

PH - 1/28/63

EXHIBIT "A" COPY OF NOTICE OF HEARING

EXHIBIT "B" PETITION AND SURVEY

EXHIBIT "C" CERTIFICATION OF ASSESSOR

EXHIBIT "D" NOTICE OF POSTING

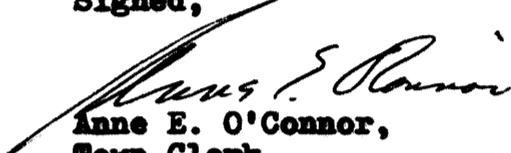
Paul J. Levine, Esq., appeared on behalf of the Petitioners, and outlined the proposed annexation. The Petitioner being LORETTA MILEWSKI.

Supervisor Mundt stated that all objections must be made in writing. Objection filed - none.

Supervisor Mundt asked if anyone was present who favored the petition besides the petitioner. No one appeared.

On motion of Mr. Northrup, seconded by Mr. Frohling and unanimously carried, the hearing was closed.

Signed,



Anne E. O'Connor,  
Town Clerk

BBJ988

## PUBLIC HEARING

Town Hall

1/28/63

8:15 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

Town Atty Clifford J. Freund

Dep. Town Atty. John Walber

Town Clerk Anne E. O'Connor

RE ZONE CHANGE APPLICATION - MICHAEL J. &amp; DOROTHY M. HIGGINS

(R-1 to C-1 - PROP. LOCATED WEST SIDE SO. MAIN ST., NEW CITY.

Supervisor Mundt called Public Hearing to order at 8:15 P.M.

Town Clerk read Notice of Public Hearing.

E. Alfred Festa appeared as attorney for petitioner and explained petition to Board. He testified as follows:

Property now zoned C-1 200' x 200'. Remaining piece of prop. is an R-1 zone. 13½' will be dedicated to Town. Intend to use this property for funeral home on the corner of So. Main St. and Collyer Ave. Will voluntarily agree to place the bldg. 25' back to the designated street line, and 15' back on Collyer Ave., which would cause removal of trees on corner. 13,000 square feet will have to be taken off this property to do this. Bldg. will be four-column colonial type structure. Will provide off-street parking; St. Paul's Lutheran Church to use same parking lot.

Dr. Donald G. Dickson appeared as witness for petition, was sworn in by Mr. Mundt, and testified as follows:

Appearing on behalf of St. Paul's Lutheran church. Represents 450 members of the church. Anxious about commercial establishment. Pleased that this type of building will be put up. Endorses request for change of zone for three reasons:

1. Would allow Mr. Higgins to set his building back somewhat farther from Main St., and allow better view on to Rte. 304.
2. Off-street parking made available.
3. Offered use of parking area to St. Paul's Lutheran Church.

Mr. Mundt asked if there were any other witnesses. None

Mr. Festa was asked if petitioner would be willing to sign restrictive covenant. In reply Mr. Festa stated that Mr. Higgins intends, in the future, to put garages and storage rooms in the rear. Needs area to expand his own needs as he goes along, so he does not think he could give restrictive covenants.

Will client deed right-of-way? Ans: Client will leave 13½' on Collyer, and 12½' on So. Main for dedication. Present setback 20-25'

Client has no objections setting new structure back 25'.

Entrance will be on So. Main. Screening - will place plants, shrubs, etc.

Anyone in favor? No one appeared.

Anyone against? The following appeared:

Mr. Frederick Roland, 19 Collyer Ave., New City:

If used for parking, would have to be ingress and egress to be of any value to Church. Collyer Ave. residential street, and as such ingress and egress will be within 50' from residential property.

Re screening - required by law. Re set-back - Taking is going to be done all along Collyer. More requests may be made. He stated that there is adequate C-1 here for purpose of funeral parlor. Presented Notice of protest under Sec. 265 of Town Law.

The following also appeared as being against:

Mr. Warren Donahue, Elinor Pl., New City: Submitted 92 names versus change.

Mr. James Kane, Elinor Pl., New City

Mr. Harold Darling, # Esquire Road, New City: Prop. abuts, houses  
M have balconies. Screening would not be adequate.

In rebuttal Mr. Festa stated the following:

1. Ingress and Egress: Classified as D street and as such there is no restriction. Collyer Ave. can be used for ingress and egress.
2. Board could control "snow-balling".
3. Only abutted two sides with R-1. Commercial property abutting on residential zone must comply with side-yard requirements.

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4. Intend to help area in placing building back and clearing corner.

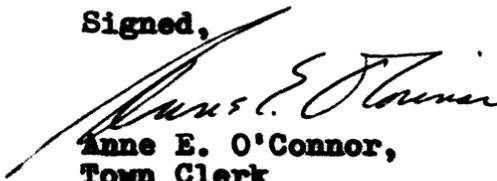
Letter read from Leander Higgins - no objection.

Rockland County Planning Board recommendation: Approval depending on plans and requirements of County Hwy. Dept. to ensure that any future improvement of Collyer will not be interfered with.

Clarkstown Planning Board: Concurred with County Plan. Bd.

On resolution by Mr. Danko, seconded by Mr. Welchman and unanimously adopted, public hearing was adjourned.

Signed,

  
Anne E. O'Connor,  
Town Clerk

PUBLIC HEARING

Town Hall

1/28/63

8:30 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt

Town Atty. Clifford J. Freund,

Dep. Town Atty. John Walber

Town Clerk Anne E. O'Connor

RE: ZONE CHANGE APPLIC. - RALPH A. LOMBARDI (RA-1 to R-1)

PROP. LOCATED ON W/SIDE OF OLD MAVERSTRAW RD., CONGERS.

Supervisor Mundt called Public Hearing to order at 8:30 P.M.

Town Clerk read Notice of Public Hearing.

Everett J. Johns appeared as attorney for petitioner and stated the following:

Prop. 22 acre parcel situated on w/side of Old Hav. Rd., intersection of Old Lake Rd. and Old Hav. Rd., approx. 450' north of Lawrence St.; frontage 200' now zoned R-1.

Frontage 844' on Old Hav. Rd. and runs for depth of 1085'. 22 acres involved. Premises is portion which is RA-1 - one acre - property divided into two zoning district.

Presented zoning maps to Board. Petitioner proposed to build approximately 45 homes on parcel. Area as it presently exists; approx. 9 lots under R-15 requirements; and under R-1 17 lots, or a total of 26. Petitioner proposed 45 to built over two-year period. Contiguous property, to depth of 250' is R-1. Balance Ra-1.

Mr. Lombardi, Main St., New City was sworn in by Mr. Mundt and stated thefollowing.

Resident for 33 years. Building Contractor. Developed entire part - Jerry's Ave.; Developed area behind Peoples Bank on Twin Elms La. 48 Homes - Selah Acres, his development. Proposed \$23 to \$25,000 homes,

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lot sizes 18,000' or more. Will supply restrictive covenants in 2-year period of development - no more than 45 homes on parcel.

To the south are summer homes, swimming pool. To the north, small homes, lot sizes comparable to ones petitioner seeks.

No further questions from Board. There were no further witnesses.

Anyone in favor? No one appeared.

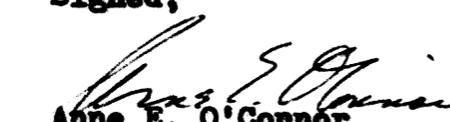
Anyone opposed? No one appeared.

Rockland County Planning Board - approved said request.

Clarkstown Planning Board - same.

On resolution by Mr. Danko, seconded by Mr. Frohling and unanimously adopted, public hearing was adjourned.

Signed,

  
Anne E. O'Connor  
Town Clerk

PUBLIC HEARING

Town Hall

1/28/63

9:00 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

Town Attorney Clifford J. Freund

Dep. Town Atty. John Walber

Town Clerk Anne E. O'Connor

RE: ZONE CHANGE APPLICATION - DAVIES FARM, INC. & DAVIES LAKE HOTEL, INC. (LS, RL & RA-1(X) to C-2.)

Supervisor Mundt called Public Hearing to order. Town Clerk read notice of public hearing.

Edward G. Roepe appeared as attorney for petitioner.

Property concerned, about 18.5 acres in area, is located on westerly side of Middletown Rd., north of New Valley Rd. in New City. With exception of approx. an acre at intersection of New Valley and No Middletown Rds., which is zoned LS, frontage on both North Middletown Rd. and New Valley Rd. is zoned R-1 to depth of 200 feet; the remainder and larger portion, is zoned RA-1(X). Petitioner seeks the rezoning of the entire property to C-2.

Property bounded on north by Cropsey property, which is undeveloped but is zoned RA-1(X), R-1 and R-2; on west is RA-1(X) land; and on south is New Valley Rd., which, except for southwest corner and Davies Lake frontage (both commercially developed) is in R-1 zoning and generally developed.

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Mr. Roepe stated the following:

Davies Farms, Inc., one of petitioners, is owner of this prop. 11 acres have been devoted to R-1. Lake used to Labor Day. Summer enterprise. Hotel and tavern there which is adjunct to summer business. Prop. used since 1936 for same purpose.

He read the following list of things not intended:

1. Bowling Alley, commercial recreation establishment.
2. Theatre - drive-in theatre
3. Correction and penal institution.
4. Radio and television transmission towers.
5. Automotive and repair machine shops, including filling stations.
6. Animal hospital.

Mr. Roepe presented petition with 80 signatures in favor of this zone change application.

Mr. Adolph Millich, 25 New Valley Rd., New City was sworn in and testified as follows:

President of Davies Farm, Inc. Officer of Davies Lake Hotel, Inc. Survey map prepared by Harbour & Jost fair representation. Located on property at present are office bldg., service garage, bath house, dance platform, refreshment stand and pavillion. Geographic location of lake - center of 18 acre site.

No further witnesses - no further questions from Board.

Anyone in favor? No one appeared.

Anyone against? Mr. Michael Reeder appeared and presented petition signed by 425 persons objections on proposed zone change. He cited the following objections on their behalf:

1. Present non-conforming use is just that. It has been there for long time and this is only reason it is there now.
2. The use, as it is today, is not the use as it was at the time of enactment of zoning ordinance in 1955. Use has been enlarged and extended. Town officials would probably find it now in violation.
3. Creation of traffic hazard.
4. Noise - loud speaker, public address system all hours of day and night during summer period.
5. Health - pollution of water.
6. Character of entire neighborhood completely residential surrounding this property.
7. School children - hazard. Parking and traffic.
8. Change will benefit no one. Petition is there now under non-conforming use. Does not need change of zone.

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The following witnesses also appeared as being against:

Mrs. Kaslin, 54 New Valley Rd.  
 Mr. Kenneth Olsen, 47 New Valley Rd.  
 Mrs. Wasser, 28 Deerwood Dr.,  
 Mrs. Janet Diefried, 10 Kings Highway  
 Mr. David Wasser, 28 Deerwood Dr.  
 Mr. J. M. Brain 12 Omley Pl., New City  
 Mr. B. Hgeman, 40 William St.  
 Mr. James Cropsy, 230 Little Tow Rd. New Ctiy

In rebuttal, Mr. Roepe stated the following;

1. Health Hazard - Operation of bathing beach strictly supervised by Rockland County Board of Health.
2. Residential Area - Righ acrss street is gas station and several stores. In 1955 it was concensus that this was a proper area for these establishments.
3. Biolations about screening, - Town has ample means of seeing they do not continue.
4. Traffic - Will still be there because businesses will stlll be there.
5. Character of neighborhood - DaviessLake there when they bought houses.
6. Safety - If unsafe in 1936 and 1955, would still be unsafe.
7. Private rights - 11 peopbe involved. If rights are being invadedk can obtain relief in court of law.
8. Property for which zone change is sought is not up for sale.

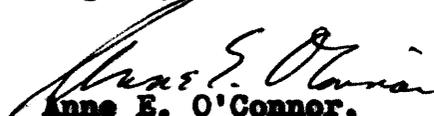
Letter from Chestnut Grove P.T.A. read. They stated detrimental to children.

Rockland County Hanning Board report - Deny.

Clarkstown Planning Board Report -Deny.

On resolution by Mr. Danko, seconded by Mr. Welchman and unanimously adopted, public hearing was adjourned.

Signed,

  
 Anne E. O'Connor,  
 Town Clerk

## TOWN BOARD MEETING

Town Hall

1/28/63

8:00 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

Town Atty. Clifford J. Freund

Depty. Town Attorney John Walber

Town Clerk Anne E. O'Connor

Supervisor Mundy called Town Board Mtg. to order at 8:00 P.M.

On resolution presented by Mr. Northrup, seconded by Mr. Frohling and unanimously adopted, minutes of four (4) public hearings and regular Town Board Meeting held on January 14<sup>th</sup>, 1963 were approved as submitted.

Mr. Welchman moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 17<sup>th</sup> day of September, 1962, provided for a public hearing on the 8<sup>th</sup> day of October, 1962, at 8:45 P.M., EDST, to consider the application of Agnes McKeever to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an RA-1(X) district to a 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 application be denied.

Seconded by Mr. Northrup.

All voted yes.

Mr. Frohling moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 10<sup>th</sup> day of December, 1962, provided for a public hearing on the 14<sup>th</sup> day of January, 1963, at 8:30 P.M., EST, to consider the application of Julius Miller and Dorothy and Jerome Orans 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;

THEREFORE, be it

RESOLVED, that the application be denied.

Seconded by Mr. Northrup.

All voted yes.

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Mr. Danko moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 10th day of December, 1962, provided for a public hearing on the 14th day of January, 1963, at 8:15 P.M., EST, to consider the application of Mitchell Miller to amend the Bldg. Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an R-2 district to a C-1 district;

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. Northrup.

All voted yes.

Mr. Danko moved the following resolution:

RESOLVED, that the application of Howard Chase and Rudy Lipkind for a Special Permit pursuant to Section 3.11 and 4.32 (F) of the Bldg. Zone Ordinance of the Town of Clarkstown as amended, on property located on the west side of Kings Hwy, Valley Cottage, 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 Bldg. Zone Ordinance.

Seconded by Mr. Frohling.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that the application of Howard Chase and Rudy Lipking, for a change of zoning from a RA-1 district to a R-22 district, on property located on west side of Kings Highway, Valley Cottage, 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. Danko.

All voted yes.

Mr. Northrup moved the following resolution:

RESOLVED, that the application of Tolstory Foundation, Inc. for a Special Permit pursuant to Section 3.11 and 4.32 (F) of the Bldg. Zone Ordinance of the Town of Clarkstown as amended, on property located on the Rockland Lake Rd., Valley Cottage, 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 Bldg. Zone Ordinance.

Seconded by Mr. Frohling.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that the application of Lunar Bldgs. Inc., for a change of zoning from a RA-1 district to a R-1 district, on property located on west side of Route 304, 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 Bldg. Zone Ordinance.

Seconded by Mr. Welchman.

All voted yes.

Mr. Welchman moved the following resolution:

WHEREAS, Martha F. Dorfman, has petitioned the Town Board of the Town of Clarkstown for change of classification of James Street and Doris Drive in Nanuet, N.Y. of the said petitioner described, from a residential Street to a Commercial Street;

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 Ave. New City, Rockland County, N.Y., in the said Town of Clarkstown, on the 11<sup>th</sup> day of Feb., 1963, at 8:45 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 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.

On resolution by Mr. Welchman, seconded by Mr. Northrup and unanimously adopted, regular Town Board meeting was adjourned for public hearing.

On resolution by Mr. Danko, seconded by Mr. Frohling and unanimously adopted, regular Town Board meeting was resumed.

Board reserved decision on zone change application of Michael J. and Dorothy M. Higgins.

Mr. Frohling moved the following resolution:

Bond resolution of the Town of Clarkstown, New York, adopted January 28, 1963, appropriating \$10,500 for the Purchase of Three spreaders for the use of the Town Highway Dept. at an estimated maximum cost of \$3,500 each, stating the estimated total cost thereof is \$10,500 and authorizing the issuance of \$10,500 serial Bonds of said Town to finance the appropriation.

RESOLVED by the Town Board of the Town of Clarkstown, in the County of Rockland, N.Y., (by the favorable vote of not less than two-thirds of all the members of said Board) as follows:

Section 1. The town Of Clarkstown, in the County of Rockland, New York, hereby appropriates the amount of \$10,500 for the purchase of three Tarco "Highlander" Spreaders for the use of the Town Highway Dept. of said Town at an estimated maximum cost of \$3,500 each, such purchase having been heretofore authorized pursuant to resolution duly adopted by the Town Board of said Town on August 13, 1962. The estimated cost of all items of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$10,500 and the plan of financing includes the issuance of \$10,500 serial bonds of the Town and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$10,500 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York, to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of each item of said specific object or purpose for which the serial bonds authorized by this resolution are to be issued, within the limitations of §11.00 a. 28 of said Local Finance Law, is five (5) years.

(b) Current funds are not required to be provided as a down payment prior to the issuance of the serial bonds or any bond anticipation notes in anticipation thereof, pursuant to Section 107.00 d. 5. of said Local Finance Law.

(c) The maturity of the serial bonds authorized pursuant to this resolution shall not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by §52.00 of said Law and said bonds and any such notes issued in anticipation of said bonds shall be general obligations of the Town of Clarkstown and the Town hereby irrevocably pledges its faith and credit to the punctual payment of the principal thereof and interest thereon, and there shall be raised annually by tax on all the taxable real property in the Town a sum sufficient to pay the principal of and interest on said notes as the same shall become due.

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Section 5. Subject to the provisions of this resolution and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes and of §50.00 and §56.00 to §60.00 of said Local Finance Law, the powers and duties of the Town Board relative to prescribing the terms form and contents and as to the sale and issuance of said bonds and notes, are hereby delegated to the Supervisor as the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution may be contested only if

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

The adoption of the foregoing resolution was seconded by Mr. Danko. and duly put to a vote on roll call, which resulted as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NOES: None

The foregoing resolution was declared unanimously adopted.

Mr. Frohling moved the following resolution:

RESOLVED by the Town Board of the Town of Clarkstown, in the County of Rockland, N.Y. as follows:

Section 1. The Town Clerk is hereby directed to publish the foregoing bond resolution, in full, in "The Citizen," the official newspaper of the Town herein designated for such publication, together with notice in substantially the forms prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

The adoption of the foregoing resolution was seconded by Mr. Danko and duly put to a vote on roll call, which resulted as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NOES: None

The resolution was declared unanimously adopted.

On resolution by Mr. Frohling, seconded by Mr. Danko and unanimously adopted, regular Town Board meeting was adjourned for public hearing.

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On motion made by Mr. Northrup, seconded by Mr. Welchman and unanimously adopted, regular Town Board meeting was resumed.

Board reserved decision on zone change applic. made by Ralph A Lombardi.

Mr. Frohling moved the following resolution:

RESOLVED that time for receiving bids for Snow Plows; Sand & Salt Spreaders; Dump Trucks; and 5/4 Ton Pickup Truck for Clarkstown Highway Dept. be closed, and that bids received be opened.

Seconded by Mr. Danko.

All voted yes.

The following bids were received:

TWO NEW SALT & STONE SPREADERS:

NORTH JERSEY EQUIPMENT CO. 450 U.S. Highway #1 Neward 5, N.J.	\$ 5,350.00 Less Trade-In.... none <u>NET BID</u> 5,350.00
H.O. PENN MACH. CO., INC. Duchess Turnpike, Poughkeepsie, N.Y.	\$ 6,500.00 Less Trade-In.... \$ none <u>NET BID</u> 6,500.00

Mr. Welchman moved the following resolution:

RESOLVED, that upon recommendation of the Hwy. Supt., bid of H.O. PENN MACH. CO., INC. to furnish and deliver two new 5 cubic yard Body Type Sand, Salt & Stone Spreaders, Self-Powered with Bar Flight Conveyor, in accordance with specifications, in the amount of \$6,500.00 be accepted.

Seconded by Mr. Danko.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Danko, Welchman, Mundt.

ABSTENTION: Mr. Northrup.

ONE-WAY SNOW PLOWS:

KEN SMITH MACHINERY CO., INC., 1024 Broadway Albany, New York	\$ 1,277.00 Ea... \$ 2,554.00 Less Trade-In None <u>NET BID</u> ..... \$ 2,554.00
NORTH JERSEY EQUIPMENT CO., 450 U.S. Hwy. #1 Neward 5, N.J.	Less Trade-In \$ 2,350.00 None <u>NET BID</u> 2,350.00

Mr. Frohling moved the following resolution:

RESOLVED, that upon recommendation of the Highway Supt., bid of KENSMITH MACH. CO., INC. for Two One-Way Snow Plows in the amount of \$2,554.00 be accepted.

Seconded by Mr. Welchman.

All voted yes.

TWO-WHEEL CUBIC YARD DUMP TRUCKS:

BURNWEIT MOTORS, INC. Main St., Nyack, N.Y.	\$ 14,200.80 Less Trade-In.... 3,841.62 <u>NET BID</u> ..... 10,358.88
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MANY CHEVROLET, INC.	\$ 12,420.00
	Less Trade-In 3,995.00
	<u>NET BID..... 8,425.00</u>

CENTRAL MOTOR CO. 46-60 So. Central Ave. Spring Valley, N.Y.	\$ 15,195.84
	Less Trade-In 3,593.84
	<u>NET BID 11,600.00</u>

MID-TOWN AUTO BODY Route 9W Congers, N.Y.	\$ 13,420.98
	Less Trade-In 4,000.00
	<u>NET Bid..... 9,420.98</u>

Mr. Welchman moved the following resolution:

RESOLVED that upon recommendation of the Town hwy. Supt., bid of MID-TOWN AUTO BODY, Route 9W, Congers, N.Y. to furnish and deliver Two new 2 Wheel Drive 4 Cubic Yard Dump Trucks in accordance with specifications in the amount of \$9,420.98 be accepted.

Seconded by Mr. Danko,

On roll call the vote was as follows:

AYES: Messrs. Frohling, Danko, Welchman, Mundt.

ABSTENTION: Mr. Northrup.

3/4 TON TWO WHEEL DRIVE PICKUP TRUCK:

BURNWEIT MOTORS, INC.,  
Main St.  
Nyack, N.Y.

One (1) New 1963 3/4 Ton Two Wheel drive Pickup Truck	Less Trade-In
on 1957 Station Wagon.....	\$ 2,687.75
	643.75
	<u>NET BID 2,044.00</u>

MANLY CHEVROLET INC. Nyack, N.Y..	\$ 2,834.05
	Less Trade-In 784.05
	<u>NET BID.. 2,050.00</u>

CENTRAL MOTOR CO., 46-60 So. Central Ave., Spring Valley, N.Y.	\$ 2,642.59
	Less Trade-In 671.91
	<u>NET BID 1,970.68</u>

MID-TOWN AUTO BODY Route 9W Congers	\$ 2,617.25
	Less Trade-In 711.00
	<u>NET BID 1,906.25</u>

Mr. Danko moved the following resolution:

RESOLVED that upon recommendation of the Hwy. Supt., bid of MID-TOWN AUTO BODY, Route 9W, Congers, N.Y. for furnishing and delivering to Town Hwy Garage One (1) New 1963 3/4 Ton Two-Wheel Drive Pickup Truck, in accordance with specifications, in the amount of \$1,906.25 be accepted.

Seconded by Mr. Frohling.

All voted yes.

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On resolution by Mr. Frohling, seconded by Mr. Welchman and unananimously adopted, regular Town Board meeting was adjourned at this time for public hearing.

On motion by Mr. Northrup, seconded by Mr. Danko and unananimously adopted, regular Town Board meeting was resumed.

Town Board reserved decision on zone change application of Davies Farm, Inc. & Davies Lake Hotel, Inc. (IS, R-1 and RA-1(X) to C-2).

Town Board signed Decision & Consent for Annexation of property of Loretta V. Milewski to the Village of Spring Valley.

Town Board signed Decision & Consent for Annexation to the Village of Nyack of territory adjoining said village owned by Paramount Prop., Inc., Mary Ann Homes, Inc., and Alfred J. Elish.

Mr. Welchman moved the following resolution:

RESOLVED that Drainage Easement in the name of Davies Farm, INC. be accepted by Town.

Seconded by Mr. Frohling.

All voted yes.

Building Permit Applic., (Edw. Staubach) was held for 2/11/63 Board meeting. Item relating to Ted Ginsburg (Sec. 280-A) also held for 2/11/63 meeting.

Letter from Raymond W. Sheridan, County Chairman, Parade Committee, Ancient Order of Hibernians in America read by Supervisor requesting permission to hold St. Patrick's Day Parade on Sunday, March 17<sup>th</sup>, 1963. Matter has already been cleared by Rockland County Board of Supervisors. Town Clerk was instructed to communicate with Mr. Sheridan, advising him that permission has been granted by Town Board, and that she has advised Clarkstown Police Dept. of such parade plans.

Mr. Orth appeared before Board re drainage. Board authorized the Town Engineer to pursue this matter in accordance with terms of the bond and original drawings.

Mr. Northrup moved the following resolution:

WHEREAS it has been found necessary to furnish additional help at the Clarkstown Sanitary Fill Project, now therefore, be it

RESOLVED that an additional position of Motor Equipment Operator be created for the Sanitary Fill Project at an annual salary of \$4,800. retroactive to Jan. 1st, 1963.

Seconded by Mr. Frohling.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the Supervisor be authorized to sign the necessary Civil Service Form appointing Robert K. Coleman, 1 Centre Ave., Upper Nyack, N.Y. provisionally, pending Civil Service Exam. to the position of Motor Equipment Operator, at a salary of \$4,800. per annum, eff. 1/1/63.

Seconded by Mr. Frohling.

All voted yes.

Mr. John Tomicki appeared before to discuss sewer program.

Mr. Mundt moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York did on January 10, 1963, adopt a resolution authorizing the expenditure of \$8,300.00, in addition to the amount of \$14,800. heretofore authorized to be expended, for the preparation of a general map, plan and report for the establishment of a proposed sewer district in the unincorporated area in said town known as Manuet and the construction of a sewer system therein, and appropriating the amount of \$8,300. for such additional expenditure; and

WHEREAS, the amount of \$8,300. was appropriated from Town surplus moneys; and

WHEREAS, said resolution was adopted based upon the urgings of the Clarkstown Sewer Advisory Committee and statements by Mr. John Larkin of Nussbaumer, Clarke & Velzy, to the effect that application for Federal moneys would hold up the project for six to eight months; and

WHEREAS, the Supervisor has received a letter from Richard J. Thompson, Regional Director, Community Facilities, Housing and Home Finance Agency, stating such application can be processed and approved in approximately four to six weeks; and

WHEREAS, in light of this new information said \$8,300 can be saved the Clarkstown taxpayer; now therefore, be it

RESOLVED, that the resolution of January 10, 1963 as cited above be rescinded and, be it

FURTHER RESOLVED the town Engineer be directed to include the Manuet Lateral District costing \$8,300 in the application he is preparing for submission to the Housing and Home Finance Agency.

Seconded by Mr. Bohling.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Mundt.

NOES: Messrs. Danko, Northrup, Welchman.

BBJ988

1/28/63 TBM

Mr. Welchman moved the following resolution:

RESOLVED, that Mr. Albert M. Gray, 37 Demarest Ave., W. Nyack, N.Y. be apptd. Dog Warden p/t. eff. Feb. 1st, 1963, at an annual salary of \$1,200. to fill the vacancy created by the resignation of Bertram W. Deutsch  
 Seconded by Mr. Northrup. All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that Mr. Albert M. Gray, 37 Demarest Ave., W. Nyack, N.Y. be provisionally apptd. Cleaner, pending Civil Service certification at an annual salary of \$4,000., eff. 2/1/63, to fill the vacancy created by the resignation of Bertram W. Deutsch.  
 Seconded by Mr. Northrup. All voted yes.

Mr. Northrup moved the following resolution:

RESOLVED, that the Supervisor, in lieu of preparing the report required by Subdiv. 10 of Sec. 29 of the Town Law, that the Supervisor shall submit to the Town Clerk within sixty days after the close of the fiscal year a copy of the report to the State Comptroller required by Sec. 30 of General Municipal Law.  
 Seconded by Mr. Frohling. All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED that the Supervisor be and is hereby authorized to carry forward the 12/31/62 balance of \$16,286.80 for construction of Sidewalks - Route 304.  
 Seconded by Mr. Welchman. All voted yes.

Mr. Welchman moved the following resolution:

WHEREAS, the Town of Clarkstown is planning on constructing a Town Garage to house certain equipment of the Town of Clarkstown Hwy Dept., and  
 WHEREAS, the Town of Clarkstown is desirous of protecting itself, now, there, be it

RESOLVED, that the Town Attorney be authorized to make application on behalf of the Town of Clarkstown for a Fee Title Policy from Inter-County Title Guaranty & Mortgage Co., and be it

FURTHER RESOLVED, that the Town Attorney is instructed to leave the amount of said policy blank until such time as he is advised of the desired amount of such policy, at which time said amount will be communicated to the aforesaid title company, preparatory to issuance of the said title policy, it being the intent of this resolution to authorize the Town Attorney to request such title company to immediately begin search of the property on which the garage is to be located.

Seconded by Mr. Frohling.

All voted yes.

Memo rec'd from H.J. Schriever, Chairman of Plan. Bd. stating that date of 2/14/63 set for joint meeting with Town Board was a conflicting one. New date was set for 2/20/63. Town Clerk will notify.

Mr. Frohling moved the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer deed from J.H.P. Construction Corp. to the Town of Clarkstown conveying 749.0 O.F. of Van Doren Court in Casper Hill Estates 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. Northrup.

All voted yes.

Mr. Northrup moved the following resolution:

RESOLVED, that the Town Clerk be authorized to purchase 1 Revere Tape Recorder, Model T-2000 in the amount of \$189.50, Less Trade-In Allowance on old Revere Tape Recorder; net amount to be paid - \$139.50.

Seconded by Mr. Welchman.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, the the Compensation of Joseph Komonchak, Clerk to Justice of Peace John Stefan, be set at \$3850 per annum, eff. February 1, 1963.

RESOLVED, that the compensation of Lois Johnson, Clerk to Justice of Peace William Vines, be set at \$3400.00 per annum, eff. Feb. 1, 1963.

RESOLVED that the Supervisor be and he is hereby authorized to transfer from Current Surplus General to Justice of Peace Employees compensation the amount \$2429.08.

Seconded by Mr. Northrup.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that upon the recommendation of the Chief of Police, an additional School Crossing Guard position be created for the location at Blauvelt Rd. & Church St., Nanuet, at a salary of \$5.00 per day for twice-a-day coverage, eff. 2/1/63

Seconded by Mr. Danko.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the Supervisor be authorized to sign the necessary Civil Service Form appointing Grace Anna Donlan, 34 Fairview Ave., Nanuet, N.Y., Temporary until 8-5-63, to the position of Clerk-p/t, at a salary of \$1.75 per hour eff. February 6, 1963.

Seconded by Mr. Northrup.

All voted yes.

BBJ988

TBM - 1/28/63

Mr. Frohling moved the following resolution:

RESOLVED, that the Supervisor be authorized to sign the necessary Civil Service Form appointing M. Marjorie Mutinsky, 43 Southward Ave., Congers, Temporary until 8/5/63, to the position of Clerk - p.t. at a salary of \$1.75 p/hr eff. Feb. 6, 1963.

Seconded by Mr. Danko.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the Supervisor be authorized to sign the necessary Civil Service Form appointing Dorothy C. Davies, 628 Route 59-A, West Nyack, N.Y., temporary until 8/5/63, to the position of Clerk, part-time, at a salary of \$1.75 per hour, eff. Feb. 6, 1963

Seconded by Mr. Northrup.

All voted yes.

Final Trial Balance dated 12/31/62 from Superv. Office was noted by Board and ordered filed in Town Clerk's Office.

Town Clerk, by order of Town Board, was authorized to contact the Chief of Police, notifying them that it is the wish of the Board that all dog complaint calls be taken through the Police Dept. inasmuch as this is a police matter.

Mr. Danko moved the following resolution:

RESOLVED, that Orange & Rockland Utilities be authorized to make the following street light changes on Medway Ave., Congers:

1. install 1000 lu light on pole #11
2. maintain all old light locations, adding new light on pole #5.
3. install one new light on Liberty St. Pole #8-54., and be it

FURTHER RESOLVED that charges involved be made against the Congers Light Dist.

Seconded by Mr. Welchman.

All voted yes.

Mr. Danko moved the following resolution:

WHEREAS, Kirchner, Lamborn and Johnson, has petitioned the Town of Clarkstown that the Building Zone Ordinance of the Town of Clarkstown that it be amended by redistricting property of the said petitioner described from R-1 district to a B-2 district;

BE IT RESOLVED, that a public hearing pursuant to Sec. 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 Ave., New Cit, Rockland County, N.Y., in the said Town of Clarkstown, on the 11th day of March, 1963, at 8:15 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 in the Journal-News, a paper of general circulation in the office of the said Clerk.

Mr. Welchman moved the following resolution:

RESOLVED, that the Town Clerk be authorized to sign order authorizing Orange and Rockland Utilities Inc., to replace street lights on poles # 3, 6, 8, and 11, on New Hempstead Rd., New City., N.Y. in accordance with the letter dated January 25<sup>th</sup>, 1963.

Seconded by Mr. Frohling.

All voted yes.

Letter received from "CREST" urging Town Board to compare two proposed sewer systems and move ahead as rapidly as possible with one having greater overall merit.

Mr. Frohling moved the following resolution:

RESOLVED, that the salary of the Sewer Supt. for the year 1963 be \$500. and that this amount be districted proportionately among the operating sewer districts of the Town, according to share or liability.

Seconded by Mr. Northrup.

All voted yes.

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

Signed,

*Anne E. O'Connor*  
Anne E. O'Connor,

Town Clerk.

#### PUBLIC HEARING

Town Hall

2/11/63

8:30 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

Town Atty. Clifford J. Freund

Dep. Town Atty. John Walber

RE: BENJAMIN CASTRO APPLICATION FOR ZONE CHANGE (R-0 to C-2)

Mr. Mundt called hearing to order at 8:30 P.M. Town Clerk read notice of Public Hearing.

Anthony Avallone, appeared for petitioner and explained petition to Board.

Property located on w/side of Rte. 304, Bardonia. Petitioner wishes to erect commercial bldg. including stores and offices. Property adjoins N.Y.S. Thruway on north; 100' on easterly side of Rte. 304 zoned C-2. 400' in northeasterly direction, zoned C-2.

Proposed improved type of building than one submitted in application six to seven months ago. Occupancy downstairs, C-2. Upstairs, proposed offices served by outside stairway. Cinder block exterior, and woodframe interior.

BBJ988