

(16) Mr. Frohling moved the following resolution:

RESOLVED, that Sergeant John Courtney be authorized to attend one week Traffic Records Training Program at the Westchester County Community College at Valhalla, New York, on March 9th to 13th inclusive, and be it

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

Seconded by Mr. Danko.

All voted yes

(17) On resolution by Mr. Holbrook, seconded by Mr. Danko and unanimously adopted, Regular Town Board Meeting was adjourned.

Signed,

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

PUBLIC HEARING

Town Hall

3/9/64

8:15 PM E.S.T.

Present: Messrs. Holbrook, Danko, Frohling, Mundt.
Town Attorney J. Martin Cornell
Deputy Town Attorney Murray N. Jacobson
Town Clerk Anne E. O'Connor

RE: ESTABLISHMENT OF SEWER DISTRICT #18, NEW CITY, TOWN OF CLARKSTONE

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

Town Clerk read Notice of Public Hearing.

Minutes of proceedings were taken by Arthur Massie, Court Reporter. (Page 60-a)

On resolution made by Councilman Frohling, seconded by Councilman Holbrook and unanimously adopted, Public Hearing was adjourned.

Signed,

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

PUBLIC HEARING

Town Hall

3/9/64

8:30 PM E.S.T.

Present: Messrs. Holbrook, Danko, Frohling, Mundt.
Town Attorney J. Martin Cornell
Deputy Town Attorney Murray N. Jacobson
Town Clerk Anne E. O'Connor

RE: EXTENSION OF THE NEW CITY-WEST NYACK WATER SUPPLY DISTRICT TO INCLUDE "THE DELLS" SUBDIVISION

Supervisor Mundt called Public Hearing to order at 8:30 P.M. E.S.T. Town Clerk read Notice of Public Hearing.

David Coral appeared as Attorney for petitioner. Nicholas Guttman appeared before Board as witness, was sworn in by Supervisor and testified as follows:

He is President of "The Dells". Signed petition requesting proposed extension. Extension would benefit all property owners within the proposed district; and all property owners who will benefit from this proposed extension are included within the limits of the proposed extension.

Would be in the public interest to grant because will provide fire protection for the safety and well-being of property and lives and a reduction in fire

PUBLIC HEARING
For the Purpose of Forming
Lateral Sewer District 18
Town of Clarkstown.

STENOGRAPHER'S MINUTES

Reported by Arthur Massie, C.S.R.

AT A MEETING OF THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, HELD AT THE TOWN HALL,
NEW CITY, NEW YORK, ON THE 9TH DAY OF MARCH 1964.

Present: MR. MUNDT-SUPERVISOR	J. MARTIN CORNELL, Esquire, Town Attorney.
MR. FROHLING	
MR. DANKO	MARTIN HURWITZ, Esquire, New City, New York, Proposed Counsel for the District.
MR. HOLBROOK	

MR. MUNDT: The Chair would preface this particular public hearing by making the following comments:

As we know, there was a referendum on a County Sewer System on December 14, 1963, which was passed in the Town of Clarkstown by a ratio of approximately two to one. The County System, of course, is strictly a system involving a trunk line, pumping stations, treatment plant, and an outflow in the area of Piermont into the Hudson River.

What still remains to be done is to establish the collection district, what they call the lateral sewer district, which will hook up with the County Trunk System. This is a program that the Town of Clarkstown has been embarked upon, I would say, since 1959. It goes back now five years.

What we are doing this evening is, in effect, entering into the creation of the first lateral district for the Town of Clarkstown.

The record should show that it is not the intention of this Board to move forward on this lateral district in terms of commitment of funds of any sort, whether they be for final engineering, for financial consultants, for the Council, etc., until we know where the County System is going, and we hope to know that on Wednesday morning, when the Board of Supervisors is meeting to ostensibly vote for a bond issue.

So, if the attorney for the District, Mr. Hurwitz, would proceed--- --

MR. HURWITZ: Mr. Mundt, Gentlemen of the Town Board, my name is Martin Hurwitz. I am at 450 South Main Street, New City, New York, and I am the proposed attorney for this proposed district.

I might say, Mr. Mundt, you took a little of the wind out of my opening statement, because I was going to speak on the same grounds that you did with respect to the particular district.

I might note that what we are doing now is only satisfying legal requirements to the creation of the district, and there are several districts that have to be created, and if we don't get these legal requirements, they would all

devolve upon us at once, and we couldn't have the lateral district ready for service when they will be needed by the County Trunk.

I might also point out this particular district is only one of many, many others which will be organized, and we hope to have them all ready on time, and this district just happens to be the first.

I might say that we have a perfect example of this New City District Number 10, which had been organized back a couple of years, and which is not doing any work; it is just waiting for some trunk service in order to get it going; and further, I might say that this lateral district, as other lateral districts are organized, as they are going to be organized now, will be available for sewer service to people in the district, regardless of what kind of a trunk plan might come out. Even if there were changes in the trunk plan, the district would still be used for it, and we would still like to have it.

I would like to call my first witness, Mr. Adams.

C H A R L E S A D A M S, J R., residing at 33 Primrose Lane, New City, New York, having first been duly sworn, testified as follows:

EXAMINATION BY MR. HURWITZ: Q What is your name and address?

A Charles Adams, Jr., 33 Primrose Lane, New City. Q Are you employed by the Town of Clarkstown? A Yes. Q In what capacity?

A Deputy Town Clerk. Q Do you have on file in your office, that is, the Office of the Town Clerk, an order of the Town Board adopted February 17, 1963, setting this public hearing for tonight, March 9, 1964, at 8:15 p.m.?

A Yes, we do. Q Was a true copy of that order posted by you on the Town signboard not less than 10 and not more than 20 days prior to this hearing?

A Yes. Q Was a true copy of this particular order published in the official Town newspaper of the Town of Clarkstown, The Rockland County Citizen on the 26th day of February 1964? A Yes. Q Was a true copy of this order posted by you at least in five conspicuous places within the district not more than 10 and not less than 20 days prior to the date of this public hearing?

A Yes. Mr. HURWITZ: No further questions of this witness.

I should now like to call John Larkin.

J O H N L A R K I N, residing at 13 Hudson View Road, Upper Nyack, New York, called as a witness, having first been duly sworn, testified as follows:

EXAMINATION BY MR. HURWITZ: Q What is your name and address?

A John F. Larkin, 13 Hudson View Road, Upper Nyack, New York

Q What is your profession? A Civil Engineer. Q With what firm are you associated? A Nussbaumer, Clarke & Velzy. Q Would

you please state your experience in engineering? A Graduated from Manhattan College in 1944; spent three years in the Marine Corps, Engineering Branch; and since then, spent five years teaching in Manhattan College, Lafayette College - - in three different colleges--and Brooklyn Polytechnic Institute.

And since 1951 I have been employed by Nussbaumer, Clarke & Velzy, Civil Engineers.

Q Is there another member of your firm present tonight? A Mr. Velzy.

Q Will you please identify him? A Right (indicating) here.

Q What is his full name? A Charles R. Velzy. Q Is he a partner in the firm of Nussbaumer, Clarke & Velzy? A Yes.

Q When was your firm first retained by the Town in connection with any sewer investigations, or sewer engineering, or reports? A June of 1959.

Q May I ask you who first contacted you on behalf of the Town of Clarkstown to work, to do work on the sewers? A The Town Engineer at that time.

Q Did you at that time appear before the Town Clerk of the Town of Clarkstown?

A Yes. Q Were you interviewed by the Board? A Yes, together with two other engineers. Q Who was the Supervisor at that time?

A John Coyle. Q Have you been working on the sewers for the Town of Clarkstown ever since that time? A Yes.

Q I show you a general map plan or report of sewerage collection district number NC-4 in New City. Was that report prepared by your office? A Yes, it was.

Q What part did you have in the preparation of that report? A I was in charge of that particular project. Q Is this report a true statement of the facts, figures and proposal with respect to the said district NC-4, to the best of your knowledge? A Yes, it is.

Q Was this report subsequently re-numbered to be Sewer District 18 of the Town of Clarkstown? A Yes, it was.

Q Was that report revised, and is that a copy of the revised report? A Yes, this is the revised report. The revisions consisted in the change of numbers.

Q In other words, the only revision from this to that consisted in changing the number from NC-4 to District 18? A That's right.

Q Was this report prepared with funds appropriated by the Town of Clarkstown? A Yes.

Q Pursuant to a resolution Adopted July 6, 1962, most of which funds were advanced to the Town by the U. S. Housing and Home Finance Agency? A Yes.

Q Was a copy of that report filed in the office of, and approved by the New York State Department of Health? A Yes.

Q There is a map over here of New City Sewer District Number 18. I would like you to step up to the map and show us the funning around the borders of what is covered by the district, and a general statement as to the facilities therein contained. A All right. The District compriss the area generally northwest and west of New City proper.

it begins here (indicating). It extends north across Hempstead Road along the boundary of existing Sewer 10, then follows north on the east side of Clara Virden Drive, up to about that (indicating) point; then includes the school property. At that point, it runs up in the development just east of Suzanne Drive, Joyce Street and Elaine Drive, Diane Drive, carries across, including those houses and houses on Beverly Street, up to this (indicating) point north of Rosewood Drive; picks up Rosewood Drive itself, the intervening area in between, Woodland Road, and cuts back to Little Tor Road. That point follows south around the developed area to just north of New Hempstead Road and follows westerly along the northerly side of New Hempstead Road, picking up the properties along that street over to New Hempstead Road to the Parkway. At that point

it cuts down, has a common boundary with the Parkway in the general vicinity of West Clarkstown Road and cuts back and ends up picking up the property south, on the south side of Grant Street and carries northeast of Woodbine Road and extends Woodbine Road to New Hempstead Road and back to the point of beginning along New Hempstead Road. The facilities provide the lateral sewers plus house connections to the curbs, reaching the street proper. Q Mr. Larkin,

does this plan, which was filed with the Town Clerk of the Town of Clarkstown, show all the outlets and the terminus and course of each proposed main sewer or drain, together with the location, and a general description of all sewage disposal plants, pumping stations, and other public works, if any, within the said district as proposed? A Yes, it does. Q Is the plan consistent

with, as far as possible, any comprehensive plan for sewers developed or planned in the Town of Clarkstown or in Rockland County? A Yes, it is.

Q Is any part of the sewer facilities in the plan for District Number 18 located within the boundaries of any incorporated village? A No.

Q In your opinion, are all of the property owners within the proposed Sewer District Number 18 benefitted by the proposed Sewer District? A Yes.

Q Are all the property owners benefitted by the proposed Sewer District included within the limits of proposed District Number 18? A Yes.

Q In your opinion, is it within the public interest to establish this proposed Sewer District Number 18? A Yes, it is. MR. HURWITZ:

Thank you very much. Mr. FROHLING: I think perhaps there may be some questions in other peoples' minds. As many of you know, a fire district line, as such, runs down through the middle of the road. I think it should be clarified here that -- I think I am right -- is that the district line would include the dwellings on both sides of the street to the boundary? MR. LARKIN: right.

Mr. FROHLING: Correct? MR. LARKIN: Yes. MR. FROHLING: Just a point of information, because some other district lines do split a highway; on one side you have one district, and on the other side, another. But this will not be the case in the Sewer District. Correct? MR. LARKIN: Not in this District. In some spots we do get that; but not here. MR. MUNDT: Could you indicate the assessed valuation average that you have tabulated and the unit charge?

MR. LARKIN: Yes. The total of said value is some three million nine hundred thousand dollars, and we made a very careful study of the typical assessment within the area. We found, for example, 59 percent of the homes are assessed between four thousand and six thousand dollars; twenty-two point four percent are assessed higher than six thousand dollars; eighteen point eight percent are assessed below four thousand dollars; and the median value is roughly five thousand dollars. So we placed the computation for typical tax checks on a five-thousand-dollar house. If you are in a different assessment range, you can expect to go up or down. For a typical house assessed at five thousand dollars with 124-foot street frontage, the assessed valuation is \$48.10 in the first year, based on 96.2 cents per hundred dollars of assessed value. The front foot charge will be \$19.63 based on 15.7 percent per unit front foot, and a unit charge of

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\$25.00 for a total of \$92.73 in the first year, the fifth year it is expected to be 81.83 and the 15th year, 70.43. MR. MUNDT: Thank you.

MR. HOLBROOK: As I understand it, regardless of the trunk system employed, it is necessary to create this particular lateral district; is that right?

MR. LARKIN: Yes, it is. MR. HOLBROOK: Thank you. MR. HURWITZ: That concludes the formal presentation on the part of the District.

MR. MUNDT: Is there anyone else present who in favor of this District?

A VOICE: I have one question. I live in District 18. Who appointed Mr. Waitzman your attorney? MR. MUNDT: He has not yet been appointed.

The majority on the Town Board has indicated that Mr. Hurwitz will be appointed, as in the past the majority has indicated their party affiliated attorneys would be appointed. A VOICE: I see. Also, how come there is no posting of this meeting, this public hearing tonight, in District 18?

MR. MUNDT: I beg your pardon? A VOICE: Why wasn't District 18 posted?

MR. MUNDT: Didn't you verify, Mr. Adams, that it was posted? MR. ADAMS: Down in the Town Hall. MR. HURWITZ: In the file there is an affidavit

that it was posted. MR. ADAMS: Little Tor Road and New Hempstead Road, on the corner, in front of Gildersleeve's house, Woodbine Road and New Hempstead and West Clarkstown Road, and Grant Street, Rosewood and Little Tor Road, all within the District. A VOICE: I missed it. MR. HOLBROOK: You

mean you missed "them"? A VOICE: I missed it, the way most of the commuters come in, yes. MR. MUNDT: There may possibly be some people

present who would prefer asking questions, rather than being heard, as pro or con. So, before I ask whether or not anyone is opposed to the creation of the District, is there anyone who would like any illumination on the District?

A VOICE: Are these prices that he quoted just for the trunks, or does this include the trunks and the laterals? MR. MUNDT: It does not include the

trunks. This is strictly the lateral system. A VOICE: Is this strictly the lateral charge? MR. MUNDT: Is that the average? MR. LARKIN: Those are the average figures. MR. HURWITZ: An average beginning figure.

MR. MUNDT: Could you give the range on that? MR. LARKIN: It goes from ninety-two, and in the 15th year we estimate seventy, and beyond that, it goes down. A VOICE: May I ask the approximate cost, the proposed cost of

the trunks? MR. MUNDT: The average unit charge is approximately \$23.00.

A VOICE: In other words, ninety-two plus another twenty-three?

MR. MUNDT: Oh, yes. Then you would have to actually figure it out based on your own assessment. A VOICE: But this is an average you take?

MR. MUNDT: Yes. MR. FROHLING: The \$92.00, I should point out, again, is on a five thousand dollar assessment. A VOICE: Yes, I understand.

MR. JOHN T. TOMIKE, JR.: I would just like to ask a question in regard to invert elevations. Does the Sewer District, as being proposed tonight, NC-18, do the invert elevations at the collection point have to meet the invert elevations of the County Sewer District? MR. LARKIN: Well, I think we might as well explain this. The purpose of the trunk sewer is to serve the

lateral district, and therefore the lateral district is laid out to serve the individual houses. The sewer comes out at a certain elevation. The trunk sewer has to meet that elevation, come what may. In this particular instance, it does. MR. TOMIKE: That's all. MR. MUNDT: Are there any other questions before the Charir request whether or not anyone is specifically opposed? DR. ALAN H. MOLOF: In this proposed district, I would just like to ask questions that have been bothering me, that weren't answered in the report. One of them is, what is to be - - I don't expect it answered - - I would just like to get these questions on the record, so that in your valuation of the hearing, these questions can be answered - - what is to be the expansion of the district? In other words, where is it to go from here? How are these expansion costs to be distributed? Who is to pay the now undeveloped area share in the sub-trunk costs? Who is to pay for the sub-trunk, the Town or the County? That's sub-trunk B.

I would like to ask what is being done as far as coordinating the Town program with the home owners' contributions to this lateral Sewer District, such as the piping from the house to the street, and how is it going to be coordinated with the digging up of the street, and the home owner's financial burden in digging up his lawn and connecting in, both at the same time.

I assume - - I could ask it as a question - - is there a code for the piping from the house to the lateral district? And is there going to be an adoption of specifications for this lateral district?

I would like to ask a question on the population. This is not meant to be facetious, but Mr. Larkin has used 3.5 people in this district. If anyone has driven through this district, he will know that this is a very optimistic figure. I asked my wife, and she got her neighbors. I said, "How many people are there per unit?" They got about 350 house, and they were five. That's about a 40 percent over-population prediction. I would like to know, is this revised figure going to be taken into account in sizing the lines?

I would like to request that the figures be up-dated to the present time, since our Town is growing rapidly. The figures that are over a year old, I believe, should be officially up-dated.

A question that I got from the report is that there is going to be some exempt properties from paying any cost on this lateral Sewer District. I do not know what these were. Personally, I do not think there should be tax exemptions on a lateral Sewer District, and I believe that if they are going to be exempted, they should be exempted over the entire Town, or the whole Town should pay for it.

One more question. I would like to know, does the new suburban town law, that went into effect January 1st, have any effect on the legality or the adoption of the Sewer District or ramifications of its expansion? Thank you, Mr. Mundt. MR. MUNDT: Thank you, Dr. Molof. Taking the legal question first, would you care to comment, Mr. Cornell? Then I will ask Mr. Larkin to try to run down the - - Dr. Molof, could you hand that list, possibly, to Mr.

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Larkin, so that he would have something to refer to as he tries to answer it?

DR. MOLOF: I didn't expect an answer tonight. Since you have a court stenographer here, I think that, in the record, Mr. Larkin could go over these things.

MR. MUNDT: Are you able to answer them? MR. LARKIN: Yes.

MR. MUNDT: Could you hand those to him? DR. MOLOF: I did not have them written out. MR. MUNDT: Do you remember most of them? MR. LARKIN: If he

can give them to me one at a time - - - MR. MUNDT: The only reason I thought we should have these things answered, is that the Town has indicated it wants sewers, and I don't think we should delay on this, if we can avoid delay.

MR. CORNELL: On the last question which you raised, about the suburban town law, there are several new sections which have gone into effect - - Section 54 of the Town Law and subsequent sections - - which do facilitate the establishment of Districts; not specifically Sewer Districts, but all Improvement Districts. So that the procedure for establishing Districts can be streamline. However, there was a previous section of the Town Law, Article 12-A, which was established not too long ago, which also streamlined the establishment procedures. So the suburban town law will assist in some extent. However, we are operating under 12-A of the Town Law at the present time. MR. MUNDT: Mr Larkin?

MR. LARKIN: All right. DR. MOLOF: Do you want me to give him a short resume? MR. LARKIN: One at a time. DR. MOLOF: All right. I think you have the answers to these. I wasn't clear on what they were. MR. BERNARD

NEMEROFF: Why don't they send a letter? The average person doesn't know the questions or the answers. I think, if Dr. Molof sent a letter in to Mr. Larkin, he would answer it. He could read it at the next meeting. MR. MUNDT: I think the reason we are trying to get these answers tonight, is because we intend to adopt this particular District this evening, if we can answer these questions. We do this with all other Districts and unless there is some real serious reason why we should not do it, and I have yet to hear a serious reason, we do not intend to delay the Sewer Program in the Town of Clarkstown. DR. MOLOF:

What is to be the expansion of the District? MR. LARKIN: The District here laid out is fairly complete as it stands. The expansion would generally be to the area to the west of the upper portion of it, which expansion will not take place until such time as that area develops, so that it can support sewers, which it hasn't as yet; and the flow from that run would come into Little Tor Sewer, which is running from the upper left to the lower right, then along New Hempstead Road, which, in effect, is the main sub-front with the north portion of the District. The southern portion of the District will remain as it is right now. There will not be any significant expansion to that.

DR. MOLOF: How are these expansion costs going to be determined?

MR. LARKIN: By the normal procedure. You go through the procedure once again for establishing a District, whereupon all those in the District must consent to the expansion, in addition to the people who are in the expanded District. is identical. So that all these matters are then worked out so everyone is handled equitably over the Sewer. DR. MOLOF: You say that you are putting

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sewer capacity for undeveloped areas in this District. Who is going to pay for that? MR. LARKIN: The District. DR. MOLOF: You mean I am going to be assuming the liability for this until it is developed? MR. LARKIN: That's right. DR. MOLOF: Are they going to pay any premium value when they come in? MR. LARKIN: Yes. The normal procedure is, if an area comes in, it would then make some reimbursement to the existing District. This will be a similar District to District 10. DR. MOLOF: Who is to pay for Sub-Trunk-C? MR. LARKIN: That's the Sub-Trunk from the Trunk Sewer which comes out north of the New City Shopping Center, which is to the east of this District, runs up through the District 10 on New Hempstead Road and joins this District Sub-Trunk at New Hempstead Road. That Sub-Trunk, within District 10, will be built with District 10 funds. The Sub-Trunk that we have throughout this District will be paid for by this District. Each District contains its own Sub-Trunk. DR. MOLOF: There was a question about the coordination of the Town and the home owners, when the streets are torn up, and coordinating the home owners' efforts towards getting his lawn dug up as the same time the street is ready to take it. So I assume this is being done with recommendations from the Town on what piping - - not only recommendations, but adoption of a code for controlling what type of material is used? MR. LARKIN: The Town at present has a Sewer Ordinance, which is largely directed to septic tanks, but it also includes some of the piping from the houses. It is now in revision, to bring it up to date, to put up additional requirements to making a sewer. That will be in effect at the time the Sewer District is built. As far as the coordination of the work in connecting it to the Sewer is concerned, the thing that we are talking about here also includes lateral connections, or house connections, stubs from the sewer in the street to the curblin. So that the street is torn up just once. Once the contractor on the sewers repairs the street, there is no need in breaking it open again. As far as coordinating the connections, they cannot be made until the Trunk System is complete. The plant must be operative. And at that point the householder can connect to the sewer. And at that point he can go ahead and do it. So actually there will be an extended period of time between the time this sewer is completed, and the time the householder is about to connect, a period of several months, most likely, because you cannot let people hook up to the sewer until the sewer is capable of taking the flow. So by putting the house connection stubs to the Sewer District curblin, it would avoid any great difficulty as far as breaking up the street. DR. MOLOF: The population figure - - I think you are in the wrong area of Clarkstown. MR. LARKIN: I don't think so. The population figures we have used is 3.5 percent per house. This was based on the Planning Board study over a number of years. Now, you have to recognize that the population figure for any given small area may vary from the 3.5; but an area this big, of 770 homes, I doubt very much if you are totally off the average. In order to correct this possibility, I think you should also understand that the sewers are designed for four times the normal flow. We assume 100 gallons per capita per day. Actually, the sewer is designed at 400, to allow for any infiltration

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or illegal connections, or anything like that. This sounds like a tremendous over-design, but it isn't, really, because the smallest pipe we are allowed to use is eight inches, and most of the systems you can probably build with four inches. So that you have quite a liberal capacity. The other thing you have to keep in mind is over a period of 30 years, children do grow up and move away. I hop they do. I have six. DR. MOLOF: On the exemption from payment, you mentioned in your report, but you didn't mention who.

MR. LARKIN: We were trying to get a method of financing. We had to be absolutely certain that it was a conservative figure. We took the assessed valuation of the tax roll, and instead of going through something like a church or a school, or some of the other exemp property, and try to find out what the actual assessment would be, we just took it as it read. Whether or not the exempt properties are actually exempted, is a matter for the Town Board to decide. They feel the same way that you and I do. It would be very, very complicated to try and figure out what was the assessed valuation for a church. So to that extent the figures I quoted you on cost, are a little conservative.

DR. MOLOF: So that it is a Town Board decision? MR. LARKIN: Yes.

DR. MOLOF: That's my question. MR. MUNDT: I thought I saw another hand.

MR. SAM FISCHER: Mr. Mundt, the vote was two to one, as you have stated, which means that people have already made a decision. Many of us have already begun to discuss how this will all occur. We no longer are discussing how to prevent or stop it. Therefore, could you tell us, in a more practical way, or your advisers, why we have to prepare the lateral system now, how much time we would save by voting on it tonight, and how soon can the people expect the value of their homes to go up, since a lot of us feel that the institution of a Sewer System will automatically increase the value of the home, which will be to the home owner's advantage. Could you tell us how soon this whole project, therefore, would dovetail?

MR. MUNDT: Mr. Fischer, there are two or three reasons why the Board is contemplating moving ahead tonight, aside from the fact that this is the first lateral district to be presented and discussed in the Town, and it is the culmination of approximately five years of work. One of the reasons, on a technical basis, for which this District should be created, is that when the Town Board passes a motion, assuming it does, tonight, creating the District and signs an order for its creation, the District, technically, is not created until 30 days have elapsed. It is still the right of the citizens within the District to gather a petition and request a referendum within the District. This is solely the right of the people within the District. It seems to me that anyone who might contemplate doing this should think first about the kind of cost he is putting on the taxpayers on that District, about the kind of delay he is putting on the taxpayers of that District, and he should certainly weight whether or not the five years of work done by these engineers, who were appointed many years ago, is not competent; and this Town Board believes it is. This is one reason why this so-called new administration has made a decision, that the Nussbaumer, Clarke & Velzy firm should be retained by the Town. We

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feel they are competent engineers, and we would hope that the people in this District feel so. If, however, a petition is rendered and we must go to referendum, this will delay the entire program. It may not even be completed in time, presuming the County System is permitted to move forward to dovetail with the Town System. If there is a positive vote by at least four of the Supervisors on Wednesday morning, then our schedule, already two months behind, three months behind, should move forward and final engineering be completed on the County basis. Our target date is still service to the taxpayers in the lateral district that we are creating this year, January 1967. This is our target date, and if we can beat that, we are going to try to do it. I hope that, at least, gives an indication.

MR. JOHN MITCHELL: I would like to know whether or not it is the plan of the Town Board to consider an owners' representative, similar to the arrangement, which, I believe, was worked out with the County Trunk System; an owners' representative to coordinate the work of Nussbaumer, Clarke & Velzy, and to represent the Town in dealing with Nussbaumer, Clark & Velzy.

MR. MUNDT: Well, to be absolutely honest, Mr. Mitchell, we haven't contemplated an owners' representative in the Town. We do know this: that you have George Gerber who is handling, primarily, the financial and the book arrangement for the various Districts, and is trying to coordinate on that basis, from an engineering standpoint, which I think is what you are talking about. We do have George O'Keefe, again a Clarkstown resident, and a man whose salary has been upped, so that he can be properly compensated for the time he is putting in. He is also to coordinate the engineering aspects of both Town and County.

MR. MITCHELL: Is he going to, then, act as an owners' representative on the laterals, too?

MR. MUNDT: Only to the extent that he is making certain that the Town's lateral engineering program dovetails with the County, and vice versa.

MR. MITCHELL: Will the Town Engineers act closely to supervise the work of it?

MR. MUNDT: Yes. This is a fundamental assumption, that the Town Engineer is overseeing all this engineering.

MR. MITCHELL: Will it be necessary that he get additional help to do this?

MR. MUNDT: Well, this all depends on the recommendation of both our Consultant Engineers and the Town Engineer. I am sure, once we get in the construction phase on the County System, that you are talking about additional inspectors to make sure that those pipes are going into the ground properly, that there isn't too much infiltration, etc.

MR. MITCHELL: That there are at least pipes there.

MR. MUNDT: That's right, I am sure that obviously these systems have to be expanded, but they are included in the estimated cost, the administrative cost in this District.

MR. MITCHELL: So that we can look forward to some sort of representation for the Town on an engineering level to watch these competent engineers?

MR. MUNDT: I think we have a good Town Engineer in Mr. O'Keefe, and I think we will have it in the personages of the other engineers, some of whom are in this room. Are there any other questions? Otherwise I will ask a question.

MR. TOMIKE: Did I understand Mr. Holbrook's question correctly? He asked Mr. Larkin whether or not we had a County plan, and this depends on the vote on Wednesday, or whether or not the vote on Wednesday

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goes negative, that this lateral district, NC-18, would be necessary and needed, as planned and as designed, whether we had a County System or a Town System? MR. LARKIN: Yes. MR. MUNDT: Is there anyone present who is opposed to the formation of this District? DR. MOLOF: Although I am not opposed to the establishment of a District, but the establishment of this District, and I will try to explain why, I would like a postponement of the adoption of this District. That's one of my purposes of being here tonight, to request postponement of adoption. And my second, is to extend the District to enable all home owners in this District to have an equitable share in the lateral program of Clarkstown. I agree with Mr. Mitchell on the Town having someone as an owners' representative. You asked me that, Mr. Mundt, before the County referendum, and we agreed at that time it was something that should be considered. I think there is a need for a lateral advisory group of citizens of Clarkstown. I have no reason to doubt the ability of the Town Board, but I believe they have other duties which don't give them the necessary time to give to a fifty-million-dollar program. I believe an advisory group of citizens would be helpful, a small group to help the Town Board pave the way for this forty-to fifty-million dollar lateral district. I was going to mention the need for a bond in financial guidance for the District. I notice you are going to appoint financial guidance.

MR. MUNDT: We are tabling that. That item on the agenda is being tabled.

DR. MOLOF: Excuse me. I would like to say there is a need for a bond and financial counsel to establish the correctness and validity of the figures used in presenting the facts to the people. There was a need for a legal guidance, but I found out tonight that a person had been appointed to represent the District. I am against adopting the District now, because there is no disposal district now. I am not talking about spending money. I am saying, don't adopt the District, because I don't want to give anyone the power to even think of spending that money. The County System, no one knows where it is going to be at this time, Monday, March 9, 1964. The possibility of "I don't know where it will go" has been amply written about in the newspapers. So I don't believe the Town Board has any right to adopt a District, until this is known. This is my most important point. This will melt opposition like you have never seen. I would like to know, why not combine this District 18, which is about 99 percent residential, with the commercial ratable in New City Business District, and give the home owners, who have to support increased population with increased taxes, with no increase in revenue, while commercial ratables have increasing revenue from this increasing population. This was the very reason that I advised the members of the Town Board to deny the creation of this Business District, when it came up before the Town Board at that time. It is my opinion that the home owners in my District will exercise the option for a permissive referendum, unless given advantages of having tax ratables included in his District. Thank you, Mr. Mundt.

MR. MITCHELL: I would like to say something contrary to what Dr. Molof has just said. To begin with, I believe there is authority in the Town Board, under the suburban law, - - Mr. Cornell can clear this up - - to consolidate Districts at any time that it believes that it is in the best interest of the Town. MR. CORNELL: That is correct.

MR. MITCHELL: So it would be feasible at a later date to combine all the Districts, including District 18, which is being discussed tonight, and the already formed District 10. I believe that what appears to be piecemeal creation of Districts, who are making sure that as many people on a local level in a particular community can come in and see what is going to happen to them, if it turns out that one of these Districts is very heavily opposed to being formed, you have a tremendous negative vote. If you were to try and expand District 10 to take care of all the Districts that surround it, you would have the possibility of a small, but powerful, group in one District being able to come in and completely block the establishment of any lateral district. Do you understand what I am getting at? MR. MUNDT: Yes.

MR. MITCHELL: I think, for that reason, the program of proceeding in steps and piecemeal, with a later consolidation, is more favorable to getting a System in being, than the expansion of District 10.

MR. MUNDT: Thank you, Mr. Mitchell. Is there anyone else who cares to make comment?

MR. FISCHER: I urge the Town Council to make their decision tonight. Some of the old-timers know, as much as 25 years ago or so, the figure of three million dollars for a trunk line was tossed around and heard. Today it is going to reach the twelve million six hundred thousand dollar mark, or thereabouts - - 12.6 million. Ordinarily, I might go along with Dr. Molof, personally, - - I can only talk for myself - - if it were a matter of a month or two, or four months, or so. But this constant putting off, or delay, may go into years. The children are born, anyway; the numbers increase; and tomorrow is almost upon us. In another couple of hours, we have tomorrow. So we might just as well decide. Assuming that the people you have hired to guide us on the engineering part - - and I am not an engineer; or, I understand it, but you have to explain it to me - - assuming you've gotten competent people, as a home owner, knowing that several home owners have already run into problems that require a much better sewer system than we have today, I suggest very strongly that you make your decision tonight and let Wednesday morning take care of itself.

MR. HARRY WAITZMAN: Dr. Molof asked that we perhaps correct the population figures in the report where, apparently, 3.5 people were used as a factor per dwelling unit. Apparently, by checking with his wife and other people, the proper factor might be five people per dwelling unit. Then, about ten or fifteen minutes later, he asked us to defer the project. Now, if we accept his correction, namely, that the total population involved is far in excess of the number set forth in the report, how can he possibly ask us to defer

this project any longer? And, probably, because of the population requirement in the New City area, this is not just the type of project which can be deferred.

DR. MOLOF: I wish to add, I did not count the pregnant women in this.

(Discussion off the record)

DR. MOLOF: I am not a lawyer. I do not understand the legal entanglements here. I am speaking as a resident of this District. I could put Mr. Larkin on the spot and ask him what type of time delay are we talking about. When I am asking for this District not being adopted and being merged with District 10 or other Districts, I am not speaking of any postponement or delay in joining with the County Trunk System. I would like to get Mr. Larkin on record as to how long that would postpone the lateral development of Clarkstown.

MR. MUNDT: Do you care to make any final comment, Mr. Larkin, and I think we will close this hearing.

MR. LARKIN: I would say a minimum of three months, and more likely six or nine, because this would mean re-working District 10; re-working this District, consolidating the figures. You are talking about doing four others, as well, which means re-working those into form. And the red tape on something like this - - when we don't have to - - I think its's rather tremendous, just the red tape involved in this District alone. If you people act tonight, then with good luck, along about July you've got this thing out of the woods. Then we can proceed with it. We are talking in terms of three or four months' delay just in a perfectly routine District. Just to add additional complications on that, is begging for trouble.

MR. MUNDT: If I may conclude this hearing, just one comment. There are those in the audience who have been heard tonight, who strongly oppose the County System. I would hope that they will consider the mandate of the people, which occurred on December 14th in the Town of Clarkstown, before they decide on charging to the people in these lateral districts additional expense and delay by causing these districts to go to referendum.

The Chair will now close this hearing.

May we have a motion on the adoption of Sewer District 18?

MR. HOLBROOK: I so move.

MR. FROHLING: I second it.

(On the Voting)

THE CLERK: Mr. Holbrook?

MR. HOLBROOK: Yes.

THE CLERK: Mr. Danko?

MR. DANKO: I abstain.

THE CLERK: Mr. Frohling?

MR. FROHLING: Yes

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THE CLERK: Mr. Mundt?

MR. MUNDT: Yes.

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insurance rates.

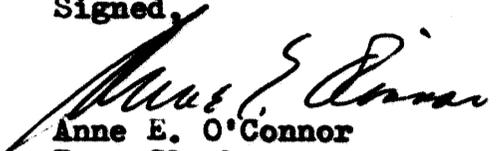
There were no questions from the Board; no other witnesses testified.

Supervisor Mundt inquired if anyone present wished to appear as being in favor of proposed extension. No one appeared.

Supervisor Mundt inquired if anyone present wished to appear as being opposed. No one appeared.

On resolution by Councilman Holbrook, seconded by Councilman Danko and unanimously adopted, Public Hearing was adjourned.

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

3/9/64

8:45 P.M. E.S.T.

Present: Messrs. Holbrook, Danko, Frohling, Mundt.
Town Attorney J. Martin Cornell
Deputy Town Attorney Murray N. Jacobson
Town Clerk Anne E. O'Connor

RE: EXTENSION OF THE NEW CITY-WEST NYACK WATER SUPPLY DISTRICT TO INCLUDE
"TAMARAC KNOLLS - SEC. I"

Supervisor Mundt, called Public Hearing to order at 8:45 P.M., E.S.T. Town Clerk read Notice of Public Hearing.

Michael Reeder appeared as attorney for Petitioner. Mr. Lief Bergstol appeared before Board as witness and was sworn in by Supervisor Mundt. He testified as follows:

He is president of subdivision seeking inclusion in Water District. Signed petition requesting same.

Proposed extension will benefit all property owners within the proposed extension; all property owners who will benefit from this proposed extension are included within the limits. It would be in the public interest to grant because it will provide fire protection for the safety and well-being of property and lives, and cause a reduction in fire insurance rates.

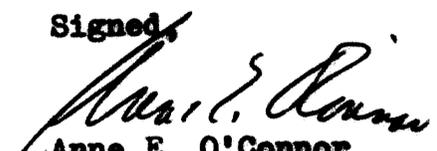
Councilman Danko inquired if petitioner would sign restrictive covenant stating that petitioner would install hydrants. Client replied that he would do so.

Supervisor Mundt inquired if anyone present wished to appear as being in favor of this proposed extension. No one appeared.

Supervisor Mundt inquired if anyone present wished to appear as being opposed to this proposed extension. No one appeared.

On resolution by Councilman Holbrook, seconded by Councilman Danko and unanimously adopted, Public Hearing was adjourned.

Signed,


Anne E. O'Connor
Town Clerk

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PUBLIC HEARING

Town Hall

3/9/64

9:00 P.M. E.S.T.

Present: Messrs. Holbrook, Danko, Frohling, Mundt
Town Attorney J. Martin Cornell
Deputy Town Attorney Murray N. Jacobson
Town Clerk Anne E. O'Connor

RE: ZONE CHANGE APPLICATION (R0 to R-2): MARTHA H. DORFMAN (Property located on James Street, Nanuet, on west side of North Middletown Road.

Supervisor Mundt called Public Hearing to order at 9:00 P.M. E.S.T. Town Clerk read Notice of Public Hearing.

Martin Hurwitz appeared as attorney for petitioner and explained petition to Board as follows:

Application for upzoning. Property in question is presently R0. This would permit offices, regional shopping centers, light manufacturing. Asking for Town Board to upzone the property to R-2 which is strictly residential and would permit two-story garden apts. (Described parcel on map.)

In Nanuet: back up on Thruway. On west, bounded by homes on roughly 1/3 acre lots. On north, Carmen Drive and vacant land. On east by vacant land. Entire area 19 acres roughly. This parcel was originally placed in R0 by Town Board with the request of owner for such action. Property is served by two streets that enter into it; James Street and Carmen Drive. They contribute 4 accesses. Designated as non-commercial. Petitioner does not have right to use these streets as commercial, while property is zoned commercial.

Two-story garden apartments to be built. Trees will be left to provide natural screening. Four ways for ingress and egress will be provided. Covenant: No building closer than 100' to any property line. There will be 200' between any dwelling built in this area.

Mr. Donald Brenner, 37 West Allison Ave., Pearl River, N.Y. was sworn in as witness and testified as follows:

He is Civil Engineer and Superintendent of Sewers for the Town of Orangetown. Is familiar with the property in this petition. Land suitable for development with garden apts. Approximately 25% of land would be covered by buildings; rest would be open area. Present facilities: water, gas, electricity, telephone service, road service and sewer service. Sewer facilities would be compatible. (Internal sewer system with disposal system). Area would be incorporated into County Sewer System.

QUESTIONS FROM TOWN BOARD:

Councilman Frohling: Approximately how many units? 200 apts. would work in stages.

Councilman Holbrook: Would petitioner agree to covenant on architectural design. Yes.

There were no further questions from the Board.

Supervisor Mundt inquired if anyone present wished to appear as being in favor of requested zone change. No one appeared.

Supervisor Mundt inquired if anyone present wished to appear as being opposed. The following appeared:

Mrs. Beverly Sawaya: Wait for Master Plan.

Mr. F. Ketchmar, 36 Carmen Drive: Referred to map. Re 1/3 acre lots, closer to 3/4 or 1/2 acre lots; not 1/3 acre. Houses all zoned R-1. This is residential area. Would constitute downzoning. Two new homes directly across street from parcel facing on Carmen Drive. Proposed change would lower property values. Influx of children and adults. Should such zone change be granted, would definitely set precedent for County. Should be changed from R0 to R-1 so area can be developed the way it should be. Apartment houses should be built on commercial property.

Mr. John Moran: Remiss to allow R0. 200 families on 19 acres must be taken into consideration. Town sewers are not going to be available until about three years.

Mr. John Tomicki: Deny. Moratorium on downzoning until Master Plan.

Mr. George Large: Congestion will be caused by multiple dwellings. Parking spaces will have to be allocated. Limited area for recreational facilities.

Mr. Wm. Crampitt: Traffic heavy. 300-400 cars.

Mr. John Moran: (re-appeared): Property 4 years ago was zoned R-1. Homes were to be built. Builder all set providing that Hannet Estates would sign up for sewers and we refused because we could not get a guarantee that it would be in compliance with a Town Sewer Plan. On the basis of our turning them down, the plans fell through.

Mr. Miller: Opposed.

Mr. Beloise: Road will come in front of his house.

Councilman Frohling at this point asked people opposed if they would favor R-1, instead of R-2. People in audience responded affirmatively.

REBUTTAL BY ATTORNEY MARTIN HURWITZ:

1. Downzoning not correct. This is upzoning.
2. Residences on west and north. On east vacant land in R0.
3. One attempt to build on R-1 was turned down by Planning Board because of drainage. Surface drainage problems that exist do not exist with apartment because sewer system with own sewer plant would be built.

Gas line can be relocated; has been relocated on several occasions prior to this. Petitioner willing to agree that all land on the w/side and on n/side is contiguous with homes built on R-1 zone. A buffer zone of 100' to be set up along sides of lots. Petitioner would covenant that 100' buffer zone will be met.

LETTER FROM COUNTY PLANNING BOARD: No adverse effect on N.Y.S. Thruway. R0 is not appropriate, but possibilities under R-2 would create traffic hazard. Recommends R-1 or R-2 with restrictions.

LETTER FROM CLARKSTOWN PLANNING BOARD: Not acceptable. Denial until suitable pattern for the use of the entire area has been developed.

On resolution made by Councilman Danko, seconded by Councilman Frohling and unanimously adopted, Public Hearing was adjourned.

Signed

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

TOWN BOARD MEETING

Town Hall

3/9/64

8:00 PM E.S.T.

Present: Messrs. Holbrook, Danko, Frohling, Mundt.
Town Attorney J. Martin Cornell
Deputy Town Attorney Murray N. Jacobson
Town Clerk Anne E. O'Connor

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

(18) Councilman Danko moved the following resolution:

RESOLVED, that Town Board minutes of two (2) public hearings and regular Town Board Meeting held on 2/17/64; and one (1) public hearing and regular Town Board meeting held on 2/24/64 are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Holbrook.

All voted yes.

(19) Councilman Holbrook moved the following resolution:

RESOLVED, that the time for receiving bids for furnishing of one (1) New Vibrating Tandem Roller w/carrying trailer; one (1) New Two-Wheel Drive 2½ Cu.Yd. Dump Truck; and fill for Sanitary Fill Operation be closed, and be it

FURTHER RESOLVED, that bids received up to this time be ordered opened.

Seconded by Councilman Danko.

All voted yes.

THE FOLLOWING BIDS WERE RECEIVED: TWO WHEEL DRIVE DUMP TRUCK

Mahway Ford, Mahwah, N.J.	\$6,917.20	
LESS TRADE-IN VALUE:	<u>1,800.00</u>	NET BID: \$ 5,117.20

Mid-Town Auto Body Congers, N.Y.	6,311.00	
LESS TRADE-IN	<u>1,582.92</u>	NET BID: 4,728.08

VIBRATING TANDEM ROLLER W/CARRYING TRAILER:

Ralph C. Herman Co. Marlboro, NY	<u>3,086.00</u>	
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SANITARY FILL:

W. Gagnon & Son 37 W. Washington Ave. Pearl River, NY	\$1.40 per yard
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Capitol Constr. Co., Inc. 64 Wallace Street Tuckahoe, NY	\$1.71 per yard
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(Bids on Sanitary Fill to be awarded at next Town Board Meeting to be held on 3/23/64 at suggestion of Town Engineer).

(20) Councilman Danko moved the following resolution:

RESOLVED, that bid for furnishing Tandem Roller be awarded to Ralph C. Herman Company at net price of \$3,086.00

Seconded by Councilman Holbrook.

All voted yes.

(21) Councilman Danko moved the following resolution:

RESOLVED, that bid for furnishing one New Two-Wheel 2½ cu. yd. Dump Truck be awarded to Mid-Town Auto Body Co. at net price of \$4,728.08.

Seconded by Councilman Holbrook.

All voted yes.

Mrs. Mary Voss, Second Ave., Spring Valley, NY, appeared before Board re overnight parking. Town Attorney J. Martin Cornell stated that the Town can enforce "No Overnight Parking" regulation. Highway Supt. was authorized by Board to post. Town can issue summonses if directive is not heeded.

Mrs. Voss also commented on garbage condition that should be corrected. She was asked to supply names and addresses of persons responsible for condition so

further action could be taken by Board.

(22) Councilman Danko moved the following resolution:

RESOLVED, that regular Town Board meeting is hereby adjourned in order to hold scheduled Public Hearings.

Seconded by Councilman Holbrook.

All voted yes.

(23) Councilman Holbrook moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly caused Nussbaumer, Clarke & Velzy, P.e. consulting engineers duly licensed by the State of New York, to prepare a general map, plan and report relating to the establishment of proposed sewer district No. 18 in said Town of Clarkstown, as hereinafter described and for the construction of a lateral sewer system therein consisting of lateral sewers, sub-mains and sub-trunks tributary to the sub-trunk extension along New Hempstead Road within existing Sewer District No. 10 and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been duly filed in the office of the Town Clerk of said Town for public inspection, and

WHEREAS, pursuant to resolution duly adopted on February 17, 1964, said Town Board determined to proceed with the establishment of said proposed Sewer District No. 18 and the construction of such lateral system therein and adopted an order reciting a description of the boundaries of said proposed Sewer District No. 18 in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, including acquisition of the necessary land and easements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying March 9, 1964, at 8:15 o'clock P.M. E.S.T. as the time when, and the Town Hall, 10 Maple Avenue, New City, N.Y., of said Town, as the place where, the said Town Board would meet to consider establishment of said proposed Sewer District #18 and the construction of a lateral sewer system therein, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of said Town Board in relation thereto, as may be required by Law, and

WHEREAS, certified copies of such order were duly published and posted pursuant to the provisions of Article 12-A of the Town Law, and

WHEREAS, a public hearing in the matter was held by said Town Board on the 9th day of March, 1964, commencing at 8:25 o'clock P.M. E.S.T., at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the establishment of said proposed Sewer District No. 18 and construction thereof of such lateral sewer system:

NOW, THEREFORE, upon the evidence adduced at such public hearing, be it

RESOLVED, by the Town Board of the Town of Clarkstown, in the County of Rockland New York, as follows:

Section I. It is hereby determined that

(a) the notice of public hearing was published and posted as required by law, and is otherwise sufficient, and

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(b) All the property and property owners included within the proposed Sewer District No. 18 hereinabove referred to in the recitals hereof are benefited thereby:

(c) All the property and property owners benefited are included within the limits of said proposed sewer district No. 18, and

(d) It is in the public interest to establish said proposed sewer district No. 18.

Section 2. The establishment of said proposed Sewer District No. 18 is hereby approved as hereinafter described and the proposed lateral sewer system therein shall be constructed as set forth in the said order calling the public hearing including acquisition of the necessary lands and easements and said sewer district shall be designated and known as Sewer District No. 18 in the Town of Clarkstown, situate wholly outside of any incorporated village or city, and shall be bounded and described as follows:

(Page 66-A)

Section 3. The maximum amount proposed to be expended for the construction of said lateral sewer system consisting of lateral sewers, sub-mains and sub-trunks tributary to the sub-trunk extension along New Hempstead Road within existing Sewer District No. 10, in said Town of Clarkstown, and including manholes, house connection stubs brought to the curbs, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, is \$1,196,000 which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown and the assessment, levy and collection of special assessments upon the several lots and parcels of land in said proposed Sewer District No. 18 which the Town Board shall deem especially benefited by said lateral sewer system so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair.

Section 4. The Town Clerk of said Town of Clarkstown is hereby authorized to within 10 days after the adoption of the resolution to file certified copies of this resolution, in duplicate, in the office of the State Department of Audit and Control at Albany, New York, together with an application by said Town Board, in duplicate, for permission to establish said Sewer District No. 18 in the Town of Clarkstown, as herein described, pursuant to the provisions of said law, and that such application shall be executed and verified by and in behalf of said Town Board by the Supervisor of the Town.

Section 5. This resolution shall take effect thirty days after its adoption, unless there shall be filed with the Town Clerk a petition signed and acknowledged by the owners of taxable real property situate in the proposed district, as shown upon the latest completed assessment roll of said Town, in number equal to at least five per cent of the total number of such owners, or by one hundred of such owners, whichever is the lesser, protesting against this resolution and requesting that the matter be submitted to the owners of taxable real property situate in said proposed District at a referendum, in the manner provided by the Town Law.

Easterly Boundary---Beginning at a point on the present boundary line of Sewer District Number 10 where said line intersects the southerly side of lot 39-A-16; thence northerly and easterly along the boundary line of Sewer District Number 10 and crossing New Hempstead Road and Eberling Drive to a point where said line intersects the easterly boundary of Lot 58-F-12; thence northerly along the easterly side of the lots 58-F-12 and 16 to the north east corner of said lot 16, at Clark Place; thence northerly across Clark Place to the southeasterly corner of lot 58-F-26; thence northerly along the easterly side of lots 58-F-26 to 32 inclusive, to the northeast corner of said lot 32; thence westerly and northwesterly along the northerly side of lots 58-F-33 and 34 to the northwest corner of said lot 34, at Eberling Drive; thence westerly across Eberling Drive to the northeasterly corner of lot 40-A-8.05; thence northerly along the westerly side of lots 40-A-8.05, 8.04 and 7.01 to the northeasterly corner of said lot 7.01; thence westerly along the northerly side of said lot 7.01 to the northwesterly corner of said lot 7.01, at its intersection with Verdin Drive; thence westerly across Verdin Drive to the northeast corner of lot 40-A-1; thence westerly, northerly and westerly along the northerly side of said lot 1 to its intersection with the easterly side of lot 39-A-17.01; thence continuing westerly along the northerly side of said lot 17.01 to its intersection with a point on the easterly side of lot 40-A-9; thence northerly along the easterly side of said lot 9 to the northeast corner of said lot 9; thence westerly along the northerly side of said lot 9 to the northwesterly corner of said lot 9, at Ruth Drive; thence westerly across Ruth Drive to the northeasterly corner of lot 40-A-9.17; thence continuing westerly along the northerly side of lots 40-A-9.17 to 9.13 inclusive, to the northwesterly corner of said lot 9.13, which point is on the southerly side of lot 40-A-65; thence northerly along a straight line projected from the westerly side of lot 40-A-9.13, across lot 40-A-65, to its intersection with the line produced by the extension of the northerly side of lot 40-A-58.08; thence westerly along said line produced by the extension of the northerly side of said lot 58.08, across lot 40-A-65, to the northeasterly corner of lot 58.08; thence continuing westerly along the northerly side of lots 40-A-58.08 to 58.03 inclusive to a point on the northerly side of said lot 58.03 where it intersects the easterly side of lot 40-A-59, at the southeasterly corner of said lot 59; thence northerly along the easterly side of said lot 59 to the northeasterly corner of said lot 59 which said corner is on the southerly side of lot 40-A-60; thence northerly from the northeasterly corner of said lot 40-A-59 and crossing said lot 40-A-60 and the private right-of-way known as Little Brook Road, to the southeasterly corner of lot 40-A-61.01; thence northerly along the easterly side of said lot 61.01 to the northeasterly corner of said lot 61.01;

Northerly Boundary---thence westerly along the northerly side of lots 40-A-61.01 and 61 to the northwesterly corner of said lot 61, at Little Tor Road; thence westerly across Little Tor Road to the northeasterly corner of lot 22-A-5; thence continuing

westerly along the northerly side of said lot 5 and lots 22-A-8.08 to 8.06 inclusive, to to the northwesterly corner of said lot 8.06; thence southerly along the westerly side of said lot 8.06 to the southwesterly corner of said lot 8.06, at Rosewood Drive; thence southerly across Rosewood Drive to the northwesterly corner of lot 22-A-8.05; thence southerly along the westerly side of said lot 8.05 to the southwesterly corner of said lot 8.05; thence southerly across lot 22-A-11 to the northeasterly corner of lot 22-A-10; thence southerly along the easterly side of said lot 10 to the southeasterly corner of said lot 10; thence continuing in a southerly direction across lot 22-A-11 to a point on the southerly side of said lot 11 which is the northwesterly corner of lot 22-A-15.07; thence southerly along the westerly side of lot 22-A-15.07 and 15.08 to the southwesterly corner of said lot 15.08; thence easterly along the southerly side of said lot 15.08 to the southeasterly corner of said lot 15.08 at Woodland Road; thence easterly across Woodland Road to the southwesterly corner of lot 22-A-15.09; thence easterly along the southerly side of lots 22-A-15.09 to 15.13 inclusive, to the southeasterly corner of said lot 15.13, which point is also the northwesterly corner of lot 40-A-16.16; thence southerly along the westerly side of lots 40-A-16.16 to 16.11 inclusive, to the southwesterly corner of said lot 16.11; thence easterly along the southerly side of said lot 16.11 to the southeasterly corner of said lot 16.11 at Joan Drive; thence easterly across Joan Drive to the southwesterly corner of lot 40-A-16.10; thence continuing easterly along the southerly side of lot 40-A-16.10 and 40-A-16.04 to a point on the southerly side of said lot 16.04 which is the northwesterly corner of lot 39-C-3.07; thence southerly along the westerly side of lots 39-C-3.07 to 3.09 inclusive to the southwesterly corner of said lot 3.09, at Greenwood Drive; thence southerly across Greenwood Drive to the northwesterly corner of lot 39-C-22.09; thence continuing southerly along the westerly side of lots 39-C-22.09 to 22.04 inclusive, to the southwesterly corner of said lot 22.04, at right-of-way; thence across right-of-way to the northwesterly corner of lot 39-C-22.03; thence continuing southerly along the westerly side of lots 39-C-22.03, 22.02 and 22 to a point on the westerly side of said lot 22 which is 210 feet north of the northerly side of New Hempstead Road, which point is also on the easterly side of lot 21-A-3; thence westerly in a straight line 210 feet north of the northerly side of New Hempstead Road across lots 21-A-3, 4, 5 and 6 to the northeasterly corner of lot 21-A-7; thence continuing in a westerly direction along the northerly side of lots 21-A-7 and 9 to the northwesterly corner of said lot 9; thence continuing westerly along a line projected from the northerly side of lots 21-A-7 and 9 across lot 21-A-8 to a point on the easterly side of lot 21-A-10, which point is 210 feet north of the northerly side of New Hempstead Road; thence northerly along the easterly side of said lot 10 to the northeasterly corner of said lot 10; thence westerly along the northerly side of said lot 10 to a point on the easterly side of lot 21-A-10.01; thence northerly along the easterly side of said lot 10.01 to the northeasterly corner of said

lot 10.01; thence westerly along the northerly side of said lot 10.01 to the northwesterly corner of said lot 10.01; thence southerly along the westerly side of said lot 10.01 to the northwesterly corner of lot 21-A-10; thence southerly and southwesterly along the westerly side of said lot 10 to a point on the westerly side of said lot 10 which is 260 feet north of the northerly side of New Hempstead Road; thence westerly in a straight line across lot 21-A-11, Phillips Hill Road and lot 21-A-13 to the northeasterly corner of lot 21-B-10.03; thence northwesterly and westerly along the northerly side of lot 21-B-10.03, 10.04 and 10.06 to the northwesterly corner of said lot 10.06, which point is located at New Hempstead Road; thence northerly across New Hempstead Road to the centerline of New Hempstead Road; thence easterly along the centerline of New Hempstead Road to a point where it intersects the projected dividing line between lots 39-B-27.02 and 27.03; thence southerly along said line to the southwesterly corner of lot 39-B-27.03; thence easterly along the southerly side of lots 39-B-27.03 to 27.05 inclusive, to the southeasterly corner of said lot 27.05; thence northerly along the easterly side of said lot 27.05 to the northeasterly corner of said lot 27.05, at New Hempstead Road; thence northerly across New Hempstead Road to the centerline of New Hempstead Road; thence easterly along the centerline of New Hempstead Road to its intersection with the centerline of Little Tor Road; thence southerly along the centerline of Little Tor Road to its intersection with the centerline of Old Hempstead Road; thence easterly along the centerline of Old Hempstead Road to its intersection with the centerline of New Hempstead Road; thence easterly along the centerline of New Hempstead Road to a point where it intersects the projected dividing line between lots 39-A-16 and 38-A-1; thence southerly along said line to the southwesterly corner of lot 39-A-16; thence easterly along the southerly side of said lot 16 to its intersection with the present boundary line of Sewer District Number 10, the point of beginning.

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Seconded by Mr. Frohling.

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Frohling, Mundt.
ABST: Councilman Danko

The Town Board signed Order extending the New City-West Nyack Water Supply district to include the "DELLS" subdivision.

A petition in this matter for the extension of the New City-West Nyack Water Supply District of the Town of Clarkstown, excluding any portion already in an existing district, having been duly presented to the Town Board and an order having been duly adopted by the Town Board on the 9th day of March, 1964 at the Board Room of the Town Hall of the Town of Clarkstown at 10 Maple Ave., New City, N.Y., and a hearing by the said Board having been duly held at such time and place and it having been duly resolved and determined following such hearing that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all the property and property owners within the proposed extension were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved; it is hereby

ORDERED that the New City-West Nyack Water Supply District of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town of Clarkstown.

The Town Board signed Order Extending the New City-West Nyack Water Supply District to include Tamarac Knolls-Sec. I Subdivision with restrictive covenant stating that fire hydrants will be installed by petitioner, upon recommendation made by the Town Engineer.

A petition in this matter for the extension of the New City-West Nyack Water Supply District of the Town of Clarkstown, excluding any portion already in an existing district, having been duly presented to the Town Board, and an Order having been duly adopted by the Town Board on the 9th day of March 1964, at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Ave., New City, N.Y., and a hearing by the said Board having been duly held at such time and place, and it having been duly resolved and determined following such hearing that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all the property and property owners within the proposed extension were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved; it is hereby

ORDERED, that the New City-West Nyack Water Supply District of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town of Clarkstown as follows: Lots 8-12 in Block A; lots 1-5 in Block B and Lots 1-8 in Block C inclusive, being all of the premises

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shown on a certain subdivision map entitled "Section One, Tamarac Knolls in New City, Town of Clarkstown, Rockland County, New York" made by William A. Yuda, P.E. West Nyack, New York, which map is filed in the Rockland County Clerk's Office on October 1, 1963, in Book 67 of Maps at Page 20 as Map No. 3168.

(25) Councilman Frohling moved the following resolution:

RESOLVED, that decision on zone change application of Martha Dorfman (R0 to R-2) be reserved.

Seconded by Councilman Holbrook.

All voted yes.

Due to failure of petitioner's attorney handling zone change application for Elliot Eichler, Valley Cottage, public hearing to be held this evening, to post property, said public hearing had to be rescheduled.

(26) Councilman Frohling moved the following resolution:

RESOLVED, that Public Hearing on Zone Change Application made by Elliot Eichler (RA-1 formerly RA-1(X) to R-22) be rescheduled for 3/23/64 - 9:45 P.M.)

Seconded by Mr. Holbrook.

All voted yes.

Councilman Danko left the Town Board Meeting Room at this time.

The Town Attorney was instructed to have all papers in order for Mueller Drive and Argow Place road dedication by meeting of the 23rd.

(27) Councilman Holbrook moved the following resolution:

RESOLVED, that upon recommendation of the Town Engineer, the two (2) bids received for furnishing fill for sanitary fill operation are hereby rejected, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized to re-advertise for bids for same, said bids to be opened at regular Town Board Meeting to be held on 4/27/64 at 8:05 P.M., E.S.T.

Seconded by Councilman Frohling.

All voted yes.

(28) Councilman Holbrook moved the following resolution:

RESOLVED, that the application of Oakbrook Estates, Inc. for a change of zoning from a R-2 district to a LS district on property located on North Middletown Road, Nanuet, 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 Councilman Frohling.

All voted yes.

Councilman Holbrook moved the following resolution:

(29) RESOLVED, that the application of THE DELLS, INC. for a change of zone from a RA-1 district to a R-2 district, on property located on 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 Councilman Frohling.

All voted yes.

Councilman Holbrook moved the following resolution:

(30) RESOLVED, that the application of GREEN TREE ESTATES, INC. for amendment to the zoning ordinance so as to designate Klein Avenue as a commercial street on property located in West Nyack, 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 Councilman Frohling.

All voted yes.

(29-A)

Councilman Holbrook moved the following resolution:

RESOLVED, that the amended application of MAISONETTE DEVELOPMENT CORP. for a change of zoning from a IO 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 Councilman Frohling.

All voted yes.

Adoption of proposed resolution authorizing the Supervisor to execute contract with Wainwright & Ramsey, Financial Consultants, re lateral sewer district was tabled.

Re zone change decisions: Town Board will meet on Wednesday, 3/18/64, at 8 P.M. in the Supervisor's Office.

Councilman Holbrook moved the following resolution:

31) RESOLVED, that the Town Clerk be authorized to sign hydrant order for installation of three fire hydrants; one on the west side of Sable Court approximately 40' south of the south curb line of Hunter Place; one on the north side of Adele Rd., approximately 360' west of the west curb line of Klein Ave., and one on the west side of Klein Ave., approximately 320' south of the south curb line of Louise Drive, West Nyack, and be it

FURTHER RESOLVED, that Spring Valley Water Works & Supply Co. is hereby authorized to make such installations and that the same be made a charge against the New City-West Nyack Water Supply District.

Seconded by Councilman Frohling.

All voted yes.

Councilman Frohling moved the following resolution:

(32) RESOLVED, that the Town Clerk be authorized to sign hydrant order for installation of one fire hydrant on the west side of Dade Road, and one fire hydrant on the west side of Broward Drive, and be it

FURTHER RESOLVED, that Spring Valley Water Works & Supply Co. is hereby authorized to make such installations and that same be made a charge against the New City-West Nyack Water Supply District.

Seconded by Councilman Holbrook.

All voted yes.

Councilman Holbrook moved the following resolution:

(33) RESOLVED, that Mrs. Ann Pagliuca, 22 Adele Rd., West Nyack, N.Y. be appointed to the position of Clerk-Typist at a salary of \$3200 per annum, in the Town Clerk's Office, effective 3/9/64.

Seconded by Councilman Frohling.

All voted yes.

Councilman Frohling moved the following resolution:

(34) WHEREAS, Harold Reiss and George Reiss have petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner described, from R-1 district to a C-2 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, 10 Maple Ave., New City, Rockland County, New York, in the said Town of Clarkstown, on

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April 13, 1964, at 8:15 P.M. E.S.T. relative to such proposed amendment; and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the Journal-News, a paper of general circulation in the Town of Clarkstown as aforesaid and file proof thereof in the office of the said clerk.

Seconded by Councilman Holbrook.

All voted yes.

(35) Councilman Frohling moved the following resolution:

WHEREAS, Alfred J. Elish 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 said petitioner described from RA-1 and R-22 district to a R-2 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 said Town of Clarkstown at 10 Maple Ave., New City, Rockland County, New York, in the said Town of Clarkstown, on the 13th day of April, 1964, at 8:30 P.M. E.S.T. relative to such proposed amendment, and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the Journal-News, a paper of general circulation in the Town of Clarkstown, as aforesaid and file proof thereof in the office of the said Clerk.

Seconded by Councilman Holbrook.

All voted yes.

Councilman Frohling moved the following resolution:

(36) WHEREAS, Ungava Farms, Inc. 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 said petitioner described from RA-1 district to a R-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 Ave., New City, Rockland County, New York, in said Town of Clarkstown, on the 13th day of April, 1964, at 8:45 P.M. E.S.T., relative to such proposed amendment, and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the Journal-News a paper of general circulation in the Town of Clarkstown as aforesaid and file proof thereof in the office of the said Clerk.

Seconded by Councilman Holbrook.

All voted yes.

Councilman Frohling moved the following resolution:

(37) WHEREAS, Davies Farm, Inc. 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-1 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

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10 Maple Ave., New City, Rockland County, New York, in the said Town of Clarkstown, on the 13th day of April 1964, at 9:00 PM, E.S.T. 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 Councilman Holbrook.

All voted yes.

Councilman Holbrook made the following resolution:

(38) RESOLVED, that Seymour Gurlitz, Architect, 315 N. Middletown Road, Pearl River, New York, and Henry Horwitz, Engineer, Blue Stamp Bldg., Manuet, be appointed for the purpose of creating a site improvement plan for the French Farm at a cost not to exceed \$5000, and be it

FURTHER RESOLVED, that the amount of \$5000 be transferred from Current Surplus-General to Town Building Site Account for payment of above site improvement plan, subject to contract to be drawn up by the Town Attorney.

Seconded by Councilman Frohling.

All voted yes.

Councilman Frohling moved the following resolution:

(39) WHEREAS, the Town Board of the Town of Clarkstown feels it is necessary to amend the zoning ordinance of the Town of Clarkstown;

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, County of Rockland, New York, in the said Town of Clarkstown on the 13th day of April, 1964, at 9:30 P.M. E.S.T. to consider a change 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 of the use by right of filling stations in District C-2 and the insertion of the use by right of filling stations in District M-1.

Seconded by Councilman Holbrook.

All voted yes.

Councilman Holbrook moved the following resolution:

(40) WHEREAS, the Superintendent of Highways has informed this Board that he has completed required work in Woodridge Estates, Inc. (Map of Woodside Estates). (Street Escrow \$1000 - Ben Rabiner) such as drainage installation and restoration of pavements and has recommended that the amount of \$1000 in Guaranty Deposit Acct. be paid to Clarkstown Highway Fund, now, therefore, be it

RESOLVED, that the Supervisor be and he is hereby authorized to pay to the Clarkstown Highway Fund from Guaranty Deposit Account the amount of \$1000.

Seconded by Councilman Frohling.

All voted yes.

Town Board signed Order setting date of Public Hearing in connection with Husted Lane Road Improvement District - 4/13/64 - 9:15 P.M. E.S.T.

WHEREAS, a written petition, dated September 30, 1963, was heretofore and on November 18, 1963, duly filed with this Board pursuant to Section 200 of the Town Law of the State of New York for the improvement of that portion of the highway in

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said town known as Husted Lane, running northerly from Germonds Road along said road known as Husted Lane, to the northerly line of premises owned by Maher on the east and Cullinane on the west, by the permanent pavement of the same to a width of 24 ft., extending along the entire length of such portion of said highway, in accordance with road specifications of the Town of Clarkstown, and

WHEREAS, it duly appears that such petition has been duly signed by the owners of real estate owning at least one-half of the entire frontage or bounds on both sides of that portion of said highway situate between the points aforesaid and

WHEREAS, it duly appears that such petition was also duly signed by resident owners not less than one-half of the frontage owned by resident owners residing in or along the portion of such highway situate between the points aforesaid, and

WHEREAS, such petition was duly acknowledged or proved by all signatures thereof, in the same manner as a deed to be recorded; and

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of \$25,000; it is pursuant to the provisions of said Sec. 200 of the Town Law of the State of New York, hereby

ORDERED, that the Town Board of the Town of Clarkstown, Rockland Co., N.Y., shall meet at the Town Hall, 10 Maple Ave., New City, N.Y. on the 13th day of April, 1964, at 9:15 PM for the purpose of considering the said petition and hearing all persons interested in the subject thereof concerning the same.

Town Board signed Order setting date of Public Hearing re establishment of Sewer District #19, 4/13/64 - 8:30 P.M.

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly caused to be prepared a general map, plan and report for providing a lateral sewer system consisting of lateral sewers, sub-mains and sub-trunks tributary to the trunk sewer designated as the "New City Trunk Sewer" and proposed sewer mains in existing Sewer District #10, in said Town of Clarkstown and including manholes, house connections and stubs brought to the curbs, acquisition of necessary land and rights in land and original equipment, machinery and apparatus in Sewer District No. 19 proposed to be established in said Town of Clarkstown, which map, plan and report have been duly filed in the office of the Town Clerk of said Town for public inspection,
and

WHEREAS, said Town Board has determined to proceed with the establishment of said proposed Sewer District No. 19 and the construction of such lateral sewer system,

WHEREAS, said proposed Sewer District No. 19 is more particularly bounded and described as follows:

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TOWN OF CLARKSTOWN
ROCKLAND COUNTY, NEW YORK

SEWAGE COLLECTION DISTRICT NO. 19

APPENDIX A
BOUNDARY DESCRIPTION

All the map, block, and lot numbers herein mentioned or described refer to the tax maps of the Town of Clarkstown, Rockland county, New York, for the year 1963 on file in the Town Assessor's office located in the Town Hall, 10 Maple Avenue, New City, New York.

EASTERLY BOUNDARY Beginning at a point on the centerline of Brewery Road which point is at the intersection with a line projected easterly along the woutherly side of lot 76-A-21; thence northerly along the centerline of Brewery Road to a point where it intersects the projected woutherly side of lot 77-A-7; thence easterly along said line to the southeasterly corner of said lot 7; thence northerly along the easterly side of lots 77-A-7 and 8 to the northeasterly corner of said lot 8, at Woodside Drive; thence northerly across Woodside Drive to the southeasterly corner of lot 77-A-12; thence continuing in a northerly direction along the easterly side of lots 77-A-12, 13, 30.04, 30.07, 30.03, 30.05, 30.06, 30.02, and 30.01, to the northeasterly corner of said lot 30.01; thence easterly along a straight line projected from the northerly side of lot 77-A-30.01, across lot 77-A-20, to a point where it intersects the westerly side of lot 77-A-32; thence southerly, easterly, and northerly along the sides of said lot 32 to the northeasterly corner of said lot 32, at Cairnsmuir Lane; thence northerly across Cairnsmuir Lane to the centerline of Cairnsmuir Lane; thence easterly along the centerline of Cairnsmuir Lane to a point where it intersects the projected easterly side of lot 77-A-1; thence northerly along said line to the northeasterly corner of said lot 1; thence westerly along the northerly side of said lot 1 to the northwesterly across New City Congers Road to the southeasterly corner of lot 78-A-18.06; thence westerly along the southerly side of said lot 18.06 to the southwesterly corner of said lot 18.06; thence northerly along the westerly side of said lot 18.06 to the northwesterly corner of said lot 18.06; thence easterly along the northerly side of lot 78-A-18.06 to the southwesterly corner of lot 78-A-16; thence northerly along the westerly side of said lot 16 to the northwesterly corner of said lot 16, which point is on the southerly side of lot 78-A-15; thence westerly along the southerly side of said lot 15 to the southwesterly corner of said lot 15; thence northerly and easterly along the sides of said lot 15 to the southeasterly corner of lot 78-A-18.14; thence northerly along the easterly side of said lot 18.14 to the northeasterly corner of said lot 18.14, at Frides Crossing; thence northerly across ~~Frides~~ Crossing to the southeasterly corner

of lot 78-A-18.07; thence continuing in a northerly direction along the easterly side of said lot 18.07 to the northeasterly corner of said lot 18.07; thence westerly along the northerly side of lots 78-A-18.07 and 18.08 to a point on the northerly side of said lot 18.08 where it is intersected by a straight line projected from the westerly side of lot 78-A-7.02; thence northerly along said line, across lot 78-A-7.01, to the southwesterly corner of lot 78-A-7.02 thence northerly along corner of the westerly side of said lot 7.02 to the northwesterly corner of said lot 7.02;

NORTHERLY BOUNDARY --thence westerly along the northerly side of lot 78-A-7.01 to the northwesterly corner of said lot 7.01; thence westerly across lot 78-A-7 to the southeasterly corner of lot 59-A-20.08; thence northerly along the easterly side of lots 59-A-20.08, 20.09 and 20.12 to the northeasterly corner of said lot 20.12, at Wilton Circle; thence northerly across Wilton Circle to the southeasterly corner of lot 59-A-20.14; thence northerly along the easterly side of said lot 20.14 to the northeasterly corner of said lot 20.14; thence southerly along the westerly side of lots 59-A-20.14, 20.13, 20.11, 20.10 and 20.07 to the southwesterly corner of said lot 20.07, which point is on the easterly side of the Right-of-Way of relocated New York State Route 304; thence westerly in a straight line across relocated Route 304 and lot 59-A-20.17 to the northeasterly corner of lot 59-A-20.15; thence westerly along the northerly side of lots 59-A-20.15 and 20.16 to the northwesterly corner of said lot 20.16, at existing Route 304; thence westerly in a straight line projected from the northerly side of lot 59-A-20.16 across existing Route 304 to the centerline of existing Route 304; thence southerly along the centerline of existing Route 304 to a point where it intersects the present boundary line of existing Sewer District No. 10;

WESTERLY BOUNDARY --thence easterly following the present boundary of existing Sewer District No. 10 to the northwesterly corner of lot 56-B-9; thence southerly along the westerly side of said lot 9 to the southwesterly corner of said lot 9, which point is on the northerly side of lot 56-B-10; thence westerly along the northerly side of said lot 10 to the northwesterly corner of said lot 10; thence southerly along the westerly side of lots 56-B-10 to 13, inclusive; thence continuing in a southerly direction along a line extended from the westerly side of said lot 13 across lot 56-B-14 to a point where said line intersects the northerly side of lot 56-B-15; thence westerly along the northerly side of lots 56-B-15 and 37-F-48 to the northwesterly corner of said lot 48; thence westerly along the northerly side of lots 37-F-22 to 15, inclusive, to the northwesterly corner of said lot 15; thence southerly along the westerly side of lots 37-F-15 to 13 to the southwesterly corner of said lot 13, at Right-of-Way; thence southerly across Right-of-Way

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to the northwesterly corner of lot 37-F-12; thence southerly along the westerly side of lots 37-F-12 to 8, inclusive, to the southwesterly corner of said lot 8, which point is on the northerly side of lot 36-J-46; thence westerly along the northerly side of lots 36-J-46 to 48, inclusive to the northwesterly corner of said lot 48; thence southerly along the westerly side of said lot 48 to the southwesterly corner of said lot 48, at Williams Street; thence southerly across Williams Street to the northwesterly corner of lot 36-J-34; thence southerly and westerly along the sides of said lot 34 to the southeasterly corner of said lot 34, which point is on the westerly side of lot 36-J-24; thence southerly along the westerly side of said lot 24 to the southwesterly corner of said lot 24, at Milich's Lane; thence southerly across Milich's Lane to the southwesterly corner of lot 36-J-17; thence westerly along the southerly side of said lot 17 to the southeasterly corner of said lot 17, which point is on the westerly side of lot 36-J-18; thence southerly along the westerly side of said lot 18 to the southwesterly corner of said lot 18; thence easterly along the southerly side of lots 36-J-18; 19, and 1 to the southeasterly side of said lot 1, which point is on the westerly side of lot 36-D-8.10; thence southerly along the westerly side of said lot 8.10 to the southwesterly corner of said lot 8.10 at Kent Street; thence southerly across Kent Street to the northwesterly corner of lot 36-D-8.09; thence continuing in a southerly direction along the westerly side of lots 36-D-8.09 to 8.07, inclusive, to the southwesterly corner of said lot 8.07; thence easterly along the southerly side of lot 36-D-8.07 and 8.06 to the southeasterly corner of said lot 8.06; thence southerly along the westerly side of lots 36-D-8.05 to 8.02, inclusive, to the southwesterly corner of said lot 8.02; thence westerly along the northerly side of lots 36-J-3.0102, 3.0101, and 3.01 to the northwesterly corner of said lot 3.01; thence southerly along the westerly side of said lot 3.01 to the northeasterly corner of lot 36-J-3.02; thence westerly along the northerly side of said lot 3.02 to the northwesterly corner of said lot 3.02, at Kings Highway; thence westerly across Kings Highway to the centerline of Kings Highway; thence easterly along the centerline of Kings Highway to a point where it intersects a line projected from the easterly side of the Right-of-Way of Bittman Lane; thence southerly along said line to the northeasterly corner of lot 36-E-43; thence westerly along the northerly side of lots 36-E-43 and 13.15 to the northwesterly corner of said lot 13.15, at Jodi Lane; thence westerly across Jodi Lane to the northeasterly corner of lot 36-E-13.14; thence westerly along the northerly side of said lot 13.14 to the northwesterly corner of said lot 13.14; thence southerly along the westerly side of lots 36-E-13.14 and 13.13 to the southwesterly corner of said lot 13.13; thence easterly along the southerly side of said lot 13.13 to a point which is the northwesterly corner of lot 36-E-13.12; thence southerly along the westerly side of said lot

13.12 to the southwesterly corner of said lot 13.12, at Broward Drive; thence southerly across Broward Drive to the northwesterly corner of lot 36-E-13.24; thence southerly along the westerly side of lots 36-E-13.24 to 13.21 inclusive to the southwesterly corner of said lot 13.21;

SOUTHERLY BOUNDARY - - thence easterly along the southerly side of lot 36-E-13.21 to the southeasterly corner of said lot 13.21, at Jodi Lane; thence easterly across Jodi Lane to the southwesterly corner of lot 36-E-13.20; thence easterly along the southerly side of lots 36-E-13.20 and 43.10 to 43.07 inclusive to the southeasterly corner of said lot 43.07; thence northerly along the easterly side of said lot 43.07 to the northeasterly corner of said lot 43.07, at Twin Peg Drive; thence northerly across Twin Peg Drive to the southeasterly corner of lot 36-E-43.06; thence northerly along the easterly side of lots 36-E-43.06 to 43.03 inclusive to the northeasterly corner of said lot 43.03; thence easterly, in a straight line parallel to Kings Highway across lots 36-E-44 and 5 to a point where said line intersects the westerly side of lot 36-E-1; thence southerly along the westerly side of lots 36-E-1, 1.01 and 2 to the southwesterly corner of said lot 2; thence easterly along the southerly side of lot 36-E-2 to the southeasterly corner of said lot 2, at Route 304; thence easterly across Route 304 to the centerline of Route 304; thence northerly along the centerline of Route 304 to a point where it intersects a line projected from the southerly side of lot 55-A-24; thence easterly along said line to the southwesterly corner of lot 55-A-24; thence easterly along the southerly side of lot 55-A-24 to the southeasterly corner of said lot 24; thence northerly along the easterly side of said lot 24 to a point which is the northwesterly side of lot 55-C-13.00; thence easterly along the northerly side of lots 55-C-13.00 to 13.04, inclusive, to the southwesterly corner of lot 55-C-13.06; thence northerly along the westerly side of lots 55-C-13.06 to 13.12, inclusive, to the northwesterly corner of said lot 13.12; thence easterly along the northerly side of said lot 13.12 to the northeasterly corner of said lot 13.12, at Greendale Road; thence southeasterly across Greendale Road to the northwesterly corner of lot 55-C-13.13; thence easterly along the northerly side of lots 55-C-13.13 and 13.27 to the northeasterly corner of said lot 13.27, at Shetland Drive; thence northeasterly across Shetland Drive to the southwesterly corner of lot 56-A-10.30; thence easterly along the southerly side of said lot 10.30 to the southeasterly corner of said lot 10.30 which point is on the westerly side of lot 56-A-53; thence northerly along the westerly side of lots 56-A-53, 9, 8,01. and 8, and 43 to the southwesterly corner of lot 56-A-42.01; thence easterly along the southerly side of lots 56-A-42,01, 42, and 42.02 to the southeasterly

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corner of said lot 42.02; thence northerly along the easterly side of said lot 42.02 to the northeasterly corner of said lot 42.02, at Laurel Road; thence northeasterly across Laurel Road to the southeasterly corner of lot 56-A-32.27; thence northerly along the easterly side of lots 56-A-32.27 to 32.24, inclusive, to the northeasterly corner of said lot 32.24, which point is also the northwesterly corner of lot 76-A-10; thence easterly along the northerly side of lots 76-A-10 and 8 to the northeasterly corner of said lot 8, which point is on the westerly side of lot 76-A-13; thence northerly and easterly along the sides of said lot 13 to the southeasterly corner of lot 76-A-12.45; thence northerly along the easterly side of lots 76-A-12.45, 12.44, and 24 to the northeasterly corner of said lot 24; thence easterly along the southerly side of lots 76-A-23 and 22 to the southeasterly corner of said lot 22; thence northerly along the easterly side of said lot 22 to a point which is the southwesterly corner of lot 76-A-21; thence easterly along the southerly side of said lot 21 to the southeasterly corner of said lot 21, at Brewery Road; thence easterly across Brewery Road on a line extended from the southerly side of lot 76-A-21 to the centerline of Brewery Road, the point of beginning.

and

WHEREAS, the maximum amount proposed to be expended for the construction of said sewer system, as hereinabove described, is \$1,450,000.00 which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown and the assessment, levy and collection of special assessments upon the several lots and parcels of land in said proposed Sewer District No. 19 which the Town Board shall deem especially benefited by said sewer system so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds, and the costs of operation, maintenance and repair;

now, therefore, be it

ORDERED, that a meeting of the Town Board of said Town of Clarkstown be held at the Town Hall, 10 Maple Avenue, New City, N.Y. in said Town, on the 13th day of April, 1964 at 8:30 o'clock P.M. (E.S.T.) to consider the proposed establishment of said Sewer District and the construction of such lateral sewer system therein as herein referred to, and to hear all persons interested in the subject thereof, concerning the same, and for such other action on the part of said Town Board with relation thereto as may be required by law, and be it

FURTHER ORDERED, that the Town Clerk publish at least once in "The Rockland County Citizen", a newspaper published in New City, New York, and the official newspaper of said Town, and post on the sign board of said Town maintained pursuant to subdivision six of Section thirty of the Town Law and conspicuously in at least five public places within said proposed Sewer District No. 19, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than twenty days before the day designated therein for said Public Hearing as aforesaid.

Dated March 9, 1964

TOWN BOARD OF THE TOWN OF CLARKSTOWN

S/ PAUL F. MINDT
Supervisor

S/ MARTIN E. HOLBROOK
Councilman

S/ PHILIP J. FROHLING, JR.
Councilman

Monthly reports received by Town Board from Police Department, Building Inspector, Town Clerk, Supervisor, Welfare Officer and Sanitary Fill Operator.

All filed in Town Clerk's Office.

(41) Councilman Frohling moved the following resolution:

RESOLVED, that the Supervisor be and he is hereby authorized to carry forward the following balances:

Town Engineer (Sewer Review)	\$ 377.50
Sidewalk Construction (Route 304)	16,515.00
Payment to State for Soc. Sec. (Town Share)	9,426.09
J. L. Jacobs Contracts	16,924.75
Clarkstown Sewer Study	5,323.00
Water Districts	14,523.70
Light Districts	6,431.81
Sewer Districts (Operating)	8,186.46
Sewer Districts (Construction)	7,080.21
New City Sewer Planning	7,501.53

and be it

FURTHER RESOLVED, that the Supervisor be authorized to transfer from Fremont & Jerry's Avenue Special Road Improvement Account to GENERAL FUND-SURPLUS, the amount of \$.24 (24¢).

Seconded by Councilman Holbrook.

All voted yes.

(42) Councilman Holbrook moved the following resolution:

RESOLVED that the Town Board hereby authorizes payment to Nussbaumer, Clarke & Velzy for the following Sanitary Sewer Design Review which was ordered through the Town Engineer's Office:

LISA ESTATES - Congers Rolisan Realty Corp.	
J. Boswell - Engineer	\$15.00

and be it

FURTHER RESOLVED, that the above be charged to Town Engineer-Sanitary Sewer Review Account.

Seconded by Councilman Frohling.

All voted yes.

(43) Councilman Holbrook moved the following resolution:

RESOLVED, that Jane Heid, 289 Germonds Road, West Nyack, be appointed temporarily to June 30, 1964, to the position of receptionist, Grade VI, at a salary of \$3780.00 per annum effective 3/9/64.

Seconded by Councilman Frohling.

All voted yes.

(44) Councilman Holbrook moved the following resolution:

RESOLVED, that Jean M. Kolsted, 210 S. Conger Ave., Congers, be appointed to position of typist at salary of \$3200 per annum effective 3/9/64.

Seconded by Councilman Frohling.

All voted yes.

(45) Councilman Holbrook moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 9th day of March, 1964, provided for a public hearing on the 23rd day of March, 1964, at 9:15 P.M. E.S.T., to consider the adoption of a swimming pool ordinance; 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 Chapter 44 of the Code of the Town of Clarkstown (The General Ordinances of the Town) entitled Swimming Pools is hereby adopted as follows:

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CHAPTER 44
SWIMMING POOLS

- 44-1. Definitions
- 44-2. Limitations
- 44-3. Existing Pools
- 44-4. Penalties
- 44-5. Separability
- 44-6. Effective Date

(History: Adopted by Clarkstown Board 3/23/64).

44-1. DEFINITIONS.

(1) Outdoor swimming pools are defined as follows:

- A. PUBLIC SWIMMING POOL - An artificial facility for swimming operated by the Town of Clarkstown.
- B. COMMERCIAL SWIMMING POOL - An artificial facility for swimming operated for gain or in conjunction with any commercial enterprise and open to the public.
- C. CLUB SWIMMING POOL - An artificial facility for swimming operated for members and their guests.
- D. PRIVATE SWIMMING POOL - An artificial facility for swimming which is an accessory use to a residential building. Such pool shall be for the exclusive use of the occupants of the principal residential building and their guests.

(2) BUILDING INSPECTOR, when used herein, shall refer to the Building Inspector of the Town of Clarkstown.

44-2. LIMITATIONS.

All outdoor swimming pools are required to meet the following regulations:

- (1) No permanently installed swimming pools over 24" in depth shall be constructed, installed, enlarged or altered unless a building permit is issued therefor. The applicant shall provide the Building Inspector with a plot plan showing the location of pool and plans and specifications in detail to be determined by the Building Inspector. Fees are to be charged for said permit by the Building Inspector.
- (2) All pools over 24" in depth shall be completely enclosed by a chain link fence or approved substitute with a secure latch and gate approved by the building inspector. Fence height shall be a minimum of 4½ feet and a maximum of 6 feet for a private pool, seven feet for Club or commercial pools, and of suitable type to prevent accidental or unauthorized entry. Fence location shall be subject to approval of the Building Inspector.
- (3) All pools shall submit site, lighting, if installed or to be installed, and plumbing plans to the Building Inspector for approval. Drainage shall be only into an approved storm sewer or suitable substitute to be approved by the Building Inspector and the Town Engineer of the Town of Clarkstown.
- (4) No pool wall, paved terrace, fence or related structure shall be located within 10 feet of an adjoining residentially zoned lot.
- (5) Where commercial pools are permitted principal use by the zoning ordinance, said commercial pools shall comply with the area, yard and other requirements of the zoning ordinance for those districts.
- (6) Club swimming pools shall be permitted only as an accessory structure to a membership club in the zoning district where said club is a permitted use and subject to the area and yard requirements of that district.
- (7) Private pools shall not be located within a front yard in any residential area.
- (8) All appurtenant structures, installations and equipment, such as showers, dressing rooms, equipment houses or other buildings and structures shall comply with all applicable requirements of the Building Code and Zoning Ordinances of the Town of Clarkstown.

44-3. Existing Pools.

Subsections 1, 2 and 3 of Section 44-2 herein shall apply to existing pools and owners of said pools shall have sixty days to comply with the requirements of these subsections.

44-4. Penalties.

- (1) Each and every violation of any of the provisions of this ordinance of the Town of Clarkstown shall be punishable by a fine not to exceed \$100 or by imprisonment for not more than 30 days, or both, unless a lesser penalty is provided by statute.
- (2) In the case of continuing violation of this ordinance of the Town of Clarkstown, each day that such violation exists, shall constitute a separate and distinct violation.

44-5. Separability.

If any section, paragraph, sub-division or provision of this ordinance shall be invalid, such invalidity shall apply only to the section, paragraph, subdivision or provisions adjudged invalid and the rest of this ordinance shall remain valid and effective.

44-6. Effective Date.

This ordinance shall become effective immediately upon publishing and posting or upon personal service as provided in Section 133 of the Town Law.

Seconded by Councilman Frohling.

All voted yes.

(46) Councilman Frohling moved the following resolution:

RESOLVED, that a proposed amendment to the Zoning Ordinance of the Town of Clarkstown, as amended, to delete the use by right of filling stations in District C-2 and the insertion of the use by right of filling stations in District M-1 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 Bd.

Seconded by Councilman Holbrook.

All voted yes.

(47) Councilman Holbrook moved the following resolution:

WHEREAS, a resolution of the Town Board of the Town of Clarkstown was passed on October 14, 1963, directing the Building Inspector's Office to charge \$1.00 for the purchase of copies of the Clarkstown Zoning Ordinance, and

WHEREAS, the copies of the Zoning Ordinance are not fully complete,

NOW, THEREFORE, be it

RESOLVED, that the portion of the aforesaid resolution requiring the charge of \$1.00 is hereby rescinded and the Building Inspector is hereby directed not to charge a fee for copies of the Zoning Ordinance at the present time.

Seconded by Councilman Frohling.

All voted yes.

(48) Councilman Frohling moved the following resolution:

WHEREAS, the Chief of Police has completed a survey and deems it necessary that a School Crossing Guard be placed at Bardonia School entrance on Bardonia Rd. now, therefore, be it

RESOLVED, that the Chief of Police be and he is hereby authorized to place a School Crossing Guard at this post at \$6.00 per day.

Seconded by Councilman Holbrook.

All voted yes.

(49) Councilman Frohling moved the following resolution:

WHEREAS, the Chief of Police has completed a survey and deems it necessary that a School Crossing Guard be placed at Chestnut Grove School, at the intersection of Old Middletown Road and Little Tor Road, now therefore be it

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RESOLVED, that the Chief of Police be and he is hereby authorized to place a School Crossing Guard at this post at \$5.00 per day.

Seconded by Councilman Holbrook.

All voted yes.

(50) Councilman Frohling moved the following resolution:

RESOLVED, that Edward C. Palmenberg, Town Engineer, be authorized to draw up profiles for drainage along Third Street from Briarwood Drive to the new Route 304.

Seconded by Councilman Holbrook.

All voted yes.

Supervisor Mundt read letter of commendation for Clarkstown Police Department from Fred D. Critmon, Jr., Administrative Assistant to Central School District #1, commending them for their assistance during the recent basketball season.

Request was made for relocation of bus-stop in Nanuet to a different location where it will not disrupt traffic. Board will look into and contact persons involved.

Mr. Vincent Vitolo, 6 Foot Street, Nanuet, appeared before Board re Nanuet Farms drainage problem. Messrs. Gerber and Palmenberg will set up appointments with Mr. Flitt. Problem will be solved in field.

Councilman Frohling moved the following resolution:

(51) Resolved that the Clarkstown Highway Dept. be authorized to erect four (4) prominent "STOP" signs and paint a white crossing line on either side of the tracks at the Prospect Street RR crossing.

Seconded by Mr. Holbrook

All voted yes

(52) Councilman Frohling moved the following resolution:

WHEREAS, the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized, sold and issued its \$40,633.41 Bond Anticipation Note for Street Improvements-1963, and it is now necessary to redeem said Note to the extent of \$10,158.62 from a source other than the proceeds of the bonds in anticipation of which said Note has been issued;

now, therefore, be it

RESOLVED by the Town Board of the Town of Clarkstown, in the County of Rockland, New York, as follows:

Section 1. The \$40,633.41 Bond Anticipation Note for Street Improvements-1963 of the Town of Clarkstown, in the County of Rockland, New York, hereinabove referred to in the Recital of this resolution, is hereby authorized to be redeemed on or before March 13, 1964, to the extent of \$10,158.62 from funds of said Town now available to said purpose, said funds being a source other than the proceeds of the bonds in anticipation of which said Note has been issued, and the said amount of \$10,158.62 is hereby appropriated therefor.

Section 2. This resolution shall take effect immediately.

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

AYES: Messrs. Mundt, Frohling and Holbrook
NOES: None.

Councilman Frohling moved the following resolution:

TBM - 3/9/64

BOND ANTICIPATION NOTE RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MARCH 9, 1964, AUTHORIZING THE RENEWAL, IN PART, OF A \$40,633.41 BOND ANTICIPATION NOTE FOR STREET IMPROVEMENTS-1963, BY THE ISSUANCE OF A NEW NOTE IN THE PRINCIPAL AMOUNT OF \$30,474.79.

WHEREAS, the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized, sold and issued its \$40,633.41 Bond Anticipation Note for Street Improvements-1963 and has duly authorized the redemption of said Note to the extent of \$10,158.62 and it is now necessary and desirable to provide for the renewal in part of said Note by the issuance of a new Note in the principal amount of \$30,474.79;

now therefore be it

RESOLVED by the Town Board of the Town of Clarkstown, in the County of Rockland, New York, as follows:

Section 1. The \$40,633.41 Bond Anticipation Note for Street Improvements-1963 of the Town of Clarkstown, in the County of Rockland, New York, dated March 15, 1963, maturing March 13, 1964, subject to prior redemption, and numbered R-1, heretofore duly authorized, sold and issued pursuant to the Bond Anticipation Note resolution duly adopted by the Town Board on March 11, 1963, is hereby authorized to be renewed in part, by the issuance of a new note in the principal amount of \$30,474.79; said note dated March 15, 1963, having been heretofore authorized to be redeemed from a source other than the proceeds of the bonds in anticipation of which said note has been issued, to the extent of \$10,158.62, all as hereinabove referred to in the recital hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York. The maturity of said renewal note herein authorized shall not be later than one year from its date, and said note may be further renewed pursuant to the provisions of the said local Finance Law.

Section 2. The terms, form and details of said renewal note shall be as follows:

Amount and Title: \$30,474.79 BOND ANTICIPATION NOTE FOR STREET IMPROVEMENTS-1964

Dated: March 13, 1964

Matures: March 12, 1965, subject to prior redemption.

Number and Denomination: RR-1 --- \$30,474.79

Interest Rate: 3½% per annum, payable at maturity

Place of payment of principal and interest:-

Tappan Zee National Bank
Nyack, N.Y.

Form of Note: Substantially in accordance with the form prescribed by Schedule B, 2 of the Local Finance Law of the State of New York.

Section 3. Said Note is hereby sold to the Tappan Zee National Bank, Nyack, N.Y. at the price of par, to bear interest at the rate of 3½% per centum per annum payable at maturity, and the Supervisor is hereby authorized to deliver said note to said purchaser upon receipt of the face amount, plus accrued interest, if any, from the date of said note to the date of delivery.

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Section 4. Said Note shall contain the recital of validity prescribed by #52.00 of said Local Finance Law, and shall be a general obligation of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town, without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Note and provision shall be made in the budget of the Town by appropriation for the redemption of the Note to mature in such year and for the payment of interest to be due in such year.

Section 5. Said note shall be executed in the name of the Town by its supervisor and its corporate seal shall be affixed thereto and attested by its Town Clerk.

Section 6. This resolution shall take effect immediately.

Seconded by Councilman Holbrook.

AYES: Messrs. Mundt, Frohling, Holbrook
NOES: None.

Councilman Frohling moved the following resolution:

(53) RESOLUTION OF THE TOWN OF CLARKSTOWN, N.Y., ADOPTED MARCH 9, 1964, AUTHORIZING THE REDEMPTION IN PART OF A \$10,500 BOND ANTICIPATION NOTE FOR THREE (3) TARCO SPREADERS FOR TOWN HIGHWAY DEPARTMENT-1963 TO THE EXTENT OF \$5,250 AND APPROPRIATING SAID AMOUNT THEREFOR;

WHEREAS, the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized, sold and issued its \$10,500 Bond Anticipation Note for three Tarco Spreaders for Town Highway Department-1963 and it is now desirable to redeem said Note to the extent of \$5,250 from a source other than the proceeds of the bonds in anticipation of which said Note has been issued;

now, therefore, be it

RESOLVED:

Section 1. The \$10,500 Bond Anticipation Note for three Tarco Spreaders for Town Highway Department-1963 of the Town of Clarkstown, in the County of Rockland, New York, hereinabove referred to in the Recital of this resolution, is hereby authorized to be redeemed on or before March 12, 1964, to the extent of \$5,250 from funds of said Town now available to said purpose, said funds being a source other than the proceeds of the bonds in anticipation of which said Note has been issued, and the said amount of \$5,250 is hereby appropriated therefor.

Section 2. This resolution shall take effect immediately.

Councilman Frohling moved the following resolution:

BOND ANTICIPATION NOTE RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MARCH 9, 1964, AUTHORIZING THE RENEWAL, IN PART, OF A \$10,500 BOND ANTICIPATION NOTE FOR THREE TARCO SPREADERS FOR TOWN HIGHWAY DEPARTMENT-1963 BY THE ISSUANCE OF A NEW NOTE IN THE PRINCIPAL AMOUNT OF \$5,250.

WHEREAS, the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized, sold and issued its \$10,500 Bond Anticipation Note for three Tarco Spreaders for Town Highway Department-1963 and has duly authorized the redemption of said Note to the extent of \$5,250 and it is now necessary and desirable to provide for the renewal, in part, of said Note by the issuance of a new Note in the principal amount of \$5,250;

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NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Clarkstown, in the County of Rockland, New York, as follows:

Section 1. The \$10,500 Bond Anticipation Note for three Tarco Spreaders for Town Highway Department-1963 of the Town of Clarkstown, in the County of Rockland, New York, dated March 12, 1963, maturing March 12, 1964, subject to prior redemption, and numbered 1, heretofore duly authorized, sold and issued pursuant to Bond Anticipation Note Resolution duly adopted by the Town Board on January 28, 1963, and the Certificate of Determination executed by the Supervisor on March 12, 1963, is hereby authorized to be renewed in part, by the issuance of a new note in the principal amount of \$5,250; said Note dated March 12, 1963, having been duly heretofore authorized to be redeemed from a source other than the proceeds of the bonds in anticipation of which said Note has been issued, to the extent of \$5,250, all as hereinbefore referred to in the recital hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York. The maturity of said note herein authorized shall not be later than one year from its date, and said note may be further renewed pursuant to the provisions of the said Local Finance Law.

Section 2. The terms, form and details of said renewal Note shall be as follows:

Amount and Title: \$5,250 Bond Anticipation Note for Three Tarco Spreaders for

Dated: March 12, 1964

Matures: March 12, 1965, subject to prior redemption.

Number and Denominations: R-1 -- \$5,250.

Interest Rate: 2 1/2% per annum, payable at maturity

Place of payment of principal and interest: Manuet National Bank, Manuet, NY

Form of Note: Substantially in accordance with the form prescribed by Schedule B, 2 of the Local Finance Law of the State of New York

Section 3. Said note is hereby sold to the Manuet National Bank, Manuet, N.Y. at the price of par, to bear interest at the rate of 2 1/2% per annum payable at maturity and the Supervisor is hereby authorized to deliver said note to said purchaser upon receipt of the face amount, plus accrued interest, if any, from the date of said note to the date of delivery.

Section 4. Said note shall contain the recital of validity prescribed by #52.00 of said Local Finance Law, and shall be a general obligation of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town, without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Note and provision shall be made in the budget of the Town by appropriation for the redemption of the Note to mature in such year and for the payment of interest to be due in such year.

Section 5. Said note shall be executed in the name of the Town by its Supervisor and its corporate seal shall be affixed thereto and attested by its Town Clerk.

Section 6. This resolution shall take effect immediately.

Seconded by Councilman Holbrook.

All voted yes.

(54) Councilman Holbrook moved the following resolution:

RESOLVED, that date of Public Hearing re purchase of equipment for lease to sewer districts be set for 3/23/64 at 9:30 P.M.

Seconded by Councilman Frohling.

All voted yes.

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(55) Councilman Holbrook moved the following resolution:

RESOLVED, that the Town Engineer is hereby authorized to advertise for bids for construction of blacktop sidewalks in Dickinson Avenue, Central Nyack; Lake Road, Valley Cottage; and Convent and Old Middletown Roads, Nanuet (3493') and be it

FURTHER RESOLVED, that said bids be opened at regular meeting of Town Board to be held on 4/13/64 at 8:05 P.M., E.S.T.

Seconded by Councilman Frohling.

All voted yes.

(56) Councilman Holbrook moved the following resolution:

RESOLVED, that Niles M. Davies, Jr., Davies Lane, Congers, N.Y., be appointed to the Code of Ethics Board effective immediately to serve without compensation.

Seconded by Councilman Frohling.

All voted yes.

(57) Councilman Frohling moved the following resolution:

RESOLVED, that William Brenner, 12 Marcus Road, West Nyack, be appointed to the Code of Ethics Board effective immediately to serve without compensation.

Seconded by Councilman Holbrook.

All voted yes.

(58) Councilman Holbrook moved the following resolution:

WHEREAS, Art. 15 of the Executive Law of the State of New York finds and declares that practices of discrimination because of race, creed or color or national origin are not in the best interest of the public welfare, and

WHEREAS, the United States and the State of New York and other government agencies decreed that all contracts shall contain a clause prohibiting discrimination because of race, creed, color or national origin in matters of employment, now, therefore, be it

RESOLVED, that the Town of Clarkstown restate and reiterate the principles set forth in Art. 15 of Executive Law of the State of New York.

Seconded by Councilman Frohling.

All voted yes.

Re money for park lands, former Town Attorney informed Board to return money. J. Martin Cornell, present Town Attorney to review and set up fund to pay for implementation of park program. Mr. Cornell stated that they have already received an opinion from Department of Audit and Control which he has already sent to each member of the Town Board. In his opinion he thinks it is possible, provided that specifications that are set up by Planning Board are sufficiently clear so that they will eliminate some of the constitutional questions.

Town Clerk was instructed to notify the Planning Board that Town Board would like to have an immediate reply to the Town Attorney's letter on the subject with suggestions as to how money can be collected as soon as possible.

Supervisor Mundt will contact Town Board and Recreation Commission to inform them of place of meeting to be held on Saturday, 3/21/64, at 10:30 A.M. with Town Engineer in attendance re above.

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