

SPECIAL TOWN BOARD MEETING

Meeting Room  
Town Hall

8/4/65

7:00 P.M.

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

Supervisor Mundt called Special Town Board meeting to order.

Mr. Sidney Zinovic, 80 Mass. Ave., Congers appeared before the Board and presented a petition, on behalf of 62 residents of Mass. Ave., New York Ave., and Route 9W, requesting that the Town Board take immediate and positive action to restrain and control the activities in and about the "Go Go Lounge," Route 9W, Congers.

The board discussed this matter and it was decided that the Board members present would go over to the "Go Go Lounge" this evening after meeting and investigate this matter.

It was further decided that a meeting be held in the Supervisor's office on Saturday morning, August 7th at 10:00 P.M. - at which time the Operator's of the "Go Go Lounge" would be present to discuss the situation. Mr. S. Zenovic and Mr. J. Driscoll were asked to attend this meeting.

(556) Councilman Holbrook offered the following resolution:

WHEREAS, a proposed Local Law entitled "LOCAL LAW PROVIDING BASIC AND UNIFORM STANDARDS FOR CONSTRUCTION, OCCUPANCY AND MAINTENANCE OF RESIDENTIAL PREMISES" was introduced by Mr. Joseph Welchman, member of the Town Board of the Town of Clarkstown at a Town Board meeting on June 17, 1965; and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 17th day of June, 1965, directed that a public hearing be held on the 19th day of July, 1965, at 9:30 P.M. in the evening, to consider the adoption of said local law, and

WHEREAS, a notice of said public hearing was duly prepared and published in The Journal News on July 2, 1965, and posted on the sign board of the Town of Clarkstown on the 30th day of June, 1965, and

WHEREAS, a public hearing was held by the Town Board on July 18, 1965, at 9:30 P.M., in the evening, and

WHEREAS, copies of the proposed local law in final form were mailed to the members of the Town Board on the 29th day of June, 1965, pursuant to the Municipal Home Rule Law;

at a regular meeting of the Town Board of the Town of Clarkstown in the County of Rockland held at the Town Hall, 10 Maple Avenue, New City, New York, on Aug 4th, 1965, local law No. 4-1965 entitled "LOCAL LAW PROVIDING BASIC AND UNIFORM

STANDARDS FOR CONSTRUCTION, OCCUPANCY AND MAINTENANCE OF RESIDENTIAL PREMISES" was adopted and passed by an affirmative vote of the majority of voting power of the Town Board of the Town Clarkstown, the vote for adoption of said Local Law being as follows:

Seconded by Councilman Welchman.

On roll call the vote was as follows:

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

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

(557) Councilman Frohling offered the following resolution:

WHEREAS, a proposed Local Law entitled "LOCAL LAW PROVIDING FOR THE CONTROL, PLANTING, PROTECTION AND IMPROVEMENT OF SHADE AND ORNAMENTAL TREES AND SHRUBBERY UPON THE TOWN HIGHWAYS, TOWN PARKS AND TOWN PROPERTY IN THE TOWN OF CLARKSTOWN" was introduced by Mr. Joseph Welchman, a member of the Town Board of the Town of Clarkstown at a Town Board meeting on June 17, 1965, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 17th day of June, 1965, directed that a public hearing be held on the 19th day of July, 1965, at 9:45 P.M. in the evening, to consider the adoption of said Local Law, and

WHEREAS, a notice of said public hearing was duly prepared and published in the Journal News on July 2, 1965, and posted on the sign board of the Town of Clarkstown on the 30th day of June, 1965, and

WHEREAS, a public hearing was held by the Town Board on July 19, 1965, at 9:45 P.M., in the evening, and

WHEREAS, copies of the proposed local law in final form were mailed to the Members of the Town Board on the 29th day of June, 1965, and

WHEREAS, after the aforesaid public hearing, said proposed local law was revised and a subsequent proposed local law in final form was mailed to the Members of the Town Board on the 20th day of July, 1965, pursuant to the Municipal Home Rule Law;

at a regular meeting of the Town Board of the Town of Clarkstown in the County of Rockland held at the Town Hall, 10 Maple Avenue, New City, New York, on August 4, 1965, Local Law No. 5-1965 entitled "LOCAL LAW PROVIDING FOR THE CONTROL, PLANTING, PROTECTION AND IMPROVEMENT OF SHADE AND ORNAMENTAL TREES AND SHRUBBERY UPON THE TOWN HIGHWAYS, TOWN PARKS AND TOWN PROPERTY IN THE TOWN OF CLARKSTOWN" was adopted and passed by an affirmative vote

BBJ988

of the majority of voting power of the Town Board of the Town of Clarkstown, the vote for adoption of said Local Law being as follows:

Seconded by Councilman Welchman

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Welchman, Frohling, Supv. Mundt

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

(558) Councilman Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 22nd day of March, 1965, provided for a public hearing on the 26th day of April, 1965 at 8:45 P.M. to consider the application of THE DELLS INC., BERNARD G. NEMEROFF and FRANCES NEMEROFF TO amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioners as follows:

- Parcel I: From RA-1 to R-2;
- Parcel II: From LO to R-2;
- Parcel IIIA: From R-1 and RA-1 to R-22;
- Parcel IIIB: From LO to R-22;
- Parcel IV: From LO to R-22;
- Parcel V: From RA-1 and RA-2 to R-22;

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 Town Board has acted upon a portion of the premises covered by said petition and with regard to that portion, be it further

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 Parcel IIIA from R-1 and RA-1 to R-22 and Parcel IIIB from LO to R-22; said Parcels being located in the Hamlet of New City, Town of Clarkstown, Rockland County, New York, more particularly denoted and described as follows:

PARCEL IIIA

ALL that parcel of land in the Town of Clarkstown, County of Rockland and State of New York, bounded and described as follows:

Beginning at a point on the westerly side of Zukor Road where the same is intersected by the northerly line of land now or formerly of Jacob Siegel;

thence running along said last mentioned land,

BBJ988

south 81° 56' 58" west 339.60 feet to the westerly line of said land now or formerly of Jacob Siegel;

thence running along same,  
south 9° 38' 00" west 200 feet to land formerly of Zukor now or formerly of the Dells Inc.;

thence running along said last mentioned land,  
south 5° 29' 48" east 1213.40 feet to a stone wall and other land formerly of Zukor, now or formerly of The Dells Inc.;

thence running along said last mentioned land and most of the way along a stone wall,  
north 85° 1' 10" west 1521.05 feet;

thence continuing along said last mentioned land,  
north 83° 56' 45" west 206.90 feet to land now or formerly of Roberts;

thence running along said last mentioned land, the following courses and distances:

north 15° 30' 46" EAST 108.38 feet  
 north 3° 35' 46" EAST 178.50 feet  
 north 6° 35' 14" WEST 65.50 feet  
 north 3° 36' 14" WEST 113.05 feet  
 north 5° 50' 46" EAST 162.21 feet  
 north 2° 38' 46" EAST 100.20 feet  
 north 1° 36' 14" WEST 86.85 feet  
 north 6° 32' 14" WEST 105.45 feet  
 north 14° 15' 14" WEST 58.05 feet  
 north 3° 01' 38" EAST 56.05 feet  
 north 1° 56' 46" EAST 119.70 feet  
 north 61° 23' 46" EAST 23.70 feet  
 north 77° 50' 46" EAST 70 feet  
 north 57° 00' 46" EAST 53.50 feet and  
 north 13° 19' 14" WEST 15 feet to the southerly shore of Lake Lucille;

thence running along said southerly shore of Lake Lucille, the following courses and distances:

north 63° 39' 32" east 20.60 feet  
 north 56° 18' 35" east 36.06 feet  
 north 40° 43' 56" east 47.51 feet  
 north 53° 07' 48" east 15 feet  
 north 75° 27' 56" east 27.89 feet  
 north 61° 11' 21" east 22.83 feet  
 north 70° 02' 30" east 32.25 feet  
 north 7° 16' 30" east 47.38 feet  
 north 70° 42' 36" east 84.76 feet  
 north 56° 18' 35" east 36.06 feet  
 north 54° 27' 44" east 86.02 feet  
 north 67° 22' 48" east 65 feet  
 north 78° 41' 24" east 61.19 feet  
 north 74° 21' 28" east 51.92 feet  
 north 58° 06' 33" east 53 feet  
 north 56° 18' 35" east 54.08 feet due east 50 feet

south 66 ° 58 ' 28 " East 43.46 feet  
 south 88 ° 21 ' 48 " east 35.01 feet  
 north 52 ° 31 ' 26 " east 37.80 feet  
 north 26 ° 33 ' 54 " east 33.54 feet  
 north 45 ° 00 ' 00 " east 28.28 feet  
 north 56 ° 39 ' 33 " east 45.49 feet and  
 north 45 ° 47 ' 16 " east 26.75 feet to the northerly side of  
 Rockland Avenue;

thence running along said northerly side of Rockland Avenue,  
 south 88° 47' 07" east 957.98 feet to the westerly side of  
 Zukor Road;

thence running along said westerly side of Zukor Road,  
 south 1° 31' 52" east 2.30 feet and  
 south 5° 17' 52" east 287.82 feet to the point of beginning.

thence running along said westerly side of Zukor Road

PARCEL IIIB

ALL that parcel of land in the Town of Clarkstown, County of  
 Rockland, State of New York, bounded and described as follows:

BEGINNING at point on the westerly side of Zukor Road where the  
 same is intersected by the northerly line of land now or formerly  
 of Jacob Siegel, being the woutheasterly corner of lands now or  
 formerly of Bernard G. and Frances Nemeroff;

thence running along same south 9° 38' 00" west 200 feet to  
 land now or formerly of The Dells, Inc.;

thence running along said last mentioned land wouth 5° 29'48" east  
 1,213.40 feet to a stone waal and other land now or formerly of  
 The Dells, Inc.;

thence along lands now or formerly of Nemeroff north 85° 01' 10"  
 west a distance of 65' to the point or place of beginning of the  
 herein intended to be described parcel of land;

thence running through lands now or formerly of The Dells, Inc.  
 the following courses and distances:

south 0 ° 6 ' 00 " west a distance of 102.10 feet  
 south 48 ° 38 ' 40 " west a distance of 400.28 feet  
 south 81 ° 00 ' 40 " west a distance of 354.45 feet  
 north 84 ° 14 ' 10 " west a distance of 597.92 feet  
 south 5 ° 32 ' 10 " east a distance of 152.74 feet  
 south 80 ° 10 ' 20 " east a distance of 35.51 feet  
 south 24 ° 21 ' 00 " east a distance of 153.93 feet  
 south 3 ° 53 ' 10 " east a distance of 229.48 feet  
 south 16 ° 40 ' 13 " west a distance of 60.00 feet to lands  
 now or formerly of Rockland County;

thence along a curve to the right having a radius of 184.30 feet a distance of 218.07 feet;

thence north 5° 32' 10" west a distance of 170.00 feet;

thence north 84° 27' 00" west a distance of 580.50 feet to a point in the center line of Crum Creek and running thence along said Crum Creek the following courses and distances:

north 8 ° ~~05~~ 10 " west a distance of 90 feet  
 north 2 ° 24' 50" east a distance of 72 feet  
 north 15 ° 30' 35" east a distance of 153.29 feet  
 north 16 ° 7' 30" west a distance of 85.00 feet  
 north 4 ° 11' 30" east a distance of 294.00 feet  
 north 57 ° 51' 10" east a distance of 73.15 feet

thence south 88° 56' 45" east a distance of 318.86 feet;

thence along lands now or formerly of Nemeroff south 85° 01' 10" east a distance of 1456.05 feet to the point or place of beginning.

Seconded by Councilman Frohling

On roll call the vote was as follows:

YES: Councilmen Holbrook, Frohling, Supervisor Mundt.

NOES: Councilman Welchman

Mr. Bernard G. Nemeroff read statement donating 10 Acre plot east of the Dells property for park purposes:

For the purpose of precluding any misunderstanding as to what my purpose is in requesting zoning changes for The Dells' property, I am setting forth the following:

1 - To show my good faith, I personally donate the 10-acre plot east of The Dells' property for park purposes, exclusively for Clarkstown.

This plot is separated by several hundred feet from an additional plot of about 15 acres, also owned by me.

When the zoning is finally completed for The Dells' property, I will donate the additional 15-acre plot so that Clarkstown will then have 25 acres exclusively for its own use for park purposes.

I have had both plots examined by planning experts, and I have been informed that both plots are admirably suited for park use for a community such as ours.

As concerns the development rights for the 217 acres presently used by the Dellwood Golf and Country Club, I will also deed the development rights at the time the zoning for The Dells' acreage is completed.

It is pointless to provide parks and development rights unless there is a pattern of development for the entire property comprising 600 acres.

Planning authorities that I have retained are preparing a comprehensive plan for these 600 acres. This plan will provide a pattern of orderly development over a period of 7 or 8 years. This plan will be formulated by means of a modern concept of planning and will provide a fine pattern of roads, sewers, water, gas and electricity as well as large open areas which will preserve the green so necessary to a fine community. I believe that an examination of the plan, which will be presented by me in the very near future, will show this Board and the community that an agreement can be made which will insure an outstanding example of a progressive addition to Clarkstown.

If no plan is provided and this land is developed piecemeal, it will be of no more benefit to the community than the present developments going on all around us.

The Dells is an asset to Clarkstown, and I intend to develop it for its finest use if I can secure the cooperation of the Town.

Councilman Welchman commended Mr. Nemeroff for his generous offer - as did the other members of the Board.

Mr. Nemeroff stated that he would give the Town a deed in escrow, leaving grantee open.

The matter was referred to J. Martin Cornell, Town Attorney to check the legal aspects of this donation.

Supervisor Mundt read a memo from Nelson, Hall, County Supt. of Highways. giving the following results of a traffic count on Little Tor Road at:

- Germonds Road - 9902
- West Clarkstown Rd. - 9281
- New Valley Rd. - 9807
- Collipen Ave. - 8674

Supervisor was authorized to Request County Supt. of Highways to install traffic lights at these intersections.

Supervisor Mundt read a letter from State Traffic Commission advising that traffic signal would be installed at intersection of New Route 304 & Congers Road.

The Board Signed order establishing Sewer Dist. #21 -

WHEREAS, pursuant to resolution adopted, the Town Board of the Town of Clarkstown, County of Rockland, New York, has caused to be prepared a general map, plan and report relating to the establishment of proposed Sewer District No. 21 in said Town of Clarkstown, which map, plan and report have been heretofore approved by said Town Board and filed in the office of the Town Clerk; and

WHEREAS, said Town Board determined to proceed with the proposed establishment of said Sewer District No. 21 and the construction of a lateral sewer system therein; and

WHEREAS, on March 22, 1965, said Town Board adopted an order reciting (a) a description of the boundaries of said Sewer District No. 21 proposed to be established in a manner sufficient to identify the lands included therein as in a deed of conveyance; (b) the improvements proposed; (c) the maximum amount proposed to be expended for such improvements; (d) the proposed method of financing to be employed (e) the fact that a map, plan and report

410

describing the same are on file in the Town Clerk's office for public inspection; and (f) specifying May 10, 1965, at 8:15 o'clock P.M. ( E.S.T.). as the time when, and the Town Hall, 10 Maple Avenue, New City, New York, in said Town, as the place where, said Town Board would meet and hold a public hearing to consider the proposed establishment of said Sewer District No. 21 and construction of such lateral sewer system and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, following publication and posting of certified copies of said order pursuant to Section 209-d of the Town Law and after a public hearing duly held by said Town Board at the time and place herein referred to, said Board, by resolution adopted May 10, 1965, determined that (a) the notice of hearing was published and posted as required by law and is otherwise sufficient; (b) that all of the property or property owners within said District proposed to be established or benefited thereby; (c) all of the property or property owners benefited thereby are included within the limits of said District and (e) it is in the public interest to establish said Sewer District No. 21 and approved the establishment of said District including the necessary easements on lands to be acquired, at a cost not to exceed \$828,000 and within thirty (30) days thereafter, no petition requesting that the matter be submitted to a referendum of the owners or taxable real property situate in said Sewer District No. 21, as shown upon the latest completed assessment roll of said Town, was filed with the Town Clerk of said Town; and

WHEREAS, after submission of an application by said Town Board, the State Comptroller granted permission to establish said Sanitary Sewer District No. 21 by Order dated July 6, 1965, which was duly filed with the Town Clerk of said Town and presented to said Town Board by said Town Clerk at the next meeting held after the said Order was filed with said Town Clerk; now therefor, be it,

ORDERED, that a Sewer District is hereby established in the Town of Clarkstown, to be known as Sewer District No. 21, in the Town of Clarkstown, and bounded and described as follows:

Easterly Boundary

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 lots 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 Depew 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-55.03 to the southeasterly corner of lot 134-A-55.02; thence northerly

CCC264

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 southeasterly 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 point of said lot 2;

Northerly Boundary

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 northeasterly 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 8, 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 northwesterly corner of lot 121-A-13; thence southerly along the westerly side of lots 121-A-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

CCE312

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 lots 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 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 lots 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 northwesterly 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 No. 16 to a point where it intersects the present boundary line of Water District No. 8;

CCE312

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 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-H-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 southwesterly 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 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 southwesterly 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 southwesterly 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 southwesterly 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 southwesterly corner of said lot 10; thence easterly along the southerly side of said lot 10 to the southeasterly 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 Schuyler Road; thence southerly across Schuyler 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, 14.01, 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 to the southeasterly 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 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, the point of beginning.

and be it further

ORDERED, that a lateral sewer system, including the necessary easements and lands to be acquired, as hereinabove referred to shall be constructed in said Sewer District No. 21, in the Town of Clarkstown at a cost not to exceed \$828,000 to be assessed, levied and collected from the several lots and parcels of land in said Sewer District No. 21 so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board determines the improvement shall confer upon the same, and be it further.

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

(559) Councilman Holbrook offered the following resolution:

WHEREAS, following preparation of a general map, plan and report relating to Sewer District No. 21, proposed to be established in the Town of Clarkstown, in the County of Rockland, New York, 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 therefor, manholes, house connection stubs brought to the curbs, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, and after a public hearing duly called and held, the Town Board of said Town of Clarkstown determined, pursuant to resolution duly adopted May 10, 1965, subject to permissive referendum, that the notice of such hearing was published and posted as required by law and otherwise sufficient; that all the property and property owners within said sewer district proposed to be established, are benefited thereby;

that all the property and property owners benefited are included within the limits of said sewer district; and that the establishment of said sewer district is in the public interest and approved the establishment of said sewer district and the construction of such lateral sewer system including equipment and appurtenances, therein; and

WHEREAS, no petition signed and acknowledged by the owners of taxable real property situate in the proposed Sewer District No. 21 in said Town, as prescribed by 209-e of the Town Law protesting against said resolution and requesting that said resolution be submitted to the owners of such taxable real property for their approval or disapproval has been filed with the Town Clerk within thirty (30) days after the date of adoption thereof, or at any other time since said adoption; and

WHEREAS, following due submission of an application by said Town Board, the State Comptroller granted permission to establish said sewer district by Order dated July 6, 1965, which order was duly filed with and presented to said Town Board, at its first meeting held after said Order was so filed; and

WHEREAS, said Town Board duly adopted an order on Aug. 4th, 1965, establishing such sewer district, therein designated Sewer District No. 21, in the Town of Clarkstown, and ordering construction of said lateral sewer system, including equipment and appurtenances therein, at a cost not to exceed \$828,000 now, therefore, be it

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York, hereby appropriates the amount of \$828,000 for construction of a lateral sewer system, including land or rights in land, buildings and original furnishings, equipment, machinery and apparatus required, in Sewer District No. 21, in the Town of Clarkstown, all as hereinabove referred to in the recitals of this resolution, and in accordance with the map, plan and estimates prepared by Nussbaumer, Clarke & Velzy, P.E., Consulting Engineers, duly licensed by the State of New York, on file in the office of the Town Clerk and hereto before approved by the Town Board of said Town. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$828,000 and the plan of financing includes the issuance of serial bonds of the Town of Clarkstown in the principal amount of \$828,000, and the assessment, levy and collection of assessments on the several lots and parcels of land within the said Sewer District No. 21 to pay the principal of said bonds and the interest thereon 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.

Section 2. To finance the said appropriation, serial bonds of the Town of Clarkstown are hereby authorized to be issued in the principal amount of \$ 828,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

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

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

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

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

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

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

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

- (a) such obligations are authorized for and object or purposed for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

Seconded by Councilman Frohling;

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Frohling, Walchman, Supv. Mundt

The Board signed order establishing Sewer District #22 -

WHEREAS, pursuant to resolution adopted, the Town Board of the Town of Clarkstown, County of Rockland, New York, has caused to be prepared a general map, plan and report relating to the establishment of proposed Sewer District No. 22 in said Town of Clarkstown, which map, plan and report have been heretofore approved by said Town Board and filed in the office of the Town Clerk; and

WHEREAS, said Town Board determined to proceed with the proposed establishment of said Sewer District No.22 and the construction of a lateral sewer system therein; and

WHEREAS, on March 22, 1965, said Town Board adopted an order reciting (a) a description of the boundaries of said Sewer District No. 22 proposed to be established in a manner sufficient to identify the lands included therein as in a deed of conveyance; (b) the improvements proposed; (c) the maximum amount proposed to be expended for such improvements; (d) the proposed method of financing to be employed (e) the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection; and (f) specifying May 10, 1965, at 8:30 o'clock P.M. (E.S.T.) as the time when, and the Town Hall, 10 Maple Avenue, New City, New York, in said Town, as the place where said Town Board would meet and hold a public hearing to consider the proposed establishment of said Sewer District No. 22 and construction of such lateral sewer system and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, following publication and posting of certified copies of said order pursuant to Section 209-d of The Town Law and after a public hearing duly held by said Town Board at the time and place herein referred to, said Board, by resolution adopted May 10, 1965, determined that (a) the notice of hearing was published and posted as required by law and is otherwise sufficient; (b) that all of the property or property owners within said District proposed to be established are benefited thereby; (c) all of the property or property owners benefited thereby are included within the limits of said District and (e) it is in the public interest to establish said Sewer District No.22 and approved the establishment of said District, including the necessary easements on lands to be acquired, at a cost not to exceed \$780,000 and within thirty (30) days thereafter, no petition requesting that the matter be submitted to a referendum of the owners or taxable real property situate in said Sewer District No.22, as shown upon the latest completed assessment roll of said Town, was filed with Town Clerk of said Town; and

WHEREAS, after submission of an application by said Town Board, the State Comptroller granted permission to establish said Sanitary Sewer District No.22 by Order dated July 13, 1965, which was duly filed with the Town Clerk of said Town and presented to said Town Board by said Town Clerk at the next meeting held after the said Order was filed with said Town Clerk;

now, therefore, be it,

ORDERED, that a Sewer District is hereby established in the Town of Clarkstown, to be known as Sewer District No.22, in the Town of Clarkstown, and bounded and described as follows:

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 centerline of Little Tor Road; thence northerly along the centerline 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. 18 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 southwesterly corner of said lot 1.01; thence southwesterly 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, 36, to a point on the westerly side of said lot 36, 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 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 lots 37-C-52 and 39 to the southwesterly corner of said lot 39; thence easterly along the southerly side 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 southwesterly 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 side 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 centerline of Little Tor Road; thence northerly along the centerline 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-114, the point of beginning.

and it be further

ORDERED, that a lateral sewer system, including the necessary easements and lands to be acquired, as hereinabove referred to shall be constructed in said Sewer District No.22, in the Town of Clarkstown, at a cost not to exceed \$780,000 to be assessed, levied and collected from the several lots and parcels of land in said Sewer District No. 22 so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board determines the improvement shall confer upon the same, and be it further

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

(560) Councilman Holbrook offered the following resolution:

WHEREAS, following preparation of a general map, plan and report relating to Sewer District No.22, proposed to be established in the Town of Clarkstown, in the County of Rockland, New York, 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 including any necessary appurtenances required therefor, manholes,

house connection stubs brought to the curbs, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, and after a public hearing duly called and held, the Town Board of said Town of Clarkstown determined, pursuant to resolution duly adopted on May 10, 1965, subject to permissive referendum, that the notice of such hearing was published and posted as required by law and is otherwise sufficient; that all property and property owners within said sewer district proposed to be established, are benefited thereby; that all the property and property owners benefited are included within the limits of said sewer district; and that the establishment of said sewer district is in the public interest and approved the establishment of said sewer district and the construction of such lateral sewer system, including equipment and appurtenances, therein; and

WHEREAS, no petition signed and acknowledged by the owners of taxable real property situate in the proposed Sewer District No. 22 in said Town, as prescribed by 209-e of the Town Law protesting against said resolution and requesting that said resolution be submitted to the owners of such taxable real property for their approval or disapproval has been filed with the Town Clerk within thirty (30) days after the date of adoption thereof, or at any other time since said adoption; and

WHEREAS, following due submission of an application by said Town Board; the State Comptroller granted permission to establish said sewer district by Order dated July 13, 1965, which order was duly filed with and presented to said Town Board, at its first meeting held after said Order was so filed; and

WHEREAS, said Town Board duly adopted an order on Aug. 4, 1965, establishing such sewer district, therein designated Sewer District No. 22, in the Town of Clarkstown, and ordering construction of said lateral sewer system, including equipment and appurtenances therein, at a cost not to exceed \$780,000; now, therefore, be it

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York, hereby appropriates the amount of \$780,000 for construction of a lateral sewer system, including land or rights in land, buildings and original furnishings, equipment, machinery and apparatus required, in Sewer District No. 22, in the Town of Clarkstown, all as hereinabove referred to in the recitals of this resolution, and in accordance with the map, plan and estimates prepared by Nussbaumer, Clarke & Velzy, P.E., Consulting Engineers, duly licensed by the State of New York, on file in the office of the Town Clerk and heretofore approved by the Town Board of said Town. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$780,000 and the plan of financing includes the issuance of serial bonds of the Town of Clarkstown in the principal amount of \$780,000, and the assessment, levy and collection of assessments of theseveral lots and parcels of land within the said Sewer District NO.22 to pay the principal of said bonds and the interest thereon 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.

Section 2. To finance the said appropriation, serial bonds of the Town of Clarkstown are hereby authorized to be issued in the principal amount of \$780,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

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

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

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

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

Seconded by Councilman Frohling

On roll call the vote was as follows:

AYES: Supervisor Mundt, Councilmen Frohling, Holbrook,  
Welchman

NOES: None

The Board signed order establishing Sewer District # 23 -

WHEREAS, pursuant to resolution adopted, the Town Board of the Town of Clarkstown, County of Rockland, New York, has caused to be prepared a general map, plan and report relating to the establishment of proposed Sewer District No. 23 in said Town of Clarkstown, which map, plan and report have been heretofore approved by said Town Board and filed in the office of the Town Clerk; and

WHEREAS, said Town Board determined to proceed with the proposed establishment of said Sewer District No. 23 and the construction of a lateral sewer system therein; and

WHEREAS, on March 22, 1965, said Town Board adopted an order reciting (a) a description of the boundaries of said Sewer District No. 23 proposed to be established in a manner sufficient to identify the lands included therein as in a deed of conveyance; (b) the improvements proposed; (c) the maximum amount proposed to be expended for such improvements; (d) the proposed method of financing to be employed (e) the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection; and (f) specifying May 10, 1965, at 8:45 o'clock P.M. (E.S.T.) as the time when, and the Town Hall, 10 Maple Avenue, New City, New York, in said Town, as the place where said Town Board would meet and hold a public hearing to consider the proposed establishment of said Sewer District No. 23 and construction of such lateral sewer system and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, following publication and posting of certified copies of said order pursuant to Section 209-d of the Town Law and after a public hearing duly held by said Town Board at the time and place herein referred to, said Board, by resolution adopted May 10, 1965, determined that (a) the notice of hearing was published and posted as required by law and is otherwise sufficient; (b) that all of the property or property owners within said District proposed to be established are benefited thereby; (c) all of the property or property owners benefited thereby are included within the limits of said District and (e) it is in the public interest to establish said Sewer District No. 23 and approved the establishment of said District, including the necessary easements on lands to be acquired, at a cost not to exceed \$535,000 and within thirty (30) days thereafter, no petition requesting that the matter be submitted to a referendum of the owners or taxable real property situate in said Sewer District No. 23, as shown upon the latest completed assessment roll of said Town, was filed with the Town Clerk of said Town; and

WHEREAS, after submission of an application by said Town Board, the State Comptroller granted permission to establish said Sanitary Sewer District No. 23 by Order dated July 2, 1965, which was duly filed with the Town Clerk of said Town and presented to said Town Board by said Town Clerk at the meeting held after the said Order was filed with said Town Clerk;

now, therefore, be it,

CCE312

~~404~~  
424

ORDERED, that a Sewer District is hereby established in the Town of Clarkstown, to be known as Sewer District No. 23, in the Town of Clarkstown, and bounded and described as follows:

Easterly Boundary

Beginning 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 Parrot 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 56-A-1; thence northerly along the easterly side of said lot 1 to the northeasterly corner of said lot 1 at Laurel Road; thence continuing northerly across Laurel Road to the southeasterly corner of lot 76A-A-8; thence in a northerly direction along the easterly side of said lot 8 to the northeasterly corner of said lot 8, which 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 76A-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; thence westerly along the northerly side of lots 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 36-2-E-4.10; thence westerly along the northerly side of said lot 4.10 to the northwesterly corner of said lot 4.10; thence southerly along the westerly side of lots 36-2-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 Road; thence in a southwesterly direction across Church Road to the northwesterly corner of lot 35-1-A-6; thence southerly along the westerly 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 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 Road; 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 and Parrot Road across lots 54-A-9.06, 9.07, 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 feet measured southerly along the easterly side of said lot 1 from the northeasterly corner of said lot 1, the point of beginning.

ORDERED, that a lateral sewer system, including the necessary easements and lands to be acquired, as hereinabove referred to shall be constructed in said Sewer District No. 23, in the Town of Clarkstown at a cost not to exceed \$ 535,00 to be assessed, levied and collected from the several lots and parcels of land in said Sewer District No. 23 so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board determines the improvement shall confer upon the same, and be it further

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

(561) Councilman Welchman offered the following resolution:

WHEREAS, following preparation of a general map, plan and report relating to Sewer District No. 23, proposed to be established in the Town of Clarkstown, in the County of Rockland, New York and for the construction of a lateral sewer system therein, consisting of lateral sewers, submains and force mains tributary to the sub-trunk extended south from Glenside Drive within existing Sewer District No. 19, and including any necessary appurtenances required therefor, manholes, house connection stubs brought to the curbs, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, and after a public hearing duly called and held, the Town Board of said Town of Clarkstown

determined, pursuant to resolution duly adopted on May 10, 1965, subject to permissive referendum, that the notice of such hearing was published and posted as required by law and is otherwise sufficient; that all property and property owners within said sewer district proposed to be established, are benefited thereby; that all property and property owners benefited are included within the limits of said sewer district; and that the establishment of said sewer district and the construction of such lateral sewer system, including equipment and appurtenances, therein;

WHEREAS, no petition signed and acknowledged by the owners of taxable real property situate in the proposed Sewer District No. 23 in said Town, as prescribed by 209-e of the Town Law protesting against said resolution and requesting that said resolution be submitted to the owners of such taxable real property for their approval or disapproval has been filed with the Town Clerk within thirty(30) days after the date of adoption thereof, or at any other time since said adoption; and

WHEREAS, following due submission of an application by said Town Board, the State Comptroller granted permission to establish said sewer district by Order dated July 2, 1965, which order was duly filed with and presented to said Town Board, at its first meeting held after said Order was so filed; and

WHEREAS, said Town Board duly adopted an order on Aug. 4, 1965 establishing such sewer district, therein designated Sewer District No. 23, in the Town of Clarkstown, and ordering construction of said lateral sewer system, including equipment and appurtenances therein, at a cost not to exceed \$535,000; now, therefore, be it

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York, hereby appropriates the amount of \$535,000 for construction of a lateral sewer system, including land or rights in land, buildings and original furnishings, equipment, machinery and apparatus required, in Sewer District No. 23, in the Town of Clarkstown, all as hereinabove referred to in the recitals of this resolution, and in accordance with the map, plan and estimated prepared by Nussbaumer, Clarke & Velzy, P.E., Consulting Engineers, duly licensed by the State of New York, on file in the office of the Town Clerk and heretofore approved by the Town Board of said Town. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$535,000 and the plan of financing includes the issuance of serial bonds of the Town of Clarkstown in the principal amount of \$535,000, and the assessment, levy and collection of assessments on the several lots and parcels of land within the said Sewer District No. 23 to pay the principal of said bonds and the interest thereon 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.

Section 2. To finance the said appropriation, serial bonds of the Town of Clarkstown are hereby authorized to be issued in the principal amount of \$535,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

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

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

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

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

Seconded by Councilman Holbrook:

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supr. Mundt.

The Board signed order establishing Sewer District #24 -

WHEREAS, pursuant to resolution adopted, the Town Board of the Town of Clarkstown, County of Rockland, New York, has caused to be prepared a general map, plan and report relating to the establishment of proposed Sewer District No. 24 in said Town of Clarkstown, which map, plan and report have been heretofore approved by said Town Board and filed in the office of the Town Clerk; and

WHEREAS, said Town Board determined to proceed with the proposed establishment of said Sewer District No. 24 and the construction of a lateral sewer system therein; and

WHEREAS, on March 22, 1965, said Town Board adopted an order reciting (a) a description of the boundaries of said Sewer District No. 24 proposed to be established in a manner sufficient to identify the lands included therein as in a deed of conveyance; (b) the improvements proposed; (c) the maximum amount proposed to be expended for such improvements; (d) the proposed method of financing to be employed (e) the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection; and (f) specifying May 10, 1965, at 9:00 o'clock P.M. (E.S.T.) as the time when, and the Town Hall, 10 Maple Avenue, New City, New York, in said Town, as the place where, said Town Board would meet and hold a public hearing to consider the proposed establishment of said Sewer District No. 24 and construction of such lateral sewer system and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, following publication and posting of certified copies of said order pursuant to Section 209-d of the Town Law and after a public hearing duly held by said Town Board at the time and place herein referred to, said Board, by resolution adopted May 10, 1965, determined that (a) the notice of hearing was published and posted as required by law and is otherwise sufficient; (b) that all of the property or perproperty owners within said District proposed to be established are benefited thereby; (c) all of the property or property owners benefited thereby are included within the limits of said District and (e) it is in the public interest to establish said Sewer District No. 24 and approved the establishment of said District, including the necessary easements on lands to be acquired, at a cost not to exceed \$168,000 and within thirty (30) days thereafter, no petition requesting that the matter be submitted to a referendum of the owners or taxable real property situate in said Sewer District No. 24, as shown upon the latest completed assessment roll of said Town, was filed with the Town Clerk of said Town; and

WHEREAS, after submission of an application by said Town Board, the State Comptroller granted permission to establish said Sanitary Sewer District No. 24 by Order dated July 13, 1965, which was duly filed with the Town Clerk of said Town and presented to said Town Board by said Town Clerk at the next meeting held after the said Order was filed with said Town Clerk;

now, therefore, be it,

ORDERED, that a Sewer District is hereby established in the Town of Clarkstown, to be known as Sewer District No. 24, in the Town of Clarkstown, and bounded and described as follows:

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 said 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 intersection with the southerly most side of lot 31-A-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 32-1-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 northeasterly 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 northerly 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 continuing westerly along the northeasterly side of said lot 19 to a point where it intersects the northerly 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 corner 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 18, which point is the northeasterly corner of lot 30-A-26, the point of beginning;

CCE312

and be it further

ORDERED, that a lateral sewer system, including the necessary easements and lands to be acquired, as hereinabove referred to shall be constructed in said Sewer District No. 24, in the Town of Clarkstown, at a cost not to exceed \$ 168,000 to be assessed, levied and collected from the several lots and parcels of land in said Sewer District No. 24 so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board determines the improvement shall confer upon the same, and be it further

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

(562) Councilman Frohling offered the following resolution:

WHEREAS, following preparation of a general map, plan and report relating to Sewer District No. 24, proposed to be established in the Town of Clarkstown, in the County of Rockland, New York, 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 including any necessary appurtenances required therefor, manholes, house connection stubs brought to the curbs, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, and after a public hearing duly called and held, the Town Board of said Town of Clarkstown, determined, pursuant to resolution duly adopted May 10, 1965, subject to permissive referendum, that the notice of such hearing was published and posted as required by law and is otherwise sufficient; that all the property and property owners within said sewer district proposed to be established, are benefited thereby, that all the property and property owners benefited are included within the limits of said sewer district; and that the establishment of said sewer district is in the public interest and approved the establishment of said sewer district and the construction of such lateral sewer system, including equipment and appurtenances, therein; and

WHEREAS, no petition signed and acknowledged by the owners of taxable real property situate in the proposed Sewer District No. 24 in said Town, as prescribed by 209\_e of the Town Law protesting against said resolution and requesting that said resolution be submitted to the owners of such taxable real property for their approval or disapproval has been filed with the Town Clerk within thirty (30) days after the date of adoption thereof, or at any other time since said adoption; and

WHEREAS, following due submission of an application by said Town Board, the State Comptroller granted permission to establish said sewer district by Order dated July 13, 1965, which order was duly filed with and presented to said Town Board, at its first meeting held after said Order was so filed; and

WHEREAS, said Town Board duly adopted an order on Aug. 4, 1965, establishing such sewer district, therein designated Sewer District No. 24, in the Town of Clarkstown, and ordering construction of said lateral sewer system, including equipment and appurtenances therein, at a cost not to exceed \$ 168,000; now, therefore, be it

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

Section 1. the Town of Clarkstown, in the County of Rockland, New York, hereby appropriates the amount of \$168,000 for construction of a lateral sewer system, including land or rights in land, buildings and original furnishings, equipment, machinery and apparatus required, in Sewer District No. 24, in the Town of Clarkstown, all as hereinabove referred to in the recitals of this resolution and in accordance with the map, plan, and estimates prepared by Nussbaumer, Clarke & Velzy, P. E. Consulting Engineers, duly licensed by the State of New York, on file in the office of the Town Clerk and heretofore approved by the Town Board of said Town. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$168,000 and the plan of financing includes the issuance of serial bonds of the Town of Clarkstown in the principal amount of \$ 168,000, and the assessment, levy and collection of assessments on the several lots and parcels of land within the said Sewer District No. 24 to pay the principal of said bonds and the interest thereon 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.

Section 2. To finance the said appropriation, serial bonds of the Town of Clarkstown are hereby authorized to be issued in the principal amount of \$168,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated laws of the State of New York.

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

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

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

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publications, or

- (c) such obligations are authorized violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

Seconded by Councilman Welchman

On roll call the vote was as follows:

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

NOES: none

(563) Councilman Hblbrook offered the following resolution:

WHEREAS, pursuant to the petition duly executed and filed and after a public hearing duly called and held, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, duly adopted on April 13, 1964, a Resolution and Order after Public Hearing, determining that it is in the public interest to improve Husted Lane in West Nyack, in said Town therein described, in accordance with specifications required for highways in said Town; and

WHEREAS, the engineer retained by the Town Board, has, pursuant to direction of said Board, prepared definite plans and specifications, and with the assistance of the attorney retained therefor, a proposed contract for the work; and

WHEREAS, pursuant to Section 171 of the Highway Law there has been received and duly filed with the Town Clerk of the Town of Clarkstown, certification from the Superintendent of Public Works of the State of New York, authorizing that a highway less than three (3) rods in width, to wit, thirty (30) feet in width, be laid out; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the plans, specifications and proposed contract have been examined and found to comply with the provisions of Section 197 of the Town Law and other pertinent Sections and same are adopted and approved.

2. That the Town Clerk, on behalf of the Town Board, invite sealed proposals, to be received on Aug. 23, 1965 until

4:00 o'clock P.M. Eastern Daylight Time, for furnishing the materials and performance of the labor necessary or proper to construct the aforesaid street improvement in accordance with the aforesaid plans and specifications and under said contract, and that said Town Clerk be, and she is hereby directed to prepare, with the assistance of the attorney and engineer hereinbefore designated, proper notices, calling for sealed proposals, in detail, and cause the same to be published at least once in the official newspaper of the Town and in The Journal News, requiring all persons who shall offer to do said work to file a sealed proposal or offer to do the work and with it a certified check for a sum equal to five per centum of the estimated expense of the improvement payable to the order of the Supervisor, or a bond with sufficient sureties, to be approved by the Supervisor, in a penal sum equal to five per centum of the estimated expense of the improvement and reserving to the Town Board the right to reject any or all bids.

3. That the Town Clerk shall speedily report to the Board the results of said bidding.

The foregoing Resolution was made by Councilman Frohling.

Seconded by Councilman Holbrook

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Welchman Frohling, Sup. Mundt.  
NOES: None

(564) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown is in favor, in principle, of legislation that has as its purpose the orderly development of the Hudson River Valley with equal consideration of natural and scenic values, residential, industrial, and recreational facilities, and controlled urban development, and be it further

RESOLVED, that legislation be specific enough to make certain that no Federal, State or Local Government have the right to acquire improved private property within such area, and be it further

RESOLVED, that any property acquired shall remain on the tax rolls of the municipalities involved, and be it further

RESOLVED, that the language of the Ottinger Bill be restricted to no more than one mile in terms of jurisdiction, and be it further

RESOLVED, that this resolution be forwarded to Congressmen Richard Orringer and John G. Dow.

Seconded by Councilman Holbrook:

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Welchman, Frohling, Sup. Mundt.  
NOES: None

(565) Councilman Frohling offered the following resolution:

RESOLVED, that all Sidewalk Bids received on June 14, 1965 be rejected, and be it

FURTHER RESOLVED, that Town Clerk re-advertise for bids to be received on August 23 at 4:05 P.M.

Seconded by Councilman Welchman:

On roll call the vote was as follows:

AYES: Councilman Holbrook, Welchman, Frohling, Sup. Mundt.

NOES: None

(566) Councilman Frohling offered the following resolution:

RESOLVED, that the application of the Rockland Auto Wash, Inc. for a Special Permit be referred to the Clarkstown Planning Board and also to the Rockland County Planning Board.

Seconded by Councilman Holbrook

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Welchman, Frohling, Sup. Mundt.

NOES: None

(567) Councilman Frohling offered the following resolution:

RESOLVED, that the application of MITCHELL MILLER, for a change of zoning from an R-2 district to an C-2 district, on property located on the north side of Rockland Lake Road, Valley Cottage, New York be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance,

Seconded By Councilman Holbrook:

AYES: Councilmen Holbrook, Welchman, Frohling, Sup. Mundt.

NOES: None

(568) Councilman Welchman offered the following resolution:

RESOLVED, that the amendment to application of DONALD A. LUCCA, for a change of zoning from an R-1 district to an LS district, on property located on the southeast corner of the intersection of New Hempstead Rd. & Little Tor Road, New City, N.Y. be referred to the Planning Board for report pursuant to the Provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance,

Seconded by Councilman Frohling:

AYES: Councilmen Holbrook, Welchman, Frohling, Sup. Mundt.

NOES: None

(569) Councilman Frohling offered the following resolution:

RESOLVED, that the Supt. of Highways be directed to install the following Traffic Signs:

- 1.) Corner of Mass Ave. and Joliffe Lane - Yield Signs on Mass. Ave. for north bound and South Bound traffic.
- 2.) Corner of New York Ave. and Butler Street - Yield Signs on New York Ave. for northbound and southbound traffic.
- 3.) Corner of New York Ave. and Colton Street - Yield Signs on New York Ave. for northbound and southbound traffic.
- 4.) Corner of New York Ave. and Lake Road. Stop Sign on New York Ave. for northbound traffic.
- 5.) Corner Mass. Ave. and Colton Street - Yield Sign on Colton Street for east bound traffic.
- 6.) Corner of Mass. Ave. and Butler Street - Yield Sign on Butler Street for east bound traffic.
- 7.) Corner of New York Ave. and Joliffe Lane - Yield Sign on New York Ave. for northbound and Southbound traffic.
- 8.) Corner of Ohio Ave. and Lake Road - Yield Sign on Ohio Ave. for northbound traffic.

Seconded by Councilman Holbrook:

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Welchman, Frohling, Sup. Mundt.

NOES: None

(570) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Engineer engage the services of Arthur Rubin, P.E. to prepare profile for drainage north of Johnson Lane and Route 304 and be it,

FURTHER RESOLVED, that the Town Engineer secure necessary easements in connection with this drainage problem that exists.

Seconded by Councilman Holbrook:

On roll call the vote was as follows:

AYES: Councilman Holbrook, Welchman, Frohling, Sup. Mundt.

NOES: None

Supervisor Mundt read a report from the Town Engineer re: Storm Drain Piping - Bardonia Park Subdivision - stating total estimated cost would be \$19,555. No action was taken

(571) Councilman Welchman offered the following resolution:

WHEREAS, a resolution and order was made by the Town Board of the Town of Clarkstown on May 18, 1964, authorizing the construction and installation of sanitary sewers in the right-of-way of State Highway Route 304, pursuant to Section 202-f of the Town Law of the State of New York, and,

WHEREAS, a bond anticipation note resolution was adopted by the Town of Clarkstown on June 22, 1964 authorizing the issuance of \$60,000.00 notes in anticipation of the sale of serial bonds theretofore authorized to be issued by a bond resolution of the Town of Clarkstown adopted May 18, 1964, and,

WHEREAS, the following bond anticipation notes were sold; one in the amount of \$50,000.00 to the Rockland National Bank, said note being numbered 1, dated August 17, 1964 to mature August 17, 1965, subject to prior redemption, bearing interest at the rate of 2.40 percent per annum; and another in the amount of \$2500.00 dated March 23, 1965, maturing August 17, 1965, subject to prior redemption, bearing interest at the rate of 2.20 percent per annum, held by the County Trust Company, and,

WHEREAS, the Board of Supervisors of the County of Rockland on March 17, 1964, pursuant to Resolution #177, authorized the Town of Clarkstown to expend the necessary funds for construction of a segment of the County Trunk Sewer located in the right-of-way of Route 304, and,

WHEREAS, the Town of Clarkstown is desirous of redeeming said bond anticipation notes, and,

WHEREAS, the Town of Clarkstown has received the sum of \$53,334.82 from the County of Rockland to reimburse the Town of Clarkstown for monies expended in connection with the said construction, including interest computed as of August 6, 1965, and,

WHEREAS, there are monies remaining in the account, being the remaining proceeds from the sale of said notes, in the amount of \$349.10,

NOW THEREFORE, be it

RESOLVED, that the sum of \$53,683.92 be and the same hereby is appropriated for the purpose of redeeming said aforementioned bond anticipation notes; said notes to be redeemed on August 6, 1965.

Seconded by Councilman Frohling;

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Frohling, Welchman, Supt. Mundt.

NOES; None

(572) Councilman Welchman offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown does hereby authorize deductions for contributions to the United Fund of Rockland County, Inc., upon written consent of any employee of the Town of Clarkstown and to remit same to the United Fund of Rockland County, Inc., and be it further

RESOLVED, that the foregoing be subject to opinion of the Town Attorney.

Seconded by Councilman Holbrook

On roll call the vote was as follows:  
 AYES: Councilmen Holbrook, Welchman, Frohling  
 Supt. Mundt  
 NOES: None

(573) Councilman Welchman offered the following resolution:

RESOLVED, THAT THE Town Board of the Town of Clarkstown create a Hamlet Development Board for Bardonia to consist of five members to serve without compensation.

Seconded by Councilman Holbrook:

On roll call the vote was as follows:  
 AYES: Councilmen Holbrook, Welchman, Frohling, Supt. Mundt  
 NOES: None

(574) Councilman Holbrook offered the following resolution:

RESOLVED, THAT Virginia P. Bingham, North Greenbush Road, West Nyack, New York is hereby appointed to serve as member of the Central Nyack Hamlet Development Board effective immediately, to serve without compensation.

Seconded by Councilman Welchman:

On roll call the vote was as follows:  
 AYES: Councilmen Holbrook, Welchman, Frohling, Supt. Mundt  
 NOES: None

(575) Councilman Welchman offered the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Temporary appointment until September 10, 1965 of Robert E. Ross of 38 Lyncrest Avenue, New City, New York, to the position of Laborer, in the Town Engineer's Office, at a salary of \$1.75 per hour, retroactive to and effective July 26, 1965.

Seconded by Councilman Frohling:

On roll call the vote was as follows:  
 AYES: Councilmen Holbrook, Welchman, Frohling, Supt. Mundt  
 NOES: None

(576) Councilman Frohling offered the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Temporary appointment until September 3, 1965, of Matthew H. Kastner, of 2 Demarest Mill Road, West Nyack, New York, to the position of Laborer, in the Town

Engineer's Office, at a salary of \$1.75 perhour, retroactive to and effective August 2, 1965.

Seconded by Councilman Welchman:

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Welchman, Frohling, Supt, Mundt.

NOES: None

(577) Councilman Welchman offered the following resolution:

RESOLVED, that the Supervisor be and he is hereby authorized to transfer from Current Surplus General to Planning Board, the sum of \$400.00.

Seconded by Councilman Frohling:

AYES: Councilmen Holbrook, Welchman, Frohling, Supt. Mundt.

NOES: None

(578) Councilman Welchman offered following resolution:

RESOLVED, that the salary of YOLANDA THOMAS of 24A Johnson Lane, New City, N.Y., Key Punch Operator with Data Processing Dept. increased from \$1.80 per hr. to \$1.90 per Hr.

Seconded by Councilman Holbrook:

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Welchman, Frohling, Supt. Mundt.

NOES: None

(579) Councilman Welchman offered the following resolution:

WHEREAS, Orange & Rockland Public Service has petitioned this Board for a refund of erroneous 1965 Public Service taxes on property in the Town of Clarkstown, assessed to: Orange & Rockland Broadway, Nyack, New York Subdivision on 1965 Tax Roll on account of the calculation of \$229.25 was produced by a faulty machine total. Said total should be \$207.90 and was an erroneous assessment as verified by the Clarkstown Assessor, therefore, be it

RESOLVED THAT THE Supervisor be and he is hereby authorized to refund to the petitioner and charge Consolidated Light District #1 the amount of the erroneous tax, which is \$21.35..

Seconded by Councilman Holbrook:

on roll call the vote was as follows:

AYES: Councilmen Holbrook, Welchman, Frohling, Supt. Mundt

NOES: None

(580) Councilman Holbrook offered the following resolution:

WHEREAS, Orange & Rockland Special Franchise has petitioned this Board for a refund of erroneous 1965 Special Franchise taxes on property in the Town of Clarkstown, assessed to: Orange & Rockland Utilities, Inc. Broadway, Nyack, New York Subdivision on 1965 Tax Roll on account of calculation of \$1396.05 was produced by a faulty machine total. Said total should be \$1266.07. and was an erroneous assessment as verified by the Clarkstown Assessor, therefore be it

RESOLVED THAT THE Supervisor be and he is hereby authorized to refund to the petitioner and charge Consolidated Light District #1 the amount of the erroneous tax, which is \$129.98.

Seconded by Councilman Welchman;

on roll call the vote was as follows:

AYES: Councilmen Holbrook, Welchman, Frohling, Supt. Mundt.

NOES: None

(581) Councilman Holbrook offered the following resolution:

WHEREAS, New York Telephone Special Franchise has petitioned this Board for a refund of erroneous 1965 Special Franchise taxes on property in the Town of Clarkstown, assessed to: New York Telephone Co., Legal Department, 140 West Street, New York, N.Y. Subdivision on 1965 Tax Roll on account of produces by a faulty machine total. Total should be \$1611.27. and was an erroneous assessment as verified by the Clarkstown Assessor, therefore, be it

RESOLVED THAT THE Supervisor be and he is hereby authorized to refund to the petitioner and charge Consolidated Light District #1 the amount of the erroneous tax, which is \$165.43.

Seconded by Councilman Welchman

on roll call the vote was as follows:

Ayes: Councilman Holbrook, Welchman, Frohling, Supt, Mundt.

Noes: None

(582) Councilman Welchman offered the following resolution:

WHEREAS, Robert L. Johnson & Kathryn has petitioned this Board for a refund of erroneous 1965 Water Tax Taxes on property in the Town of Clarkstown, assessed to: Robert L. Johnson & Kathryn, 62 Briar Road, Nanuet, New York Map - 162, Block - E, Lot - 39, Tax roll 1965 on account of the wrong rate was applied on Social district water tax -- Nanuet water. and was an erroneous assessment as verified by the Clarkstown Assessor, therefore, be it

RESOLVED THAT THE Supervisor be and he is hereby authorized to refund to the petitioner and charge Nanuet Water District the amount of the erroneous tax, which is \$2.32.

Seconded by Councilman Holbrook

On roles call the vote was as follows:

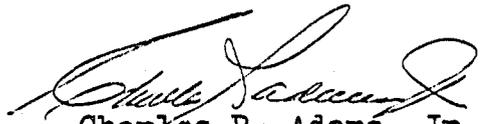
AYES: Councilmen Holbrook, Welchman, Frohling, Supt. Mundt.

NOES: None

Supt. of Highways: Fred Seeger reported to the Board that Mrs. Leon Goldman, 126 Grandview Ave., Nanuet, requested "No thru Trucking", on Grandview Ave., Nanuet. Request referred to chief of Police for study

On resolution offered by Councilman Welchman, seconded by Councilman Frohling. Special Town Board Meeting was adjourned

Signed,

  
Charles R. Adams, Jr.  
Deputy Town Clerk