

## PUBLIC HEARING

Town Hall

1/25/65

8:15 P.M.

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

RE: ZONE CHANGE APPLICATION - PARAMOUNT PROPERTIES, INC. - R-1 (X) to R-2)  
PROPERTY EAST SIDE OF MOUNTAINVIEW AVENUE, CENTRAL NYACK

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

Mr. Melvin Opperman, Nanuet, New York, appeared to petition Board. Presented Tax Map.

Property situated in Central Nyack. Located across street from Mrs. Lyons property.

Portion is in the Village of Nyack, where three story apartment houses are currently zoned so that in this petition, you could build up to 40' in height as far as apartment houses are concerned. Thirty six (36') feet away-steps of Warren Hill Apartments (102 apartments).

South: R-2 (Buffer zone of 25' of R-1(X) (37' of property on Gail Drive).

Property across street: Custom home. 11 homes in area 2-family; also a warehouse and fabricating plant approx. 400 to 500' from property in question.

Area pre-planned for apartments in 1955.

Property up zoned in 1960 and put into a special permit category. Could now go in for special permit and build high density units.

Seeks zone change because this unit would have to decimate ground, it is not level. For special permit, you have to have your plans and specs ready. Plans for apartment house run into quite a bit of money. Rather than go into this expense, (A.R.B. might not go along) - Shade Tree Comm. might object, I am coming before you in this manner.

200' from site; new motel construction.

To the north - recent petition which also made this area desirable apartment area.

Town Planning Board and County Planning Board recommended denial until they found best use for this particular area, or character of area, This has been determined by the Board in granting other petition up the road.

Because property is in two areas, Nyack and Clarkstown, in order for petitionerto have uniform program, would first have to have uniform zoning.

Presently could put two family homes in this area under the existing zone.

Walking distance to schools. Walking distance to a bus to go to New York City or Westchester County.

Total acreage: A little over four.

Units - 65 - 70

Public Hearing  
1/25/65  
8:15 PM

How many by right: Same amount ( under special permit).

Reason for request for outright zone change:

1. Can negotiate with Village of Nyack. Must have uniform basis to divide number of units can put up in this area. Need a similar zoning so can come to equitable agreement. Property in Nyack already zoned for apartments.

Portion in Village of Nyack: Mr. Opperman's portion in village about 20% - Mr. Jacobson's - none.

Mr. Welchman: By permit you would have to specify everything you were going to do on the property - design, plumbing, etc. By change of zone, you would only have to conform with zoning ordinance.

Mr. Opperman: Plans would have to be submitted to the Arch. Rev. Board, they might disapprove, and I would be right before the Board again.

Mr. Welchman: Actually, then, we would have less control over you by granting zone change, rather than have Planning Board issue you special permit. (As to ratio of one bedroom and two bedroom apartment, Mr. Opperman stated that whatever Board thinks equitable is alright with him.)

SEWERS:

Sewers are actually in road 25' away. Would petition for sewers; in event that they would not go along with this, he would go along with whatever Health Department tells him. Is in Central Nyack Sewer District. Believes Trunk line will be down there. Would help defray cost. (Rocky area)

Supervisor: Cost of that line is being defrayed by former petitioner, not by district.

NO WITNESSES:

BOARD:

1. Agree to submit to Arch. Rev. Board and Planning Board with respect to site development. Yes.

2. Agree to become part of Central Nyack lateral district when and if it is formed?

Answer: If I am granted the right to hook into Nyack Sewers, I would discontinue service in the Village of Nyack and bring it into Town of Clarkstown

3. Does not Nyack require long term lease? You might not be able to do this.

4. I was turned down when I wanted to place this property in the Village of Nyack ( 4 acres)

Mr. Frohling: Contact Village of Nyack and advise this Board as to whether they would accept you in their sewer district.

Supervisor Mundt: Town would not permit you to go into the Nyack System because of ratables.

CCE312

Mr. Opperman: If you want the ratable and also help pay for trunk line, I will comply with the Health Department regulations for the Town of Clarkstown right now.

OPPOSED:

Mrs. Lyons: Concerned about a private plant. As property owner across the street, sewerage has to be removed as soon as place goes up. Brook that drains Properties, on our side of street. Effluent and run-off. Objects to apartments.

William Waldron: Mtn. View Avenue, Valley Cottage: Opposed-traffic. No school bus for children because they are within limits. Children have to walk to school.

Mrs. Waldron: Building obstructs traffic to school now. Trunk line: Blasting trunk line will cause damage. Cost neighbor \$ 600.00 to have damage fixed. Never re-imbursed.

Supervisor: Tell Chief to have traffic cleared in this area.

Mr. Falmenberg: Recommended that site drainage be recommended to his office as one of the requirements.

REBUTTAL:

Mr. Opperman: EFFLUENT: There is in existence right now, 15" pipe that runs from one side to another. Effluent would be 150-200' away from closest property line that would be next to Mr. Lyons.

2. Road is narrow up on other end where 750 units are; we have 50' right of way.

Supervisor: Anyone who disagrees with rebuttal, to send letter to Town Board.

CORRESPONDENCE:

CLARKSTOWN PLANNING BOARD: Deny. Wants total picture of land use along Mtn. View Avenue so improvement can be rationally programmed with regard to traffic, sewers, etc.

COUNTY PLANNING BOARD: Withhold approval until clear picture of land use possibilities, including sewers and roads, is developed under the Town Planning Boards Master Plan Program.

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

Signed,

Anne E O' Connor

Town Clerk

## PUBLIC HEARING

Town Hall

1/25/65

8:30 P.M.

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

RE: EXTENSION OF SEWER DISTRICT NO. 13 - UNGAVA FARMS CORP.  
Property located on south side of Phillips Hill Road, New City

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

Mr. David Coral, Attorney

Harry Degensheim of South Nyack appeared before Board. Sworn in by Supervisor Mundt, and testified as follows:

Recognized Nick Guttman's signature. Capacity with Ungava Farms Corp. - Secretary; Nick Guttman, President

Extension of this sewer district will benefit all property owners with proposed district.

All property owners who will benefit are included within the limits of the proposed district.

It is in the public interest to grant proposed extension

Will benefit the property owners involved as follows:

For reasons of health and general welfare of community.

NO FURTHER QUESTIONS:

Witness:

1. Jack D Boswell, 219 South Main St., New City:

Professional engineer duly licensed by State of New York. Designed sewer plant now being used in part in Sewer District 13. Two stages. Only first stage completed. Have the plans for present stages been approved by State Department of Health.

Answer: Yes

When second stage is completed, will it be adequate to take care of Sewer District No. 13 as extended by this petition? Answer: Yes. This is extension of present sewer district covering the Dells.

Mr. Coran: This is vacant land. This will be at no cost to anyone but developer. When it does become a town district, will be able to take care of The Dells and Ungava ( The Dells - 170; Ungava 65).

Answer: Can Handle ( Boswell )

Question 2: Will it cover more?

Mr. Boswell: Depending on the use, it could. Two stages, first stage now built and operating.

Mr. O' Keefe: Even if the Town approves the extension of District, the capacity of plant will be a function of Health Department. This plant could very possibly handle over 300 homes. You could have excess capacity.

Discharge: Plant approved for 70,000 gallons of waste a day. Surface effluent

CCE312

goes northerly at the lowest flow of streams, plant put out 10%.

Mr. O'Keefe: No problems as to increase in flow this addition will cause in brook.

NO OTHER WITNESSES

IN FAVOR: None

OPPOSED: None

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

Signed,

Anne E. O'Connor  
Town Clerk

PUBLIC HEARING

Town Hall

1/25/65

8:45 P.M.

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

RE: ZONE CHANGE PETITION - CRAGMERE ESTATES, INC. (RA-1 to R-22) Property located on Route 304, New City, North)

(Amendment to petition of 6/15/64 as heretofore amended July 10, 1964)

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

Edward G. Roepe, Esq., attorney for petitioner, was ill and did not appear. Mr. Yale Rapkin, 1 Hoosier Court, New City, N.Y. appeared in his own behalf.

Original petition filed on 6/15/64 was thereafter amended on 7/10/64 and September 1964.

Property on east side of Rt. 304 south of property commonly known as Christie's property and north of Buckley. Approximately 86 acres involved.

Showed areas on map.

North - R-1  
West - (On Goebels Rd) R-1  
Across - RO (Office Bldg)  
Intersection of Little Tor and Phillips Hill Rd - The Dells - R-22  
Southeasterly - All R-1  
South - R-22 (MOK) 1/3 of frontage of property immediately south of that in R-2 - Apartment Bldgs

This conforms to a large degree to what is largely in area.

SEWERAGE DISPOSAL:

Petitioner has kept 4-5 acres available for sewerage disposal treatment plant. (With regard to this site, there have been several conferences with various land owners in immediate area, together with Town Engineer, a representative of Board of Health, Mr. O'Keefe; and Mr. Boswell, Engineer for Sewer District No. 10, who have all met for purpose of construction of operating sewage disposal plant.)

PH - 1/25/65

The plant will be for benefit of District No. 10 and for benefit of area that is designated for extension of District 10, which is rapidly growing area.

Attorney for District 10 (Mr. Roepe) has agreements which will be executed.

Messrs. O'Keefe, Boswell and Town Engineer are available to you for any questions with regard to this plant that you may entertain.

QUESTIONS FROM BOARD:

1. How many units do you contemplate placing in this? Approximately 130 units give or take 5-6.

2. How many now by right? Approximately 90 units.

3. If Board were favorable, you would acquiesce to stage construction?

Yes, only if we don't construct the first year, we would be allowed to construct twice the next year.

Supervisor: That is not intent of the Board.

Policy: To stage construction so that impact on sewers will not be too great.

Mr. Rapkin: Will go along with stage construction.

4. What would the advantage be to Town in relation to the construction of this plant?

Town Engineer: A. Plant is located so that we can use or serve a portion of Districts 18, 19 and 10.

B. Location as shown is right at the junction of the streams that come together at that point and then flow north.

C. It is located strategically to trunk lines.

D. Immediately to the south of the lower point of the plant, site is one of the major crossings of Rt. 304 that we plan for this type of construction.

(Boswell and O'Keefe made a study on ability of stream to support plant. 3000 gal. a day. Can do.)

E; This, with a very minor change, would take care also of a large New City business area.

F. Would service District No. 10 in its entirety.

5. Plant will have to be expanded at its own cost?

Town Engineer: Initial cost \$200,000.00 including land site for 450 units. We estimate that 10, including parts of 18 and 19 can get in for \$30,000.00, which is 10% of original cost.

Supervisor: How soon would this be in operation?

Answer: Before June.

Mr. Welchman:

450 units original plant will accommodate.

Extension of 10 would be about 1000 plots.

This would be twice the amount that the original plant was built to accommodate. This could be done somewhere in the neighborhood of \$30,000.

Mr. Boswell:

Participants are willing to bear cost of this because they need it. By changing the tank and changing the treatment process, we can increase this up to 330 gal. Twice as many units being added (450 originally - 1000 to be added) District 10 will have to put in trunk line to accommodate. \$30,000 does not include trunk line.

ENGINEERING REPORT: Will be supplied to Board as soon as ready.

CCE312

Will flow north. When County takes over, sewer plant is abandoned. They will build and dedicate to the Town.

Mr. Rapkin: Participants will deed 4-5 acres to Town for sewer plant. Participants will get site for plant. Engineers, Board of Health and Town Engineer to dictate.

Councilman Holbrook:

When County trunk comes in and this is abandoned, will this leave increased cost in District 10?

Somebody has to pay for enlarging treatment plant. If plant was abandoned, cost of construction will still have to be paid off.

Should trunks and laterals be laid out to correspond with trunks and laterals called for by County system?

Answer: Town Engineer: This is right on trunk. This has to check with county.

Supervisor stated that in the analysis to be presented to Board statement should be made to the effect that if I am property owner within this district, what I will pay, and what will I pay when County breaks it up.

Councilman Holbrook: When County takes over, Town will acquire five acres?

Town Engineer: Deeds are made out to the Town.

Councilman Frohling: Any plans for construction would have to be approved by our consulting engineer.

TRUNK LINE: \$30,000 for extension of system itself. Trunk line would not be included in that. County could be obliged to pay for trunk when County system goes in. \$30,000 represents 1.50 to 2.00 per property over 30 year period if we are talking about 1000 units.

Supervisor Mundt: Town Engineer, Mr. O'Keefe and Mr. Boswell to present analysis for Board's study.

Supervisor to Petitioner: Would you be agreeable in the plot plan in deeding any property you can within petition in question to the County for the purpose of constructing the road free of charge.

Mr. Rapkin: I would like to look into it. If it would not interfere with my layout and I would have some latitude, I would go along with it if County builds roads

Mr. O'Keefe: District No. 10 badly in need of additional sewer service.

IN FAVOR: None

OPPOSED:

1. John Lacey, New City: No downzoning until Master Plan. Sewer population problem (137 units built over 4-5 year period)
2. Mr. Robert Wilbur, N. Main Street, New City: Wait for Master Plan. Demarest Kill flows through his property. Pollution of streams.
3. Mr. Straus, New City: Change nature of area - crowding. School overcrowding. Demarest Kill surrounds his property. When it rains, approximately 1/3/ acres of his land is flooded. Should a suggested plant be put up for effluent of 137 homes, flooding will be much more aggravated.
4. Thomas Brennan: Sewer Plant has not be approved by Planning Board. No downzoning.
5. Mr. Carlin, New City: Has the status of present 304 been settled so as to we might know who will be responsible for it when the State walks away?

Has any thought been given to any building in this area on Main Street to accomodate Traffic?

Supervisor: The old Rt 304 once it has been blacktopped on the way from Short Clove to New Hempstead Road - New Hempstead Road would be County road New Hempstead where it meets 304 will be deeded to Town of Clarkstown.

Question: Distance of sewer plant from Mr. Wilbur's property?

Answer: At least 1500'.

REBUTTAL: ( Mr. Rapkin):

Effluent will not effect Wilbur's brook. (Town Engineer agrees)

Mr. Straus - amount of effluent that would come out of this plant would be very much better than what the condition is now.

The basis of this zone change, I feel has merit regardless of this plant, based on surrounding area.

( Mr. Rapkin presented two petitions signed by persons favoring zone change; 130-150 signatures)

Two women in audience stated that a petition was seen opposing.

Supervisor suggested that they correspond with Board.

CORRESPONDENCE:

County: Denial at this time - Master Plan

Town: Denial

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

Signed,

Anne E O' Connor  
Town Clerk

CCE312

## PUBLIC HEARING

Town Hall

1/25/65

9:00 PM

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

RE: CONSOLIDATION OF CLARKSTOWN CONSOLIDATED LIGHT DISTRICT NO. 1 & CHESTNUT  
KNOLLS LIGHTING DISTRICT OF THE TOWN OF CLARKSTOWN PURSUANT TO SECTION  
206 of Town Law

---

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

J. Martin Cornell, Town Attorney, stated the following:

Will extend the district at public hearing to be called this evening and then consolidate.

Recommends that the Town Board, at this time, does not consolidate Chestnut Knolls Lighting District.

IN FAVOR: None

OPPOSED: None

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

Signed,

Anne E. O'Connor  
Town Clerk

TOWN BOARD MEETING

Town Hall

1/25/65

8:00 P.M.

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

Supervisor Mundt called Town Board Meeting to order

(44) Councilman Welchman offered the following resolution:

RESOLVED, that time for receiving bids for furnishing of Power Unit to be leased to Sewer District No. 4 ( Nanuet Park Subdivision) is hereby declared closed, and be it

FURTHER RESOLVED, that upon recommendation of the Town Engineer, single bid received from Fairbanks Morse & Co. be opened.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

NOES: None

The following bids was received:

FAIRBANKS MORSE & CO..... \$ 4,995.00

Supervisor Mundt instructed the Town Engineer to appear at Special Meeting to be held on Monday, February 1st, and discuss with Sewer Superintendent whether or not this is fair price.

(45) Councilman Frohling offered the following resolution:

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

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

NOES: None

(46) Councilman Holbrook offered the following resolution:

RESOLVED, that regular Town Board meeting be resumed, scheduled public hearings haveing been held.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

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

NOES: None

CCE312

(47) Councilman Holbrook offered the following resolution:

RESOLVED that decision on zone change application made by Paramount Properties, Inc. for R-1 (x) to R-2 located on the east side of Mountainview Avenue, Central Nyack be reserved.

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

NOES: None

(48) Councilman Welchman offered the following resolution:

RESOLVED that decision on zone change application made CRAGMERE ESTATES, INC. - RA-1 to R-22, property located on Rt 304, New City be reserved.

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

NOES: None

(49) Councilman Welchman offered the following resolution:

RESOLVED that decision on Extension of Sewer District No. 13 to include property of UNGAVA FARMS be reserved.

On roll call the vote was as follows:

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

NOES: None

(50) Councilman Frohling offered the following resolution:

WHEREAS, at a regular meeting of the Town Board of the Town of Clarkstown held at the Town Hall, 10 Maple Avenue, New City, New York on the 11th day of January, 1965 it was proposed that Chestnut Knolls Lighting District and Clarkstown Consolidated Light District No. 1 be consolidated into one light district henceforth to be known as Clarkstown Consolidated Light District No. 1; and it was further resolved that a public hearing should be held in the Clarkstown Town Hall on the 25th day of January, 1965 at 9:00 PM, EST and

WHEREAS, said public hearing has been duly held at the place and time so ordered, and

WHEREAS, the Town Board of the Town of Clarkstown has determined that it would not be in the public interest to consolidate said light districts at the present time,

NOW, THEREFORE, be it

RESOLVED, that said light districts not be consolidated.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

TBM  
1/25/65  
8:00 PM

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

NOES: None

Re Zoning Board of Appeals request that they meet with Town Board re subdivision regulations, meeting was set up for Wednesday, February 17th, 1965 at 8:30 PM in the Supervisor's office; Mr. Schecter of 323 North Main Street, Spring Valley in attendance for specific purpose of hearing. All concerned will be advised of time and place of said meeting and requested to attend.

(51) Councilman Frohling offered the following resolution:

WHEREAS, a petition was filed with the Town of Clarkstown pursuant to Article 12 of the Town Law for the establishment of Congers Lake Sanitary Sewer District, being designated as Sewer District No. 26, said petition being dated June 10, 1964, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown in connection with said petition on October 19, 1964 at 8:30 PM,

NOW THEREFORE, be it

RESOLVED, as follows:

Section 1. It is hereby determined that it is not in the public interest to accomplish the establishment of Congers Lake Sanitary Sewer District designated as Sewer District No. 26 as proposed for the reason that the Town of Clarkstown has embarked upon a a Town wide sewer program and the premises described in the within petition will be made part of the Town wide sewer program.

Section 2. The said petition is hereby denied and this resolution shall take effect immediately.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

NOES: None

(52) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 14th day of December, 1964, provided for a public hearing on the 11th day of January, 1965, at 8:15 P M (EST) to consider the application of JOSEPHINE TRITT and EMIL ALTMAN 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 Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an R-1 district to C-1 district, the following described property in the Hamlet of Nanuet, New York, in said Town and is described as follows:

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

BEGINNING at a point in the easterly side of Middletown Road, said point being 375 feet in a northerly direction from the northeasterly corner of the intersection of the North line of Route 59 with the East line of N. Middletown Road and thence running (1) in a northerly direction along the easterly side of North Middletown Road on a course of North 27 degrees 05' East, a distance of 600 feet, thence turning and running in an easterly direction on a course of South 62 degrees 55' East a distance of 180.00 feet to the westerly boundary of the lands of St. Anthony's Church; thence turning and running (3) in a southerly direction along the westerly boundary of the lands of St. Anthony's Church on a course of South 18° 33' West, a distance of 606.60 feet to a point; and thence turning and running (4) in a westerly direction on a course of North 62° 55', a distance of 270 feet to the point or place of beginning; said property being designated as Lots Nos. 2,3, 4,5,6,7,8,9,10,11, 12 and 13 on a certain map of Lots of F. Frenz dated May 1926 and Made by Frederick Washburn, a surveyor, Suffern, N Y , filed July 19, 1929 in the Rockland County Clerk's office.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

(53) Councilman Danko offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 23rd day of November, 1964, provided for a public hearing on the 14th day of December, 1964, at 8:15 P.M., E.S.T. to consider the application

of MELLEEN & SHAFFER, INC. to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of said petitioner from an RO & R-1 district to a R-2 district; and

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

NOW, THEREFORE, be it

RESOLVED, that the application be denied.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

(54) Councilman Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 9th day of November, 1964, provided for a public hearing on the 23rd day of November, 1964, at 8:00 P.M., E.S.T. to consider the application of MAXWIN REALTY CORP. to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of said petitioner from an RO district to a C-2 district; and

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

NOW, THEREFORE, be it

RESOLVED, that the application be denied.

Seconded by Councilman Danko.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

(55) Councilman Holbrook offered the following resolution:

RESOLVED, that minutes of Organizational Town Board Meeting held on 1/4/65; and minutes of three public hearings and regular Town Board meeting held on 1/11/65 are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Danko, Frohling, Welchman, Supervisor Mundt.  
NOES: None.

Mr. Kenneth D. Rees of 4 Linden Court, New City, appeared before Board re petition he signed approving petition for zone change made by Cragmere Estates, which was heard this evening, stating that he did not understand petition and wished to have his name deleted. Supervisor Mundt informed Mr. Rees that petition received was a matter of

44  
record and that if he felt his name was misrepresented, to write to the Town Board and so advise them.

(56) Councilman Danko offered the following resolution:

RESOLVED, that due to the fact that the next regularly scheduled Town Board meeting will fall on a legal holiday, date of said meeting be changed from 2/22/65 to 2/15/65.

Seconded by Councilman Holbrook.

All voted aye.

(57) Councilman Welchman offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer deed from FRIENDS CONSTRUCTION CORP. to the Town of Clarkstown conveying 848.22 l.f. of Virginia Street and 1439.48 l.f. of Carolina Drive be accepted, and be it

FURTHER RESOLVED, that said roads be included in the Town Highway System, and that the Town Attorney be directed to record the deed.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

(58) Councilman Welchman offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deed from PATAYNE ESTATES, INC. to the Town of Clarkstown conveying 150.00 l.f. of Rose Court and 408.83 l.f. of Durant Road be accepted, and be it

FURTHER RESOLVED, that said roads be included in the Town Highway System, and that the Town Attorney be directed to record the deed.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

Supervisor Mundt informed Board that the New City Jaycees will award plaque to Mr. Graeme Dalzell in recognition for his work in the recreation field. Award will be made at the Old Inn on February 4, 1965, at 8:30 P.M. Board invited to attend.

Mr. James Damiani made recommendation on park site (Valley Cottage Heights) offered by Mr. Blasenheim; stating that Recreation Board recommends preliminary approval for this site.

(59) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Board, through the Planning Board, is agreeable to accepting acreage offered by Mr. Blasenheim, Valley Cottage Heights Subdiv., provided they meet the site plan submitted to the Recreation Commission and Town Board; and meet requirements of the Town Engineer and the Recreation Commission.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Danko, Welchman, Supervisor Mundt.  
NOES: None.

(60) Councilman Frohling offered the following resolution:

RESOLVED, that the application of BUCKINGHAM MANOR, INC. for a change of zoning from a C-1, R(1)-X and R-1 district to an R-2 district on property located on the east side of Main Street in Nanuet, 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.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

Councilman Frohling offered the following resolution:

RESOLVED, that Town Clerk be authorized to advertise for Three (3) additional Voting Machines.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

Letter from Mr. John A. Stefan, President of Nanuet National Bank, noted by Town Board stating that since bank is holder of a Bond Anticipation Note of the Town of Clarkstown dated December 31, 1964, in the amount of \$7,875.00; pursuant to Art. 18 of the General Municipal Law he was advising Town Board that in addition to being Justice of the Peace of the Town of Clarkstown, he is also President and a Director of the Nanuet National Bank.

Board signed the following Performance Bonds approving as to form and sufficiency:

THE DELLS, SEC. 2E  
Bond #2228650 - Cont. Cas. Co.  
Amt: \$19,500 - sewers  
Period: 2 years 1/25/65-1/25/67

FOREST ACRES- SEC. 6  
Bond #2230723 - Cont. Cas. Co.  
Amt: \$70,000 - roads  
Period: 2 years 1/25/65-1/25/67

THE DELLS, SEC. 2E  
Bond #2228649 - Cont. Cas. Co.  
Amt: \$65,000 - roads  
Period: 2 years 1/25/65-1/25/67

FOREST ACRES - SEC. 6  
Bond #2230724 - Cont. Cas. Co.  
Amt: \$20,000 - sewers  
Period: 2 years - 1/25/65-1/25/67

(62) Councilman Holbrook offered the following resolution:

RESOLVED, that upon recommendation of the Town Engineer, the Town Clerk is hereby authorized to execute hydrant order and sketch for installation of 1 hydrant on north side of Svahn Drive, approximately 582' east of the east property line of Deer Track Lane, Valley Cottage, NY.

Seconded by Councilman Danko.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

(63) Councilman Frohling offered the following resolution:

RESOLVED, that upon recommendation of the Town Engineer, the Town Clerk is hereby authorized to execute hydrant order and sketch for installation of one hydrant on north side of Long Meadow Drive, approximately 395' from the east curb line of Sterling Place, New City, NY.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilman Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: none.

(64) Councilman Danko offered the following resolution:

RESOLVED, that upon recommendation of the Town Engineer, the Town Clerk is hereby authorized to execute hydrant order and sketch for installation of two (2) hydrants; one on w/side of Brookridge Drive, approximately 35' north of the north curb line and one on west side of Route 303, approximately 115' north of Brockridge Dr., Valley Cottage, NY.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

Aaron D. Fried, Planning Director of the Rockland County Planning Board, submitted Proposed Site Development Plan Approval amendment to Board for study and adoption.

Letters received from Nanuet National Bank and Rockland National Bank, expressing their appreciation in being designated depositories for Town Funds.

Following reports received and noted by Town Board. Ordered filed in Town Clerk's Office.

Pre-closing Trial Balance, Dec. 31, 1964; Comptroller, Dec. 1964; Z.B.A. Dec. 1964; Planning Board, Dec. 1964; Building Inspector, Dec. 1964; Police Dept., Dec. 1964.

(65) Councilman Welchman offered the following resolution:

RESOLVED, that the Building and Zoning Inspector and members of his staff are

hereby authorized to register and attend the 16th Annual School for Building Inspectors to be held in New York City on February 18, and 19th, 1965; all expenses to be made a proper Town charge.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

(66) Councilman Frohling offered the following resolution:

RESOLVED, that the application of GEORGE E. HECK, for a changing of zoning from an R-1 district to a R-2 District on property located on the west side of Route 304, New City, NY be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance and also to the Rockland County Planning Board.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

(67) Councilman Frohling offered the following resolution:

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

Section I. A bond anticipation note of the Town of Clarkstown, in the County of Rockland, New York, in the principal amount of \$10,000 is hereby authorized to be issued 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 as more fully described in the bond resolution entitled:

"Bond resolution of the Town of Clarkstown, New York, adopted December 14, 1964, appropriating \$10,000 for an increase and improvement of facilities of Sewer District No. 4 of said Town, stating the estimated maximum cost thereof is \$10,000 and authorizing the issuance of \$10,000 serial bonds of the Town to finance said appropriation." duly adopted by the Town Board on the date therein referred to. Said note is to be issued in anticipation of the sale of serial bonds of the Town. No bond anticipation notes have been previously issued or are presently outstanding in anticipation of the sale of said bonds and the Note hereby authorized is not a renewal note. The period of maturity of the Note hereby authorized shall not exceed one year from date, and said Note may be renewed pursuant to the provisions of the Local Finance Law. Said Note is to be issued for an assessable improvement.

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

Amount and Title: \$10,000 Bond Anticipation Note for Increase and Improvement of Facilities of Sewer District No. 4, 1965.

Dated: January 26, 1965.

CCE312

Matures: January 26, 1966, subject to prior redemption.

No. 1 Denomination \$10,000

Interest Rate: 2.20% per annum, payable at maturity

Place of Payment of principal and interest: Office of the Supervisor  
Town Hall  
New City, New York

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

Section 3. Said Note is hereby sold to the County Trust Company, New City Office, New City, New York, at the price of par, to bear interest at the rate of two and twenty hundredths per centum (2.20%) per annum, payable at maturity, and the Supervisor is authorized to deliver said Note to said purchaser upon receipt of the principal amount, plus accrued interest, if any, from the date of said Note to the date of delivery.

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

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

Section 6. This resolution shall take effect immediately.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

Town Board signed Order setting date of Public Hearing for 2/15/65 at 8:15 PM to consider matter of extension of Clarkstown Consolidated Light District No. 1.

WHEREAS, the Town Board of the Town of Clarkstown in the County of Rockland, State of New York, has heretofore duly caused to be prepared a map plan and report providing for the extension of the lighting district of the Town of Clarkstown and providing for the installation and maintenance of light fixtures in the Town of Clarkstown, said map plan and report have been duly filed in the office of the Town Clerk of said Town for public inspection, and

WHEREAS, said Town Board has determined to proceed with the extension of said Clarkstown Consolidated Light District No. 1, and

WHEREAS, said proposed extension of said light district is more particularly bounded and described as follows:

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

ALL the premises within the boundaries of the Town of Clarkstown exclusive of any incorporated villages and exclusive of the existing lighting districts known as Clarkstown Consolidated Light District No. 1, and Chestnut Knolls Lighting District, and

WHEREAS, the proposed improvements in said proposed extension are the installation and maintenance of lighting fixtures along streets and avenues and the maximum amount proposed to be expended for the improvement and for the performance or supply of services is an average charge annually of \$50.00, and

WHEREAS, the cost of said improvements and service shall be paid by annual taxes,

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of said Town of Clarkstown be held at the Town Hall, 10 Maple Avenue, New City, New York, in said Town, on the 15th day of February, 1965, at 8:15 o'clock P.M. to consider the proposed extension of said Clarkstown Consolidated Light District No. 1 and the improvements and services to be provided as herein referred to, and to hear all persons interested in the subject thereof. concerning the same, and for such other action on the part of said Town Board with relation thereto as may be required by law, and be it therefore

ORDERED, that the Town Clerk publish at once in The County Citizen, a newspaper published in New City, New York, and the official newspaper of said Town, and post on the signboard of said Town maintained pursuant to subdivision 6 of Section 30 of the Town Law conspicuously in at least five places within said proposed extension a copy of this Order certified by said Town Clerk, the first publication thereof and said posting not to be less than 20 days before the date designated herein for said public hearing as aforesaid.

(68) Councilman Frohling offered the following resolution:

RESOLVED, that the Supervisor be and he is hereby authorized to carry forward to 1965 the following balances:

Sidewalk Construction	\$ 5,125.43
Payment to State for Social Security- Town Share	12,433.98
New York State Withholding Tax - Employees Only	844.20
Employees' Withholding for Social Security	3,906.64
Redemption of Debt	5,958.50

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

(68-A) Councilman Welchman offered the following resolution:

RESOLVED, that the Supervisor be and is hereby permitted to file the annual financial report with the Town Clerk and the New York State Comptroller by 3/1/65.

Seconded by Councilman Frohling.

All voted Aye.

(69) Councilman Frohling offered the following resolution:

RESOLVED, that Irene Saccende be permanently appointed to the position of Stenographer, part-time, to the Recreation Commission at a salary of \$700 per annum, retroactive to 1/1/65.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

(70) Councilman Frohling offered the following resolution:

RESOLVED, that the position of part-time Assistant Court Clerk be established pending the approval of the Rockland County Personnel Commission, effective and retroactive to January 1, 1965, at a salary of \$1.75 per hour.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilman Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

(71) Councilman Frohling offered the following resolution:

RESOLVED, that Robert J. Cummings, Jean Drive, New City, NY, be and he is hereby appointed Assistant Court Clerk, effective and retroactive to 1/1/65, at a salary of \$1.75 per hour, pending approval of the Rockland County Civil Service Commission.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

(72) Councilman Welchman offered the following resolution:

RESOLVED, that the Supervisor be and hereby is authorized to transfer from CURRENT SURPLUS-GENERAL to JUSTICE OF THE PEACE-EMPLOYEES COMPENSATION ACCOUNT, the amount of \$600.00

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

(73) Councilman Danko offered the following resolution:

RESOLVED, that the Town Engineer is hereby authorized to advertise for bids to black-top school sidewalks in the following areas: Bardonia Road from school entrance to Germonds Road; College Avenue, between Rte 59 and Church St.; North Middletown Road between Route 59 and Ludvigh Road; said bids to be opened at 8:05 P.M. on 3/8/65.

Seconded by Councilman Welchman.

All voted Aye

(74) Councilman Holbrook offered the following resolution:

WHEREAS, money received from Sarah Fishgold and Sarah Simon was inadvertently deposited to GUARANTY DEPOSIT ACCOUNT in the amount of \$1,850 (\$600 for inspection fees and \$1,250 covering cost of capital improvement in Sewer District #9)

BE IT RESOLVED, that the Supervisor be and he is hereby authorized to transfer from GUARANTY DEPOSIT ACCOUNT to SEWER DISTRICT OPERATING ONLY ACCOUNT, the amount of \$1,850.0

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

(75) Councilman Frohling offered the following resolution:

WHEREAS, \$1,250 has previsously been deposited in SEWER DISTRICT OPERATING ONLY ACCOUNT to defray the cost of capital improvement in Sewer District #9, now, therefore

BE IT RESOLVED, that the Supervisor be authorized to transfer from SEWER DISTRICT OPERATING ONLY to SEWER DISTRICT #9\*SPECIAL SAVINGS ACCOUNT the amount of \$1250.00.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

(76) Councilman Frohling offered the following resolution:

WHEREAS, \$13,500 has previously been deposited in SEWER DISTRICT OPERATING ONLY ACCOUNT to defray the cost of capital improvement in Sewer District #8,

BE IT RESOLVED, that the Supervisor be authorized to transfer from SEWER DISTRICT OPERATING ONLY to SEWER DISTRICT #8-SPECIAL SAVINGS ACCOUNT the amount of \$13,500.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

Members of the Board were presented with copies of the Tort Claim Report for the year 1964.

Letter from Mr. Gerber received by Board on Sewer Districts operating procedures requesting purchase order system to provide control of all purchases made by sewer districts. Supervisor Mundt stated gentleman in question are so authorized to proceed with this system.

CCE312

52

Letter received from John P. Flynn, 74 Convent Rd., Nanuet, NY, expressing his appreciation in recognizing need for blinker light to be installed at the intersection of Grandview Avenue and Convent Road in Nanuet.

(78) Councilman Welchman offered the following resolution:

RESOLVED, that the Highway Superintendent is hereby authorized to advertise for bids for furnishing two 4 cu. yd. dump trucks; two sand spreaders; and two snow plows, said bids to be returnable on February 15, 1965, at 8:05 P.M.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

Re snow removal on sidewalks, ordinance pertaining being worked at present. Board instructed Highway Supt. to clean only footpaths to school.

(79) Councilman Frohling offered the following resolution:

RESOLVED, that upon recommendation of the Chief of Police, the Highway Supt. is hereby authorized to erect a "FULL STOP" sign on Old Schoolhouse Road, southwest corner of Primrose Lane and Old Schoolhouse Road facing eastbound traffic, and be it

FURTHER RESOLVED, that a "YIELD" sign be placed on Cairnsmuir Lane for westbound traffic entering upon Congers Road, sign to be placed on southeast corner of Cairnsmuir Lane and Congers Road.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None

Town Clerk was instructed to write a letter to Mr. Hall, County Superintendent of Highways requesting a "YIELD" sign on the south side of Old Schoolhouse Road, facing eastbound traffic (one-way section) as it enters onto Congers-New City Road.

Re matter of repairing blacktop - sewer breakage; Town Engineer and Highway Superintendent will attend meeting to be held 2/1/65. Town Clerk will notify.

(80) Councilman Frohling offered the following resolution:

RESOLVED, that the Highway Supt., with the approval of the County Highway Supt., be authorized to install a blinker light at the intersection of Brewery and Strawtown Roads.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Holbrook, Welchman, Supervisor Mundt.  
NOES: None.

On resolution offered by Councilman Danko, seconded by Councilman Frohling and unanimously adopted, Town Board Meeting was adjourned to 2/8/65 at 8:00 PM when next regularly scheduled Town Board meeting will be held.

Signed,

Anne E. O'Connor  
Town Clerk

-----

SPECIAL TOWN BOARD MEETING

Town Hall

2/1/65

8:00 PM

Present: Councilmen Frohling, Danko, Holbrook, Welchman, Supv. Mundt.  
Town Attorney J. Martin Cornell

Supervisor Mundt called special Town Board meeting to order.

(81) Councilman Holbrook offered the following resolution:

RESOLVED, that upon recommendation of the Town Engineer, single bid received at Town Board meeting held on 1/25/65 from Fairbanks, Morse & Company for the furnishing of Power Unit to be leased to Sewer District #4 (Nanuet Park Subdiv.) in amount of \$4,995 is hereby rejected, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized to readvertise for bids for same items in The County Citizen, said bids to be returnable at regular Town Board meeting to be held on 3/8/65 at 8:10 P.M.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Welchman, Holbrook, Supv. Mundt.  
NOES: None.

(82) Councilman Holbrook offered the following resolution:

RESOLVED, that Orange & Rockland Utilities be authorized to substitute lights at various locations in Consolidated Light District No. 1

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Danko, Welchman, Holbrook, Supervisor Mundt.  
NOES: None.

(83) Councilman Frohling offered the following resolution:

RESOLVED, that Mrs. Mary Laing, 132 Pineview Ave., Bardonia, N.Y. be appointed to position of substitute School Crossing Guard, effective and retroactive to 1/18/65 salary subject to location covered.

Seconded by Councilman Danko.

On roll call the vote was as follows: All voted Aye.

CCE312