

TOWN BOARD MEETING

12/23/63

Town Hall

8:00 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt
Town Attorney Clifford J. Freund
Dep. 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 made by Councilman Northrup, seconded by Councilman Frohling and unanimously adopted, time for receiving bids for one (1) Bulldozer for Sanitary Fill; three (3) dump trucks; and one (1) 3/4-ton pick-up truck for Sewer Plant Operator was closed. Bids received were ordered opened.

The following bids were received.

H. O. PENN MACHINERY CO., Inc.
140th St. & East River
New York 54, N.Y.

1 new 3-cu. yd. track mounted bulldozing tractor..... \$35,413.00

Mr. Northrup moved the following resolution:

RESOLVED, that on recommendation of the Town Board bid for purchase of one (1) Bull dozer at a net price of \$35,413.00 be awarded to H. O. Penn Machinery Co., Inc. Dutchess Turnpike, Poughkeepsie, N.Y.

Seconded by Mr. Frohling.

All voted yes.

Mr. Northrup moved the following resolution:

RESOLVED, that the Town Attorney be authorized to draw up the necessary papers in connection with bond in the amount of \$35,500 to cover purchase of Bulldozer.

Seconded by Mr. Frohling.

All voted yes.

The following bids were received for DUMP TRUCKS:

BURNWEIT MOTORS, INC.
Nyack, N.Y..... \$16,632.00

FAULKNER MOTOR CO. INC.
Nyack, NY..... 16,154.07

CENTRAL MOTORS CO., INC.
Spring Valley, N.Y..... 17,080.07

MAHWAH SALES & SERVICE CO.
99 Franklin Tpke, Mahwah, N.J..... 15,733.77

MID-TOWN AUTO BODY
Route 9W, Congers, N.Y..... 16,110.40

Mr. Danko moved the following resolution:

RESOLVED, that bid for purchase of three (3) dump trucks be awarded to MAHWAH SALES & SERVICE, INC. at net cost of \$15,733.77.

Seconded by Mr. Northrup.

All voted yes.

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The following bids were received for 3/4-Ton Pickup truck:

FAULKNER MOTOR CO., INC. Nyack, N.Y.....	\$1,941.93
MAHWAH SALES & SERVICE, INC. 99 Franklin Tpke, Mahwah, N.J.....	1,897.26
CENTRAL MOTORS CO. 46-6 S. Central Ave., Spring Valley, NY.....	1,978.90
MID-TOWN AUTO BODY CO. Rte 9W, Congers, N.Y.....	2,052.00

Mr. Welchman moved the following resolution:

RESOLVED, that upon recommendation of the Town Engineer, bid in the amount of \$2,052.00 for purchase of one (1) 3/4-ton Pickup Truck for Sewer Plant Operator made by Mid-Town Auto Body, Route 9W, Congers, N.Y. be accepted.

Seconded by Mr. Frohling.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that minutes of regular Town Board meetings and Public Hearings held on 12/2/63 and 12/9/63 be approved and accepted by Town Board as submitted.

Seconded by Mr. Northrup.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that zone change application made by Philip J. and Jessica Kohler (RA*1 to R-1) for property located on west side of Old Haverstraw Rd., Congers, be granted with the following restrictive covenants:

- (1) Park Ave. to be paved, giving access to existing dwellings on Park Ave., predicated upon Kohler providing easement.
- (2) Number of homes to be built: 25 in two year building program- 13 first year - 12 second year.
- (3) Water District to be applied for and created for purpose of installing fire hydrants and; lighting district also to be created for installation of street lights.
- (4) Petition to supply Town Eng. with drainage pattern to be approved by Town Eng.

Seconded by Mr. Danko.

All voted yes.

Town Board signed Order extending Sewer Dist. #8 to include Bernhart Realty Corp. property, said extension to be made at no cost to Town of Clarkstown.

Town Board signed Bond #M349976 (Sewer Dist. #7) made out by Insurance Company of North America in the amount of \$4,000 approving said bond as to form and sufficiency.

On resolution by Councilman Frohling, seconded by Councilman Northrup and unanimously adopted, approval of above-mentioned bond was rescinded. Both Order and Perf. Bond will be held till 1/13/64 Town Board Meeting for any further action.

Mr. Danko moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown adopted a uniform procedure in relation to an application referred to it by the Building Inspector under Sec. 280-A of the Town Law of the State of New York for Building Permits on Oct. 23, 1958; and

WHEREAS, the Town Board of the Town of Clarkstown has found in the face of conditions which have developed since the adoption of such procedure that it becomes necessary to amend the procedure;

NOW, THEREFORE, BE IT

RESOLVED, that for the purpose of promoting the public health, safety and general welfare, all applications to the Town Board for a Building Permit under Sec. 280-A

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shall be approved by the Town Board only upon the applicant's conformance with the following conditions:

A. Submit Plat Plan, by licensed surveyor, of a scale not less than 1" to 50' (one inch to fifty feet), showing the dimensions of the lot and relationship to the existing public street, showing the proposed means of access to the lot, location of proposed improvements, including the driveway, the distance to the nearest Town, County or State Highway, and available utilities.

B. Plan must indicate the filed map reference showing the access street involved in the application;

C. Any additional data required by the Town Engineer.

D. Construct a road in accordance with the road specifications adopted by the Town Board on February 27, 1961.

E. The applicant must also provide drainage facilities as required by the Town Engineer.

F. The Town Engineer shall certify to the Building Inspector, in writing, that the applicant has fully complied with the provisions of this resolution, prior to the issuance of a certificate of occupancy by the Building Inspector.

Seconded by Mr. Frohling.

All voted yes.

Applications for Bldg Permits under Sec. 280-A made by Cary Kilvert, W. Nyack, and J. & M. Maurer being held by Town Engineer for future action.

Mr. Welchman moved the following resolution:

RESOLVED, that easement from Dennis and Violet Halsey, Nanuet, to the Town of Clarkstown, be accepted.

Seconded by Mr. Frohling.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown be authorized to sign Order pursuant to Sec. 250-A of the Town Law re Speed Limits.

Seconded by Mr. Danko.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that Public Hearing re Speed Limits under Suburban Law be set for January 13, 1964, at 9:00 P.M.

Seconded by Mr. Frohling.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the application of Elliot Eichler for a change of zoning from a RA-1 district to a R-22 district on property located between Rockland Lake and Route 9W, Valley Cottage, be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance, and also to the Rockland County Planning Board pursuant to Sections 239L and 239M of the General Municipal Law.

Seconded by Mr. Danko.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the application of S. B. DEVELOPMENT CORP. for a change of zoning from a R-1 district to a (proposed) R-6 district on property located on e/side of Eberling Drive, 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 and

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to the Rockland County Planning Board pursuant to Sections 239L and 239M of the General Municipal Law.

Seconded by Mr. Welchman.

All voted yes.

Re above referral, Town Attorney explained "Proposed R-6" category to the Town Board.

Mr. Northrup moved the following resolution:

WHEREAS, Sec. 107 and Sec. 115 of the Town Law provides that Surplus Funds and Unexpended Balances of the Town may be used for any lawful Town purposes, now therefore, be it

RESOLVED, that the Supervisor be authorized to transfer any Surplus Funds and Unexpended balances to close the accounts of the Town for the year 1963.

Seconded by Mr. Frohling.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that Edward G. Roepe be appointed Attorney and Jack D. Boswell be appointed Engineer to create special road improvement district in connection with Husted Lane, same to be charged to district.

Seconded by Mr. Frohling.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that the Town Clerk be authorized to sign order authorizing Spring Valley Water Works & Supply to install one (1) hydrant on west side of Little Tor Road, approximately 325' south of center line of Phillips Hill Road.

Seconded by Mr. Danko.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that date of Organization Meeting be set for 1/6/64.

Seconded by Mr. Welchman.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the Supt. of Hways be authorized to advertise for disposal of 5-V Obsolete Snow Plow, same to be awarded to the highest bidder.

Seconded by Mr. Frohling.

All voted yes.

Re Tulip Tree Lane: Milton B. Shapiro appeared before Board and was advised to contact Mr. Welchman and Mr. Freund to see if matter can be resolved at next meeting.

Mr. Northrup moved the following resolution:

RESOLVED, that Judith Johnson, West Nyack, be appointed to Judge Vines' court effective January 2, 1964, at a salary of \$1.75 per hour.

Seconded by Mr. Welchman.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that the amount of \$1500 be transferred to Justice of the Peace Vines Court Account from Current Surplus.

Seconded by Mr. Northrup.

All voted yes.

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Mr. Danko moved the following resolution:

RESOLVED, that the name of LINDA LANE in Spring Valley be changed to PAULA LANE, Wood-Knolls East Subdivision.

Seconded by Mr. Frohling.

All voted yes.

Mr. Northrup moved the following resolution:

WHEREAS, the Superintendent of Highways has advised that certain work required to be done by Winthrop Realty Corp. and Taller Realty has been completed by the Highway Department, and that the Guaranty Deposit of \$500.00 be paid to the Highway Fund, now, therefore, be it

RESOLVED, that the Supervisor be and he is hereby authorized to draw a check from Guaranty Deposit Account to Highway Fund Item III, the amount \$500.00.

Seconded by Mr. Frohling.

All voted yes.

Mr. Danko moved the following resolution:

WHEREAS, the Superintendent of Highways has advised that certain work required to be done by R. O. Mazzur, Brookside Drive, has been completed by the Highway Dept., and that the Guaranty Deposit of \$1608.75 be paid to the Highway fund, now, therefore, be it

RESOLVED, that the Supervisor be and he is hereby authorized to draw a check from Guaranty Deposit Account to Highway Fund Item III, the amount of \$1608.75.

Seconded by Mr. Northrup.

All voted yes.

Mr. Northrup moved the following resolution:

WHEREAS, the Superintendent of Highways has advised that certain work required to be done by Ben Rabiner, Woodridge Estates, New Cit , has been completed by the Highway Dept. and that the Guaranty Deposit of \$1,000 be paid to the Highway Fund, now therefore be it

RESOLVED, that the Supervisor be and he is hereby authorized to draw a check from Guaranty Deposit account to Highway Fund Item III, the amount of \$1,000.00.

Seconded by Mr. Frohling.

All voted yes.

Mr. Danko moved the following resolution:

WHEREAS, the Superintendent of Highways has advised that certain work required to be done by Greenridge Estates, Ben Rabiner, Namuet, has been completed by the Highway Department, and that the Guaranty Deposit of \$400.00 be paid to the Highway Fund, now therefore, be it

RESOLVED, that the Supervisor be and he hereby is authorized to draw a check from Guaranty Deposit Account to Highway Fund Item III, the amount of \$400.00.

Seconded by Mr. Frohling.

All voted yes.

Mr. Frohling Moved the following resolution:

WHEREAS, the Superintendent of Highways has advised that certain work required to be done by Guterl Construction Corp. for Sherwood Circle work, has been satisfactorily completed by said corporation, and that the guaranty deposit of \$500.00 be returned to said corporation, now, therefore, be it

RESOLVED, that the Supervisor be and he is hereby authorized to draw a check from guaranty deposit account to said Guterl Construction Corp. in the amount of \$500.00.

Seconded by Mr. Northrup.

All voted yes.

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Mr. Northrup moved the following resolution:

WHEREAS, the Superintendent of Highways has advised that certain road work required to be done by Guterl Construction Corp. has been satisfactorily completed by said corporation, and that the guaranty deposit of \$100.00 be returned to said corporation, now therefore be it

RESOLVED, that the Supervisor be and he is hereby authorized to draw a check from guaranty deposit account to said Guterl Construction Corp. in the amount of \$100.00.

Seconded by Mr. Danko.

All voted yes.

Mr. Danko moved the following resolution:

WHEREAS, the Superintendent of Highways has advised that certain work required to be done by New City Corp. (Radcliff) New City, has been completed by the Highway Department, and that the Guaranty Deposit of \$300.00 be paid to the Highway Fund, now therefore, be it

RESOLVED, that the Supervisor be and he is hereby authorized to draw a check from guaranty deposit account to Highway Fund Item III, the amount of \$300.00.

Seconded by Mr. Frohling.

All voted yes.

Mr. Frohling moved the following resolution:

WHEREAS, the Superintendent of Highways has advised that certain drainage work required to be done by Nanuet Knolls, Section 3 (Town House Development) has been completed by the Highway Dept., and that the Guaranty Deposit of \$300.00 be paid to the Highway Fund, now therefore be it

RESOLVED, that the Supervisor be and he is hereby authorized to draw a check from Guaranty Deposit account to Highway Fund Item III, the amount of \$300.00.

Seconded by Mr. Danko.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that St. Paul Fire & Marine Ins. Co. Bond #431FH5784, Principal High Tor Realty & Constr. Corp. be declared in default, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown be directed to take all necessary proceedings against bond to insure construction and completion of roads in accordance with the Town Road Specifications, and be it

FURTHER RESOLVED, that the Town Engineer furnish all necessary data to the Town Attorney in order to complete this file.

Seconded by Mr. Frohling.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that Continental Casualty Company Bond #185342, Principal Harry L. Halberg be declared in default, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown be directed to take all necessary proceedings against bond to insure construction and completion of roads in accordance with the Town Road specifications, and be it

FURTHER RESOLVED, that the Town Engineer furnish all necessary data to the Town Attorney in order to complete this file.

Seconded by Mr. Frohling.

All voted yes.

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Mr. Welchman moved the following resolution:

RESOLVED, that Continental Casualty Co. Bond #2204789, principal Jessica Homes, Inc., be declared in default, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown be directed to take all necessary proceedings against bond to insure construction and completion of roads in accordance with the Town Road specifications, and be it

FURTHER RESOLVED, that the Town Engineer furnish all necessary data to the Town Attorney in order to complete this file.

Seconded by Mr. Danko.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that Continental Casualty Co. Bond #2208671, principal Elmord Construction Corp. be declared in default, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown be directed to take all necessary proceedings against bond to insure construction and completion of roads in accordance with the Town Road specifications, and be it

FURTHER RESOLVED, that the Town Engineer furnish all necessary data to the Town Attorney in order to complete this file.

Seconded by Mr. Danko.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that Continental Casualty Company bond #2203842, principal Red Hill Estates, Inc. be declared in default, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown be directed to take all necessary proceedings against bond to insure construction and completion of roads in accordance with the Town Road specifications, and be it

FURTHER RESOLVED, that the Town Engineer furnish all necessary data to the Town Attorney in order to complete this file.

Seconded by Mr. Danko.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that Continental Casualty Company Bond #2211480, principal Brick Village, Inc., be declared in default, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown be directed to take all necessary proceedings against bond to insure construction and completion of roads in accordance with the Town Road Specifications, and be it

FURTHER RESOLVED, that the Town Engineer furnish all necessary data to the Town Attorney in order to complete this file.

Seconded by Mr. Danko.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that Continental Casualty Company Bond #2200544, principal Red Hill Estates, Inc. (The Plains) be declared in default, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown be directed to take all necessary proceedings against bond to insure construction and completion of roads in accordance with the Town Road specifications, and be it

FURTHER RESOLVED, that the Town Engineer furnish all necessary data to the Town Attorney in order to complete this file.

Seconded by Mr. Danko/

All voted yes.

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Mr. Northrup moved the following resolution:

RESOLVED, that Round Lake Sanitation Co., (Joseph Mongelli) R.D. Box 111, Monroe, N.Y., be permitted to use two trucks to collect rubbish, his territory to be Route 59, Howard Johnson's East; and be it

FURTHER RESOLVED, that in consideration of the regular fee charged to scavengers to be paid to the Town of Clarkstown, Round Lake Sanitation Co. be permitted to use Clarkstown Sanitary Fill.

Seconded by Mr. Danko.

Dry Sewer Specs were submitted to each Board Member. Meeting will be called to discuss this and other sewer problems relating to the Town.

Mr. Northrup moved the following resolution:

Resolved, that Gary Welchman, 104 Grandview Ave., Manuet, N. Y., be appointed Clerk in Data Processing Office for the period Dec. 18 through Dec. 31, 1963, at a salary of \$1.75 per hour.

Seconded by Mr. Frohling.

Mr. Welchman moved the following resolution:

RESOLVED, that Harry Coyle be appointed Appraiser in connection with request to purchase Clarkstown property in West Yack between Western H'way and West Shore RR Tracks made by George P. Guelich.

Seconded by Mr. Northrup.

Mr. Frohling moved the following resolution:

WHEREAS, the Chief of Police has requested an emergency vehicle, now therefore be it

RESOLVED, that the Chief of Police be and he is hereby authorized to purchase a four-wheel drive vehicle for police emergency use at a cost not to exceed \$999.00.

Seconded by Mr. Danko.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that the Chief of Police be and is hereby authorized to purchase certain materials to outfit and equip vehicle for emergency use at a cost not to exceed \$999.00.

Seconded by Mr. Danko.

Town Clerk's Monthly report and Trial Balance for the month of November, 1963, was noted by Town Board and ordered filed in Town Clerk's Office.

Following Public Officials' bonds were signed by Town Board approving them as to form and sufficiency:

H'way Supt. \$1,000; Bldg. Insp. \$5,000; Town Engr. \$1,000; Dep. Town Clerk \$1000; Confid. Secy to Supv. and Bookkeeper \$1,000; Town Clerk \$2000; and Town Supv. \$500,000. Filed in Town Clerk's office.

The Town Board commended Councilman Jay D. Northrup for his dedicated service to the Town of Clarkstown for the past four years.

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

Signed,

Anne E. O'Connor
Town Clerk