

PUBLIC HEARING

Town Hall

9/25/63

8:30 PM, E.D.S.T.

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

RE: ZONE CHANGE APPLICATION - PHILIP J. & JESSICA KOHLER - RA-1 to R-1

Supervisor Mundt called Public Hearing to order. Town Clerk read Notice of Public Hearing.

Bertram Krashes appeared for petitioner and stated that portion of petitioner's property is zoned RA-1 and portion R-1. Request that portion presently zoned RA-1 be rezoned to R-1.

Parcel is surrounded on the north, east and south by R-1. Will not change character of area. Homes adjacent (Park Ave.) do not have full access to town street. Client has agreed to pave Park Avenue and deed to town.

Will bring public gas and water to area, which will also service people presently residing there or desire to build homes in future. Clients have already agreed on mutual easement for drainage purposes. Future development will not interfere with any present traffic in area. Will agree to any requests made by Board.

Number of homes anticipated - 25. Town Engineer advised that this is part of drainage program and has been approved by his office. Petition would agree to a 2-year building program. Will supply water, hydrants, lights, etc.

No further questions, no further witnesses.

Letters from both County and Town Planning Boards approved.

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

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

9/25/63

8:45 PM, E.D.S.T.

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

RE: FIRE PROTECTION CODE

Supervisor Mundt called Public Hearing to order at 8:45 P.M. Town Clerk read notice of Public Hearing.

Councilman Frohling stated that the following explained to the public the need for Fire Code in Town of Clarkstown and what the workings of Fire Code will be.

Protection of residents and property in Clarkstown from Fire and Explosion. 45,000 population in Clarkstown today. 15% increase. Committee, and Mr. Frohling as Chairman, feel that Fire Code is as necessary as a Building Code.

Mr. William Herman appeared before Board (Rockland County Co-ordinator) and stated the following:

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1. Advantages of Fire Preventive Code: Establish under one heading all rules and regulations.
2. Problems that develop in a growing community would be taken care of by an appropriate authority.
3. Would seek out violations in businesses, etc.
4. Fire loss could be eliminated or greatly curtailed.

The following also appeared to speak in favor:

Chief Veltide of Nanuet: Clean up hazards.

Harry Eldridge, New City: Control over fires.

Mr. Gerke, Hillcrest: In agreement with above.

All fire chiefs in favor.

Mr. Gordon Coyle, representing Rockland County Independent Insurance Agents stated that all agents in favor. Possibly will reduce fire insurance rates.

Correspondence from Valley Cottage and Spring Valley endorsing Fire Code read. Letters from residents received - Mrs. A. Cardone, New City - in favor.

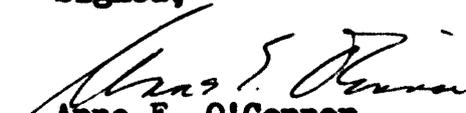
Question was asked from floor as to what rate of charge will be. Mr. Coyle replied that he had no idea at this time.

Councilman Frohling stated that this could not be determined until the Code has been put into force, inspections have been made, and after it has been enforced a complete revaluation of the Township would be made and it would be determined what new rate would be.

In reply to question concerning denial of permit, it was ascertained that an appeal could be made. Three Chiefs would be appointed to Board.

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

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING
9/25/63

Town Hall

9:00 PM, E.D.S.T.

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

RE: ZONE CHANGE APPLICATION - CLARKSTONE HOMES, INC. (R-1 & RA-1 to R-22)

Supervisor Mundt called public hearing to order at 9:00 PM. Town Clerk read Notice of Public Hearing.

Edward G. Roepe appeared as attorney for petitioner. Notice of Public Hearing as published by Town Attorney's office, eliminated R-1 portion as requested in petition submitted. Mr. Roepe agreed to conduct hearing on request for RA-1 to R-22 only.

Petitioner will waive R-1 portion.

Will agree to restrictive covenant bringing the R-1 portion up to R-22. R-1

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R-1 portion of this petition will be considered as 22,500'. Considering a change of zone from 40,000 to 22,500'.

This is general area approach at westerly limits of Town of Clarkstown on New Hempstead Road. Property involved is actually 400 some odd feet. Area from W. Clarkstown Road including what appears to be somewhat 60-65% of this property is presently zoned RA-1.

Homes there are all on small lots. Lane is part of subdivision map. East RA-1, West R-1. Across street 15,000 square feet. LS to Buena Vista Road. That portion which is presently zoned R-1 can build 2 houses. Will enter into any reasonable limit to carry this action.

Mr. John H. Clarke, president of Clarkstone Homes, Rock Acres, Cornwall, NY, was sworn in and testified as follows:

Identified signature on petition. Signed in capacity of President. Has reviewed survey.

Abutting R-1 to west. Within short distance abutting LS. Gas station on north side of New Hempstead and east of Buena Vista Road.

Ten years in building industry. This particular site would lend itself to the building of two private one-family houses. Across street and to west, there are presently houses that are same.

In favor - no one appeared.

Opposed:

1. Mr. Radwyn, 308 N. Hempstead Rd., New City
2. Mr. Rhineland, 9 Rhineland Lane, New City
3. Mr. Ralph Molter, 295 N. Hempstead Rd., New City
4. Barbara Rhineland, Rhineland Lane, New City
5. Joseph Schmidt, 11 Rhineland Lane, New City
6. Mr. Randall, 4 Rhineland Lane, New City

In rebuttal, Mr. Roepe stated that Mr. Radwyn's problems were there when he bought the house. He is on north side and does not want anything on s/side of road.

Letters from County and Town Planning Boards read. Both disapprove granting of request.

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

Signed,


Anne E. O'Connor
Town Clerk

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TOWN BOARD MEETING

9/25/63

8:00 PM, E.D.S.T.

Town Hall

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

Supervisor Mundt called Town Board meeting to order at 8:00 P.M. E.D.S.T.

On resolution by Mr. Danko, seconded by Mr. Frohling and unanimously adopted, minutes of public hearing held on 9/9/63; Town Board meeting held on 9/6/63; and Town Board meeting held on 9/11/63 were accepted as submitted.

Detailed Budget Estimates for each Town Department were submitted to Board.

Mr. Welchman moved the following resolution:

RESOLVED, that the following Polling Places be designated for the qualified voters to vote at the General Election in the Town of Clarkstown on Nov. 5th, 1963:

- Dist. No. 1 - New City Fire House, New City
- Dist. No. 2. - Rockland Lake Fire House, Rockland Lake
- Dist. No. 3. - West Nyack Fire House, West Nyack
- Dist. No. 4. - Upper Nyack Fire House, Upper Nyack
- Dist. No. 5. - Nanuet Fire House, Nanuet
- Dist. No. 6. - Central Nyack Fire House, Central Nyack
- Dist. No. 7. - St. Paul's Parish Hall, Congers
- Dist. No. 8. - Valley Cottage Fire House, Valley Cottage
- Dist. No. 9. - Centenary Methodist Church, New City
- Dist. No. 10.- Capri Hotel, Spring Valley
- Dist. No.11. - Bardonia Elem. School, Bardonia
- Dist. No. 12.- Nanuet Ambulance Bldg., Nanuet
- Dist. No. 13.- Park Evang. Free Church, New City
- Dist. No. 14.- Congers Methodist Church, Congers
- Dist. No.15. - West Nyack Elem. School, West Nyack
- Dist. No.16. - St. Paul's Lutheran Church, New City
- Dist. No.17. - Lake Road School, Valley Cottage
- Dist. No.18. - Trinity Presbyterian Church, Nanuet
- Dist. No.19. - Germonds Presbyterian Church Hall, New City
- Dist. No.20. - Central Nyack Fire House, Central Nyack
- Dist. No. 21.- Taylor's Store, Spring Valley
- Dist. No. 22.- New City, Elem. School, New City
- Dist. No.23. - Upper Nyack Elem. School, Upper Nyack
- Dist. No. 24.- Hillcrest Elem. School, New City
- Dist. No. 25.- Camp Jawanio, New City
- Dist. No. 26.- Germonds Presbyterian Church, New City
- Dist. No. 27.- St. Augustine's School Hall, New City
- Dist. No. 28.- West Nyack Elem. School, West Nyack
- Dist. No. 29.- Park Evang. Free Church, New City
- Dist. No.30. - New City Park Club House, New City
- Dist. No.31. - West Nyack Free Library, West Nyack
- Dist. No.32 - Bardonia Elem. School, Bardonia
- Dist. No.33 - George Miller School, Nanuet
- Dist. No.34 - West Nyack Elem. School, West Nyack
- Dist. No.35 - St. Anthony's School Hall, Nanuet

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Seconded by Mr. Frohling.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the following be appointed Democratic Inspectors of Elections for Districts 33, 34 and 35:

District 33, Nanuet:

Arthur F. Huggins, 38 Dykes Park Rd., Nanuet
Anthony Simeti, 17 Green Oval, Nanuet

District 34, West Nyack

Gloria Vallone, 26 East Avenue, West Nyack
Bernice Simon, 67 Foxwood Road, West Nyack

District 35, Nanuet

Mrs. Irving Gartenlaub, 5 Beech Street, Nanuet
Elsie Rieber, 157 N. Middletown Road, Nanuet

Seconded by Mr. Welchman.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that Muriel Sherman, 29 Second Ave., Spring Valley, NY, replace Clara Hautua as inspector of elections for District #10.

Seconded by Mr. Northrup.

All voted yes.

Mr. Danko moved the following resolution:

WHEREAS, the Superintendent of Highways has informed the Town Board that certain street signs have been erected in Garden Hill Estates as required by the Town Board and that the Guaranty Deposit of \$180.00 be returned, now therefore be it

RESOLVED, that the Supervisor be and is hereby authorized to return to Garden Hill Estates, through Attorney David Silverman, the amount of \$180.00 from the Guaranty Deposit Account.

Seconded by Mr. Welchman.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment until October 15, 1963, of Judith B. Johnson, 131 Van Houten Fields, West Nyack, to the position of Clerk at a salary of \$1.50 per hour retroactive to and effective 9/15/63.

Seconded by Mr. Frohling

All voted yes.

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

Perf. Bond #752817 (\$64,000.00)
Continental Casualty Co
Forest Glen Homes, Inc.
2 years - 9/25/63 to 9/25/65

Mr. Danko moved the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. be authorized to install 1,000 lu. street light on pole #52, Waldberg Ave., Congers.

Seconded by Mr. Welchman

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. be authorized to install 9 1000 Lu. in proposed Brook Hill Estates Lighting District.

Seconded by Mr. Frohling.

All voted yes.

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Mr. Welchman moved the following resolution:

RESOLVED, that Orange & Rockland Utilities be authorized to install 2500 lu. street lights in Nanuet Farms Sec. II, same to be charged to Nanuet Lighting Dist. Seconded by Mr. Frohling. All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the Town Clerk be authorized to distribute Town Code Books to local libraries and law library maintained in Court House at a cost of \$25.00 per copy.

Seconded by Mr. Frohling.

All voted yes.

Supervisor Mundt noted that since no action was taken, Suburban Law will take effect January 1, 1964.

Mr. Welchman moved the following resolution:

RESOLVED, that Town Clerk be authorized to sign hydrant order for installation of hydrant on n/side of Broward Drive, approximately 30' west of west curb line of Jodi Lane, Germonds and be it

FURTHER RESOLVED, that no charge be made on such installation until after January 1, 1964.

Seconded by Mr. Danko

All voted yes.

Monthly reports for all departments received and noted by Town Board. Filed in Town Clerk's Office.

Mr. Danko moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown has been notified by letter dated September 6, 1963, by the Town Engineer, Edw. C. Palmenberg, of said Town, indicating that certain sidewalks in the Town of Clarkstown and more particularly in the Hamlet of Congers in said Town require repair, now therefore be it

RESOLVED, that the Town Board of the Town of Clarkstown consents to the repair of said sidewalks as more specifically referred to in the aforesaid letter, said repair to be done by the Town Supt. of Highways, and be it

FURTHER RESOLVED, that the expense of such repair be a Town charge not to exceed in any event the aggregate sum of Ten Thousand Dollars (\$10,000)/

Seconded by Mr. Frohling.

All voted yes.

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

On resolution by Mr. Danko, seconded by Mr. Northrup and unanimously adopted, regular Town Board meeting was resumed after public hearings were held.

Mr. Welchman moved the following resolution:

RESOLVED, that the decision on zone change application of Philip J. and Jessica Kohler (RA-1 to R-1) for property located on w/side of Old Haverstraw Road, Congers, be reserved.

Seconded by Mr. Danko.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that decision on Fire Code for the Town of Clarkstown be reserved.

Seconded by Mr. Northrup.

All voted yes.

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Mr. Danko moved the following resolution:

RESOLVED, that decision on zone change application of Clarkstone Homes, Inc. from R-1 and RA-1 to R-22 be reserved.

Seconded by Mr. Frohling.

All voted yes.

Petition received from residents concerning sewer treatment plant which services Greenridge Estates. Town Engineer will look into.

John Larkin of Nussbaumer, Clarke & Velzy presented Report on Nanuet Sewage Disposal Studies to Town Board.

Mr. Welchman moved the following resolution:

RESOLVED, that the application of MAISONETTE DEVELOPMENT CORP. for a change of zoning from a LO district to a R-2 district on property located on the westerly side of Route 304 and northerly of Phillips Hill Road, New City 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. Frohling moved the following resolution:

RESOLVED, that the report on Nanuet Sewage Disposal Studies presented to Board by John Larkin of Nussbaumer, Clarke & Velzy, Consulting Engineers, be accepted.

Seconded by Mr. Welchman.

All voted yes.

Letter received from Alan H. Molof, Chairman of the Clarkstown Citizens Sewer Advisory Committee stating that conclusion of Committee was that report submitted by Ditmars and Carmichael on Joint Use of Sewerage Facilities in Orangetown by Towns of Ramapo and Clarkstown was not detailed enough so recommendation could not be made at this time by his Committee.

Mr. Welchman moved the following resolution:

WHEREAS, the State of New York is about to relocate Highway No. 304 between Long Clove and Bardonia, and

WHEREAS, it becomes necessary as a result thereof for the Town of Clarkstown to prepare a plan for the proposed sewer system;

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Clarkstown cause a plan of a proposed improvement consisting of crossings of said relocated Highway 304 and the laying of a sewer trunk line in the right of way of such relocated Highway No. 304 outside of the New City Sewer District to be prepared by the Town Engineer with the assistance of Nussbaumer, Clarke & Velzy, Consulting Engineers, at a cost not to exceed the sum of Five Thousand \$5000.00 Dollars.

Seconded by Mr. Frohling.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, Section 1. Bond Anticipation Notes of the Town of Clarkstown, in the County of Rockland, New York, in the principal amount of \$12,500, are hereby authorized to be issued at one time or from time to time, as funds are required, pursuant to the provisions of the local Finance Law, constituting Chapter 33-a

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of the Consolidated Laws of the State of New York, for the specific object or purpose of constructing a sewer system in New City Sewer District of the Town of Clarkstown, all as more fully described and authorized in the bond resolution entitled:

"Bond resolution of the Town of Clarkstown, New York, adopted September 25, 1961, authorizing the construction of a sewer system in New City Sewer District of the Town of Clarkstown, stating the estimated maximum cost thereof is \$526,260 Serial Bonds of said town to finance the appropriation.

duly adopted by the Town Board on the date therein referred to. Said Notes are to be issued in anticipation of the sale of serial bonds of said Town. No bond anticipation notes have been previously issued or are outstanding in anticipation of the sale of bonds and the Notes hereby authorized are not renewal notes. The maturity of the Notes hereby authorized shall not exceed one year from the date of the notes, and said Notes may be renewed pursuant to the provisions of said Local Finance Law. Said Notes are to be issued for an assessable improvement.

Section 2. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to #50.00 and ##56.00 to 60.00 of said Law, the power to prescribe the terms, form and contents and as to the sale and issuance of the bond anticipation notes authorized by this resolution are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 3. Said notes shall be executed in the name of the Town by the Supervisor and the corporate seal of said Town shall be affixed thereto and attested by the Town Clerk.

Section 4. This resolution shall take effect immediately.

Seconded by Mr. Welchman.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that out of the proceeds of the sum of \$12,500.00 to be realized from the sale of a bond anticipation note in that amount by the Town of Clarkstown, Rockland County, New York, said bond anticipation note resolution having been adopted on the 25th day of September 1963, that the following payments be authorized:

(1) In the sum of \$5000 to United States of America Housing and Home Finance Administrator, in repayment of sums advanced by said United States of America, Housing and Home Finance Administrator for preliminary engineering studies;

(2) A sum not to exceed \$5000 to Scovill & Boswell, engineers for New City Sewer District of the Town of Clarkstown for preparation of final plans for construction and laying of sewer lines in the right of way of the State of New York being the relocated portion of State Highway #9005 (Route 304) within the boundary lines of the said New City Sewer District of the Town of Clarkstown, and

(3) A sum not to exceed \$150.00 to pay the costs and expenses in a condemnation action entitled "Town of Clarkstown Plaintiff, against Marie D. Schriever, et al Defendants" including allowable fees of the Commissioners, such costs, expenses and fees to be certified to the Town of Clarkstown by the attorney for New City Sewer District.

and the Supervisor of the Town of Clarkstown, upon completion of the final plans as set forth in Item 2 above and approval of the plans and the costs thereof by the

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Town of Clarkstown, be and he hereby is authorized and directed to expend such monies for the purpose hereinabove stated.

Seconded by Mr. Frohling.

All voted yes.

Mr. Danko moved the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deed from Nanuet Farms, Inc. to the Town of Clarkstown conveying 1890.22 l.f. Flitt Street, 690.39 l.f. Garrecht Place, 453.80 l.f. Robin Place and 674.31 l.f. Scales 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 Superintendent and the Town Engineer, deeds from KA-BAR-CO Realty Corp., Major Improvements Corp., Alfred Stieber and Florence Stieber, Salvatore Giresi and Angelina Giresi, Curtis E. Goodwin and Grace B. Goodwin, Martin E. Barkin and Gladys Barkin and The Savings Bank Retirement System to the Town of Clarkstown together with easement from Curtis E. Goodwin and Grace B. Goodwin and The Savings Banks Retirement System to the Town of Clarkstown conveying 1546.74 l.f. of Kenbar Road, 463.34 l.f. of Meadow Lark Drive, 25.00 l.f. of Bobwhite Lane and 155.19 l.f. of Martens Drive 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 deeds and easement.

Seconded by Mr. Welchman.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that upon recommendation of the Supt. of Highways, Ronald Zovistoski, Motor Equipment Operator in the Town of Clarkstown Highway Department, be granted a temporary leave of absence from his position for a period of one year, effective October 1, 1963.

Seconded by Mr. Danko.

All voted yes.

Mr. Northrup moved the following resolution:

RESOLVED, that the Highway Supt. be authorized to advertise for bids for three (3) dump trucks and three (3) salt and sand spreaders, trading in two dump trucks.

Seconded by Mr. Danko.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the Supervisor be and he is hereby authorized to transfer the amount of \$1,000 from Current-Surplus General to Youth Recreation Committee Account.

Seconded by Mr. Danko.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the salary of Dennis J. Wakely be and is hereby set at \$4700, effective October 1, 1963, to compensate for addition to cleaner duties in connection with Town Engineer's newly located office.

Seconded by Mr. Danko.

On roll call the vote was as follows: AYES: Messrs. Frohling, Danko, Welchman, Mundt.
NOES: Mr. Northrup. Motion was carried.

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Town Board signed the following street opening permits:

- (1) To open Germonds Rd., for installation of storm drain.
- (2) To open Gilchrist Rd. for installation of storm drain.

Mr. Danko moved the following resolution:

RESOLVED, that the Supervisor be and is hereby authorized to transfer the sum of \$1,000 from Current Surplus-General to Ludvigh Drainage Ditch Account.

Seconded by Mr. Welchman.

All voted yes.

Mr. Northrup moved the following resolution:

BE IT RESOLVED, that the Town Attorney of the Town of Clarkstown be and is hereby authorized to prosecute the appeal of the case Forest Ashbrook, Charles R. Lawrence, Jr., Alfred Massler, William Tillenius and Shirley Boden for Trustees of the Fellowship of Reconciliation and The F.O.R. Holding Company, Inc., against the Town of Clarkstown and Village of Upper Nyack, and is hereby authorized to incur all necessary expenses in connection therewith, however, not to exceed two-thirds of said expenses.

Seconded by Mr. Frohling.

All voted yes.

On resolution by Mr. Northrup, seconded by Mr. Danko and unanimously adopted, Town Board Meeting was adjourned in memory of Joseph P. Feury. Town Clerk will write letter to his family extending the Board's sympathy.

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

9:15 PM

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.
Town Attorney Clifford J. Freund
Deputy Town Atty John Walber

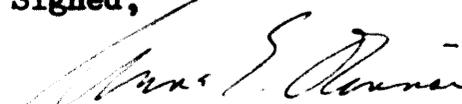
RE: ASSESSMENT FOR IMPROVEMENT OF JERRY'S AVENUE & FREMONT AVENUE

Supervisor Mundt called Public Hearing in session at 9:15 P.M.; Town Clerk read Notice of Public Hearing.

Public Hearing was held for purpose of hearing objections to assessment for improvement. Supervisor Mundt asked if anyone present wished to speak as being in favor. No one appeared. Supervisor Mundt asked if anyone present wished to speak as being opposed. No one appeared.

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

Signed,


Anne E. O'Connor
Town Clerk