

PUBLIC HEARING

Sept. 12, 1957

Town Clerk's Office

8:30 P.M.

Present: Messrs. Renken,
Jeffrey,
Welchman,
Schmersahl,
Dillon.

Supervisor Dillon opened the hearing.

The Clerk read notice of hearing in the matter of petition for the Establishment of a Sewer District at or near Spring Valley - Pascack Park.

David Coral, Esq. appeared as attorney for the petitioner and introduced Howard G. Elish, stating he wished to give testimony.

After being sworn by Supervisor Dillon, upon questioning by Attorney Coral, Mr. Elish testified as follows:

Q: Are you one of the owners of the property mentioned and described in the petition for the establishment of the Pascack Park Sewer District?

A: I am.

Q: Who are the other owners?

A: Solomon Kupperman and Herman Kupperman.

Q: And are they in accord with your representing them here today and testifying in behalf of all three owners?

A: They are.

Q: Have you inspected the assessment roll of the Town of Clarkstown?

A: Yes.

Q: And are you familiar with the property mentioned in the petition and described on the map attached to the petition?

A: Yes.

Q: Have you identified the property mentioned in the petition, described in the map attached to the petition, on the assessment roll?

A: Yes.

Q: Is all the property mentioned therein assessed on the tax rolls of the Town of Clarkstown?

A: Yes.

Q: In whose name?

A: In the name of Howard Elish, Solomon Kupperman and Herman Kupperman.

Q: Will all of the property owners who reside or may reside in the future in the district benefit from the establishment of a sewer district?

A: No.

Q: Is the establishment of the sewer district in the public interest of the Town of Clarkstown?

A: Definitely.

Supervisor Dillon then inquired whether there were any objectors.

Mr. William Murdock of Pascack Road, Spring Valley, representing residents in the area, appeared and asked questions pertaining to the proposed sewer district.

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The Town Attorney explained that if, as and when the sewer district is created, the Town Sewer District will enter into a contract with the Village of Spring Valley to service this area and that the cost, maintenance and everything else would be borne by the residents in the area. Attorney Coral explained that no sewer beds were proposed and that there would be a small pumping station tied up to the Village of Spring Valley Disposal Plant.

Attorney Coral, at the suggestion of the Town Attorney, posed one additional question to Mr. Elish, who answered as follows:

Q: Mr. Elish, are the signers of the petition for the establishment of the sewer district the owners of 100% of the property delineated on the map as described in the petition?

A: 100% of the property owners. There are no residents at the moment.

No one else desiring to be heard, on motion made by Mr. Schmersahl, seconded by Mr. Welchman and unanimously carried, the hearing was closed.

Signed,

Mildred F. Magai
Mildred F. Magai,
Town Clerk.

PUBLIC HEARING

Sept. 12, 1957

Town Clerk's Office

8:45 P.M.

Present: Messrs. Renken,
 Jeffrey,
 Welchman,
 Schmersahl,
 Dillon.

Supervisor Dillon opened the hearing.

The Deputy Clerk read notice of hearing in the matter of petition of Blue Spruce Estated, Inc. for the extension of the New City-West Nyack Water Supply District.

Supervisor Dillon Swore Herman Kupperman of Carlton Road, Suffern, who was then questioned by Town Attorney Edward G. Roepe and testified as follows:

Q: You are Mr. Herman Kupperman?

A: I am.

Q: Mr. Kupperman, I show you this original petition dated and acknowledged on the 2nd of August, 1957 and ask you whether your signature appears on it as President of the petitioner, a corporation known and designated as Blue Spruce Estates, Inc.?

A: It does.

Q: Are you familiar with this petition and the statement of facts therein contained?

A: I am.

Q: This is a petition for the extension of the existing Town of Clarkstown water supply district known as the New City-West Nyack Water Supply District, is it not?

A: It is.

Q: Are you familiar with the property described in this petition, for which purpose I refer the petition to you?

A: I am.

Q: Are the people who signed that petition, which appears to be a corporation, Blue Spruce Estates, Inc., the owners of all the property described in that petition.

A: Yes.

Q: Are there any resident owners owning the property that is covered by this petition.

A: No.

Q: Is it your opinion that the property you designate in this petition and therein described will be benefited by this Town Board making an Order to extend the water supply district to include this particular property?

A: It is.

Q: Are there any owners not represented in this petition who would be benefited by the extension?

A: No.

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Q@ Do you consider it to be in the public interest that this Town Board make an Order extending the presently existing water supply district to take in this area?

A: I do.

Supervisor Dillon inquired whether anyone else was interested in the petition for the extension of the water supply district.

No one appearing, on motion made by Mr. Schmersahl, seconded by Mr. Welchman and unanimously carried, the hearing was closed.

Signed,

Mildred F. Magai

Mildred F. Magai,
Town Clerk.

TOWN BOARD MEETING

Sept. 12, 1957

Town Clerk's Office

8:00 P.M.

Present: Messrs. Dillon,
Renken,
Jeffrey,
Welchman
Schmersahl.

Supervisor Dillon opened the meeting.

On motion of Mr. Renken, seconded by Mr. Jeffrey and unanimously carried, the minutes of the previous meeting were approved and accepted.

The clerk read the Notice inviting sealed bids for the paving of First Street, Nanuet.

Mr. Renken moved that the sealed bids for the paving of First St. be opened.

Seconded by Mr. Jeffrey. AYES: Dillon, Renken, Jeffrey, Welchman, Schmersahl. NAYES: None.

The bids received were as follows:

Cyler & Schuck Inc.	\$8,981.00
Ward Pavements, Inc.	9,269.00
County Asphalt, Inc.	9,165.00

Mr. Renken moved the following resolution:

RESOLVED, that the bid of Cyler and Schuck in the amount of \$8,981 for the paving of First Street, Nanuet be accepted and contract for same to be executed within 15 days and be it

FURTHER RESOLVED, that deposit checks be returned to unsuccessful bidders.

Seconded by Mr. Jeffrey. AYES: Dillon, Renken, Jeffrey, Welchman, Schmersahl. NAYES: None.

The Clerk read the Notice inviting sealed bids for fill.

Mr. Welchman moved that the sealed bids for fill be opened.

Seconded by Mr. Jeffrey AYES: Messrs. Dillon, Renken, Jeffrey, Welchman, Schmersahl. NAYES: None.

The bids received were as follows:

George LaRocca	75¢ per yard
Ward Pavements, Inc.	90¢ per yard
W. J. Wolf & Son	85¢ per yard
H. Burgholzer	85¢ per yard
Eric Binder	90¢ per yard

Mr. Welchman moved the following resolution:

RESOLVED, that bids for fill be referred to the Town Attorney to check if they meet specifications.

Seconded by Mr. Renken AYES: Messrs. Dillon, Renken, Jeffrey, Welchman, Schmersahl. NAYES: None.

Mr. Robert Kassel's, attorney, presented to the Board a sworn affidavit in the matter of the Improvement of Sherwood Drive pursuant to S.c. 200 of the Town Law.

Mr. Arthur Simpson, one of the signers of the petition for the Improvement of Sherwood Drive appeared before the Board and asked that his name be withdrawn from the petition.

Mr. Kassel stated that Mr. Simpson's withdrawal does not affect petition and that there are still over 50% of property owners on petition.

Mr. Jeffery moved the following resolution subject to the checking of lineal footage along Sherwood Drive by the assessor;

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(See Page 404A) (Insert Resolution re: dated Sept. 12, 1957 adopting plans and specifications and proposed contract also inviting sealed bids to be submitted Sept. 26, 1957.)

Seconded by Mr. Renken AYES: Messrs. Dillon, Renken, Jeffrey, Welchman & Schmersahl.
NAYES: None
Town Attorney Edward G. Roepe then filed with the Clerk proposed contract in triplicate, original and one copy of form of Notice to Bidders as well as form of proposal for the construction of the road.

Robert Kassels, Esq., attorney for the petitioners, was then sworn by Supervisor Dillon and when questioned by Town Attorney Roepe, testified as follows:

Q: Mr. Kassels, you have submitted to the Town Board here tonight, which is on file with the Town Clerk, an affidavit with respect to certain withdrawals of signatories to a petition for the improvement of Sherwood Drive, notably Nelson and Moser, and you are aware tonight there is an indicated withdrawal of one other name, Simpson. Do you have your data and notes with respect to your examination of the owners reflected on this map that is described in your affidavit and your notes with respect to the Assessment Roll in this matter?

A: Yes. I do.

Q: Can you tell this Town Board that in addition to the two signatories that have been withdrawn, which is Nelson and Moser, whether or not the withdrawal of the signature of Simpson reduces the front feet of people who have signed this petition originally to less than one-half?

A: Yes. The withdrawal by Mr. Simpson of his name from the petition will not reduce the signers of the petition, the owners of frontage of the signers of the petition, to less than one-half.

Q: And likewise, do you want to testify that the withdrawal of that name, in addition to the two who have withdrawn as stated in your affidavit, does not result in less than one-half of the total front feet of resident owners?

A: Yes. The withdrawal of Mr. Simpson's name will not reduce the signers' frontage to less than one-half of resident owners.

The Board then requested Mr. Kassels to procure confirmation from Mr. Fair, the Assessor, that there was more than half the lineal footage.

Mr. Renken moved the following resolutions:

RESOLVED, that decision on application for the Establishment of a Sewer District, to be known as Pascack Park Sewer District, be reserved.

Seconded by Mr. Jeffrey AYES: Messrs. Dillon, Renken, Jeffrey, Welchman & Schmersahl. NAYES: None.

Mr. T. B. Smalley and Mr. T. J. DeLaunay of Amundsen Lane, New City appeared before the Board in connection with assessments regarding the Improvement of Adam Oak and Birch. Both these gentlemen felt they were not within the improvement district.

The matter was referred to the Assessor to check and report at the Special Meeting on Sept. 18th, 1957.

WHEREAS, NELSON W. HALL, a Civil Engineer, was heretofore, by resolution duly adopted April 11th, 1957, directed to make and prepare definite plans and specifications, and a careful estimate of the expense, and with the assistance of the Town Attorney, a proposed contract for the paving of Sherwood Drive, at Nanuet, in said Town, by paving the entire length thereof; and

WHEREAS, said definite plans and specifications, estimate of the expense and contract have been made and prepared, and filed with the Town Clerk of the Town of Clarkstown, as directed by statute, and have been examined by this Town Board; and

WHEREAS, a public hearing to consider the petition of the owners of more than one-half of the real property fronting on Sherwood Drive was held on November 8th, 1956, and a further public hearing was held on August 28th, 1957, now, therefore, be it

RESOLVED, that the said plans and specifications, estimate and contract be and each and every one of the same is hereby approved and adopted; and be it further

RESOLVED, that this Board invite sealed proposals to be submitted to it at 3:00 o'clock in the afternoon, Eastern Daylight Saving Time on the 26th day of September, 1957, at the office of the Town Clerk at Main Street, New City, in said Town, for the furnishing of materials, machinery and equipment and performance of the labor necessary or proper for the paving of Sherwood Drive, at Nanuet, in said Town, in accordance with the aforesaid plans and specifications and under said contract and that said Town Clerk be, and he hereby is directed to prepare, with the assistance of the Town Attorney and Nelson W. Hall, a Civil Engineer employed by the Town, proper notices calling for special proposals in detail, and cause the same to be published once in due form of law, in the Journal News, published at Nyack, New York, the official paper of this Town, in accordance with the provisions of Section 197 of the Town Law.

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As a result of the Public Hearing for the extension of the New City-West Nyack Water Supply District, the Board signed an Order extending that portion of Blue Spruce Estates not already in an established water district.

Mr. Schmersahl moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 11th day of July, 1957, provided for a public hearing on the 8th day of August, 1957, at 9:00 P.M., Eastern Daylight Saving Time, to consider the application of EMIL J. PEDERSEN and SHIRLEY A. PEDERSEN to amend the Building Zone Ordinance of the said Town by redistricting the property of the said petitioner from an RO district to an R-2 district, and

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

NOW THEREFORE, be it resolved that the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting the following described property at or near Bardonia, New York, in said Town, from an RO district to an R-2 district:

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

BEGINNING at a point marked by a stake in the westerly line of the right-of-way taking line for the Palisades Interstate Parkway and which point is the point of intersection of the westerly line of the said Palisades Interstate Parkway and the easterly line of State Highway No. 9005 and running thence (1) in a southeasterly direction and along the westerly line of the said Palisades Interstate Parkway on a course of South 33° 51' 05" East, a distance of 451.88 feet to a point and running thence (2) in a southerly direction and on a course of South 16° 39' 09" West, a distance of 73.46 feet to a point and running thence (3) in a westerly direction and on a course of North 60° 53' 05" West, a distance of 343.03 feet to a point marked by a stake in the easterly line of the said State Highway No. 9005 and running thence (4) along the easterly line or side of the said State Highway No. 9005 in a northerly direction and on a course of North 13° 55' East, a distance of 287.16 feet to the point or place of beginning.

Seconded by Mr. Welchman. AYES: Dillon, Renken, Jeffrey, Welchman & Schmersahl. NAYES: None

Mr. Renken moved the following resolution:

NOTICE IS HEREBY GIVEN that by Resolution of the Town Board of the Town of Clarkstown adopted September 12th, 1957, the Building Zone Ordinance of the Town of Clarkstown adopted April 4th, 1939, and as amended, was further amended, and that a copy of said Resolution amending said ordinance is as follows:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 9th day of May, 1957, provided for a public hearing on the 11th day of July, 1957, at 9 00 P.M., Eastern Daylight Saving Time, to consider the application of MICELI & SONS BUILDING CORPORATION to amend the Building Zone Ordinance of the said Town by redistricting the property of the said petitioner from an RO district to a C-2 district, and

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

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NOW THEREFORE, be it resolved that the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting the following described property at or near Nanuet, New York, in said Town, from an RO district to a C-2 district:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon, situate, lying and being at Nanuet, in the Town of Clarkstown, County of Rockland and State of New York, bounded and described as follows:

BEGINNING at a point on the north side of Nyack Turnpike, also known as Route 59-A, distant 250 feet easterly from the intersection of the east line of Route 304 and the north line of Route 59-A, which point is also the easterly limit of the existing C-2 district as shown on the zoning map of the Town of Clarkstown; running thence in a northerly direction and along the easterly side or line of the existing C-2 district and through property of Maier and Bauman a distance of 400 feet; running thence in an easterly direction and at a uniform distance of 400 feet from the northerly side of Route 59-A and through lands of Bauman a distance of 600 feet, more or less, to the west line of lands of Radway and the extension west of the existing line of the LS district as shown on said zoning map; running thence in a southerly direction along the extension north of the westerly line of said LS district and along the westerly line of said LS district and lands of Radway a distance of 400 feet to the northerly side of Route 59-A; running thence in a westerly direction and along the north side of Route 59-A a distance of 700 feet, more or less, to the point or place of beginning.

Seconded by Mr. Jeffrey

AYES: Messrs. Dillon,
Renken,
Jeffrey,
Welchman,
Schmersahl.

NAYES: None.

Mr. Jeffrey moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 9th day of May, 1957, provided for a public hearing on the 13th day of June, 1957, at 8:30 P.M., Eastern Daylight Saving Time, to consider the application of ASHLEY MOTOR COURT, INC. to amend the Building Zone Ordinance of the said Town by redistricting the property of the said petitioner from an RO district to a C-2 district, and

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

NOW THEREFORE, be it resolved that the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting the following described property at Nanuet, New York, in said Town, from an RO district to a C-2 district:

ALL that lot, piece or parcel of land situate lying and being at Nanuet, New York, more particularly bounded and described as follows:

BEGINNING at a point in the south line of the Nyack Turnpike at an iron pin which point of beginning is 166.21 feet on a course of South 55° 07' East from a monument set at the intersection of the south line of the Nyack Turnpike and the east line of Grandview Avenue, running from said beginning point, or iron pin, easterly along the south line of the Nyack Turnpike South 48° 23' 30" East 212.15 feet to the lands now or formerly of Marsi; turning and running thence southerly along the lands of Marsi and others South 70° 57' 10" West, partly through a stone wall, 764.26 feet to an iron pin; turning and running thence westerly north 78° 20' West 283 feet to a point turning and running thence northerly the following courses

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and distances: North 11° 40' East 655.14 feet, North 24° 64' East 219.1 feet to the point or place of beginning.

Seconded by Mr. Schmersahl.

AYES: Messrs. Renken,
Dillon
Schmersahl
Welchman
Jeffrey.

NAYES: None.

Mr. Dillon read a letter from Town Attorney Roope, dated Sept. 9th, 1957, regarding Sect. 171 of the H'way Law to alter Parrot Road.

Mr. McGroddy, attorney for Franciscan Missionaries of Mary, Petitioners, stated that the suggestions contained in Mr. Roope's letter would be met.

Mr. L. T. Matlack appeared before the Board and asked if there would be a public hearing on this petition.

Mr. Roope stated for the Board that under Section 171 of the Highway Law, there were no provisions requiring a public hearing.

Mr. Jeffrey moved the following resolution:

RESOLVED, that the letter of Town Attorney Roope making certain suggestions in connection with the Petition of Franciscan Missionaries of Mary to alter Parrot Road under Section 171 of the Highway Law be taken under advisement by this Town Board.

Seconded by Mr. Renken.

AYES: Messrs. Dillon
Renken,
Jeffrey,
Welchman,
Schmersahl.

NAYES: None.

Mr. Harold Haskell appeared before the Board in regard to the status of widening Snake Hill Rd.

Mr. Klein, Supt. of H'ways reported that he had made arrangements to have work started at the Route 303 and of Snake Hill Rd.

The Board directed the Clerk to contact Mr. John Kringel of the Trap Rock Corporation and asked him to be present at the meeting of Sept. 26th for the purpose of advising the Board as to the progress of obtaining the Hale and Brey properties.

Mr. Renken moved the following resolution:

RESOLVED, that the Supervisor be authorized to execute the Agreement of Louis and Anna Rossi on behalf of the Town of Clarkstown.

Seconded by Mr. Schmersahl.

AYES: Messrs. Dillon,
Renken,
Jeffrey
Welchman,
Schmersahl.

NAYES: None

Mr. Arnold of the Congers Fire Dept. and Mr. Furey of the Valley Cottage Fire Dept. appeared before the Board regarding a petition for the establishment of a water district.

Mr. Dillon informed these gentlemen that there was no petition before the

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Board at this time.

After some discussion on this matter, it was suggested that if the petition reached the Town Board by Sept. 18th, 1957, they would in turn set it down for a Public Hearing.

Mr. Gene Elish appeared before the Board in connection with a drainage problem on Eckerson Road. He submitted a map of his development showing the drainage of same.

Mr. Klein, Supt. of H'ways presented a letter, dated Sept. 12, from Mr. Kleinberg giving permission to remove rocks on the opposite side of the road from Mr. Elish's property, near the culvert. Mr. Klein stated that with this permission, he would remove the rocks but he felt it would not take care of the water problem.

Mr. Jeffrey moved the following resolution:

✓ WHEREAS, the County of Rockland is now supplied with a County Department of Health and

WHEREAS, Section 341, Paragraph 3 of the Public Health Laws specifically provides that Villages and Towns may abolish their existing local Health Districts when such Town or Village is included in a County Health Department,

THEREFORE, BE IT RESOLVED, that the local Health District comprising the Town of Clarkstown is hereby abolished as of September 12, 1957 and that the powers and duties of the Town of Clarkstown Board of Health and Health Officers shall devolve upon the Commissioner of Health and Board of Health of Rockland County after that date.

Seconded by Mr. Welchman.

AYES: Dillon,
Renken,
Jeffrey,
Welchman,
Schmersahl.

NAYES: None.

Mr. Renken moved the following resolution:

RESOLVED, that the Town Clerk be authorized to execute the Hydrant Orders for the installation of 11 hydrants in connection with the Wedgewood extension and 6 hydrants in connection with the Carworth Farm extension.

Seconded by Mr. Welchman.

AYES: Messrs. Dillon,
Renken,
Jeffrey,
Welchman,
Schmersahl.

Mr. Henry S. Johnson appeared before the Board requesting a permit to build a house on Engle St., Central Nyack, that portion of the street which is not a Town road.

This matter was referred to the Building Inspector to check and report at next regular meeting.

Mr. Welchman moved the following resolution:

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RESOLVED, that upon the recommendation of the Supt. of H'ways., the deed of Sterling Park, Inc. and Evley Park, Inc. conveying Pine Street, Sterling Place, Marcia Lane and part of Alan Drive in the Croyden Estates subdivision be accepted and said roads be included in the Town Highway System and be it

FURTHER RESOLVED, that the Town Attorney be directed to record said deed.

Seconded by Mr. Jeffrey.

AYES: Messrs. Renken,
Dillon,
Jeffrey,
Welchman,
Schmersahl.

NAYES: None.

Mr. Jeffrey moved the following resolution:

RESOLVED, that upon the recommendation of the Supt. of H'ways., the deed of Shelby Construction Corp., Crest Realty Corporation and Greenbrook Knolls Construction Corp. conveying Jeff Lane, Scott Drive and Bradley Drive in the Wedgewood Estates subdivision be accepted and said roads be included in the Town Highway System and be it,

FURTHER RESOLVED, that the Town Attorney be directed to record said deed.

Seconded by Mr. Renken.

AYES: Messrs. Renken,
Dillon,
Jeffrey,
Welchman,
Schmersahl.

NAYES: None.

Mr. Welchman moved the following resolution:

RESOLVED, that upon the recommendation of the Supt. of H'ways., the deed of Edward & Dorothy Locke and Tillie Fulle conveying 1093 feet of Brookway Avenue be accepted and included in the Town Highway System and be it

FURTHER RESOLVED, that the Town Attorney be directed to record said deed.

Seconded by Mr. Jeffrey.

AYES: Messrs. Renken,
Dillon,
Jeffrey,
Welchman,
Schmersahl.

NAYES: None.

Mr. Schumacher, Building Inspector, reported to the Board that he had made an inspection of the Nyack Village Dump and found that the refuse had not been covered with fill for some days prior to his inspection.

The Board directed the Clerk to notify the Village of Nyack to keep dump covered.

Mr. Klein, Supt. of Highways, reported to the Board that a Sprayer for spraying poison ivy would cost about \$3,100 and the chemicals would cost from \$8.00 to \$11.00 a gallon.

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No action was taken by the Board on this matter.

Mr. Welchman moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by Resolution duly adopted on the 28th day of March, 1957, provided for a public hearing on the 11th day of April, 1957, at the office of the Town Clerk, Main Street, New City, New York, at 8:30 P.M., Eastern Standard Time, to consider an amendment to the Zoning Ordinance of the Town of Clarkstown by amending Section 8.226 of Article 8, and by amending Section 8.233 of Article 8 of said Zoning Ordinance; and

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

NOW THEREFORE, be it resolved that the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended, effective upon publication and posting as required by law, as follows:

By amending Section 8.226 of Article 8 to read as follows:

"8.226. Fees. Every application for a building permit shall be accompanied by payment of fee as set forth in Section 7 of Article XXII of the Town Ordinances. Such fee shall be retained by the Town even though the permit applied for is not granted. In addition, every application to the Board of Appeals or the Town Board (a) for a Special Permit under Sec. 8.333, or for a variance under Sec. 8.332, shall require an additional fee as provided in Sec. 8.321, and (b) for a use subject to Performance Standards Procedure shall require an additional fee as provided in Sec. 8.334."

and by amending Section 8.233 of Article 8 to read as follows:

"8.233. Issuance. A certificate of occupancy shall be issued by the Building Inspector under the conditions set forth in Section 13 of Article XXII of the Town Ordinances. However, any certificate of occupancy for the establishment of any use of a building or land (a) requiring a Special Permit as listed in Use Table Col. 3, and (b) subject to Performance Standards procedure under Sec. 8.334, and (c) any other particular use requiring the approval of the Board of Appeals, shall be issued only with the authorization of the Board of Appeals or the Town Board, as the case may be. Every certificate of occupancy for a use for which a Special Permit or variance has been granted by the Board of Appeals or Town Board shall contain a detailed statement of such Special Permit or variance and of the conditions to which the same is subject."

Seconded by Mr. Schmersahl

AYES: Messrs. Dillon
Renken
Jeffrey
Welchman
Schmersahl.

NAYES: None.

Mr. Dillon read a letter from the Rockland Lake Fire Commissioners requesting a meeting with the Town Board.

The Clerk was directed to advise the Commissioners that they would meet with their committee on Sept. 18th, 1957.

Mr. Jeffrey moved the following resolution:

RESOLVED, that the Town Attorney prepare easement for the Town of Clarkstown from Shelby Construction Corp. regarding drainage on Cairnsmuir Lane, New City.

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Seconded by Mr. Schmersahl.

AYES: Messrs. Renken
Dillon
Jeffrey
Welchman
Schmersahl.

The resignation of Joan B. Jaeger, Nellie Hallam and Rosalie Barbieri, Inspectors of Elections were filed with the Board.

Mr. Jeffrey moved the following resolution:

RESOLVED, that the Town Attorney be directed to defend the Town in connection with Applications for Review of Assessments served on the Town and be it

FURTHER RESOLVED, that the Town Attorney be authorized to hire a Real Estate Expert in connection with the defense of these actions.

Seconded by Mr. Renken.

AYES: Dillon
Renken
Jeffrey
Welchman
Schmersahl.

NAYES: None.

The following Performance Bonds were submitted to the Board and approved as to form and sufficiency:

Red Rock Acres

Selah Acres

Crambrook Terrace, Sec. 1

Mr. Jeffrey moved the following resolution:

RESOLVED, that the Building Inspector be directed to issue Walter Richter a building permit on N. Fairview Avenue, Namet providing a 15 foot roadbed of shoulder stone is laid along N. Fairview for a distance of about 150 feet.

Seconded by Mr. Welchman

AYES: Messrs. Dillon
Renken
Jeffrey
Welchman
Schmersahl.

NAYES: None.

RESOLVED, that expenses, incurred by members of the Board of Appeal, Planning Board, Building Inspector and Town Attorney, in their attendance at annual Planning Conference of N.Y. State Federation of Official Planning Organizations on Sept. 12 and 13, 1957 at Bear Mountain, are hereby ratified and confirmed.

Seconded by Mr. Schmersahl.

AYES: Messrs. Dillon,
Renken,
Jeffrey,
Welchman,
Schmersahl.

NAYES: None.

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Mr. Dillon read a letter from the Valley Cottage Civic Assn. regarding Parking and whitelining roads.

Mr. Klein reported that he had received a copy of the letter and had taken care of items requested.

Mr. Dillon read a letter from August H. Hansen, County Clerk, regarding the reproduction of the tax map. He stated that the paper on which the maps were reproduced was very thin and easily torn. ✓

The Board instructed Mr. Fair to get prices on a better grade of paper or cloth.

Monthly reports of the Building Dept., Zoning Board of Appeals, Police Dept., Planning Board., Welfare Office., Town Clerk and Supervisor were submitted to the Board, approved and ordered filed.

The clerk was instructed to phone Justice Charles Blauvelt and state that the wishes of the Board are for him to sign the summons against Edward Walkley and give it to the police department for service.

Mr. Jeffrey moved the following resolution:

RESOLVED, that the Superintendent of Highways be authorized to advertise for sealed bids for a salt and stone spreader.

Seconded by Mr. Schmersahl.

AYES: Messrs. Dillon,
Renken,
Jeffrey,
Welchman,
Schmersahl.

NAYES: None.

The supervisor read a letter from Janet Gleason requesting a raise in pay for her duties as School Traffic Attendance Officer.

This matter was referred to the Chief of Police.

Mr. Dillon read a letter from the Building Inspector advising the Board that it has been his practice to remove development signs and that letter had been sent to all developers requesting conformance.

Mr. Dillon read a letter from the Valley Cottage Fire District regarding the annexation of a portion of property in their fire district to the Village of Upper Nyack.

The clerk was instructed to answer advising the Valley Cottage Fire District that this Town Board has not received any petition for such annexation.

Mr. Welchman moved the following resolution:

RESOLVED, that a fire hydrant be installed in Clearview Road, New City.

FURTHER RESOLVED, that the Spring Valley Water Works and Supply Company be directed to install same.

Seconded by Mr. Renken.

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AYES: Messrs. Dillon,
Renken,
Jeffrey,
Welchman,
Schmersahl.

NAYES: None.

Mr. Dillon read a letter from the Clarkstown Planning Board regarding the recommendation of the Planning Board for the conversion from RA-1(X) to R-1 of Demarest Hill - Sect. 1.

The Board took no action on the recommendation at this time.

Mr. Schmersahl took leave from meeting.

Mr. Dillon read the list of eligible appointees for the position of Police Patrolman. Mr. Dillon stated that he had canvassed the three names on the list but only two replied.

The clerk was directed to return the list to Dept. of Civil Service and ask that a new examination be called for soon.

Mr. Welchman moved the following resolution:

RESOLVED, that Robert Lagatella be reappointed provisionally as patrolman to the Clarkstown Police Dept. effective Sept. 12, 1957.

Seconded by Mr. Renken.

AYES: Messrs. Dillon,
Renken,
Jeffrey,
Welchman,
~~Schmersahl.~~

NAYES: None.

Mr. Jeffrey moved the following resolution:

RESOLVED, that Roger Grahn and William King be appointed provisionally as patrolmen to the Clarkstown Police Department effective October 1, 1957.

Seconded by Mr. Renken.

AYES: Messrs. Dillon,
Renken,
Jeffrey,
Welchman.

NAYES: None.

The Board instructed the Clerk to write J. L. Jacobs for a decision of their recent discussion regarding the tax map.]

The Town Board signed Special Assessment Roll with respect to unpaid assessment for the Improvement of Nelson Place, Manuet, Town of Clarkstown, Rockland County, New York, payable in annual Installments for the years 1958, 1959, 1960 and 1961, pursuant to Section 243 of the Town Law.

Mr. Dillon read a letter from Richard Narducci, Esq., regarding a proposed road known as West Palmer Avenue which has a drainage problem.

The Board instructed the clerk to file Mr. Narducci's letter for future reference.

Mr. Welchman moved the following resolution:

RESOLVED, that the Superintendent of Highways be authorized to lay an

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18" pipe from the outlet of pipe under Briarwood Drive through the Herdman property to north end of same, providing proper easement is submitted to the Town.

Seconded by Mr. Jeffrey.

AYES: Messrs. Dillon,
Renken,
Jeffrey,
Welchman.

NAYES: None.

Bills #794 thru 888 on Warrant #9 were submitted to the Board, audited and ordered paid.

Street opening permit issued to Roland Giroux for Christian Herald Road was signed by the Board.

There being no further business to come before the Board, on motion of Mr. Welchman, seconded by Mr. Jeffrey and carried, the meeting was adjourned.

Signed,

Mildred F. Magai
Mildred F. Magai,
Town Clerk.

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of Commerce does not tell people what should be done with property. He made mention of the Zoning Ordinance put into effect in 1955 after numerous stormy hearings, which he attended. He added that the people and County Planning Board should know what should be done with the Milton Karel property.

Mr. Lopez covered present development along Route 303, pointing out that there was industry to the north in Haverstraw and that the Thruway was between there and Orangetown where it is proposed to put in a number of industrial plants on 100 acres. He pointed out that industry from Haverstraw would find its way to the Thruway. It was up to the people, he stated, to decide whether they wanted a condition such as there is on Route 59. Also the people would have to decide whether they wanted to keep the area vacant for what may come in the future or for ancillary use, which might assist.

Mr. Lopez then touched on the subject of how to attract industry to offset the tax burden. He stated that companies seeking industrial sites are not willing to pay \$8,000.00 and \$10,000.00 per acre. This is what discourages industry, and may be the reason for getting the pressure of industrially zoned land. He advised that people in Rockland should make a more realistic appraisal of the fact that they do not have a gold mine. He stated Orange County to the north had lower priced land than Rockland and companies will leap-frog to Orange where there are more facilities for industry.

Mr. Trachtenberg, attorney for Milton Karel, apprised those present that Mr. Karel had amended his application to a request for C-2 zoning which was a Highway Commerce District and not industrial.

Mr. John Paul Behensky appeared before the Board and stated that he desired to resign as Sewage Treatment Plant Operator of the Valley Cottage Sewer District No. 1 as of Nov. 1st, 1957. He also made recommendations to the Board to purchase needed equipment for the proper functioning of the plant. The Clerk was requested to obtain the firm name of one concern from Mr. Behensky and ask a representative to call in connection with the purchase of rods.

Mention was made of the fact that no word had been received from Mr. J. L. Jacobs with respect to the Tax Map matter. The Clerk was asked to write to Mr. Jacobs stating the Board still awaited word from him and would like a reply for the next Board meeting on Oct. 26th, 1957.

There being no further business to come before the Board, on motion made by Mr. Schmersahl, seconded by Mr. Welchman and unanimously carried, the meeting was adjourned.

Signed,

Mildred F. Magai

Mildred F. Magai,
Town Clerk.