

Town Hall

PUBLIC HEARING

8:15 PM, D.S.T.

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

RE: ZONE CHANGE APPLICATION - ALFRED J. ELLISH (RA-1 & R-22 to R-2)

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

Town Clerk read Notice of Public Hearing.

Supervisor Mundt read letter from Jerome Trachtenberg, petitioner's attorney requesting an adjournment for the reason that petitioner Alfred J. Ellish was not able to appear due to ill health. Public Hearing was reset for 5/25/64 at 8:30 PM.

Signed,

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

Town Hall

PUBLIC HEARING

8:30 PM, D.S.T.

4/27/64

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

RE: EXTENSION OF MANUET WATER SUPPLY DISTRICT TO INCLUDE BRIAR ESTATES SUBDIVISION AND PROPERTY SOUTH OF OLD NYACK TURNPIKE, MANUET.

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

No one appeared as being opposed. No one appeared as being for.

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

Signed,

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

Town Hall

PUBLIC HEARING

8:45 PM, DST

4/27/64

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

-also-

Court Reporter Arthur Massie

RE: ESTABLISHMENT OF SEWER DISTRICT #17, MANUET, N.Y.

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

MINUTES of proceedings were taken by Arthur Massie, Court Reporter.

AT A MEETING of the Town Board of the Town of Clarkstown held at the Town Hall, New City, New York, on the 27th day of April, 1964.

Present:	Mr. Mundt, Supervisor	Mr. Murray N. Jacobson
	Mr. Holbrook	Donald G. Partridge, Esq.
	Mr. Frohling	Attorney for Proposed
	Mr. Welchman	Sewer District #17
	Mr. Danko	
	Mrs. Anne E. O'Connor, Town Clerk	

MR. MUNDT: The Public Hearing for the establishment of Sewer District #17 is now in session. Will the Clerk read the notice? (At this point the Town Clerk read the notice.)

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MR. MUNDT: Before calling upon the attorney designee for the District and the engineer for the District, I think that, again, for the record, as we have on two prior occasions, the following statement should be made.

First of all, this is again a step forward in the Town's creation of Lateral Collection Sewage Districts, which will ultimately tie in with the County Trunk Line System.

In spite of the fact that these hearings are being held and these districts are being created, there is no intention on the part of this Town Board to authorize any expenditures of funds for these Districts until there is in effect a method by which the effluent from these Districts can be discharged to the Hudson River. This apparently will not take place until there is a majority vote on the Rockland County Sewer bond issue and pending litigation.

The point I am making is that even though we are creating these Districts, we are doing it for one purpose, to get rid of all the paper work involved and to make certain that the taxpayer will get sewers as fast as possible, once we have released the County log jam; but, in the interim, not having to bear any expense.

Now, Mr. Partridge, Donald Partridge, if you would present your case please.

Mr. Partridge: For the record, my name is Donald G. Partridge, Attorney of 135 Main Street, Nanuet, New York.

Gentlemen of the Town Board, Mr. Mundt, in accordance with your request, I have taken care of the preliminary steps having to do with the formation of Sewer District #17 in Nanuet. I have consulted with the engineers, who have been working on this for some time, and also with the bonding company attorneys; that is, Hawkins, Balfield & Wood. The necessary proceedings have been taken, and with your permission, I will proceed with the witnesses who will testify that effect.

CHARLES ADAMS, called as witness, having first been duly sworn, testified as follows:

EXAMINATION BY
MR. PARTRIDGE:

Q Will you state your full name for the record?

A Charles Adams, R.

Q What is your address?

A 35 Primrose Lane, New City

Q By whom are you employed?

A The Town of Clarkstown

Q In what capacity

A Deputy Town Clerk

Q As Deputy Town Clerk, are you familiar with the papers which are filed in the office of the Town Clerk?

A Yes

Q On the 23rd day of March, 1964, was there filed in the Town Clerk's Office an order dated March 23, 1964, signed by the Supervisor and by the four Councilmen calling a public hearing to be held at the Town Hall on April 27, 1964, at 8:45 PM Eastern Daylight Time?

A Yes

Q In accordance with the provision of the order, did you make arrangements for

publication of a certified copy of the order in the Rockland County Citizen?

A Yes

Q Did the said newspaper, On April 23, 1964, file in the Office of the Town Clerk an affidavit attesting to the publication of said certified copy of said order in the columns of its newspaper on April 15, 1964?

A Yes, they did.

Q On the 15th day of April, 1964, in accordance with the provisions of the said order, did you conspicuously post and fasten up a certified copy of the said order on a signboard of the Town of Clarkstown at the Town Hall, 10 Maple Avenue, New City, NY and did you also conspicuously post and fasten up certified copies of said order in at least five public places within the proposed Sewer District #17?

A Yes, I did.

Q Are the places where the said certified copies were posted set forth in the affidavit which you executed?

A Yes, they are.

Q On April 15, 1964, did you execute an affidavit attesting to the posting of said order?

A Yes, I did.

Q Was the said affidavit of posting filed in the Office of the Town Clerk on April 23, 1964?

A It was.

Q Was the publication and the posting completed not less than ten days and not more than twenty days prior to April 27, 1964?

A It was

MR. PARTRIDGE: That is all.

(The witness was excused)

JOHN LARKIN, called as a witness, having first been duly sworn, testified as follows:

EXAMINATION BY MR. PARTRIDGE:

Q Would you state your name for the record?

A John M. Larkin

Q What is your address?

A 13 Hudson View Road, Upper Nyack

Q What is your profession?

A Civil Engineer

Q By whom are you employed?

A Nussbaumer, Clarke & Velsy

Q What is the address?

A 500 Fifth Avenue, New York City 6

Q What kind of work do they do?

A Sanitary engineering work, primarily.

Q Would you tell us briefly as to your own educational background and your experience in the engineering field?

A Bachelor's degree, Manhattan College, 1944. Master's degree from New York University in 1950. I have been working for Nussbaumer, Clarke & Velsy some thirteen years, sanitary business; taught Civil Engineering in colleges about six years before that.

Q When was your firm first consulted by the Town of Clarkstown in connection with the proposed sewer project?

A In 1959.

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Q Did the Town of Clarkstown authorize you to proceed with the study and planning of the proposed Sewer Districts within the Town of Clarkstown?

A Yes, they did, in 1961.

Q At that time, did you appear before the members of the Town Board of the Town of Clarkstown?

A Yes.

Q Were you interrogated and interviewed by the various members of the Town Board?

A Yes, we were. Excuse me. In 1961 we started the Lateral Sewer Program.

Q That is what I am referring to. Was that the same Board we have now, or was it a different Board?

A Slightly different, somewhat different.

Q Who was the Supervisor at that time?

A In 1959, the Supervisor was Mr. Coyle. In 1961 for the laterals, the Supervisor was Mr. Mundt.

Q So that you were originally employed, when Mr. Coyle was Supervisor; is that correct?

A That's right.

Q Was your firm retained by the officials of the Town of Clarkstown to make engineering studies and to formulate plans to construct sewers within the Town of Clarkstown?

A Yes it was.

Q Have you and your firm been working on these studies since that time?

A Yes

Q I show you Sewer Collection District #17 which is dated March 1964, and ask you whether that was prepared by your firm.

A Yes it was.

Q I also show you this other report, Sewage Collection District #NA1C and 2. Was that also prepared by your firm?

A Yes it was

Q Was the report for Sewer Collection District NA 1C and 2 the preliminary report? That is, the second one I showed you, was that the preliminary report?

A Yes.

Q And the first one is the final report?

A Yes.

Q With respect to the final report, which is dated March 1964, does it contain a true statement of the facts, figures and other data which is with respect to the formation of the said Sewer District #17 to the best of your knowledge?

A Yes, it does.

Q Has this report been filed in the office of the Town Clerk of the Town of Clarkstown?

A Yes, it has.

Q Were the preliminary report, designated NA 1C and 2 and also the final report designated 17, prepared with funds which were appropriated by the Town of Clarkstown?

A A portion of the funds for the District 17 report was provided by the Town of Clarkstown.

Q What was the remainder?

A The remainder, in fact the major portion of it, was provided by the Housing and Home Finance Agency.

Q That's an agency of the United States Government?

A Yes.

Q Has a copy of your report been filed with the New York State Department of Health, or with the County Department of Health?

A With the County Department of Health.

Q Has the Department of Health approved your report?

A Yes, it has.

Q Does your planning report show all of the outlets, terminal and courses of each proposed sewer or drain, and does it also give the location and general description of all sewer disposal plants, pumping stations, and other public works, if any, within the said proposed District #17?

A Yes, it does.

Q In your opinion, is this plan and report consistent, so far as it is possible, with any comprehensive plans for sewer development in the Town of Clarkstown and in the County of Rockland?

A Yes, it is.

Q Are any of the sewer facilities set forth in your plan and report for District #17 within the bounds of any incorporated village?

A No.

Q In your opinion, will all of the property owners within the proposed sewer district #17 be benefited by this improvement proposed in the said Sewer District?

A Yes, they will.

Q In your opinion, are all of the property owners, who will be benefited by the improvements in the proposed Sewer District, included within the limits of the proposed Sewer District #17?

A Yes, they are.

Q There is a map over there, Mr. Larkin. I wonder if you would show us, in a general way, showing the northerly, easterly and westerly and southerly boundaries of the District? Will you explain the border lines?

A Commencing along the westerly boundary, the Sewer District takes in an area just to the east of Grand View Avenue, runs south, crosses Grand View Avenue, continues south, crosses Eddall Avenue, continues south to Congers Road, follows along, generally along the southerly side of Congers Road, takes a jar round a portion of the railroad property, continues south to the Town line, continues along the Town line at the southerly boundary, excluding Sewer District #4 and its most recent extensions, discharging to Orangetown, continues along Town Line Road over to the vicinity of Erhardt Road, continues up north generally east of Erhardt Road to the Erie Railroad then follows the Erie Railroad to Erhardt Road, follows north along Erhardt Road and generally east of it, then follows east of Erhardt Road along a ridge line east of College Avenue to the New Nyack Turnpike, or New Route 59, travels westerly along a slight distance along 59, travels north to Old Nyack Turnpike, Route 59A, then continues north on the easterly side of the cemetery to the Thruway, across the Thruway and includes a portion of James Drive, Ludvigh Road, and then includes the property

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on Terrace Avenue to the northerly end of it, then travels to the west, north of Pidgeon Hill Road, to North Middletown Road, then generally follows southerly along the westerly side of Middletown Road along a ridge line crossing Route 59A in the vicinity of Grand-way, then continues west along the southerly side of Route 59, where it began.

Q Mr. Larkin, there is a sewer district known as Sewer District #6. Is that also excluded?

A Yes. Sewer District #6 is excluded from District #17.

Q There is also an area which is the proposed extension of Sewer District #6. Is that also excluded?

A Yes, that is also excluded.

Q That is the green circled mark within the lines?

A Yes

Q Mr. Larkin, in your opinion, is it in the public interest to establish this proposed Sewer District #17?

A Yes, it is.

MR. PARTRIDGE: I have no further questions.

MR. MUNDT: Mr. Larkin, would you make some observations concerning the fact that this District was initiated because of density, and that there are in the works additional districts in other areas abutting it.

MR. LARKIN: Yes. The original district that we had here, the original report that was done, did not include the portion of this district in the vicinity of College Avenue, for the reason that College Avenue section was something that could be developed with reasonable facilities, street by street.

In the planning that was going on last year for sewers, it was decided to extend this Manuet District to include this College Avenue section.

At the same time, an additional application was made to the Housing & Home Finance Agency for additional planning funds to extend this district still further to the east, particularly to pick up the Korvette Shopping Center and the school to the south of it, and the houses intervening. So that at the present time we have just received authorization to proceed with this ~~from the~~ Housing & Home Finance Agency, once the red tape is taken care of, so that the section of the Town, generally a piece about like so, bounded by Route 59A and a ridge line to the east, is about to be studied in some detail and determine a similar sewer course for that.

The Town Board has also anticipated further planning studies, or further studies, for the area generally to the north and west of this present District 17 which are beginning developing enough now to justify some detailed sewer planning which hasn't been the case.

So that that particular one is in the planning stage.

The other one is in the spot where the planning is just about ready to commence.

MR. WELCHMAN: On District #6, what does that involve now, as far as the whole district is concerned, as outlined?

MR. LARKIN: Right now there are about twenty-nine houses, a small package and plan.

MR. WELCHMAN: What is the remaining portion?

MR. LARKIN: A group of people who have been approached with the idea of joining up with District 6.

MR. WELCHMAN: That is College and Lexow Avenue?

MR. LARKIN: Yes, and runs up to Prospect Street and a few properties on the south side of Prospect Street. They are working on this with these people, to get this set up with District 6. The thought was to put this in part of District 17, which would be to complicate it.

MR. WELCHMAN: But it is so designed, so that it will in the future, if need be, run into the District 17 lines?

MR. LARKIN: Yes. Once District 17 is placed in service, District 6 can be eliminated and District 6 can discharge with District 17, and they can operate on a contract basis; but ultimately District 6 plans can be advanced. Right at the moment, the plant isn't big enough to take one small area.

MR. FROHLING: Would you tell the Board and anyone in the audience what the initial cost and the progressive decrease would be on the course?

MR. LARKIN: Yes. The program that has been set up for revenue raising operation, taxing people for this district, is a three-part scheme, the three parts being assessed valuation charge which reflect area benefit; a front foot charge to reflect specific benefit on each property; and a unit charge for connection to reflect, once again, a benefit to some specific property. And, generally, about fifty percent of the charge is made up of the assessed valuation charge, and the first year 25% of the front foot charge, 25% on the unit charge, and for the typical house - I say typical house - we made a count and some 65% of the houses in this District were assessed between four and six thousand dollars; so we took a median figure, a \$5000 house. So, to take a \$5000 house, the assessed valuation charge for that would be \$37.50. The front foot charge for 125 foot frontage, which is fairly liberal for this particular District, is \$18.25; and the unit charge is \$15.00; for a grand total of \$70.75 in the first year. In the fifth year, assuming that we get a reasonable increase in net values and developing in the area, that \$70.75 should go down to about \$59.55; and the fifteenth year it is down to \$44.00; and the thirtieth year, about \$35.00 or \$30.00. It's a little hard to project that far in advance in an area growing as rapidly as this; but, generally speaking, it has gone down. To give you some example, last year when we had the previous study, the charge for the same house would have been some \$77.00. In the past year, we've got enough increase in rateable to reduce that by roughly 10% to \$70.00 which is a greater increase than we anticipated even then.

MR. FROHLING: Is it true that this is the lowest initial cost on any District created thus far?

MR. LARKIN: That's right.

MR. HOLBROOK: This District is necessary, regardless of the form of Disposal District, whether it is Town or County?

MR. LARKIN: Right. You need this, no matter what you have.

MR. MUNDT: If there are no other questions -- first of all, Mr. Partridge, do you have any other witnesses?

MR. PARTRIDGE: No, that's all.

MR. MUNDT: I noticed Mr. Lodico and Mr. Tomicki had their hands up.

MR. JOHN TOMICKI: I would like to rephrase the last question. If there is any reasonable change in the County Sewer District. In other words, the flow was not to go south, but was to go north, would your interval elevations change, would there be any appreciable change in the District?

MR. LARKIN: As laid out here?

MR. TOMICKI: Yes.

MR. LARKIN: Nothing significant. No.

MR. TOMICKI: Would your interval elevations change?

MR. LARKIN: The lateral sewer elevations? Some would change, because they are designed right now to go to a certain trunk. If you get a revision in the trunk, some of these would change in a small amount.

MR. TOMICKI: In other words, this would be the first district, Lateral District, that we have, because - I have asked the question of the Lateral District, whether there would be any change in the District.

MR. LARKIN: First of all, you said a plan going North.

MR. TOMICKI: I said a plan going north.

MR. LARKIN: There would be some slight modification in this District.

MR. TOMICKI: Would it be too difficult to handle?

MR. LARKIN: No.

MR. TOMICKI: All right.

MR. JOHN LODICO: I think it's a good idea that we are getting on sewers. I was wondering if any plans have been made where there has been undeveloped land or future projects or developments, so that in each case where a sewer tap or potential sewer tap has been made, can be made to the curb line or to the property section, so that as is typical in the past, as soon as a new road goes in, the usual procedure is digging up of the road, putting it in, getting a new surface? In other words, digging up the new road again. Is it planned that where new roads are going to be installed, that taps would be taken off to the property lines to eliminate the digging up of a new road again?

MR. MUNDT: I can answer that question. The Town Board has already passed on a policy requiring dry sewers in all new subdivisions, which requires a line from the house. In fact, a line from the house right out into the street, including a lateral in the street itself. So that once these Districts are formed, the taxpayer and the entire District will not have to bear the expense of ripping up those roads.

MR. LODICO: Very good. That's what I was wondering.

MR. MUNDT: In fact, I have with me this evening, and I intend to bring it up to the Board later, the entire sewer specs which are involved.

Are there any other questions of the engineer, as he is standing? Is there anyone who wishes to go on record as stating he is for the creation of this District?

MR. WILLIAM BRENNER: I am for the creation of any district which will move the program of sewers forward for the Town of Clarkstown, and so aid the people in a much needed service.

MR. MUNDT: Is there anyone present who is opposed to the creation of this Lateral District?

Mr. Partridge, do you have any final comment?

MR. PARTRIDGE: Well, if it meets with the approval of the Board, I would suggest that a resolution be passed approving the establishment of the proposed District #17, and the construction of the Lateral Sewer District therein, providing that such resolution be subject to a permissive referendum. Second, another resolution to be passed directing publication and posting of the notice and an abstract resolution approving the establishment of the District and the construction of the Lateral Sewer System therein as required.

MR. MUNDT: Thank you. The Chair would entertain a motion to close the hearing.

(The motion was so moved and seconded)

MRS. O'CONNOR: Mr. Holbrook?

MR. HOLBROOK: Yes.

Mrs. O'CONNOR: Mr. Frohling?

MR. FROHLING: Yes.

MRS. O'CONNOR: Mr. Welchman?

MR. WELCHMAN: Yes.

MRS. O'CONNOR: Mr. Danko?

MR. DANKO: Yes.

MRS. O'CONNOR: Mr. Mundt?

MR. MUNDT: Yes.

The Chair would entertain a motion to create Lateral Sewer District #17 for Hanuet.

(The motion was so moved and seconded)

MRS. O'CONNOR: Mr. Holbrook?

MR. HOLBROOK: Yes.

MRS. O'CONNOR: Mr. Frohling?

MR. FROHLING: Yes.

MRS. O'CONNOR: Mr. Welchman?

MR. WELCHMAN: Yes.

MRS. O'CONNOR: Mr. Danko?

MR. DANKO: Yes.

MRS. O'CONNOR: Mr. Mundt?

MR. MUNDT: Yes.

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

Signed,


Anne E. O'Connor
Town Clerk

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PUBLIC HEARING

4/27/64

Town Hall

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

Present: Messrs. Frohling, Danko, Welchman, Holbrook, Mundt
Deputy Town Attorney Murray W. Jacobson
Town Clerk Anne E. O'Connor

RE: ZONE CHANGE APPLICATION - THOMAS E. WALSH - R-2 to C-1

Supervisor Mundt called Public Hearing to order at 9:00 PM, D.S.T.

Town Clerk read Notice of Public Hearing.

Thomas E. Walsh appeared before Board stating that reason for requesting change was for purpose of erecting a small office building. He distributed map showing business area of Congers, indicating area he asks to have changed.

200' on north and south side of Lake would be devoted to commercial purposes. Some homes are still being used as private residences. Board did not include these areas in the change.

Property on n/e side of Lake Road and Harrison Avenue. 80' on Lake Road, 280' on Harrison. On north and south side of Lake Road, already commercial. This corner property is now vacant. Just opposite property is house. Behind house is barn; owner of barn conducting electrical repair shop. Change would be in keeping with area.

Opposite this area on Harrison, is row of garages, a store, and large multiple residences. To south and east, row of four stores, including Post Office. 300' to the west is commercial project. On other side, for many years, there was a store.

What we are looking for is a small change in zoning of an area which is now and has been for many years already devoted to commercial purposes and is actually most suitable for that purpose.

Supervisor Mundt inquired if petitioner would agree to restrictive covenant restricting to office building. Petitioner replied that they would like to put in three apartments, stating also that they have that right at present, but cannot put in office building at present for commercial purposes.

In response to question put to him by Councilman Frohling, Mr. Walsh stated that he intended to develop property himself. He would accept restrictive covenant as to design.

Building would utilize only 65' of land, which is 212'. He is not contemplating more apartments at later date.

There were no witnesses. No one appeared as being in favor. No one appeared as being opposed.

CORRESPONDENCE: County Planning Board - Denial
Clarkstown Planning Board - Approval

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

Signed,

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

Town Hall PUBLIC HEARING 4/27/64 9:15 PM, D.S.T.
 Present: Messrs. Frohling, Danko, Holbrook, Welchman, Mundt.
 Deputy Town Attorney Murray N. Jacobson
 Town Clerk Anne E. O'Connor

RE: EXTENSION OF SEWER DISTRICT #12 TO INCLUDE MAXWIN REALTY CORPORATION-
 W/SIDE OF ROUTE 59, MANUET

Supervisor Mundt called Public Hearing to order at 9:15 P.M., D.S.T.
 Town Clerk read Notice of Public Hearing.
 Original application came up for hearing on April 2, 1964. At that time Board indicated that they would be willing to incorporate. In view of previous public hearing and on the basis of previous public hearing, request was made of the Board for a resolution for this revised extension.

Does not include Holiday Inn. Only includes that portion north of Route 59 and west of Thruway access road.

There were no questions.

In favor - no one appeared.

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

Town Hall PUBLIC HEARING 4/27/64 9:30 PM, D.S.T.
 Present: Messrs. Frohling, Danko, Holbrook, Welchman, Mundt.
 Deputy Town Attorney Murray N. Jacobson
 Town Clerk Anne E. O'Connor

RE: ESTABLISHMENT OF SEWER DISTRICT #25.

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

Thomas Dorsey appeared as attorney for petitioner. Letter read from Clerk of Village of Spring Valley stating that Village will enter into contract with the Town of Clarkstown. Town can make own arrangements as to how they want this handled.

Councilman Welchman stated that he would like agreement that this would not be a 30-year program.

Attorney Dorsey stated that can only approve District #25. Once it is formed, Town is not bound to enter into agreement with Village of Spring Valley.

Supervisor Mundt: Creation of District, which may ultimately become a paper district. Holiday Inn good ratable. Town can create district, and then enter into immediate negotiations with contract that would be satisfactory to Town Board so we could move ahead and get ratable.

Councilman Welchman: They cannot build without sewer district.

Councilman Frohling: We could pull out of district at the time a lateral district is formed in Manuet, which will service the "rea. In the event that we cannot negotiate, we can pull out of district and Manuet can service Hotel and Cleaners.

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Mr. Cohen: Value of Hotel: 3/4 of a million dollars. Minimum tax: \$15,000.

Sewer revenue: We pay Spring Valley \$3000.

Councilman Welchman: When the Clarkstown District is formed, it will include this portion of property which is to the east of the entrance of the Thruway. In creating a new district, we are still not of the knowledge as to whether Spring Valley will negotiate less than a 30-year bond issue.

Supervisor Mundt: Council will not lose anything by creating district. Contract can be brought to Council at next meeting to approve or disapprove.

Attorney Dorsey: Any proposed agreement with Village must come back to this Board for approval.

Deputy Town Attorney: Board has no liability creating this evening.

In favor: No one appeared.

Opposed: No one appeared.

On resolution made by Councilman Holbrook, seconded by Councilman Frohling and unanimously adopted, public hearing was adjourned.

Signed,

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

PUBLIC HEARING
4/27/64

Town Hall

9:45 PM, DST

Present: Messrs. Frohling, Danko, Holbrook, Welchman, Mundt.
Deputy Town Attorney Murray H. Jacobson
Town Clerk Anne E. O'Connor

RE: ESTABLISHMENT OF NEW CITY-WEST NYACK WATER SUPPLY DISTRICT TO INCLUDE PROPERTY OFF OLD HAVERSTRAW ROAD, CONGERS.

Supervisor Mundt called Public Hearing in session at 9:45 PM. Town Clerk read Notice of Public Hearing.

No one appeared as being opposed. No one appeared as being for proposed extension.

On resolution by Councilman Holbrook, seconded by Councilman Frohling and unanimously adopted, public hearing was adjourned.

Signed,

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

Town Hall

TOWN BOARD MEETING
4/27/64

8:00 PM

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

Supervisor Mundt called Town Board meeting to order at 8:00 PM, D.S.T.

(143) Councilman Danko moved the following resolution:

RESOLVED, that minutes of seven public hearings and regular Town Board meeting held on 4.13.64 and Special Town Board meeting held on 4.20.64 are hereby approved and accepted as submitted by Town Clerk.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

(144) Councilman Danko moved the following resolution:

WHEREAS, a large part of the Town's drainage network of streams, ponds and rivers is beyond the limits of jurisdiction of any single regulatory agency, and maintenance of these drainage channels is solely dependent upon action by private property owners; this arrangement is not conducive to proper maintenance, since a private property owner is not usually willing to spend money for the benefit of others, and therefore limits stream maintenance to items which provide immediate benefit to himself, or which he can perform himself, and

WHEREAS, this existing maintenance situation is not likely to improve of itself, and the necessity of providing proper maintenance is justification for a governmental agency assuming that responsibility,

BE IT RESOLVED, THEREFORE, that the Town Board of the Town of Clarkstown hereby create a Town Drainage Commission to have control over and responsibility for drainage matters in Clarkstown, and said Drainage Commission to develop, recommend and implement watershed management policy, to review proposed drainage plans, to maintain existing drainage structures and channels and to correct drainage structures.

Seconded by Councilman Welchman.

All voted yes.

(145) Councilman Holbrook moved the following resolution:

RESOLVED, that time for receiving bids for furnishing fill for Clarkstown Sanitary Fill Operation is hereby declared closed, and be it

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

Seconded by Councilman Danko.

All voted yes.

The following bids were received:

Ward Pavements, Inc.
Riverside Avenue
Haverstraw, N.Y. \$1.33 per yd.

Wilfred Gagnon & Son
37 W. Washington Ave.
Pearl River, N.Y. \$1.40 per yd.

Bids submitted for furnishing fill to be turned over to Town Engineer and Dumpmaster for their recommendation to be submitted at next regular Town Board Meeting to be held on 5/11/64.

(146) Councilman Welchman moved the following resolution:

RESOLVED, that time for receiving bids for furnishing traffic signals to the Town of Clarkstown is hereby declared closed, and be it

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further resolved, that bids received up to this time are hereby ordered opened.

Seconded by Councilman Frohling.

All voted yes.

The following bids were received:

OHM Electric Supply Corp.
Elmsford, New York

1 Three-way.....\$286.21 each
1 Control..... 288.30 each

Rockland Electric & Supply

1 Three-face 4-way.....\$306.00 each
1 Control..... 260.00 each

Bids for furnishing Traffic Lights held for 5/11/64 Town Board Meeting at which time Highway Supt. will make recommendation.

(147) Councilman Holbrook 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 the said petitioner described, from an RA-1 and R-22 district to an R-2 district, and

WHEREAS, a public hearing pursuant to Sections 264 and 265 of the Town Law was called for on the 27th day of April, 1964, at 8:15 PM, D.S.T.; and

WHEREAS, the attorney for the said petitioner has requested an adjournment of said public hearing;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the said Town of Clarkstown, on the 25th day of May, 1964, at 8:30 PM, D.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, and that all expenses of said republication be borne by the petitioner.

Seconded by Councilman Frohling.

All voted yes.

(148) Councilman Holbrook moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown is cognizant of the fact that the Town is experiencing a tremendous growth, which is generating serious problems in traffic, zoning and planning, parks, recreation, transportation and public safety and welfare, and this Board is convinced that, in the interest of the orderly development of Clarkstown it is imperative that these problems be resolved and wherever possible anticipated, and

WHEREAS, this Board recognizes the fact that the number and complexity of these problems and the fact that said problems and the solutions thereto vary in each hamlet of the Town make it difficult for the members of this Board to anticipate and resolve them, and

WHEREAS, this Board believes that the many problems currently besetting the various hamlets in Clarkstown and which will confront them in the future can best be identified and anticipated by citizens residing in the various hamlets,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkstown create a Hamlet Development Board for each of the hamlets of Congers, New City, West Nyack, Central Nyack, Nanuet and Valley Cottage for the following purposes, and according to the following procedures:

Purposes: 1. To advise the Town Board of the Town of Clarkstown regarding the actual or anticipated existence of various problems existing in the hamlet including traffic safety; public transportation; zoning and planning; parks and recreation; public safety such as police, fire and civil defense; health and welfare, including public sewers, library and other community facilities.

2. To study problems and suggestions for hamlet improvements presented by the Town Board; to receive suggestions from individuals and organizations relating to problems and improvements in the hamlets and to originate hamlet improvement and development programs.

Organization. Each hamlet board will be composed of seven (7) members who will serve without compensation, five (5) of whom shall be selected and appointed by the Town Board and two (2) of whom, including the Chairman shall be appointed by the Planning Board of the Town of Clarkstown. The terms of appointment shall be for two (2) years, except that for the first year four (4) members shall be appointed for one year terms. Terms shall expire on December 31 of this year. In case of a vacancy on the Board a new member shall be appointed to serve for the balance of the unexpired term.

Each Board shall elect its own Secretary to keep minutes and handle correspondence.

Operations: Each development board shall meet at least once monthly from September to June. Minutes of each meeting shall be sent in to the Town Board for its information. Also, any minutes relating to a specific governmental department will be passed on to that department for its information.

Hamlets defined:

1. The Hamlet of Nanuet shall include all of the area presently included in Election Districts 5, 10, 11, 12, 18, 21, 32, 33 and 35.
2. The Hamlet of Congers shall include all of the area presently included in Election Districts 2, 7 and 14.
3. The Hamlet of Valley Cottage shall include all of the area presently included in Election District 8 and 17.
4. The Hamlet of New City shall include all of the area presently included in Election District 1, 9, 13, 16, 19, 22, 24, 25, 26, 27, 28 and 30.
5. The Hamlet of West Nyack shall include all of the area presently included in Election Districts 3, 15, 28, 31 and 34.
6. The Hamlet of Central Nyack shall include all of the area presently included in Election Districts 6 and 20.

Seconded by Councilman Frohling.

On roll call the vote was as follows

AYES: Messrs. Holbrook, Frohling, Mundt.
ABSTENTIONS: Councilmen Danko, Welchman

(149) Councilman Danko moved the following resolution:

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RESOLVED, that regular Town Board meeting be closed in order to hold regularly scheduled Public Hearings.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

(150) Councilman Frohling moved the following resolution:

RESOLVED, that regular Town Board meeting be resumed.

Seconded by Councilman Welchman.

All voted yes.

Town Board signed order extending Manuet Water Supply District to include Briar Estates subdivision and property south of Old Nyack Turnpike, Manuet.

In the matter of the petition for extension of the Manuet Water Supply District to include Briar Estates subdivision and property south of Old Nyack Turnpike, Manuet, in the Town of Clarkstown, Rockland County, New York.

A petition in this matter for the extension of the Manuet 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 23rd day of March, 1964, for the hearing of all persons interested in the matter on the 27th day of April, 1964, at 8:30 P.M. at the Board Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, 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 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 Manuet 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 described as follows:

BEGINNING at a point on the westerly line of the existing Manuet Water Supply District, said point being distant southerly 600 feet measured at right angles from the southerly line of Prospect Street; thence (1) running westerly and northerly along a course parallel to and distant southerly and westerly 600' measured at right angles from the southerly and westerly line of Prospect Street, to a point which is distant southerly 600 feet measured at right angles from the southerly line of Will Rogers Lane; thence (2) running westerly along a course parallel to and distant southerly 600 feet measured at right angles from the southerly line of Will Rogers Lane, to a point on the easterly line of Pascack Road; thence (3) running northerly along the easterly line of Pascack Road, to a point which is distant northerly 600 feet measured at right angles from the prolongation westerly of the northerly line of Steep Hill Road; thence (4) running easterly along a course parallel to and distant northerly 600 feet measured at right angles from

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the prolongation westerly of the northerly line of Steep Hill Road and the northerly line of Steep Hill Road to a point which is distant westerly 600 feet measured at right angles from the westerly line of Briar Road; thence (5) running northerly along a course parallel to and distant westerly 600 feet measured at right angles from the westerly line of Briar Road to a point which is distant southerly 800 feet measured at right angles from the southerly line of Old Nyack Turnpike; thence (6) running westerly along a course parallel to and distant southerly 800 feet measured at right angles from the southerly line of Old Nyack Turnpike to a point on the easterly line of Pascack Road; thence (7) running northerly along the easterly line of Pascack Road and the prolongation northerly of the easterly line of Pascack Road to a point on the southerly line of the existing Clarkstown Water Supply District, said point also being in Old Nyack Turnpike; thence (8) running easterly along the southerly line of the existing Clarkstown Water Supply District and the southerly line of the existing Manuet Water Supply District to a point on the westerly line of the existing Manuet Water Supply District; thence (9) running southerly along the westerly line of the existing Manuet Water Supply District to a point on the northerly line of the existing Manuet Water Supply District; thence (10) running westerly along the northerly line of the Existing Manuet Water Supply District to a point on the westerly line of the existing Manuet Water Supply District; thence (11) running southerly along the westerly line of the existing Manuet Water Supply District to a point on the northerly line of the existing Manuet Water Supply District; thence (12) running westerly along the northerly line of the existing Manuet Water Supply District to a point on the westerly line of the existing Manuet Water Supply District; thence (13) running southerly along the westerly line of the existing Manuet Water Supply District to the point or place of BEGINNING.

Town Board signed Order, Councilman Holbrook abstaining, extending New City-West Nyack Water Supply District to include property off Old Haverstraw Road, Congers, New York, Councilman Holbrook abstaining because he resides in vicinity.

In the matter of the petition for the Extension of the NEW CITY-WEST NYACK WATER SUPPLY DISTRICT to include PROPERTY OFF OLD HAVERSTRAW ROAD, CONGERS, NEW YORK, in the Town of Clarkstown, Rockland County, New York.

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 13th day of April, 1964, for the hearing of all persons interested in the matter on the 27th day of April, 1964, at 9:45 PM, E.S. Time, at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, N.Y. and a hearing by 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

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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 described as follows:

BEGINNING at a point on the westerly line of the existing New City-West Nyack Water Supply District; said point being distant northerly 500 feet measured at right angles from the northerly line of Westview Avenue; thence (1) running westerly along a course parallel to and distant northerly 500 feet measured at right angles from the northerly line of Westview Avenue to a point which is distant westerly 500 feet measured at right angles from the westerly line of Stonewall Lane; thence (2) running southerly along a course parallel to and distant westerly 500 feet measured at right angles from the westerly line of Stonewall Lane to a point which is distant southerly 500 feet measured at right angles from the southerly line of Calico Place; thence (3) running easterly along a course parallel to and distant southerly 500 feet measured at right angles from the southerly line of Calico Place to a point on the prolongation southerly of the centerline of Stonewall Lane; thence (4) running southerly along the prolongation southerly of the centerline of Stonewall Lane to a point on the centerline of New City-Congers Road, thence (5) running easterly along the centerline of New City-Congers Road to a point on the westerly line of the existing New City-West Nyack Water Supply District; thence (6) running northerly along the westerly line of the existing New City-West Nyack Water Supply District along its various courses, to the point or place of BEGINNING.

(151) Councilman Holbrook moved the following resolution:

~~WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore caused Husbanner, Clarke & Velsy, 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. 17 in said Town of Clarkstown, as hereinafter described and for the construction of a lateral sewer system therein consisting of lateral sewers and sub-mains and sub-trunks tributary to the Haupt Sub-trunk and Main Trunk 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 March 23, 1964, said Town Board determined to proceed with the establishment of said proposed Sewer District No. 17 and the construction of such lateral sewer system therein and adopted an order reciting a description of the boundaries of said proposed Sewer District #17 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 April 27, 1964, at 8:45 P.M. D.S.T. as the time when, and the Town Hall, 10 Maple Avenue, New City, N.Y. in said Town, as the place where, the said Town Board would meet to consider establishment of said proposed sewer district #17 and the con -

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struction 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 duly held by said Town Board on the 27th day of April, 1964, commencing at 8:45 o'clock P.M. D.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. 17 and the construction therein 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 1. It is hereby determined that

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

(b) all the property and property owners included within the proposed Sewer District No. 17 hereinabove referred to in the recitals thereof are benefited hereby;

(c) all the property and property owners benefited are included within the limits of said proposed Sewer District No. 17; and

(d) it is in the public interest to establish said proposed sewer district #17.

Section 2. The establishment of said proposed Sewer District #17 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. 17, in the Town of Clarkstown, situate wholly outside of any incorporated village or city, and shall be bounded and described as follows: (See Page (description))

Section 3. The maximum amount proposed to be expended for the construction of said lateral sewer system consisting of lateral sewers and sub-mains and sub-trunks tributary to the Hannet Sub-trunk and Main Trunk 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 \$1,173,000 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 #17 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 cost of operation, maintenance and repair.

Section 4. The Town Clerk of said Town of Clarkstown is hereby authorized and directed within ten (10) days after the adoption of this resolution, to file certified copies thereof, in duplicate, in the office of the State Department of

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Audit and Control at Albany, New York, together with an application by said Town Board, in duplicate, for permission to establish Sewer District No. 17 in the Town of Clarkstown, as herein described, pursuant to the provisions of said Town 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 (30) 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 percent 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 Town Law.

On motion of Martin E. Holbrook, seconded by Joseph Welchman, and duly put to a vote on roll call, which resulted as follows:

AYES: Philip J. Frehling, Jr.
Stephen Danke
Martin E. Holbrook
Paul F. Mundt
Joseph Welchman

NOES: None

The resolution was declared unanimously adopted.

Joseph Welchman offered the following resolution and moved its adoption:

RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 27, 1964, DIRECTING THE PUBLICATION AND POSTING OF NOTICE AND ABSTRACT OF THE RESOLUTION APPROVING THE ESTABLISHMENT OF SEWER DISTRICT NO. 17 IN THE TOWN OF CLARKSTOWN AND THE CONSTRUCTION OF A LATERAL SEWER SYSTEM THEREIN

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

Section 1. The Town Clerk of the Town of Clarkstown, in the County of Rockland, New York, shall, within ten days after the adoption by the Town Board of said Town, of the resolution entitled:

"Resolution of the Town of Clarkstown, New York, adopted April 27, 1964, approving the establishment of proposed Sewer District No. 17, in said Town and construction of a lateral sewer system therein and providing that such resolution shall be subject to permissive referendum",

cause to be published at least once in THE ROCKLAND COUNTY CITIZEN the official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to Subdivision 6 of Section 30 of the Town Law and in at least five (5) places in the proposed Sewer District #17 in said Town of Clarkstown, a notice which shall set forth the date of adoption of said foregoing resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. Said Notice shall be in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on April 27, 1964, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a resolution entitled:

"Resolution of the Town of Clarkstown, New York, adopted April 27, 1964, approving the establishment of proposed sewer district No. 17 in said Town and construction of a lateral sewer system therein and providing that such resolution shall be subject to permissive referendum."

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an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: Reciting that the Town Board of the Town of Clarkstown, New York, has heretofore duly caused the preparation of a general map, plan and report relating to the establishment of proposed Sewer District No. 17 in said Town, therein described and for the construction of a lateral sewer system therein, consisting of lateral sewers and sub-mains and sub-trunks tributary to the Manuet Sub-trunk and Main Trunk 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 of Clarkstown, for public inspection; that an order was adopted on March 23, 1964, reciting a description of the boundaries of said proposed Sewer District No. 17 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, 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 the time and place of a public hearing to hear all persons interested in the subject thereof concerning the same; that copies of such order have been duly published and posted; and that such hearing has been duly held on April 27, 1964, at the time and place specified;

SECOND: Resolving and determining that (a) the notice of hearing was published and posted as required by law and is otherwise sufficient, (b) all the property and property owners within the proposed sewer district No. 17 are benefited thereby, (c) all property and property owners benefited are included within the limits of the proposed district and (d) that the establishment of such District is in the public interest;

THIRD: Further resolving and determining that the establishment of such proposed Sewer District No. 17 be approved, that the proposed lateral sewer system shall be constructed therein; DESIGNATING such district as Sewer District No. 17, in the Town of Clarkstown, and describing and showing said district by notes and bounds;

FOURTH: Resolving that the maximum amount proposed to be expended for construction of said lateral sewer system is \$1,173,000 which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown to finance such cost and assessment, levy and collection of special assessments upon the several lots and parcels of land in said Sewer District No. 17 which the Town Board shall deem especially benefited by said lateral sewer district 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 and interest on said bonds and the costs of operation, maintenance and repair.

FIFTH: Further resolving that the Town Clerk shall, within 10 days after adoption of this resolution, file certified copies in the office of the Department of Audit and Control, together with an application by said Town Board for permission to establish such District and that such application shall be executed by the Supervisor; and

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SIXTH: Stating that this resolution shall take effect 30 days after adoption unless within such period a petition shall be filed with the Town Clerk protesting against this resolution and requesting that it be submitted to the owners of taxable real property situate in said proposed sewer district No. 17 at a referendum in the manner provided by the Town Law.

Section 3. 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: Philip J. Frohling, Jr.
Martin E. Holbrook
Stephen Danko
Paul F. Mundt
Joseph Welchman

NOES: None

The resolution was declared unanimously adopted.

(15§) Councilman Holbrook moved the following resolution:

RESOLVED, that decision on zone change application of Thomas E. Walsh (B-1 to C-2) on property located on Lake Road and Harrison Avenue, Congers, N.Y. be reserved.

Seconded by Councilman Welchman.

All voted yes.

Town Board signed Order extending Sewer District No. 12 to include property of Maxwin Realty Corp.

In the matter of the petition for extension of Sewer District No. 12 to include property of Maxwin Realty Corp in the Town of Clarkstown, Rockland County, New York.

A petition in this matter for the extension of Sewer District No. 12 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 2nd day of April, 1964, for the hearing of all persons interested in the matter on the 27th day of April, 1964, at 9:30 P.M. 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 Sewer District No. 12 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:

All that certain plot, piece or parcel of land situate, lying and being in the Town of Clarkstown, County of Rockland, State of New York, more particularly bounded and described as follows:

BEGINNING at a point marked by a monument set at the intersection of the

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northerly line of Route 59 and the westerly line of the access road lands of the New York State Thruway; running

THENCE (1) along the said northerly line of Route 59 north 55°08'35" west 351.76 ft. to a point; thence (2) north 7°30'52" west 535.68 ft. to a point in the southerly line of lands of the New York State Thruway; thence (3) north 82°19'08" east 213.30 ft. to a point; thence (4) south 37°14'54" east 184.26 ft. to a point; thence (5) south 7°30'52" east 541.42 ft. to the point of place of BEGINNING.

Dated April 27, 1964

Signed: Joseph Welchman, Councilman
 Stephen Danko Councilman
 Philip J. Frohling Councilman
 Martin E. Holbrook Councilman
 Paul F. Mundt Supervisor

Town Board signed Order establishing Sewer District No. 25 to include property of Rockland Motel Corp., Norma Braunstein and Daniel Sokol.

A petition in this matter for the Establishment of Sewer District No. 25 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 2nd day of April, 1964, for the hearing of all persons interested in the matter on the 27th day of April, 1964, at 9:30 P.M. at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, 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 district 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 district as proposed be approved; it is hereby

ORDERED, that Sewer District No. 25 of the Town of Clarkstown be established in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town of Clarkstown as follows:

ALL that certain plot, piece or parcel of land situate, lying and being within the Town of Clarkstown, County of Rockland and State of New York, more particularly bounded and described as follows:

BEGINNING at a point on the northerly line of Route 59 where the same is intersected by the easterly line of the access roads lands of the New York State Thruway Authority; running thence (1) along said easterly line of the New York State Thruway access road north 26°11'42" west 45.07 ft. to a point; thence (2) north 4°00'08" west 257.33 ft. to a point; thence (3) south 70°32'42" east 39.0 ft to a point; thence (4) north 7°25'52" west 229.84 ft. to a monument set in the said easterly line of the New York State Thruway access road; thence (5) north 13°39'30" east 250.05 ft to a point; thence (6) north 40°57'01" east 302.88 ft. to a point; thence (7) south 5°10'30" east 205.39 ft. to a point; thence (8) south 83°38'07" west 11.05 ft. to a point; thence (9) south 4°06'10" west 337.81 ft. to a point;

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thence (10) south 2°36' west 368.66 ft. to a point; thence (11) south 7°34'10" west 162.0 ft to a point in the northerly line of said Route 59; thence (12) along said northerly line of Route 59 north 65°05'50" west 146.86 ft. to a point; thence (13) north 7°25'52" west 13.0 ft. to a point; thence (14) north 70°32'42" west 36.81 ft. to a point or place of BEGINNING.

Dated: April 27, 1964

S/ Martin E. Holbrook, Councilman
Joseph Welchman, Councilman
Philip J. Frohling, Jr., Councilman
Stephen Danko, Councilman
Paul F. Mundt, Supervisor

Mrs. Traube, 133 Blauvelt Road, appeared re drainage easement, stating that easement from Lackawanna not obtained by Town as yet. Councilman Frohling informed her that Town Engineer has not yet received permission from Lackawanna; they will be contacted again.

Mrs. David Warshaw appeared presenting poster on legislation to protect home buyers. Supervisor Mundt informed Mrs. Warshaw that Town may be able to help under Suburban Town Law.

(154) Councilman Frohling moved the following resolution:

RESOLVED, that an amount not to exceed \$1500 be transferred from Current Surplus-General to Recreation Account-Parks & Playgrounds Account for the purpose of construction and seeding of baseball field on I.B.E.W. grounds and be it

FURTHER RESOLVED, that the Town Attorney be instructed to draw up a lease with the I.B.E.W. to the mutual satisfaction of both the Recreation Commission and the I.B.E.W.
Seconded by Councilman Welchman. All voted yes.

(155) Councilman Welchman moved the following resolution:

RESOLVED, that zone change application be granted to Harold and George Reiss

(R-1 to G-2) with restrictive covenants as follows:

1. 50' buffer on north side of property
2. 35' buffer on east side adjacent to Hutten
3. Petitioner must plant trees in buffer zone to north and south in accordance with specification of Shade Tree Commission, minimum 10' in height.
4. No access from this property to Hutten.
5. Petitioner shall cut bank at northwest corner of Hutten and Route 59 to improve visibility.

Seconded by Councilman Holbrook.

All voted yes.

(156) Councilman Danko 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 13th day of April, 1964, at 8:45 P.M. E.S.T. to consider the application of UNGAVA FARMS, INC. to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of said petitioner from an RA-1 to a R-1 district; and

WHEREAS, notice of said public hearing was duly published as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW, THEREFORE, BE IT

RESOLVED, that the application be denied.

Seconded by Councilman Holbrook.

All voted yes.

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 13th day of

April, 1964, at 9:00 P.M. E.S.T., to consider the application of DAVIES FARM, INC. to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of said petitioner from an R-1 district to a C-1 district; and

WHEREAS, notice of said public hearing was duly published as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW, THEREFORE, BE IT

RESOLVED, that the application be denied.

Seconded by Councilman Frohling.

All voted yes.

(158) Councilman Holbrook moved the following resolution:

WHEREAS, a written petition, dated September 30th, 1963, was duly filed with this board requesting the permanent improvement of that portion of the highway or right-of-way in this town known as Husted Lane, at West Nyack, Town of Clarkstown, Rockland County, New York, from Germonds Road northerly to the northerly line of lands of Maher on the east and Cullinane on the west, by the permanent paving thereof in the manner hereinafter determined upon by the board, and

WHEREAS, said petition was duly signed by owners of real estate owning real estate to the extent of at least one-half of the entire frontage or bounds on both sides of that portion of such highway or right-of-way situate between the points aforesaid and also signed by resident owners owning not less than one-half of the frontage owned by resident owners residing in or along the portion of such highway or right-of-way situate between such points, and

WHEREAS, the said petition was duly acknowledged or proved as to each signer in the same manner as required of a deed to be recorded, and

WHEREAS, at a meeting of said town board duly called and held on March 9, 1964, an order was duly adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed and the maximum amount to be expended for the improvement as stated in such petition to wit, the sum of \$25,000.00 and specifying that the said board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Hall, 10 Maple Ave., New City, New York, in said town on the 15th day of April, 1964, at 9:15 P.M., Eastern Standard Time; and

WHEREAS, the said order, duly certified by the town clerk was duly published and posted as required by law, to wit, a duly certified copy thereof was published in the "County Citizen", the official paper of this town, on April 1, 1964, and copies of such order posted on April 1, 1964, conspicuously in six public places within the district, to wit, at Poles numbered 1, 3, 5, 6, and 7 on Husted Lane, West Nyack, New York, and on a bulletin board of the Town of Clarkstown at 10 Maple Ave., New City, N.Y.; and

WHEREAS, a hearing was duly held by this town board at the place and on the date and time hereinbefore mentioned, and at such time and place the town board did duly consider the said petition and hear all persons interested,

NOW, THEREFORE, after such hearing and upon the evidence given thereat and pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

RESOLVED, that this board does hereby determine that it is in the public interest to make the improvement petitioned for, to wit, to permanently pave that portion of said highway or right-of-way running northerly from Germonds Road to the northerly line of lands of Maher on the east and Cullinane on the west, the said pavement to be of a width

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of 24 ft. extending along the entire length of the portion of said highway or right-of-way as hereinbefore described, said paving to be in accordance with the applicable specifications of the Town of Clarkstown; and it is further

RESOLVED, that the appropriate officers of the Town of Clarkstown by and with the assistance of the engineer and attorney heretofore appointed, make application, pursuant to Section 171 of the Highway Law, to the Superintendent of Public Works of the State of New York for laying out said proposed town highway for a width of less than three rods, to wit, 30 feet, and upon such approval of the Superintendent of Public Works of the State of New York, pursuant to said Section 171 of the Highway Law, and it is further

RESOLVED, that JACK D. BOSWELL, as engineer, shall prepare definite plans and specifications to make a careful estimate of the expense, and with the assistance of EDWARD G. ROEPE, ATTORNEY-AT-LAW, 60 Maple Ave., New City, N.Y. who is hereby employed for such purpose, shall prepare a proposed contract for the execution of the work; and that such plans and specifications, estimate and proposed contract shall be presented to this board as soon as reasonably possible.

Seconded by Councilman Welchman.

All voted yes.

Richard Narducci was to appear on behalf of residents of Hannet re Swimming Pool Ordinance. Supervisor Mundt informed assemblage that a meeting will be held in the Supervisor's Office on Wednesday evening, (29th) with people interested, who think it is too stringent, to try to resolve the question.

Mr. Lydon appeared in place of Mrs. Robert Tryka re Safety Signs on Birchwood Terrace and Lisa Lane, Hannet.

(159) Councilman Welchman moved the following resolution:

RESOLVED, that the Highway Superintendent is hereby authorized to take any steps necessary regarding safety signs for Birchwood Terrace and Lisa Lane in Hannet that Chief of Police Ernest F. Wiebicks may recommend.

Seconded by Councilman Holbrook.

All voted yes.

Mr. O'Brien appeared requesting Town Board to consider the adoption of a change to zoning ordinance which would require a minimum of 5-acre tract of land before R-2 would be considered (Garden Apartments).

Supervisor Mundt stated that he sent letters to Building Inspector, Oscar Lutz, asking him to investigate amendment of R-2 and refine it up to 5-acre as base. He will write Planning Board also.

(160) Councilman Welchman moved the following resolution:

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

File No. 14	Middlesex Heights - New City Inner Bldrs., Inc. - Arnold Sorkin J. Boswell, Engineer	\$35.00
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and be it

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

Seconded by Councilman Danko.

All voted yes.

Re payment of \$8200 and \$4225 to Nussbaumer, Clarke & Velsy - Nanuet Laterals; Town Attorney to look into. Hold.

Councilman Danko moved the following resolution:

(161) RESOLVED, that resolution adopted 3/9/64 appointing Ann Pagliuca to position of Clerk-Typist at salary of \$3200 in Town Clerk's office is hereby rescinded.

Seconded by Councilman Frohling.

All voted yes.

(162) Councilman Welchman moved the following resolution:

RESOLVED, that resolution adopted 3/9/64 appointing provisionally Jean Kolsted to the position of Typist in Building Inspector's Office is hereby rescinded.

Seconded by Councilman Frohling.

All voted yes.

(163) Councilman Frohling moved the following resolution:

RESOLVED, that the supervisor be authorized to execute the necessary Civil Service form for the provisional appointment, pending examination, of Jean M. Kolsted of 210 So. Conger Ave., Congers, N.Y., to the position of Typist at a salary of \$3200 per annum, effective April 27, 1964.

Seconded by Councilman Holbrook.

All voted yes.

(164) Councilman Welchman moved the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the provisional appointment, pending examination, of Ann Pagliuca, 22 Adele Rd., West Nyack, N.Y., to the position of typist at a salary of \$3200 per annum effective April 27, 1964.

Seconded by Councilman Holbrook.

All voted yes.

(165) Councilman Danko moved the following resolution:

BOND ANTICIPATION NOTE RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 27, 1964, AUTHORIZING THE ISSUANCE OF \$10,000 NOTES IN ANTICIPATION OF THE SALE OF SERIAL BONDS HERETOFORE AUTHORIZED TO BE ISSUED FOR THE CONSTRUCTION OF A SEWER SYSTEM IN NEW CITY SEWER DISTRICT (SEWER DISTRICT NO. 10) OF SAID TOWN.

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

Section 1. Bond Anticipation Notes of the Town of Clarkstown in the County of Rockland, New York, in the principal amount of \$10,000 are hereby authorized to be issued at one time or from time to time, as funds are required, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York, for the specific object or purpose as more fully described in the resolution, entitled: "Bond Resolution of the Town of Clarkstown, New York, adopted Sept. 25, 1961, authorizing the construction of a sewer system in New City Sewer District of the Town of Clarkstown, stating the estimated maximum cost of \$526,260 appropriating said amount therefor and authorizing the issuance of \$526,260 serial bonds of said Town to finance the appropriation".

duly adopted by the Town Board on the date therein referred to. Said notes are to be issued in anticipation of the sale of serial bonds of said Town. A bond anticipation note in the principal amount of \$12,500 has been issued and is presently outstanding in anticipation of the sale of said bonds, and the Notes hereby authorized are not renewal notes. The maturity of ^{notes} ~~notes~~ hereby authorized shall not exceed one year from the

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date of the Notes and said Notes may be renewed pursuant to the provisions of said Local Law. Said Notes are to be issued for an assessable improvement.

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

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

Section 4. This resolution shall take effect immediately.

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

AYES: Messrs. Mundt, Holbrook, Frohling.

NOES: None

The resolution was declared unanimously adopted.

(166) Councilman Holbrook moved the following resolution:

RESOLVED, that pursuant to request of the Supervisor and recommendation of the Personnel Officer, the position of Senior Stenographer in the Office of the Supervisor be and it is hereby created.

Seconded by Councilman Frohling.

All voted yes.

(167) Councilman Holbrook moved the following resolution:

WHEREAS, THE POSITION OF SENIOR STENOGRAPHER has been created in the Office of the Supervisor, with approval of the Civil Service Commission, and

WHEREAS, the Certification of Eligibles No. 6257 for the position of Senior Stenographer, dated March 27, 1964, has been canvassed and there were sufficient declinations or failures to respond to reduce the list to less than three names,

NOW, THEREFORE, BE IT

RESOLVED, that Camelia Gromack be and she is hereby appointed to said position in the Supervisor's Office, provisionally, pending result of Civil Service Examination taken by her, and

NOW, THEREFORE, BE IT FURTHER RESOLVED,

THAT the Supervisor be authorized to execute the necessary Civil Service form for the provisional appointment, pending examination result, of said Camelia Gromack 44 Smith Street, Nanuet, New York, to the position of Senior Stenographer at a salary of \$4218.00 per annum effective April 27, 1964.

Seconded by Councilman Frohling.

All voted yes.

(168) Councilman Holbrook moved the following resolution:

RESOLVED, that John Philip Moody be and he is hereby appointed to the position of Data Processing Manager, in the Data Processing Office, with the understanding that he will establish his residence within the Town of Clarkstown in the near future, and

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service Form for the permanent appointment of John Philip Moody, 118 High Mountain Road, Skyline Lakes, Ringwood, New Jersey, to the position of Data Processing

Manager at a salary of \$6800 per annum effective April 27, 1964.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Messrs. Holbrook, Frohling, Welchman, Mundt.
ABSTENTION: Councilman Danko

(169) Councilman Holbrook moved the following resolution:

RESOLVED, that the Supervisor be and he is hereby authorized to transfer from the account CURRENT SURPLUS-GENERAL to DATA PROCESSING-MANAGER SALARY the amount of \$700.00.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Messrs. Holbrook, Frohling, Welchman, Mundt.
ABSTENTION: Councilman Danko.

(170) Councilman Holbrook moved the following resolution:

WHEREAS, the resignation of William A. Meyer, as Building Inspector III for the Town of Clarkstown Building and Zoning Department, effective March 31, 1964, has been filed, now therefore be it

resolved, that James A. Keestler he and he is hereby appointed to said position in the Building and Zoning Department, provisionally pending examination, and

NOW, THEREFORE, BE IT FURTHER

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the provisional appointment pending examination of said James A. Keestler, 167 Strawtown Road, New City, New York, to the position of Building Inspector III at a salary of \$5000 per annum effective May 4, 1964.

Seconded by Councilman Frohling.

All voted yes.

(171) Councilman Frohling moved the following resolution:

RESOLVED, that Herman N. Bergman, 7 Parkway Drive, New City, N.Y. is hereby appointed to serve on the Traffic Advisory Committee effective immediately, to serve without compensation.

Seconded by Councilman Holbrook.

All voted yes.

Re Route 59 Traffic Study, a meeting will be held at 6:30 P.M. on 5/18/64, Town Board, Town Engineer, Town Attorney, Building Inspector and the Press being in attendance at a place to be specified by the Supervisor.

(172) Councilman Holbrook moved the following resolution:

RESOLVED, that Edw. C. Palmenberg is hereby authorized to employ 2 engineering assistants for the summer months; and be it

FURTHER RESOLVED, that the Town Engineer is hereby authorized to also employ two (2) laborers during the summer months of 1964 for the operating sewer districts.

Seconded by Councilman Welchman.

All voted yes.

(173) Councilman Danko moved the following resolution:

RESOLVED, that the application of Harry Shapiro for a change of zoning from a R-1 and RA-1 district on property located on north and south sides of Norfolk Avenue, Congers, New York, to R-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.

Seconded by Councilman Welchman.

All voted yes.

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(174) Councilman Danko moved the following resolution:

RESOLVED, that the application of Benjamin Castro for a change of zoning from a R-0 district to a C-1 district on property located on west side of Route 304, Bardonia, New York, be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance, and also to the Rockland County Planning Board pursuant to Sections 239L and 239M of the General Municipal Law.

Seconded by Councilman Welchman.

All voted yes.

(175) Councilman Danko moved the following resolution:

RESOLVED, that the application of JOHN W. ORANGE, MARY A. ORANGE & HELEN C. ORANGE for a change of zoning from a RO district to a C-2 district on property located on east side of Route 304, Bardonia, New York, be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance, and also to the Rockland County Planning Board pursuant to Sections 239L and 239M of the General Municipal Law.

Seconded by Councilman Welchman.

All voted yes.

(176) Councilman Welchman moved the following resolution:

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

File No. 23	Woodland Estates - New City	
	Hessmally Assn., Inc.	
	William A. Yuda, Engineer	\$25.00

and be it

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

Seconded by Councilman Danko.

All voted yes.

(177) Councilman Holbrook moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown on January 13, 1964, passed a resolution creating the position of Administrative Assistant to the Supervisor of the Town of Clarkstown, effective February 1, 1964, at an annual salary of \$7,000 to be paid out of surplus or contingent funds of the Town of Clarkstown the Town to be reimbursed for the payment of said salary from the lateral sewer districts to be created, and

WHEREAS, George S. Gerber of Valley Cottage, New York, was thereby appointed to fill the position of Administrative Assistant, effective February 1, 1964, to serve at the pleasure of the Town Board, and said appointment being subject to the completion of competitive civil service examination, and

WHEREAS, it has been determined that the said Administrative Assistant is performing administrative duties in the office of the Supervisor of the Town of Clarkstown which are in addition to the Clarkstown Sewer Program and such duties performed constitute one half of the work schedule of the said Administrative Assistant,

NOW, THEREFORE, BE IT

RESOLVED, that the resolution of the Town Board of the Town of Clarkstown of January 13, 1964, is amended to stipulate that one half of the annual salary of the \$7000, to wit, \$3500 be paid out of surplus or contingent funds of the Town of

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Clarkstown, and the remaining one half of said annual salary, to wit \$3500 to be paid out of surplus or contingent funds of the Town of Clarkstown and the Town to be reimbursed for payment of said \$3500 from lateral sewer districts to be created. Seconded by Councilman Frohling. All voted yes.

(178) Councilman Frohling moved the following resolution:

WHEREAS, actions were brought by Shabran Realty, Inc. against Leonard Schwall, Assessor, and the Board of Review of the Town of Clarkstown, Rockland County, N.Y. Index No. 1921/1963, and Harbar Associates against George Hall, Assessor of the Town of Clarkstown, and Town of Clarkstown, New York, Index No. 1978/1963 to review the actions of the respondents in assessing for the purpose of taxation for the year 1959, certain real property owned by Shabran Realty, Inc. and for the year 1963 certain real property owned by Harbar Associates, and

WHEREAS, proceedings in these actions have taken place in the Supreme Court of the State of New York, and

WHEREAS, after due consultation and deliberation between the attorneys for the petitioners and the Town of Clarkstown, it is proposed that the within actions should be settled upon the following terms and conditions:

- (1) Without costs to either party;
- (2) That the petitioners waive any claim for refund of taxes for any prior tax years with respect to which taxes were paid under protest; and
- (3) That the real property which is the subject of said actions shall be combined into one tax parcel having a combined assessed value for land of \$24,900.00 and buildings of \$164,000.00 and a total assessment of \$189,000.00 which assessment is agreed to by the assessor of the Town of Clarkstown, and

WHEREAS, Murray Norman Jacobson, the Deputy Town Attorney of the Town of Clarkstown, and Paul Bailey, Assessor of the Town of Clarkstown, have recommended to the Town Board that the within actions be settled pursuant to the aforesaid terms and conditions,

NOW, THEREFORE, BE IT

RESOLVED, that the aforesaid actions be settled upon the herein stated terms and conditions and that Murray Norman Jacobson, Deputy Town Attorney, of the Town of Clarkstown be authorized to execute the proposed stipulation in the above-entitled actions discontinuing said actions upon the herein stated terms and conditions, and be it

FURTHER RESOLVED, that Paul F. Mundt, Supervisor of the Town of Clarkstown, is hereby designated to apply for an order approving the settlement of these actions. Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Messrs. Holbrook, Frohling, Welchman, Mundt.
ABSTENTION: Councilman Danko

(179) Councilman Frohling moved the following resolution:

RESOLVED, that Orange & Rockland Utilities are hereby authorized to replace old series street lighting fixtures with automatic equipment on poles #239 and 241 located on Route 9W, Congers, N.Y.

Seconded by Councilman Holbrook

All voted yes.

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(180) Councilman Frohling moved the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. are hereby authorized to replace old series street lights on pole 2½ College Avenue, Nanuet, with new automatic type fixture. Seconded by Councilman Holbrook. All voted yes.

(181) Councilman Frohling moved the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. are hereby authorized to install one 1000 lu. street light on pole #13, Freedman Ave., Nanuet, N.Y. at annual cost of \$30.36.

Seconded by Councilman Holbrook. All voted yes.

(182) Councilman Frohling moved the following resolution:

In the matter of the petition for EXTENSION OF NANUET LIGHT DISTRICT TO INCLUDE BRENTWOOD PARK, in the Town of Clarkstown, Rockland County, New York.

A petition in this matter for the extension of the Nanuet Light 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 14 day of August, 1961, for the hearing of all persons interested in the matter on the 11 day of September, 1961, at 9:45 PM EDS Time at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Ave., New Cit., N.Y. and a hearing by said Board having been 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, and 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 Nanuet Light 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:

EXTENSION TO LIGHT DISTRICT #4

BEING all of the premises not already included within the said Nanuet Lighting District #4 shown and described on a certain subdivision plan entitled Subdivision of property of Brentwood Park, Nanuet, dated July 8, 1960, made by Robert Jost of Barbour & Jost, Surveyors, filed in the office of the County Clerk of Rockland County on August 10, 1960, in Book 62 of Maps at Page 5 as Map #2795.

Dated: Sept. 25, 1961

(183) Councilman Frohling moved the following resolution:

RESOLVED, that Mrs. Josephine Robinson, Van Houten Fields, West Nyack, N.Y., be appointed as typist in the office of the Town Attorney, for the purpose of typing Town of Clarkstown Fire Code for the week commencing April 27, 1964, at a salary of \$1.80 per hour.

Seconded by Councilman Holbrook. All voted yes.

(184) Councilman Frohling moved the following resolution:

RESOLVED, that the Supervisor be and he is hereby authorized to transfer from

CURRENT SURPLUS-GENERAL to TOWN ATTORNEY EMPLOYEE COMPENSATION ACCOUNT the amount \$64.75.

Seconded by Councilman Holbrook.

All voted yes.

Town Board noted resignation from Audrey A. MacDonnell from position of School Crossing Guard, Valley Cottage.

(185) Councilman Holbrook moved the following resolution:

WHEREAS, Yeshiva & Mesifita Ch'Sna Sofer Orphan Children Memorial Home 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 an RA-1 district to an RO district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the said Town of Clarkstown, on the 11th day of May, 1964, at 8:15 P.M. D.S.T. relative to such 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 Welchman.

All voted yes.

(186) Councilman Danko moved the following resolution:

RESOLVED, that the Supervisor be and he is hereby authorized to transfer from CURRENT SURPLUS-GENERAL to SIDEWALK ACCOUNT (CONGERS) the amount of \$10,000.

Seconded by Councilman Frohling.

All voted yes.

(187) Councilman Welchman moved the following resolution:

RESOLVED, that James Summers, Congers, N.Y. is hereby appointed as Custodian for Congers Square at a salary of \$1.50 per hour commencing May 1st, 1964, through October 31, 1964.

Seconded by Councilman Frohling.

All voted yes.

(188) Councilman Danko moved the following resolution:

RESOLVED, that Robert F. Orth, 9 Grand Street, New City, N.Y. is hereby appointed as a member of the Architectural Advisory Board effective immediately, to serve without compensation.

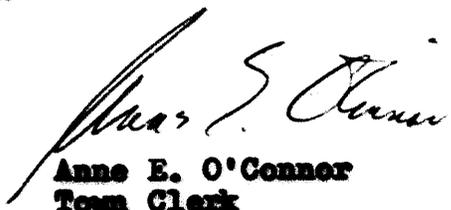
Seconded by Councilman Frohling.

All voted yes.

Town Board noted receipt of Consolidated Monthly Report from Police Department for month of March, 1964; and Trial Balance dated March 31, 1964. Filed on Town Clerk's Office.

On resolution by Councilman Frohling, seconded by Councilman Welchman and unanimously adopted, Town Board meeting was adjourned.

Signed,


Anne E. O'Connor
Town Clerk

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