

## TOWN BOARD MEETING

12/10/62

Town Hall

8:00 P.M.

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

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

Minutes of two (2) public hearings and regular Town Board Meeting held on 11/8/62; and minutes of regular Town Board Meeting held on November 26<sup>th</sup>, 1962 were accepted by Board as submitted.

Mr. Welchman moved the following resolution:

RESOLVED, that Town Board Meeting scheduled for Dec. 24<sup>th</sup>, 1962, be re-scheduled for Thursday, Dec. 27<sup>th</sup>, 1962; same to be Annual Town Board Meeting.

Seconded by Mr. Northrup.

All voted yes.

Mr. John Mitchell, representing Dr. Alan Molof of the Citizens' Sewer Advisory Committee, read letter from Dr. Molof suggesting in part that Town Board, pursuant to resolution adopted 4/23/62 be permitted to go ahead with Town Sewer Program.

Mr. Welchman moved the following resolution:

RESOLVED, that pursuant to resolution adopted by the Town Board on 4/23/62, re Town Sewage Treatment and Disposal Facilities, that the Town of Clarkstown be permitted to proceed with Town Sewer Program.

Seconded by Mr. Frohling.

All voted yes.

Meeting will be arranged for 7:30 P.M. - 12/27/62 with John Larkin at which time he and Edward Palmenberg, Town Engineer, will have analysis on laterals for Town Sewers.

Mrs. Lazarus read statement from League of Women Voters urging Board to proceed with sewer planning without delay. Mr. Tomicki urged Town Board to see about putting in laterals for future building and stressed coordination in placing pipes as to location and size.

Mr. Frohling moved the following resolution:

WHEREAS, MITCHELL MILLER has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by re-districting property of the said petitioner described, from R-2 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 Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, N.Y. in the said Town of Clarkstown on the 14<sup>th</sup> day of January, 1963, at 8:15 P.M., E.S.T. 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 in the Journal-News a paper of general circulation in the Town of Clarkstown, as aforesaid and file proof thereof in the office of the said Clerk.

Seconded by Mr. Danko.

All voted yes.

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Mr. Welchman moved the following resolution:

WHEREAS, JULIUS G. MILLER and DOROTHY & JEROME ORANS 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 petitioner described, from RA-1 district to a R-22 district;

BE IT RESOLVED, that a Public Hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, N.Y. in the said Town of Clarkstown, on the 14th day of January, 1963, at 8:30 P.M. E.S.T. 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 in the Journal-News a paper of general circulation in the Town of Clarkstown, as aforesaid and file proof thereof in the office of the said clerk.

Seconded by Mr. Frohling

All voted yes.

Mr. Danko moved the following resolution:

RESOLVED, that the application of BENJAMIN CASTRO for a change of zoning from R-0 to C-2 for property located on the west side of Route 304 at Bardonia 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 to the Rockland County Planning Board pursuant to Sections 239L and 239M of the General Municipal Law.

Seconded by Mr. Welchman.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that Town Clerk be authorized to sign hydrant order and sketch for nine (9) hydrants in Valley Cottage.

Seconded by Mr. Danko.

All voted yes.

Letter read from Clarkstown Planning Board re Park Lands. Mr. Fisher of Recreation Comm. appeared requesting legal opinion of Board on suggestion that Planning Board make it a condition that a subdivision must set aside park lands. Mr. Mundt commented that Board should cooperate with County Planning Board and Town Planning Board in finding sites for this purpose.

Mr. Frohling moved the following resolution:

RESOLVED, that Town accept desirable parcels of land for recreation purposes, providing that they are offered to Town without charge.

Seconded by Mr. Northrup.

All voted yes.

Mr. Clifford Rickli appeared re Basswood Court, Bardonia. Supervisor will set up meeting in his office with principals, bonding company and Town Attorney to resolve matter.

Mr. Larry Elkind will be notified again re declaring his bond in default if he does not take action on finishing roads for dedication to Town (Tyler Place, Kruz Dr., etc.)

Deputy Town Attorney Mr. Walber left meeting room.

Mr. Northrup moved the following resolution:

RESOLVED, that deed from Abraham Meltzer to the Town of Clarkstown conveying 357.77 l.f. of Sunrise Avenue in Rural Homes, Inc. subdivision be accepted, and be it

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

Seconded by Mr. Frohling.

All voted yes.

Mr. Walber rejoined the meeting.

Mr. Rabin appeared before Board re changing name of Park Lane. Presented petition to Board requesting that name not be changed to Freedman. Matter of width of streets came up during discussion with Mr. Karp and Mr. Wolf. Mr. Danko suggested that a joint meeting with Town Board, Planning Board and Town Engineer be set up to discuss width of streets. Mr. Rabin was also informed that no request in petition form was made to change name of Park Lane to Freedman Street, so no action could be taken at this time.

Re acceptance of Jerry's Avenue, Town Attorney stated that there were no deeds; Highway Supt. stated that he had not received papers as yet. Matter was tabled for 27th. Bills presented in connection with this matter are being checked out by Engineer, but will be held.

Mr. Northrup moved the following resolution:

RESOLVED, that Frank Foley, Assessor's Asst. be authorized to attend Assessors' Conference to be held on Jan. 14, 15, 16, 1963, and be it

FURTHER RESOLVED, that all expenses incurred be made a Town charge.

Seconded by Mr. Danko.

All voted yes.

Re returning cash bond in the amount of \$5,700 to Mr. Franz Lang for Verdin Dr. Steps, it was determined that it was not to be returned until Engineer checks out complaint about steps made by Messrs. Sewell and Greenbaum.

Re letter from Engineer suggesting procedure to be followed at filing final subdivision maps, Mr. Mundt suggested that Town Attorney and Town Engineer get together to work out such procedure.

Re return of \$2,000 check from Binyan Builders, Highway Supt. stated that he recommends holding until all work is done. Since it is too late for work to be done this year, matter will be tabled till Spring.

Matter of drainage easement approval - Read Ave., Nanuet; tabled until we get both.

Town Board signed order setting date of Public Hearing for Extension of New City-West Nyack Water Supply District to include Pineview Estates, Bardonia - 1/14/62 - 8:45 P.M.

IN THE MATTER OF Petition for an Extension of the New City-West Nyack Water Supply District to include Pineview Estates, Bardonia, in the Town of Clarkstown, Rockland County, New York

WHEREAS, a written petition, dated Oct. 10, 1962, 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 in the said Town, to be bounded and described as follows:

All that certain lot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being at Bardonia, Town of Clarkstown, County of Rockland and State of New York, more particularly bounded and described as follows:

BEGINNING at a point in the westerly line of Route 304 as the same presently exists, which point of beginning in the southeast corner of the premises herein described and the northeast corner of the premises herein described now or formerly of RITA LOUISE SPORTSWEAR, INC., and running thence (1) North 24°16'10" east along said westerly side of Route 304, a distance of 299.89 feet; thence (2) north 75°22'30" west, a distance of 93.72 feet; thence (3) north 84°48'10" west, a distance of 255.00 feet; thence (4) north 5°11'50" east, a distance of 180.00 feet; thence (5) north 84°48'10" west, a distance of 1502.87 feet; thence (6) north 85°37'39" west a distance of 175.25 feet; thence (7) north 85°25'20" west, a distance of 276.71 feet; thence (8) south 2°20'40" east. a distance of 432.69 feet; thence (9) south 71°13' east, a distance of 280.70 feet; thence (10) south 3°02'20" west a distance of 202.75 feet; thence (11) south 81°46'40" east, a distance of 57.20 feet; thence (12) south 86°09'50" east a distance of 726.39 feet; thence (13) north 10°01'50" east, a distance of 388.46 feet; thence (14) south 86°20' east, a distance of 100.00 feet; thence (15) south 72°24' east, a distance of 371.00 feet; thence (16) south 75°10' east, a distance of 597.48 feet; to a point in the westerly side of Route 304 as the same presently exists, which is the point or place of beginning.

EXCEPTING FROM SAID EXTENSION, a strip of land 500 feet in width which is already included in the existing New City-West Nyack Water Supply District, said 500 ft. strip being parallel and adjacent to the westerly line of Route 304 as it presently exists.

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Board Room of the Town Hall of the Town of Clarkstown at 10 Maple Ave., New City, Rockland County, New York, in said Town of Clarkstown, on the 14th day of January, 1963, at 8:45 P.M., EST, to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Re appt. of Maintenance Man for Sewer District #6, (Rockland Estates) Edward Palmenberg stated that Mr. Broadman will maintain until 1/1/63. He recommended Harry Crowe at salary to be determined. Matter tabled till 12/27/62, when engineer will have written statement.

Re High Tor Realty, Congers Bldg. Permit under Sec. 280-A. Edward Palmenberg was asked to make definite determination on this matter before end of year - tabled for 12/27/62.

Mr. Welchman moved the following resolution:

RESOLVED, that the application of RALPH A. LOMBARDI for a change of zoning from RA-1 to R-1 on property located on the west side of Old Haverstraw Road, Congers, N.Y. be referred to the Planning Board pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance.

Seconded by Mr. Frohling.

All voted yes.

Mr. Welchman moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown deems it necessary to amend the Bingo Ordinance of the Town of Clarkstown by making the same comply with Sec. 479 of the General Municipal Law of the State of New York as amended by the Laws of 1962.

BE IT RESOLVED, that a Public Hearing be held at the Board Room in the Town Hall at 10 Maple Avenue, New City, N.Y., on the 14th day of January, 1963, at 9:00 P.M. EST, 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. Frohling.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that upon the recommendation of the Highway Supt. and the Town Engineer, deeds from Binyan Builders, Inc. to the Town of Clarkstown conveying 779.4 l.f. of Zabella Drive, 903.8 l.f. Bender Road, 941.0 l.f. Keltz Drive and 983.3 l.f. Forbes Road in Wood Knolls Subdivision be accepted, and be it

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

Seconded by Mr. Danko.

All voted yes.

Mr. Danko moved the following resolution:

RESOLVED, that upon the recommendation of the Highway Supt. and the Town Engineer, deed from Grove City, Inc. to the Town of Clarkstown conveying 769.3 l.f. of Belwood Drive and 740.3 l.f. of Quaker Road in Grove Estates Subdivision be accepted, and be it

FURTHER RESOLVED, 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.

Mr. Frohling moved the following resolution:

RESOLVED, that upon recommendation of the Hway Supt. and the Town Engineer deed from Green Valley Manor, Inc. to the Town of Clarkstown conveying 765.5 l.f. of Waters Edge, 759.0 l.f. Knollwood Court, and 839.6 l.f. of Russet Road be accepted, and be it

FURTHER RESOLVED, 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.

Mr. Danko moved the following resolution:

RESOLVED, that upon recommendation of the Highway Supt. and the Town Engineer deed from Barnhart Realty Corp. to the Town of Clarkstown conveying 830 l.f. of Pineview Avenue in Pineview Estates Subdivision be accepted, and be it

FURTHER RESOLVED, 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 following maintenance bonds were signed by the Board, approving them as to form and sufficiency:

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Cont. Cas. Co. #2218793  
 Binyan Bldrs., Inc. (Wood Knolls)  
 \$3,300 - 1 yr - 12/10/62-12/10/63

Cont. Cas. Bond #2218989  
 Grove City, Inc. (Grove Est. Subdiv.)  
 \$5,170 - 1 yr. 12/10/62-12/10/63

Cont. Cas. Bond  
 Green Valley Manor, Inc. (Applewood Manor)  
 \$7,000 - 1 yr. - 12/10/62-12/10/63

Aetna Cas. & Surety Bond #74 S 124BC  
 Fineview Estates Subdiv.  
 \$2,000. - 1 yr. 12/10/62-12/10/63

Mr. Danko moved the following resolution:

RESOLVED, that upon the recommendation of the Town Engineer and the Highway Supt., easement from Aldo Homes, Inc. be accepted, and be it

FURTHER RESOLVED, that said easement be recorded in the County Clerk's Office.

Seconded by Mr. Frohling.

All voted yes.

Mr. Frohling moved the following resolution:

WHEREAS, the Supervisor was empowered by resolution to appoint a committee to study the need for a Fire Prevention Code, and

WHEREAS, this committee shall proceed at once to draft a suitable code, now therefore be it

RESOLVED, that a secretary be assigned to Fire Prevention Code Committee at an hourly rate of \$1.75 per hour.

Seconded by Mr. Danko

All voted yes.

Mr. Frohling moved the following resolution:

WHEREAS, area at Smith St. and Route 304 has been the scene of numerous traffic accidents due to congested Korvette traffic, be it

RESOLVED, that the N.Y. State Traffic Comm. be requested to change the traffic signal at this intersection to a delayed-type signal on one side, same as the signal on four-corners.

Seconded by Mr. Welchman.

All voted yes.

Mr. Danko moved the following resolution:

WHEREAS, the Town of Clarkstown within the near future should adopt a Code of Ethics for all Town Officials, and Town Employees, and a Board of Ethics who will administer the Code,

BE IT RESOLVED THEREFORE, that the Town Attorney render an opinion to the Town Board on the legality of such a Code and Board of Ethics, and be it

FURTHER RESOLVED, thzt if the Town does not have authority to adopt such a code and Board of Ethics, that the Town Attorney draft the necessary legislation and submit same to State Senator Dominick and Assemblyman Nowicki for presentation to the 1963 Session of the State Legislature.

Seconded by Mr. Welchman.

All voted yes.

Mr. Northrup moved the following resolution:

WHEREAS, proper administration of the Government of the Town of Clarkstown requires that Town Officials be independent and impartial, that Public Office shall not be used for personal gain, and that the public have confidence in its Town government, and

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WHEREAS, whenever there is an actual or potential conflict between the private interests of a Town official and his duties as such official, the proper administration of the Town is impaired,

BE IT RESOLVED THEREFORE, that the following serve as a guide until a formal Code of Ethics is adopted by the Town or the County

'No public official or employee of the Town of Clarkstown shall engage in any business transaction, professional activity, or shall have a financial or other private interest direct or indirect, which is in conflict with the proper discharge of his official duties, nor shall accept any other employment or engage in any business transaction or make any investment which shall impair his independence of judgment in the exercise of his official duties.

Seconded by Mr. Frohling.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the Supervisor be authorized to pay from General Current Surplus the amount of \$59,132.04 to the County Treasurer, for the purpose of reducing Clarkstown's share of the State and County Tax rate.

Seconded by Mr. Northrup.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that Charles A. Lankau, 17 Rockland Avenue, Nanuet, N.Y. be appointed to the Clarkstown Recreation Commission, effective on 12/15/62.

Seconded by Mr. Danko/

All voted yes.

Supervisor read letter from State Department of Audit & Control re School Crossing Guard at Prospect St. crossing. School Dist. may not pay the salary of School Crossing Guard apptd. by Town Board. Mr. Frohling suggested that as a stop-gap measure, Board will place patrolman at Prospect Street.

Mr. Frohling moved the following resolution:

RESOLVED, that Charles Lynch of the Clarkstown Police Department be granted permission to transfer to the Ramapo Police Department.

Seconded by Mr. Welchman.

All voted yes.

Letter read from Nelson Hall re revision of Tax Maps. He stated that he was sorry that he could not complete project in time planned, and suggested that it be turned over to Town Engineer. Board instructed Town Clerk to write Mr. Hall extending their thanks for his cooperation.

Mr. Danko moved the following resolution:

RESOLVED, that the Highway Superintendent be authorized to place street signs on Grant, Rockland, Conger and Harrison Avenues, Congers, N.Y.

Seconded by Mr. Welchman.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that upon recommendation of the Hway Supt. and Town Engineer, easement from John A. Gentillo, New City, N.Y. be accepted by Town, and be it

FURTHER RESOLVED, that the Town Clerk record the deed in the Office of the County Clerk.

Seconded by Mr. Frohling.

All voted yes.

BBG973

Mr. Northrup moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 17th day of September, 1962, provided for a public hearing on the 8th day of October, 1962, at 8:15 P.M. EDS Time, to consider the application of JAMES MANOR, INC. to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an RA-1 district to a R-22 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 application be denied.

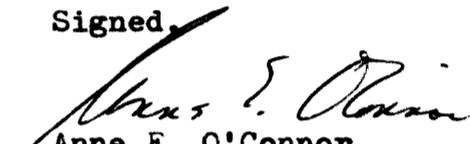
Seconded by Mr. Danko.

All voted yes.

Monthly reports for month of November, 1962, received from Dog Warden, Welfare Officer, Town Dump/ Noted by Town Board and filed in the Town Clerk's office.

On resolution by Mr. Frohling, seconded by Mr. Welchman and unanimously adopted, Town Board meeting was adjourned.

Signed,



Anne E. O'Connor  
Town Clerk