

PUBLIC HEARING
June 12, 1958.

Town Clerk's Office

8:00 P.M.

Present: Messrs. Henken,
Danko,
Jeffrey,
Welchman,
Coyle.

Supervisor John W. Coyle opened the hearing.

The Clerk read notice of Order for meeting to consider petition of Winthrop Realty Corp., Tallu Realty, Inc., Dato Realty Corp. and Tulip Realty, Inc. for an extension of the New City-West Nyack water Supply District at New City, to include Cranbrook Terrace-South Section in New City and Cranbrook Terrace in New City (Sunny Ridge Estates).

David Silverman, Esq. appeared on behalf of the petitioners and introduced Roger C. Simons, Assistant Secretary of the Corporation seeking the extension.

Roger C. Simons was sworn by Supervisor Coyle and testified as follows upon being questioned by Town Attorney Johns:

Q: Will you state your name?

A: Roger C. Simons.

Q: Mr. Simons, I show you a petition for an extension to the New City-West Nyack water Supply District, which petition is made by Winthrop Realty Corp., Tallu Realty, Inc., Dato Realty Corp. and Tulip Realty, Inc.; is this your signature, Mr. Rogers?

A: Yes..

Q: What is your capacity with the aforementioned corporation?

A: I am Assistant Secretary in all four corporations.

Q: You speak on behalf of all four corporations?

A: Yes.

Q: Is this the signature of Irvin A. Glantz, President of Winthrop Realty Corp., Tallu Realty, Inc., Dato Realty Corp. and Tulip Realty, Inc.?

A: Yes. It is.

Q: Will this extension benefit all the property owners within the proposed district?

A: Yes.

Q: Are all the property owners who will benefit from this proposed extension included within the limits of the proposed district or extension?

A: Yes. They are.

Q: Do you believe it is in the public interest to grant in whole or in part the proposed extension?

A: Yes. I do.

Q: In what way will this proposed extension benefit the property owners involved?

A: It will provide fire protection for the safety and well-being of property and lives and a reduction in fire insurance rates.

Supervisor Coyle asked if anyone wished to be heard in favor or in opposition to the extension. No one appeared.

On motion made by Mr. Henken, seconded by Mr. Danko and unanimously carried the hearing was closed and decision reserved.

Signed,

Mildred F. Magari,
Town Clerk.

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June 12, 1958.

Town Clerk's Office

8:15 P.M.

Present: Messrs. Menken,
Danko,
Jeffrey,
Weichman,
Coyle.

Supervisor Coyle opened the hearing.

The Clerk read notice of Order for meeting to consider petition of Jutland Construction Corp. for an Extension of the New City-West Nyack Water Supply District at New City, to include Rose Estates in New City (Windmill Estates).

David Silverman, Esq. appeared on behalf of the petitioner and introduced Irin M. Paris, 13-54 C, Sperber Road, Fairlawn, New Jersey.

Mr. Irin M. Paris was sworn by Supervisor Coyle and testified as follows upon questioning by Town Attorney Johns:

Q: Will you state your name?

A: Irin M. Paris.

Q: Mr. Paris, I show you a petition for an extension to the New City-West Nyack Water Supply District, which petition is made by the Jutland Construction Corp.; is this your signature, Mr. Paris?

A: Yes sir.

Q: What is your capacity with this corporation?

A: President.

Q: Did you sign this petition on behalf of Jutland Construction Corp. in your capacity as President?

A: That is correct.

Q: Will this extension benefit all the property owners within the proposed district?

A: Yes.

Q: Are all the property owners who will benefit from this proposed extension included within the limits of the proposed district or extension?

A: No. They are not.

Q: Do you believe it is in the public interest to grant in whole or in part the proposed extension?

A: Yes. I do.

Q: In what way will this proposed extension benefit the property owners involved?

A: It will provide a source of water supply for fire fighting purposes and also result in reduction in fire insurance rates for the homes involved.

Q: I return to the question you answered by stating "Not all the property owners will benefit from this proposed extension and all the property owners are not included in the proposed extension,"; how many would you say are not included?

A: It is difficult to say. A few property owners along the line are not included in the proposed district.

The Town Attorney explained that there were some individual custom homes on the other side of the road, and that what Mr. Paris meant was that there were resident property owners not included in the district who can get benefit from the district.

Q: Do you wish to say that there are no resident owners within the proposed extension but there are people who would benefit if the board grants the extension but they are not included in the district?

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A: That is correct.

Supervisor Doyle asked if anyone present wanted to be heard in favor or opposition.
No one appeared.

On motion made by Mr. Welchman, seconded by Mr. Jeffrey and unanimously carried, the hearing was closed and decision reserved.

Signed,

Mildred F. Nagai,
Town Clerk.

HAA 918

PUBLIC HEARING

June 12, 1958.

Town Clerk's Office

8:30 P.M.

Present: Messrs. Renken,
Danko,
Jeffrey,
Welchman,
Coyle.

Supervisor Coyle opened the hearing.

The Clerk read notice of Order of the Town Board for meeting to consider the petition of MAK Development Corp. for an Extension of the New City-West Nyack Water Supply District at New City to include Little For Estates, New City.

The Supervisor read a letter dated June 5, 1958 from petitioner's attorneys, Granik and Garson, asking withdrawal of the petition inasmuch as it had been established by the Town Attorney that the Little For Estates subdivision was already included in an existing water supply district.

Signed,,

Milred F. Nagai,
Town Clerk.

TOWN BOARD MEETING

June 12, 1958

Town Clerk's Office

6:00 P.M.

Present: Messrs. Renken,
Danko,
Jeffrey,
Welchman,
Coyle.

Supervisor Coyle called the meeting to order.

Action on the minutes of the May 22, 1958 meeting was deferred.

Edward G. Roepe, Esq. appeared before the Board in company with Messrs. Jerry I. Carnegie, George Herbert Scott, Joseph H. Moore, Melvin E. Knapp, George Stummer, Ralph Lombardi and an engineer, Mr. Edward Barbour. He stated that at the previous Board meeting he had requested the Board to authorize the Supervisor to make application for a Federal grant for preliminary engineering for a proposed sewer district for New City. Mr. Roepe expressed disappointment that nothing had been done and again urged the Board to make application. After considerable discussion between Mr. Roepe, the Board and interested committee, the Board decided to hold the matter in abeyance until the forum meeting on June 26th, 1958 to permit people in other areas of the Town to appear and express their desire to create sewer districts in their locales.

Mr. Jeffrey moved the following resolution:

RESOLVED, that decision on request of the New City Businessmen to the Board to make application for a Federal Grant for preliminary engineering for proposed New City Sewer District be reserved until after the Public Forum meeting on June 26th, 1958.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey.

NAYES: Messrs. Welchman and Coyle.

Paul J. Levine, Esq. appeared in connection with application of Joseph Biron for a Zoning Change from an SC and HA-1X to an R-1 district.

Mr. Renken moved the following resolution:

RESOLVED, that application of Joseph Biron for a Zoning Change from an SC and HA-1X to an R-1 district be referred to the Planning Board pursuant to the provisions of Section 8.51 of the Zoning Ordinance.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Mr. Renken moved the following resolution:

WHEREAS, JOSEPH BIRON, has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner and in said petition described, from an SC and HA-1(X) district to an R-1 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the office of the Town Clerk, 16 South Main Street, New City, New York, on the 14th day of August, 1958, at 6:30 P. M., Eastern Daylight Saving Time, relative to such proposed amendment; and it is

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

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Seconded by Mr. Danko.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Charles E. McGroddy, Esq. appeared before the Board in connection with an application made under Section 171 of the Highway Law of the State of New York by the Franciscan Missionaries of Mary, asking that the Board act on the matter. He stated that nine or ten months had elapsed since the application had been submitted and there had been no action taken.

Mr. McGroddy was advised that inasmuch as there is a Court action pending, to which it was thought this matter was related, action on the application had been held up until the case was completed.

Mr. McGroddy stated that there was no litigation pending at the present time and that the case had been decided. He added that litigation had no legal relationship or relevance to Section 171 of the Highway Law.

The Town Attorney advised Mr. McGroddy that the Zoning Board of Appeals has asked that the case be appealed so that litigation has not ended. He stated that there was no legal relationship between the litigation and the application but there was a relationship between the outcome of litigation and the result on an application under Section 171 of the Highway Law.

Mr. McGroddy stated he was deeming the Board's stand a refusal to act under Article 28 of Civil Practice Law and would deal with it on that basis, that the Board was going way out of its province to control or interfere with action that should be controlled by the Zoning Board of Appeals.

Mr. McGroddy stated that the application was dated July 12th, 1957 and almost a year had elapsed since it was submitted, that he would be willing to straighten out the road a little more and would go along with any suggestions or plan of the Highway Superintendent or Board, to conform with Zoning.

The Board advised Mr. McGroddy that it would have to act on the application and sketch submitted. It was pointed out to Mr. McGroddy by the Board that the sketch indicated that the road was just being moved and that it was not being straightened out and curves eliminated.

Mr. Renken moved the following resolution:

WHEREAS, on the basis of application presented and carefully studied by this Town Board, it is felt that it is not in the public interest to realign Parrott Road in the manner in which it is presented,

BE IT RESOLVED, that application of the Franciscan Missionaries of Mary, dated the 12th of July, 1957, made pursuant to the provisions of Section 171 of the Highway Law of the State of New York, to relocate Parrott Road, West Nyack, New York be rejected.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

ABSTAINING: Mr. Danko.

Mr. John Kelly, Chairman of the Committee for 21,000, appeared before the Board and read to the Board a petition signed by about 1200 citizens of the Town of Clarkstown, asking

that the Zoning Ordinance as enacted be strictly enforced and that studies of the law be undertaken to more completely insure its full operation. The petition was then filed with the Clerk.

The Supervisor read to the Board letter from the Zoning Board of Appeals dated June 3rd, 1958 setting forth resolution that Town Attorney be authorized to take necessary steps to perfect appeal in matter of the Franciscan Missionaries of Mary against W. Reginald Herdman, et, al., respondents.

Mr. Jeffrey moved the following resolution:

WHEREAS, a Proceeding has been brought by FRANCISCAN MISSIONARIES OF MARY, Petitioner, against W. REGINALD HERDMAN, et al, Members of the ZONING BOARD OF APPEALS of the Town of Clarkstown, Respondents, to review the determination of said ZONING BOARD OF APPEALS denying a Special Permit to Petitioner, and

WHEREAS, a final Order was duly entered on June 6, 1958 in the Rockland County Clerk's Office, which Order reversed and annulled the Decision of the ZONING BOARD OF APPEALS and directed that a Special Permit be issued to the Petitioner on the condition that Parrott Road be appropriately relocated by the TOWN BOARD of the Town of Clarkstown, pursuant to Section 171 of the Highway Law, so that Petitioner's building shall comply in all respects with the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, the ZONING BOARD OF APPEALS, on June 5, 1958, unanimously adopted a Resolution authorizing the Town Attorney of the Town of Clarkstown to appeal the Decision of the Special Term to the appropriate Appellate Department, and

WHEREAS, this BOARD deems it necessary that Special Counsel be retained to assist the Town Attorney in the appeal of said Proceeding, without fee and without costs or disbursements to the Town of Clarkstown,

NOW THEREFORE, be it

RESOLVED, that DAVID SILVERMAN, ESQ., of New City, New York, be and he hereby is retained as Special Counsel to assist the Town Attorney in the appeal of the said Proceeding of FRANCISCAN MISSIONARIES OF MARY, Petitioner, against W. REGINALD HERDMAN, et al, Members of the ZONING BOARD OF APPEALS of the Town of Clarkstown, Respondents, in the Appellate Division, Second Department, and be it

FURTHER RESOLVED, that DAVID SILVERMAN, ESQ., Special Counsel named herein shall serve without fee and without incurring any costs or disbursements on behalf of the Town of Clarkstown, in connection with the said appeal.

Dated: June 12, 1958.

Seconded by Mr. Henken:

On roll call, the vote was as follows:

AYES: Messrs. Henken, Jeffrey, Welchman, Coyle.

NAYES: None.

ABSTAINING: Mr. Danko.

A letter from the New York State Department of Health Water Pollution Control Board dated May 29, 1958, forwarding requested application forms and information on its construction grants program, in connection with the proposed New City Sewer District, was read to the Board and placed on file with the Clerk.

The Town Attorney reported to the Board that the County Planning Board was plotting zoning changes on the Zoning Map and that when completed it would be advisable to have new

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maps made for the various offices in the township. He recommended that two more originals be ordered to be made from the present base original, one for the Supervisor's office and one to be placed in the vault. Mr. Johns then added that authority should be given to order a number of tracings. The board consented to ordering whatever maps were needed.

Town Attorney Johns advised the Board that Election District No. 6, Central Nyack, and Election District No. 10, Spring Valley, would have to be split as required by law, in that portions of these districts are in villages of over 5000 and there is personal registration.

Mr. Renken moved the following resolution:

WHEREAS, it appears it is in the public interest and desirable that Election District No. 6 of the Town of Clarkstown be divided into two districts, such division to be made along the boundary lines of the Town of Clarkstown and the Village of Nyack,

NOW, THEREFORE, be it

RESOLVED, that Election District No. 6, as now constituted, be divided to form two districts to be known as District No. 6 and District No. 20, and, be it

FURTHER RESOLVED, that Election District No. 6 shall comprise and consist of all that part of the Town of Clarkstown lying and being within the following boundaries viz:

Beginning at a point in the boundary lines of the Town of Clarkstown and Orangetown in the center of the highway known as the Greenbush Road, thence Easterly along said boundary lines of Clarkstown and Orangetown to the Southeast corner of the Town of Clarkstown; thence Northerly along said boundary lines to the Southerly side of De Pew Avenue and the intersection of District No. 20; thence along District No. 20 the following courses and distances: (1) North $80^{\circ} 2' 40''$ West, 102.09 feet (2) North $88^{\circ} 40' 40''$ West, 137.24 feet (3) along a curve to the left having a radius of 242.0 feet, a distance of 200.13 feet (4) South $43^{\circ} 56' 20''$ West, 141.72 feet (5) South $46^{\circ} 27' 20''$ West, 29.47 feet; thence turning and running (6) North $17^{\circ} 53' 40''$ West, 135.76 feet; thence turning and running (7) South $57^{\circ} 55' 20''$ West, 14.20 feet; thence turning and running (8) North $6^{\circ} 08' 40''$ West, 71.8 feet; thence turning and running (9) North $7^{\circ} 32' 40''$ West, 235.0 feet, more or less, to a point in the Southerly line of lands now or formerly of Glover; thence turning and running (10) South $87^{\circ} 37' 30''$ West, 361.42 feet, more or less, to a point on the westerly side of Waldron Avenue; thence turning and running the following six courses and distances along the westerly side of Waldron Avenue (11) South $2^{\circ} 49' 30''$ West 25.0 feet (12) South $10^{\circ} 17' 30''$ East, 218.0 feet (13) South $18^{\circ} 13'$ East, 105.54 feet (14) South $38^{\circ} 37' 30''$ East, 113.73 feet (15) thence along a curve to the right having a radius of 78.46 feet, a distance of 73.34 feet; thence (16) South $14^{\circ} 56'$ West, 39.76 feet; thence turning and running (18) North $2^{\circ} 40' 10''$ East, 228.28 feet; thence turning and running (19) North $79^{\circ} 52' 10''$ East, 59.05 feet; thence turning and running (20) North $5^{\circ} 36' 50''$ West, 800.70 feet; thence turning and running (21) North $70^{\circ} 08' 10''$ East, 313.0 feet; thence turning and running (22) North $20^{\circ} 00'$ East 42.50 feet to a point on the Southerly side of New York State highway Route 59; thence turning and running (23) South $70^{\circ} 23'$ East, along the Southerly side of New York State highway Route 59, 341.92 feet to a monument set in the ground at the point of intersection of the Southerly side of New York State Highway Route 59 and the westerly side of Waldron Avenue; thence turning and running (24) North $3^{\circ} 38'$ West, 55.80 feet to the point of intersection of the Northerly side of Mountain View Avenue; from thence running the following two courses and distances along the westerly side of Mountain View Avenue (25) North $3^{\circ} 38'$ West, 697.0 feet, more or less; thence turning and running (26) North $6^{\circ} 55' 44''$ East, 205.87 feet; thence turning and running (27) South $83^{\circ} 04' 16''$ East, 143.72 feet; thence turning and running (28) North $28^{\circ} 51' 44''$ East, 24.0 feet; thence turning and running (29) North $42^{\circ} 23' 44''$ East, 18.0 feet; thence turning and running (30) North $53^{\circ} 33' 44''$ East, 40.0 feet; thence turning and running (31) North $56^{\circ} 13' 44''$ East, 55.02 feet; thence turning and running (32) South $83^{\circ} 04' 16''$ East 3.48 feet; thence turning and running (33) North $56^{\circ} 24' 10''$ East 45.87 feet; thence turning and running (34) along a curve to the left having a radius of 100.0 feet, a distance of 81.44 feet; thence turning and running (35) North $9^{\circ} 44' 30''$ East, 12.69 feet; thence turning and running (36) North $08^{\circ} 56' 10''$ East, 367.16 feet; thence turning and running (37) North $85^{\circ} 24' 50''$ East, 831.80 feet; thence turning and running (38) South $13^{\circ} 36' 30''$ West, along the westerly line of lands of Oak Hill Cemetery 1298.36 feet; thence turning and running (39) North $85^{\circ} 49' 20''$ East, 389.04 feet to a point in the division line between the Village of Nyack and the Town of Clarkstown; thence still along the aforementioned division line to where the Town of Clarkstown and Orangetown lines intersect on the property formerly of Isaac Dutcher and District No. 4; thence along the boundary line of District no. 4 in a Northwesterly direction to the boundary line of District No. 8; thence Easterly along the boundary line of District No. 8 to the center line of Route 303, and being the boundary line of District No. 3; thence Southerly along the center line of Route 303 and the boundary line of District No. 3 to the intersection of the middle line of Greenbush Road; thence along the middle line of Greenbush Road in a Southerly direction across the Nyack Turnpike to the point in the center of the public highway known as Greenbush Road in the boundary lines of Clarkstown and Orangetown, the point or place of beginning.

BE IT FURTHER RESOLVED, that Election District No. 20 shall comprise and consist of all that part of the Town of Clarkstown lying and being within the following boundaries, viz:

BEGINNING at a point on the Southerly side of New York State Highway route 59 where the same is intersected by the division line between the Village of Nyack and the Town of Clarkstown, running thence from said point of beginning (1) South 14° 13' 20" West, along said division line between the Village of Nyack and the Town of Clarkstown, 237.21 feet to a point on the Southerly side of De Pew Avenue; thence turning and running the following five courses and distances along the Southerly side of De Pew Avenue (2) North 30° 2' 40" West, 102.09 feet (3) North 88° 40' 40" West, 137.24 feet (4) along a curve to the left having a radius of 242.0 feet, a distance of 200.13 feet (5) South 43° 56' 20" West, 141.72 feet (6) South 46° 27' 20" West, 29.47 feet; thence turning and running (7) North 17° 53' 40" West, 135.76 feet; thence turning and running (8) South 57° 55' 20" West, 14.20 feet; thence turning and running (9) North 6° 08' 40" West, 71.8 feet; thence turning and running (10) North 7° 32' 40" West, 235.0 feet, more or less, to a point in the Southerly line of lands now or formerly of Glover; thence turning and running (11) South 87° 37' 30" West, 361.48 feet, more or less, to a point on the westerly side of Waldron Avenue; thence turning and running the following six courses and distances along the westerly side of Waldron Avenue (12) South 2° 49' 30" West, 25.0 feet (13) South 10° 17' 30" East, 218.0 feet (14) South 18° 13' East, 105.54 feet (15) South 38° 37' 30" East, 113.73 feet (16) thence along a curve to the right having a radius of 79.46 feet, a distance of 73.34 feet; thence (17) South 14° 56' West, 39.76 feet; thence turning and running (18) South 79° 10' West, 757.75 feet; thence turning and running (19) North 2° 40' 10" East, 228.28 feet; thence turning and running (20) North 79° 52' 10" East, 59.05 feet; thence turning and running (21) North 5° 36' 50" West, 800.70 feet; thence turning and running (22) North 70° 08' 10" East, 313.0 feet; thence turning and running (23) North 20° 00' East, 42.50 feet to a point on the Southerly side of New York State Highway route 59; thence turning and running (24) South 70° 23' East, along the Southerly side of New York State Highway route 59, 341.92 feet to a monument set in the ground at the point of intersection of the Southerly side of New York State Highway route 59 and the westerly side of Waldron Avenue; thence turning and running (25) North 3° 38' West, 55.80 feet to the point of intersection of the Northerly side of New York State Highway route 59 and the westerly side of Mountain View Avenue; from thence running the following two courses and distances along the westerly side of Mountain View Avenue (26) North 3° 38' West, 697.0 feet, more or less; thence turning and running (27) North 6° 55' 44" East, 205.87 feet; thence turning and running (28) South 83° 04' 16" East, 143.72 feet; thence turning and running (29) North 28° 51' 44" East, 24.0 feet; thence turning and running (30) North 42° 23' 44" East, 18.0 feet; thence turning and running (31) North 53° 33' 44" East, 40.0 feet; thence turning and running (32) North 56° 13' 44" East, 55.02 feet; thence turning and running (33) South 83° 04' 16" East 3.48 feet; thence turning and running (34) North 56° 24' 10" East 45.87 feet; thence turning and running (35) along a curve to the left having a radius of 100.0 feet, a distance of 61.44 feet; thence turning and running (36) North 9° 44' 30" East, 12.69 feet; thence turning and running (37) North 08° 56' 10" East, 367.16 feet; thence turning and running (38) North 85° 24' 50" East, 831.80 feet; thence turning and running (39) South 13° 36' 30" West, along the westerly line of lands of Oak Hill Cemetery, 1298.36 feet; thence turning and running (40) North 85° 49' 20" East, 389.04 feet to a point in the division line between the Village of Nyack and the Town of Clarkstown; and thence turning and running along said division line between the Village of Nyack and the Town of Clarkstown (41) South 14° 13' 20" West, 686.85 feet, more or less to the point or place of beginning.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

AYES; Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Mr. Renken moved the following resolution:

WHEREAS, it appears that it is in the public interest and desirable that Election District No. 10 of the Town of Clarkstown be divided into two districts, such division to be made along the boundary line of the Town of Clarkstown and the Village of Spring Valley,

NOW, THEREFORE, be it

RESOLVED, that Election District No. 10, as now constituted, be divided to form two districts to be known as District No. 10 and District No. 21, and, be it

FURTHER RESOLVED, that Election District No. 10 shall comprise and consist of all that part of the Town of Clarkstown lying and being within the following boundaries, viz:

BEGINNING at the intersection of the middle lines of Gerke Road, Surda Lane, and Church Road, the said point being also the intersecting boundary lines of Districts No. 10 and No. 11; thence in a Southwesterly direction along the boundary lines of District No. 11 to Smith Road, and District No. 18; thence South-

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westerly along the boundary lines of District No. 18 across Route 99 to a point in the intersection of the middle line of Old Wyack Turnpike and Pascoack Road; thence continuing Southerly along the middle line of Pascoack Road and the boundary lines of District No. 18 and 9 to the intersection of the middle lines of Pascoack Road and Scotland Hill Road; thence Northwesterly along the middle line of Scotland Hill Road to the boundary lines of the Town of Clarkstown and Ramapo; thence Northerly along the boundary lines of the Town of Clarkstown and Ramapo to the Southeastern corner of the intersection of the three streets known as White Street, Bush Street, and Tallman Street; thence running the following courses and distances: (1) North $51^{\circ} 30'$ East 104.4 feet along the Southerly boundary line of Bush Street to the Southerly line of White Street; thence (2) along the Southerly line of White Street South $85^{\circ} 19'$ East 947.7 feet; thence (3) North $7^{\circ} 08'$ East 1970.8 feet to a point in the Southerly line of Division Street; thence (4) along the southerly line of Division Street South $74^{\circ} 59'$ East 290.0 feet; thence (5) North $18^{\circ} 29'$ East 223.33 feet to the boundary lines of the Town of Clarkstown and Ramapo to the center line of Eckerson Road; thence Easterly along the center line of Eckerson Road to the intersection of the center lines of Eckerson Road and West Clarkstown Road; thence Southerly along the middle line of West Clarkstown Road to the intersection of the middle lines of West Clarkstown Road and Gerke Road; thence Easterly along the center line of Gerke Road to the intersection of Burda Lane and Church Road, the point or place of beginning.

BE IT FURTHER RESOLVED, that Election District No. 21 shall comprise and consist of all that part of the Town of Clarkstown lying and being within the following boundaries, viz:

BEGINNING at a stone monument set in the public road known as Seabring Street, on the boundary line between the Village of Spring Valley and the Town of Clarkstown, in the County of Rockland, State of New York, being also the point of intersection of the present boundary lines of the Village of Spring Valley, and running thence (1) easterly along a course of South 81 degrees 21 minutes East, a distance of 1456.8 feet along the present boundary line of said Village of Spring Valley, to a point, and running thence (2) southerly along a course of South 15 degrees 29 minutes West, a distance of 223.33 feet to a point, and running thence (3) westerly along a course of North 74 degrees 50 minutes West along the southerly boundary line of the public road known as Division Street, a distance of 290.0 feet to a point set in the said southerly boundary line of said Division Street, and running thence (4) southerly along a course of South 7 degrees 08 minutes West a distance of 1970.8 feet to a point in the southerly boundary line of the public road known as White Street, and running thence (5) westerly along a course of North 85 degrees 19 minutes West along the southerly boundary line of the said public road known as White Street, a distance of 947.7 feet to the southeasterly corner of the intersection of the three public roads known as White Street, Bush Street, and Tallman Street, and running thence (6) southwesterly along a course of South 51 degrees 30 minutes West along the southerly boundary line of the public road known as Bush Street a distance of 104.4 feet, and running thence (7) northerly along a course of North 4 degrees 31 minutes East a distance of 2305.4 feet along the present boundary line of the Village of Spring Valley to the stone monument which is the point or place of beginning.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

AYES: Messrs. Henken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

The Clerk was requested to apprise the Chairman of both major political parties of the change.

Mr. Welchman moved the following resolution:

RESOLVED, that the sum of \$1,130.44 be paid to Lester D. Stickles, Special Counsel, for services rendered in connection with the proceeding of the New York Trap Rock Corporation versus the Town of Clarkstown.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

AYES: Messrs. Henken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

The Town Attorney told the Board he had received bill from John Kenredy, Esq. for services rendered in proceeding of Rose Development Corp. versus Clarkstown Planning Board in the amount of \$2585 and supplemental bill from Mr. May of Raymond & May Associates for

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expert testimony in the case in the amount of \$400.00. The Town Attorney was requested to contact Mr. Kennedy to see if he would revise his bill.

Town Attorney Johns advised the board that the building inspector and he had gone over the matter of a sewer district ordinance and submitted the proposed ordinance to the Board.

Mr. Danko moved the following resolution:

BE IT RESOLVED, that

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Clarkstown, County of Rockland, State of New York, at the office of the Town Clerk, 16 South Main Street, New City, in said Town on the 10th day of July, 1958, at 9:00 P. M., Eastern Daylight Saving time, for the purpose of considering a proposed ordinance with respect to Rules and Regulations governing the maintenance and use of the sewer system of all sewer districts in the Town of Clarkstown, to be known as Article 25 of the Town Ordinances and as amended. The proposed ordinance is as follows:

ARTICLE XXV RULES AND REGULATIONS GOVERNING THE MAINTENANCE AND USE OF THE
SEWER SYSTEM OF ALL SEWER DISTRICTS

Sec. 1 DEFINITIONS.

(a) BOARD, as reference may hereinafter be made, shall mean the town board of the town of Clarkstown, County of Rockland, New York.

(b) TOWN, shall mean the Town of Clarkstown, County of Rockland, New York.

(c) DISTRICT, shall mean all sewer districts of the Town presently existing or hereinafter constituted.

(d) SYSTEM, shall mean all sewers, sewer lines and appurtenances to the sewer improvement in said District.

(e) SUPERINTENDENT, shall be the person appointed at the will of and by the Town Board of the Town of Clarkstown, County of Rockland, New York, in charge of the sewage system in the Sewer District.

(f) HOUSE SEWER, shall include all pipes and appurtenances necessary to connect a building with the system and it shall begin at the inside face of the foundation wall, or at an equivalent place and it shall end at the connection to the system. Two or more rules and regulations may apply to different parts of the house sewer.

Sec. 2 Any person, firm or corporation desiring to lay, re-lay, or repair sewer pipe or connections, or any appurtenant part thereto, in or below the surface of any private or public highway, road, street or avenue within the district to connect with any part of the system, shall prior to the commencement of any work, apply for and obtain the necessary authority in the manner hereinafter provided, and all charges, fees or rates shall be due and payable in advance to the Town, and when so paid shall be credited to the operation and maintenance fund of the district. Such permit shall not create any vested right in or under such private or public highway, road, street or avenue, and such permit will be issued upon the express condition that the Board may, at any time, revoke and annul the same if it is deemed for the best interests of the district and Town.

Sec. 3 An owner or his agent, before commencing any work or excavation for a house sewer or connection to the sewer, or before making any alterations or additions to existing house sewers or connections which may be or are proposed to be connected to the system, shall file with the Superintendent a written application for a permit, signed by him or his agent on the form provided by the Superintendent. Said application shall be accompanied by a complete description of the proposed work, together with a plan or sketch thereof showing in detail the location of the proposed connection and such other pertinent facts as the Superintendent may request. No work shall be done and no connection shall be made until the application has been approved and permission given by the Superintendent. No connection to the system shall be made except under inspection of the Superintendent and not before public notice is given by the Board that the system is in readiness for use, and a permit has been issued.

Sec. 4 One permit shall be issued to cover the excavation and construction of the house sewer and/or to disconnect the existing house drain or sewer pipe from the cesspool or septic tank and then to connect it to the newly laid house sewer discharging into the street sewer, the fee for which shall be two (\$2.00) dollars. If no permit is issued within thirty days, the fees shall be returned to the applicant, together with one copy of the filed application with the reasons for rejection noted thereon, and signed by the Superintendent.

Sec. 5 All house sewer construction including that portion between the main and the curb and/or street line (which shall be of five inch(5") pipe unless the Superintendent shall direct that a larger size shall be used) shall be done by the owner at his own cost and expense. The district shall charge a fee of \$10.00 for making the physical connection between the house sewer and the main whenever no wye branch

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is available. The owner shall furnish all materials required for this connection.

It shall be the responsibility of the owner to procure any necessary permits for the street openings and to replace the street surface in a condition satisfactory to the Highway Department having jurisdiction. All construction shall be under the supervision of the District Superintendent. Where the existing sewer main is not located in a public street, the person desiring to connect with such sewer main shall relocate the said main in the nearest public street in accordance with specification of the District Superintendent.

Any person, firm or corporation except when he or it is proceeding under contract with the Town and/or District shall be registered with the Board in a manner hereinafter provided.

Sec. 6 (1) All applications for certificates of registration to construct any house sewer or do any work indicated to any connection to said system, shall be made in writing to the Superintendent, and all certificates of registration shall be granted by the Board. The fee for such certificate of registration shall be \$5.00. An applicant, before receiving such certificate shall furnish to the Board proof satisfactory to it:

(a) That said applicant is qualified to do such work in a good workmanlike manner.

(b) That said application is accompanied by bond with sureties acceptable to the Board, in the sum of not less than One thousand Dollars, guaranteeing:

1. That the applicant shall duly and faithfully perform said work in all respects.

2. That said applicant shall comply in all respects with all rules and regulations established by the Town.

3. That the said applicant will indemnify the Town for all loss or damage that may result from his work.

4. That said applicant will receive a permit from the Town before commencing any work or excavation.

5. That in the event the applicant has been deemed to have violated this ordinance or any rule or regulation, that upon notice thereof the said applicant will forthwith, at his own expense, cure said violation, and in the event of his failure to do so within a reasonable time thereafter, said violation may be cured by the Town, and any expense incidental thereto will be paid by the applicant.

(2) The applicant shall furnish certificates of public liability insurance in the sum of Ten thousand Dollars and Twenty-five Thousand Dollars, and property damage insurance in the sum of Five thousand Dollars, which shall indemnify and save harmless the district and town, its officers, agents and employees, from all suits and actions for the recovery of damages, money or otherwise, for and on account of any injury or damages resulting in death or otherwise, received or sustained by any person, persons or property, as a direct or indirect result of negligence, carelessness of the applicant in the performance of said work, and/or as a result of any act of omission or commission of said applicant. Said applicant shall have workmen's compensation insurance as required by law, and the application shall be accompanied by certificates thereof, or by satisfactory proof of the exemption. All of said policies of insurance shall bear an endorsement in favor of the Town of Clarkstown.

(3) All materials used in conforming to this ordinance will be of the best quality and all work will be executed by skilled workers in a thorough workmanlike manner.

(4) Upon receiving said certificate from the Board, the applicant shall furnish to the Superintendent a certificate of issuance, signed by the Town Clerk. Said certificate of registration may be cancelled and annulled by the Board for cause, after a public hearing thereon, but such certificate of registration shall be automatically cancelled and annulled upon the expiration of either the bond or the insurances required for such certificate of registration. The owner of such cancelled certificate shall not thereafter be registered for a period of two years after the date of the cancellation of said certificate. Said certificate of registration shall expire on the 31st day of December in each year succeeding the date of its initial issuance; all applications for renewals of said certificates shall be filed between the 15th day of November and the 30th day of November, next proceeding the date of expiration, and such renewal certificates shall become effective on the 1st day of January thereafter.

(5) Nothing herein contained shall prevent any owner from constructing the connection, and/or furnishing the material from the house drain to the property line and any owner doing such work on his private property need not unless required by any other law, obtain a Certificate of registration, nor furnish any bond, public liability insurance, nor any workman's compensation insurance, but shall otherwise comply with this ordinance.

The owner shall comply with this ordinance concerning any work and materials necessary for the connection outside of the property line, and such work shall be performed under a Certificate of Registration.

Sec. 7 No trench shall be backfilled, nor shall any portion of the pipe or fittings be covered until inspected and approved by the Superintendent. Application for inspection shall be made in writing to the Superintendent and such inspection shall be made as soon as practical thereafter.

Sec. 8 All buildings or premises within the district shall be connected with said system.

Sec. 9 If and when a sewer connection is completed, and approved, for any property upon which buildings are located, existing waste disposal

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facilities, shall immediately be disconnected so as not to drain into the street sewers, and they shall be abandoned within thirty days after final inspection and approval of the street sewer by the Superintendent.

Sec. 10 It shall be unlawful for any person, firm or corporation to cause, allow or permit the discharge of sewage wastes from any building or buildings or premises within the sewer district into or upon any highway, private or public way, stream, watercourse, ditch, either surface or sub-surface, ground water drain or storm water drain.

Sec. 11 Every building shall have a separate and independent connection with the district sewer directly in front of the land upon which it is situated except as otherwise permitted. When a building is situated in the rear of another building, provided both are on the same plot and in the same ownership, both buildings may be connected into a single house sewer. If the buildings are in separate ownership no such connection will be permitted unless evidence of an agreement between the two property owners is filed with the application.

Sec. 12 Before laying a new house sewer, the bottom of the trench must be carefully tamped to prevent unusual settlement of the sewer. After the pipe is laid, the earth used for filling the trench must be replaced in layers each layer being well tamped. Tunneling is prohibited, unless written permission has been obtained from the Superintendent. In any case where the house sewer passes through filled ground which is liable to settle, cast iron pipe or other special precautions may be required by the Superintendent.

Sec. 13 A house sewer shall have a slope of not less than one-quarter inch (1/4") in one foot (1') length, unless special written permission is granted by the Superintendent; the size of such sewer shall not be less than is shown in the following table based upon the number of fixture units in a building or buildings nor shall it be larger than the maximum size allowed in the table for the size of the street sewer in question, but in no case shall any house sewer be less than four (4") inches in diameter. In special cases the Superintendent may require a house sewer larger than the size given in the table.

TABLE

Drain or House Sewer	No. of Water Closets	Total Fixture Units
4"	4	48
5"	12	100
6"	50	400
8"	120	1000

Number of Fixture Units for Different Fixtures

Wash basin	1	Shower bath	3
Sink	1.5	Urinal	3
Bath tub	2	Slop sink	4
Laundry tray	3	water closet	6
Sink and Laundry Combination	3		

The number of equivalent fixtures for a fixture or other water connected device not listed shall be estimated by the Superintendent.

Maximum Sizes of House Sewer Connection

Lateral Sewer	House Sewer
8"	5"
10"	6"
12" or over	8"

Sec. 14 In each house drain, constructed subsequent to the adoption of this ordinance, at a point just inside of the cellar wall, a four (4") inch standard cleanout fitting with screw ferrules shall be provided. The lowest part of the screw ferrule shall be placed at a point not less than twelve (12") inches above the cellar floor or the highest portion thereof if at different elevations.

Sec. 15 No running or house trap shall be allowed to remain in any house drain or house sewer if the same is to be connected to the sewer system.

Sec. 16 If cast iron pipe is used for a house sewer, the method of connection between the house sewer and the district sewer shall be done by running the cast iron pipe into a bell of vitrified tile pipe at least twelve (12") inches and making a joint with Oakum and bituminous compound. If, in the judgment of the Superintendent further protection is needed because of ground water condition, a cement joint shall

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be added around the bituminous joint. Where the cast iron house drain is connected to a tile sewer, the same method shall be followed.

Sec. 17 The house sewer beyond a point five (5) feet outside of the foundation wall and within the curb line may be constructed of vitrified bell and spigot tile with joints made of a bituminous compound as hereinafter specified, provided that the house sewer is laid with more than thirty-six (36") inches of ground cover and that minimum ground water levels are at least two (2') feet below the house sewer. When conditions are different to those above specified, or where in the opinion of the Superintendent a proper house sewer cannot be constructed under the intent of the above specifications, the applicant for a house sewer may be required to use extra heavy cast iron pipe with leaded, or other approved metallic joint, under direction of the Superintendent. Vitrified tile pipe may be used in all house sewers over (6') inches in diameter provided that in the judgment of the Superintendent the installation with its appurtenances is done in accordance with specifications at least equal to the original sewer system. Nothing in this paragraph shall prohibit the use of extra heavy cast iron pipe in the construction of a house sewer if the owner so elects, provided the same is installed as provided in this ordinance for the use of cast iron pipe.

Sec. 18 The use of vitrified fiber pipe for sewer connections is permissible, provided the same conforms to the National Bureau of Standards Commercial Standard C 3-116-44, and provided said installation is approved by the Superintendent.

Sec. 19 In making a bituminous joint in vitrified tile or between vitrified tile pipe and cast iron pipe, the spigot shall be well centered in the bell with jute or Oakum caulked evenly and tightly, leaving a depth of at least three-quarters (3/4") of an inch for the compound. An asbestos snakerunner, or other pipe jointer, after greasing shall be passed tightly around the pipe clamped at the top leaving a small opening around which a small clay gate shall be built. The annular space, together with that inside the gate shall be completely filled with hot bituminous compound of a type approved by the Superintendent. All pipe shall be thoroughly clean and dry during pipe laying. In making a joint in cast iron pipe, the same method shall be used and required above the vitrified tile pipe except that molten lead or other approved metallic compound, thoroughly caulked, shall be used instead of bituminous compound.

Sec. 20 All vitrified pipe and special fittings shall be Class "A" saltglazed vitrified clay sewer pipe of the hub and spigot pattern conforming to specifications C-13-24 or superseding subsequent specifications of the American Society for Testing Materials.

Sec. 21 At all bends in house sewers not made with long radius fittings a "Y" or cleanout fitting shall be inserted in the house sewer with "Y" branch carried to the surface of the ground and terminated at said surface with a brass ferrule if on a cast iron house sewer, or lamphole if on a terra cotta house sewer, shall be provided for access. On any house sewer lampholes shall be provided where required by the Superintendent because of special conditions such as length, alignment or character of ground. Where the size of the house sewer exceeds six (6") inches in diameter, manholes built according to equal specifications for the district sewers, or better, at every change in direction and at distances not exceeding 300 feet may be substituted for the lampholes.

Sec. 22 An existing house sewer to a cesspool or septic tank may be utilized provided that a lamphole is constructed at a point just inside the property line and the owner of the property will agree in writing that if and when excessive infiltration of ground or surface water is found to occur, he will, on written notice from the Superintendent, reconstruct the defective section to conform to this ordinance within thirty (30) days after the receipt of such notice, weather conditions permitting.

Sec. 23 A lamphole when required shall be constructed as follows: For cast iron sewers a "T" shall be inserted with cast iron pipe not less than four (4") inches in diameter extending to the surface of the ground with standard four (4") inch trap screw ferrules inserted in bell of the uppermost section. For tile pipe, a "T" shall be used with vitrified clay tile not less than four (4") inches in diameter extending to the surface capped with metal or vitrified clay terminal for ready access.

Sec. 24 No blow-off or drip or steam exhaust from any boiler or pipe system connected thereto shall be directly connected with the house drain or the house sewer. Such connections may be permitted with the written approval of the Superintendent if provision is made for the discharge of steam or hot water into a suitable storage tank or steam condenser provided with proper mechanism for gradually releasing the hot water into the house sewer.

Sec. 25 Cellar drains in or below the cellar floor to remove ground water, drains from area-ways, courts and the like, roof leaders, or the discharge pipe from any pump or other similar mechanical device arranged to care for such ground or surface water, or clear unpolluted water for cooling purposes for refrigeration equipment, shall not be connected directly or indirectly with the house sewer. When inspections indicate that water from such sources is being discharged into the house sewer, either directly or indirectly through leaks in the house sewer or in any other manner, such discharge shall constitute a violation of this ordinance and shall be cause for recovery and revocation of any permit previously granted to connect with the sewer under the terms of this ordinance, unless the necessary corrections are made within thirty (30) days from the date of written notice given to the owner of the premises or his agent. Such notice shall be deemed sufficient if sent to the owner by mail, addressed to him at the address shown on the latest completed assessment rolls of the Town, or if mailed to the agent of said owner.

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Sec. 26 No industrial or trade wastes containing more organic matter or having a strength greater than domestic sanitary sewage, chemicals, acids or corrosive agents, animal, vegetable or mineral oils or grease, petroleum products, including among others gasoline, naptua, or any volatile or explosive material, or any foreign material liquid or solid either in concentrated form or diluted with water, which trade wastes or other materials may detrimentally affect the sewer or the operation of the sewage treatment plant, shall be discharged directly or indirectly into the house drain, the house sewer or the sewer except in accordance with the provisions of Section 29.

Sec. 27 Whenever the Superintendent finds that the materials specified in the previous section are about to or are finding their way into the sewer system, whether damage has been caused or not, he shall require the owner of the premises in question to submit application for a special permit for transmittal with his comments, to the Board for whatever action said board deems wise. Said application shall be supplemented by a written report giving complete and specific information as to any treatment facilities to be installed on the premises and the provisions to be made to prevent entrance of any materials not capable of removal by treatment processes. This report shall show the time to be allowed for such installation and the penalties to be imposed in case of failure to comply therewith. Said application shall be accompanied by a fee in advance to cover the costs of the necessary inspection; if treatment facilities are proposed, said fee to be based on an annual period or fractional portion thereof.

Sec. 28 For a treatment plant involving grease removal in emulsion or suspension, oils, vegetable or mineral and other petroleum products, or for the removal of mud and grit from automobile garages or washstands or stables, the fee which is hereby established, for a twelve (12) months period shall be five Dollars. For a treatment plant involving industrial or trade wastes containing more organic matter in solution or suspension or having a strength greater than domestic sewage, the fee shall be determined by the Board, based on the recommendation of the Superintendent, depending upon the amount of material to be treated daily and the strength of the untreated wastes. If the special permit is not granted the fee shall be returned to the applicant. The filing of an application or the granting of any special permit together with any limiting conditions, shall not be deemed to affect the rights of the Board to suspend sewer service at any time on ten (10) days notice in writing.

Sec. 29 The provisions of Section 28 of this ordinance shall not be deemed to apply on any premises where special sewer service contracts have been made with the Board.

Sec. 30 where, due to special or unusual conditions a house sewer connection cannot be constructed within the provisions of this ordinance, or where such ordinance does not exactly apply, the Superintendent shall, upon receipt of an application for a house sewer connection under such conditions, submit a report and recommendation explaining all details of the case to the Board for its decision. Notice thereof shall be given to the applicant, who shall have the right to appear before said Board and consideration shall be given to the requests of the applicant.

Sec. 31 Nothing in the ordinance shall prevent an owner or his agent from appealing to the Board, on written notice to the Superintendent from any requirement or decision which in the opinion of the owner or agent is unfair to him or imposes upon him an unusual hardship.

Sec. 32 The Superintendent, or his duly authorized representatives shall, in the discharge of his duties and in the enforcement of these regulations, and for the purposes of inspection and reinspection, have the right to enter upon the properties and the buildings located in the district at a reasonable time, for the purpose of determining whether sewer or drain construction on such premises is in accordance with the requirements of this ordinance.

Sec. 33 PENALTIES. A violation of any ordinance, rule or regulation hereunder is hereby declared to be a misdemeanor and shall be subject to a fine of not to exceed One hundred Dollars for each offense, or imprisonment of not more than six months, or both, and shall also be liable to a civil penalty of One hundred Dollars for each violation. In addition thereto, an action or proceeding may also be maintained in the name of the Town in a Court of competent jurisdiction to compel compliance with, or to restrain by injunction the violation of any such ordinance, rule or regulation, notwithstanding that the ordinance, rule or regulation may provide a penalty or punishment for such violation. All moneys recovered hereunder by the Town shall be credited to the operation and maintenance fund of the district. The Board may at any time in its discretion stop and prevent the discharge into the system of any substance deemed by it liable to injure the system or any pertinent part thereof or to interfere with the normal operation of the system or any pertinent part thereof, and said Board may at any time, without notice and without liability, obligation or recourse sever the house sewer connection or drain from the system through which such detrimental substances are discharged. Upon proof of the abatement of the detrimental discharge or correction of the cause of such discharge, the Board may cause the disconnected house sewer or drain to be reconnected to the system, upon the receipt of a fee of \$10.00 for such reconnection.

Sec. 34 CONSTRUCTION. If any clause, sentence, paragraph or part of this article shall, for any reason, be adjudged by any court or competent jurisdiction to be invalid such judgement shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph or part thereof, directly involved in the controversy in which such judgement shall have been rendered.

Sec. 35 This ordinance shall take effect immediately after compliance with law concerning the publication, posting and/or service and public hearing as provided by law.

By Order of the Town Board of the Town of Clarkstown.

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ALL parties in interest will be heard by the town board at the public hearing to be held aforesaid.

Date: June 12, 1958
New City, New York

MILDRED F. MAGAI
Town Clerk
Town of Clarkstown
New City, New York

EVERETT J. JOHNS
Town Attorney
Town of Clarkstown
New City, New York

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

AYES: Messrs. Denken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Mr. Johns stated he had submitted to him all necessary papers in connection with dedication of roads in the Silver Birch Homes development. The Highway Superintendent was requested to make an inspection and report to the board.

The Board signed the following:

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: In the Matter of the Petition of
: RALPH A. LOMBARDI and MARGARET MANN, for an
: Extension of the New City-west Nyack water
: Supply District at New City, in the Town of
: Clarkstown, Rockland County, New York.
:
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ORDER

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WHEREAS, a written petition, dated May 21, 1958, 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 New City-west Nyack water Supply District at New City, in the said town, to be bounded and described as follows:

BEGINNING at a Rockland County Monument set in the ground in the northerly line of New Hempstead Road where the same is intersected by the easterly line of land now or formerly of Kaufman; thence along the northerly line of New Hempstead Road South 79° 16' 09" East 197.74 feet to another Rockland County Monument; thence still along the northerly side of New Hempstead Road South 78° 00' 09" East 299.10 feet to another Rockland County Monument; thence North 71° 19' 51" East 35 feet to a point; thence South 71° 44' 09" East 86.50 feet to a point; thence North 19° 52' 15" East 30.18 feet to a point; thence South 78° 14' 33" East 108.37 feet to a point and land now or formerly of Murdock; thence along said Murdock's land North 07° 26' 49" East 241.36 feet to a point; thence still along Murdock's land South 82° 33' 11" East 230.00 feet to a point; thence still along said Murdock's land South 57° 33' 11" East 28.30 feet to a point in the westerly side of a proposed street to be known as Henry Street; thence along the westerly side of said proposed street North 7° 26' 49" East 90.02 feet to a point; thence South 52° 26' 49" West 28.30 feet to a point; thence North 82° 33' 11" West 142.99 feet to a point; thence 7° 26' 49" East 85 feet to a point; thence North 82° 33' 11" West 45.00 feet to a point; thence North 7° 26' 49" East 165 feet to a point; thence South 82° 33' 11" East 30 feet to a point; thence North 16° 49' 13" East 171.16 feet to a point; thence South 82° 27' 49" West 108.00 feet to a point; thence North 18° 57' 49" East 81.00 feet to a point; thence North 82° 27' 49" East 80.00 feet to the southwest corner of land now or formerly of Eggleston; thence along said Eggleston's land the following courses and distances: North 10° 05' 11" West 75.85 feet; South 82° 27' 49" West 85.00 feet; North 2° 27' 11" West 150.30 feet; North 82° 27' 49" East 70.00 feet; North 10° 05' 11" West 84.84 feet to a point; thence, on a curve to the left having a radius of 150.00 feet a distance of 109.42 feet to a point, thence, North 32° 08' 49" East 111.51 feet to a point; thence, North 79° 54' 49" East, 14.00 feet to a point in the west line of Little For Road; thence, North 10° 05' 11" West 50.00 feet along the west line of Little For Road to a point; thence, South 79° 54' 49" West 36.14 feet to a point; thence, South 32° 08' 49" West 133.65 feet to a point; thence on a curve to the right having a radius of 100.00 feet a distance of 73.82 feet to a point; thence, North 4° 47' 40" West 766.52 feet to a point in land of B. W. Oatley and Co.; thence along land of said B. W. Oatley and Co. North 75° 42' 00" West 345.44 feet to a monument and land now or formerly of Kaufman; thence along said Kaufman's land South 14° 57' 16" West 1917.57 feet to the point or place of beginning,

it is hereby

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the office of the Town Clerk in New City, New York, on the 14th day of August, 1958, at 10:00 P. M. Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof, concerning the same, and for such other action on the part of said Town Board with relation to the said petition as may be required by law or proper in the premises.

Dated: June 12, 1958

S/ John W. Coyle
Supervisor

S/ J. weichman
Councilman

S/ Alastair Jeffrey
Councilman

S/ Stephen Danko
Councilman

S/ John H. Henken, Jr.
Councilman

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The Highway Superintendent made the following report on roads in the various subdivisions:

Cherry Hill Homes - He had received a letter from a group of residents objecting to several things, among them troubles with birms, etc., on roads where driveways are. He had also received a letter from Nelson W. Hall, County Engineer, with respect to drainage.

Whitewood Estates--Sect. II - There is a development going in to the north and when their storm drains are put in the road will be completed, as they connect.

Birchwood Homes--Sect. II - The two dead ends have not yet been completed nor has the guard rail been completed.

Forest Acres--North Sect. - Mr. Hall had submitted plans to Mr. Jotley of what he was to do.

Fred Roland, Esq. appeared before the Board stating that he had intended to submit the necessary papers for dedication of roads in Cherry Hill Estates but had been advised about Mr. Hall's letter with respect to drainage. The Board advised him that whenever the Highway Superintendent okes the roads the Town will accept them. The matter was referred to the Highway Superintendent and Town Attorney, to see if the terms of the bond had been complied with.

The Clerk was requested to write to Mr. Abraham Schorrer, President of Birchwood Homes, Inc., advising that if the two dead ends were not completed and the guard rail installed in two weeks' time the board would notify the bonding company.

The Highway Superintendent reported that work on the retaining wall on Pigeon Hill Road, Market, had not yet been started. The matter was referred to the town attorney.

On motion made by Mr. Welchman, seconded by Mr. Danko and unanimously carried, sealed bids for the furnishing of a road grader for the Highway Department were opened as follows:

H. C. Penn Machinery Co., Inc.,
Boughkeepsie, N. Y.

1 - New Diesel Powered Grader with all wheel Drive and all wheel Steer	- - - - -	\$22,248.00
Less Trade-in on Town Grader	- - - - -	3,600.00
		NET BID - - - - - \$18,648.00

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John J. King,
Route 17-N, Monroe, N. I.

1 - New Diesel Powered Grader with all wheel Drive and All wheel Steer -	\$20,256.00
Less Trade-in on 1950 Grader-	<u>3,500.00</u>
NET BID-	\$16,756.00

Mr. Danko moved the following resolution:

RESOLVED, that the bid of John J. King, Monroe, N. I., for the furnishing of 1 new Austin-Western Super 83 Power Grader with all wheel Drive and all wheel Steer at a cost of \$20,256.00, less trade-in of one 1950 Austin-Western Grader at allowance of \$3,500.00, net cost of \$16,756.00, be accepted.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Councilman Renken reported on personnel in the Assessor's office. He recommended that after July 1st, 1958 five people retained on the staff- Assessor, Assistant Assessor, Senior Typist, Key Punch Operator and a draftsman.

Mr. Danko moved the following resolution:

RESOLVED, that Elsie Berky, Route 59-N, Manuet, be appointed Key Punch Operator in the Assessor's office on a provisional basis, at an annual salary of \$2800.00 per annum, effective July 1st, 1958.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Upon questioning by Mr. Renken, Assessor Leonard Schwall advised that the Assessment Roll would be open for inspection on June 24th and that he would send out notices of increase in assessments sufficiently in advance of Grievance Day. Mr. Schwall advised that he had received a letter from the State with respect to the assessment put on State lands. The Town Attorney stated Mr. Schwall and he were asked to discuss the matter with the State Board of Equalization and Control in Albany.

In the matter of the Elms violation, the Town Attorney reported he had caused to be posted on the front door of the Elms a re-survey and town Ordinance and sent notice of the posting to the owner. He advised he was preparing papers for the court to have it declared a public nuisance and the Board authorized him to proceed.

Supervisor Coyle read a letter from the State Traffic Commission advising that a "Stop" sign was felt unnecessary at the intersection of First Street and Route 59, Manuet.

A letter from the State Traffic Commission dated June 4, 1958 was read to the Board, advising that the Commission's conclusions with respect to request for a traffic signal on Route 59 at its intersection with Grandview Avenue and the Thruway access road would be forthcoming in the near future.

The Supervisor read a letter from Clyde A. Robinson of West Nyack, dated June 2nd, 1958, stating he did not wish to furnish pipe for drainage but would furnish an easement. The Clerk was asked to write to Mr. Robinson stating that after considering the contents of his letter the Board felt it was not up to the town to furnish pipe for drainage work he was desirous of having done.

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Supervisor Coyle advised the Board that Certification of Eligibles for Police Patrolman containing nine names had been canvassed and all nine persons had indicated willingness to accept. Chief Wiebicke was called on to make recommendations.

Mr. Danko moved the following resolution:

RESOLVED, that upon recommendation of Chief wiebicke, George H. Raymond and George B. Miller be permanently appointed Police Patrolmen in the Clarkstown Police Department effective as of June 16th, 1958 and Roger I. Grann and William H. King be permanently appointed Police Patrolmen in the Clarkstown Police Department effective immediately, all at an annual salary of \$4800.00 per annum.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

A letter from Raymond Lindemann, dated June 4, 1958, advising that his leave of absence from the Clarkstown Police Department had expired and terminating his services with the Town was read to the Board. The Clerk was asked to thank Mr. Lindemann for his past service to the Town.

Chief wiebicke reported that he had contacted a property owner at the corner of Route 304 and Ludvigh Road, Bardonia, with respect to trimming a hedge to permit better visibility. He stated he had obtained the owners' consent and would contact the State.

The Supervisor stated requests had been received for a traffic signal at the intersection of Route 304 with Ludvigh Road and Bardonia Road, Bardonia and asked Chief wiebicke if he felt it necessary. The Chief said it was and the Clerk was requested to write the State Traffic Commission asking for installation of a signal at this location.

Councilman Danko requested that a "Stop" sign be erected on the east and west side of Butler Street where it crosses Highway Avenue, Congers. Chief wiebicke suggested waiting until after July 1st as there would be changes in regulations.

Mr. Renken moved the following resolution:

RESOLVED, that upon recommendation of the Chief of Police, parking be prohibited on the east side of College Avenue, Nanuet, between Route 59 and 59-A, and be it

FURTHER RESOLVED, that the Highway Superintendent be directed to install the necessary "No Parking" signs.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Mr. Danko moved the following resolution:

RESOLVED, that Chief Ernest wiebicke be authorized to attend the Police Chiefs' Convention to be held in New York City from July 21st to 24th, 1958, and be it

FURTHER RESOLVED, that all necessary expenses in connection with attendance be a Town charge.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

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Mr. Welchman moved the following resolution:

RESOLVED, that the following persons be appointed Republican inspectors of election in the following Election Districts for the term of one year, from July 1st, 1958 to July 1st, 1959:

<u>DISTRICT</u>	<u>NAME</u>	<u>DISTRICT</u>	<u>NAME</u>
Dist. 1 New City	Marjorie R. Lanning Fred J. Seeger	Dist. 11 Cardonia	Joyce Doerch Joseph Fortmann
Dist. 2 Rockland Lake	Robert Dunham Agnes Bisrock	Dist. 12 Nanuet	Norma Hayes Harold E. McLeod
Dist. 3 West Nyack	Doris Dillin Antoinette Johnson	Dist. 13 New City	Robert McCall Esther Hansen
Dist. 4 Upper Nyack	John E. Knox Edward Gilmaey, Sr.	Dist. 14 Congers	Muriel Kerlin Betty E. Snyder
Dist. 5 Nanuet	Edna Maish Rita Keahon (Duryea Lane)	Dist. 15 West Nyack	Minnie Peterson Dorothy Lyman
Dist. 6 Central Nyack	Stephen J. Kmetz Leota Jansen	Dist. 16 New City	Kenneth B. Rowe Dorothy Vanderbeek
Dist. 7 Congers	John Riley Ester Eckhart	Dist. 17 Valley Cottage	Dorothy Hansen Adelaide Carlson
Dist. 8 Valley Cottage	Helen Klos Mabel Bieris	Dist. 18 Nanuet	Doris Kristoffersen George V. V. House
Dist. 9 Centenary	Helen Arbeiter Edna Albrecht	Dist. 19 New City	George Burman Margaret Bittman
Dist. 10 Spring Valley	Clara Moutua Harry Sergeant		

Seconded by Mr. Renken:

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Mr. Welchman moved the following resolution:

RESOLVED, that the following persons be appointed Democratic Inspectors of Election in the following Election Districts for the term of one year, from July 1st, 1958 to July 1st, 1959:

<u>DISTRICT</u>	<u>NAME</u>	<u>DISTRICT</u>	<u>NAME</u>
Dist. #1 New City	Eileen Person Matilda Carney	Dist. #11 Cardonia	Joann DiNapoli Helen Stevens
Dist. #2 Rockland Lake	Gertrude Gozza Marie Hanchar	Dist. #12 Nanuet	Kathryn Muller Helen Fee
Dist. #3 West Nyack	Evelyn Moyer Gretchen Eagen	Dist. #13 New City Park	Marie Moran Delia W. Bye
Dist. #4 Upper Nyack	Elizabeth Kastner Ada McGrath	Dist. #14 Congers	James Eldredge Madeline Rose
Dist. #5 Nanuet	George Fee Marie Bannen	Dist. #15 West Nyack	Marie Petersen Marian E. Olin
Dist. #6 Central Nyack	May E. Pearsall Dorothy Jones	Dist. #16 New City	Jeann Lia Virginia Tonelli
Dist. #7 Congers	James Shortal Edythe Gleason	Dist. #17 Valley Cottage	Philip J. Klein Catherine Whalen
Dist. #8 Valley Cottage	Helen Raggi Vincent Bocolini	Dist. #18 Nanuet	Aldo Hastings Irene Wilcox
Dist. #9 Centenary	Barbara Robus Mabel Clochessy	Dist. #19 New City	James H. Kelly Mary Bridgett
Dist. #10 Spring Valley	Helen Blauvelt Minnie Stern		

Seconded by Mr. Renken.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Supervisor Coyle read a letter from the Zoning Board of Appeals advising of expiration of terms of W. Reginald Herdman and Theodore May, recommending reappointment.

Mr. Jeffrey moved the following resolution:

RESOLVED, that W. Reginald Herdman be reappointed Chairman of the Zoning Board of Appeals for a term of one year from June 19, 1958 to June 19, 1959 and Theodore May be reappointed member of the Board for a term of five years from June 19, 1958 to June 19, 1963.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Supervisor Coyle read copy of a letter from Nelson W. Hall, Consulting Engineer, to the Planning Board with respect to Hickory Estates, Little Fox Road, and drainage.

A letter was read from the building inspector advising that application had been made for a building permit by Nicholas Macaylo, for Huffman Road, Valley Cottage, pursuant to Section 280-A of Town Law.

Mr. Renken moved the following resolution:

RESOLVED, that application of Nicholas Macaylo for a building permit on Huffman Road, Valley Cottage, pursuant to provisions of Section 280-A of Town Law, be returned to the Building Inspector and that he be requested to contact the applicant and advise that if he posts a bond to complete the road to Town specifications the Board will grant a permit.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Welchman, Coyle.

NAYES: None.

ABSTAINING: Mr. Jeffrey.

The Supervisor read copy of a letter from Nelson W. Hall, Engineer, to the Assessor forwarding revised Tax Maps No. 40 and 59 together with voucher for preparation of Maps No. 39, 40, 56 and 59.

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

Svahn Estates--Sect. II, Valley Cottage

Meadow Brook Estates in Manuet

Blenker Estates--Sect. 1, New City

On motion made by Mr. Renken, seconded by Mr. Danko and unanimously carried, monthly reports of the building inspector, Planning Board, Zoning Board of Appeals, Police Department, welfare Officer, Supervisor and Town Clerk, for the month of May 1958, were approved and ordered filed.

Mr. Renken moved the following resolution:

RESOLVED, that application of William B. Howell and Catherine B. Howell for a Change of Zoning from an RA-1 to a C-1 district be referred to the Planning Board, pursuant to Section 8.51 of the Zoning Ordinance.

Seconded by Mr. Danko.

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On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Mr. Renken moved the following resolution:

WHEREAS, WILLIAM M. HOWELL and CATERINE D. HOWELL have petitioned the Town Board of the Town of Clarkstown that the building Zone Ordinance of the said Town be amended by redistricting property of the said petitioners and in said petition described, from an RA-1 district to a C-1 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the office of the Town Clerk, 16 South Main Street, New City, New York, on the 14th day of August, 1958, at 9:00 P. M., Eastern Daylight Saving Time, relative to such proposed amendment; and it is

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

Seconded by Mr. Danko.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Mr. Renken moved the following resolution:

RESOLVED, that Charita Collins, Tor View Road, New City, be appointed Stenographer in the Town Clerk's office, on a provisional basis, at an annual salary of \$3200.00, effective as of July 1st, 1958.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Supervisor Coyle stated Certification of Eligibles from the Department of Civil Service for position of Clerk in the Receiver of Taxes office had two names thereon, that the list had been canvassed and that Marion Youmans had indicated willingness to accept. No reply had been received from Ruthann Kip as of June 12, 1958.

Mr. Renken moved the following resolution:

RESOLVED, that State Civil Service Certification of Eligibles for the position of Clerk in the Receiver of Taxes Office, dated May 26, 1958, be rejected inasmuch as there are only two people on the list and a wider choice is felt desirable.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

The Supervisor reported that the Chief of the West Nyack Fire Dept. had approved proposed locations of four hydrants in Cherry Hill and one on Sable Court, West Nyack.

Mr. Renken moved the following resolution:

RESOLVED, that the Town Clerk be authorized to sign hydrant orders for the installation of 3 hydrants on the north side of Foxwood Road, 1 on the west side of Sickletown Road and 1 on the west side of Sable Court, in West Nyack, New York.

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Seconded by Mr. Danko.

On roll call, the vote was as follows:

AYES: Messrs. Henken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Mr. Danko moved the following resolution:

RESOLVED, that the Town Clerk be authorized to sign hydrant orders for the installation of 45 hydrants in Congers, to be located on Ridge Road, Highway Avenue, Lake Road, Congers Avenue and Grant Avenue.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

AYES: Messrs. Henken, Danko, Jeffrey, Welchman, Coyle.

NAYES: None.

Supervisor Coyle reported receipt of a letter from the New York Central Railroad System in which they asked for an exemption in assessment for the year 1958. No action was taken.

The Supervisor stated that there had been a request for temporary help in the Building Inspector's office from July 7th to August 1st. The Board approved the retention of Joann Moller, Demarest Avenue, West Nyack and Mrs. Corinne Cody, 5 Short Hill Road, New City, at \$1.50 per hour, the latter to cover evening meetings.

Mr. Coyle read a letter from the Union Labor Life Insurance Company, dated May 27, 1958, advising that the Town's group policy is running out and that they would continue with the same rates.

The Supervisor told the Board that Mr. Applebaum, owner of property in Rockland Lake, would like a letter from the Assessor stating that he is in a water district. Mr. Henken said he would contact the Assessor in this connection.

The Town Attorney was requested to prepare a form of petition and write a letter of explanation in connection with a proposed extension of the Manuet Water District to include Blauvelt Road and Loran Court, Manuet.

With reference to swimming pools, Supervisor Coyle stated an ordinance should be put on a County level because of the problems involving requirements.

Attention was called to the fact that heavy trucks were cutting through Leona Avenue, New City, from Route 304 and Little Tor Road.

Mr. Welchman moved the following resolution:

RESOLVED, that Leona Avenue, New City, be designated as a "No Heavy Trucking" street, pursuant to Section 90 of the Motor Vehicle Law, and that signs be erected at each end of Leona Avenue, at its intersection with Route 304 and its intersection with Little Tor Road, and be it

FURTHER RESOLVED, that the Highway Superintendent be directed to install the "No Heavy Trucking" signs.

Supervisor Coyle made mention of a complaint about a bad water condition by a Mr. Russell and that the Highway Superintendent had advised Mr. Russell, after investigation, that it was not a Town matter.

Mr. Henken moved the following resolution:

RESOLVED, that 7,000 lu. Mercury Vapor street lights be installed on Poles No. 68, 69 and 70 on Blauvelt Road, Manuet, opposite the new school, and be it

FURTHER RESOLVED, that the Orange & Rockland Utilities, Inc. be authorized to make

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installation of the said lights.

Seconded by Mr. Welonman.

On roll call, the vote was as follows:

AYES: Messrs. Menken, Danko, Jeffrey, welonman, Coyle.

NAYES: None.

There being no further business at hand, on motion made by Mr. Danko, seconded by Mr. Jeffrey and unanimously carried, the meeting was adjourned.

Signed,

Mildred F. Magai,
Town Clerk.