

## TOWN BOARD MEETING

July 10, 1958

Town Clerk's Office

8:00 P.M.

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

Supervisor Coyle called the meeting to order.

On motion made by Mr. Jeffrey, seconded by Mr. Welchman and unanimously carried, the minutes of the May 22nd and June 12th, 1958 meetings and the minutes of the public hearings on May 28th, June 12th and 13th, 1958 were approved.

Jerome Trachtenberg, Esq. appeared before the Board asking that a hearing be set to consider petition for an Extension of the Nanuet Water Supply District No. 1 to include Oakbrook and Nanuet Knolls.

Town Attorney Johns advised Mr. Trachtenberg that no hearing could be set until he complied with the request that the petition be put in proper form, i. e., show subscribing witnesses, an acknowledgment and Assessor's certification.

Mr. Grover Meeks of Lake Road, Congers, appeared before the Board with respect to the Dog Ordinance. He stated people were not observing the ordinance and with the increased number of dogs he felt the Board should appoint a Dog Warden in the coming year.

Mr. Meeks also complained about the speeding of cars on Lake Road in Congers and asked that the Police control this condition. He was advised that all roads in Clarkstown are 30 MPH.

Mr. George Herbert Scott appeared on behalf of the New City Business Men's Association and asked what decision had been rendered on their request that the Board authorize the Supervisor to make application for a Federal Grant for preliminary study of the New City Sewer District.

Supervisor Coyle advised that other areas in the Township had indicated interest in sewers and petitions were filed by Nanuet and Congers. In view of this, he reported he had contacted the Orangetown Supervisor who had arranged a meeting with the firm of Bogert & Childs, who had done all of the work for Orangetown sewers. Mr. Coyle told the Board that Bogert & Childs would be willing to make a study for the Town of Clarkstown and gave a detailed report to the Board on the meeting.

The Supervisor read a letter from Edward G. Roepe, Esq., dated July 9, 1958, enclosing a required form of resolution to make application to the Housing and Home Finance Agency for an advance for public works planning together with proposed certificate of the Town Clerk. Mr. Roepe urged the Board to take action on the resolution.

Mr. Renken moved the following resolution:

RESOLVED, that this Town Board immediately proceed to interview qualified sewer engineers for the purpose of engaging their organizations to perform a study, which would be a master plan for the Town of Clarkstown; and proceed as soon as the Board can determine who the engineers would be.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

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The Town Attorney discussed the wording in the form of resolution to make application for a Federal Grant for preliminary engineering for the New City Sewer District with Mr. Roepe, who clarified same.

Mr. Renken moved the following resolution:

WHEREAS, the TOWN OF CLARKSTOWN, a municipal corporation of the State of New York, having its principal office at 16 South Main Street, New City, Rockland County, New York, herin call the "Applicant", after thorough consideration fo the various aspects of the problem and study of available data has hereby determined that the construction of certain public works, generally described as a dewage disposal system for an area in New City, Town of Clarkstown, Rockland County, New York, consisting of a trunk sewer, mains, laterals and disposal plant, is desirable and in the public interest and to that end it is necessary that action preliminary to the construction of said works be taken immediately; and

WHEREAS, under the terms of Public Law 560, 83rd Congress, as amended, the United States of America has authorized the making of advances to public bodies to aid in financing the cost of engineering and architectural surveys, designs, plans, working drawings, specifications or other action preliminary to and in preparation for the construction of public works; and

WHEREAS, the Applicant has examined and duly considered such Act and the Applicant considers it to be in the public interest and to its benefit to file an application under said Act and to authorize other action in connection therewith;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, the governing body of said Applicant, as follows;

1. That the construction of said public works is essential to and is to the best interests of the Applicant, and to the end that such public works may be provided as promptly as practicable it is desirable that action preliminary to the construction thereof be undertaken immediately;

2. That JOHN W. COYLE, SUPERVISOR OF THE TOWN OF CLARKSTOWN, be hereby authorized to file in behalf of the Applicant an application (in form required by the United States and in conformity with said Act) for an advance to be made by the United States to the Applicant to aid in defraying the cost of plan preparation for the above described public works, which shall consist generally of area survey to show location of trunk sewer and all mains and laterals, design of and plans and specifications for a primary, secondary and post secondary treatment plant;

3. That if such advance be made, the Applicant shall provide or make necessary arrangements to provide such funds, in addition to the advance, as may be required to defray the cost of the plan preparation of such public works;

4. The said JOHN W. COYLE, SUPERVISOR OF THE TOWN OF CLARKSTOWN, is hereby authorized to furnish such information and take such other action as may be necessary to enable the Applicant to qualify for the advance;

5. That the officer designated in the preceding paragraph is hereby designated as the authorized representative of the Applicant for the purpose of furnishing to the United States such information, data, and documents pertaining to the application for an advance as may be required; and otherwise to act as the authorized representative of the Applicant in connection with this application.



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6. That certified copies of this resolution be included as part of the application for an advance to be submitted to the United States.

\* (Insertion #7-next page)

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolutions:

RESOLVED, that no construction on the New City Sewer District begin until the Town has a survey or master plan approved, so the New City Sewer District will coincide with the overall Township plan.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: Mr. Coyle.

Mr. Welchman moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 8th day of May, 1958, provided for a public hearing on the 13th day of June, 1958, at 8:30 P. M., Eastern Daylight Saving Time, to consider the application of ELLEN SPRINGER to amend the Building Zone Ordinance of the said Town by redistricting the property of the said petitioner from an RA-1(X) and an SC district to an R-1 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 New City, New York, in said Town, from an RA-1(X) and SC district to an R-1 district:

ALL that tract of land in the Town of Clarkstown, Rockland County, State of New York, bounded and described as follows:

BEGINNING at a point in the easterly line of West Clarkstown Road, it being the northwest corner of lands now or formerly of Sherwood and southeast corner of the premises herein described;

THENCE (1) North 17° 15' 44" East along the easterly line of West Clarkstown Road 342.29 feet; (2) North 20° 22' 13" East along said line 480.18 feet; (3) North 17° 54' 22" East along same 253.06 feet; (4) South 81° 44' East 160.26 feet; (5) North 15° 35' 17" East 132 feet; (6) South 83° 28' 59" East 409.50 feet; (7) South 16° 39' 40" West 328.59 feet; (8) South 85° 54' 16" East 229 feet; (9) South 82° 55' 49" East 505 feet; (10) South 12° 20' 41" West 675 feet; (11) South 88° 59' 37" West 993.50 feet; (12) South 89° 19' 02" West 445.19 feet to point or place of beginning.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 8th day of May, 1958, provided for a public hearing on the 13th day of June, 1958, at 9:00 P. M., Eastern Daylight Saving Time, to consider the application of MAX SIEMENS to amend the Building Zone Ordinance of the said Town by redistricting the property of the said petitioner from an R-2 district to a C-2 district; and

WHEREAS, notice of said public hearing was duly published as required by law and

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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 New City, New York, in said Town, from an R-2 district to a C-2 district;

ALL that plat, piece or parcel of land, with the buildings and improvements thereon erected, situate lying and being in Bardonia, in the Town of Clarkstown, Rockland County, New York, 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, distant on a course of north 13° 55' east 154.14 feet from a stake in the east side of State Highway No. 9005, said point being the southwest corner of the within described premises; running thence North 13° 55' east along said new right of way taking line, being the proposed new easterly side of said State Highway No. 9005, 287.16 feet to a stake in the northwest corner of the within described premises; running thence south 33° 51' 05" east 609.72 feet along the Right of Way Taking Line for the Palisades Interstate Parkway, to a stake in the southeast corner of the within described triangular premises; and running thence North 60° 53' 05" west 467.82 feet to the first stake and point or place of beginning.

EXCEPTING, however, from the above described premises, the easterly portion thereof appropriated by the State of New York, and conveyed to it for Thruway purposes, as more fully described in deed therefor, recorded December 29th, 1953 in Liber 573 of Deeds at page 4e, being 0.103 acres.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

WHEREAS, this Board has considered the application of Hamilton G. Fischer for a change of zoning from an RA-1 to an R-1 district, and

WHEREAS, after thorough consideration it is felt that it is not in the best interest of this Township to grant this change, be it

RESOLVED, that this application be denied.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES; None.

Mr. Welch moved the following resolution:

RESOLVED, that bill of Kennedy, Teale & Kennedy, Counsellors at Law, in the net amount of \$2,835.00, for services rendered in defending proceeding brought by Rose Development Corp. against the Planning Board of the Town of Clarkstown, be paid.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

The Town Attorney reported that notices of hearings on Proposed Sewer District Ordinance and petition of Ralph A. Lombardi & Margaret Mann for an Extension of the New City-West Nyack Water Supply District were not published on time and suggested re-setting hearings.

Mr. Welchman moved the following resolution:

RESOLVED, that hearing to consider adoption of proposed Sewer District Ordinance, Article 25 of Town Ordinance, be re-set for August 14, 1958 at 9:30 P.M., E.D.S.T.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

\* (Insertion)

7. Providing that said resolution shall take effect thirty days after its adoption, unless within thirty days petition for its submission to the electors shall be filed in accordance with law, protesting against the resolution and requesting it be submitted to the electors for their approval or disapproval.

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

NAYES: None.

Mr. Danko moved the following resolution:

RESOLVED, that hearing to consider petition of Ralph A. Lombardi and Margaret Mann for an Extension of the New City-West Nyack Water Supply District be re-set for August 14th, 1958 at 10:00 P.M., E.D.S.T.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

The Town Attorney reported in detail on the meeting in Albany with Mr. Bergman of the Department of Equalization & Assessment and discussed the report of Professor Lowe on the value of trap rock contained in State owned lands in Clarkstown. Mr. Bergman advised that the State would recheck their lands and report their findings in two weeks.

Town Attorney Johns reported he had been negotiating with Stephen G. Doig, Esq., attorney for John Mellozzo, to procure an easement for drainage on Dickinson Avenue, Central Nyack. He reported nothing had been done about it to date and suggested starting condemnation proceedings. The matter was held in abeyance.

The Town Attorney reported that to enforce "No Heavy Trucking" regulations an ordinance would have to be adopted including therein the names of streets to be so posted. He suggested that the Chief make a report on streets he felt needed posting. Mr. Johns suggested that the resolution with respect to "No Heavy Trucking" on Leona Avenue, New City, be rescinded.

Mr. Jeffrey moved the following resolution:

RESOLVED, that resolution adopted on June 12, 1958 prohibiting heavy trucking from using Leona Avenue, New City, be rescinded.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Highway Superintendent Klein reported that the roads in Forest Acres--Section V had not yet been completed nor had anything been done since the Consulting Engineer had submitted plans on what was to be done.

Mr. Welchman moved the following resolution:

RESOLVED, that Performance Bond No. 616037 bearing date March 29th, 1956, in the sum of \$26,000.00, covering construction of roads in Forest Acres, Section #5, New City, Byron W. Oatley and Byon A. Oatley, d/b/a B. W. Oatley and Co. of New City, Principals and New Amsterdam Casualty Company, Surety, be and hereby is declared in default for failure to perform pursuant to the terms of said bond, and be it

FURTHER RESOLVED, that the Town Attorney be directed to proceed against the bond.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Danko moved the following resolution:

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RESOLVED, that "Yeild" signs be erected on the east and west sides of Butler Street, Congers, at its intersection with Highway Avenue, and be it

FURTHER RESOLVED, that the Highway Superintendent be authorized to erect the said signs as soon as possible.

Seconded by Mr. Renken.

On roll call, the vote was follows:

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

NAYES: None

Mr. Jeffrey moved the following resolution:

RESOLVED, that Arne Berntsen be re-appointed as Member of the Planning Board for a term of five years, from July 12, 1958 to July 12,, 1963.

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;

RESOLVED, that Henry J. Schriever, Jr., be re-appointed as Chairman of the Planning Board for a term of one year, from July 12, 1958 to July 12, 1959.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

The Supervisor read a letter dated July 9, 1958 from the Building Inspector forwarding letter from Nicholas Macaylo to the Town Board, stating his willingness to have Huffman Road remain a private road provided he could obtain a building permit.

Mr. Renken moved the following resolution:

RESOLVED, that the Building Inspector be directed to issue a building permit pursuant to Section 280-A of Town Law to Nicholas Macaylo for property on Huffman Road, Valley Cottage.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Vincent Scattareggis of West Nyack appeared before the Board in connection with refusal to his sone and daughter to issue a building permit under Section 280-A. He stated the Planning Board had asked for two bids and a bond for construction of a road to Town specifications. He stated he did not intend to dedicate it to the Town but it would be a private road. Mr. Johns stated the matter was before the Planning Board who had set specifications, that their regualations were clear and before a building permit could be granted requirements would have to be complied with,

Mr. John Lodico of Birch Lane, New City, appeared in connection with an error in assessment for the improvement of Oak Road, Adam Place and Birch Lane, stating he had been assessed for 100 feet when he only had an additional 40 feet of road. The Town Attorney explained that there were two improvements involved and that there appeared to a discrepancy but how much footage was involved in each improvement had to be determined.

The matter was referred to the Town Attorney and Highway Superintendent to check.

Supervisor Coyle read a letter dated June 19, 1958 from the State Civil Service Department forwarding an amended certification of May 16, 1958, and stating that Mr. Lagatella was not qualified. Mr Coyle stated that he had since written Mr. Lagatella who stated he was interested. He added that he had received from the State Civil Service another letter dated July 8, 1958, which stated the restriction on appointment of Mr. Grahn had been removed and enclosing a new certification of eligibles.

Mr. Danko moved the following resolution:

RESOLVED, that, upon recommendation of Chief Ernest Wiebicke, Robert Lagatella and Roger R. Grahn be appointed Police Patrolman in the Clarkstown Police Department on a permanent basis at an annual salary of \$4800.00, effective as of July 16th, 1958.

Seconded by Mr. Renken.

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, in accordance with the rules of the Department of Civil Service of the State of New York, William King be notified of the termination of his employment as Police Patrolman in the Clarkstown Police Department as of July 15th, 1958.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Abraham Schoehor appeared before the Board stating he had complied with the Highway Superintendent's request that two dead ends be completed and a guard rail erected and asked that the Board accept roads in Birchwood Homes--Section II. The Highway Superintendent confirmed the fact that the work was completed. Town Attorney Johns told the Board he had written to Mr. Schoehor asking that he furnish a substitute maintenance bond dated one year from acceptance, which would be August 14, 1958 but that he had not yet done so. On Mr. Schoehor's promise to furnish a substitute maintenance bond properly dated, his old bond was given back to him.

Mr. Fred Roland appeared before the Board in connection with dedication of roads in the Cherry Hill development in West Nyack. The Highway Superintendent reported that the roads were still not satisfactory in many respects and he would gladly furnish a letter setting forth what needed to be done. Residents from Cherry Hill who appeared were Mr. Charles Davis, Mr. Joseph Pinnocchio and Mr. George Elfrig. Mr. Coyle mentioned having received a letter from the Cherry Hill Residents' Association stating the roads were unsatisfactory.

The Board signed the following:

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BEFORE THE TOWN BOARD OF CLARKSTOWN

ROCKLAND COUNTY

-----X  
 :  
 In the Matter of the Petition for an  
 Extension of the New City-West Nyack  
 Water Supply District. :  
 :  
 -----X

ORDER  
EXTENDING  
DISTRICT

A petition in this matter for the extension of the New City-West Nyack Water Supply District of the Town of Clarkstown having been duly presented to the Town Board, and an order having been duly adopted by the Town Board on the 8th day of May, 1958, for the hearing of all persons interested in the matter on the 12th day of June, 1958, at 8:00 P. M., Eastern Daylight Saving Time, at the office of the Town Clerk, 16 South Main Street, New City, New York, and a hearing by the said Board having been duly held at such time and place, and it having been duly resolved and determined following such hearing that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all the property and property owners within the proposed extension were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in public interest to grant in whole the relief sought, and it having been then and there, further duly resolved that the creation of such extension as proposed be approved; it is hereby

ORDERED, that the New City-West Nyack Water Supply District of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town described as follows:

BEING all of the premises shown and described on a certain subdivision plan entitled "Cranbrook Terrace, South Section in New City, Town of Clarkstown, Rockland County New York", made by William A. Yuda, P.E., dated December 21, 1956, filed in the office of the Clerk of Rockland County on June 10, 1957, in Book 58 of Maps, at Page 19, as Map #2508, excepting any and all portions now included in the New City-West Nyack Water Supply District.

ALL of the premises shown and described on a certain subdivision plan entitled "Cranbrook Terrace, in New City, Town of Clarkstown, Rockland County, New York", made by William A. Yuda, P.E., dated August 27, 1956, revised April 5, 1957, filed in the office of the Clerk of Rockland County on July 2, 1957, in Book #58 of Maps, at Page 24, as Map #2513, excepting any and all portions now included in the New City-West Nyack Water Supply District.

Dated: July 10, 1958

S/ John W. Coyle  
 S/ Joseph Welchman  
 S/ Stephen Danko  
 S/ John H. Renken, Jr.  
 S/ Alastair Jeffrey

Members of the Town Board of the Town of Clarkstown, County of Rockland, New York.

The Board signed the following:

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BEFORE THE TOWN BOARD OF CLARKSTOWN

ROCKLAND COUNTY

-----X  
 :  
 In the Matter of the Petition for an :  
 Extension of the New City-West Nyack :  
 Water Supply District. :  
 :  
 -----X

ORDER  
EXTENDING  
DISTRICT

A petition in this matter for the extension of the New City-West Nyack Water Supply District of the Town of Clarkstown having been duly presented to the Town Board, and an order having been duly adopted by the Town Board on the 8th day of May, 1958, for the hearing of all persons interested in the matter on the 125h day of June, 1958, at 8:15 P.M., Eastern Daylight Saving Time, at the office of the Town Clerk, 16 South Main Street, New City, New York, and a hearing by the said Board having been duly held at such time and place, and it having been duly resolved and determined following such hearing that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all the property and property owners within the proposed extension were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in public interest to grant in whole the relief sought, and it having been then and there, further duly resolved that the creation of such extension as proposed be approved; it is hereby

ORDERED, that the New City-West Nyack Water Supply District of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town described as follows:

BEING all of the premises shown and described on a certain subdivision plan entitled "Rose Estates in New City, Town of Clarkstown, Rockland County, New York", made by William A. Yuda, P.E., dated March 1st, 1957, filed in the office of the Clerk of Rockland County on November 19, 1957, in Book 58 of Maps, at Page 45, as Map #2535, excepting any and all portions now included in the New City-West Nyack Water Supply District.

Dated: July 10, 1958

S/ John W. Coyle

S/ Joseph Welchman

S/ Stephen Danko

S/ John H. Renken, Jr.

S/ Alastair Jeffrey

Members of the Town Board of the Town of Clarkstown, County of Rockland, New York.

Deed, two easements and maintenance bond from Silver Birch Homes, Inc. to the Town of Clarkstown, together with release and subordinating agreement from Ridgewood Savings Bank, in connection with dedication of Birch Drive, East Allison Avenue and West Allison Avenue in the Silver Birch Hills development in Clarkstown, were submitted to the Board.

Mr. Welchman moved the following resolution:

RESOLVED, that deed from Silver Birch Homes, Inc. to the Town of Clarkstown, dated the 27th day of March, 1958, conveying Birch Drive, East Allison Avenue and West Allison Avenue in the Town of Clarkstown, be accepted, upon the recommendation of the

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Town Attorney and Highway Superintendent, and be it

FURTHER RESOLVED, that the said roads be included in the Town Highway System and the Town Attorney be directed to record the deed.

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:

BE IT RESOLVED, that the Establishment of the Silver Birch Sewer District at or near Nanuet, in the Town of Clarkstown, Rockland County, be and it hereby is approved, and be it

FURTHER RESOLVED, that John W. Coyle, Supervisor of the Town of Clarkstown, be authorized to process this application of the Silver Birch Sewer District, Town of Clarkstown, Rockland County, New York.

Seconded by Mr. Renken/

On roll call, the vote was as follows:

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

NAYES: None.

Councilman Welchman reported to the Board that the petition for the Extension of the Nanuet Water Supply District to include Blauvelt Road and Lorán Court, Nanuet, needed some revision before it could be submitted to the Board.

Copy of a letter from the Valley Cottage Fire District to the Assessor, dated June 12, 1958, with respect to the District's assessment and tax roll, was read and ordered filed.

A letter from the Planning Board forwarding Performance Bond covering Wesel Road in the Fairview Acres subdivision in Nanuet was read to the Board.

The Board approved as to form and sufficiency the following Performance Bond:

Bond #207075  
Fair View Estates (Wesel Road)  
Nanuet, N. Y.

A letter from the State Traffic Commission dated June 16, 1958, advising that they would ask the Dept. of Public Works to expedite installation of a traffic signal at the southerly intersection of Lake Road and Route 9W, Rockland Lake, was read to the Board.

Letter of resignation from Gretchen Eagan as Democratic Inspector of Elections in Election District No. 3, bearing date June 23, 1958, was read to the Board.

Mr. Coyle read a letter from the Clarkstown Democratic Committee dated July 8, 1958 recommending the appointment of Aimee R. Quinn as Democratic Inspector of Elections in Election District No. 3.

Mr. Welchman moved the following resolution:

RESOLVED, that Aimee R. Quinn be appointed Democratic Inspector of Elections in Election District No. 3.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None

The Supervisor read a letter from the State Traffic Commission dated June 24, 1958,

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advising that a study of the need for a light at the intersection of Route 304 with Bardonia Road and Ludvigh Road, Bardonis, is being made.

A letter from the Commissioners of the Congers Fire District dated June 28, 1958, with respect to snow removal from fire roads, was read to the Board and referred to the Highway Superintendent to report on.

Mr. Coyle read a letter from the State Traffic Commission, dated June 30, 1958, advising that if the Town wishes to continue maintenance of stop sign controls at College Avenue, Demarest Mill Road, Smith Street and spur to Old Nyack Turnpike at the intersections with Old Route 59, the legend N. Y. State Traffic Commission must be deleted from the bottoms of the signs. The matter was referred to the Town Superintendent of Highways.

A letter from Mrs. Richard Lowry, Old Mt. Kisco Road, Armonk, N. Y., requesting varied information about Rockland County was referred to the County Planning Board.

Supervisor Coyle read a letter from Martin Bernstein of New City, dated July 2, 1958, setting forth suggestions with respect to sewers for the Town of Clarkstown. The contents were noted and the letter ordered filed.

The Supervisor read a letter dated July 1, 1958, from the Spring Valley Water Works & Supply Co., advising of order for a water main and enclosing Hydrant Order and Sketch for hydrants on Twin Elm Lane, Capral Lane, Twin Elms Lane and Mark Court, New City. The matter was referred to the Supervisor to check.

A letter dated July 8, 1958 from the Zoning Board of Appeals, setting forth resolution directing the Town Attorney to appeal decision in case of The Dells, Inc. against the Board of Appeals, was read to the Board.

Mr. Renken moved the following resolution:

WHEREAS, the ZONING BOARD OF APPEALS of the Town of Clarkstown has directed the Town Attorney to appeal the Decision of the HON. JAMES W. BAILEY, Justice of the Supreme Court in re "The Petition of THE DELLS, INC. vs W. REGINALD HERDMAN et al, constituting members of the ZONING BOARD OF APPEALS, Respondents",

NOW THEREFORE be it

RESOLVED, that the Town Attorney of the Town of Clarkstown be and he hereby is directed to appeal the Decision of the HON. JAMES W. BAILEY, Justice of the Supreme Court in re "The Petition of THE DELLS, INC. vs W. REGINALD HERDMAN et al, constituting members of the ZONING BOARD OF APPEALS, Respondents", to the appropriate Appellate Department of the State of New York, and be it

FURTHER RESOLVED, that the Town Attorney be and he hereby is authorized to expend the necessary disbursements in connection with the said Appeal.

Dated: July 10, 1958

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

AYES: All

NAYES: None.

The Supervisor read a letter from the Clarkstown Sanitary Fill Dump Master, submitting voucher for vacation substitute. Councilman Jeffrey was requested to check on the time put in by the substitute.

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The Clerk was requested to write to Mr. Lawrence Wolcott, 23 Castle Heights Avenue, Upper Nyack, advising that the intersection of Route 59 and Waldron Avenue is under the jurisdiction of the Village of Nyack since April 15, 1958 annexation.

A time limit on sick leave for Town employees was discussed. The suggestion was made that thirty days in any given year would be reasonable.

Mr. Welchman moved the following resolution:

RESOLVED, that the Highway Superintendent be authorized to attend the Highway Superintendents' Conference at Ithaca, New York, from June 30th to July 2, 1958 and that all necessary expenses incurred in attending be a Town charge.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

Monthly reports of the Building Department, Zoning Board of Appeals, Planning Board, Welfare Officer, Police Department and Town Clerk were submitted to the Board, accepted and ordered filed.

Supervisor Coyle reported receipt of a letter from Theodore Wolanski, complaining about surface water drainage at the corner of his property at Western Highway and Old Route 59. The Clerk was requested to advise Mr. Wolanski that this matter had been investigated upon complaint of Mr. Clyde Robinson, that it was not a Town matter and that an offer had been made to Mr. Robinson to install pipe if he would furnish it but that he had declined.

Mr. Coyle reported he had answered a complaint from Mr. Raymond E. Calhoun of 1 East Brookside Drive, Nanuet, in the Birchwood Homes development, about streets not being taken over by the Town.

The Supervisor read copy of a letter he had written to the New York Central Railroad which stated the Town could offer no tax relief because of the many problems resulting from growth.

Mr. Coyle reported that there were hydrants in Rockland Lake but people are not benefited by fire protection rates. He added that the Underwriters had advised that the hydrants did not conform with their requirements and that he would contact the Water Company on the matter.

Mr. Jeffrey moved the following resolution:

RESOLVED that a certain letter of agreement from NANUET NATION BANK to IRVING TRUST COMPANY covering the securing of deposits of this town as presented to this meeting is in the opinion of this Board for the best interests of this town, and further

RESOLVED that said letter be and the same hereby is in all respects approved and that the SUPERVISOR of this town be and hereby is authorized to execute and deliver on behalf of this town and under its corporate seal or otherwise, in triplicate, an approval of a letter in substantially said form, and further

RESOLVED that the SUPERVISOR of this town to wit:

SUPERVISOR OF THE TOWN OF CLARKSTOWN

now or at any time hereafter in office, and without any other or further authorization, be and hereby is authorized to do any and all things that may be necessary or proper to carry out and perform the terms of said letter and the agreement therein set forth on

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the part of this town.

Dated: July 10th, 1958

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:

RESOLVED that a certain escrow agreement dated June 11th, 1958 from the PEOPLES BANK OF HAVERSTRAW to IRVING TRUST COMPANY covering the securing of deposits of this town as presented to this meeting is in the opinion of this Board for the best interests of this town, and further

RESOLVED that said escrow agreement be and the same hereby is in all respects approved and that the SUPERVISOR of this town be and hereby is authorized to execute and deliver on behalf of this town and under its corporate seal or otherwise, in triplicate, an approval of an escrow agreement in substantially said form, and further

RESOLVED that the SUPERVISOR of this town to wit:

SUPERVISOR OF THE TOWN OF CLARKSTOWN

now or at any time hereafter in office, and without any other or further authorization, be and hereby is authorized to do any and all things that may be necessary or proper to carry out and perform the terms of said escrow agreement therein set forth on the part of this town.

Dated: July 10th, 1958

Seconded by Mr. Danko:

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey moved the following resolution:

WHEREAS, the compensation of the part time employees (secretary) for the Town Attorney is the sum of \$600.00 and

WHEREAS, it has been found desirous and expedient, due to the increased amount of secretarial services to the Town Attorney, to increase the compensation from \$600.00 per annum to \$1500.00 per annum commencing July 1, 1958, it is

RESOLVED, that the compensation fo the employee (secretary) to the Town Attorney be and it hereby is increased to the sum of \$1500.00 per annum commencing July 1, 1958.

Dated: July 10, 1958

Seconded by Mr. Welchman.

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 Supervisor be authorized to transfer the sum of \$450.00 from the Contingent Fund to the Town Attorney's Compensation of Employe Fund.

Seconded by Mr. Jeffrey.

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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, IRVING MAIDMAN commenced a proceeding against HARRY J. FAIR, JR., Assessor of the Town of Clarkstown under the applicable tax provisions for a review of the assessment of certain property shown on the 1957 Assessment Roll as Map 151 Block A Lot 3, and

WHEREAS, the said IRVING MAIDMAN was assessed as of June 1, 1957 for \$58,950.00 for premises shown as Map 151 Block A Lot 3, and

WHEREAS, the Board of Review has considered said petition for review and has agreed that the assessment of IRVING MAIDMAN for premises known as Map 151 Block A Lot 3 be corrected and reduced on said Assessment Roll as of June 1, 1957 from \$58,950.00 to \$40,000.00,

NOW THEREFORE, be it

RESOLVED, that the Town Attorney be and hereby is authorized to enter into a Stipulation discontinuing the proceeding known as: In the Matter of the Application of  
IRVING MAIDMAN,  
Petitioner,

-against-

HARRY J. FAIR, JR., Assessor of the  
Town of Clarkstown,  
Respondent,

concerning to the Entry of a Final Order by Petitioner, correcting and reducing the assessment of IRVING MAIDMAN, Petitioner for premises known as Map 151 Block A Lot 3 as of June 1, 1957 from \$58,950.00 to \$40,000.00 and be it

FURTHER RESOLVED, that any taxes paid by said petitioner levied on said Assessment Roll before reduction, shall be proportionately refunded without interest within three (3) months from the date of Entry of the Final Order.

Dated: July 10, 1958

Seconded by Mr. Jeffrey.

On roll Call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

WHEREAS, SHABRAN REALTY, INC. commenced a proceeding against HARRY J. FAIR, Assessor, and THE BOARD OF REVIEW OF THE TOWN OF CLARKSTOWN, ROCKLAND COUNTY, NEW YORK under the applicable tax provisions for a review of the assessment of certain property shown on the 1957 Assessment Roll as Map 33 Block 1601, and

WHEREAS, the said SHABRAN REALTY, INC. was assessed as of June 1, 1957 for \$98,500.00 for premises shown as Map 33 Block 1601, and

WHEREAS, the Board of Review has considered said petition for review and has agreed that the assessment of SHABRAN REALTY, INC. for premises known as Map 33 Block 1601 be corrected and reduced on said Assessment Roll as of June 1, 1957 from \$98,500.00 to \$91,725.00.

NOW THEREFORE, be it

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RESOLVED, that the Town Attorney be and hereby is authorized to enter into a Stipulation discontinuing the proceeding known as: In the Matter of the Application of SHABRAN REALTY, INC. Petitioner,

-against-

HARRY J. FAIR, Assessor, and THE BOARD OF REVIEW OF THE TOWN OF CLARKSTOWN, ROCKLAND COUNTY, NEW YORK

Respondents,

consenting to the Entry of a Final Order by Petitioner, correcting and reducing the assessment of SHABRAN REALTY, INC. Petitioner, for premises known as Map 33 Block 1601 as of June 1, 1957 from \$98,500.00 to \$91,725.00 and be it

FURTHER RESOLVED, that any taxes paid by said Petitioner levied on said Assessment Roll before reduction, shall be proportionately refunded without interest within three (3) months from the date of Entry of the Final Order.

Dated: July 10, 1958

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Danko advised he had a letter from Mr. Albert Epstein requesting a light on Pole No. 81 on Route 303, Congers. The Clerk was requested to find out if this pole was in a lighting district and report at the next meeting.

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

Signed,

Mildred F. Magai,  
Town Clerk.

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