

PUBLIC HEARING  
May 11, 1964

Town Hall

8:30 P.M.

Present: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt  
Town Attorney J. Martin Cornell  
Dep. Town Atty. Murray Jacobson

RE: PROPOSED ROAD IMPROVEMENT DISTRICT - DYKES PARK ROAD, MANUET

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

Donald Partridge, Esq. appeared as attorney for petitioners, representing residents of Dykes Park Road. He stated the following:

Road runs from Route 59 northerly to the property of the N.Y.S. Thruway. Road has been in use for some time. At present time, it is in bad condition. The interested parties are very much concerned about damage to their cars, fire trucks, not being able to get to their properties, mail trucks, etc.

22 families in vicinity, all in favor of improvement. No application has been made previously. Road first laid out 60 years ago as 30' road. Has been used constantly. Highway law states that public hearing has to be held to obtain approval of State Department of Public Works. Residents willing to bear cost of improvement.

WITNESSES CALLED AND SWORN IN BY SUPERVISOR:

1. Deputy Town Clerk, Chas. R. Adams, Jr. - testified as to proper posting of Notices of Hearing and publication of said Notice.
2. Mr. Arthur Higgins, 38 Dykes Park Rd., Manuet: Stated the following: Holes and ruts on road now. Original blacktop almost all gone. Has become dirt road. Residents contribute their own funds since 1959 - \$1000.00 already spent on road - \$400 for lights. Snow removal has to be paid for. Mail service stopped in 1959. Fire and mail trucks find it too difficult to manage. Car damage to residents. More than 1/2 of residents have signed petition. Thruway trucks have used road for heavy work. Contractors use road. Road has never been blocked. It is in public interest to improve.

There were no further questions.

3. Mr. Lancaster, 36 Dykes Park Road, Manuet, N.Y. Testified as follows:

Resident since July 1951. Signed petition. Condition of road makes it almost impossible to use. Has contributed money and labor to improve in the past. Have to go to Post Office for mail. Had accident in April, 1958, due to poor condition of road.

Attorney for petitioners swore to fact that he witnessed all signatures on petition. He stated that in 1910 road was shut off by one of parties in vicinity. Court action was started - Supreme Court order now on record that this road must be kept open.

In response to question concerning fees, Mr. Partridge stated that these fees have been taken into account by Engineer T. Arbogast. \$38,000 based upon actual estimates. \$42,000 to allow for lapse of time in bids.

Mr. Partridge also stated that Dykes Park Road appears in recorded deeds as 30' road. Has discussed matter with Title Company. They will give the Town policy. However, since road is less than 3 rods wide, have to get approval of N.Y.S. He

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assured Town that they would obtain drainage easements if improvement district is created.

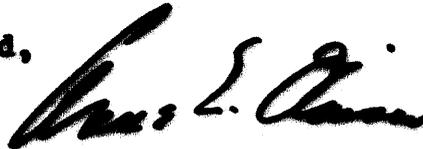
Supervisor Mundt stated that should the Town pass on this, residents could apply for an extension of water district for fire hydrants; also lights, in existence could be put into consolidated light district #1.

IN FAVOR: 14 families represented.

OPPOSED: None.

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

Signed,



Anne E. O'Connor  
Town Clerk

**TOWN BOARD MEETING**

Town Hall

May 11<sup>th</sup>, 1964

8:00 P.M.

Present: Councilman Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
Town Attorney J. Martin Cornell  
Dep. Town Atty Murray Jacobson  
Town Clerk Anne E. O'Connor

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

(199) Councilman Danko moved the following resolution:

**RESOLVED**, that minutes of seven (7) public hearings and regular Town Board meeting held on April 27, 1964, be approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Frohling.

All voted yes.

Matter of Swivelier Company, Inc. assessment brought up by Councilman Welchman will be discussed further by Town Board in executive session.

Letter withdrawing petition for change of zone made by Lehn & Fink (Ra-1 to R0) read and noted by Town Board. Public hearing scheduled for this evening in connection with said petition was cancelled.

On resolution made by Councilman Danko, seconded by Councilman Holbrook and unanimously adopted, regular Town Board meeting was adjourned in order to hold regularly scheduled public hearing.

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

(200) Councilman Frohling moved the following resolution:

**WHEREAS**, a written petition, dated March 21, 1964 was duly filed with this Board requesting the permanent improvement of the highway or right-of-way in this Town known as Dykes Park Road, Hannet, Town of Clarkstown, Rockland County, New York, from Route 59 northerly for a distance of about 1725 feet to the New York State Thruway, by the permanent paving thereof in the manner hereinafter determined 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 April 13, 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 proposed to be expended for the improvement as stated in such petition, to wit: the sum of \$42,000.00 and specifying that the said Board would meet consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Hall, 10 Maple Avenue, New City, N.Y. in said Town on the 11th day of May, 1964 at 8:30 o'clock P.M. E.D.S.T. 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 newspaper of the Town, on April 29, 1964, and copies of such Order were posted on the 30th day of April, 1964, conspicuously on the Town Bulletin Board in the Town Hall, 10 Maple Ave., New City, N.Y. and in five (5) other public places within the district, to wit: at Poles numbered 1,3,6,9 and 11 on Dykes Park Road, Nanuet, New York; and

WHEREAS, a hearing was duly held by this Town Board at the place and on the date and time hereinafter 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 the said highway or right-of-way running northerly from Route 59 to the southerly line of land of the New York State Thruway, the said pavement to be of a width of 24 feet extending along the entire length 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, with the assistance of the engineer and attorney hereinafter 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 (3) rods, to wit, 30 feet; and it is further

RESOLVED, that Edward P. Arbogast, as Engineer, shall prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of Donald G. Partridge, Esq., Attorney-at-Law, who maintains his offices at 135 Main Street, Nanuet, New York, who is hereby employed for such purpose, and after having obtained the aforesaid approval from the Superintendent of Public Highways of the State of New York pursuant to Section 171 of the Highway Law, shall prepare a proposed contract for

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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.

Upon recommendation of J. Martin Cornell, Town Attorney, setting dates of Public Hearing on (a) creation of R-6; and (b) zone change application made by S.B. Dev. Corp. for change from R-1 to proposed R-6 was tabled. Will be placed on agenda for 5/18/ Town Board Meeting.

(201) Councilman Frohling moved the following resolution:

WHEREAS, THE DELLS, INC. has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner described, from RA-1 district to a R-2 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Ave., New City, N.Y. in the said Town of Clarkstown, on the 22nd day of June 1964 at 8:15 P.M. 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.

Seconded by Councilman Holbrook.

All voted yes.

(202) Councilman Holbrook moved the following resolution:

WHEREAS, MAISONETTE DEVELOPMENT CORP, 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 IO district to a R-2 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Ave., New City, N.Y. on the 22nd day of June, 1964, at 8:30 P.M. 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.

Seconded by Councilman Welchman.

All voted yes.

(203) Councilman Danke moved the following resolution:

WHEREAS, Oakbrook Estates, Inc. has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner described, from R-2 district to a IS district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Ave., New City, N.Y. on the 8th day of June, 1964, at 8:15 P.M. 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

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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.

(204) Councilman Holbrook moved the following resolution:

RESOLVED, that the application of THE DELLS, INC. for a change of zoning from a IO district to a R-1 district on property located on South Mountain Road, New City, N.Y. be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8/522 of the Clarkstown Building Zone Ordinance.

Seconded by Councilman Welchman.

All voted yes.

(205) Councilman Welchman moved the following resolution:

RESOLVED, that the application of BARDONIA ACRES, INC. for a change of zoning from a RA-1 district to a R-22 district on property located on the south side of Bardonia Road, Bardonia, N.Y., be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance.

Seconded by Councilman Danko.

All voted yes.

Councilman Frohling spoke re Fire Code (copies of which will be available some time during the week and will be forwarded to members of the Council for their review. Councilman Frohling also stated that he would like to have a hearing date for said Code set at next Town Board meeting, reason for said hearing being that under Suburban Town Law, Town could adopt Fire Code as Local Law instead of Ordinance, which would save the Town a considerable amount of money in the publication of text.

(206) Councilman Frohling moved the following resolution:

WHEREAS, there are many undesirable areas comprised of abandoned and junk motor vehicles, and

WHEREAS, these abandoned and junk motor vehicles are detrimental to the good and welfare of the Town, and

WHEREAS, there is a definite need for the improvement in appearance of the undesirable areas, and

WHEREAS, the residents of Clarkstown have been confronted with difficulty in obtaining a suitable place of disposal for abandoned and junk motor vehicles and other undesirable objects, and

WHEREAS, there is a definite need for such disposal area, in case of emergency, and

WHEREAS, the disposal of such objects is for the good and welfare of the Township, now, therefore, be it

RESOLVED, that the Supervisor is hereby instructed to call a meeting of appropriate officials and personnel of the Town to designate a suitable disposal area and to outline procedures and/or any other necessary related matters pertaining to this problem.

Seconded by Councilman Holbrook.

All voted yes.

Mr. Robert Orth appeared before Board re drainage ditch between Badger St. and New Hempstead Rd. Meeting will be held on Thursday, May 14; Continental Casualty Co. representative, Town Engineer, and Town Board in attendance to discuss situation.

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(207) Councilman Welchman moved the following resolution:

RESOLVED, that Continental Casualty Co. Bond No. 2204000, Principal, Rauch Construction Corp., be declared in default, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown be directed to take all necessary proceedings against bond to insure construction and installation of 80' of reinforced concrete drainage pipe under New Hempstead Road, in accordance with the Town specifications, and be it

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

Seconded by Councilman Holbrook.

All voted yes.

Mr. Zolten Farkas appeared before Board re drainage problem at Esquire Heights Subdivision. Meeting will be held on site; Supervisor, Town Engineer, Nathan Wyman Board members in attendance to try to resolve situation.

(208) Councilman Danko moved the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to draw up an Ordinance under the provision of our Suburban Law, specifying therein said Commission's responsibilities.

Seconded by Councilman Welchman.

All voted yes.

Mr. Brett, 235 Harrison Ave., Congers, N.Y. appeared before Board re dedication of portion of Harrison Avenue, Congers. Town Board, Town Engineer, Highway Supt. and any other interested persons will meet at some convenient time to discuss.

(209) Councilman Danko moved the following resolution:

WHEREAS, the five year term of office of W. Reginald Herdman as member of the Board of Appeals shall expire on June 19, 1964, be it hereby

RESOLVED, that it is the recommendation of the Board of Appeals that the Town Board re-appoint Mr. Herdman as member of the Board of Appeals for the five year term commencing June 18, 1964 to June 19, 1969.

Seconded by Councilman Frohling.

All voted yes.

(210) Councilman Danko moved the following resolution:

WHEREAS, the term of Chairman of the Board of Appeals which is now held by W. Reginald Herdman shall expire on June 19, 1964, be it hereby

RESOLVED, that it is the recommendation of this Board that the Town Board reappoint Mr. Herdman as Chairman of the Board of Appeals for the year June 18, 1964 to June 19, 1964.

Seconded by Councilman Frohling.

All voted yes.

Re letter from Chairman of Clarkstown Planning Board informing Town Board that they have reviewed proposed amendment to the Zoning Ordinance with relation to R-2; Town Clerk was instructed to write the Chairman informing him that the Town Board is tabling this matter awaiting recommendation of the Planning Board as to density.

(211) Councilman Frohling moved the following resolution:

RESOLVED, that upon recommendation of the Town Engineer, drainage easement from Nathan and Fay Liebowitz to Town of Clarkstown, Manuet, is hereby accepted, and be it

FURTHER RESOLVED, that the Town Clerk cause same to be recorded in office of the County Clerk.

Seconded by Councilman Welchman

All voted yes.

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Letter from Town Engineer re House Connection Repair, Sewer Dist. #6. Engineer inquired if he could use Town equipment on Poplar Street to clean stoppage. Town Attorney to render opinion as to legality.

(212) Councilman Holbrook moved the following resolution:

WHEREAS, the New York State Department of Public Works, assisted by the Town Superintendent of Highways System has made an inventory of the Town Highway System in the Town of Clarkstown, County of Rockland; and has provided the Town with a map listing said highways stating the name and length of each, being a total length of 149.51 miles on October 15, 1963, and

WHEREAS, the Town Supt. of Hways did recommend approval of said map and said listing, now therefore be it

RESOLVED, that the Town of Clarkstown at a meeting held on May 11th, 1964, accepts and approves said map and said listing of Town Highways as submitted by the New York State Dept. of Public Works and filed in the office of the Town Clerk and hereby adopts the same as the official Town record of Town Highways, and be it further

RESOLVED, that three certified copies of this resolution be forwarded to the County Supt. of Hways who will retain one copy for his record and forward two copies to the District Office of the State Department of Public Works.

Seconded by Councilman Danke.

All voted yes.

The following reports were received and noted by the Town Board and ordered filed in the Town Clerk's Office:

Comptroller - April 1964  
Comptroller - May 1964  
Police Dept. - April 1964  
Planning Board - March 1964  
Zoning Bd of Appeals - March 1964  
Bldg Insp. - March 1964

Mr. Itkin appeared before Board with request that 16 to 18 yr. old boys be employed by Town and asking that appropriation be made for this purpose. Highway Supt will come up with figure of cost at next meeting.

(213) Councilman Welchman moved the following resolution:

RESOLVED, that upon recommendation of the Town Engineer, easement from Wm. I. Zabriskie and Winona K. Zabriskie be accepted by Town of Clarkstown, and be it

FURTHER RESOLVED, that the Town Clerk cause same to be recorded in the County Clerk's Office.

Seconded by Councilman Holbrook.

All voted yes.

(214) Councilman Frohling moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 27th day of February 1964, at 9:15 P.M. E.S.T. to consider the application of PASCACK DEV. CORP. to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of said petitioner from an RA-1(X) and RA-1 district to a R-2 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

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notice;

NOW, THEREFORE, BE IT

RESOLVED, that the application be denied.

Seconded by Councilman Welchman.

All voted yes.

(215) Councilman Holbrook moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 17th day of Feb. 1964, provided for a public hearing on the 23 day of March, 1964, at 8:30 PM, E.S.T., to consider the application of AHAVA CONSTRUCTION CORP. to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of said petitioner from an RA-1 district 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 Frohling.

All voted yes.

(216) Councilman Holbrook moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 17th day of February, 1964, provided for a public hearing on the 9th day of March, 1964, at 9:15 p.m., (E.S.T.) to consider the application of ELLIOT EICHLER to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an RA-1 (formerly RA-1(X)) district to an R-22 district; and

WHEREAS, said public hearing by resolution adopted on the 9th day of March, 1964, was rescheduled for the 23rd day of March, 1964, at 9:45 P.M., (E.S.T.); and

WHEREAS, notice of said public hearing was duly held at the time and place specified in said notice;

NOW THEREFORE, be it

RESOLVED, that the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an RA-1 (formerly RA-1(X)) district to an R-22 district, the following described property in the Hamlet of Valley Cottage, New York, in said Town and is described as follows:

SCHEDULE "A"

ALL that certain piece or parcel of land in the Hamlet of Valley Cottage, Town of Clarkstown, Soutny of Rockland and State of New York, bounded and described as follows:

BEGINNING at a point in the southerly line of Rockland Lake Road At the northeasterly corner of the parcel herein described, said beginning point being distant 45.00 feet as measured along the southerly line of Rockland Lake Road from a concrete monument at the end of a curve connecting the southerly line of Rockland Lake Road with the westerly line of Mary Lane. Running thence southerly the following courses and distances along the westerly line of lands now or formerly of Quaspeck Park Homes Inc. (1) South 7° 56' 24" East a distance of 322.92 feet, thence (2) South 7° 59' 50" east a distance of 765.00 feet, thence (3) South 6° 40' 20" east a distance of 673.27 feet to an iron pipe in a stone wall, thence (4) South 8° 41' 00" east a distance of 122.55 feet to a x cut on a rock, thence (5) South 9° 37' 40" east a distance of 280.20 feet to an iron pipe in a stone wall thence (6) South 8° 12' 50" east a distance of 156.02 feet to an iron pipe in a stone wall, thence (7) along the remains of a stone wall North 60° 00' 10" east a distance of 130.35 feet to an iron pipe in a stone wall thence (8) South 35° 30' 20" east along a stone wall 79.95 feet to a New York State Highway Monument set in the westerly line of SH 1295 (Rt. 9W), running thence the following courses and distances along the westerly line of the SH

1295 (Rt. 9W) (9) South 4° 54' 40" west a distance of 167.14 feet to a New York State Highway Monument (10) South 43° 17' 40" west a distance of 73.24 feet, thence (11) South 38° 51' 20" west a distance of 142.95 feet, thence (12) on a curve to the left having a radius of 230.67 feet a distance of 165.48 feet, thence (13) South 2° 14' 50" east a distance of 25.75 feet to a New York State Highway Monument, thence (14) South 34° 43' 20" west a distance of 157.65 feet to New York State Highway Monument, thence (15) South 46° 22' 40" west a distance of 119.75 feet to a New York State Highway Monument, thence (16) on a curve to the left having a radius of 955.00 feet a distance of 279.88 feet to the southwesterly corner of the parcel herein described and running thence (17) along the easterly line of lands now or formerly of Alimanestianu North 7° 48' 14" west a distance of 593.51 feet to an iron pipe in the corner of a stone wall thence the following courses and distances along the easterly line of lands now or formerly of Marlak Construction Corporation (18) North 14° 44' 35" west a distance of 99.58 feet, thence (19) North 9° 11' 25" west a distance of 866.81 feet to an iron pipe in a stone wall thence (20) North 9° 13' 35" west a distance of 345.59 feet to an iron pipe in a stone wall, thence (21) North 9° 26' 57" west a distance of 1037.87 feet to an iron pipe in the southerly line of Rockland Lake Road at the northwest corner of the parcel herein described, running thence the following courses and distances along the southerly line of Rockland Lake Road (22) North 80° 24' 30" east a distance of 125.87 feet to a Rockland County Highway Monument, thence (24) North 50° 26' 50" east a distance of 330.27 feet to the Beginning point. Containing 38.492 Acres.

EXCEPTING THEREFROM the following described parcel:

BEGINNING at a point in the southerly line of Rockland Lake Road said point being the northeasterly corner of parcel herein described. Running thence (1) along the westerly line of land now or formerly of Quaspeck Park Homes, Inc. South 7° 56' 24" east a distance of 322.92 feet, thence (2) still along the westerly line of Quaspeck Park Homes, Inc. South 7° 59' 50" east a distance of 315.76 feet, thence running thence (3) South 80° 35' 03" west a distance of 404.49 feet thence (4) North 9° 26' 57" west a distance of 440.30 feet to a point in the southerly line of Rockland Lake Road, running thence the following courses and distances along the southerly line of Rockland Lake Road (5) North 80° 24' 30" east a distance of 15.14 feet to a Rockland County Highway Monument (6) on a curve to the left having a radius of 240.71 feet a distance of 125.87 feet to a Rockland County Highway Monument, thence (7) North 50° 26' 50" east a distance of 330.27 feet to the Beginning point. Containing 4.919 acres.

TOGETHER WITH all the right title and interest of the owners thereof in and to land lying in the bed of the Rockland Lake-Valley Cottage Road adjacent to the premises, subject to the right of the public.

EXCEPTING THEREFROM so much of the above described premises which lies presently in an R-1 zone.

Dated: May 11, 1964

AGREEMENT made this 18th day of September, 1964, between FANNIE NYDICK, residing at 48 Scotland Hill Road, Spring Valley, New York, MINNIE NYDICK, residing at 96 Scotland Hill Road, Spring Valley, New York, LILLIAN ADLER, residing at (no#) Mountain Avenue, Monsey, New York, and FLORENCE EICHLER, residing at 40 College Road, Monsey, New York, hereinafter collectively referred to as the "parties of the first part, and TOWN OF CLARKSTOWN, a municipal corporation existing under the laws of the State of New York, having its principal offices at 10 Maple Avenue, New City, New York, hereinafter referred to as the "party of the second part".

W I T N E S S E T H:

WHEREAS, the parties of the first part are the owners of fee of those premises described in Schedule "A" annexed hereto and made a part hereof.

NOW, THEREFORE, in consideration of One (\$1.00) Dollar, and

( con't Page 181-A )

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Letter read from Natalie S. Berne, Village Clerk of Village of Nyack re construction of westbound entrance to the Thruway at High Avenue, Nyack. Letter turned over to Supt. of highways for his recommendation.

Letter received from Dept. of Public Works. Meeting will be held on 5/18/64 at 6:00 PM to discuss highways in Town of Clarkstown. Dept. of Public Works personnel to be in attendance.

(217) Councilman Welchman moved the following resolution:

RESOLVED, that John J. Moran, 9 James Drive, Manuet, New York, is hereby appointed as member of the Traffic Advisory Committee, effective immediately, to serve without compensation.

Seconded by Councilman Holbrook.

All voted yes.

(218) Councilman Frohling moved the following resolution:

RESOLVED, that Harry M. Gorman, 60 Foxwood Road, West Nyack, is hereby appointed to serve as a member of the Code of Ethics Board, effective immediately, to serve without compensation.

Seconded by Councilman Danko.

All voted yes.

Re matter of septic tank problems, Supervisor Mundt suggested that Mr. O'Keefe of County Board of Health be requested to join a subsequent meeting of the Town Board to discuss responsibility.

On resolution made by Councilman Holbrook, seconded by Councilman Danko and unanimously adopted, Town Board meeting was adjourned.

Signed,

  
Anne E. O'Connor  
Town Clerk

other good and valuable consideration, the parties of the first part do hereby covenant and agree as follows:

1: No more than eighteen (18) one-family houses will be completed on said premises on or before December 31, 1964; no more than a total of thirty-six (36) one-family houses will be completed on said premises on or before December 31, 1965; and no more than a total of fifty-four one-family houses will be completed on or before December 31, 1966, on said premises.

2: These covenants shall run with the land and shall be binding upon and shall enure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

3: These covenants and agreements shall prevail and continue until the sooner of the following events:

- (a) December 31, 1974.
- (b) Waiver by Resolution of the Town Board of the Town of Clarkstown, their successors or assigns.

IN WITNESS WHEREOF, the parties of the first part have signed and sealed this instrument on the 18th day of September, 1964.

Seconded by Councilman Danko

On roll call vote was as follows:

AYES: Councilmen Frohling, Danko Holbrook, Welchman, Supv. Mundt.

NOES: None

BBJ988