

PUBLIC HEARING

Town Hall

7/13/64

8:15 PM

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

RE: ESTABLISHMENT OF SEWER DISTRICT No. 16 - WEST NYACK.

Supervisor Mundt called public hearing to order. Town Clerk read notice of public hearing.

Jerome Trachtenberg, Esq. appeared as attorney for petitioners and stated the following:

Within the West Nyack area. (Presented map indicating extent)

Anne E. O'Connor, having been sworn in by Supervisor Mundt, testified as follows on questioning by Attorney Trachtenberg:

Is Town Clerk of Town of Clarkstown, duly elected. Presented proof of publication. Marked as EXHIBIT "A".

Testified that notice of public hearing was duly posted. Affidavit of posting marked EXHIBIT "B".

Mr. Velsy of the firm of Nussbaumer, Clarke & Velsy appeared before Board was sworn in by Supervisor Mundt and testified as follows: on direct questioning by Attorney Trachtenberg:

Name: Charles R. Velsy, 22 Earlwood Drive, Mt. Vernon, N.Y. Capacity: Consulting.Eng.; Partner; Nussbaumer, Clarke & Velsy, 500 Fifth Avenue, New York, N.Y.

His firm was retained by Town of Clarkstown. Subject report was compiled and prepared by his firm. Copy of report filed with Town Clerk of Town of Clarkstown. Copy of report filed with N.Y.S. Dept. of Health and was approved. (Showed area that will comprise Sewer Dist. #16 on map.)

Mr. Trachtenberg: Does plan filed with Town show all outlines and other facilities for operation? Yes.

Is plan consistent with any other plan for Town of Clarkstown? Yes.

Is any part in any incorporated village? No.

Will this proposed establishment benefit all property owners? Yes.

Will all that benefit be included? Yes.

Is this proposed establishment in the public interest? Yes.

Source of funds? H.H.F.A.

Cost of District and Cost per unit: Mr. Velsy read from report.

COST: \$1,100,000 (Cost of construction). Additional \$145,000 to take care of laterals; construction cost \$1,245,000. Total cost, including contingencies, etc. \$1,408,000.

Cost per house: (Page 29 of report): Increased about 10%. Assessed valuation \$5000 house - Total annual charge \$87 instead of \$79.

Mr. Mundt: Does report take into account assessed valuation of Prentice-Hall which is anticipated. Yes.

15th year for \$5000 assessment - \$55.

Councilman Holbrook: This system would be appropriate regardless of Town or County trunk lines? Yes.

No other witnesses.

IN FAVOR: Eugene Marks, 10 Spruce Lane, West Nyack((Representing Bluespruce, Brookhill, Deerpath Home Owners' Association). (2) J. Tomicki, West Nyack.

OPPOSED: None

Mr. Mundt stated that it was the policy of the Town Board to create these districts but not to authorize expenditures of funds until we actually have system in operation.

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

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

7/13/64

8:45 P.M.

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

RE: ZONE CHANGE PETITION - RAYMOND BOYD (R-1 & RA-1 to R-2)

Supervisor Mundt called public hearing to order. Town Clerk read notice of public hearing.

Jerome Trachtenberg, Esq. appeared as attorney for petitioner and explained petition as follows:

This change is requested for the purpose of using the premises to develop garden apartments. Extent of development would be about 56 units, which is within the density permitted in present zoning ordinance.

Three units. Apartments divided between 1-bedroom and 2-bedroom units equally. Area lies to the east and north of present school site along school parking area. We would consider and give a restrictive covenant that nothing would be built until sewers come into area.

Adjacent: Carworth Farms. School: Has extensive bit of ground there.

Total number of units: Approx. 56.

Building program would start with advent of sewers and would extend over a period of two to three years.

Bulk of property R-1. At the present time, by using every facility, there would be six homes permitted to be built.

ASSESSMENT: \$25,000 a house - 6 houses: Total - \$150,000.

50 units at an average cost of \$12,000 a unit - assessment \$600,000.

SCHOOL: 6 houses - approximately 15 children.

60 units - six children.

($\frac{1}{2}$ - one bedroom; $\frac{1}{2}$ - two bedroom.)

If the Town Board feels there should be a different balance, we would consider it.

No witnesses.

IN FAVOR: No one appeared.

OPPOSED: Robert Stull, New City: Requested recommendations of Planning Boards.

Supervisor told him they recommended denial.

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Stated that he does not believe this property lends itself to use petitioner wishes to use it for. Homes in area high priced. Detrimental to property surrounding. Traffic in New City-Congers Road would increase. Petitioner states that he is willing to wait for sewers. Board should not consider this petition at this time. Wait for Master Plan.

- (2) John Tomicki, West Nyack: Wait for Master Plan. Deny.
 (3) Raymond Davino, Prides Crossing, New City: Wait for Master Plan.

Presented letter from Denarest Hills Civic Assn. Wait for Master Plan. Will have petition of all abutting home owners before end of week.

- (4) Robert Gerber, Spring Valley Water Co.: Read statement- re proximity to DeForest Reservoir - if granted, subject to certain conditions.

Discharge to public sewer system or company objects.

- (5) Mr. Methig, Prides Crossing, New City - Traffic increase, danger to children.

REBUTTAL: (Mr. Trachtenberg)

Re traffic - growth of area always presents traffic problem.

50 units does not mean it is a greater traffic problem than there would be if there were six homes. School creates greatest traffic problem.

CORRESPONDENCE:

COUNTY PLANNING BOARD: Denial

TOWN PLANNING BOARD: Denial

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

Signed,


 Anne E. O'Connor
 Town Clerk

PUBLIC HEARING

Town Hall

7/13/64

9:00 P.M.

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

RE: ZONE CHANGE APPLICATION - PONONA CUSTOM BUILDERS, INC. (RA-1 to R-22)

(Property located on north side of New Hempstead Road, New City, N.Y.)

Supervisor Mundt called public hearing to order at 9:00 P.M. Town Clerk read notice of public hearing.

Milton B. Shapiro, Esq/ appeared as attorney for petitioner and explained petition as follows:

Property could not be posted because there was no road frontage.

Petition concerns itself with an area 22.7 acres - West, Patricia Ann Sub-division which is not yet developed. East - Part R-1, fully developed. To the south - Myron Cohen's property.

Applicant is builder Lief Bergstol. Property lies between one acre zone development and a 15,000' development.

Request is to create 1/2 acre zone, which would serve as buffer between the two.

Public water would be provided. Dry sewers would be provided.

Development of this property under R-22 would result in best type of development for area.

QUESTIONS FROM BOARD:

1. How many houses. 34 homes
2. This is land locked in R-1? Ans: Subroads are planned. It will not remain land-locked. Roads will come through it. Roads come from both directions, from east & west.
3. Length of time to develop this area? Can be developed within a few months.

If the Board feels differently, it will comply.

WITNESSES: None

IN FAVOR: None.

OPPOSED:

1. Myron Cohen, Phillips Hill Road, New City: Builder will not live in area. Will leave adjacent residents with all the problems. Patricia Ann not built as yet.
2. Robert Levitan, 455 Phillips Hill Road, New City: Property in close proximity. Patricia Ann homes site. Presented several petitions filed by adjacent property owners.
3. Mr. Norbitz, 190 N. Hempstead Road: Opposed. Adjacent property owner.
4. Sophie Norbitz, same address: Adj. property owner. Requested sewage facilities be explained more fully.
5. Mrs. Mokofer, Phillips Hill Road, New City: Deny
6. Lucille Cincotti: Against spot downzoning. Wait for Master Plan.

REBUTTAL: (Atty Shapiro)

SEWAGE: Dry sewers required by Town. Present facilities would be in accordance with whatever Board of Health approves.

RESTRICTIVE COVENANTS:

1. Number of homes built.
2. Will complete project within one building season.
3. Would agree to stagger it over a longer period.

CORRESPONDENCE:

ROCKLAND COUNTY PLANNING BOARD: Denial

CLARKSDOWN PLANNING BOARD: Denial.

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

Signed,


Anne E. O'Connor
Town Clerk

CCC264

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

RE: ZONE CHANGE PETITION - GREEN TREE ESTATES, INC.
(Pr. to Art. I, Sec. 1.3 - Designation of Klein Ave., West Nyack, as a
COMMERCIAL STREET).

Supervisor Mundt called public hearing to order at 9:15 P.M. Town Clerk read notice of public hearing.

Attorney Myron Mandel, Highland Falls, N.Y. appeared as attorney for petitioner. Explained petition as follows:

Application designed to remedy one of the several inconsistencies that develop in a zoning ordinance.

1. Greentree Estates is owner of 15 acre parcel of land which is bordered by southerly boundary of Thruway, Hackensack River, and residential development known as Clearwater Estates.
2. Through it is Klein Avenue. 15 acres parcel has been zoned R0 for several years. We do not have a commercially designated street into this parcel.
3. It has been impossible for us to gather sell or develop this commercial parcel for the purpose for which it was zoned. Town states that any commercial property must have access and ingress into commercial street.
4. This property has been zoned commercial for several years and long before this residential building was there.
5. Traffic: However, this street is designated, traffic is still your province. Board can control by speed limits if it deems it necessary.
6. We request Klein Ave. and little spur known as Louise Drive be designated commercial.

QUESTIONS FROM BOARD:

Mr. Welchman: Under R0 does it not necessitate it being a heavy industry. What is contemplated to cause having a commercial street?

Answer: This property adjoins the Thruway. We have had prospective purchasers for commercial or light industry purposes, but because this was March and the problem of the road came up, matter was dropped.

I can't tell you now what we are going to do. We will not seek zone change for this parcel of land. We do not contemplate new use beyond what is limited by your zone.

7. What lies to south of the 4.7 acre tract? Ans: There is some residential use.

No further questions. No witnesses.

IN FAVOR: None

OPPOSED:

1. Murray Silverman, Klein Ave., W. Nyack: Read petition protesting (200 signatures)
 - a. Klein Ave. residential
 - b. Traffic hazard
 - c. This would not comply with present zoning ordinance.
2. Mr. Robert Gerber, representing Hackensack Water Co. - Wait until flooding and sewage problem in that area is solved.
3. Joseph Conace, Klein Ave: Road in bad condition now.
4. Joseph Centra, Adele Rd: This should have been asked for before homes were built.
5. Mr. Donovan, W. Nyack: What use will be made of this property? We would like to know before we agree to commercial street designation.
6. Frank Ludden, Klein Ave: Road on swampy land now.

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REBUTTAL: (Mr. Mandell)

1. This is not permit to commercialize Klein Avenue. This is application to permit commercial vehicle to go on Klein Avenue.
2. Owners of property have been deprived of certain privileges given them under RO.
3. Traffic: Board will do what it has to with regard to traffic and protect the street and residents.

CORRESPONDENCE:

COUNTY PLANNING BOARD: Denial

CLARESTOWN PLANNING BOARD: Denial

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

Signed,



Anne E. O'Connor
Town Clerk

TOWN BOARD MEETING

Town Hall

7/13/64

8:00 P.M.

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

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

(324) Councilman Danko moved the following resolution:

RESOLVED, that minutes of two (2) public hearings and regular Town Board meeting held on 6/22/64 are hereby approved and accepted as submitted to Town Clerk.
Seconded by Councilman Holbrook. All voted yes.

Messrs. Henry Horowitz and Seymour Gurlits presented report on Town property on Brewery Road. Copy given to each member of the Town Board. Board will study.

(325) Councilman Holbrook moved the following resolution:

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

Seconded by Councilman Welchman.

All voted yes.

(326) Councilman Welchman moved the following resolution:

RESOLVED, THAT REGULAR TOWN BOARD MEETING IS HEREBY RESUMED, SCHEDULED PUBLIC HEARINGS HAVING BEEN HELD.

Seconded by Councilman Danko.

All voted yes.

(327) Town Board signed Order Establishing Sewer District No. 16.

RESOLUTION #327 RE ESTABLISHMENT OF SEWER DISTRICT #16 DELETED UPON ADVICE OF TOWN ATTORNEY - SEE MINUTES OF 11/9/64.

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Councilman Welchman asked that Town Board not retain attorney for this district until feasibility of having Town Attorney's office handle matter thoroughly discussed.

(328) Councilman Welchman moved the following resolution:

RESOLVED, that decision on zone change application of RAYMOND BOYD (R-1 and RA-1 to R-2) be reserved.

Seconded by Councilman Holbrook.

All voted yes.

(329) Councilman Danko moved the following resolution:

RESOLVED, that decision on zone change application made by POMONA BUILDERS, INC. (RA-1 to R-22) be reserved.

Seconded by Councilman Welchman

All voted yes.

(330) Councilman Holbrook moved the following resolution:

RESOLVED, that decision on zone change application of GREEN TREE ESTATES, INC. (Designation of Klein Ave., West Nyack, as commercial street) be reserved.

Seconded by Councilman Danko.

All voted yes.

(331) Councilman Holbrook moved the following resolution:

RESOLVED, that due to the petitioner's attorney's failure to post property as required by law, zone change application made by Seymour & Harry Kaffler (RA-1 to R-1) for property located on west side of West Burda Place, New City, scheduled for this evening is hereby postponed to 8/17/64 at 8:45 P.M. E.D.T. and be it

FURTHER RESOLVED, that all expenses incurred for re-publication and posting in connection with said zone change application be borne by the petitioner.

Seconded by Councilman Danko.

All voted yes.

(332) Councilman Holbrook moved the following resolution:

WHEREAS, by an order of the Town Board of the Town of Clarkstown made 9/11/61 there was created New City Sewer District upon a petition in due form, which petition was accompanied by a map and plan showing the boundaries of the proposed district and a general plan of the proposed sewer system showing all outlets and the details and cost of each proposed sewer and the location and a general description of a sewerage treatment plant, pursuant to Section 192 of the Town Law, and

WHEREAS, in the judgment of the Town Board of the Town of Clarkstown it is in the public interest that such general plan be modified by eliminating from such plan the provision for the construction of a sewerage treatment plant, and the acquisition of the necessary lands therefor, and by eliminating a portion of the trunk line sewer lying north of the existing location of the County of Rockland and/or Town of Clarkstown trunk line sewer to be constructed by and under the direction of the Rockland County Sewer Agency and/or the Town of Clarkstown,

NOW, THEREFORE, BE IT

RESOLVED, pursuant to Section 196 of the Town Law that notice of intention to modify such general plan specifying the particulars in which it is proposed to modify it, and a time and place when the Town Board will consider any objections which may be made thereto, be published in "The County Citizen", a newspaper published in New City, N.Y. and the official newspaper of the said Town of Clarkstown and in the "Journal-News" a newspaper published in Nyack, and be it

FURTHER RESOLVED, that a public hearing be held thereon of the said Town of Clarkstown, on August 17, 1964, at 9:00 P.M., E.D.S.T., at the Town Board Meeting Room, Town Hall, 10 Maple Ave., New City, N.Y. and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown be directed to publish notice of such intention to modify and of the public hearing to be held thereon in the following form:

NOTICE

TAKE NOTICE that the Town Board of the Town of Clarkstown intends to modify the general sewerage plan of New City Sewer District (Sewer District #10) of the Town of Clarkstown, by eliminating from such plan the provision for the construction of a sewerage treatment plant and the acquisition of the necessary lands therefor, and by eliminating a portion of the trunk line sewer lying north of the existing location of the County of Rockland and/or Town of Clarkstown trunk line sewer to be constructed by and under the direction of the Rockland County Sewer Agency and/or the Town of Clarkstown, and that the Town Board of the Town of Clarkstown will meet at its meeting room at the Town Hall, 10 Maple Avenue, New City, N.Y. on August 17, 1964, at 9:00 P.M., E.D.S.T., for the purpose of considering any objections which may be made to such proposed modification.

BY ORDER OF THE TOWN BOARD, TOWN OF CLARKSTOWN, July 20, 1964.

Seconded by Councilman Welchman

All voted yes.

(333) Councilman Danke 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 \$160,000 are hereby authorized to be issued at one time or from time to time, as funds are required, pursuant to the provisions of Local Finance Law, constituting Chapter 33-A of the Consolidated Laws of the State of New York, for the specific object or purpose of constructing a sewer system in New City Sewer District of the Town of Clarkstown, all as more fully described and authorized in the bond resolution entitled:

"Bond resolution of the Town of Clarkstown, New York, adopted 9/25/61, authorizing the construction of a sewer system in New City Sewer District of the Town of Clarkstown stating that the estimated maximum cost thereof is \$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. The notes hereby authorized are not renewal notes. The 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 said Local Finance 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 and as to the sale and issuance of the bond anticipation notes authorized by this resolution are hereby delegated to the

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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.

Seconded by Councilman Holbrook.

All voted yes.

(334) Councilman Holbrook moved the following resolution:

WHEREAS, Scovill & Boswell were heretofore, by resolution duly adopted by the Town Board of the Town of Clarkstown on January 13, 1964, directed to make and prepare definite plans and specifications, and a careful estimate of the expense and, with the assistance of Edward G. Roeppe, attorney heretofore appointed for the said sewer district, a proposed contract or contracts for the construction of a system of sewers in the area encompassed in the New City Sewer District established by virtue of an order of the Town Board of the Town of Clarkstown dated 9/11/61; and

WHEREAS, said definite plans and specifications, estimate of the expense and contracts have been made and prepared, and filed with the Town Clerk of the Town of Clarkstown, as directed by statute, and have been examined by the Town Board; and

~~WHEREAS~~, the said plans and specifications, estimate of expense and contracts were duly approved and adopted by resolution of the Town Board of the Town of Clarkstown on May 18, 1964; and

WHEREAS, the Town Board of the Town of Clarkstown finds it necessary, expedient and desirable that sewers be laid in the right of way of New Hempstead Road, a county highway, within the boundaries of said New City Sewer District (Sewer Dist. #10) and

WHEREAS, SCOVILL & BOSWELL, Engineers for said New City Sewer District heretofore appointed by the Town Board of the Town of Clarkstown, and EDWARD G. ROEPPE, ESQ. heretofore appointed attorney for said New City Sewer District, have made and filed in the office of the Town Clerk of the Town of Clarkstown specifications and contract documents for New City Sewer District (Sewer District #10) relating to the construction of sewers in New Hempstead Road as aforesaid,

NOW, THEREFORE, BE IT

RESOLVED, that the said plans and specifications, careful estimate of the expense and proposed contract for the execution of the said work with respect to laying sewers as aforesaid in New Hempstead Road, be and the same are hereby adopted, and it is

FURTHER RESOLVED, that sealed proposals for the performance of the work and the supplying of the materials as set forth in said contract documents as aforesaid, be returnable up to and including 4:00 o'clock P.M., E.D.S.T., August 10, 1964, at the office of the Town Clerk of the Town of Clarkstown, in the Town Hall at 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that said sealed proposals will be publicly opened by the Town Board of the Town of Clarkstown in the Town Board meeting room at 5:30 P.M. E.D.S.T., August 10, 1964, and read aloud at a special meeting of the Town Board of the Town of Clarkstown to be held at such time and place, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown is hereby directed to advertise for sealed bids (in the form submitted in the contract documents) for the performance of the work and the supplying of the materials as set

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forth in said contract documents as aforesaid, by publishing the same pursuant to the provisions of Section 197 of the Town Law in "The County Citizen", a newspaper published in New City, New York, and the official newspaper of the said Town of Clarkstown, and in the "Journal-News", a newspaper published in Nyack, New York, and there shall be at least ten (10) and not more than thirty (30) days between the first publication of the notice and the time when the proposals will be received.

Seconded by Councilman Welchman.

All voted yes.

(335) Councilman Welchman moved the following resolution:

RESOLVED, that the Town Engineer is hereby authorized to advertise for bids for furnishing sidewalks for schools on (1) Sickletown Road, West Nyack, from Wheeler Place to school entrance; (2) Route 59A, West Nyack, from existing sidewalk to Demarest Ave.; (3) Red Hill Road, New City, N.Y. from Little Tor Road to school entrance (Link School) and (4) West Clarkstown Road, New City (Ramp 2) from end of present sidewalk to Eckerson Road, and be it

FURTHER RESOLVED, that said bids be opened at regular Town Board meeting to be held on 8/17/64, at 8:05 P.M., E.D.S.T.

Seconded by Councilman Danko.

All voted yes.

(336) Councilman Danko moved the following resolution:

WHEREAS, BARBONIA ACRES, INC. has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by re-districting property of the said petitioner described, from an RA-1 district to a B-22 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, N.Y. in the said Town of Clarkstown, on the 17th day of August, 1964, at 9:15 P.M., E.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.

(337) Councilman Welchman moved the following resolution:

WHEREAS, BENJAMIN CASTRO 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 R0 to C-1 (239M) 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, N.Y. in the said Town of Clarkstown, on the 17th day of August, 1964, at 9:30 P.M. E.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 Danko.

All voted yes.

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(338) Councilman Holbrook moved the following resolution:

WHEREAS, John W., Mary A. and Helen C. Orange have petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner described, from R0 district to a C-2 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the said Town of Clarkstown on the 17th day of August, 1964, at 10:00 P.M. E.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.

(339) Councilman Holbrook moved the following resolution:

Resolutions No. 339 and 340 have been omitted because of duplication.

(340) Councilman Danko moved the following resolution:

RESOLVED, that the application of HOUSES & HOMES, LTD., for a change of zoning from an RA-1 district, on property located on Route 304, New City, 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 Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Danko, Welchman, Supervisor Mundt.

NOES: None.

(342) Councilman Danko moved the following resolution:

RESOLVED, that the application of ROBERT NELSON & BERNAT NELSON dba ROBERT LEE REALTY CO., for a change of zoning from an R-1 (X) district to a C-1 district, on property located on e/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 Holbrook

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Danko, Welchman, Supervisor Mundt.

NOES: None

Town Board signed following Performance Bonds, approving them as to form and sufficiency:

Applewood Manor, Valley Cottage-SecII (2 bonds: roads and sanitary sewers)

Rolling Woods, Valley Cottage: (2 bonds - roads and sanitary sewers)

Lisa Estates - Sec.III, Congers, N Y (2bonds: roads and sanitary sewers)

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Lisa Estates, Sec. II, Congers, N Y (2 bonds: roads and sanitary sewers)

Lisa Estates, Sec. I, Congers, N Y (2 bonds: roads and sanitary sewers)

(343) Councilman Welchman moved the following resolutions:

RESOLVED, that Douglas L and Kathleen Bull are hereby granted building permit under Section 280 A for property located on the n/side of Waltham Avenue, distant 247 feet west of Old Haverstraw Road, Congers, N Y with stipulation that applicant file a declaration agreeing to participate in a road improvement district and acknowledging that he is not entitled to Town services.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilman Holbrook, Danko, Welchman, Supervisor Mundt.

NOES: None

Supervisor Mundt read letter from Senator D Clinton Dominick stating that he will give consideration to Board's resolution relating to re-apportionment of the State Legislature.

Supervisor Mundt read letter from Assemblyman Nowicki stating that he has written to Governor Rockefeller, Speaker Carlino and Attorney General Lefkowitz requesting that a special state wide census be conducted in relation to re-apportionment of the Legislature.

Town Board signed Sewer Bond #2226460, The Dells, Secs. 2A & 2B., dated April 10th, 1964 (\$22,8000.00) approving as to form and sufficiency.

Letter read from State Traffic Commission notifying Town Board that revision will be made with respect to traffic control on Route 304 at its intersection with Bardonia Road from the east and Ludvigh Road from the west by providing for dual indications.

Letter from State Traffic Commission, in response to Town Clerk's letter dated 6/24/64 read. Concerning our request for their report regarding the intersection of Route 59 with Grandview Ave., and with Route 304 and Smith St., they advise that progress will be made as soon as possible.

(344) Councilman Welchman moved the following resolution:

WHEREAS, RUDY DOMENICK & WIFE, has petitioned this Board for a refund of erroneous 1964 Highway Tax on property in the Town of Clarkstown assessed to Rudy Domenick & wife, 6 Maxine Court, Spring Valley, N Y, Map 7, Block B, Lot 1.25, 1964 Tax Roll, on account of this property should not have been charged for a highway tax, since 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. Fund Item I the amount of the erroneous tax, which is \$38.50.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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AYES: Councilmen Holbrook, Danko, Welchman, Supervisor Mundt.

NOES: None

(345) Councilman Welchman moved the following resolution:

WHEREAS, Emily Flender has petitioned this Board for a refund of erroneous 1964 Water District Tax on property in the Town of Clarkstown, assessed to Emily Flender, 55 Strawtown Road, New City, N Y Map 96 Block A Lot 5, 1964 Tax Roll on account of this property was erroneously charged for a water district in which it is not located, 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 New City West Nyack Water Account (General Fund) the amount of the erroneous tax, which is \$ 1.07.

(346) Councilman Welchman moved the following resolution:

WHEREAS, Rudy Domenick & Wife has petitioned this Board for a refund of erroneous 1964 Zoning and Planning tax on property in the Town of Clarkstown assessed to Rudy Domenick & wife, 6 Marine Court, Spring Valley, N Y, Map 7, Block B, Lot 1.25, 1964 Tax roll, on account of this property should not have been charged for a Zoning and Planning tax, since the 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 and Planning General Fund, the amount of the erroneous tax, which is \$3.40.

(347) Councilman Welchman moved the following resolution:

WHEREAS, Emily Flender has petitioned this Board for a refund of erroneous 1964 Water District taxes on property in the Town of Clarkstown, assessed to Emily Flender, 55 Strawtown Road, New City, N Y, Map 96, Block A, Lot 3, 1964 tax roll, on account of this property was erroneously charged for a water district, in which it is not located, 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 New City - West Nyack Water Account (General Fund) the amount of the erroneous tax, which is \$ 20.04.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Danko, Welchman, Supervisor Mundt.

NOES: None

Town Board signed Order Establishing Sewer District No. 18.

WHEREAS, pursuant to resolution adopted, the Town Board of the Town of Clarkstown, County of Rockland, New York has caused to be prepared a general map, plan, and report relating to the establishment of proposed Sewer District No. 18 in said Town of Clarkstown, which map, plan and report have been heretofore approved by said Town Board and filed in the office of the Town Clerk, and

WHEREAS, said Town Board determined to proceed with the proposed establish-

ment of said Sewer District No. 18, and the construction of a lateral sewer system therein; and

WHEREAS, on February 17, 1964, said Town Board adopted an order reciting (a) a description of the boundaries of said Sewer District No. 18 proposed to be established in a manner sufficient to identify the lands included therein as in a deed of conveyance; (b) the improvements proposed (c) the maximum amount proposed to be expended for such improvements; (d) the proposed method of financing to be employed (e) the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection; and (5) specifying March 9, 1964, at 8:15 o'clock P.M. (E.S.T.) as the time when, and the Town Hall, 10 Maple Avenue, New City, New York, in said Town as the place where, said Town Board would meet and hold a public hearing to consider the proposed establishment of said Sewer District No. 18 and construction of such lateral sewer system and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, following publication and posting of certified copies of said order pursuant to Section 209-d of the Town Law and after a public hearing duly held by said Town Board at the time and place herein referred to, said Board, by resolution adopted March 9, 1964, determined that (a) the notice of hearing was published and posted as required by law and is otherwise sufficient; (b) that all of the property or property owners within said District proposed to be established are benefited thereby; (c) all of the property or property owners benefited thereby are included within the limits of said District and (e) it is in the public interest to establish said Sewer District No. 18 and approved the establishment of said District, including the necessary easements and lands to be acquired, at a cost not to exceed \$1,196,000 and within thirty (30) days thereafter, no petition requesting that the matter be submitted to a referendum of the owners or taxable real property situate in said Sewer District No. 18, as shown upon the latest completed assessment roll of said Town, was filed with the Town Clerk of said Town, and

WHEREAS, after submission of an application by said Town Board, the State Comptroller granted permission to establish said Sanitary Sewer District No. 18 by Order dated June 29, 1964, which was duly filed with the Town Clerk of said Town and presented to said Town Board by said Town Clerk at the next meeting held after the said Order was filed with said Town Clerk; now therefore be it

ORDERED that a Sewer District is hereby established in the Town of Clarkstown to be known as Sewer District No. 18, in the Town of Clarkstown, and bounded and described as follows:

Easterly Boundary

Beginning at a point on the present boundary line of Sewer District Number 10 where said line intersects the southerly side of lot 39-A-16; thence northerly and easterly along the boundary line of Sewer District Number 10 and crossing New Hempstead Road and Eberling Drive to a point where said line intersects the easterly boundary of Lot 58-F-12; thence northerly along the easterly side of the lots 58-F-12 and 16 to the north east corner of said lot 16, at Clark Place; thence northerly across Clark Place

to the southeasterly corner of lot 58-F-26; thence northerly along the easterly side of lots 58 F-26 to 32 inclusive, to the northeast corner of said lot 32; thence westerly and northwesterly along the northerly side of lots 58-F-33 and 34 to the northwest corner of said lot 34, at Eberling Drive, thence westerly across Eberling Drive to the northeasterly corner of lot 40-A-8.05; thence northerly along the westerly side of lots 40A-8.05, 8104 and 7.01 to the north easterly corner of said lot 7.01; thence westerly along the northerly side of said lot 7.01 to the northwesterly corner of said lot 7.01, at its intersection with Verdin Drive, thence westerly across Verdin Drive to the northeast corner of lot 40-A-1; thence westerly, northerly and westerly along the northerly side of said lot 1 to its intersection with the easterly side of lot 39-A-17.01; thence continuing westerly along the northerly side of said lot 17.01 to its intersection with a point on the easterly side of lot 40-A-9; thence northerly along the easterly side of said lot 9 to the northeast corner of said lot 9; thence westerly along the northerly side of said lot 9 to the northwesterly corner of said lot 9, at Ruth Drive; thence westerly along Ruth Drive to the northeasterly corner of lot 40-A-9.17, thence continuing westerly along the northerly side of lots 40-A 9.17 to 9.13 inclusive, to the northwesterly corner of said lot 9.13, which point is on the southerly side of lot 40-A-65; thence northerly along a straight line projected from the westerly side of lot 40-A-9.13, across lot 40-A-65, to its intersection with the line produced by the extension of the northerly side of lot 40-A-58.08; thence westerly along said line produced by the extension of the northerly side of said lot 58.08; thence continuing westerly along the northerly side of lots 40-A-58.08 to 58.03 inclusive to a point on the northerly side of said lot 58.03 where it intersects the easterly side of lot 40-A-59, at the southeasterly corner of said lot 59; thence northerly along the easterly side of said lot 59 to the northeasterly corner of said lot 59 which said corner is on the southerly side of lot 40-A-60; thence northerly from the northeasterly corner of said lot 40 A-59 and crossing said lot 40-A-60; and the private right of way known as Little Break Road, to the southeasterly corner of lot 40-A-61.01; thence northerly along the easterly side of said lot 61.01 to the north-easterly corner of said lot 61.01;

Northerly Boundary

thence westerly along the northerly side of lots 40-A-61.01 and 61 to the northwesterly corner of said lot 61, at Little Tor Road; thence westerly across Little Tor Road to the northeasterly corner of lot 22-a-5; thence continuing westerly along the northerly side of said lot 5 and lots 22-A-8.08 to 8.06 inclusive, to the northwesterly corner of said lot 8.06; thence southerly along the westerly side of said lot 8.06 to the southwesterly corner of said lot 8.06, at Rosewood Drive; thence southerly across lot 22-A-11 to the northeasterly corner of lot 22-A-10; thence southerly along the easterly side of said lot 10 to the southeasterly corner of said lot 10; thence continuing in a southerly direction across lot 22-A-11 to a point on the southerly side of said lot 11 which is the northwesterly corner of lot 22-A-15.07 thence southerly along the westerly side of lot 22-A-15.07 and 15.08 to the southwesterly corner of said lot 15.08; thence easterly along the southerly side of said lot 15.08

to the southeasterly corner of said lot 15.08 at Woodland Road; thence easterly across Woodland Road to the southwesterly corner of lot 22-A-15.09; thence easterly along the southerly side of lots 22-A-15.09 to 15.13 inclusive, to the southeasterly corner of said lot 15.13, which point is also the northwesterly corner of lot 40-A-16.16; thence southerly along the westerly side of lots 40-A-16.16 to 16.11 inclusive, to the southwesterly corner of said lot 16.11; thence easterly along the southerly side of said lot 16.11 to the southeasterly corner of said lot 16.11 at Joan Drive; thence easterly across Joan Drive to the southwesterly corner of lot 40-A-16.10; thence continuing easterly along the southerly side of lot 40-A-16.10 and 40-A-16.04 to a point on the southerly side of said lot 16.04 which is the northwesterly corner of lot 39-C-3.07; thence southerly along the westerly side of lots 39-C-3.07 to 3.09 inclusive to the southwesterly corner of said lot 3.09 at Greenwood Drive; thence southerly across Greenwood Drive to the northwesterly corner of lot 39-C-22.09; thence continuing southerly along the westerly side of lots 39-C-22.09; thence continuing southerly along the southwesteely corner of said lot 22.04 at right of way thence across right of way to the northwesterly corner of lot 39 C-22.03; thence continuing southerly along the westerly side of lots 39-C-22.03, 22.-2 and 22 to a point on the westerly side of said lot 22 which is 210 feet north of the northerly side of New Hempstead Road, which point is also on the easterly side of lot 21-A-3; thence westerly in a straight line 210 feet north of the northerly side of New Hempstead Road across lots 21-A-3, 4, 5, and 6 to the northeasterly corner of lot 21-A-7; thence continuing in a westerly direction along the northerly side of lots 21-A-7 and 9 to the northwesterly corner of said lot 9; thence continuing westerly along a line projected from the northerly side of lots 21-A-7 and 9 across lot 21-A-8 to a point on the easterly side of lot 21-A-10, which point is 210 feet north of the northerly side of New Hempstead Road; thence northerly along the easterly side of said lot 10 to the northeasterly corner of said lot 10; thence westerly along the northerly side of said lot 10 to a point on the easterly side of lot 21-A-10/01; thence northerly along the easterly side of said lot 10.01 to the northeasterly corner of said lot 10.01; thence westerly along the northerly side of said lot 10.01 to the northwesterly corner of said lot 10.01; thence southerly along the westerly side of said lot 10.01 to the northwesterly corner of lot 21-A-10; thence southerly and southwesteely along the westerly side of said lot to a point on the westerly side of said lot 10 which is 260 feet north of the northerly side of New Hempstead Road; thence westerly in a straight line across lot 21-A-11, Phillips Hill Road and lot 21-A-13 to the northeasterly corner of lot 21 B-10.03; thence northwesterly and westerly along the northerly side of lot 21-B-10.03, 10.04 and 10.06 to the northwesterly corner of said lot 10.06, which point is located on the easterly side of lot 169A-11.10; thence northerly along the easterly side of said lot 11.10 to the northeasterly corner of said lot 11.10; thence westerly along the northerly side of lot 169-A 11.10, 11.09 and 11.11 to the northwesterly corner of said lot 11.11 at Sycamore Drive; thence westerly across Sycamore Drive to the northeasterly corner of lot 169-A-11.12 thence continuing westerly along the northerly side of said lot 11.12 to the northwesterly corner of said lot 11.12; thence southerly along the westerly side of lots 169-A-11.12, 11.13 and 11.14 to a point on the westerly side of said lot 11.14, which

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is also a point on the easterly side of lot 169-A-10 which point is obtained by the projection of a straight line from the northerly side of lot 169-A-10.01 from the northeasterly corner of said lot 10.01' thence westerly on said projected line across lot 169-A-10 to the northeasterly corner of lot 169 A 10.01; thence continuing westerly along the northerly side of said lot 10.01 to the northwesterly corner of said lot 10.01, which is a point on the easterly side of lot 169 A 9thence southerly on the westerly side of lot 169-A-10.01 to a point on the westerly side of said lot 10.01 which is the northeast corner of lot 169.A-12; thence westerly along the northerly side of said lot 12 to the northwesterly side of said lot 12, at Buena Vista Road; thence westerly across Buena Vista Road to the center line of Buena Vista Road; thence southerly along the centerline of Buena Vista Road to a point where said centerline intersects the centerline of New Hempstead Road; thence westerly along the centerline of New Hempstead Road to a point where said centerline intersects the present boundary line between the Town of Ramapo and the Town of Clarkstown;

Westerly Boundary

thence southerly along said boundary line to its intersection with the easterly side of the Palisades Interstate Parkway, which point is at the southwesterly corner of lot 168-A031; thence southerly along the easterly side of the Palisades Interstate Parkway to a point which is the southwesterly corner of lot 167-A-1;

Southerly Boundary

thence easterly along the southerly side of lot 167-A01 to the southeasterly corner of said lot 1, at New Clarkstown Road; thence southerly across New Clarkstown Road, to the southwesterly corner of lot 19-C-9; thence easterly along the southerly side of said lot 9 to the southeasterly corner of said lot 9; thence northerly along the easterly side of said lot 9 to the northeasterly corner of said lot 9, at Red Hill Road; thence easterly across Red Hill Road to a point on the southerly side of lot 20-B-18, which point is 134 feet east of the southeasterly corner of said lot 18 at Carrie Drive; thence northerly across said lot 18 to the southeasterly corner of lot 20-B-20.25, which point is also the southwesterly corner of lot 20-B-20.25, which point is also the southwesterly corner of lot 20-B-20.14; thence easterly along the southerly side of lots 20-B-20.14, 20.13 and 1.49 to 1.45 inclusive, to the southeasterly side of said lot 1.45 at right of way; thence easterly across right of way to the southwesterly corner of lot 20-B-1.44; thence continuing easterly along the southerly side of lots 20-B-1.44 to 1.28 inclusive to the southeasterly corner of said lot 1.28, which point is on the northerly side of lot 20-B-31; thence easterly along the northerly side of said lot 31 to the northeasterly corner of said lot 31, which point is on the westerly side of lot 38-B-5; thence continuing easterly along a straight line projected from the southerly side of lot 20-B-1.28, across lot 38-B-5; to its intersection with the line produced by the extension of the easterly side of lot 38-B-6; thence northerly along said line produced by the extension of the easterly side of said lot 6, across lots 38-B-5 and 4, to the southeasterly corner of lot 38-B-6; thence continuing northerly along the easterly side of lots 38-B-6 to 10 inclusive and lots 38-B-12, 39-B-16, 17 and 17.01 to the northeasterly corner of said lot 17.01 at New Hempstead Road; thence northerly across New Hempstead Road to the centerline

of New Hempstead Road; thence easterly along the centerline of New Hempstead Road to a point where it intersects the projected dividing line between lots 39-B-27.02 and 27.03; thence southerly along said line to the southwesterly corner of lot 39 B-27.03; thence easterly along the southerly side of lots 39-B-27.03 to 27.05 inclusive, to the southeasterly corner of said lot 27.05; thence northerly along the easterly side of said lot 27.05 to the northeasterly corner of said lot 27.05 at New Hempstead Road; thence northerly across New Hempstead Road to the center line of New Hempstead Road; thence easterly along the centerline of New Hempstead Road to its intersection with the center line of Little Tor Road; thence southerly along the centerline of Little Tor Road to its intersection with the center line of Old Hempstead Road; thence easterly along the centerline of New Hempstead Road; thence easterly along the center line of New Hempstead Road to a point where it intersects the projected dividing line between lots 39-A-16 and 38-A-1; thence southerly along said line to the southwesterly corner of lot 39-A-16; thence easterly along the southerly side of said lot 16 to its intersection with the present boundary line of Sewer District Number 10, the point of beginning.

and it further ORDERED, that a lateral sewer system, including the necessary easements and lands to be acquired, as hereinabove, referred to shall be constructed in said Sewer District No. 18, in the Town of Clarkstown, at a cost not to exceed \$1,196,000 to be assessed, levied and collected from the several lots and parcels of land in said Sewer District No. 18 so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board determines the improvement shall confer upon the same, and be it further

ORDERED that within ten (10) days after adoption of this Order, the Town Clerk shall record with the Clerk of the County of Rockland and file with the Department of Audit and Control in Albany, New York, copies of said Order, certified by said Town Clerk.

Dated: July 13, 1964

TOWN BOARD OF THE TOWN OF CLARKSTOWN

s/ Paul F. Mundt, Supervisor
 s/ Martin Holbrook, Councilman
 s/ Joseph Welchman, Councilman
 s/ Stephen Danko, Councilman

Seal

Members of the Town Board of the Town
 of Clarkstown, County of Rockland, N Y.

(347a) Councilman Holbrook moved the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JULY 13, 1964, authorizing \$1,196,000 for the construction of a lateral sewer system in Sewer System in Sewer District No. 18, in the Town of Clarkstown and authorizing the issuance of \$1,196,000 Serial Bonds of said Town to finance said appropriation.

Recitals

WHEREAS, following preparation of a general map, plan and report for

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providing a lateral sewer system, including equipment and appurtenances, in a sewer district proposed to be established in the Town of Clarkstown, in the County of Rockland, New York, and after a public hearing duly called and held, the Town Board of said Town of Clarkstown determined, pursuant to resolution duly adopted on March 9, 1964, subject to permissive referendum, that the notice of such hearing was published and posted as required by law and is otherwise sufficient; that all the property and property owners within said sewer district proposed to be established, are benefited thereby; that all the property and property owners benefited are included within the limits of said sewer district; and that the establishment of said sewer district is in the public interest and approved the establishment of said sewer district and the construction of such lateral sewer system, including equipment and appurtenances, therein; and

WHEREAS, no petition signed and acknowledged by the owners of taxable real property situate in the proposed Sewer District No. 18, in said Town, as prescribed by 209-e of the Town Law protesting against said resolution and requesting that said resolution be submitted to the owners of such taxable real property for their approval or disapproval has been filed with the Town Clerk within thirty (30) days after the date of the adoption thereof, or at any other time since said adoption, and

WHEREAS, following due submission of an application by said Town Board, the State Comptroller granted permission to establish said sewer District by Order dated June 29, 1964, which order was duly filed with and presented to said Town Board, at its first meeting held after said Order was so filed; and

WHEREAS, SAID Town Board duly adopted an order on July 13, 1964, establishing such sewer district, therein designated Sewer District no. 18, in the Town of Clarkstown, and ordering construction of said lateral sewer system, including equipment and appurtenances, therein, at a cost not to exceed \$1,196,000; now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:-

Section 1. The Town of Clarkstown, in the County of Rockland, New York, hereby appropriates the amount of \$1,196,000 for construction of a lateral sewer system, including land or rights in land, buildings and original furnishings, equipment, machinery and apparatus required, in Sewer District No. 18, in the Town of Clarkstown, all as hereinabove referred to in the recitals of this resolution, and all in accordance with the map, plan and estimates prepared by Hussbaumer, Clarke & Velzy, P?E., Consulting Engineers, duly licensed by the State of New York, on file in the office Town Clerk and heretofore approved by the Town Board of said Town. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,196,000 and the plan of financing includes the issuance of serial bonds of the Town of Clarkstown in the principal amount of \$1,196,000 and the assessment, levy and collection of assessments on the several lots and parcels

of land within the said Sewer District No.18 to pay the principal of said bonds and the interest thereon so much upon and from each as shall be in proportion to the amount of benefit which the improvement shall confer upon the same.

Section 2. To finance the said appropriation, serial bonds of the Town of Clarkstown are hereby authorized to be issued in the principal amount of \$1,196,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of §11.00 a. 4 of the Local Finance Law, is thirty (30) years,

(b) Current funds are not required by said law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes in anticipation thereof, pursuant to Section 107.00 d. 3 (i) of said Local Finance Law.

(c) The proposed maturity of the bonds authorized by this resolution may exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and notes shall be general obligations of the Town of Clarkstown, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town of Clarkstown are hereby irrevocably pledged to the punctual payment of the principal and interest on said bonds and notes and provision shall be made annually in the budgets of the Town by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of said Local Finance Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes and of §50.00 and §56.00 to 60.00 of said Law, the powers and duties of the Town Board relative to prescribing terms, form and content and as to sale and issuance of the bonds hereby authorized and any notes issued in anticipation thereof are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds, may be contested only if

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of such resolution, are not substantially complied with

and an acting suit or proceeding contesting such validity, is commenced within 20 (twenty) days after the date of such publication, or

Section 7. This resolution shall take effect immediately.

Seconded by Councilman Welchman.

All voted yes.

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(348) 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. The Town Clerk of the Town of Clarkstown, New York is hereby directed to publish the foregoing bond resolution, in full, in THE ROCKLAND COUNTY CITIZEN, a newspaper published in the Town of Clarkstown, New York, and having a general circulation therein, which newspaper is hereby designated as the official newspaper of the Town for such publications, together with the Town Clerk's statutory notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

Seconded by Councilman Welchman.

All voted yes.

Robert G. Rudolph, President of the New City Civic Association presented a letter re proceedings on sewer litigation. He requested that the Town Board investigate the possibility of requiring that the people who are responsible for holding up the sewer program post a bond to cover the loss of monies that will result due to the delay, should they lose their forthcoming appeal. The Town Attorney was instructed to discuss this matter with sewer counsel, Mr. Zeck, and to report to the Town Board.

(349) Councilman Welchman moved the following resolution:

(SEE LOCAL LAW BOOK #1 - LOCAL LAW #3 REGULATING USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, ETC.)

Seconded by Councilman Danke.

All voted yes.

Residents of Pineview Estates, Bardonia, were informed that their road will possibly be dedicated at meeting to be held on August 10, 1964.

(350) Councilman Welchman moved the following resolution:

RESOLVED, that the application of CRAGNERS ESTATES, INC. for an amendment to petition of June 18, 1964, 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, New York, be referred to the Planning Board for report pursuant to the provisions of Sec. 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance, and also to the Rockland County Planning Board pursuant to Section 239L and 239M of the General Municipal Law.

Seconded by Councilman Holbrook.

All voted yes.

(351) Councilman Welchman moved the following resolution:

WHEREAS, a petition was presented to the Town Board by J.A.S. Properties, Corp. for the extension of sewer district No. 8 to cover premises on the west side of North Middletown Road, Nanuet, N.Y., and

WHEREAS, a public hearing was held pursuant to statute, and

WHEREAS, an order was signed by the Town Board of the Town of Clarkstown on June 22, 1964, extending said sewer district, and

WHEREAS, the petitioners agreed to comply with certain requirements of the Town Board and enter into an agreement with the Town of Clarkstown,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor or Deputy Supervisor is hereby authorized to execute an agreement with J.A.S. Properties Corp. with respect to premises of J.A.S. Properties Corp. in connection with the extension of Sewer District No. 8 of the Town of Clarkstown, pursuant to Sec. 194-a of the Town Law and other pertinent sections for

the purpose of insuring that the extension of the district will not constitute an undue burden upon the property within such district, and be it

FURTHER RESOLVED, that said agreement shall provide for the payment of \$12,500 upon the execution of said agreement and for the payment of an additional \$12,500 within six months from the date hereof of prior to the issuance of a certificate of occupancy and a connection to the sewer system whichever event occurs first. The payment of said sums shall be a condition of this agreement.

Seconded by Councilman Holbrook.

All voted yes.

(352) Councilman Holbrook moved the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment until July 31, 1964, of Paula Agurkis, 8 Stratford Place, New City, N.Y. to the position of stenographer, temporary, at a salary of \$2.00 per hour, effective July 20, 1964.

Seconded by Councilman Welchman.

All voted yes.

(353) Councilman Welchman moved the following resolution:

RESOLVED, that Beatrice M. Jones, be appointed to the position of Key Punch Operator, temporary, at a salary of \$1.75 per hour effective and retroactive to 7/9/64.

Seconded by Councilman Holbrook.

All voted yes.

(354) Councilman Welchman moved the following resolution:

RESOLVED, that Charles Swartwout be appointed to the position of Police Patrolman at a salary of \$5200 per annum, effective 7/27/64.

Seconded by Councilman Holbrook.

All voted yes.

(355) Councilman Welchman moved the following resolution:

RESOLVED, that James Beisel be appointed to the position of Police Patrolman at a salary of \$5200 per annum effective 7/27/64.

Seconded by Councilman Holbrook.

All voted yes.

(356) Councilman Danke moved the following resolution:

RESOLVED, that Jane M. Heid be appointed to position of Clerk-Receptionist, at a salary of \$3780 per annum, effective 8/1/64, pending classification of said position.

Seconded by Councilman Holbrook.

All voted yes.

(357) Councilman Holbrook moved the following resolution:

RESOLVED, that the south side of New Hempstead Road, New City, just east of Buena Vista Road, opposite commercial area be designated a NO PARKING zone, and be it

FURTHER RESOLVED, that the Town Highway Supt. be directed to install "NO PARKING THIS SIDE" sign at aforementioned area.

Seconded by Councilman Welchman.

All voted yes.

(358) Councilman Welchman moved the following resolution:

RESOLVED, that based on the recommendation of the Building Inspector, Gerald Colucci be appointed to the position of Deputy Building Inspector, effective July 24, 1964, at a salary of \$6000 per annum.

Seconded by Councilman Holbrook.

All voted yes.

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(359) Councilman Danko moved the following resolution:

RESOLVED, that Mrs. David Ash, 29 Old Greenbush Road, West Nyack, N.Y., is hereby appointed to serve as a member of Central Nyack Hamlet Development Board effective immediately, to serve without compensation.

Seconded by Councilman Holbrook.

All voted yes.

(360) Councilman Holbrook moved the following resolution:

RESOLVED, that George D. James, 116 Conger Ave., S. Congers, N.Y. is hereby appointed to serve as a member of the Congers Hamlet Development Board, effective immediately, to serve without compensation.

Seconded by Councilman Welchman.

All voted yes.

(361) Councilman Welchman moved the following resolution:

RESOLVED, that Rodman Herbert, Roosevelt Ave., Central Nyack, N.Y., is hereby appointed to serve as member of the Central Nyack Hamlet Development Board, effective immediately, to serve without compensation.

Seconded by Councilman Holbrook.

All voted yes.

(362) Councilman Holbrook moved the following resolution:

RESOLVED, that Arthur Huggins, 58 Dykes Park Road, Nanuet, N.Y. is hereby appointed as a member of the Nanuet Hamlet Development Board effective immediately, to serve without compensation.

Seconded by Councilman Welchman.

All voted yes.

(363) Councilman Welchman moved the following resolution:

RESOLVED, that Robert A. Stull, 9 Longmeadow Dr., New City, NY, is hereby appointed as a member of the New City Hamlet Development Board effective immediately to serve without compensation.

Seconded by Councilman Holbrook.

All voted yes.

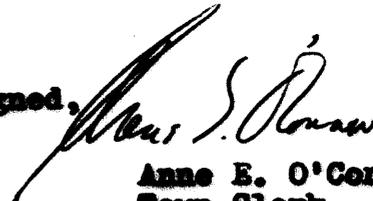
Gerald Jackson appeared before Board re Basswood Court. Town Clerk will contact Milton B. Shapiro asking him to advise Board of disposition of Basswood Court problem by August 10, at which time Town Board will hold special meeting.

Following monthly reports received and noted by Town Board: Welfare Dept., June 1964; Police Department, June 1964.

Councilman Danko read report from Town Attorney's office re drainage control. Suggested that a 3-man committee be formed to study drainage problems; to draw up map of Town of Clarkstown. Suggests that members of this committee be engineers. Wants Committee to come up with solution and map by meeting to be held on 8/10.64.

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

Signed,



Anne E. O'Connor
Town Clerk