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PUBLIC HEARING

Town Hall

5/10/65

8:15 P. M.

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

Town Attorney J. Martin Cornell

Deputy Town Attorney Murray N. Jacobson

Town Clerk Anne E. O'Connor

RE: ESTABLISHMENT OF SEWER DIST. #21 - CENTRAL NYACK:

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

Jacob K. Wexler, 117 North Middletown Road, Pearl River, N. Y. appeared as attorney; Donald S. Tracy; Associate Counsel.

Charles R. Adams Jr., 33 Primrose Lane, New City sworn in by Supervisor. Testified that publication and posting was handled by the Town Clerk's Office; also gave locations of posting made in five places within district.

Mr. Charles R. Velay sworn in by Supervisor. Testified as follows:

Associated with firm of Nussbaumer, Clarke & Valley; 40 years of engineering experience. Mr. George Suttie, who also was present; project engineer for this project.

Firm of Nussbaumer, Clarke & Velzy first contacted by the Town in connection with sewerage system planning in June of 1959. At that time he appeared before the members of the Town Board and was interrogated and interviewed by them. Mr. John W. Coyle was Supervisor at that time. First retained for this purpose September 1959. Firm has been working on such studies, reports and plans at the direction of the Town Board since that date.

Report for the Formation of Sewage Collection, District No. 21 dated November 1965 was prepared by his firm, Nussbaumer, Clarke & Velzy. (Mr. Velzy described the boundaries of the proposed sewer district from map.)

A resolution was adopted by the Town Board accepting an interest free planning advance from the United States Housing and Home Finance Agency for the development of the data contained in this report, said funds would be

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repayable to said agency only upon the final acceptance of this proposed district.

Report, including a legal description of the proposed district boundary, has been filed in the Office of the Town Clerk. Copy of this report has also been filed with the N. Y. S. Dept. of Health who has approved the report. Report contains a true statement of the facts, figures, costs and other data with respect to the formation of said sewer district No. 21 to the best of his knowledge.

Plan and Report shows all of the outlets, terminals and courses of each proposed sewer or drain and also gives the location and general description of all sewage disposal plants, pumping stations and other public works, if any, within the said proposed district.

This plan and Report is consistent so far as is possible, with any comprehensive plan for sewer system development within the Town of Clarkstown and County of Rockland.

None of the sewerage facilities set forth in this plan and report are within bounds of any incorporated village.

No existing sewer district within the limits of the proposed district described here. All of the property owners within the proposed sewer district No. 21 will be benefited by the improvements proposed in said sewer district. All of the property owners who will be benefited by the improvements in the proposed district are included within the limits of the proposed sewer district No. 21. Would be in public interest to establish.

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Page 2. (Sewer 21)

Supervisor Mundt to Mr. Velzy: Average unit cost against \$4,000 assessment?

Mr. Velzy: For a \$4,000 assessment, the corresponding amounts are: \$81.80 first year; \$56.40 fifth year; \$35.10 15th year. These are approximate of course, being the best estimate that can be made at the present time.

For a \$5,000 property assessment, the first five years annual cost will be \$98.40; fifth year \$66.80; 15th year \$41.40.

Cost on unimproved lot assessed at \$1,000. First year \$45.32; fifth year \$25.11; 15th year \$14.91.

Supervisor Mundt: This is the district that extends to the north certain properties known as the Elish parcel, which is a ten million dollar ratable. Without this ratable, residents of Central Nyack would expect to pay.

(These estimates are based on the assessed valuation when it is developed.)

No other questions from Board.

No other witnesses.

QUESTIONS FROM THOSE LIVING IN PROPOSED DISTRICT:

1. Mr. Gillis: Would you take into consideration units that could not be serviced? Answer: We have assumed that we would pick these up and have

considered them in total figure.

2. Mr. Avallone: (land owner in Central Nyack):

Is there any specially benefited property in district? Are there any parcels in the Central Nyack District #21 that will receive a distinct benefit by virtue of lateral sewers in the ground rather than a proliferation of septic tanks?

Answer: There is a general benefit, as well as a benefit to individual property owners.

QUESTION: Are there any streams or water courses in proposed district.

Answer: Hackensack on western limit; tributaries in east.

Question: if septic effluent travels through the sewer, will these tributaries have a lesser amount of effluent by virtue of construction of this sewer district?

Answer: There might be some difference depending on nature of soil.

Mr. Avallone: Will the water flow into the Hackensack Creek by virtue of the sewers having less contaminating material in that water? Answer: Yes.

Question: Would any facility that would use water that flows in the Hackensack Creek receive special benefit? Answer: Yes.

Question: If the Spring Valley Water Company, or the Hackensack Water Co. uses the water flowing in the Hackensack Creek that those two companies would then receive a special benefit by virtue of lateral sewers being constructed in sewer district 21? Answer: Yes. Water would be less polluted.

Question: Ratio between Industrial and commercial?

Answer: Non-residential area, ranging from LS to R-2, account for 30% of district land area. Ratio in area, 70% residential; 30% commercial and industrial.

Mr. George Suttie: Sewer Dist. 16 - area begins at edge. Industry runs along Routes 59 and 303. Industry will help to pay.

Sewer Dist. #21

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Mr. Avallone: Setting up a plant for new district 21 has more advantages than extending district 16? What is cost difference?

Mr. Velzy: We have not taken this into account.

Mr. Avallone: Did you receive any instructions as to policy in this matter?

Mr. Velzy: We received instructions that the amount was so small that it might be best to form this area on its own.

Mr. Avallone: Whose idea was this?

Mr. Velzy: The Supervisor's acting on behalf of the Board asking us to look into matter.

Mr. Avallone: Decision as to whether or not to establish a new district, rather than extend district 16 was not an engineering decision of your own?

Mr. Velzy: No, it was not.

Mr. Avallone: In your computation of expenses, have you an item as to legal expenses to be incurred?

Mr. Velzy and Mr. Suttie: In the estimate, we give a figure of 10% of the

construction estimate for engineering and legal work.

(Mr. Suttie was sworn in by Supervisor Mundt at this time, stating that former testimony he gave was true as far as he knew.)

Mr. Avallone, representing a property owner residing in Central Nyack stated the following in his behalf.

Property owner will be assessed with these sewer taxes. Before district is created, some serious thought should be given to the advantages and, perhaps, the disadvantages of setting up new District 21; and consider annexation of Central Nyack area to existing district 16. If cost is spread, the cost to those that are especially benefited, there will be commercial and industrial ratables. Because of the inadequacy of this testimony, there has been a substantial defect in developing the proof required for the Town Board to create new district.

Supervisor Mundt: What does it amount to in dollars?

Councilman Holbrook: 10% fee. Especially benefited properties: The stream, etc. is benefited. There was no special benefit accrued to this property at the expense of other properties. Benefits due to sewer service. No special benefit. Mr. Velzy's testimony was that they were benefited, but not especially benefited.

Mr. Avallone: If the Hackensack Water Co. is going to spend less money to serve customers in New Jersey, a part of that saving should come back to the tax payer in Central Nyack and West Nyack who has to pay to get these laterals sewers in the ground. Does not show saving. Do not create new district; extend 16.

Mr. Tracy (to Mr. Suttie): In your professional opinion, would there have been any increased savings by the extension of Sewer Dist. #16 rather than by formation of proposed sewer district 21?

Answer: Cost would be the same.

Question: Was there any topographic or engineering reason for creating new district?

Answer: County agreed to set up trunk in Central Nyack. Homes in Central Nyack has increased. It became more economical to take them in.

No further questions.

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

Signed

Anne O'Connor, Town Clerk

PUBLIC HEARING

Town Hall

5/10/65

8:30 P. M.

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

Town Attorney J. Martin Cornell

Deputy Town Attorney Murray N. Jacobson

Town Clerk Anne E. O'Connor

RE: ESTABLISHMENT OF PROPOSED SEWER DISTRICT NO. 22 - NEW CITY:

Supervisor called public hearing to order. Town Clerk read notice

of public hearing.

Milton Kase Esq., 24 Main St., NewCity, N. Y. appeared as attorney for sewer district proposed; Theodore Ginsberg, associate counsel.

(TRANSCRIPT OF TESTIMONY AS TAKEN BY Edward T. Dillon, CSR)
in Town Clerk's Files - Sewer District #22 - New City

On resolution offered 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

8:45 P. M.

Present: Councilmen Frohling, Danko, Welchman, Supervisor Mundt

Town Attorney J. Martin Cornell

Dep. Town Attorney J. Murray N. Jacobson

Town Clerk Anne E. O'Connor

RE: ESTABLISHMENT OF SEWER DISTRICT #23 - NEW CITY:

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

James C. Harrison, 4 Lawnwood Place, New City, N. Y. appeared as attorney for proposed district.

Charles R. Adams, Jr., Deput Town Clerk sworn in by Supervisor and testified as to proper publication and posting.

Charles R. Velzy of firm of Nussbaumer Clarke and Velzy sworn in by Supervisor and testified as follows:

Professional consulting engineer representing Nussbaumer, Clarke and Velzy. Graduate of University of Illinois; in practice over 40 years. Mr. George Suttie affiliate, also present.

First contacted in connection with sewer system plan in June of 1959. At that time was interrogated by Board Members. As a result, his firm was resigned to prepare engineering studies, etc. in September 1959. Since that time, has been preparing such studies, reports and plans at direction of the Town Board.

Map and Report presented at hearing was prepared by his firm.

(Mr. Velzy described boundaries from map)

He stated the following:

A resolution was adopted by the Town Board accepting an interest free planning advance from the U. S. Housing and Home Finance Agency for the

development of the data contained in this report, said funds to be repayable to said agency only upon the final acceptance of this proposed district.

Report, including a legal description of the proposed district boundary, has been filed in the Office of the Town Clerk.

Copy of this report has also been filed with N.Y. S. Dept. of Health, who has approved said report.

Report contains a true statement of the facts, figures, costs and other data with respect to the formation of said sewer district 23, to the best of my knowledge.

Plan and Report shows all of the outlets, terminals and courses of each proposed sewer or drain and also gives the location and general description of all sewage disposal plants, pumping stations and other public works, if any, within the said proposed district.

This plan and report is consistent so far as is possible, with any comprehensive plan for sewer system development within the Town of Clarkstown and County of Rockland.

None of the sewerage facilities set forth in this plan and report are within bounds of any incorporated village.

No existing sewer district within the limits of the proposed district.

All of the property owners within the proposed sewer district 23 will be benefited by the improvements proposed in said proposed sewer district.

All of the property owners who will be benefited by the improvements in the proposed district are included within the limits of the proposed sewer district. Would be in public interest to establish.

No witnesses called.

COSTS: (Mr. Velzy):

\$5,000 Assessment:	First Year:	\$101.50
	Fifth Year:	89.10
	15th Year:	73.35
\$4,000 Assessment:	First Year:	88.09
	Fifth Year:	78.08
	15th Year:	64.10
\$1,000 Vacant Lot:	First Year:	\$ 47.87
	Fifth Year:	32.02
	15th Year:	19.90

MR. ROLAND: May I ask where Mr. Harrison has his office?

Answer: 14 Lawnwood Pl., New City, N. Y.

MR. ROBERT ORTH: He lives in Sewer Dist. No. 18.

MR. AVALLONE: Are there any tributaries that feed into the Hackensack?

Answer: Yes.

MR. AVALLONE: Special benefit to Spring Valley Water Co. People in proposed Sewer Dist. #23 should get some benefit. Effluent filling soil, would gradually finds its way into tributary and eventually create problem for the DeForest Reservoir and the Water Company/ Study a while

- you have given no opinion on the advantages. Get some competent opinion from Bonding Counsel. We have consulting engineers. Spread the base. Individual taxpayer will fare better.

SUPERVISOR MUNDT: Attornies for sewer districts are not appointed until sewer district is created.

MR. LODICO: Objects to paying seperate attornies. One attorney should be appointed to handle all sewer districts. Has there been any attorney in the district that would offer his services for nothing?

COUNCILMAN HOLBROOK: The work that these attornies are doing is responsible and important. We cannot ask for these services on contribution basis. We can only appoint on confidence basis.

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

Signed,

Anne O'Connor

Town Clerk

PUBLIC HEARING

Town Hall 5/10/65 9:00 PM

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

Town Attorney J. Martin Cornell

Deputy Town Attorney Murray N. Jacobson

Town Clerk Anne E. O'Connor

Re: ESTABLISHMENT OF SEWER DISTRICT NO. 24 - NANUET:

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

Charles R. Adams, Jr. sworn in and testified as to posting and publication.

Charles R. Velzy of firm of Nussbaumer, Clarke & Velzy sworn in and on questioning by Paul Demcio, New City, N. Y., attorney for establishment of Sewer District No. 24, he testified as follows:

Stated his name, address and profession, which is consulting engineer representing firm of Nussbaumer, Clarke & Velzy. Educational background - graduate of University of Illinois, in practice over 40 years. Mr. George Suttie, affiliate, also present.

First contacted in connection with sewer system plan in June of 1959. At that time, was interrogated by Town Board members. As a result, his firm was retained to prepare engineering studies, etc. in September of 1959. Since that time, firm has been preparing such studies, reports and plans at direction of the Town Board.

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His firm prepared report dated November 1965. Map also presented

(Mr. Velzy described boundaries for proposed Sewer District #24 from Map.)

Korvette shopping center and Nanuet school included.

A resolution was passed by the Town Board accepting an interest free planning advance from the U. S. Housing and Home Finance Agency for the development of the data contained in this report, said funds to be repayable to said agency only upon the final acceptance of this proposed district.

Report, including a legal description of the proposed district boundary, has been filed in the office of the town Clerk.

Copy of this Report has also been filed with the New York State Department of Health; who has approved said report.

Report contains a true statement of the facts, figures, costs and other data with respect to the formation of said Sewer District No. 24 to the best of his knowledge.

Plan and report shows all of the outlets, terminals and courses of each proposed sewer or drain and also gives the location and general description of sewage disposal plants, pumping stations and other public works, if any, within the said proposed district.

This plan and report is consistent so far as is possible, with any comprehensive plan for sewer system development within the Town of Clarkstown and the County of Rockland.

None of the sewerage facilities set forth in this plan and report are within bounds of any incorporated village.

No existing sewer district within the limits of the proposed district.

All of the property owners within the proposed sewer district will be benefited by the improvements proposed in said proposed sewer district.

All of the property owners who will be benefited by the improvements in the proposed district are included within the limits of the proposed sewer district No. 24. It would be in the public interest to establish.

No witnesses called.

COSTS:

District 24: \$5,000 Assessed Valuation:	First Year:	\$81.10
	Fifth Year:	68.53
	15th Year:	44.80
\$4,000 Assessed Valuation:	First Year:	66.88
	Fifth Year:	56.82
	15th Year:	37.84
Vacant Lot Assessed Valuation:	First Year:	58.72
	Fifth Year:	47.08
	15th Year:	23.96

Mr Velzy: At the time of construction, the resident engineer and his staff will determine location of the pipe coming up from the house and locate the laterals connection so that it will make reasonable and

straight connection. In design, there will be an effort to take the elevation of low houses so laterals will be made low enough to serve all low houses.

Hookup would be placed at point that would be most economical to property owners.

Mr. Avallone: Are there any tributaries?

Answer: There is a stream which eventually reaches the Hackensack.

Question: Have you considered the advantages with respect to annexing or consolidating with other districts?

Answer: No.

Mr. Avallone: Give consideration to developing these districts for the reason that I mentioned before, to spread burden to include commercial and industrial ratables.

Councilman Holbrook: Would have the effect of the Spring Valley Water Co. paying a larger tax than otherwise would pay. This is not either possible or feasible inasmuch as the tax is based on the assessed value of the property that they own and not be taxed in any other way.

Regardless of where it is, or whether the districts are consolidated or not, Spring Valley Water Co. would pay the prevailing rates. Joining them would in no way raise the contribution the company will make to the tax collector for sewers. The law does not permit us to assess on any special basis. Consequently, what Mr. Avallone suggests is not feasible or possible.

Mr. Avallone: When you come into sewer taxes, you may take into consideration the special benefits afforded by a sewer system.

Mr. Lodico:

Question: Are all the lowest points guaranteed that they will be in the hookup? (High pipe-line; low basements)

Could Town Board create ordinance stating that sewer septic be required to come into the front?

Answer: (Mr. Suttie): Any new homes have to have a sewer line put in with the homes which will run from the street to within 5" of the house.

Mr. Roland: Requested Mr. Demcio's address, which is 5 Victoria Drive, Nanuet. Has office in county.

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

Signed,

Anne E. O'Connor
Town Clerk

Town Hall

5/10/65

9:45 P. M.

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

Town Attorney J. Martin Cornell

Deputy Town Attorney Murraray N. Jacobson

Town Clerk Anne E. O'connor

RE: ZONE CHANGE APPLICATION: PHILLIP R. MICHAUD (R-1 & RA-1 to C-2):

Property located on the e/s of Route 303, West Nyack:

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

Everett J. Johns Esq., 61 Maple Avenue, New City, N. Y., and Daniel T. Brucker, 21 N. Bway, Nyack, N. Y. appeared as attornies for petitioner. Mr. Johns stated the following:

Frontage on Route 303 - 466' 7.98 acres involved. 425' on Old Greenbush Rd; 711' depth at its longest point (actual survey measure shows 666') - Located on premises is existing frame building which houses antique business. To the north - steel building (garage) commercial enterprise. 250' C-2 - small portion R-1; balance RA-1.

ZONING IN AREA:

To the south - continuation of existing C-2 which runs for a depth along Route 303 right to Thruway. Directly across the street - M-1, which is building of Thruway. Further to west - commercial establishment (electrical firm). To the east - residential area running along Strawberry Hill Lane. (Property on other side of Route 303 also residential). Other side of Casper Hill; property owned by Traprock (M-2).

Mr. Phillip R. Michaud, 968 Stuyvesant Ave., Union, N. J. sworn in by Supervisor and testified as follows:

Owner and petitioner. Is commercial and industrial developer, most of his work being done in Philadelphia and New Jersey to date. (Miller Chevrolet in Matawan). Obtained permission to erect a structure containing approx. 28,000 sq. ft. for the Kaiser Jeep Corp. of Toledo, Ohio. (Presented Lease Agreement between himself and Kaiser Jeep) Town Clerk instructed to seal and place on file, which has been done.

TYPE OF STRUCTURE:

Petitioner proposes to immediately erect on the existing C-2 portion, an office and warehouse facility consisting of approximately 28,000 square feet for lease to Kaiser Jeep Sales Corp. at a cost of approximately \$400,000. Immediately to the north, petitioner proposes the erection of a second office-warehouse structure of approximately 20,000 square feet to be leased to prime business tenents currently under negotiation. A third additional structure of approximately 20,000 square feet for office and warehouse facilities is proposed to be erected on the easterly side of the subject premises in the immediate future. Total proposed building complex will amount to an investment of approximately one million dollars.

Set back in front - 75' - 115' from street. Set-back on Greenbush Road. 40' (Presented rendering).

Mr. Michaud stated that rendering has already been presented to Architectural

Review Board and building permit has already been issued; also that much of the site improvement and drainage work has already been done. (Site work in connection with drainage was at suggestion of engineers).

One other structure proposed; approximately 20,000 square feet, similar type building other company interested being one of top 20.

Plant is one million dollar investment - 2½ year construction period start-in spring - completing one in July, and another structure not before Fall.

PARKING: Along the building on the north side of the 75' setback. State has approved parking plans; highway opening permit also obtained from state. Majority of parking is on left side of building, some in rear.

Structure - 140' x 160': One story.

No access to Greenbush Road at present; but there will be access on corner.

DRAINAGE: Town Board requested profile from Town Engineer.

DRAINAGE DITCH HAZARD: Had put in ditch about 30' away from property line. Was asked to bring stream on the property line. Not finalized as yet.

Would agree to pipe wherever it was considered dangerous by the Town. There would be two accesses to Route 303. No access to residential area along northerly boundary of property. (No easements).

NO FURTHER QUESTIONS FROM TOWN BOARD. NO OTHER WITNESSES.

CLARKSTOWN PLANNING BOARD RECOMMENDATIONS: (County Planning Board recommendation no received up to time of public hearing)

Recommends approval. Also, that this zoning change carry with it a restrictive covenant referring the site plan to the Planning Board for site review. Also recommends that this proposal be referred to the Arch. Review Board for study and recommendations.

IN FAVOR: No one appeared.

OPPOSED:

1. Mr. William Trilling, 13 Strawberry Hill Lane, West Nyack (Representing 85 neighbors) Presented petition which was read to Town Board.
2. Mr. William E. Vines, J. P., Town of Clarkstown: Objected to destruction of trees. Showed photos of land after petitioner removed trees - stated that we need ratable, but we cannot allow "high-handed" methods used by petitioner. He also mentioned that in 1963, 6 accidents took place in this area; in 1964, 23 accidents, 4 injured and in 1965 8 accidents and 8 injured, and one death. Access from Greenbush; any traffic going south would have to drive north and make "U" turn before they could go south. Safety problem will exist in that area.
3. Mrs. Marion Hudson, 20 Strawberry Hill Lane: Traffic. Danger to 31 school children. No sidewalks. Greenbush only 16' wide.
4. Mr. Wm. Bingham, 118 No. Greenbush Rd., West Nyack: Opposed.
5. Mr. John Tveter, 20 Strawberry Hill Lane: Has four children - there is now a stream of water going in back of his house. Thought it was good area because of dead-end street. Increased traffic on Route 303 will result if change is granted.
6. Roger T. Myers, 10 Strawberry Hill Lane: Three streams exist.

OPPOSED (Cont):

- 7. Mrs. Louis H. Larson, 24 Strawberry Hill Lane. Opposed.
- 8. Mr. Louis H. Larson (same address as above): Resident 4½ years. Not opposed to industry as such. Will cause confusion at entrance to Thruway. No clover-leaf at that intersection. Would have to cross 303; but not be allowed to cut into residential area.
- 9. Mr. D. Launay Ramphal, 108 North Greenbush Rd., West Nyack: Traffic. Number of accidents should be considered.
- 10. George M. Rehm 30 Strawberry Hill Road: Trucks. Danger to 31 school children.
- 11. Mr. Raymond J. Dean, 102 N. Greenbush Rd., West Nyack: Children - danger.
- 12. Mr. John Scott, 37 Strawberry Hill Lane: Owns land adjoining Michaud property. Cars and trucks would increase. Future plans for building not too definite at present. Three streams on property, not one. Submitted counter-proposal.
- 13. Mr. Walter J. Wolanski, 14 Strawberry Hill Road: Opposed.
- 14. Frank Steffens, New City: (Chairman of Shade Tree Committee): Object to destruction of trees.

REBUTTAL: (Everett J. Johns):

Anything that has been stated applies to existing problems. Can build now as of right. Petitioner now has C-2 area since 1955. This piece divided by three district zone lines. This entire area would have to be zoned C-2 with whatever buffer this Board would require. Removal of trees: Trees were removed for drainage, site, and parking area purposes. Safety, site and drainage can be submitted to departments in charge. Petitioner willing to abide by their recommendations.

Ratables: Town Board can create SAFETY PROGRAM THAT COULD PROTECT SAFETY OF PEOPLE in the Town. Limitation of barrier or screening will be accepted.

Correspondence from Clarkstown Planning Board having already been read into the record, on motion offered by Councilman Frohling, seconded by Councilman Welchman and unanimously adopted, public hearing was adjourned. Public was advised that if they wished to comment further, they should address a letter to the Town Board.

Signed,

Anne E. O'Connor
Town Clerk

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

(326) Councilman Holbrook offered the following resolution:

RESOLVED, that minutes of public hearings and regular Town Board meeting held on 4/26/65; and minutes of public hearings and special Town Board meeting held on 4/27/65 are hereby approved and accepted by the Town Board as submitted by the Town Clerk.

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

NOES: None

(327) Councilman Holbrook offered the following resolution:

RESOLVED that Orange & Rockland be authorized to install 5 - 4,000 Lu. 8' Ups. OV12 street lights on Dykes Park Road, Nanuet, Town of Clarkstown @ \$46.80 - \$234.00 Annual Chge., \$19.50 Monthly Charge.

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

NOES: None

(328) Councilman Danko offered the following resolution:

WHEREAS, Mr. Stephen Danko, a member of the Town Board of the Town of Clarkstown has introduced a local law entitled "LOCAL LAW REGULATING THE USE, OBSTRUCTION AND DIVERSION OF STREAMS OR WATER COURSES IN THE TOWN OF CLARKSTOWN, COUNTRY OF ROCKLAND, STATE OF NEW YORK" and

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the public interest that a local law for regulating the use, obstruction and diversion of streams or water courses in the Town of Clarkstown, County of Rockland, be adopted.

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law be had at the Board Room in the Town Hall, 10 Maple Avenue, New City, New York, on the 14th day of June 1965, at 8:30 P.M. in the evening, relative to such proposed Local Law; and it is

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, Nyack, New York, and posted in the manner provided by law; and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published and posted as afore-said and file proof thereof in the Office of the said Town Clerk.

Dated: May 10, 1965

Seconded by Councilman Frohling.

CCE312

On roll call the vote was as follows:

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

NOES: None

(329) Councilman Frohling offered the following resolution:

WHEREAS, Mr. Frohling, a member of the Town Board of the Town of Clarkstown has introduced a local law entitled "LOCAL LAW REGULATING THE REMOVAL AND REPLACEMENT OF TOPSOIL AND SEEDING OF DISTURBED AREAS IN SUBDIVISIONS IN THE TOWN OF CLARKSTOWN, COUNTY OF ROCKLAND, STATE OF NEW YORK" and

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the public interest that a local law regulating the removal and replacement of topsoil and seeding of disturbed areas in subdivisions in the Town of Clarkstown, County of Rockland, be adopted,

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law be had at the Board Room in the Town Hall, 10 Maple Avenue, New City, New York, on the 14th day of June, 1965, at 8:45 P.M., in the evening, relative to such proposed Local Law; and it is

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, Nyack, New York, and posted in the manner provided by law; and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and the the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Town Clerk.

Dated: May 10, 1965

Seconded by Councilman Frohling

On roll call the vote was as follows:

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

NOES: None

(330) Councilman Danko offered the following resolution:

WHEREAS, HENRY HUDSON ASSOCIATES has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner described,

from an RA-1 district to an LC 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 14th day of June 1965, at 9:00 P.M., 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.

On roll call the vote was as follows:

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

(331) Councilmen Frohling offered the following resolution:

WHEREAS, ADLER REALTY has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner described, from an A-1 district to 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 14th day of June 1965, at 9:15 P.M. 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.

On roll call the vote was as follows:

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

(332) Councilman Holbrook offered the following resolution:

WHEREAS, MANNY APPELBAUM has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner described, from RA district to RA-1 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 21st day of June 1965, at 8:15 P.M., (E.D.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

On roll call the vote was as follows:

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

NOES: None

(333) Councilman Holbrook offered the following resolution:

WHEREAS, JOSEPH M. FINKELSTEIN, ROSLYN G. FINKELSTEIN AND SEEVE MANAGEMENT CORPORATION 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 RO district to 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 21st day of June 1965, at 8:30 P.M., (E.D.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

On roll call the vote was as follows:

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

NOES: None

(334) Councilman Danko offered the following resolution:

WHEREAS, an inspection of the premises of Rockland Cutler Inc. and Atlas Construction, 250 Route 59A, West Nyack, New York, and identified on the tax map of the Town of Clarkstown as Lot 38, Block C, Map 71, reveals a violation of Article 3, Section 3.11, Table of General Use Regulations and Article 7, Section 7.33, Non-Conforming Use and Bulk Regulations of the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, an Order of the Building and Zoning Inspector of the Town of Clarkstown, dated March 12, 1965, ordering Rockland Cutler Inc. and Atlas Construction to cease and desist from violations of the above sections of the Zoning Ordinance, and

WHEREAS, in said order, a period of 30 days was granted for compliance, which period has expired without compliance on the part of the parties named therein;

NOW THEREFORE, be it

RESOLVED, that Murray N. Jacobson, Deputy Town Attorney, is hereby authorized to commence legal action against Rockland Cutler Inc. and Atlas Construction to force compliance with the terms of the Zoning Ordinance and enforce the penalties provided for by the Code of the Town of Clarkstown for violations of the Zoning Ordinance and Orders of the Building and Zoning Inspector.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

NOES: None

(335) Councilman Danko offered the following resolution:

WHEREAS, an inspection of the premises of America Garrido, 92 North Route 303, Congers, New York, and identified on the Tax Map of the Town of Clarkstown as Map 141, Block A, Lot 22.02, reveals a violation of Section 8.23 and 8.231 of the Zoning Ordinance of the Town of Clarkstown, which requires a certificate of occupancy for the occupancy and use of a building enlarged or altered, and

WHEREAS, America Garrido, the owner or occupant of the herein identified premises has been contacted by the Building and Zoning Inspector of the Town of Clarkstown and requested to comply with the aforementioned provisions of the Zoning Ordinance with regard to the certificate of occupancy, and

WHEREAS, the said America Garrido has failed to comply

with the aforesaid provisions of the Zoning Ordinance,

NOW THEREFORE, BE IT

RESOLVED, that Murray N. Jacobson, Deputy Town Attorney, is hereby authorized to commence legal action against America Garrido to force compliance with the terms of the Zoning Ordinance and enforce the penalties provided for by the Code of the Town of Clarkstown for violations of the Zoning Ordinance and Orders of the Building and Zoning Inspector.

Seconded by Councilman Welchman

On roll call the vote was as follows:

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

NOES: None

Letters from Clarkstown and Rockland County Planning Board re standarization of petitions fro zone change requests. Town Clerk will send copyyof all letters to Town Attorney, who was requested to make study and recommendation.

(337) Councilman Danko offered the following resolution:

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

Seconded by Councilman Frohling

Onroll call the vote was as follows:

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

NOES: None

(337a) Councilman Danko offered the following resolution:

RESOLVED that public hearings having been held, Town Board Meeting shall reconvene.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

NOES: None

(338) Councilman Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly caused Nussbaumer, Clarke & Velzy, P E, consulting engineers duly licensed by the State of New York, to prepare a map, plan and report relating to the establishment of proposed Sewer District No. 21 in said Town of Clarkstown as hereinafter described and for the construction of a lateral sewer system therein consisting of lateral sewers, submains, and subtrunks tributary to the proposed Disposal District, pumping station and trunk sewer, and including any necessary appurtenances required thereon, manholes, house connection stubs brought to the curbs, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been filed in the office of the Town Clerk of said Town for public inspection; and

WHEREAS, pursuant to resolution duly adopted on March 22, 1965, said Town Board determined to proceed with the establishment of said proposed Sewer District No. 21 and the construction of such lateral sewer system therein and adopted an order reciting a description of the boundaries of said proposed Sewer District No. 21 in a manner sufficient to identify the lands included therein as in a deed or conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, including acquisition of necessary land and easements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying May 10, 1965 at 8:15 o'clock P M (DST) as the time when and the Town Hall, 10 Maple Ave. New City, in said Town, as the place where, the said Town Board would meet to consider the establishment of said proposed Sewer District No. 21 and the construction of a lateral sewer system therein and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of said Town Board in relation thereto, as may be required by Law; and

WHEREAS, certified copies of such order were duly published and posted pursuant to the provisions of Article 12 A of the Town Law and

WHEREAS, a public hearing in the matter was duly held by said Town Board on the 10th day of May, 1965 commencing at 8:15 P M (DST) at said Town Hall, at which all interested persons desiring to be heard were heard including those in favor of, and those opposed, to the establishment of said proposed Sewer District No 21 and construction therein of such lateral sewer system;

now, therefore, upon the evidence adduced at such public hearing be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK AS FOLLOWS:

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Section 1, It is hereby determined that

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

(b) all the property and property owners included within the proposed Sewer District No 21 hereinabove referred to in the recitals hereof are benefited thereby;

(c) all the property and property owners benefited are included within the limits of said proposed Sewer District No. 21 and

(d) it is in the public interest to establish said proposed Sewer District No. 21

Section 2. The establishment of said proposed Sewer District No. 21 is hereby approved as hereinafter described and the proposed lateral sewer therein shall be constructed as set forth in the said order calling the public hearing including acquisition of the necessary lands and easements and said sewer district shall be designated and known as Sewer District No. 21 in the Town of Clarkstown, situate wholly outside of any incorporated village or city, and shall be bounded and described as follows:

Beginning at a point on the westerly side of Lot 133 A 2 which point is 490 feet measured southerly along the westerly side of said lot 2 from the northwesterly corner of said lot 2; thence northerly along the westerly side of said lot 2 to the northwesterly corner of said lot 2 at Pollen Street; thence northerly across Pollen Street to the southwesterly corner of lot 133 A 4 thence easterly along the southerly side of said lot 4 to the southeasterly corner of said lot 4; thence northerly along the easterly side of lots 133 A 4 and 5 to a point which is the southwesterly corner of lot 133 A 7 thence easterly along the southerly side of lot 133 A 7 to 12 inclusive, and 12.01 to the southeasterly corner of said lot 12.01 at Hall Avenue; thence easterly in a straight line across Hall Avenue and lot 133 A 2 to the southwesterly corner of lot 133 A 1; thence easterly along the southerly side of said lot 1 to the southeasterly corner of said lot 1; thence northerly along the easterly side of said lot 1 to the northeasterly corner of said lot 1 at Dickinson Avenue, which point is on the present Clarkstown Orangetown Town Line; thence northerly along the present Clarkstown Orangetown Town line to the northeasterly corner of lot 134 A 6.01 at Depwe Avenue, which point is on the present Village of Nyack Village Line; thence in various directions along the present Village of Nyack Village line to the northeasterly corner of lot 134 A 54 thence in a straight line across lot 134 A 55 to the southeasterly corner of lot 134 A 55; thence northerly along the easterly side of said lot 55.02 to the northeasterly corner of said lot 55.02; thence northerly in a straight line across lot 134 A 55.03 a private right of way and lot 135 D 18 to a point on the northerly side of said lot 18. which point is 280 feet measured easterly from the northwesterly corner of said lot

18; thence northerly in a straight line across lot 135 D 16 to the south easterly corner of lot 135 D 19 thence northerly along the easterly side of said lot 19 to a point where it is intersected by the southerly side of lot 121 A 2 thence easterly and northerly along the southerly side of said lot 2 to the southeasterly corner of said lot 2, which point is the northeasterly corner of lot 135 D 14.01 thence northwesterly along the easterly side of lot 121 A 2 to the northerly most of point of said lot 2, thence southerly and westerly along the northerly side of said lot 2 to the northwesterly corner of said lot 2 at Mountainview Avenue; thence southwesterly across Mountainview Avenue to the northwesterly corner of lot 121 A 5 thence westerly along the northerly side of said lot 5 to the northwesterly corner of said lot 5; thence southerly along the westerly side of lots 121 A 5, 6, and 7 to the southwesterly corner of said lot 7, which point is on the northerly side of lot 121 A 8 thence westerly along the northerly side of said lot 8 to the northwesterly corner of said lot 8; thence southerly along the westerly side of said lot 8 to the southwesterly corner of said lot 8; thence easterly along the southerly side of said lot 8 to a point on the southerly side of said lot 18, which point is the northeasterly corner of lot 121 A 9; thence southerly along the westerly side of said lot 9 to the southwesterly corner of said lot 9; thence easterly along the southerly side of said lot 9 to a point on the southerly side of said lot 9, which point is on the westerly side of lot 121 A 11 thence southerly along the westerly side of lots 121 A 11 and 12 to the southwesterly corner of said lot 12; thence southerly in a straight line across lot 121 A 19 to the northeasterly corner of lot 121 A 13 thence southerly along the westerly side of lots 121 S 13, 14 and 15 to the southwesterly corner of said lot 15; thence easterly along the southerly side of said lot 15 to a point on the southerly side of said lot 15, which point is 145 feet measured westerly from the southeasterly corner of said lot 15; thence southerly in a straight line across a private right of way to the northwesterly corner of lot 121 A 16; thence southerly along the westerly side of lots 121 A 16 and 17 to the southwesterly corner of said lot 17; thence easterly along the southerly side of said lot 17 to a point on the southerly side of said lot 17, which point is the northwesterly corner of lot 120 A 1.01 thence southerly along the westerly side of lots 120 A 1.01 and 1.03 to the southwesterly corner of said lot 1.03 thence easterly and southerly along the southerly side of said lot 1.03 to the northwesterly corner of lot 120 A 2 thence southerly along the westerly side of lot 120 A 2 and 3 to the southwesterly corner of said lot 3 at a right of way; thence southerly across the right of way to the northwesterly corner of lot 120 A 4; thence southerly and easterly and southerly along the westerly side of said lot 4 to the southwesterly corner of said lot 4; thence southerly in a straight line across lot 120 A 5 and the New York State Thruway right of way to the northeasterly corner

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of lot 120 A 73.01; thence in a northwesterly direction along the southerly side of the New York State Thruway right of way to a point on the southerly side of said right of way, which point is the northwesterly corner of the North Greenbush Road right of way; thence northwesterly in a straight line across the New York State Thruway right of way to the southeasterly corner of lot 106 A 1 ; thence continuing in a northwesterly direction along the easterly side of said lot 1 to the northerly most point of said lot 1 at New York State Route 303; thence westerly in a straight line perpendicular to the westerly side of New York State Route 303 right of way across New York State Route 303 and New York State Thruway right of way 300 feet measured in a westerly direction along said line from the westerly side of New York State Route 303 right of way thence southerly in a straight line parallel to the westerly right of way of New York State Route 303 across the New York State Thruway right of way to a point where it intersects northerly side of lot 106 A 48 thence westerly along the northerly side of said lot 48 to the northwesterly corner of said lot 48; thence southerly along the westerly side of said lot 48 to the southwesterly corner of said lot 48, which point is on the northerly side of lot 106 A 45 thence westerly along the northerly side of said lot 45 to the northwesterly corner of said lot 45; thence southerly along the westerly side of said lot 45 to the southwesterly corner of said lot 45 at Virginia Avenue and Howard Street thence southerly along the westerly right of way of Howard Street to the northeasterly corner of lot 106 A 26.02 thence westerly along the northerly side of lot 106 A 26.02 and 26 to a point on the northerly side of said lot 26, which point is the southeasterly corner of lot 106 A 25; thence northerly along the easterly side of said lot 25 to the northeasterly corner of said lot 25; thence westerly along the northerly side of said lot 25 to the northwesterly corner of said lot 25; thence southwesterly along the westerly side of said lot 25 to the southwesterly corner of said lot 25; thence westerly in a straight line across lot 106 A 46 to the northeasterly corner of lot 89 A 15, which point is a southeasterly corner of lot 89 A 12 thence northerly along the easterly side of said lot 12 to the northeasterly corner of said lot 12; thence westerly along the northerly side of said lot 12 to the southwesterly corner of said lot 12; thence southerly along the westerly side of said lot 12 to a point where it intersects the present boundary line of Water District No. 8; thence southwesterly along the present boundary line of water district no. 8 to its intersection with the boundary line of Sewage Collection District No. 16;

Westerly Boundary

thence in a southeasterly direction along the boundary line of Sewage

Collection district N . 16 to a point where it intersects the present boundary line of Water District ^{NU}. 8;

Southerly Boundary

thence easterly along the present boundary line of Water District No. 8 to a point on the easterly side of lot 89 A 16; thence northerly along the easterly side of said lot 16 to a point on the easterly side of said lot 16, which point is the southwesterly corner of lot 106 A 22,01; thence easterly along the southerly side of lots 106 A 22.01 and 22 to the southeasterly corner of said lot 22, which point is on the westerly side of lot 106 A 21, thence southerly along the westerly side of said lot 21 to the southwesterly corner of said lot 21; thence easterly along the southerly side of lots 106 A 21 and 21.01 to the southeasterly corner of said lot 21.01 thence northerly along the easterly side of said lot 21.01 to a point on the easterly side of said lot 21.01 which point is the southwesterly corner of lot 106 A 20.02; thence easterly along the southerly side of lots 106 A 20.02 and 20.01 to the southeasterly corner of said lot 20.01, which point is on the westerly side of lot 106 A 19; thence southerly along the westerly side of said lot 19 to the southwesterly corner of said lot 19; thence easterly along the southerly side of said lot 19 to the southeasterly corner of said lot 19, which point is on the westerly side of lot 106 A 17; thence southerly along the westerly side of said lot 17 to the southwesterly corner of said lot 17; thence easterly along the southerly side of lots 106 A 17, 16, and 105 A 34 to a point on the southerly side of said lot 34 at the southwesterly corner of lot 105 A 33.01 thence easterly, southerly and easterly along the southerly side of said lot 33.01 to the southeasterly corner of said lot 33.01 at the New York State Route 303; thence easterly across New York State Route 303 to the southwesterly corner of lot 105 A 28; thence easterly along the southerly side of said lot 28 to the southeasterly corner of said lot 28 at Greenbush Road thence in a southeasterly direction across Greenbush Road to the southwesterly corner of lot 120 A 19; thence easterly along the southerly side of said lot 19 to the southeasterly corner of said lot 19, thence northerly along the easterly side of said lot 19 to a point on the easterly side of said lot 19, which point is the southeasterly corner of lot 120 H 21; thence easterly along the southerly side of said lot 21 to the southeasterly corner of said lot 21; thence easterly in a straight line projected from the southerly side of said lot 21 across lot 120 H 20 and foot Hill Road to the westerly corner of lot 120 H 20 02; thence northeasterly along the northwesterly side of said lot 20.02 to the northerly corner of said lot 20.02; which point is on the westerly side of lot 120 H 20.01 thence southeasterly along the westerly side of said lot 20.01 to the southwesterly corner of said lot 20.01 thence easterly along the southerly side of lots

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120 H 20.01 and 31 to a point on the southerly side of said lot 31, which point is 40 feet measured westerly from the southeasterly corner of said lot 31; thence southerly in a straight line across Vista Terrace to the northwesterly corner of lot 120 H 3; thence southerly along the westerly side of said lot 3 to the southwest corner of said lot 3 at Crest Drive; thence southerly across Crest Drive to the northwesterly corner of lot 120 H 4; thence southerly along the westerly side of lots 120 H 4 and 5 to the southwest corner of said lot 5, which point is on the northerly side of lot 120 H 7; thence westerly along the northerly side of said lot 7 to the northwesterly corner of said lot 7; thence southerly, easterly and southerly along the westerly side of said lot 7 to the southwest corner of said lot 7, which point is the northwesterly corner of lot 120 H 10; thence southerly along the westerly side of said lot 10 to the southwest corner of said lot 10; thence easterly along the southerly side of said lot 10 to the southwest corner of said lot 10 at Laurel Road and Waldron Avenue; thence easterly along the southerly right of way of Waldron Avenue to the northwesterly corner of lot 120 D 20; thence southerly along the westerly side of lots 120 D 20 and 19, 119 A 27 Francis Road and lots 119 A 28 and 29 to the southeasterly corner of said lot 29; thence southerly in a straight line across lot 119 A 21 to the northwesterly corner of lot 119 A 20; thence southerly along the westerly side of said lot 20 to the southwest corner of said lot 20; thence easterly along the southerly side of said lot 20 to the southeasterly corner of said lot 20 at Schyler Road; thence southerly across Schyler Road to the southwest corner of lot 119 A 17; thence easterly along the southerly side of said lot 17 to the southeasterly corner of said lot 17; thence northerly along the easterly side of said lot 17 to the northeasterly corner of said lot 17 which point is on the southerly side of lot 119 A 16; thence easterly along the southerly side of lots 119 A 16, 15, 14, 41.01 and 13 to the southeasterly corner of said lot 13; thence southerly along the westerly side of lot 119 A 11 to the southwest corner of said lot 11; thence easterly along the southerly side of said lot 11 and the southerly right of way of Broadway to the southeasterly corner of said right of way; thence northerly along the easterly side of said right of way to the southwest corner of lot 119 A 9.02; thence easterly along the southerly side of said lot 9.02; thence easterly along the southerly side of said lot 9.02 to the southeasterly corner of said lot 9.02 which point is the southwest corner of said lot 9.02, which point is the southwest corner of lot 119 A 7; thence easterly along the southerly side of lots 119 A 7, 5, 2.02 and 1.01 to the southeasterly corner of said lot 1.01 at Towt Street; thence easterly in a straight line projected from the southerly side of said lot 1.01 across Towt Street to a point on the westerly side of lot 119 A 2, which point is 490 ft measured southerly along the westerly side of said lot 2 from

the northwesterly corner of said lot 2, the point of beginning.

Section 3. The maximum amount proposed to be expended for the construction of said lateral sewer systems consisting of lateral sewers, submains and subtrunks tributary to the proposed Disposal District, pumping stations and trunk sewer, and including any necessary appurtenances required therefor, manholes, house connection stubs brought to the curbs, acquisition of necessary land, rights in land and original equipment, machinery and apparatus, is \$348,000 which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown and the assessment, levy and collection of special assessments upon the several lots and parcels of land in said proposed Sewer District No. 21, which the Town Board shall deem especially benefitted by said lateral sewer system so much upon and from each as shall be in just proportion to the amount of benefit which the improvements shall confer upon the same and the establishments and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair.

Section 4. The Town Clerk of said Town of Clarkstown is hereby authorized and directed within ten days after the adoption of the resolution, to file certified copies of this resolution, duplicate in the office of the State Department of Audit and Control at Albany, New York, together with an application by said Town Board, in duplicate, for permission to establish said Sewer District No. 21 in the Town of Clarkstown, as herein described pursuant to the provisions of said Town Law and that such application shall be executed and verified by and in behalf of said Town Board by the Supervisor of the Town.

Section 5. This resolution shall take effect thirty days after its adoption unless there shall be filed with the Town Clerk a petition signed and acknowledged by the owners of taxable real property situate in the proposed District, as shown upon the latest completed assessment roll of said Town, in number equal to a least five per cent of the total number of such owners, or by one hundred of such owners, whichever is the lesser, protesting against this resolution and requesting that the matter be submitted to the owners of taxable real property situate in said proposed District at a referendum, in the manner provided by the Town Law.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilman Frohling, Holbrook, Welchman, Supervisor Mundt

NOES: none

ABSTENTION: Councilman Danko

(339) Councilman Holbrook offered 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 in the County of Rockland, New York, shall within ten days after the adoption by the Town Board of said Town, of the resolution entitled:

"Resolution of the Town of Clarkstown, New York adopted May 10 1965 approving the establishment of proposed Sewer District No. 21 in said Town and construction of a lateral sewer system therein and providing that such resolution shall be subject to permissive referendum."

cause to be published at least once in THE ROCKLAND COUNTY CITIZEN, the official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in at least five public places in the proposed Sewer District No. 21 in said Town of Clarkstown, a notice which shall set forth the date of adoption of said foregoing resolution and contain an abstract thereof concisely stating its purpose and effect

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

PLEASE TAKE NOTICE that on May 10, 1965, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a resolution entitled:

"Resolution of the Town of Clarkstown, New York adopted May 11, 1965 approving the establishment of proposed Sewer District No. 31 in said Town and construction of a lateral sewer system therein and providing that such resolution shall be subject to permissive referendum,"

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

FIRST: RECITING, that the Town Board of the Town of Clarkstown, New York has heretofore caused the preparation of a map, plan and report relating to the establishment of proposed Sewer District No. 21 in said Town, therein described and for the construction of a lateral sewer system therein, consisting of lateral sewers, submains and subtrunks tributary to the proposed Disposal District, pumping station and trunk sewer, and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been duly filed in the office of the Town Clerk of said Town for public inspection; that an order was adopted on November 9, 1964 reciting a description of the boundaries of said proposed Sewer District No. 21 in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, the proposed method of financing to be employed, the fact that a map plan and report describing the same are on file in the Town Clerk's office for public inspection, and specifying

the time and place of a public hearing to hear all persons interested in the subject thereof concerning the same; that copies of such order have been duly published and posted; and that such public hearing has been duly held on May 10, 1965 at the time and place specified;

SECOND: RESOLVING AND DETERMINING THAT (a) the notice of hearing was published and posted as required by law and is otherwise sufficient, (b) all the property and property owners within the proposed Sewer District No. 21, are benefited thereby (c) all property and property owners benefited are included within the limits of the proposed District and (d) that the establishment of such District is in the public interest;

THIRD: FURTHER RESOLVING AND DETERMINING that the establishment of such proposed Sewer District No. 21 be approved, that the proposed lateral sewer system shall be constructed therein; DESIGNATING such district as Sewer District No. 21, in the Town of Clarkstown, and DESCRIBING said District by metes and bounds;

FOURTH: RESOLVING that the maximum amount proposed to be expended for construction of said lateral sewer system is \$848,000 which is planned for to be financed by the issuance of serial bonds of said Town of Clarkstown to finance such cost and the assessment, levy and collection of special assessment upon the several lots and parcels of land in said Sewer District No. 21 which the Town Board shall deem especially benefited by said lateral sewer system so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair;

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

SIXTH: STATING that this resolution shall take effect 30 days after adoption unless within such period a petition shall be filed with the Town Clerk protesting against this resolution and requesting that it be submitted to the owners of taxable real property situate in said proposed Sewer District No. 21 at a referendum in the manner provided by the Town Law.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt

ABSTENTION: Councilman Danko

(340) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York has heretofore duly caused Nussbaumer, Clarke & Velzy, P E, consulting engineers duly licensed by the State of New York, to prepare a map, plan and report relating to the establishment of proposed Sewer District No. 22 in said Town of Clarkstown, as hereinafter described and for the construction of a lateral sewer system therein consisting of lateral sewers, submains and subtrunks tributary to the subtrunk extension along Main Street within existing Sewer District No. 10, and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been duly filed in the office of the Town Clerk of said Town for public inspection and

WHEREAS, pursuant to resolution duly adopted on March 22, 1965 said Town Board determined to proceed with the establishment of said proposed Sewer District No. 22 and the construction of such lateral sewer system therein and adopted an order reciting a description of the boundaries of said proposed Sewer District No. 22 in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, including acquisition of necessary land and easements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying May 10, 1965 at 8:30 o'clock PM (DST) as the time when and the Town Hall, 10 Maple Avenue New City, in said Town as the place where, the said Town Board would meet to consider establishment of said proposed Sewer District No. 22 and the construction of a lateral sewer system therein, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of said Town Board in relation thereto, as may be required by Law; and

WHEREAS, certified copies of such order were duly published and posted pursuant to the provisions of Article 12 A of the Town Law; and

WHEREAS, a public hearing in the matter was duly held by said Town Board on this 10th day of May 1965, commencing at 8:30 PM (DST) at said Town Hall, at which all interested persons desiring to be heard were heard including those in favor of, and those opposed to, the establishment of said proposed Sewer District No. 22 and construction therein of such lateral sewer system; now therefore, upon the evidence adduced at such public hearing, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK AS FOLLOWS:

Section 1. It is hereby determined that

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

(b) all the property and property owners included within the proposed Sewer District No. 22 hereinabove referred to in the recitals hereof are benefited thereby;

(c) all the property and property owners benefited are included within the limits of said proposed Sewer District No. 22; and

(d) it is in the public interest to establish and said proposed Sewer District No. 22

Section 2. The establishment of said proposed Sewer District No. 22 is hereby approved as hereinafter described and the proposed lateral sewer system therein shall be constructed as setsforth in the said order calling the public hearing including acquisition of the necessary lands and easements and said sewer district shall be designated and known as Sewer District No. 22 in the Town of Clarkstown, situate wholly outside of any incorporated village or city, and shall be bounded and described as follows:

ALL the map, block and lot numbers herein mentioned or described refer to the tax maps of the Town of Clarkstown, Rockland County, New York for the year 1964 on file in the Town Assessor's office located in the Town Hall, 10 Maple Avenue, New City, New York.

Easterly Boundary

Beginning at a point on the boundary line of existing Sewer District No. 19 which point is the southeasterly corner of lot 37 B 114; thence northerly along the easterly side of lots 37 B 114, 115, 116, and 117 to the southwesterly corner of lot 37 B 123; thence easterly along the southerly side of lots 37 B 123, 124 and 125 to the southeasterly corner of said lot 125, which point is on the westerly boundary line of existing Sewer District No. 19; thence northerly along the westerly boundary line of existing Sewer District No. 19 to a point where it intersects the southerly boundary of existing Sewer District No. 10 which point is the northwesterly corner of lot 56 B 9, thence westerly along the southerly boundary of existing Sewer District No. 10 to the southwesterly corner of lot 56 B 8; thence northerly along the westerly boundary of existing Sewer District No. 10 to a point where it intersects the northerly side of lot 57 G 10, which point is the southeasterly corner of lot 57 G 8;

Northerly Boundary

thence westerly along the northerly side of lot 57 G 10 to the northwesterly corner of said lot 10; thence southerly along the westerly side of said lot 10 to the southwesterly corner of said lot 10, which point is on the northerly side of lot 57 G 16; thence westerly along the northerly side of said lot 16 and the northerly side of lots 38 A 2, 3.21, 3.20, 15.42, 15.34, 15.33 15.32, 15.31 and 15.30 to the northwesterly corner of said lot 15.30 at Little

Tor Road; thence continuing westerly in a straight line projected from the northerly side of lot 38 A 15.30 to a point where said line intersects the center line of Little Tor Road; thence northerly along the center line of Little Tor Road to its intersection with the centerline of Old Hempstead Road, which point is on the southerly boundary line of existing Sewer District No. 18; thence in a westerly and northerly direction along the boundary line of existing Sewer District No. 17 to a point where it intersects a straight line projected from the northerly side of lot 39 B 27.06; thence westerly along said line, crossing lot 39 B 3, to the northeasterly corner of lot 39 B 27.06, which point is on the southerly boundary line of existing Sewer District No. 18; thence westerly along the boundary line of existing Sewer District No. 18 to a point where it intersects a straight line projected from the westerly side of lot 39 B 18;

Westerly Boundary

thence southerly along the boundary line of existing Sewer District No. 18 to a point where it intersects the southerly side of lot 38 B 4; thence easterly along the southerly side of said lot 4 and lots 38 B 4.07, 4.06, 4.05, 4.04, 4.03, and 4.02 to a point on the southerly side of said lot 4.02 which point is 28 feet from the southeasterly corner of said lot 4.02; thence southerly along a line drawn parallel with the easterly side of lots 38 B 5 and 37 C 1, crossing said lots 38 B 5 and 37 C 1, to the northwesterly corner of lot 37 C 1.01; thence southerly along the westerly side of said lot 1.01 to the southwest corner of said lot 1.01; thence southwest in a straight line crossing lots 37 C 1, 2, and 3 to the northwesterly corner of lot 37 C 4; thence southerly along the westerly side of said lot 4 to a point which is the northeasterly corner of lot 37 C 12; thence in a westerly direction along the northerly side of said lot 12 to the northwesterly corner of said lot 12; thence southerly along the westerly side of lots 37 C 12, 34, 35, 35, to a point on the westerly side of said lot 35, which point is the southeasterly corner of lot 37 C 55 thence westerly along the southerly side of said lot 55 to the northwesterly corner of lot 37 C 37; thence southerly along the westerly side of said lot 37 to a point where it intersects the northerly side of said lot 37 C 52; thence westerly along the northerly side of said lot 37 C 52 to the northwesterly corner of said lot 52; thence southerly along the westerly side of lot 37 C 52 and 39 to the southwest corner of said lot 39 to a point where it intersects the westerly side of lot 37 C 40; thence southerly along the westerly side of lots 37 C 40, 41, 42, 43, 44, and 45 to the southwest corner of said lot 45 at Red Hill Road; thence easterly along the southerly side of said lot 45 to a point where it intersects a straight line projected from the easterly line of lot 37 E 3.02 northerly across Red Hill Road thence southerly along said line to the northeasterly corner of said lot 3.02 thence southerly along the easterly side of said lot 3.02 to the southeasterly corner of said lot 3.02

Southerly Boundary

thence easterly along a straight line projected from the southerly side of lot 37 E 3.02 crossing lot 37 E 2 to a point where it intersects the center line of Little Tor Road; thence northerly along the center line of Little Tor Road to a point where it intersects a straight line projected from the southerly side of lot 37 B 7; thence easterly along said line to the southwesterly corner of lot 37 B 7; thence easterly along the southerly side of lots 37 B 7, 9.01, 9,10,11,12,13,14,15,16,17,18 and 19 to a point where it intersects the boundary line of existing Sewer District No. 19; thence easterly along said boundary line of existing Sewer District No. 19 to a point on the boundary line of existing Sewer District No. 19, which point is the southeasterly corner of lot 37 B 14, the point of beginning.

Section 3. The maximum amount proposed to be expended for the construction of said lateral sewer system consisting of lateral sewers, submains and subtrunks tributary to the subtrunk extension along Main Street within existing Sewer District No. 10, including manholes, house connection stubs brought to the curbs, acquisition of land and rights in land and original equipment, machinery and apparatus, is \$780,000 which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown and the assessment, levy and collection of special assessments upon the several lots and parcels of land in said proposed Sewer District No. 22 which the Town Board shall deem especially benefitted by said lateral sewer system so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair.

Section 4. The Town Clerk of said Town of Clarkstown is hereby authorized and directed within ten days after the adoption of the resolution to file certified copies of the resolution, in duplicate in the office of the State Department of Audit and Control at Albany, together with an application by said Town Board, in duplicated, for permission to establish said Sewer District No. 22 in the Town of Clarkstown, as herein described, pursuant to the provisions of said Town Law, and that such application shall be executed and verified by and in behalf of said Town Board by the Supervisor of the Town.

Section 5. This resolution shall take effect thirty days after its adoption unless there shall be filed with the Town Clerk a petition signed and acknowledged by the owners of taxable real property situate in the proposed District, as shown upon the latest completed assessment roll of said Town, in number equal to at least five per cent of the total number of such owners, or by one hundred of such owners, whichever is the lesser protesting against this resolution and requesting that the matter be submitted to the owners of taxable real property situate in said proposed District at a referendum in the manner provided by the Town Law.

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Seconded by Councilman Welchman

On roll call the vote was as follows:

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

NOES: None

(341) Councilman Frohling offered the following resolution:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

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

"Resolution of the Town of Clarkstown, New York, adopted May 10, 1965, approving the establishment of proposed Sewer District No 22 in said Town and construction of a lateral sewer system therein and providing that such resolution shall be subject to permissive referendum. & cause to be published at least one in "THE ROCKLAND COUNTY CITIZEN", the official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in at least five public places in the proposed Sewer District No. 22 in said Town of Clarkstown, a notice which shall set forth the date of adoption of said foregoing resolution and contain an abstract thereof concisely stating its purpose and effect.

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

PLEASE TAKE NOTICE that on May 10, 1965 the Town Board of the Town of Clarkstown in the County of Rockland, New York adopted a resolution entitled:

" resolution of the Town of Clarkstown, New York, adopted May 10, 1965 approving the establishment of proposed Sewer District No. 22 in said Town and construction of a lateral sewer system therein and providing that such resolution be subject to permissive referendum" an abstract of such resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: RECITING that the Town Board of the Town of Clarkstown, New York has heretofore duly caused the preparation of a map, plan and report relating to the establishment of proposed Sewer District No. 22 in said Town, therein described and for the construction of a lateral sewer system therein, consisting of lateral sewers, submains and subtrunks tributary to the subtrunk extension along Main Street within existing Sewer District No. 10 and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been duly filed in the office of the Town Clerk of said Town for public inspection; that an order was adopted on November 9, 1964, reciting a description of the boundaries of said proposed Sewer District No. 22 in a manner sufficient to identify the lands included therein as in a deed of conveyance,

the improvements proposed, the proposed method of financing to be employed the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection, and specifying the time and place of a public hearing to hear all persons interested in the subject thereof concerning the same; that copies of such order have been duly published and posted and that such public hearing has been duly held on May 10, 1965 at the time and place specified.

SECOND: RESOLVING AND DETERMINING THAT (a) the notice of hearing was published and posted as required by law and is otherwise sufficient, (b) all the property and property owners within the proposed Sewer District No. 22 are benefited thereby, (c) all property and property owners benefited are included within the limits of the proposed District and (d) that the establishment of such District is in the public interest;

THIRD: FURTHER RESOLVING AND DETERMINING that the establishment of such proposed Sewer District No. 22 be approved that the proposed lateral sewer system shall be constructed therein; DESIGNATING such district as Sewer District No. 22 in the Town of Clarkstown and DESCRIBING said District by metes and bounds;

FOURTH: RESOLVING that the maximum amount proposed to be expended for construction of said lateral sewer system is \$780,000 which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown to finance such cost and the assessment, levy and collection of special assessments upon the several lots and parcels of land in said Sewer District No. 22 which the Town Board shall deem especially benefited by said lateral sewer system so much upon and from each as shall be in just proportion to the amount of benefit upon which the improvement shall confer upon the same and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair;

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

SIXTH: STATING that this resolution shall take effect 30 days after adoption unless within such period a petition shall be filed with the Town Clerk protesting against this resolution and requesting that it be submitted to the owners of taxable real property situate in said proposed Sewer District No. 22 at a referendum in the manner provided by the Town Law.

By order of the Town Board of the Town of Clarkstown, in the County of Rockland, New York.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

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On roll call the vote was as follows:

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

NOES: None

(342) Councilman Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York has heretofore duly caused Nussbaumer, Clarke & Velzy, P E, consulting engineers duly licensed by the State of New York, to prepare a map, plan and report relating to the establishment of proposed Sewer District No. 23, in said Town of Clarkstown, as hereinafter described and for the construction of a lateral sewer system therein consisting of lateral sewers, submains and force mains tributary to the subtrunk extended south from Glenside Drive within existing Sewer District No. 19 and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been duly filed in the office of the Town Clerk of said Town for public inspection; and

WHEREAS, pursuant to resolution duly adopted on March 22, 1965 said Town Board determined to proceed with the establishment of said proposed Sewer District No. 23 and the construction of such lateral sewer system therein and adopted an order reciting a description of the boundaries of said proposed Sewer District No. 23 in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, including acquisition of necessary land and easements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying May 10, 1965 at 8:45 o'clock P M (DST) as the time when, and the Town Hall, 10 Maple Avenue, New City, in said Town, as the place where, the said Town Board would meet to consider establishment of said proposed Sewer District No. 23 and the construction of a later sewer system therein, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the said Town Board in relation thereto, as may be required by law; and

WHEREAS, certified copies of such order were duly published and posted pursuant to the provisions of Article 12 A of the Town Law; and

WHEREAS, a public hearing in the matter was duly held by said Town Board on this 10 day of May, 1965, commencing at 8:45 P M (EST) at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the establishment of said proposed Sewer District No. 23, and construction therein of such lateral sewer system;

now, therefore, upon the evidence adduced at such public hearing, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKTOWN IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

Section 1. It is hereby determined that

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

(b) all the property and property owners included within the proposed Sewer District No. 23 hereinabove referred to in the recitals hereof are benefited thereby;

(c) all the property and property owners benefited are included within the limits of said proposed Sewer District No. 23; and

(d) it is in the public interest to establish said proposed Sewer District No. 23

Section 2. The establishment of said proposed Sewer District No. 23 is hereby approved as hereinafter described and the proposed lateral sewer system therein shall be constructed as set forth in the said orders : calling the public hearing including acquisition of the necessary lands and easements and said sewer district shall be designated and known as Sewer District No. 23, in the Town of Clarkstown, situate wholly outside of any incorporated village or city, and shall be bounded and described as follows:

ALL the map, block and lot numbers herein mentioned or described, refer to the tax maps of the Town of Clarkstown, Rockland County, New York, for the year 1964 on file in the Town Assessor's office located in the Town Hall, 10 Maple Avenue, New City, New York.

Easterly Boundary

Begging at a point on the easterly side of lot 54 A 1, which point is 250 feet measured southerly along the easterly side of said lot 1 from the northeasterly corner of said lot 1; thence northerly along the easterly side of said lot 1 to the northeasterly corner of said lot 1 at Parrot Road; thence northerly in a straight line projected from the easterly side of said lot 1 across Parrott Road to a point on the southerly side of lot 55 A 2 ; thence easterly and northerly along the southerly and easterly sides of said lot 2 to the southeasterly corner of lot 55 A 5; thence westerly along the southerly side of said lot 5 to the southwesterly corner of said lot 5; thence northerly along the westerly side of lots 55 A 5 and 4 to the northwesterly corner of said lot 4; thence easterly along the northerly side of said lot 4 to the southwesterly corner of lot 75 A 15; thence northerly along the westerly side of lots 75 A 15 and 17 to the northwesterly corner of said lot 17; thence northerly in a straight line across lots 75 A 18 and 19 to the southeasterly corner of lot 65A 1 thence northerly along the easterly side of said lot 1 to the northeasterly corner of said lot 1 at Laurel Road; thence

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continuing northerly across Laurel Road to the southeasterly corner of lot 76 A 8; thence in a northerly direction along the easterly corner of said lot 8 to the northeasterly direction of said lot 8, said point is on the southerly boundary of existing Sewage District No. 19;

Northerly Boundary

THENCE westerly along the southerly boundary of existing Sewage District No. 19 to the northwesterly corner of Lot 76 A 10;

Westerly Boundary

thence in a southerly and westerly direction continuing along the southerly boundary of existing Sewage District No. 19 to the southwesterly corner of lot 36 2 E 2, which point is on the northerly side of lot 36 2 E 4 13; and 4.12 to the northwesterly corner of said lot 4.12 at Overlook Road; thence continuing in a westerly direction across Overlook Road to the northeasterly corner of lot 32 2 E 4.10; thence westerly along the northerly side of said lot 4.10 to the northwesterly corner of said lot 4.01 thence southerly along the westerly side of lots 32-2-E 4.10.4.09.4.08.4.07. 4.06 and 35 1 A 3 to the southwesterly corner of said lot 3 at Church Rd thence in a southwesterly along the side of lots 35 1 A 6 and 7.01 to the southwesterly corner of said lot 7.01;

Southerly Boundary

thence easterly along the southerly side of said lot 7.01 to the southeasterly corner of said lot 7.01 at New York State Route 304; thence in a southeasterly direction across New York State Route 304 to a point on the westerly side of lot 35 1 A 11, which point is 150 feet measured southerly along the westerly side of said lot 11 from the northwesterly corner of said lot 11; thence easterly in a straight line from said point on the westerly side of said lot 11 to a point on the westerly side of said lot 11 to a point on the easterly side of said lot 11, which point is 150 feet measured southerly along the easterly side of said lot 11 from the northeasterly corner of said lot 11; thence northerly along the easterly side of lots 35 1 A 11, 10.01, 10, 9, and 8 to the northeasterly corner of said lot 8; thence continuing northerly in a straight line projected from the easterly side of said lot 8 across lot 54 A 9.06 to a point 250 feet measured in a southerly direction along said projected line from the southerly right of way of Germonds Rd; thence easterly in a straight line parallel to the southerly right of way of Germonds Road and Parrot Road, which line is 250 feet measured in a southerly direction from the southerly right of way of Germonds Road, lots 54 A 12, 13, 14, 1.01 and 1 to a point on the easterly side of said lot 1, which point is 250 ft measured southerly along the easterly side of said lot 1 from the northeasterly corner of said lot 1, the point of beginning.

Section 3. d The maximum amount proposed to be expended for the construction of said lateral sewer system consisting of lateral sewers, submains and force mains tributary to the subtrunk extended south from Glenside Avenue within

existing Sewer District No. 19, including manholes, house connection stubs brought to the curbs, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, is \$535,000, which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown and the assessment levy and collection of special assessments upon the several lots and parcels of land in said proposed Sewer District No. 23 which the Town Board shall deem especially benefited by said lateral sewer system so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair.

Section 4. The Town Clerk of said Town of Clarkstown is hereby authorized and directed within ten days after the adoption of the resolution to file certified copies of this resolution, in duplicate, in the office of the State Department of Audit and Control at Albany, New York, together with an application by said Town Board, in duplicate, for permission to establish said Sewer District No. 23, in the Town of Clarkstown as herein described, pursuant to the provisions of said Town Law, and that such application shall be executed and verified by and in behalf of said Town Board by the Supervisor of the Town,.

Section 5. This resolution shall take effect thirty days after its adoption, unless there shall be filed with the Town Clerk a petition signed and acknowledged by the owners of taxable real property situate in the proposed District, as shown upon the latest completed assessment roll of said Town, in number equal to at least five per cent of the total number of such owners, or by one hundred of such owners, or whichever is the lesser, protesting against this resolution and requesting that the matter be submitted to the owners of taxable real property situate in said proposed District at a referendum, in the manner provided by the Town Law.

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

NOES: None

(343) Councilman Holbrook offered 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, in the County of Rockland, New York, shall, within ten days after the adoption by the Town Board of said Town, of the resolution entitled:

" Resolution of the Town of Clarkstown, New York, adopted May 10, 1965, approving

the establishment of proposed Sewer District No. 23 in said Town and construction of a lateral sewer system therein and providing that such resolution shall be subject to permissive referendum"

cause to be published at least once in "THE ROCKLAND COUNTY CITIZEN", the official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in at least five public places in the proposed Sewer District No. 23 in said Town of Clarkstown, a notice which shall set forth the date of adoption of said foregoing resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. Said Notice shall be in substantially the following form: PLEASE TAKE NOTICE, that on May 10, 1965 the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a resolution entitled:

" Resolution of the Town of Clarkstown, New York, adopted May 10, 1965 approving the establishment of proposed Sewer District No. 23 in said Town and construction of a lateral sewer system therein and providing that such resolution be subject to permissive referendum," an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: RECITING that the Town Board of the Town of Clarkstown, New York has heretofore duly caused the preparation of a map, plan and report relating to the establishment of proposed Sewer District No. 23 in said Town, therein described and for the construction of a lateral sewer system, therein, consisting of lateral sewers, submains and force main tributary to the subtrunk extended south from Glenside Drive within existing Sewer District No. 19, and has duly appropriated a specific amount to pay the cost thereof, which map plan and report have been duly filed in the office of the Town Clerk of said Town for public inspection; that an order was adopted November 9, 1964, reciting a description of the boundaries of said proposed Sewer District No. 23 in a manner sufficient to identify the lands included therein as in a deed of conveyance the improvements proposed, the maximum amount proposed to be expended for such improvements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection, and specifying the time and place of a public hearing to hear all persons interested in the subject thereof concerning the same; the copies of such order have been duly published and posted; and that such public hearing has been duly held on May 10, 1965 at the time and place specified;

SECOND: RESOLVING AND DETERMINING THAT (a) the notice of hearing was published and posted as required by law and is otherwise sufficient, (b) all the property and property owners within the proposed Sewer District No. 23 are benefited thereby, (c) all property and property owners benefited are included within the limits of the proposed District and (d) that the

establishment of such District is in the public interest;

THIRD: FURTHER RESOLVING AND DETERMINING that the establishment of such proposed Sewer District No. 23 be approved, that the proposed lateral sewer system shall be constructed therein; DESIGNATING such district as Sewer District No. 23 in the Town of Clarkstown, and DESCRIBING said District by metes and bounds;

FOURTH: RESOLVING that the maximum amount proposed to be expended for construction of said lateral sewer system is \$ 535,000 which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown to finance such cost and the assessment, levy and collection of special assessments upon the several lots and parcels of land in said Sewer District No. 23 which the Town Board shall deem especially benefited by said later sewer system so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair;

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

SIXTH: STATING that this resolution shall take effect 30 days after adoption unless within such period a petition shall be filed with the Town Clerk protesting against this resolution and requesting that it be submitted to the owners of taxable real property situate in said proposed Sewer District No. 23 at a referendum in the manner provided by the Town Law.

By order of the Town Board of the Town of Clarkstown, in the County of Rockland, New York

Dated: May 10, 1965

Anne E O Connor
Town Clerk

Section 3. This resolution shall take effect immediately.

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

NOES: None

(344) Councilman Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland New York, has heretofore duly caused Nussbaumer, Clarke & Velzy, P E, consulting engineers duly licensed by the State of New York, to prepare a map, plan and report relating to the establishment of proposed Sewer District No. 24, in said Town of Clarkstown, as hereinafter described and for the construction of a lateral sewer system therein consisting of lateral sewers, submains and forcemains tributary to the proposed Disposal Trunk, and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been duly filed in the office of the Town Clerk of said Town for public inspection; and

WHEREAS, pursuant to resolution duly adopted on March 22, 1965, said Town Board determined to proceed with the establishment of said proposed Sewer District No. 24 and the construction of such lateral sewer system therein and adopted an order reciting a description of the boundaries of said proposed Sewer District No. 24 and in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, including acquisition of necessary land and easements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying May 10, 1965, at 9:00 o'clock PM (DST) as the time when, and the Town Hall, 10 Maple Avenue, New City, In said Town, as the place where, the said Town Board would meet to consider establishment of said proposed Sewer District No. 24 and the construction of a lateral sewer system therein, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of said Town Board in relation thereto, as may be required by Law; and

WHEREAS, certified copies of such order were duly published and posted pursuant to the provisions of Article 12 A of the Town Law; and

WHEREAS, a public hearing in the matter was duly held by said Town Board on this 10th day of May, 1965, commencing at 9:00 o'clock P.M. (DST) at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the establishment of said proposed Sewer District No. 24 and construction therein of such lateral sewer system;

now, therefore, upon the evidence adduced at such public hearing be it

RESOLVED, BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

Section 1. It is hereby determined that

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

(b) all the property and preoprty owners included within the proposed Sewer District No. 23 hereinabove referred to in therecitals hereof are benefited thereby;

(c) all the property and preoperty owners benefited are included within the limits of said proposed Sewer District No. 24; and

(d) it is in the public interest to establish said proposed Sewer District No. 24

Section 2. The establishment of said proposed Sewer District No. 24 is hereby approved as hereinafter descsribed and the proposed lateral sewer system therein shall be constructed as set forth in the said order calling the public hearing including acquisition of the necessary lands and easements and said sewer district shall be designated and known as Sewer District Nok.24 in the Town of Clarkstown, situate wholly outside of any incorporated village or city, and shall be bounded and described as follows:

All the map, block and lot numbers heein mentioned or described refer to the tax maps of the Town of Clarkstown, Rockland County, New York, for the year 1964 on file in the T own Assessor's office located in the Town Hall, 10 Maple Avenue, New Cityl New York.

Easterly boundary

Beginning at a point on the southerly side of lot 31 A 18, which point is the northeasterly corner of lot 30 A 26; thence northerly in a straight line crossing lot 31 A 18 to a point on the northerly side of sdaid lot 18, which point is the southwesterly corner of lot 31 A 16; thence northerly along the westerly side of said lot 16 to the southeasterly corner of lot 31 A 19; thence northerly along the easterly side of said lot 19 to its intersectionn with the southerly most side of lot 31 AS 26; thence easterly along the southerly most side of said lot 26 to the southeasterly corner of said lot 26; thence northerly along the easterly side of said lot 26 and lots 32 A 21 and 22 to the northeasterly corner of said lot 22, which point is on the southerly side of lot 32 1 A 23; thence easterly along the southerly side of said lot 23 to the southeasterly corner of said lot 23; thence northerly along the easterly side of said lot 23 to the northeassterly corner of said lot 23, which point is on the southerly side of lot 32 1 A 25; thence easterly along the southerly side of said lot 25 to a point where it intersects the southerly side of the right of way of Route 59 and the north-erly side of said lot 25;

Northerly Boundary

THENCE westerly along the northerly side of lot 32 1 A 25 to the northwesterly corner of said lot 25 at Smith Street; thence continuing westerly across Smith Street to the northeasterly corner of lot 32 2 B 6; thence westerly along the northerly side of said lot 6 and lots 32 2 B 18 and 85.07 to the northeasterly corner of lot 32 2 B 19; thence conitnuing westerly along the northeasterly

side of said lot 19 at First Street; thence continuing westerly across First Street to the northeasterly corner of lot 32 2 B 109; thence westerly along the northerly side of said lot 109 and lot 32 2 B 85 to the northwesterly corner of said lot 85, which point is on the boundary line of existing Sewer District No. 17;

Westerly Boundary

thence southerly along the boundary line of existing Sewer District No. 17 to the southwesterly corner of lot 32 2 B 86.01; thence easterly along the southerly side of said lot 86.01 to the southeasterly corner of said lot 86.01, which point is on the westerly side of lot 32 2 B 19; thence southerly along the westerly side of said lot 19 to its intersection with the northerly side of lot 32 2 B 77, which point is the northeasterly corner of said lot 77 at Pierce Street; thence westerly along the northerly side of lots 32 2 B 77 and 76 to the northwesterly corner of said lot 76; thence southerly along the westerly side of said lot 76 to its intersection with the northerly side of lot 32 2 B 75, which point is the northeasterly side of said lot 75; thence westerly along the northerly side of lots 32 2 B 75 and 74 to a point on the northerly side of said lot 74 where it intersects the boundary line of existing Sewer District No. 17; thence westerly and southerly along the boundary line of existing Sewer District No. 17 to the southwesterly corners of lot 31 A 18;

Southerly Boundary

thence easterly along the southerly line of lot 31 A 18 to a point on the southerly side of said lot 181, which point is the northeasterly corner of lot 30 A 26, the point of beginning.

Section 3. The maximum amount proposed to be expended for the construction of said lateral sewer system consisting of lateral sewers, submains and for mains tributary to the proposed Disposal Trunk, including manholes, house connection stubs brought to the curbs, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, is \$ 168,000 which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown and the assessment, levy and collection of special assessments upon the several lots and parcels of land in said proposed Sewer District No. 25 which the Town Board shall deem especially benefited by said lateral sewer system so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair.

Section 4. The Town Clerk of the Town of Clarkstown is hereby authorized and directed within ten days after the adoption of the resolution, to file certified copies of this resolution, in duplicate in the office of the State Department of Audit and Control at Albany, New York, together with an application by

said Town Board, in duplicate, for permission to establish said Sewer District No. 24 in the Town of Clarkstown, as herein described, pursuant to the provisions of said Town Law, and that such application shall be executed and verified by and in behalf of said Town Board by the Supervisor of the Town.

Section 5. This resolution shall take effect thirty days after its adoption, unless there shall be filed with the Town Clerk a petition signed and acknowledged by the owners of taxable real property situate in the proposed District, as shown upon the latest completed assessment roll of said Town, in number equal to at least five per cent of the total number of such owners, or by one hundred of such owners, whichever is the lesser, protesting against this resolution and requesting that the matter be submitted to the owners of taxable real property situate in said proposed District at a referendum, in the manner provided by the Town Law.

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

NOES: None

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

" Resolution of the Town of Clarkstown, New York, adopted May 10, 1965, approving the establishment of proposed Sewer District No. 24 in said Town and construction of a lateral sewer system therein and providing that such resolution shall be subject to permissive referendum."

cause to be published at least once in THE ROCKLAND COUNTY CITIZEN, the official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in at least five public places in the proposed Sewer District No. 24 in said Town of Clarkstown, a notice which shall set forth the date of adoption of said foregoing resolution and contain an abstract thereof concisely stating its purpose and effect.

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

PLEASE TAKE NOTICE that on May 10, 1965 the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a resolution entitled:

" Resolution of the Town of Clarkstown, New York, adopted May 10, 1965, approving the establishment of Sewer District No. 24 in said Town and construction of a lateral sewer system therein and providing that such resolution shall be subject to permissive referendum," an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: RECITING that the Town Board of the Town of Clarkstown, New York, has heretofore duly caused the preparation of a map, plan and report relating to the establishment of proposed Sewer District No. 24 in said Town, therein described and for the construction of a lateral sewer system therein, consisting of lateral sewers, submains and force mains tributary to the proposed Disposal Trunk, and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been duly filed in the office of the Town Clerk of said Town for public inspection; that an order was adopted on November 9, 1964, reciting a description of the boundaries of said proposed Sewer District No. 24 in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed the maximum amount proposed to be expended for such improvements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying the time and place of a public hearing to hear all persons interested in the subject thereof concerning the same; that copies of such order have been duly published and posted; and that such public hearing has been duly held on May 10, 1965 at the time and place specified;

SECOND: RESOLVING AND DETERMINING THAT (a) the notice of hearing was published and posted as required by law and is otherwise sufficient, (b) all the property and property owners within the proposed Sewer District No. 24 are benefited thereby, (c) all property and property owners benefited are included within the limits of the proposed District and (d) that the establishment of such District is in the public interest;

THIRD: FURTHER RESOLVING AND DETERMINING that the establishment of such proposed Sewer District No. 24 be approved, that the proposed lateral sewer system shall be constructed therein; DESIGNATING such district as Sewer District No. 24, in the Town of Clarkstown, and DESCRIBING said District by metes and bounds;

FOURTH: RESOLVING that the maximum amount proposed to be expended for construction of said lateral sewer system is \$168,000 which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown to finance such cost and the assessment, levy and collection of special assessments upon the several lots and parcels of land in said Sewer District no. 24 which the Town Board shall deem especially benefited by said lateral sewer system so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of sewer rents pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair.

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

SIXTH: Stating that this resolution shall take effect 30 days after adoption unless within such period a petition shall be filed with the Town Clerk protesting against this resolution and requesting that it be submitted to the owners of taxable real property situate in said proposed Sewer District No. 24 at a referendum in the manner provided by the Town Law.

By order of the Town Board of the Town of Clarkstown, in the County of Rockland, New York.

Section 3. This resolution shall take effect immediately.

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

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

NOES: None

(346) Councilman Welchman offered the following resolution:

WHEREAS, ROCKLAND SUBDIVIDERS, LTD. 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 an RA¹-district to an R-22 district; and

WHEREAS, a public hearing was to have been held by the Town Board of the Town of Clarkstown on the 10th day of May, 1965, at 9:15 P.M. relative to such proposed amendment; and

WHEREAS, said public hearing was not held at that time;

NOW THEREFORE, BE IT

RESOLVED, that a public hearing pursuant to Section 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 14th day of June, 1965 at 9:45 PM, relative to such proposed amendment; and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the Journal News, a paper of general circulation in the Town of Clarkstown, as aforesaid and file proof thereof in the office of the said Clerk, and that the expense of said publication be borne by the petitioner.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

NOES: None

(347) Councilman Danko offered the following resolution:

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING will be hld by the Town Board of the Town of Clarkstown, Rockland County, New York, 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 14th day of June, 1965 at 9:30 PM to consider the application of GRAND ORCHARD REALTY for a change of zone by redistricting the property of of the applicatn from an RO district to an R 2 district. The said property which is the subject of the application is located on the west side of North Middletown Road, Nanuet, New York, in said Town and is described as follows:

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

BEGINNING at a point in the westerly line of North Middletown Road, where the same is intersected by the mutual boundary line between lands now or formerly of August Gerhrsmann and lands now or formerly of Charles Grando and A Bettina Grand, his wife and Anthonis Caserta also known as Antonio Caserto and running thence (1) South 4 degrees 24 minutes 10 seconds East, along the easterly side of North Middletown Road, a distance of 228.16 feet to a point thence (2) South 13 degrees 58 minutes 25 seconds west, still along the westerly side of North Middletown Road, a distance of 177 feet, more or less to a point at the northeasterly corner of lands now or formerly of Carl J Grando; thence (3) North 76 degrees 10 minutes 35 seconds West, partially along the southerly line of an existing easement and right of way 13 feet in width, and along the northerly line of lands now or formerly of Carl J Grando and the northerly line of lands now or formerly of Louis Miele, a distance of 260 feet to a point; thence (4) south 10 degrees 15 minutes 20 seconds west, along the westerly line of said lands now or formerly of Louis Miele, a distance of 158.35 feet to a point in the northerly line of lands now or formerly of the Norwegian Evangelical Church; thence (5) North 86 degrees 54 minutes 35 seconds West, partially the northerly line of said lands now or formerly of the Norwegian Evangelical Church and continuing along the northerly line of lands now or formerly of Sirum Corp. a distance of 650 feet more or less to a point in the easterly line of lands now or formerly of Thomas Regan; thence (6) North 4 degrees 03 minutes 40 seconds west, along the easterly line of said lands now or formerly of Regan, a distance of 374.80 feet to a point in the easterly line of an existing right of way of Orange and Rockland Utilities, Inc.; thence (7) North 37 degrees 55 minutes 00 seconds East, a distance of 162.45 feet to a point in the southerly line of said lands now or formerly of August Gehsmann; thence, along the southerly line of said lands now or formerly of August Gehsmann the following courses and distances (8) South 88 degrees 36

minutes 20 seconds East, 422.02 feet; (9) South 87 degrees 27 minutes 20 seconds East 105,63 feet; (10) South 86 degrees 48 minutes 50 seconds East, 207.24 feet (11) South 86 degrees 55 minutes East, 149. 12 feet to the point or place of beginning. All parties in interest and citizens will be heard by the Town Board at the public hearing to be held as aforesaid.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

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

NOES: None

(348) Councilman Danko offered the following resolution:

RESOLVED that decision on zone change application submitted by Philip R. Michaud (R-1 & RA-1 to C-2) be reserved.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

NOES: None

Robert Orth, Chairman of the Arch. Review Board requested that all exhibits in connection with the Michaud public hearing held this evening be submitted to said Board when and if said petition for zone change is granted by the Town Board. Town Board voiced their compliance.

Meeting scheduled for Wednesday, June 2, 1965 at 8:30 PM in the Supervisor's office re SITE REVIEW. Town Clerk will contact the following to be in attendance; Richard Burleigh, Mr. Lutz, Mr. Herdman, the Town Board, Town Attorney, Town Engineer and Planning Board members.

(349) Councilman Welchman offered the following resolution:

RESOLVED that the Town Engineer advertise for bids for Capral Lane Drainage Work, bids to be returnable on June 14, 1965 - 8:07 P(M).

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

NOES: None.

(350) Mr. F Roland appeared before Board re letters in connection with his request of total cost in connection with referendum on Highway Garage and Recreation facilities. Supervisor Mundt told Mr. Roland that all bills have not as yet been paid; but he will try to get figures.

Letter received from New City Business Men's Association stating their dissatisfaction with the commercial zone change granted MAK Development Copr. which permitted a shopping center complex and theatre to be erected on the site north of Congers Road and on the east side of existing Route 304. Town Clerk was instructed to write and indicate that letter they refer to (dated 8/25/64) was read at meeting and included in minutes of said public hearing.

(351) Councilman Welchman offered the following resolution:

RESOLVED that the Receiver of Taxes is hereby authorized to purchase 1 #1015 C B R C Allen Adder; trading in R C Allen Adder (Model 1015 C B) at net cost of \$200.00, same to be charged to REc. of Taxes Acct., office expense.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

NOES: None

Matter of bids for Heusted Lane - tabled for 5/24/64 Town Board meeting.

(352) Councilman Holbrook offered the following resolution:

RESOLVED that Harold E Aber, Sr is hereby authorized to attend the advanced course in Appraising for Tax Assessors at Cornell University the week of July 19, 1965, and that all actual and necessary expenses are to be made a proper Town Charge.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

NOES: None

(353) Councilman Welchman offered the following resolution:

RESOLVED that Gene Towell, of 460 Christian Herald Road, Valley Cottage, New York is hereby appointed to cut the grass at Valley Cottage plaza, at a salary of \$1.50 per hour, commencing May 1, 1965 through October 31, 1965.

Seconded By Councilman Danko.

ON roll call the vote was as follows:

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

NOES: None

(354) Councilman Holbrook offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to sign order authorizing Orange & Rockland Utitlites, Inc. to install 4-22,500 lu street light on Route 59 at the access roads from and to the Thruway and access to Pascack Road.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

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

NOES: None

(355) Councilman Holbrook offered the following resolution:

RESOLVED that the Town Clerk is hereby authorized to sign order authorizing Orange & Rockland Utilities, Inc. to install 5-1200 lu street lights on Kings Highway in Valley Cottage.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

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

NOES: None

(356) Councilman Holbrook offered the following resolution:

RESOLVED that the Town Clerk is hereby authorized to sign order authorizing Orange & R ockland Utilities, Inc. to install 1-4000 Lu street light and remove 1-1000 Lu street light on Pole #200, Second Avenue at Clinton Street at annual increased cost of \$16.44.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

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

NOES: None

(357) Councilman Frohling offered the following resolution:

WHEREAS, there are surplus funds in the accounts of Sewer District No. 4 in the amount of \$6,010.00, and

WHEREAS, the Town of Clarkstown is desirous of transferring said funds and appropriating the same for any lawful purpose of such district pursuant to Section 107 of the Town Law;

NOW THEREFORE, be it

RESOLVED, that said surplus funds in the amount of \$6,010.00 are hreby transferred from surplus in said Sewer District No. 4 to the operating account and the sum of \$6,000 is appropriated for the partial redemption of a bond anticipation note in hte original amount of \$10,000 held by the County Trust Company.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

NOES: None

(358) Councilman Frohling offered the following resolution:

WHEREAS, the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized, sold and issued its \$10000 Bond Anticipation Note for Increase and Improvement of Facilities of Sewer District No. 4 - 1965, and it is now desirable to redeem said Note to the extent of \$6,000 from a source other than the proceeds of the bonds in anticipation of which said Note has been issued;

now, therefore, be it

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

SECTION 1. The \$10,000 Bond Anticipation Note for Increase and Improvement of Facilities of Sewer District No. 4 1965 of the Town of Clarkstown, in the County of Rockland, New York, is hereby authorized to be redeemed on or before May 11, 1965 to the extent of \$6,000 from funds of said Town now available to said purpose said funds being a source other than the proceeds of the bonds in anticipation of which said Note was issued, and the said amount of \$6,000 is hereby appropriated therefor.

Section 2. This resolution shall take effect immediately.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

NOES: None

(359) Councilman Frohling offered the following resolution:

RESOLVED that Alice Weber, #32 Maple Avenue, West Nyack, N Y to position of Court Clerk to Justice of Peace at salary of \$3794.00 per annum, retroactive to and effective to May 3, 1965.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

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

NOES: None

(360) Councilman Holbrook offered the following resolution:

RESOLVED that one Town Board meeting be scheduled for July 19, 1965 and one Town Board meeting be scheduled for August 16, 1965.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

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

NOES: None

(361) Councilman Welchman offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has for some time been concerned with the lack of adequate sewerage facilities in the unincorporated area of said Town of Clarkstown, and said Town Board deems it to be in the public interest to consider the establishment of sewer districts in said area and to construct sewer systems therein, and

WHEREAS, the Town Board of the Town of Clarkstown adopted a resolution on July 6, 1962 authorizing and directing the preparation of a general map, plan and report for the establishment of sewer districts in portions of the Town of Clarkstown and authorized the Supervisor to accept an advance of \$88,000 from the United States of America and appropriated said amount for the preparation thereof, and

WHEREAS, the Town Board of the Town of Clarkstown adopted a resolution on April 13, 1964, authorizing and directing the preparation of a general map, plan and report for the establishment of sewer districts in portions of the Town of Clarkstown known as the Second Stage of construction and authorized the Supervisor to accept an advance of \$25,740 from the United States of America, and appropriated said amount for the preparation thereof, and

WHEREAS, said plan, map and reports have been and are in the process of being prepared, and

WHEREAS, the United States of America acting through the Housing and Home Finance Agency has agreed to advance \$34,400 to said Town to defray a portion of the cost of preparing a general map, plan and report for the establishment of sewer districts in said area;

NOW THEREFORE, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

Section 1. The Town Board of the Town of Clarkstown, in the County of Rockland, State of New York, hereby authorized and directs Nussbaumer, Clarke & Velzy P E, and Woodward, Clyde, Sherard & Assoc., P E, consulting engineers duly licensed by the State of New York, to prepare a general map, plan and report pursuant to the provisions of Article 12 A of the Town Law for the establishment

of sewer districts in the unincorporated area in said Town of Clarkstown, and construction of sewer systems in the Hamlets of New City and Neanuet, no part of any of said proposed districts to be included within the boundaries of any incorporated village, city or existing sewer district in which such facilities are provided.

Section 2. The Supervisor, the chief fiscal officer of said Town of Clarkstown, is hereby authorized to accept on behalf of said Town, the amount of \$34,400 which the United States of America, acting by and through the Housing and Home Finance Agency, has agreed to advance to said Town to defray a portion of the cost of the preparation of such general map, plan and report pursuant to Public Law 560, 83rd Congress of the United States, as amended.

Section 3. Said Town Board hereby appropriates the amount of \$34,400 to pay the cost thereof and incidental costs in connection therewith, including said amount of \$34,400 which the United States of America, acting by and through the Housing and Home Finance Agency, has agreed to advance to said Town, to be apportioned equally to each such district hereafter duly established pursuant to said report as finally approved by said Town Board and appropriate State and Federal regulatory bodies.

Section 4. This resolution shall take effect thirty days after its adoption unless within thirty days after its adoption there shall be filed with the Town Clerk in accordance with Article 7 of the Town Law, petition signed and acknowledged by electors of the Town of the number required by law, qualified to vote upon a proposition to raise and expend money, protesting against this resolution and requesting that it be submitted to the electors of the Town voting on a proposition for its approval at a referendum or election held in accordance with said Town Law.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

NOES: None

(362) Councilman Welchman offered the following resolution:

RESOLVED that Marcel L Deligny, Congers, N Y be employed to clean weeds and brush from the abandoned cemeteries of the Town of Clarkstown for an amount not to exceed \$500.00.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

NOES: None

(363) Councilman Welchman offered the following resolution:

WHEREAS, the Article 78 proceeding has been commenced against Paul Bailey, Assessor of the Town of Clarkstown, by Gilbert Ancowitz, Leonard Greenberg, Bernard Siegel, Bernard Hein and Irving A Satty;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is authorized to appear in said action and take all necessary steps to defend the same.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

NOES: None

(364) Councilman Welchman offered the following resolution:

RESOLVED that the application of JOSEPH P MC GINN for a change of zoning from an RA-1 district to an R-1 district on property located on the southwest corner of Sickletown Road and Foxwood Road in West Nyack, N Y be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.5222 of the Clarkstown Building Zone Ordinance.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

NOES: None

(365) Councilman Holbrook offered the following resolution:

WHEREAS, Janet M Seifried and Jamie H King brought an action against the Town of Clarkstown et al, and

WHEREAS, an order has been entered in the Appellate Division, Second Department, reversing the Order of Honorable Robert Doscher, dismissing the petition of the petitioners;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is authorized to appeal said decision and take all necessary steps to defend the Town of Clarkstown and the respondents in the said action; and he is further authorized to engage John L Radlein of New City, New York, as special counsel in connection with said appeal.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Supervisor Mundt.

NOES: Councilmen Danko, Welchman.

Motion carried.

(366) Councilman Frohling offered the following resolution:

RESOLVED that a public hearing be held with regard to official map of the Town of Clarkstown be held at the Town Hall, 10 Maple Avenue, New City, New York on June 14, 1965 at 8:40 P.M.

Seconded by Councilman Holbrook.

ON roll call the vote was as follows:

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

NOES: None

(367) Councilman Frohling offered the following resolution:

WHEREAS, an agreement was executed between the Town of Clarkstown and Seymour D Gurlitz and Henry Horowitz, dated November 2, 1964, for completion of schematic Design Phase in conjunction with the Town Building site;

NOW, THEREFORE BE IT RESOLVED, that the sum of \$4,370.00 be transferred from Current Surplus to Town Building Site; said funds being appropriated for payment pursuant to said agreement as aforesaid.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

NOES: None

Meeting will be held on June 2, 1964 at 8:00 P.M. Town Board and spokesman for scavengers, Mr. Moskoff to discuss removal of trash that accumulates around homes, trees, cuttings, etc, Town Clerk will notify Town Board and Mr. Moskoff of said meeting.

Town Board signed Order setting date of public hearing on extension of New City - West Nyack Water Supply District for premises in the vicinity of New Valley Road, Red Hill Road, Burda Lane and West Clarkstown Road - 6/21/65-9:15 P.M.

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland New York, has heretofore duly caused to be prepared, a general map, plan and report for the extension of the New City West Nyack Water Supply District, in said Town of Clarkstown, which 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 water supply district; and

WHEREAS, said proposed extension of the New City West Nyack Water Supply District is more particularly bounded and described in Schedule A attached and made a part hereof and

WHEREAS, the maximum amount proposed to be expended for the performance or supplying of services is \$100.00 annually for each fire hydrant installed, which said amount shall be raised by taxation in the proposed extension of said district pursuant to the Town Law.

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 21 day of June, 1965 at 9:15 o'clock P M to consider the proposed extension of said New City West Nyack Water Supply district 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 the said Town Board with relation thereto as may be required by law, and be it

ORDERED, that the Town Clerk publish at least once in THE COUNTY CITIZEN a newspaper published in New City, New York, and the official newspaper of said Town, and post on the sign board of said Town maintained pursuant to subdivision six of Section thirty of the Town Law and conspicuously in at least five public places within said proposed New City West Nyack Water Supply District, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than twenty days before the day designated herein for said public hearing as aforesaid.

TOWN BOARD OF THE TOWN OF CLARKSTOWN

S/ Paul F Mundt, Supervisor

S/ Philip J Frohling, Jr. Councilman

S/ Martin E Holbrook, Councilman

S/ Joseph Welchman, Councilman

S/ Stephen Danko, Councilman

Members of the Town Board of the Town of Clarkstown, New York.

Monthly Report April 1965 from Welfare Officer received and noted by Town Board. Filed in Town Clerk's office.

On resolution offered by Councilman Frohling, seconded by Councilman Danko, Town Board meeting was adjourned until 8:00 PM on 5/24/65, at which time the next regularly scheduled Town Board meeting will be held.

Signed,

Anne E O Connor

Town Clerk