

## PUBLIC HEARING

Town Hall

6/22/64

9:00 PM, D.S.T.

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

RE: EXT. OF NEW CITY-WEST NYACK WATER SUPPLY DIST TO INCLUDE LAIRD ACRES SUBDIV.

Supervisor Mundt called public hearing in order at 9:00 PM. D.S.T. Town Clerk read Notice of Public Hearing.

In the absence of petitioner's attorney, J. Martin Cornell, Town Attorney, took over questioning.

Edw. C. Palmenberg, Town Engineer, appeared before Board, was sworn in, and upon questioning by the Town Attorney stated the following:

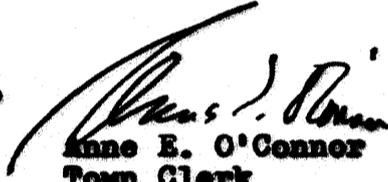
Is familiar with request: studied map. Extension will benefit all property owners within the district. To the best of his knowledge, property will be included is owned by petitioner. All property owners included within limits of proposed district will benefit from proposed extension. Would be in the public interest to grant. Will benefit property owners involved by providing fire protection for the safety and well-being of property and lives, and a reduction in fire insurance rates.

IN FAVOR: None

OPPOSED: None

On motion made by Councilman Holbrook, seconded by Councilman Danko and unanimously adopted, public hearing was adjourned.

Signed,

  
Anne E. O'Connor  
Town Clerk

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TOWN BOARD MEETING

Town Hall

June 22, 1964

8:00 P.M.

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

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

(295) Councilman Danko moved the following resolution:

RESOLVED, that minutes of seven (7) public hearings; regular Town Board meeting held on 6/8/64; and Special Town Board meeting held on 6/15/64 are hereby approved and accepted by the Town Board as submitted by the Town Clerk.

Seconded by Councilman Welchman.

All voted yes.

(297) Councilman Frohling moved the following resolution:

## CHAPTER 44

## SWIMMING POOLS

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

## 44-1. Definitions.

(1) Outdoor swimming pools are defined as follows:

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

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

(3) A permanently installed pool is one which is substantially affixed into or onto the ground, or not easily dismantled for storage or movement to another site.

## 44-2. Limitations.

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

- (1) No permanently installed swimming pools over 24" in depth shall be constructed, installed, enlarged or altered unless a building permit is issued therefore. The applicant shall provide the Building Inspector with a plot plan showing location of pool and plans and specifications in detail to be determined by the Building Inspector. Fees are to be charged for said permit by the Building Inspector.
- (2) ALL pools over 24" in depth shall be completely enclosed by a fence constructed of materials, whether artificial or natural, which shall be durable enough to prevent the entrance into the pool area by any persons. If of wire mesh construction, this fencing is not to have a linkage of more than 2" in diameter and be non-climbable. The entrance gate or gates shall have a closing device with protective fastening latch and a lock. Fence height shall be a minimum of 4 feet and a maximum of six feet for a private pool, seven feet for Club or Commercial Pools. Fence location shall be subject to the approval of the Building Inspector. Provided, however, that the owners of pools, which are not permanently installed, may elect to use a pool cover instead of a fence. The pool cover must be of a durable material and of sufficient tightness so as to prevent the entrance of a person into the pool when secured. Provided, however, that the owners of above-ground pools, whose solid walls prevent entrance to the pools except by an entrance ladder, shall be deemed to comply with the fencing requirements of this paragraph.

During the periods that swimming pools, containing water, are not in use and unattended the gate in a fence shall be locked, or the pool cover affixed in place or the ladder removed from a pool which can only be entered by means of a ladder, so that no entry into the pool can be made by any person.

- (3) All permanently installed pools shall submit to the Building Inspector site, lighting, if installed or to be installed, and plumbing plans which shall comply with the Building Code of the Town of Clarkstown. Drainage shall be only into an approved storm sewer, watercourse, or in a manner which does not drain into neighboring property through the ground.

- (4) No pool wall, paved terrace, or related structure shall be located within 10 feet of an adjoining residentially zoned lot.
- (5) Where commercial pools are a permitted principal use by the zoning ordinance, said commercial pools shall comply with the area, yard and other requirements of the zoning ordinance for those districts.
- (6) Club swimming pools shall be permitted only as an accessory structure to a membership club in the zoning district where said club is a permitted use and subject to the area and yard requirements of that district.
- (7) Private pools shall not be located within a frontyard in any residential district.
- (8) All appurtenant structures, installations and equipment, such as showers, dressing rooms, equipment houses or other buildings and structures shall comply with all applicable requirements of the Building Code and Zoning Ordinances of the Town of Clarkstown.

**§ 44-3. Existing Pools.**

Subsections 1, 2 and 3 of Section 44-2 herein shall apply to existing pools and owners of said pools shall have sixty (60) days to comply with the requirements of these subsections.

**§ 44-4. Penalties.**

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

**§ 44-5. Separability.**

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

**§ 44-6. Effective Date.**

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

Seconded by Co. Welchman

All voted Yes.

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(298) Councilman Frohling moved the following resolution:

WHEREAS, a proposed Local Law entitled "LOCAL LAW PROVIDING FOR REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION", was introduced by Mr. Philip J. Frohling, Jr., a member of the Town Board of the Town of Clarkstown at a Town Board meeting on May 18, 1964, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 18th day of May, 1964, directed that a public hearing was held on the 8th day of June, 1964, at 9:00 o'clock in the evening, Eastern Daylight Time, to consider the adoption of said Local Law, and

WHEREAS, a notice of said public hearing was duly prepared and published in the Journal News on May 27, 1964, and posted on the sign board of the Town of Clarkstown on the same date, and

WHEREAS, a public hearing was held by the Town Board on June 8, 1964, at 9:00 o'clock in the evening, Eastern Daylight Time, and

WHEREAS, copies of the proposed local law in final form were mailed to the members of the Town Board on the 9th day of Juen, 1964, pursuant to the Municipal Home Rule Law;

At a regular meeting of the Town Board of the Town of Clarkstown in the County of Rockland held at the Town Hall 10 Maple Ave., New City, N.Y. on June 22, 1964, Local Law No. 2 - 1964 entitled, "LOCAL LAW FOR REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION" was adopted and passed by an affirmative vote of the total voting power of the Town Board of the Town of Clarkstown, the vote for adoption of said Local Law being as follows:

Hon. Paul F. Mundt, Supervisor - AYE  
 Councilman Martin E. Holbrook, Esq. - AYE  
 Councilman Philip J. Frohling, Jr. - AYE  
 Councilman Stephen Danko - AYE  
 Councilman Joseph Welchman - AYE

The Town Clerk of the Town of Clarkstown was directed to file said Local Law pursuant to Section 27 of the Municipal Home Rule Law.

Seconded by Councilman Holbrook.

All voted yes.

Re petition of J.A.S. Properties to be included in Sewer District #8, the Town Attorney rendered his opinion, stating that since the petitioner established a prima facie right to the extension of said district as a result of the evidence produced at the hearing, that said petition be granted. Accordingly, the Town Board signed Order Extending Sewer District No. 8 to include property of J.A.S. Properties Corp.

A petition in this matter for thr extension of Sewer District #8 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 18 day of May, 1964, for the hearing of all persons interested in the matter on the 8 day of June, 1964, at 9:15 P.M. EDS Time, at the Board Room of theTown 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 herein was signed and acknowledged or proved as required by law and otherwise

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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. 8 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:

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

BEGINNING at a point in the westerly line of North Middletown Road, situate 167.78 feet southerly measured along the westerly line of North Middletown Road from the intersection of the southerly line of Central Drive and the westerly line of North Middletown Road, and running thence

(1) South  $20^{\circ}54'25''$  west along the westerly line of N. Middletown Road a distance of 274 ft to a point; thence (2) north  $76^{\circ}24'50''$  west a distance of 334.99 ft. to a point; thence (3) north  $73^{\circ}47'30''$  west a distance of 382.24 ft; thence (4) north  $19^{\circ}12'30''$  east a distance of 170.02 ft. to a point; thence (5) south  $83^{\circ}00'40''$  east a distance of 740.16 ft. to a point in the westerly line of N. Middletown Road, the point or place of BEGINNING.

(299) Councilman Welchman moved the following resolution:

RESOLVED, that regular Town Board meeting is hereby adjourned to hold regularly scheduled public hearings.

Seconded by Councilman Frohling.

All voted yes.

(300) Councilman Frohling moved the following resolution:

RESOLVED, that regular Town Board meeting is hereby resumed, regularly scheduled public hearings having been held.

Seconded by Councilman Welchman.

All voted yes.

Bernard G. Nemeroff, Pres. of Maisonette Dev. Corp., read statement withdrawing zone change application (10 to R-2) which was to be heard at 8:30 P.M.

Bernard G. Nemeroff, Pres. of the Dells, Inc. read statement withdrawing zone change application (RA-1 to R-2) which was to be heard at 8:15 P.M.

(301) Councilman Holbrook moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 11th day of May, 1964, provided for a public hearing on the 8th day of June, 1964, at 8:15 P.M. E.D.T., to consider the application of OAKBROOK ESTATES, INC. to amend the Building Zone Ordinance of the said Town by redistricting the property of the said petitioner from an R-2 district to a IS 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 Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting the following described property at North Middletown Road, Hannet, N.Y. in said Town from an R-2 to a IS district, with restrictive covenants as follows:

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1. Petitioner restrict the construction and use of building to medical and dental;
2. Petitioner submit plans to Architectural Review Board;
3. Petitioner to follow recommendations of Highway Supt. and Town Engineer with regard to drainage.

Seconded by Councilman Welchman.

All voted yes.

(302) Councilman Welchman moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 9th day of December, 1963, provided for a public hearing on the 27th day of January, 1964, at 8:15<sup>4</sup> .M. E.S.T. to consider the application of RICHARD J. and EDITH J. FOLEY, to amend the building Zone Ordinance of the Town of Clarkstown by redistricting the property of the 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 Danko.

On roll call the vote was as follows:

Councilman Holbrook: NO (Petitioner does not have any particular project in mind. Deny without prejudice for re-submission in more detail.)

Councilman Frohling: AYE (This is a parcel which lies on the east side of new Route 304. I feel, being a member of the Zoning Advisory Committee, that Route 304 should be created into a commercial area. I think it is inevitable that Route 304 will be business, therefore I see no harm in creating this area as business at present, picking up additional retable on property. Developer has no intention of developing this within a year or two. By creating this, we will be picking up additional retable on this property, and the Town could benefit accordingly.)

Councilman Danko: NO (Deny - spot zoning)

Councilman Welchman: NO (Deny - premature)

Supervisor Mandt: AYE (Provided that Garden Apts were not built in area.)

Motion carried.

Messrs. G. Cowan and Craig Crouse presented petitions to Board requesting that they delay any decision on the Elish zone change petition; Mr. Crouse's petition representing persons opposed to requested zone change. Town Board will take into consideration.

(303) Councilman Welchman moved the following resolution:

RESOLVED, that the Town Board direct the supervisor to issue a public statement clearing all officials of the Town of Clarkstown with whom he has served, and be it

FURTHER RESOLVED, that the Town Board direct the Supervisor to state before the District Attorney or a Grand Jury, whether these matters are fact or fiction, said statement to be under oath for for the record.

Seconded by Councilman Danko.

On roll call the vote was as follows:	Councilman Holbrook:	No
	Councilman Frohling:	No
	Councilman Danko:	Aye
	Councilman Welchman:	Aye
	Supervisor Mandt:	No

Motion denied.

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Supervisor Mundt made statement that article intended to show need for Code of Ethics in suburbia; not an article on local people; and that article pointed to the creditable record of this Board. He also stated that correspondence received from the States of Connecticut and New Jersey spoke favorably of article and the Town of Clarkstown.

(304) Councilman Frohling moved the following resolution:

RESOLVED, that decision be reserved on local law regulating use of Public and private sewers.

Seconded by Councilman Danko.

All voted yes.

Town Board signed order extending New City-West Nyack Water Supply District to include Laird Acres Subdivision.

A petition in this matter for the extension of the New City-West Nyack Water Supply District of the Town of Clarkstown, excluding any portion already in an existing district, having been duly presented to the Town Board, and an Order having been duly adopted by the Town Board on the 25th day of May, 1964, for the hearing of all persons interested in the matter on the 22nd day of June, 1964, at 9:00 P.M., E.D.T., 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 extension were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved; it is hereby

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

Lots 1 to 41 inclusive and the streets, roads and avenues being all of the premises shown on a certain sub-division map entitled "Laird Acres, subdivision of Raledco Corp., Town of Clarkstown, Rockland County, New York" made by Barbour & Jost, Surveyors, New City, New York, which map is filed in the Rockland County Clerk's Office on December 30, 1963, in Book 67 at Page 45 as Map No. 3193.

George Gerber, Administrative Assistant to the Supervisor, presented a report on Sewer Operating and Lateral.

J. Martin Cornell, Town Attorney, presented report on counsel for Special Sewer Districts.

Mr. E. C. O'Neally, 39 Twin Elms Lane, New City, appeared before Board representing people in Little Tor development. Presented petition recommending solutions to speed problems as follows:

- (1) Lower to 20 m.p.h. speed limit.
- (2) Designate Twin Elms Lane as "NO THRU" street.

People using Twin Elms Lane as short cut between Little Tor Road and Route 304 Police Department will make recommendations to the Town Board.

(305) Councilman Holbrook moved the following resolution:

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RESOLVED, that the Nanuet Chamber of Commerce be permitted to hold fireworks display on July 4, 1964, at approximately 9:00 P.M. E.D.T.

Seconded by Councilman Danko.

All voted yes.

(306) Councilman Welchman moved the following resolution:

RESOLVED, that the application of JOEL E. MANDEL, M.D. for a change of zoning from a R-1 district to a C-1 district on property located on southeast corner of South Main Street and Laurel 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 Holbrook.

All voted yes.

(307) Councilman Welchman moved the following resolution:

RESOLVED, that the application of CRAGMERE ESTATES, INC. for a change of zoning from a RA-1 district to a R-22 district, on property located on east side of Route 304, 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 and also to the Rockland County Planning Board pursuant to Sections 239L and 239M of the General Municipal Law.

Seconded by Councilman Danko.

All voted yes.

Re request from Building Inspector for copying machine, Mr. Gerber will check.

Re request for 280-A permit made by Douglas Bull, Old Haverstraw Road, Congers: Town Attorney to advise Board if Town can deprive property owner from constructing a home under Section 280-A of Town Law, if he has met all town requirements. Town Attorney instructed to report on this at next meeting (7/16/64)

Councilman Frohling moved the following resolution:

RESOLVED, that the Town of Clarkstown notify Donald Brenner, Supt. of Sewers of the Town of Orangetown, that upon the recommendation of the Town Engineer of the Town of Clarkstown, service will be provided to the six existing occupied dwellings in the Nanuet Park Subdivision on a limited basis.

Seconded by Councilman Danko.

All voted yes.

(308) Councilman Holbrook moved the following resolution:

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 \$65,000 are hereby authorized to be issued at one time 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 of construction and installation of sanitary sewers and sewer crossings, in State Highway Route 304, in the Town of Clarkstown, all are more fully described and authorized in the bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted 4/13/64 appropriating \$65,000 for the construction and installation of sanitary sewers and sewer crossings in State Highway Route 304 in said Town and authorizing the issuance of \$65,000 serial bonds of said Town to finance the appropriation".

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

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

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

Section 4. This resolution shall take effect immediately.

Seconded by Councilman Welchman.

All voted yes.

(310) Councilman Holbrook moved the following resolution:

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 \$60,000 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 of construction and installation of sanitary sewers and sewer crossings in State Highway Route 304, in the Town of Clarkstown, are more fully described and authorized in the bond resolution entitled:

"Bond resolution of the Town of Clarkstown, New York, adopted May 18, 1964, appropriating \$60,000 for the construction and installation of sanitary sewers and sewer crossings in State Highway Route 304 in said Town and authorizing the issuance of \$60,000 serial bonds of said Town to finance the appropriation."

duly adopted by the Town Board on the date therein referred to. Said notes are issued in anticipation of the sale of serial bonds of said Town. No bond anticipation notes have been previously issued or are outstanding in anticipation of the sale of said bonds and the Notes hereby authorized are not renewal notes. The period of maturity of the Notes hereby authorized shall not exceed one year from the date of the Notes, and said Notes may be renewed pursuant to the provisions of the Local Finance Law. Said notes will not 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, form and contents and as to the sale and issuance of the bond anticipation notes authorized by this resolution are hereby relegated to the Supervisor, the chief fiscal officer of the Town.

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

Section 4. This resolution shall take effect immediately.

Seconded by Councilman Welchman.

All voted yes.

Matter of conveyance of Town property to Irving W. Werner tabled.

Monthly reports from Police Dept., May 1964; Clarkstown Planning Board, May 1964; Zoning Board of Appeals, May 1964; Building Inspector, May 1964; and May 7 1964 Trial Balance received and noted by Town Board. Filed in Town Clerk's office.

Mrs. Beverly Sawaya appeared before Board with request that no monies be set aside or appropriation made for park development; suggested that builder give property and parks be developed with such lands with volunteer labor and fund raising.

(311) Councilman Holbrook moved the following resolution:

RESOLVED, that Highway Superintendent be authorized to remove obstruction on Capral Lane predicated on recommendation of Town Engineer.

Seconded by Councilman Welchman.

All voted yes.

(312) Councilman Welchman moved the following resolution:

WHEREAS, Antonio Bianco, 80 Decatur Avenue, Spring Valley, N.Y. has petitioned this Board for a refund of erroneous 1963 overcharge on Zoning & Planning Taxes on property in the Town of Clarkstown assessed to Antonio Bianco, 80 Decatur Avenue, Spring Valley, N.Y., Map 6, Block B. Lot. 4.01 1964 Tax Roll, on account of this property was erroneously overcharged on Zoning & Planning, being this property is in the Village of Spring Valley and was an erroneous assessment as verified by the Clarkstown Assessor, therefore, be it

RESOLVED, that the Supervisor be and he is hereby authorized to refund to the petitioner and charge Zoning & Planning the amount of the erroneous tax, in the amount of \$12.12.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mandt.  
ABSTENTION: Councilman Danko.

(313) Councilman Frohling moved the following resolution:

WHEREAS, Antonio Bianco, 80 Decatur Avenue, Spring Valley, New York, has petitioned this Board for a refund of erroneous 1963 overcharge on Highway Tax on property in the Town of Clarkstown assessed to Antonio Bianco, 80 Decatur Avenue, Spring Valley Map 6, Blk B, Lot 4.01 year 1964 Tax Roll, on account of this property was erroneously overcharged on Highway Tax, being this property is in the Village of Spring Valley, and was an erroneous assessment as verified by the Clarkstown Assessor, therefore be it

RESOLVED, that the Supervisor be and he is hereby authorized to refund to the petitioner and charge Highway Dept. the amount of the erroneous tax in the amount of \$137.50.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mandt.  
ABSTENTION: Councilman Danko.

(314) Councilman Holbrook moved the following resolution:

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

Seconded by Councilman Frohling.

All voted yes.

(315) Councilman Frohling moved the following resolution:

WHEREAS, the position of Legal Stenographer has been created in the Town Attorney's office, with the approval of the Civil Service Commission,

NOW, THEREFORE, BE IT

RESOLVED, that Ethel O. Ross, be and she is hereby appointed to the said position in the Town Attorney's office provisionally, pending Civil Service examination, and be it further

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the provisional appointment, pending examination, of Ethel O. Ross, 38 Lyncrest Avenue, New City, N.Y. to the position of Legal Stenographer at a salary of \$5,010 per annum effective June 23, 1964,

Seconded by Councilman Welchman

All voted yes.

(316) Councilman Holbrook moved the following resolution:

RESOLVED, that the Supervisor be and he is hereby authorized to transfer from CURRENT-SURPLUS GENERAL to TOWN ATTORNEY-EMPLOYEES account the sum of \$301.56.

Seconded by Councilman Frohling.

All voted yes.

Town Clerk was requested to contact Mr. Anderson of the Rockland County Personnel Office requesting recommendations on classifications and salary schedules in time for the September budget meeting.

(317) Councilman Holbrook moved the following resolution:

WHEREAS, the resignation of John J. Keyes as Assessor's Aide in the Town Assessor's office, effective June 26, 1964, has been filed, and

WHEREAS, the name of Harold E. Aber, Sr., 44 Leona Avenue, New City, N.Y. has been submitted to fill the vacancy,

now, therefore, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Harold E. Aber, Sr., 44 Leona Avenue, New City, N.Y. to the position of Assessor's Aide, at a salary of \$5,000 per annum, effective 7/6/64.

Seconded by Councilman Frohling.

All voted yes.

(318) Councilman Frohling moved the following resolution:

WHEREAS, the Certification of Eligibles, Police Patrolman, List #6332, dated 6/5/64 has been canvassed, and reply was received from George W. Tanges, Jr., indicating his availability for said position, and

WHEREAS, recommendation has been received from Police Chief Ernest F. Wiebicke that George W. Tanges, Jr., be appointed to said position now, therefore, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of George W. Tanges, Jr., 44 Leona Avenue, New City, to the position of Police Patrolman at a salary of \$5200 per annum, effective 7/6/64.

Seconded by Councilman Holbrook.

All voted yes.

(319) Councilman Holbrook moved the following resolution:

RESOLVED, that Ernest F. Wiebicke, Chief of Police, is hereby authorized to attend the N.Y. State Police Chiefs' Convention to be held in New York City on July 19, 1964 thru July 23rd, 1964, and be it

FURTHER RESOLVED, that all necessary expenses be made a Town charge.

Seconded by Councilman Welchman.

All voted yes.

Letter from Robert J. Connor read commending Clarkstown Police Department for their efficiency and prompt assistance on the occasion of the death of his infant son.

Town Engineer was requested by Board to check with Douglas Johnstone of Civil Defense as to possibilities of being reimbursed for procuring equipment for Home Base Station.

Town Attorney was directed to inquire into possibility showing need of requiring that the home owner down payment be held in escrow, and that the builder be required to produce a bond securing the return of down payment in the event that he does not produce the home.

(320) Councilman Holbrook moved the following resolution:

RESOLVED, that Donald J. Flaster, M.D., 690 Old Mill Road, Valley Cottage, N.Y. is hereby appointed to position on Valley Cottage Hamlet Development Board effective immediately to serve without compensation.

Seconded by Councilman Welchman.

All voted yes.

(321) Councilman Holbrook moved the following resolution:

RESOLVED, that Paul Demcio, 5 Victoria Drive, Hannet, N.Y. is hereby appointed to a position on the Hannet Hamlet Development Board, effective immediately, to serve without compensation.

Seconded by Councilman Frohling.

All voted yes.

(322) Councilman Holbrook moved the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown go on record as being in favor of requesting our elected representatives to prevail upon the Governor to call a Special Session of the Legislature for the purpose of reappertioning the Legislature in accordance with the Supreme Court's Decision, and be it

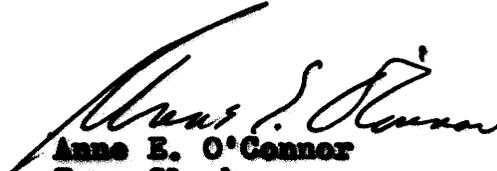
FURTHER RESOLVED, that the Supervisor be authorized to introduce a similar resolution for action by the Board of Supervisors.

Seconded by Councilman Frohling.

All voted yes.

(323) On resolution offered by Councilman Frohling, seconded by Councilman Danke and unanimously adopted, Town Board meeting was adjourned until 7/16/64 at which time a regular Town Board meeting will be held.

Signed,

  
Anne E. O'Connor  
Town Clerk

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