

REGULAR TOWN BOARD MEETING

Town Hall

6/21/65

8:00 p.m.

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

Supervisor Mundt called Regular Town Board Meeting to order.

(479) Councilman Welchman offered the following resolution:

RESOLVED, that minutes of six (6) public hearings and regular Town Board Meeting held on 6/14/65; and minutes of Special Town Board Meeting held on 6/17/65 are hereby approved and accepted 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

Mrs. Glasser appeared before Board re drainage problem-Burda Avenue. Supervisor and Highway Superintendent to make site survey and inspection.

(480) Councilman Frohling offered the following resolution:

WHEREAS, the Earned Premium bill for Policy No A-025-9607 for the year December 31, 1963 to December 31, 1965, was \$2,224.07 more than estimated in the budget, now, therefore, be it

RESOLVED, that the Supervisor be and he is hereby authorized to transfer from CURRENT SURPLUS GENERAL to INSURANCE-COMPENSATION, the sum of \$2,224.07.

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

Letter received from Mrs. Helen F. Klein, Secretary-Treasurer of Valley Cottage Fire District thanking the Town Board for the prompt installation of the street lights between the Valley Cottage Fire House and Route 303.

(481) Councilman Holbrook offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to sign Hydrant Orders and sketches authorizing installation of one (1) hydrant on north side of Manette Lane, approximately 30 feet west of the west property line of Jacqueline Road; one (1) hydrant on north side of Fanwood Lane, approximately 50 feet east of the east property line of Brancheville Road; and one (1) hydrant on west side of Westfield Drive, approximately 380 feet south of the south property line of Fanwood Lane, Valley Cottage, N.Y.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

(482) Councilman Frohling offered the following resolution:

RESOLVED, that the Nanuet Chamber of Commerce be granted permission for the public display of fireworks, said fireworks to be displayed at the lower playing field of the Nanuet Junior-Senior High School in the Hamlet of Nanuet from approximately 9 P.M. until approximately 9:45 P.M. on July 4th, 1965; or July 5th, 1965 if such display is rained out.

Seconded by Councilman Welchman.

CCE312

On roll call the vote was as follows:

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

(483) Councilman Holbrook offered the following resolution:

RESOLVED, that Town Board meeting is hereby adjourned for the purpose of holding scheduled public hearings.

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

(484) Councilman Welchman offered the following resolution:

RESOLVED, that the Town Board meeting be resumed, scheduled public hearings having been held.

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

(485) Councilman Welchman offered the following resolution:

RESOLVED, that decision on zone change application made by MANNY APPELBAUM, (RA to RA-1, be reserved.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

(486) Councilman Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 10th day of May, 1965, provided for a public hearing on the 21st day of June 1965, at 8:30 P.M., to consider the application of JOSEPH M. FINKELSTEIN, ROSLYN G. FINKELSTEIN and SEEVE MANAGEMENT CORPORATION to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an RO district to a C-2 district; and

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

NOW THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an RO district to a C-2 district, the following described property in the Hamlet of 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 Town of Clarkstown, County of Rockland and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point in the north side of Old Nyack Turnpike, said point being distant 550 feet, more or less westerly from the intersection of the south side of Route 59 and the north side of Old Nyack Turnpike; running thence North 2° 20' West 120 feet to a point; thence south 85° 20' West 120 feet to a point; thence North 2° 20' West 4.33 feet to a point; thence South 86° 40' West 131.06 feet to a point; thence North 0° 40' West 250 feet, more or less, to lands now or formerly of Paintville; thence South 85° 10' West 213 feet, more or less, to lands now or formerly of Shukat; thence along said lands south 6° 01' 40" East 376.5 feet, more or less, to the north side of Old Nyack Turnpike; thence along the north side of Old Nyack Turnpike North 85° 20' East 430.46 feet to the point or place of beginning.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

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

(487) Councilman Frohling offered the following resolution:

RESOLVED, that decision on Special Permit application made by San Char Homes, Inc. for erection of gas filling station on east side of Route 9W, Congers, N.Y. be reserved.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

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

(488) Councilman Welchman offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown in the County of Rockland, State of New York, State of New York, has heretofore duly caused a general map, and report relating to the proposed extension of the New City-West Nyack Water Supply District in said Town of Clarkstown, as hereafter described, and 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 May 10, 1965, said Town Board determined to proceed with the establishment of said proposed extension of the New City-West Nyack Water Supply District and adopted an order reciting a description of the boundaries of said proposed extension 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 the performance or supplying of services and 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 June 21, 1965, at 9:15 o'clock P.M. 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 the proposed extension of said New City-West Nyack Water Supply

District and the supplying of services 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, 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 21st day of June, 1965, commencing at 9:15 o'clock P.M. 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 extension of the New City-West Nyack Water Supply District and the performance or supplying of services therein;

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 extension of the New City-West Nyack Water Supply District hereinabove referred to are benefited thereby;

(c) all the property and property owners benefited are included within the limits of said proposed extension of New City-West Nyack Water Supply District; and,

(d) it is in the public interest to establish said proposed extension of the New City-West Nyack Water Supply District

Section 2. The proposed extension of New City-West Nyack Water Supply District is hereby approved as hereinafter described and the supplying of services as set forth in said order calling the public hearing shall be rendered, said proposed extension of the New City-West Nyack Water Supply District being wholly outside of any village or city and being bounded and described in Schedule A attached hereto and made a part hereof.

Section 3. The maximum amount proposed to be expended for the performance or supply of services in said proposed extension is \$100 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.

Section 4. 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 extension, as shown on the latest completed assessment roll of said Town, in a 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 the matter be submitted to the owners of taxable real property situate in said proposed extension at a referendum, in the manner provided by the Town Law.

Section 5. The Town Clerk in the Town of Clarkstown, County of Rockland, State of New York, shall within 10 days after the adoption of the within resolution by the Town Board of said Town cause to be published at least once in "The Rockland County Citizen", the official newspaper of the Town and 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 (5) public places in the proposed extension of New City-West Nyack Water Supply District a notice which shall set forth the date of adoption of such foregoing resolution and containing a copy thereof.

SCHEDULE A

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

Beginning at a point on the southwest corner of the existing New City-West Nyack Water Supply District, said point being on the easterly line of Burda Lane and being distant southerly 350 feet more or less measured at right angles from the southerly line of Eldor Avenue; thence (1) running westerly along the prolongation westerly of the southerly line of the existing New City-West Nyack Water Supply District to a point on the easterly line of the Palisades Interstate Parkway; thence (2) running northerly along the easterly line of the Palisades Interstate Parkway to a point which is distant westerly 600 feet measured at right angles from the westerly line of Burda Lane; thence (3) running northerly along a course parallel to and distant westerly 600 feet measured at right angles from the westerly line of Burda Lane to a point which is distant westerly 600 feet measured at right angles from the westerly line of Red Hill Road; thence (4) running northerly along a course parallel to and distant westerly 600 feet measured at right angles from the westerly line of Red Hill Road to a point which is distant southerly 600 feet measured at right angles from the southerly line of Red Hill Road (running east and west); thence (5) running westerly along a course parallel to and distant southerly 600 feet measured at right angles from the southerly line of Red Hill Road and the prolongation westerly of the southerly line of Red Hill Road to a point on the easterly line of the Palisades Interstate Parkway; thence (6) running northerly along the easterly line of the Palisades Interstate Parkway to a point on the southwest corner of the existing New City-West Nyack Water Supply District; thence (7) running easterly southerly, easterly and northerly along the various courses and distances of the existing New City-West Nyack Water Supply District to a northeast corner of the existing New City-West Nyack Water Supply District; thence (8) running easterly along the prolongation easterly of the northerly line of the existing New City-West Nyack Water Supply District to a point on the westerly line of the existing New City-West Nyack Water Supply District; thence (9) running southerly, easterly, southerly, westerly, southerly, easterly northerly, easterly, southerly and easterly along the various courses and distances of the existing New City-West Nyack Water Supply District to a southeast corner of the existing New City

CCE312

West Nyack Water Supply District; thence (10) running southerly along the prolongation southerly of the easterly line of the existing New City-West Nyack Water Supply District to a point on the northerly line of the existing New City-West Nyack Water Supply District; thence (11) running westerly, southerly, easterly, southerly and easterly along the various courses and distances of the existing New City-West Nyack Supply District to the northwest corner of the Proposed Addition to New City-West Nyack Water Supply District, Pending Under Separate Petition; thence (12) running southerly along the westerly line of the Proposed Addition to New City-West Nyack Water Supply District, Pending Under Separate Petition to a point on the northerly line of the existing New City-West Nyack Water Supply District; thence (13) running westerly, northerly, westerly, northerly, westerly and southerly along the various courses and distances of the existing New City-West Nyack Water Supply District to the point or place of beginning.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

NOES: None

(489) Councilman Frohling offered the following resolution:

WHEREAS, an inspection of the premises of Anthony Recine and Jane Recine, Johnson's Lane, New City, New York, and identified on the Tax Map of the Town of Clarkstown as Map 55, Block A, Lot 36, reveals a violation of Section 3;11 of the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, Anthony Recine and Jane Recine, the owners and occupants of the herein identified premises, have been contacted by the Building and Zoning Inspector of the Town of Clarkstown and other Town officials and requested to comply with the afore mentioned provisions of the zoning ordinance, and

WHEREAS, the said Anthony Recine and Jane Recine have 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 Anthony Recine and Jane Recine 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

(490) Councilman Holbrook offered the following resolution:

WHEREAS Morton L. Isler, Chairman of the Clarkstown Planning Board has requested an extension of time for reviewing and making recommendations on zone change petitions, be it

RESOLVED that a 30-day extension be granted to the Clarkstown Planning Board to review and make recommendations on zone change petitions submitted by Joseph McGinn (RA-1 to R-1); Harry Gerken Jr. (RA-1 to LS); Donald A. Lucca. (R-1 to LS); and Thomas G. & Alice J. Martin (RA-1 to C-1).

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

Mr. Putterbaugh appeared before Board in connecting with traffic problem existing on Old Middletown Road. and Kings Highway. Signs requested to clarify. Supervisor Mundt will take metter up with County Supt. of Highways.

(491) Councilman Danko offered the following resolution:

RESOLVED, that due to volume of business before Town Board, a special meeting will be held on Thursday, July 8th, 1965 at 8:30 P.M.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

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

Trial Balance dated May 31, 1965 received and noted by Town Board. Filed in Town Clerk's Office.

Deputy Town Clerk Chas. R. Adams reported to Board that in canvas made, vote on splitting of election district was 4 to 3 in favor.

(492) Councilman Frohling offered the following resolution:

RESOLVED that Election Dist. No. 8, Valley Cottage be split; new district to be known as Dist. No. 38; Election Dist. No.24, New City be split, new district to be known as Dist. No. 39; Election Dist. No.25 be split, new district to be known as Dist. No. 40; and new district be created, to be known as Dist. No.41, said district to encompass that portion along Route 59 annexed to the Village of Spring Valley, and be it

FURTHER RESOLVED, that the Town Engineer be authorized to make said alterations on the Election District Map, according to the following descriptions;

Seconded by Councilman Holbrook.

On roll call the vote was as follows;

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

(INSERT DESCRIPTIONS- (7)

Mr. Michael Oliwa, Director of Rockland County Sanitation Association appeared before Board re 40 acres of land that could be utlized for dumping facilities in the Town of Clarkstown. Councilman Danko will investigate.

(493) Councilman Holbrook offered the following resolution:

RESOLVED, that decision on zone change application made by PLYMOUTH ROCK REALTY, LTD. (R-1) to C_1)

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

(494) Councilman Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 10th day of May 1965, provided for a public hearing on the 14th day of June 1965, at 9:45 P.M. to consider the application of ROCKLAND SUBDIVIDERS, LTD. to amend the Building Zone Ordinance of the Town of Clarkstown by redistrict-

ing the property of the said petitioner from an RA-1 district to an R-22 district; and

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

NOW THEREFORE, be it

RESOLVED, that the application be DENIED.

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

On resolution offered by Councilman Welchman, seconded by Councilman Frohling and unanimously Adopted, Town Board Meeting was adjourned until Thursday, July 8th, 1965 at which time special Town Board Meeting will be held.

Signed,

Anne E. O'Connor
Town Clerk