADOPTED RESUMING
REGULAR TOWN BOARD MEETING
SCHEDULED PUBLIC HEARINGS
HAVING BEEN HELD

Co. Holbrook offered the following resolution:

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

Seconded by Co. Longo

All Voted Aye.

RESOLUTION NO. (1979-796)

RESOLUTION ADOPTING AND
ACCEPTING MINUTES OF TOWN
BOARD MEETINGS - 10/17/79
AND 11/1/79

Co. Longo offered the following resolution:

RESOLVED, that the Minutes of the Town Board Meeting held
on October 17, 1979 and the Special Town Board meetings of
October 29th and November 1st, 1979, are hereby adopted and accepted
as submitted by the Town Clerk.

Seconded by Co. Holbrook

All Voted Aye.

RESOLUTION CALLING PUBLIC
HEARING - EXTENSION OF
CLARKSTOWN CONSOLIDATED
WATER SUPPLY DISTRICT NO. 1
(SARNA)

Co. Piacentile offered the following resolution:

WHEREAS, a written Petition dated September 28, 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 of land, with the buildings and improvements thereon erected, 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 in the East line of Ridge Road, marked by a Rockland County Monument, said point being also the northwest corner of lands now or formerly of Blancato; thence

- (1) Along the East line of Ridge Road North 6 degrees 07 minutes 38 minutes East, 501.33 feet to a Rockland County Monument;
- (2) South 79 degrees 55 minutes 15 seconds East 98.79 feet; thence
- (3) South 71 degrees 59 minutes 50 seconds East 305.09 feet; thence
- (4) South 13 degrees 35 minutes 30 seconds West 205.00 feet; thence
- (5) South 12 degrees 00 minutes 30 seconds West 249.47 feet; thence
- (6) North 80 degrees 36 minutes 25 seconds West 345.49 feet to the point or place of Beginning.

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 5th day of December, 1979, at 8:15 P.M. EST time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (1979-798)

RESOLUTION ACCEPTING PRO-
POSALS FOR STREET LIGHTING

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:

- Primrose Lane..... New City
- Mark Lane (as amended).. New City
- Morris Drive..... New City
- Dorchester Estates s/d.. New City
- Richard Steinberg s/d... West Nyack

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (1979-799)

RESOLUTION ACCEPTING
RESIGNATION OF HELEN
DONNEY - SECRETARY TO
POLICE COMMISSION

Co. Piacentile offered the following resolution:

RESOLVED, that the resignation of Helen Donney, 523 Rt. 304, Bardonia, New York, as secretary to the Police Commission is hereby accepted with regret, effective November 30, 1979.

Seconded by Co. Maloney

All voted Aye.

Councilman Maloney said that Helen Donney had been an exceptional secretary and had never missed a meeting during all of her years with the Commission.

RESOLUTION NO. (1979-800)

RESOLUTION AUTHORIZING
RE-APPOINTMENT OF COMMISSIONER
TO THE FIRE BOARD OF APPEALS
FROM 2/27/79 to 2/27/83

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the members of the Fire Board of Appeals that Joseph Egan, 7 Hobe Street, West Nyack, New York, is hereby re-appointed to the Fire Board of Appeals to serve for a term commencing on February 27, 1979, and ending on February 27, 1983, at the pleasure of the Town Board.

Seconded by Co. Maloney

All Voted Aye.

RESOLUTION NO. (1979-801)

RESOLUTION SETTING PUBLIC
HEARING ON PROPOSED AMEND-
MENT TO LOCAL LAW NO. 8-1967

Co. Piacentile offered the following resolution:

WHEREAS, Councilman Piacentile, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled, "AMENDMENT TO LOCAL LAW NO. 8 - 1967, ENTITLED, 'LOCAL LAW REGULATING GARBAGE REMOVAL IN THE TOWN OF CLARKSTOWN' AS AMENDED", and

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 5th day of December at 8:20 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 said Clerk.

Seconded by Co. Longo

All Voted Aye.

RESOLUTION NO. (1979-802)

RESOLUTION AUTHORIZING THE
ISSUANCE OF A BUILDING PERMIT
UNDER SECTION 280-a OF THE
TOWN LAW

Co. Piacentile offered the following resolution:

RESOLVED, that a Building Permit under provisions of Section 280-a of the Town Law may be issued to MIC-BE BUILDERS, INC., for property situate on the west side of Fairview Avenue, 500 ft north of the intersection of

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RESOLUTION NO. (1979-802) CONTINUED:

Prospect Street, Nanuet, New York, more specifically designated on the Clarkstown Tax Map as Map 162, Block A, Lot 15.10 upon compliance with the requirements of the Director of Environmental Control and the Building Inspector and the filing of the Restrictive Covenant pursuant to Section 280-a of the Town Law upon the condition that the applicant agrees to participate in a road improvement district when and if required by the Town Board of the Town of Clarkstown, which Covenant shall be binding on all future owners and run with the land.

Seconded by Co. Longo

All Voted Aye.

RESOLUTION NO. (1979-803)

RESOLUTION AUTHORIZING
THE INSTALLATION OF A
TRAFFIC LIGHT AT THE
INTERSECTION OF PHILLIPS
HILL RD AND LITTLE TOR RD
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 erect a traffic light at the intersection of Phillips Hill Road and Little Tor Road, New City.

Seconded by Co. Maloney

All Voted Aye.

RESOLUTION NO. (1979-804)

RESOLUTION AUTHORIZING
COMPTROLLER TO TRANSFER
FUNDS - RECREATION DEPT.

Co. Longo offered the following resolution:

RESOLVED, that the Comptroller is hereby authorized to transfer \$10,000 from 7180 line 113 to the following:

\$3,500 to 7141 - 114
\$6,500 to 7310 - 113

Seconded by Co. Maloney

All Voted Aye.

RESOLUTION NO. (1979-805)

RESOLUTION AUTHORIZING
COMPTROLLER TO TRANSFER
FUNDS - RECREATION DEPT.

Co. Longo offered the following resolution:

RESOLVED, that the Comptroller is hereby authorized to transfer \$2,000 from 7141-110 to 7141-114.

Seconded by Co. Maloney

All Voted Aye.

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RESOLUTION NO. (1979-806)

RESOLUTION AUTHORIZING
SUPERVISOR TO ENTER INTO
AGREEMENT WITH THE SPRING
VALLEY WTR CO. FOR STORM
DRAINAGE LICENSE - ON PROPERTY:
OLD MILL ACRES I, VALLEY COTTAGE

Co. Holbrook offered the following resolution:

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

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter
into a storm drainage license agreement with Spring Valley Water
Company and Isreal Herskowitz for a storm drainage license at property
known as Old Mill Acres I, Valley Cottage, New York.

Seconded by Co. Maloney

All Voted Aye.

RESOLUTION NO. (1979-807)

RESOLUTION ADOPTED BY THE
TOWN BOARD SETTING PUBLIC
HEARING WITH REGARD TO
F.Z. REALTY CORP. ZONING
PETITION

Co. Maloney offered the following resolution:

WHEREAS, F. Z. REALTY CORP., 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
a PO district to an R-15 district;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and
265 of the Town Law be held 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 5th day of December 1979,
at 8:30 P.M., relative to the 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 Town Clerk.

Seconded by Co. Longo

All Voted Aye.

RESOLUTION NO. (1979-808)

RESOLUTION AUTHORIZING
EMPLOYMENT OF THE ALBERT
APPRAISAL CO. INC. AS
APPRAISER FOR SANITARY
SEWER EASEMENT RE: RICHARD
STEINBERG SUBDIVISION

Co. Piacentile offered the following resolution:

WHEREAS, the Planning Board and the Department of Environ-
mental Control of the Town of Clarkstown have recommended the obtain-
ing of a sanitary sewer easement to the south of the Richard
Steinberg Subdivision in order that a sewer pump station be eliminated
from the approval of such subdivision, and

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RESOLUTION NO. (1979-808) CONTINUED:

WHEREAS, in order to obtain such easement, either by negotiation or by condemnation pursuant to the Eminent Domain Procedure Law, the real property to be acquired must be appraised on behalf of the municipality;

NOW, THEREFORE, be it

RESOLVED, that the Albert Appraisal Company, Inc., 383 South Riverside Avenue, Croton-on-the-Hudson, New York, 10520, be employed as an appraiser at a fee not to exceed \$750.00 for a preliminary appraisal for the purpose of ascertaining the value of the easement to be acquired and that all charges are to be paid by the Richard Steinberg Subdivision.

Seconded by Co. Maloney

All Voted Aye.

RESOLUTION NO. (1979-809)

RESOLUTION AUTHORIZING
REIMBURSEMENT OF MONIES
TO BUENA VISTA PROPERTIES
RE: SEWER EASEMENTS

Co. Piacentile offered the following resolution:

WHEREAS, Buena Vista Properties agreed to expend a sum not to exceed \$6,000.00 for the purpose of acquiring and installing offsite sewer easements relating to the Buena Vista Sewer Project No. 7146, and

WHEREAS, the total amount expended in connection with the aforesaid Buena Vista Sewer Project No. 7146 was \$9,155.54, and the sewers were installed in such easement;

NOW, THEREFORE, be it

RESOLVED, that the sum of \$3,155.54, the difference between the amount which Buena Vista Properties agreed to expend for the acquisition and installation of said sewers and the amount actually expended, be reimbursed to Buena Vista Properties and that the said sum be taken from the MBSIA No. 2 Account, and be it

FURTHER RESOLVED, that the sewers so installed be accepted by the Town of Clarkstown.

Seconded by Co. Longo

All Voted Aye.

RESOLUTION NO. (1979-810)

RESOLUTION IN CONNECTION
WITH VIOLATION PROCEEDINGS
AGAINST SPINGO, INC.

WHEREAS, an Order of the Town Board dated August 15, 1979, was directed to SPINGO, INC., 8 Northwood Court, New Rochelle, New York, to remove the building presently existing upon the premises designated on the Clarkstown Tax Map as Map 58, Block G, Lot 37.03, and to commence cleaning up of all rubbish and debris within thirty (30) days from the date thereof, and

RESOLUTION NO (1979-810) CONTINUED:

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

WHEREAS, said Order was duly served upon Spingo, Inc. on the 16th day of August, 1979, and

WHEREAS, the said Spingo, Inc., has failed to comply with same;

NOW, THEREFORE, be it

RESOLVED, that pursuant to Chapter 31 of the Code of the Town of Clarkstown and Section 130, subdivision 16d of the Town Law of the State of New York, the Building Inspector of the Town of Clarkstown and JAMES TANNER, Architect, are hereby named to conduct a survey of the premises pursuant to law and to render a report of such survey in writing, and that an agreed appropriate fee be paid, and that Spingo, Inc., be notified in writing by certified mail, return receipt, to appoint either a practical builder, engineer or architect within forty (40) days of receipt of such Notice to serve as his representative on such survey, and be it

FURTHER RESOLVED, that the said Spingo, Inc. be notified that in the event the building or other structure shall be reported unsafe or dangerous in such survey, an application will be made at Special Term of the Supreme Court held in and for the County of Rockland for an Order determining that the building or other structure is a public nuisance and directing that it shall be repaired, and secured or taken down and removed as the Court may determine, and be it

FURTHER RESOLVED, that a copy of this resolution be served on the said Spingo, Inc.

Seconded by Co. Longo

ALL VOTED AYE.

RESOLUTION NO. (1979-811)

RESOLUTION AUTHORIZING
THE BUILDING INSPECTOR
TO SECURE BUILDING OWNED
BY SPINGO, INC., 8 NORTHWOOD
CRT., NEW ROCHELLE, N.Y.

Co. Maloney offered the following resolution:

RESOLVED, that the Building Inspector of the Town of Clarkstown, pursuant to Section 31-10 of the Code of the Town of Clarkstown is hereby authorized to secure the building owned by:

SPINGO, INC.
8 Northwood Court
New Rochelle, New York

in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as Map 58, Block G, Lot 37.03, and the expense for such work shall be levied and collected as provided in Article 15 of the Town Law of the State of New York for the levy and collection of a special ad valorem levy.

Seconded by Co. Longo

All Voted Aye.

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RESOLUTION NO. (1979-812)

RESOLUTION APPROPRIATING
\$200,000 FOR THE CONSTRUCTION
OF ADDITIONAL SEWER IMPROVE-
MENTS IN THE MSIA NO.2, AND
AUTHORIZING THE ISSUANCE OF
SERIAL BONDS IN THIS AMOUNT

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York (herein called "Town Board" and "Town", respectively), has been concerned with the need for additional sewer improvements in a portion of the unincorporated area in the Town (hereinafter described and herein called the "Master Sewer Improvement Area No. 2") and now proposes to provide such improvements by the construction of additional lines and new pump in and along Nob Hill subdivision in the vicinity of Buena Vista Road, in New City and Old Haverstraw Road, in Congers, or portions thereof, improvements in connection therewith and appurtenances thereto, together with original furnishings, equipment, machinery and apparatus and acquisition of land or rights in land, at the maximum cost of \$200,000, in accordance with a map, plan and report prepared by Charles R. Velzy, Inc., Engineers, duly licensed by the State of New York, which have been duly filed in the office of the Town Clerk, for public inspection; and

WHEREAS, following a public hearing duly called and held on August 2), 1979, the Town Board adopted a resolution approving the construction of the additional sewer improvements in Master Sewer Improvement Area No. 2 at an estimated maximum cost of \$200,000;

WHEREAS, following due submission of an application by the Town Board, the State Comptroller has approved the construction of the additional sewer improvements pursuant to Order dated October 17, 1979;

now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board) AS FOLLOWS:

Section1. The Town Board of the Town hereby appropriates the amount of \$200,000 for the construction of additional sewer improvements in Master Sewer Improvement Area No. 2, including additional lines and new pump in and along Nob Hill subdivision in the vicinity of Buena Vista Road in New City and Old Haverstraw Road, in Congers, or portions thereof, improvements in connection therewith and appurtenances thereto, together with original furnishings, equipment, machinery and apparatus and acquisition of land or rights in land, as hereinabove referred to in the Recital hereof. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$200,000. The plan of financing includes the issuance of \$200,000 serial bonds to finance said appropriation and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the Master Sewer Improvement Area No. 2, which the Town Board shall determine to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same for payment of the principal and interest on said bonds.

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RESOLUTION NO. (1979-812) CONTINUED:

Section 2. To finance said appropriation, serial bonds of the Town are hereby authorized to be issued in the principal amount of \$200,000, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law").

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00 a.4. of the Law, is forty (40) years.

(b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution, or any notes issued in anticipation thereof, pursuant to Section 107.00 d.3 (1) of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issues in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

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RESOLUTION NO. (1979-812) CONTINUED:

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

The adoption of the foregoing resolution was seconded by Councilman Holbrook and duly put to a vote on roll call, which resulted as follows:

AYES: Supervisor Gerber
Councilmen: Holbrook, Longo, Maloney, and Piacentile

NOES: None

The resolution was declared adopted.

RESOLUTION NO. (1979-813)

RESOLUTION AUTHORIZING
PUBLICATION OF BAN FOR
THE CONSTRUCTION OF
ADDITIONAL SEWER IMPROVE-
MENTS IN THE MSIA NO. 2

Co. Longo offered the following resolution:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, in The County of Rockland, New York, as follows:

Section 1. The Town Clerk of the Town of Clarkstown, in the County of Rockland, New York, is hereby directed to publish the foregoing bond resolution, in full, in the "Journal News," a newspaper published in Nyack, New York, and having a general circulation therein, which newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

The adoption of the foregoing resolution was seconded by Councilman Holbrook and duly put to a vote on roll call, which resulted as follows:

AYES: Supervisor Gerber
Councilmen: Holbrook, Longo, Maloney and Piacentile

NOES: None

The resolution was declared adopted.

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RESOLUTION NO. (1979-814)

RESOLUTION SETTING DATE
OF TOWN BOARD MEETING FOR
11/14/79 at 8:00 P.M. AND
CANCELLING TOWN BOARD
MEETING OF 11/21/79

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board shall hold a Town Board meeting on November 14, 1979, at 8:00 P. M., in the auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the regularly scheduled Town Board Meeting of November 21, 1979, is hereby cancelled.

Seconded by Co. Piacentile

All Voted Aye.

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RESOLUTION NO. (1979-815)

RESOLUTION AUTHORIZING
HANDICAPPED PARKING SPACES
AT CLARKSTOWN PLAZA, NEW CITY

Co. Longo offered the following resolution:

WHEREAS, the Building Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 9-1971, as amended by Local Law #4-1978, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 102-12D of the Code of the Town of Clarkstown, at the Clarkstown Plaza

by the installation of handicapped parking spaces, and

WHEREAS, BRIAN NELSON, the owner and or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said handicapped parking spaces;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended by Local Law #4-1978, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector with regard to the installation of certain handicapped parking spaces shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

Seconded by Co. Holbrook

All Voted Aye

Supervisor Gerber commended Robert Bowman, Building Inspector, for his assistance in bringing to fruition the first agreement that has been reached under the law. This will be enforced in a manner similar to the fire zone areas and offenders will be ticketed.

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RESOLUTION NO. (1979-816)

RESOLUTION AUTHORIZING
HANDICAPPED PARKING SPACES
AT TOWN HALL

Co. Longo offered the following resolution:

WHEREAS, the Building Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 9-1971, as amended by Local Law #4-1978, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 102-12D of the Code of the Town of Clarkstown, at Town Hall

by the installation of handicapped parking spaces, and

WHEREAS, TOWN HALL, the owner and or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said handicapped parking spaces;

NOW THEREFORE, BE IT

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended by Local Law #4-1978, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector with regard to the installation of certain handicapped parking spaces shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

Seconded by Co. Holbrook

All Voted Aye

Supervisor Gerber read the following letter into the Minutes:

Rockland County Center
For the Physically Handi-
capped, Inc.
260 Little Tor Rd., North
New City, New York 10956

November 5, 1979

Supervisor George Gerber
Town Hall
Maple Avenue
New City, New York 10956

Dear Supervisor Gerber:

I would appreciate your reading this letter before your Town Board on November 7th since a previous commitment keeps me from presenting this in person.

As Chairman of the Committee to remove Architectural Barriers in the homes of the Disabled, I would like to thank you on behalf of the 16 families thus far, who have received grants ranging from \$220 to \$5,000 from 1976 Community Development Funds for Clarkstown.

As of this date we have installed outside railings, widened doorways, put in stairglides, installed garage door openers, installed lighting, built outside ramps, graded concrete walkways, rebuilt stairs, purchased bathroom equipment and rebuilt bathrooms to make them accessible to wheelchairs.

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LETTER FROM ROCKLAND COUNTY CENTER FOR THE PHYSICALLY HANDICAPPED, INC.
CONTINUED:

In removing these barriers you have changed their lifestyles and given the disabled and their families more freedom.

On behalf of your disabled citizens, our Committee is grateful for your foresight and efforts. We sincerely hope that the new Town Board will follow your example of deep concern.

Sincerely yours,

Eileen Montalbano, RN, Chairperson
Committee to Remove Architectural Barriers in the Home

APPEARANCE

John Lodico
2 Birch Lane
New City, N.Y.

Mr. Lodico spoke regarding measures to save energy in the sanitary landfill building and recreation building. He recommended bringing gas lines into the landfill building and using gas to heat the building. He also suggested the use of fans in the recreation and landfill buildings to circulate heat. This would result in a 25% saving of heat.

There being no one wishing to be heard and no further business to come before the Board, the Town Board Meeting was closed by Supervisor Gerber, time: 9:24 P.M.

Respectfully submitted,

Patricia Sheridan
Patricia Sheridan,
Town Clerk

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TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

11/8/79

7:39 P.M.

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

RE: PUBLIC HEARING FOR THE 1980 PRELIMINARY BUDGET

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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 for Public Hearing.

Supervisor Gerber stated that the budget must be adopted by November 20, 1979. Harold Peterson, Comptroller gave an explanation regarding the proposed budget to be adopted, noting that there was a 4.5% increase.

Supervisor Gerber asked is there was anyone wishing to be heard.

APPEARANCE: Mr. Robert Bowman
Building Inspector - Building Department
10 Maple Avenue
New City, New York 10956

Mr. Bowman read the following statement:

"I was fortunate enough to obtain this morning a line item budget which is relative to the Building Department B-3620 accounts.

At the time of the preparation of the tentative budget, no opportunity was granted the Department Heads to review our request with the Town Comptroller or with the Town Board and, subsequent to the filing of the tentative budget, we were afforded the opportunity to appear before the this Honorable Board for the purpose of discussing our 1980 requests and following your initial request to appear before the Board at 4:00 P.M. at a particular afternoon I was not heard at all that day and I did wait until 8:30 of that night which was a regularly scheduled Town Board meeting and eventually had the privilege of discussing my requests with the Town Board at a meeting called for 5:00 P.M. The particular day slips my mind for the moment, but I did request that the following items be restored to my budget, namely, Account #201 - \$250. to replace two secretarial chairs that are beyond repair.

Line 203 - \$13,000. to replace the Fire Inspector's vehicle and to provide a pickup truck to my office for the purpose of establishing a litter patrol so that we would make a concentrated effort to make a cleaner community in which to live.

Item 204 was for an additional typewriter for the office.

Item 209 was an item in the amount of \$1,092. for sirens and signal equipment for the Fire Inspector and Assistant Fire Inspector and, in view of the fact that we had agreed that no additional Fire Inspector or Building Inspector would be appointed this year, the amount of \$1,092. could be reduced by one third.

Item 230 for communications equipment has been requested by me over a long period of time to provide for direct communication by the Fire Inspectors with the Rockland County Fire Control Center and with the Chief at the scene when our Fire Inspectors respond as requested by the local fire departments. This figure was \$4,440.

which in view of the fact that the third Inspector was not being considered at this time, could be reduced by one third.

My office supply account line item 313 was approved in 1979 for \$1500. and yet has been reduced to \$1200. in the current budget. This will not permit me to reproduce and print or provide the forms necessary for the operation of my office. Likewise you have reduced line item 313 to \$200. which is less than \$650. provided for in the 1979 budget.

The data processing account in the amount of \$125. has been eliminated which means that I will not even be able to have an up-to-date list of the current property owners within the Town of Clarkstown and I am therefore asking that the amounts stated above and requested be restored to the 200 and 300 accounts.

In the 400 accounts the amount set aside for conferences and schools has been reduced to zero. This will prohibit me from permitting the attendance by the Building Inspector and Assistant Building Inspectors and the Fire Inspectors at the various training schools provided entirely within the state of New York not even including travel accounts or mileage for such attendance except on a daily basis and I would respectfully request that the \$750. requested be restored to line item 414.

The total additional request of the above items amounts to approximately \$21,507. which is a very small portion of our total overall budget and yet a very essential part of our code enforcement program within the Town of Clarkstown.

RHB/r"

APPEARANCE: Mr. Joel Rosenthal
Mayor-elect from Spring Valley

Mr. Rosenthal requested additional funding for the Martin Luther King Reading Room which is within Clarkstown. He wanted the Town to increase the amount they had allotted which is \$3,000.00 since the Town of Ramapo gave \$10,000.00 and the Village of Spring Valley gave \$12,000.00. The Supervisor explained that by agreement of the Town Board for 1960 the Town Board contributed to all five libraries in Clarkstown and it has been the policy of the Town Board to give all of the libraries the same amount. They will take it under advisement.

APPEARANCE: Dr. Arthur Lipofsky
7 Horseshoe Court
New City, New York

He urged the Town Board not to cut the budget. They should sacrifice something else but not recreation. If we are concerned about the vandalism in Clarkstown which we know is a problem the way to cure it is not to cut recreational programs.

Supervisor Gerber told him that the preliminary budget restored the funds to recreation programs. There are economies in other areas and we would not be eliminating any recreation program.

APPEARANCE: Mr. Les Bollman,
Director of Environmental Control
Town of Clarkstown
10 Maple Avenue
New City, New York

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Mr. Bollman read the following statement:

"I wish to comment on the three budgets for which I am responsible. The first one I would like to discuss is the Conservation budget #8730. Gentlemen, there is rarely a workshop session or a Town Board meeting where individuals or groups don't come before you with drainage complaints. The correction of these problems has cost the Town millions of dollars. In 1973 this department operated as the Town Engineer's Office with less responsibility and authority than the present Department of Environmental Control has and at that time we had a staff of 11 Inspectors, Technicians and Professionals. You are now proposing that we operate with a staff of 9 for the 1980 budget. Over the years we have gained knowledge of past mistakes and we now know how to avoid these but without the personnel to inspect the construction, the situation will not change and we will find ourselves making those same mistakes. The position of Environmental Control Inspector, that you are proposing to eliminate is one of the most important positions, to assist in the elimination of many of these problems, and it must be restored. We have spent over three million dollars to date and you are now facing the authorization of a new drainage bond which I have estimated will be in excess of one million dollars. How can we ever hope to reduce the problems in the future if the department doesn't have the personnel to insure that businesses and homes are constructed in a manner that will alleviate damage caused by flooding.

The second budget I would like to discuss is that of the Sanitary Landfill #8160. As you know we are presently operating without a permit and I am working with the State Department of Environmental Conservation on an Order of Consent so that we may continue to operate the Landfill until a viable alternate is presented. Line items 312 and 447 are required for the fueling, maintenance and repair of the equipment. Based on the money spent to date and the fact that the Dozer and the Trash Compactor presently require \$6,000. for repairs I find myself \$7,000. short in item 312. In item 447 which is for repairs that we cannot handle, but must be sent to the manufacturer, we require approximately \$20,000. This includes new tracks for the Fiat-Alis Compactor and Engine and transmission overhaul for the other trash compactor. If this equipment breaks down I will not be able to maintain the minimum standards required for operating the landfill, thereby jeopardizing the Town's chances to continue to operate under an Order of Consent. When you consider the consequences of what the cost would be to the taxpayers if the landfill were shut down plus the fact that we presently take in approximately \$200,000. over budgetary expenses I believe it is foolhardy to eliminate repairs and maintenance which are mandatory.

The third budget I would like to discuss is that of Sanitary Sewers #8110. In the sewer budget you have made cuts in three areas which prohibit the proper operation of this department. They are in the 200 line for equipment; 424 line for contractual expenses; and 111 line for overtime. Our present equipment is over eight years old and requires more and more maintenance. Last year I spent approximately \$4,000. to maintain the four wheel drive pick-up which is necessary to get to the treatment plant and many pump stations during inclement weather. The sewer lines are getting older and require more maintenance and this year we have exceeded our budget of \$22,000. for contractual expenses. You have cut that line item by \$10,000. which is a totally unrealistic figure when you consider the age and value of the system. The overtime item has been cut by more than half. As you know except for maintaining the one treatment plant seven days a week the majority of the overtime is spent by emergency call-outs from the Police Department. This year we have spent \$10,000. for an alarm system for the 19 pump stations which is connected directly to the Police Department. We will be adding 3 more pump stations during

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the year 1980. You must also realize that the 40 hours during the normal work week represent less than 25 of the total hours in a week, therefore resulting in three changes out of four that if an alarm goes off it will go off in an overtime situation. If this item is not restored, the overtime money will be exhausted by mid-year and at that time the Police Department will have to be notified not to call out personnel in the Sewer Department because there will be no way of paying the overtime incurred. The result would be thousands of dollars in pump repairs.

Gentlemen, in summary you know I am cognizant of the fiscal crunch with which we are attempting to operate under, however, what I am requesting will save the taxpayer's many times over in the future. As the proverb goes 'AN OUNCE OF PREVENTION IS WORTH A POUND OF CURE.' Thank you."

APPEARANCE: Mr. Richard Caunitz
 Sturbridge Court
 Nanuet, New York

Mr. Caunitz appeared regarding the vandalism in Tennyson Park and stated that they have a citizen's patrol and community advisory committee. He wished to bring their needs to the attention of the Town Board. He urged the Town Board not to cut any more money from recreation. The residents and the teenagers in the area are interested in restoring and maintaining the park. He urged the Town Board to allocate additional funds to restore and repair the necessary equipment.

Mr. Gerber said that the equipment was "early years" equipment which had taken many years of use. He also stated that the street lights would come out of the capital expenditures program and would not be in the operating budget.

Mr. Caunitz stated that the committee was willing to work with the Parks Board and Recreation Commission to do whatever is necessary and the Supervisor said that he could see no problem in that.

APPEARANCE: Mr. Fred Seeger, Superintend
 Highway Department
 Town of Clarkstown
 10 Maple Avenue
 New City, New York

Mr. Seeger said the salaries for summer help have been cut and he went through this past summer without summer employees and had run into all kinds of problems with the hurricane and the pick-up and had great difficulty spreading himself so thin.

Mr. Seeger also stated that he needs additional funds for communications and equipment and additional funds for food for the men when they are on snow removal duty. The Town Board has cut his funds for maintenance, housekeeping, office supplies and also for culverts, catch basins, etc. He mentioned that this was the year time in 16 years that he had not paved a road in Clarkstown because there were no funds and now the Town Board is cutting him even more. He stated that he must have money to purchase equipment. There are 8 trucks disabled and just standing in the Highway Department and he asked the Board to please consider the desperate need for the purchase of new equipment and to reinstate these funds.

APPEARANCE: Mr. John Bradley, Maintenance Department
Town of Clarkstown
10 Maple Avenue
New City, New York

Mr. Bradley said that the salary for the Senior Head Custodian is not funded. There would be no money for a new employee. Under maintenance supplies the budget is presently overdrawn and the more we use the building the more funds we need. He requested that \$5,000.00 be restored to his budget.

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, DECISION RESERVED, time: 8:27 P.M.

Respectfully submitted,
Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

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TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

11/8/79

8:50 P.M.

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

RE: PETITION FOR THE EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER
SUPPLY DISTRICT NO. 1 - COLONIAL VILLAGE, NEW CITY

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

SWORN IN: Mr. Les Bollman, Director
Department of Environmental Control
10 Maple Avenue
New City, New York 10956

Mr. Bollman was sworn in by Supervisor Gerber and
testified that he is familiar with the petition. The proposed
extension will benefit all property owners within the proposed
extension. All property owners who will benefit are included
in the limits of the proposed extension. It is in the public
interest to grant the proposed extension because it will provide
domestic water supply, fire protection and also reduce insurance
rates.

IN FAVOR: No one appeared.

OPPOSED: No one appeared.

There being no one further wishing to be heard, Order
Extending District was signed by Supervisor Gerber and the Town
Board members.

On motion of Councilman Holbrook, seconded by Councilman
Maloney and unanimously adopted the Public Hearing was closed, time:
8:54 P.M.

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

11/8/79

8:54 P.M.

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

RE: PETITION FOR THE EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER
SUPPLY DISTRICT NO. 1 - OLD MILL ACRES II, VALLEY COTTAGE

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

SWORN IN: Mr. Les Bollman, Director
Department of Environmental Control
10 Maple Avenue
New City, New York 10956

Mr. Bollman was sworn in by Supervisor Gerber and
testified that he is familiar with the petition. The proposed
extension will benefit all property owners within the proposed
extension. All property owners who will benefit are included
in the limits of the proposed extension. It is in the public
interest to grant the proposed extension because it will provide
domestic water supply, fire protection and also reduce insurance
rates.

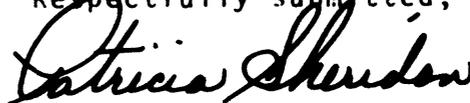
IN FAVOR: No one appeared.

OPPOSED: No one appeared.

There being no one further wishing to be heard, Order
Extending District was signed by Supervisor Gerber and the Town
Board members.

On motion of Councilman Holbrook, seconded by Councilman
Longo and unanimously adopted the Public Hearing was closed, time:
8:56 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk