

Seconded by Mr. Frohling.

All voted yes.

Mr. Danko moved the following resolution:

RESOLVED, that the Hway. Supt. be and he is hereby authorized to purchase one 1962 Ford Station wagon through the N.Y. State Div. of Standards & Purchase, 103 Washington Ave., Albany, N.Y. at a cost not to exceed \$2500.00

Seconded by Mr. Frohling.

All voted yes.

Mr. Northrup requested a meeting re sewers. He suggested that a meeting be arranged with Clarence Noyes and their Sewer Engineer, with our Town Board, to discuss this matter for our own benefit. Everyone on the Board was in accordance.

Mr. Frohling moved the following resolution:

WHEREAS, John W. Walber, Dep. Town Atty. addressed a certain memorandum to the Twon Board on December 22, 1961, subject - Extension of Water Main in Congers Area, now, therefore, be it resolved that a copy of this memorandum, dated Dec. 22, 1961, sent by John W. Walber to Robert Fullem, 158 Massachusetts Avenue, Congers, N.Y.

Seconded by Mr. Northrup.

All voted yes.

On motion made by Mr. Welchman, seconded by Mr. Danko, and unanimously adopted, Town Board Meeting was adjourned at 11:30 P.M.

John J. Welchman
John Clerk

TOWN BOARD MEETING

Town Hall

Jan. 22nd, 1962

8:00 P.M.

Present: Messrs. Frohling, Danko, Welchman, Mundt.
Town Att. Clifford J. Freund

Supervisor Mundt called the meeting to order.

On motion made by Mr. Danko, seconded by Mr. Welchman and unanimously carried, the minutes of the Organizational Meeting on Jan. 4, 1962, the two Public Hearings on Jan. 8th, and the Regular Town Board Meeting on Jan 8, 1962 were approved and accepted.

The Town Board signed order Dissolving Gregory Heights Lighting District.

WHEREAS, a written petition dated September 27, 1961, in due course and containing the required signatures has been presented and filed with the Town Board of the Town of Clarkstown, Rockland County, N.Y. for the dissolution of a lighting district known as "GREGORY HEIGHTS LIGHTING DISTRICT" in the said Town, bounded and described as follows:

BEING all of the premises shown and described on a certain subdivision plan entitled "Gregory Heights, subdivision of property of MAK Development Corporation, Town of Clarkstown Rockland County, New City, N.Y.", dated May 26, 1959, made by Rockland Bergen Surveyors, Edw. Barbour, filed in the office of the Clerk of Rockland County on September 28, 1959, in Book #60 of Maps at page #66 as Map #2706.

and an Order having been duly adopted by the Town Board on November 27, 1961 for the hearing of all persons interested in the matter on the 8th day of January, 1962, at 8:00 P.M. Eastern Standard Time at the meeting room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, N.Y. and a hearing by said Board having been held at such time and place and it having been resolved and determined following such hearing that the petition herein was signed and accepted or proved as required by law and otherwise sufficient, and that it was in the public interest to grant in whole the relief sought, and it having been then and

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there further duly resolved that the dissolution of such district be approved, it is hereby

ORDERED that the GREGORY HEIGHTS LIGHTING DISTRICT of the Town of Clarkstown Rockland County, New York, be dissolved.

Date: January 29, 1962.

TOWN BOARD

s/ PAUL F. MUNDT
SUPERVISOR

s/ Joseph Welchman
Councilman

s/ Philip J. Frohling, Jr.
Councilman

s/ Stephen Danko
Councilman

Mr. Danko moved the following resolution:

RESOLVED, that the application of Elkin Homes, Inc. for a Special Permit pursuant to Section 3.11 and 4.32 (F) of the Building Zone Ordinance of the Town of Clarkstown as amended, on property located on the north side of Congers Road, New City, N.Y. be referred to the Clarkstown Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Building Zone Ordinance.

Seconded by Mr. Frohling.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the application of Benedict A. Caiola for a change of zoning from an R-1 district to an R-2 district, on property located on Pascack Rd. Spring Valley, N.Y. be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance, and also to the Rockland County Planning Board pursuant to Sections 239L and 239M of the General Municipal Law.

Seconded by Mr. Frohling.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that the application of Patricia Ann Homes, Inc. for a change of zoning from an RA-1 district to an R-22 district, on property located on New Hempstead Road and Phillips Hill Rd., New City, N.Y. be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance.

Seconded by Mr. Welchman.

All voted yes.

Re replacement of Dog Enumerator, vacancy still exists as Town Board Members had no suggestions for replacement as yet.

Supervisor Mundt read letter from Allis-Chalmers Mfg. Co. re obtaining sprockets for HD-11G Tractor, Serial #5140 purchased 3/16/60 from Frantz Tractor Co., Inc. Copy of letter was relayed to Francis J. Malone, Dumpmaster.

Mr. Paul Demcio appeared before the Town Board to discuss the Sewer District #8 Budget, with a petition signed by 114 resident home owners in the district which he presented to Mr. Mundt. They questioned the excessive charge made to their district in comparison with other sewer districts.

The Board informed Mr. Demcio that this district will end up with a surplus this year and that accordingly this difference will be made up to them next year. The surplus will automatically be applied to next year's budget. Mr. Mundt informed residents of Sewer District #8 present that we would keep petition if they want to bring it up again.

Fred J. Seeger, Hwy Supt. appeared before Board reporting breakdown of Two-Yard Loader purchased in 1954. He contacted United Trailer & Tractor in New York and they told him it would cost \$5000. to repair. He requested that the Town Board pass a resolution authorizing Highway Department to purchase a new Two-Ton Loader.

After discussion between Mr. Seeger and Town Board re Highway Dept. budget, Supervisor Mundt suggested a meeting to discuss these expenditures. Matter was held to be referred to again in two weeks.

Supervisor Mundt read a letter re Applewood Manor requesting the Board to grant them the other half of their request. Mr. Freund reminded the Board that another public hearing would not have to be held on this matter. Mr. Mundt suggested to Messrs. Welchman and Frohling that they go to the site and see what has been accomplished. Matter was held for the next meeting.

Mr. Mundt read letter from Mr. Seeger stating that all street signs had been properly erected as required in Grandview Acres Subdiv. and the Town Board could return the \$80.00 cash bond to the developer.

Mr. Welchman moved the following resolution:

WHEREAS, the Supt. of Highways has advised the Town Board that all street signs have been erected in the Grandview Acres Subdivision, as required, be it

RESOLVED, that the Supervisor be and he is hereby authorized to return the \$80.00 cash bond to the developer. (Etta Construction Corp.)

Seconded by Mr. Danko

All voted yes.

Mr. Mundt read letter from Supt. of Highways informing Town Board that conditions of cash maintenance bond of John Koop in the amount of \$1,267.50 had been performed, and that he recommended that the cash be returned to Mr. Koop.

Mr. Frohling moved the following resolution:

WHEREAS, the Supt. of Hways, Fred J. Seeger, advises this Board that Henry Street, New City, N.Y. meets with all the specifications of the Town for road requirements and the condition of the maintenance bond has been performed, now, therefore, be it

RESOLVED, that the Supervisor be and he is hereby authorized to return the \$1,267.50 cash bond to Mr. John Koop, Contractor Builder.

Seconded by Mr. Welchman.

All voted yes.

Supt. Mundt read letter re rezoning all of J.H.P. Const. property to R-22. He stated that the Board intends to meet very shortly on the zoning petition and matter will be taken up at that time.

Telegram from Dept. of Public Works, received day after Public Hearing, was held on New City Shopping Center, was read by Supervisor Mundt. He questioned Mr. Arbogast as to the possibility of the road being realigned a little, or if it

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would be impossible because of the houses on either side. Mr. Arbogast replied that he had not checked it out, but that it is so well set by now that they would not be able to change it. Mr. Mundt suggested that they get together with maps to discuss.

A group of residents from the Forest Acres Subdiv. appeared before the Town Board re the dedication of Lynn & Joan Drives. They were advised by Clifford J. Freund, Town Atty., that an \$11,400.00 lien existed on these two roads and the Township cannot accept them until the lien is cleared. He also suggested that they contact Cyber & Schuck, Inc. to see if some arrangement could be made with them re this lien.

Mr. Frohling stated that after consultation with Anchor Motor Freight Corp. they have come to a solution in leasing a portion of our Town Dump at West Nyack on Route 303. He said that this could be a very lucrative proposition for the township. He mentioned that an agreement had been arrived at on an annual lease of \$3600.00 per year and that the Town Board has agreed on the amount. There are some other items which must be straightened out, like the contract and other legal items. He also stated that this is only a portion of the Town Dump which involves about one acre, which up to now has not been used by the Town and that this can be a 100% profit as far as the Town is concerned. Mr. Frohling suggested that a resolution be made giving the Town Attorney the power to enter into a contract with the above-mentioned corporation and draw up a contract, and authorize the Supervisor to sign same.

Mr. Freund requested a description of exactly what we are going to lease. Mr. Frohling suggested that they get together with the Town Engineer and have him designate the area with a map of area involved.

Mr. Frohling moved the following resolution:

RESOLVED, that the Town Attorney prepare an Agreement of Lease with Anchor Motor Freight Corp. covering a portion of the Town Dump, and be it further

RESOLVED, that the Supervisor be authorized to execute the lease on behalf of the Town, when prepared.

Seconded by Mr. Welchman.

All voted yes.

Mr. Danko moved the following resolution:

RESOLVED, that upon recommendation of the Hwy Supt. and the Town Engineer, deed from Adolphe Saloun & Yvonne Saloun, Helen Gilchrist, Frank W. Foley & Jane V. Foley, Edward J. Fitzgerald & Joan P. Fitzgerald to the Town of Clarkstown conveying 200' Third Street, 120' Harrison Avenue, Congers, N.Y. be accepted, and be it

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

Seconded by Mr. Welchman.

All voted yes.

The Town Board signed Maintenance Bond of Frank W. Foley for Third St. & Harrison Ave. as to form and sufficiency.

Mr. Frohling moved the following resolution:

WHEREAS, Art. 4, Sec. 64, P. 13 provides for assisting in defraying the rental or maintenance of meeting places for Veterans, now therefore, be it

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RESOLVED, that the Supervisor be authorized to transfer from Current Surplus General to Veterans Organization for rooms account, the amount of \$180.00 for rent for the Lt. Walter Lipman Post #756 Jewish War Veterans.

Seconded by Mr. Welchman

All voted yes.

Mr. Frohling moved the following resolution:

WHEREAS, the Supt. of Highways has stated that he listed the salary of Ronald K. Zovistoski (Motor Equip. Op.) effective 1/1/62 at \$2.55 per hour and it should have been at \$2.60 per hr., now therefore be it

RESOLVED, that effective January 16, 1962, the salary of Ronald K. Zovistoski be and is hereby set at \$2.60 per hour.

Seconded by Mr. Danko.

All voted yes.

A letter from Mrs. Miller, Pres. of the Hillcrest P.T.A. was read by Mr. Mundt concerning the sidewalk along W. Clarkstown Rd. from New Hempstead Rd. to Harriet La. In the discussion that followed, it was brought out that it was a budget problem, that \$20,000 a year was allowed for sidewalks. Mrs. Palen, one of the representative of the P.T.A. was asked by Mr. Mundt to contact his office this week and that Mr. Arbogast and he would arrange an appointment and set up a priority for that section because it is so long. There was a question of only being able to do half at this time. It was also suggested that they work on obtaining easements from home owners.

Mr. Northrup joined Town Board Meeting at 9:30 P.M.

Mr. Welchman moved the following resolution:

RESOLVED, that the amount of \$500.00 be transferred from Surplus*General to account of the Justices of the Peace for part-time help.

Seconded by Mr. Frohling.

All voted yes.

Mr. Mundt read letter from N.Y.S. Traffic Commission re erection of Stop & Yield Signs at the Thruway Ramps and at Snake Hill Road where they enter Rt. 303.

Trial Balance for year ending 12/31/61 was presented, for filing in Town Clerk's Office.

A letter from Eric Sundberg, Pres. of the New City Civic Assn. was read inviting Town Board to attend their meeting to be held Jan. 31, 1962 at 8:30 P.M. in the County Office Bldg.

Mr. Mundt read letter from a Mr. Stein complaining about dam built by a Mr. Brown across stream which is affecting drainage and septic tank system. Letter was referred to Clifford J. Freund, Town Attorney.

Mr. Northrup proposed that the Town Board adopt an ordinance to put the obligation of maintaining an undedicated road on the developers if a certificate or occupancy has been issued to said builders, and if they do not do so, the Town would maintain it properly including proper drainage, repair and snow removal and charge such maintenance to developer. The developer would be given a 12-hour notice. He also requested that such ordinance include, as an alternative the posting of a cash bond before final approval by Planning Board to cover such maintenance.

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His suggested ordinance was turned over to Mr. Freund, Town Attorney, for his study and opinion.

Discussion was had by the Town Board, Mr. Martin Bernstein, et al re appointment of Recreation Director. Point brought out by Messrs. Welchman and Northrup that since there is no concrete program presented to the Board, they deem it unnecessary at this time to appoint Recreation Director.

Mr. Frohling read a letter accompanied by a petition containing 97 signatures re a traffic hazard at the intersection of Route 59 and Exit 14 of the N.Y.S. Thruway. He suggested that the Town Board adopt a resolution empowering the Supervisor to contact the NYS Thruway and County Engineer to see if they can suggest anything to relieve the situation.

Mr. Frohling moved the following resolution:

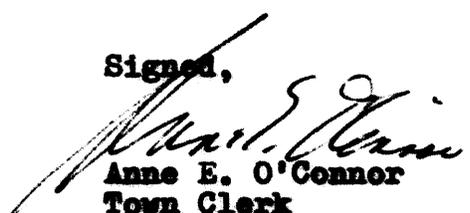
RESOLVED, that the Supervisor be authorized to contact NY State Thruway re hazardous condition existing on Route 59 and Exit 14 of Thruway.

Seconded by Mr. Northrup.

All voted yes.

On resolution by Mr. Welchman, seconded by Mr. Danko, and unanimously adopted, Town Board Meeting was adjourned.

Signed,


Anne E. O'Connor
Town Clerk

SPECIAL TOWN BOARD MEETING

Town Hall

Jan. 29, 1962

8:00 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.
Town Atty. Clifford J. Freund.

Mr. Mundt called meeting to order at 8:00 P.M.

Mr. Frohling moved the following resolution:

Whereas, at a regular meeting of the Town Board of the Town of Clarkstown held on Jan. 22, 1962, the Town Board, at the request of the Supt. of Highways passed the following resolution:

"RESOLVED, that the Town Supt. of Hways be authorized to remove the hazardous conditions existing on Laurel Rd. in New City N.Y."

while the Town Attorney was temporarily absent from the meeting room, and

WHEREAS, the Town Atty. advised the Town Board that in his opinion the said stones were on the Town's right of way and therefore did not require a resolution, and

WHEREAS, the Town Attorney advised the Town Board that such a resolution would indicate in effect that the Town recognized the ownership of that portion of its right of way of a private owner and may bring an action against the Town, and

WHEREAS, the Town Attorney recommended that the above resolution be rescinded, now therefore be it

RESOLVED, that the above motion be rescinded.

Seconded by Mr. Welchman

All voted yes.