

PUBLIC HEARING

6/10/63

Town Hall

8:15 P.M.

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

Town Attorney Clifford J. Freund

Dept. Town Attorney John Walber

Town Clerk Anne E. O'Connor

RE: SPECIAL PERMIT APPLICATION (RA-1(X) to R-22) GEORGE C. GERLACH
Prop. in New City, N.Y.

Supervisor Mundt called Public Hearing to order at 8:15 P.M., EDST
 Town Clerk read Notice of Public Hearing.

Mr. George Gerlach, 42 Germonds Road, New City, N.Y., appeared before
 Board on his own behalf and was sworn in by Supervisor Mundt. John Walber,
 Deputy Town Attorney, questioned the witness. Testimony was as follows:

Signed petition. Presently owner of premises. One acre of property
 involved. Would like to build one house on 1/2 acre lot. Change to R-22
 appropriately located with respect to transportation, water supply, waste
 disposal, fire and police protection and other public facilities. Proposed
 change will not cause traffic congestion or cause hazard. Will not create any
 objectionable elements, etc. Will not adversely affect property values in area
 or otherwise impair public health.,etc. Compliance will be made.

Two lots. Both on existing town road.

There were no further questions.

In favor - Chief Wiebicke, closest neighbor

Opposed - no one appeared

Letters from Town and County Planning Boards read approving request.

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

Signed,

Anne E. O'Connor
 Anne E. O'Connor,
 Town Clerk

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PUBLIC HEARING

6/10/63

Town Hall

8:30 P.M.

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

Town Attorney Clifford J. Freund

Dep. Town Attorney John Walber

Town Clerk Anne E. O'Connor

RE: ZONE CHANGE APPLICATION - FRANK W. & JANET V. FOLEY (R-1 to LS)

Supervisor Mundt called public hearing to order at 8:30 P.M. EDST
Town Clerk read Notice of Public Hearing.

Everett Johns appeared as attorney for petitioner and explained petition to Board as follows: Property located on e/side of Middletown Road. North - Palisades Interstate Parkway. Partly on east - Palisades Interstate Parkway.

1.006 acres of land involved. Erected on property is dwelling which is permanent residence of Mr. and Mrs. Foley. Wants amendment to zoning ordinance from 15,000 sq. ft. to LS, local shopping.

In the northern portion of this property, approx. 12 sq. ft., a proposed professional office for dentistry is proposed to be erected. Other zone permitted is R-0 for this use. However, restriction on that is a 3 acre area must be available. LS category was recommended by Building Inspector.

Petitioner willing to restrict use to Sec. III of the LS requirements, which states professional office. Zoning in this area is R-15. Parkway bounds on the north and east. Directly across, C-2 parcel. Further down to the non-conforming uses in this area of greenhouses. In vicinity variances granted for two-family residences. Proposed use of the building which is to be erected would be in conformity with the residence type homes in the area. Bi-level building with brick front with a modern type of face. Will contain approx. 2000 sq. ft. Will be set back approx. 50' from road. 100' ft. frontage. Along southerly line of this 100' would be parking for up to 10 cars.

Petitioner will continue to reside at site.

No further witnesses. Questions from Board were answered as follows:

1. Estimate of value of building, \$25,000.
2. Construction would commence immediately.
3. Separate detached building.
4. Brick facade - set back 50'

Petitioner would accept restrictive covenant limiting him to professional building for dentistry.

In favor - Mr. Sinclair, 349 Little Tor Rd. - owns 50 acres. He stated this would improve corner in appearance.

Opposed - no one appeared.

Letter from County Planning Board disapproved LS. Town Planning Bd. stated use for future may not be desirable. Recommends some procedure be adopted to allow use by covenant instead of zone reduction. Present not objectionable.

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

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

6/10/63

Town Hall

9:30 P.M.

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

Town Attorney Clifford J. Freund

Deputy Town Attorney John Walber

Town Clerk Anne E. O'Connor

RE: SUBURBAN LAW

Supervisor Mundt called Public Hearing to order at 9:30 P.M. EDST Town Clerk read Notice of Public Hearing.

Town Attorney explained Suburban Law to Board.

In response to questions put to him by Mr. Ranni, Mr. Freund stated the following:

Would become effective 1/1/64 if adopted. Amendment to Constitution of New York coming up in November; which is called Home Rule Amendment; will, in effect, give to municipalities in the State some of the powers which are only available to 72 Towns in the State of New York.

Law will spell out in detail some of the powers that a Town this size needs. Under Home Rule amendment, special regulations would have to be passed to implement any specific things which would automatically be available under Suburban Town Law.

Supervisor will be Chief Executive and Fiscal Officer. Under Suburban Town Law, Town will be able to set certain time limits which it cannot do now and also participate in the fine, which is a monetary consideration.

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Re question on permissive referendum, the Town Attorney stated that if Home Rule Amendment passes this Fall, that will be the Law. Suburban Town Law, if adopted by this Board, will be subject to permissive referendum.

Mr. A. Epstein appeared as being opposed.

Dr. Molof inquired if 51% for lighting district would change.

Response was that improvement districts may be continued same as now and, in addition, power is provided to utilize special assessment area for provision of improvements and service.

In favor: Mr. Gerber - speaking in behalf of Young Democrats of the Town of Clarkstown. Read prepared statement stating that new law streamlines procedure and will create many economies, which do not exist at present. Would not have to seek special legislation.

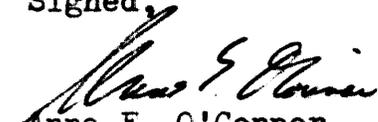
Mr. John Tomicki: Broader executive powers. Urges that Suburban Law be adopted.

Mr. Northrup stated that only 5 taxable property-owners will be needed for improvement district.

In essence, it was brought out that right to pass legislation to fit needs of Town will be empowered. As long as State does not specifically prohibit, we could execute our own laws.

No one else appeared as being in favor or opposed. On resolution by Mr. Welchman, seconded by Mr. Fehling and unanimously adopted, public hearing was adjourned.

Signed,


Anne E. O'Connor,
Town Clerk

TOWN BOARD MEETING
6/10/63

Town Hall

8:00 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.
Town Attorney Clifford J. Freund
Deputy Town Attorney John Walber
Town Clerk Anne E. O'Connor

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

On resolution by Mr. Frohling, seconded by Mr. Northrup and unanimously adopted, minutes of seven (7) Public Hearings and regular Town Board meeting held on 5/27/63 were accepted as submitted by Town Clerk.

Mr. Northrup moved the following resolution:

RESOLVED, that the Superintendent of Highways be authorized to have installed flashing light at intersection of Little Tor Road and New Hempstead Road, and be it

FURTHER RESOLVED, that Orange & Rockland Utilities be directed to make such installation, and be it

FURTHER RESOLVED, that the Supervisor be authorized to transfer the amount of \$288.10 from CURRENT SURPLUS-GENERAL to TRAFFIC LIGHTS ACCOUNT.

Seconded by Mr. Welchman.

All voted yes.

On resolution by Mr. Welchman, seconded by Mr. Frohling and unanimously adopted, regular Town Board meeting was adjourned for regularly scheduled public hearings.

Mr. Welchman moved the following resolution:

RESOLVED, that decision on application of George C. Gerlach for zoning change be reserved.

Seconded by Mr. Northrup.

On roll call the vote was as follows:

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

Re consolidation of Light Districts, Mr. Walber, Deputy Town Attorney will make written memo available to Town Board.

Re Mrs. Traube - drainage easement. Engineer stated that a new easement has to be made out - bottleneck at Traube property. Engineer and Supervisor will get together on this.

Mr. Danko moved the following resolution:

RESOLVED, that decision on application of Frank W. and Janet V. Foley for a zoning change be reserved.

Seconded by Mr. Welchman.

All voted yes.

Public Hearing scheduled for 8:45 P.M. - zone change application made by Frank S. Lance (R-2 to C-1) had to be cancelled due to failure of Town Attorney's office to publish. Will be rescheduled for 7/8/63 at 8:30 P.M.

Mr. Mundt moved the following resolution:

WHEREAS, Frank W. Lance has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner 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, Rockland County, New York, in the said Town of Clarkstown on the 8th day of July 1963, at 8:30 P.M., Eastern Daylight Saving Time, relative to such proposed amendment; and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published 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. Welchman

All voted yes.

Re Wood Knolls school sidewalk program - after considerable discussion with Town Engineer and others, it was decided that matter will be given study and brought up again by August Town Board meeting after pollution and drainage are looked into, and then possibly put out for bids.

Mr. Richard Burleigh appeared before Town Board re Swimming Pool Ordinance for Town of Clarkstown. Submitted copy of ordinance to Board for their consideration.

Mr. Burleigh also presented letter re zoning problem area consisting of 4 acres on northerly side of Route 59, directly north of Cherry Hill subdivision, and directly east of the Palisades Interstate Parkway, which at present time remains undeveloped.

He feels that location is not proper for commercial development because of traffic and loss of residential qualities of Cherry Hill subdivision and that zoning should be amended to permit residential development, as formerly, on lots of 15,000 sq. ft. minimum rather than the 1 acre minimum presently in force.

Mr. Frohling thanked Mr. Burleigh for looking into the matter and Board advised him that they will take matter under advisement and give it careful study.

Re matter of splitting Election Districts 12, 15 and 18, will be placed on next agenda. Mr. D'Antoni and Mr. Holbrook have been advised.

Mr. Northrup moved the following resolution:

RESOLVED, that the Town Clerk be authorized to purchase ten (10) each Canvas Folding Voting Booths at a total price not to exceed \$200, plus crating and shipping charges.

Seconded by Mr. Welchman.

All voted yes.

Mr. Danko moved the following resolution:

RESOLVED, that pursuant to provisions of Chapter 297 of the Laws of 1963, the fee to be charged by the Town Clerk of the Town of Clarkstown for a certificate of marriage within 15 days after receipt or return of the completed marriage license be and the same is hereby fixed at \$1.00, and the fee to be charged by the Town Clerk of the Town of Clarkstown for the issuance of a similar certificate at any other time be and the same is hereby fixed at \$2.00.

Seconded by Mr. Northrup.

All voted yes.

Mr. Northrup moved the following resolution:

RESOLVED, that the proposed amendments to the Zoning Ordinance of the Town of Clarkstown, as amended, and the Zoning Map of the Town of Clarkstown, as amended, by the deletion therefrom of the RA-1(X) Districts and all references thereto, and the designation of all RO Zones formerly approved for small plot developments be designated as R-1 districts, 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.

Seconded by Mr. Welchman.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that Supervisor be authorized to execute contract with IBM for rental of equipment for a period of one year, at a total cost to the Town of \$597.00 per month.

Seconded by Mr. Northrup.

On roll call the vote was as follows:

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

Mr. Northrup moved the following resolution:

WHEREAS, a public hearing has been conducted by the Town Board of the Town of Clarkstown on the question of making applicable to such town the provisions of the Suburban Town Law (Art. 3-A of the Town Law of the State of New York)

NOW THEREFORE, pursuant to the authority conferred by Sec. 50-A of the Town Law of the State of New York, be it

RESOLVED, subject to a permissive referendum, that effective January 1, 1964, the provisions of the Suburban Law enacted as Art. 3-A of the Town Law and other related laws shall be applicable to the Town of Clarkstown and be it further

RESOLVED, that pursuant to Sections 82 and 90 of the Town Law within ten (10) days from the date of this resolution, the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of this resolution, shall contain an abstract of such resolution concisely stating the purpose and effect thereof, and shall specify that this resolution was adopted subject to a permissive referendum on petition filed not later than September 15 of this year; and that the Town Clerk shall publish such notice in the County Citizen, a newspaper published in the Town of Clarkstown and in addition thereto shall post or cause to be posted copies of such notice in five (5) conspicuous places in the Town of Clarkstown within ten (10) days after the date of the adoption of this resolution.

Seconded by Mr. Frohling.

All voted yes.

Re matter of Tax Map revision - matter being handled by Tax Assessor's Office.

Mr. Frohling moved the following resolution:

RESOLVED, that Town Engineer be authorized to secure two (2) part-time summer employees, salaries to be applied against sewer districts where this work will take place.

Seconded by Mr. Welchman.

All voted yes.

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Mr. Welchman moved the following resolution:

RESOLVED, that Town Engineer be authorized to secure summer engineering student as part-time employee, cost to come from Engineer's budget.

Seconded by Mr. Frohling.

All voted yes.

Mr. Welchman moved the following resolution:

WHEREAS, additional help is necessary in the Office of the Town Clerk during the summer months to keep work current during vacation periods, now therefore, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment until September 15, 1963, of Joyce Ann Robinson, 231 Van Houten Fields, West Nyack, N.Y., to the position of Typist at a salary of \$1.75 per hour retroactive to and effective June 4, 1963.

Seconded by Mr. Northrup.

All voted yes.

Mr. Danko moved the following resolution:

RESOLVED, that the New City Junior Chamber of Commerce be granted permission for the Public Display of fireworks on July 4, 1963, such fireworks to be displayed at Little League Ballfield, Strawtown Road, New City.

Seconded by Mr. Welchman.

All voted yes.

Mr. Mundt moved the following resolution:

RESOLVED, that Morton Lee Isler be appointed to the position of member of the Clarkstown Board of Appeals.

Seconded by Mr. Frohling.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Mundt.
ABSTENTION: Mr. Danko
NOES: Messrs. Northrup, Welchman

Motion was defeated.

Mr. Welchman moved the following resolution:

RESOLVED, that Richard Gardner, 34 Freedman Avenue, Nanuet, N.Y., be appointed to the position of member of the Clarkstown Zoning Board of Appeals to replace Theodore May, effective 6/19/63 for a period of five (5) years to 6/19/68.

Seconded by Mr. Northrup.

On roll call the vaote was as follows:

AYES: Messrs. Danko, Northrup, Welchman.
ABSTENTIONS: Messrs. Frohling, Mundt.
NOES: None

Motion was adopted.

Town Board signed the following Performance Bonds, approving as to form and sufficiency:

ESQUIRE HEIGHTS, NEW CITY, N.Y.
Performance Bond #2220640 (Continental Cas. Co.)
Amount: \$32,000.00
Period: 2 years - 6/10/63-6/10/65

Town Board authorized the Town Clerk to sign Hydrant Orders for installations as follows, no charge to be made until January 1, 1964.

Four (4) hydrants in Squadron Acres subdivision.
 Two (2) hydrants on Pineview Ave., Bardonia
 One (1) hydrant on Friend Street, north of Lake Road, Congers

Town Clerk will execute.

Mr. Frohling moved the following resolution:

RESOLVED, that the Supervisor be and is hereby authorized to transfer the amount of \$1,000.00 from CURRENT SURPLUS-GENERAL to SIDEWALKS (Congers),

Seconded by Mr. Danko.

All voted yes.

Discussion of Grievance Day procedure will be held at first Town Board meeting in September.

Mr. Frohling moved the following resolution:

WHEREAS, provision was made in the 1963 budget for the appointment of one additional police sergeant, and

WHEREAS, George R. Schnakenberg ranks highest of the first three eligibles on Certification of Eligibles No. 5491 for Police Sergeant (Promotion) now, therefore, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent promotional appointment of George Robert Schnakenberg of Route 304, Bardonia, New York, to the position of Police Sergeant at a salary of \$7,150 per annum effective June 16, 1963.

Seconded by Mr. Danko.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that Town Engineer be authorized to obtain services of engineering firm on a per diem basis for estimate of cost on extension of Sewer District #6, said amount not to exceed \$1,000.00, and be it

FURTHER RESOLVED, that said amount be transferred from CURRENT SURPLUS.

Seconded by Mr. Welchman.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that Town Engineer be authorized to obtain services of engineering firm on a per diem basis to quote figures for creation of Goebel Road Water Supply District, said amount not to exceed \$1,000.00, and be it

FURTHER RESOLVED, that said amount be transferred from CURRENT SURPLUS.

Seconded by Mr. Welchman.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that resolutions adopted 6/10/63 re obtaining services of engineering firm to quote figures for Extension of Sewer District #6; and creation of Goebel Road Water Supply District be rescinded.

Seconded by Mr. Frohling.

All voted yes.

Mr. Northrup moved the following resolution:

RESOLVED, that Supervisor be authorized to execute lease agreement, as amended, with the Rockland County Chapter for Physically Handicapped, Camp Jawanio.

Seconded by Mr. Frohling.

All voted yes.

Town Clerk will correspond with Camp Jawanio official, thanking them for the Town Board.

Mr. Robert Ranni appeared before Board re Garden Hill Estates, asking Board if it would be possible to spray area, due to mosquitoes abounding in existing swampy area. It was suggested that Mr. Ranni get together with Town Engineer during day

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to resolve.

Mr. Frohling moved the following resolution:

RESOLVED, that next regularly scheduled Town Board meeting be held on June 17, 1963.

Seconded by Mr. Northrup.

All voted yes.

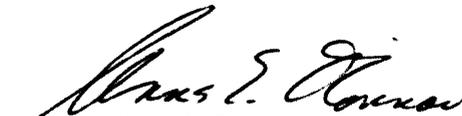
Reports of Welfare Officer and Clarkstown Dump for May 1963 received and noted by Town Board.

Mr. Frohling moved the following resolution:

RESOLVED, that Special Permit be granted to Lampert & Chinitz (RA-1(X) to R-22
(See minutes of 6/17/63 meeting)

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

Signed,


Anne E. O'Connor
Town Clerk