

## PUBLIC HEARING

Town Hall

8/16/65

8:30 P.M.

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

RE: ZONE CHANGE APPLICATION - JOSEPH P. MC GINN (RA-1 to R-1)  
(Prop. located on s/w corner Sickletown Road & Foxwood Rd., West Nyack:

Public Hearing adjourned without date at request of attorney  
for petitioner Donald G. Partridge.

Signed,

Anne E. O'Connor  
Town Clerk

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

RE: EXTENSION OF SEWER DISTRICT NO. 8 TO INCLUDE PROPERTY LOCATED ON  
LUDVIGH ROAD AND POPLAR STREET, NANUET, NEW YORK

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

Town Clerk Anne E. O'Connor sworn in by Supervisor and testified  
as to proper posting and publication of notice of public hearing.

Mr. Charles R. Velzy of the firm of Nussbaumer, Clarke & Velzy  
sworn in by Supervisor and testified as follows upon questions put  
by Town Attorney:

Property sought to be included in Sewer District No. 8 bounded  
on the north by Sewer District No. 8; on the east by Poplar Street;  
on the south by Ludvigh Road and Sewer District No. 17; and on the  
west by Middletown Road.

All properties and property owners included within extension  
will be benefited by proposed extension.

All those benefited are included within the proposed district.

In the public interest to grant proposed extension.

COST: \$207,000. This would cost property assessed at \$5000 as follows:

1st year: \$97.65  
5th year: \$94.43  
15th year: \$82.80 (Over 30-year retirement period)

Town will finance cost with 30-year bond issue.

There will also be a slight additional charge for operation and  
maintainance over figures quoted.

NO FURTHER QUESTIONS PUT BY TOWN ATTORNEY.

TOWN BOARD:

CCE312

Councilman Danko: What are they paying at present time in District 8?  
 Answer: (Mr. Velzy) People already living in district will not have their rate affected. People who have an existing sewer service will not be basically affected by this change. Rates are what the new people will have to pay. Everyone, including those who already have service, should enjoy a slight benefit in operation and maintainance costs, although very minor.

New costs, in addition to \$97.65 for first year?

Answer: Very slight increase for operation and maintainance. \$40-45 increase which will give total annual charge of \$135-140 for first year.

QUESTIONS FROM PUBLIC ANSWERED BY GEORGE SUTTIE AND MR. VELZY:

1. How does this affect residents on Poplar Street?

Answer: (Mr. Suttie): Pipe line will go north to the pumping station.

2. Mr. Fuchs: When County Sewer System is created, will this decrease cost?

Answer: When this happens, you would get benefit of treatment cost for entire county. There will be more people in it.

Question: Will there be additional cost when connected to county sewer system?

Answer(Suttie): Pattern of flow will determine.

4. Cost would be reduced \$45 a year down to about \$25-28 per year.

5. Mr. O'Brien, 6 Windsor Court, Nanuet: Does this provide for accounting of funds set aside for capital improvement for Sewer District No. 8. Are any of these funds being used to extend the district?

Mr. Suttie: When area extended into 8, capacity of plant will have to be increased. When Sewer District was being expanded, the plant was not sufficiently large to handle expansion, but we were told cost in prior extension there has been.

It is not an equal amount as per house, but it has been worked out that an area extended would have to pay to extend and the plant to take the extra flow.

Supervisor: New developers have been asked to contribute more so we have a cushion that is being built up.

Supervisor: When we say it is going to cost \$200 plus; very often bids have come in 10-15% less. This also has direct effect on rates that the home owners would be paying.

Councilman Frohling: These figures are maximum figures. We have 10% for contingent and 10% for engineering and 10% for administration.

Mr. Bartis, Poplar Street: Whatever monies have been spent to expand must be expanded even when hooked into county system.

Suttie: The only amount extra being asked is \$100 a home for added expenses that have to be done. Instead of adding that \$100 on to the overall construction amount, you could have an option to pay \$100 directly to pay for the plant expansion. Then, there is not any amount included in the bond issue.

Question: How long to tie into county system?

Answer: Between spring of 1968 for area in Nanuet. However, you are in area that is beginning to expand up and will perhaps in a year or two, two, so you are able to get in but not before the spring of 1968 and perhaps year after that.

Mr. Suttie: If district is in effect thirty days from tonight, I would estimate by the spring of 1966. However, amount you would pay would be higher because construction costs would be higher.

Supervisor: Assuming sewer service in 1966, the first tax bill rendered would not appear until January 1967, so you would have 1/2 year sewer service without paying for it.

Town Attorney: Amortized over period of thirty years.

Arthur Tedeschi, Poplar St., Nanuet: Re capacity - what is done to enlarge plant to take additional homes?

Mr. Velzy: We build additional tanks and equipment.

Mr. Tedeschi: Dalewood Estates and people presently in Sewer Dist. 8 pay \$68.00 a year. They have no construction cost.

Supervisor: State has had in Works Law which permitted grants for 1/3 of operation maintenance but legislaure did not appropriate the money. However, they did this year and applications are now being processed.

Mr. Tedeschi: We get odors now; if they enlarge OK, or move the plant down to Thruway - OK.

Town Engineer: Have been waiting to see the result of this application.

Mrs. Albert Wein: Re additional homes, can stream handle it?

Town Engineer: It is better to overload streams right now. We recognize overload, but Health Department knows this and will condone it.

Question: (Mr. Wein): Five persons for house. Have you allowed for enough people?

Mr. Velzy: We have allowed for average. Your community would be 20% over that. Capacity factor will be used. 20% additional flow is held within factor of safety.

Question: Where is county <sup>trunk</sup> going to come in?

Answer: South; down to the pump.

Question: Albert Wein, Poplar St.: After 1968, package plant will be discontinued when you tie in with county system. Will we still have to support for thirty years?

Answer: You will have to support monies for expanding it. Developers though have been required to pay most of money acquired.

What is the exact difference in cost to each individual homeowner?

Mr. Suttie: If your end to pay is \$100, a home paid to enlarge a plant------. The fact that you are paying now means that you can hook up now and you won't have to wait for 1968 or beyond that.

Paul Mundt: The taxpayer must decide whether this immediate service is worth the cost, bearing in mind that the major cost for the installation of the lines in the streets - if they wait, construction costs will go up in that time.

Mr. Tedeschi: Explain in \$20 unit charge:

Mr. Velzy: The assessment is made up of three parts.

1. Advalorem - 1/2 of cost.
2. 25% on front footage.
3. 25% on unit charge (That is charge for family unit.)

Mr. Frohling: \$20 charge is for the privilege of hooking into the plant.

Mr. Tedeschi and Mr. Gerber: Dalewood and Elmwood Manor paid flat rate for privilege of coming in. They would pay same maintainance and operating charge as anyone in district.

Mr. Suttie: Vacant area will become part of overall sewer system.

Mr. O'Brian: Of the \$207,000, what percentage is being used on lateral lines and actual expansion of the plant?

Mr. Suttie: There is only \$100 a home being spent for the plant.

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

Signed,

Anne E. O'Connor  
Town Clerk

PUBLIC HEARING

Town Hall

8/16/65

9:15 P.M.

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

RE: PROPOSED EXTENSION OF NEW CITY-WEST NYACK WATER SUPPLY DISTRICT TO INCLUDE OLD BRICK HOMES SUBDIVISION

Supervisor called public hearing to order. Town Clerk read

notice of public hearing.

Town Attorney stated that property sought to be extended into New City-West Nyack Water Supply district known as Old Brick Homes already in district.

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

Signed,

Anne E. O'Connor  
Town Clerk

PUBLIC HEARING

Town Hall

8/16/65

9:45 P.M.

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

RE: ROAD IMPROVEMENT DISTRICT - STRAWBERRY HILL LANE, WEST NYACK.

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

Robert Ranni appeared as attorney for petitioners.

Arthur Rubin, Monsey, N.Y., sworn in and testified as follows:

Entire cost for district - \$15,000.

Approximately 370' drainage to be installed to make this Town road.  
Also, 1000' of basin, 30' wide.

Bond issue, 15 year period.

50% cost based on frontage - 50% based on assessed valuation.

The other \$5000 would be borne by the homes on the south side, since Trap Rock is 50%.

Mr. Ranni: \$15,000 estimate is maximum that it could possibly be.

\$7500 to be borne by Trap Rock.

\$7500 to be borne by other side of road residents or property owners.

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

Signed,

Anne E. O'Connor  
Town Clerk

## TOWN BOARD MEETING

Town Hall

8/16/65

8:00 P.M.

Present: Councilmen Frohling, Danko, Holbrook, Supervisor Mundt.  
Town Attorney J. Martin Cornell  
Dep. Town Atty. Murray W. Jacobson  
Town Clerk Anne E. O'Connor

Supervisor Mundt called Town Board Meeting to order.

(583) Councilman Holbrook offered the following resolution:

RESOLVED, that minutes of seven (7) public hearing and regular Town Board Meeting held on 7/19/65 are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

(584) Councilman Holbrook offered the following resolution:

RESOLVED, that minutes of Special Town Board meeting held on 8/4/65 are hereby approved and accepted as submitted by the Deputy Town Clerk.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Supervisor Mundt.  
ABSTENTION: Councilman Danko. Carried.

(585) Councilman Frohling offered the following resolution:

RESOLVED, that the position of ADMINISTRATIVE ASSISTANT, PART-TIME, to the Planning Board be and the same is hereby abolished.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Supervisor Mundt.  
ABSTENTION: Councilman Danko. Carried.

(586) Councilman Holbrook offered the following:

RESOLVED, that the position of ADMINISTRATIVE ASSISTANT, FULL-TIME, Permanent to the Planning Board be and the same is hereby created effective and retroactive to August 9, 1965 at a salary of \$7514.00.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Supervisor Mundt.  
ABSTENTION: Councilman Danko. Carried.

(587) Councilman Frohling offered the following resolution:

WHEREAS, the position of Administrative Assistant, Part-Time, has been abolished and the position of Administrative Assistant, Full-Time, permanent, has been created,  
AND WHEREAS, the Certification of Eligibles List #6481, dated August 16, 1965, has been canvassed for a position in the Town Planning Board offices,

NOW, THEREFORE,  
 BE IT RESOLVED, that Charles T. Cassels be appointed Administrative Assistant, Full-time, permanent, in said office, and be it further RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Permanent appointment of CHARLES T. CASSELS, of 8 Castle Heights Avenue, Upper Nyack, New York, to the position of Administrative Assistant, Full-time, at a salary of \$7514.00 per annum., retroactive to and effective August 9, 1965.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Supervisor Mundt.  
 ABSTENTION: Councilman Danko.

Mr. George Nugent who was to appear re Quaspeck Sewers - not present.

Mr. Gallo, Ridge Rd., Valley Cottage appeared re drainage easement. Conveyed easement to Town about one year ago. Flooding present. Matter will be referred to Drainage Commission who, in turn, will make report to Town Board.

Mrs. Vincent DeCarlo appeared before Board re drainage problem. (Joe Feldman, builder.) Supervisor stated that builder should be brought into picture concerning this. Matter will be discussed and handled.

Re zone change application submitted by Joseph P. McGinn (RA-1 to R-1) which was scheduled for public hearing this evening at 8:30 P.M.; Donald Partridge, attorney for petitioner notified Town Board that petitioner would not be available to offer testimony and requested that matter be tabled.

(588) Councilman Danko offered the following resolution:

RESOLVED, that the Public Hearing on Zone Change Application made by JOSEPH P. MCGINN be tabled.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

Re Rolling Woods Subdivision drainage problem - meeting will be held on Wednesday morning, 8/18/65 at site, Town Engineer, Highway Supt. and Mr. Gil Robertson to be in attendance.

(589) Councilman Frohling offered the following resolution:

WHEREAS, DONALD A. LUCCA has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner described, from an R-1 district to an LS district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the said Town of Clarkstown, on the 27<sup>th</sup> day of

September 1965, at 8:30 P.M., relative to such proposed amendment; and it is FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the Journal News, a paper of general circulation in the Town of Clarkstown, as aforesaid and file proof thereof on the office of the said Clerk.

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

(590) Councilman Frohling offered the following resolution:

WHEREAS, BILL GOODMAN CORPORATION has petitioned the Town Board of the Town of Clarkstown for a Special Permit for the erection of a gas filling station on premises described in said petition pursuant to the Building Zone Ordinance of the Town of Clarkstown, Section 3.11 (Table of General Use Regulations), Paragraph 8 of Column 3 in the C-2 District; be it

RESOLVED, that a public hearing pursuant to said provisions of the Building Zone Ordinance of the Town of Clarkstown be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the said Town of Clarkstown, on the 27<sup>th</sup> day of September, 1965, at 8:15 P.M. o'clock, to consider the application of BILL GOODMAN CORPORATION relative to said Special Permit; and it is

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

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

(591) Councilman Frohling offered the following resolution:

WHEREAS, SPRING LAKE APARTMENTS, INC. has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner described, from an R-1(X) district to a C-1 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the said Town of Clarkstown, on the 27<sup>th</sup> day of September 1965, at 8:45 P.M., relative to such proposed amendment; and it is

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

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

(592) Councilman Frohling offered the following resolution:

WHEREAS, ALICE E. BLAKELY and GEORGE BLAKELY has petitioned the Town Board of the Town of Clarkstown that the Building Zone

Ordinance of the said Town be amended by redistricting property of the said petitioner described, from an R-2 district to a C-1 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the said Town of Clarkstown, on the 27<sup>th</sup> day of September 1965, at 9:00 P.M., relative to such proposed amendment; and it is

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

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

(593) Councilman Holbrook offered the following resolution:

WHEREAS, SIBARKO STATIONS, INC. has petitioned the Town Board of the Town of Clarkstown for a Special Permit for the erection of a gas filling station on premises described in said petition pursuant to the Building Zone Ordinance of the Town of Clarkstown, Section 3.11 (Table of General Use Regulations), Paragraph 8 of Column 3 in the C-2 District; be it

RESOLVED, that a public hearing pursuant to said provisions of the Building Zone Ordinance of the Town of Clarkstown be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the said Town of Clarkstown, on the 11<sup>th</sup> day of October, 1965, at 8:15 P.M. o'clock, to consider the application of SIBARKO STATIONS, INC. relative to said Special Permit; and it is

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

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

(594) Councilman Frohling offered the following resolution:

WHEREAS, A.V.R. REALTY CO. has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner described, from an R-1 district to a C-1 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the said Town of Clarkstown, on the 11<sup>th</sup> day of October 1965, at 8:30 P.M., (E.T.) relative to such proposed amendment; and it is

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

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

(595) Councilman Danko offered the following resolution:

RESOLVED, that the Superintendent of Highways be authorized to take all steps necessary to prevent further accidents at the intersection of Route 304 and Congers-New City Road, New City.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

(596) Councilman Frohling offered the following resolution:

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

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

(597) Councilman Danko offered the following resolution:

RESOLVED, that regular Town Board Meeting be resumed, scheduled public hearings having been held.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

Town Board signed Order extending Sewer District No. 8 to include property located on Ludvigh Road and Poplar Street, Nanuet, N.Y.

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly caused Nussbaumer, Clarke & Velzy, P.E., consulting engineers duly licensed by the State of New York, to prepare a general map, plan and report relating to the proposed extension of Sewer District No. 8, in the said Town of Clarkstown, as hereinafter described and for the construction of a lateral sewer system therein, consisting of lateral sewers and pumping stations and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been duly filed in the office of the Town Clerk of said Town for public inspection; and

WHEREAS, pursuant to resolution duly adopted on July 19, 1965, said Town Board determined to proceed with the proposed extension of said Sewer District No. 8 and the construction of such lateral sewer system therein and adopted an order reciting a description of the boundaries of said proposed extension in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, including acquisition of the necessary land and rights in lands, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's Office for public inspection and specifying August 16, 1965, at 8:45 o'clock P.M. (D.S.T.) as the time when, and the Town Hall, 10 Maple Avenue, New City, in the said Town, as the place where, the said Town Board would meet to consider the proposed extension of Sewer District No. 8 and the construction of a lateral sewer system therein and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of said Town Board, in relation thereto, as may be required by Law; and

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

WHEREAS, a public hearing in the matter was duly held by said Town Board on this 16<sup>th</sup> day of August, 1965, at 8:45 o'clock P.M. (D.S.T.), at the said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed extension of said Sewer District No. 8, and construction thereof of such lateral sewer system;

now,

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

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

Section 1. It is hereby determined that

(a) the notice of the public hearing hereinafter referred to in the recitals hereof was published and posted as required by law, and is otherwise sufficient; and

(b) all the property and property owners included within the proposed extension hereinabove referred to in said recitals are benefited thereby;

(c) all the property and property owners benefited are included within the limits of said proposed extension; and

(d) it is in the public interest to extend said Sewer District No. 8, as proposed.

Section 2. The proposed extension of said Sewer District No. 8 as hereinafter described is hereby approved and the proposed lateral sewer system therein shall be constructed as set forth in the said order calling the public hearing, including acquisition of the necessary lands and rights in land and said extension situate wholly outside of any incorporated village or city, shall be designated and known as extension of Sewer District No. 8, in the Town of Clarkstown, and shall be bounded and described as follows:

#### EASTERLY BOUNDARY

Beginning at a point at the northeasterly corner of lot 34-B-46.02 at Ludvigh Road; thence northerly across Ludvigh Road to the southeasterly corner of lot 16-1-A-6.18; thence northerly along the easterly side of lots 16-1-A-6.18 and 6.17 to the northeasterly corner of said lot 6.17, which point is on the southerly side of lot 16-1-A-6.16; thence easterly along the southerly side of said lot 6.16 to the southeasterly corner of said lot 6.16; thence northerly along the easterly side of lots 16-1-A-6.16 to 6.11 inclusive, to a point on the easterly side of said lot 6.11, which point is on the southerly boundary of existing sewer district number 8;

#### NORTHERLY BOUNDARY

Thence following the southerly boundary of existing sewer district number 8 in a generally westerly direction to a point where the boundary line of existing sewer district number 8 meets the easterly right-of-way of Middletown Road, which point is located on the westerly side of lot 16-1-A-15;

#### WESTERLY BOUNDARY

Thence southerly along the westerly side of lots 16-1-15 to 11 inclusive to the southwesterly corner of said lot 11 at Poplar Street; thence southerly across Poplar Street to the northwesterly corner of lot 16-1-A-10; thence southerly along the westerly side of lots 16-1-A-10, 77 and 76.01 to the southwesterly corner of said lot 76.01, which point is on the northerly boundary of existing sewer district 17;

SOUTHERLY BOUNDARY

Thence, following the northerly boundary of existing sewer district number 17 in a generally easterly direction to the southwesterly corner of lot 15-E-7; thence easterly along the southerly side of said lot 7 to the southeasterly corner of said lot 7 at Ludvigh Road; thence easterly across Ludvigh Road to the southwesterly corner of lot 33-2-B-23.07; thence easterly along the southerly side of said lot 23.07 to the southeasterly corner of said lot 23.07 thence northerly along the easterly side of lots 33-2-B-23.07, 23.10, 23.11, 23.05 and 23.06 to the northeasterly corner of said lot 23.06; thence continuing in a northerly direction along the easterly

side of lots 34-B-37.11 and 37.12 to the northeasterly corner of said lot 37.12 which point is the southwesterly corner of lot 34-B-37.14; thence easterly along the southerly side of lots 34-B-37.14 and 37.13 to the southeasterly corner of said lot 37.13 at Carmen Drive; thence southeasterly across Carmen Drive to the southwesterly corner of lot 34-B-37.08; thence easterly along the southerly side of said lot 37.08 to the southeasterly corner of said lot 37.08; thence northerly along the easterly side of lots 34-B-37.08 and 37.10 to the northeasterly corner of said lot 37.10, at Ludvigh Road; thence easterly along the southerly side of the right-of-way of Ludvigh Road to the northeasterly corner of lot 34-B-46.02, the point of beginning.

Section 3. The maximum amount proposed to be expended for the construction of said lateral sewer system consisting of lateral sewers and pumping stations in the vicinity of Ludvigh Road and Poplar Street, in Nanuet, in said proposed Extension, in said Town of Clarkstown and including manholes, house connection stubs brought to the curbs, acquisition of necessary land and original equipment, machinery and apparatus, is \$207,000, which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown and the assessment, levy and collection of special assessments upon the several lots and parcels of land in said proposed extension of Sewer District No. 8 which the Town Board shall deem especially benefited by said lateral sewer system so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds, and the costs of operation, maintainance and repair;

Section 4. The Town Clerk of said Town of Clarkstown is hereby authorized and directed within ten (10) days after the adoption of the resolution, to file certified copies of this resolution, in duplicate, in the office of the State Department of Audit and Control at Albany, New York, together with an application by said Town Board, in duplicate, for permission to extend said Sewer District No. 8, in the Town of Clarkstown, as herein described, pursuant to the provisions of said Town Law, and that such application shall be executed and verified by and in behalf of said Town Board by the Supervisor of the Town.

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

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

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

Councilman Frohling requested a show of hands in connection with extension of Sewer District No. 8. A large contingent approved, none disapproved.

Re public hearings to be held this evening in connection with proposed Sewer District No. 29 - property of THE DELLS, INC. (Bernard Nemeroff and Frances Nemeroff) due to incorrect publication in the County Citizen, public hearing was adjourned to undetermined future date. Will be republished, public hearings will probably be re-scheduled for October, 1965.

Re public hearing to be held this evening at 9:15 (Extension of New City-West Nyack Water Supply District to include OLD BRICK HOMES subdivision; since already in wter district, application was denied with the following restriction:

(598) Councilman Danko offered the following resolution:

WHEREAS, petition was made for the extension of the New City-West Nyack Water Supply District to include OLD BRICK HOMES SUBDIVISION; and  
 WHEREAS, property requested to be included was already located in New City-West Nyack Water Supply District, now therefore, be it  
 RESOLVED, that petition for extension of New City-West Nyack Water Supply District to include OLD BRICK HOMES SUBDIVISION is hereby DENIED..

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

Town Board signed Order extending New City-West Nyack Water Supply District to include premises in the vicinity of New Valley Road, Red Hill Road, Burda Lane and West Clarkstown Road.

WHEREAS, the Town Board of the Town of Clarkstown in the County of Rockland, State of New York, has heretofore duly caused a general map, plan and report relating to the proposed extension of the New City-West Nyack Water Supply District in said Town of Clarkstown, as hereafter described, and which map, plan and report have been duly filed in the office of the Town Clerk of said Town for public inspection; and

WHEREAS, pursuant to resolution duly adopted on May 10, 1965, said Town Board determined to proceed with the establishment of the said proposed extension of the New City-West Nyack Water Supply District and adopted an order reciting a description of the boundaries of said proposed extension in a manner sufficient to identify the lands therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for the performance or supplying of services and the fact that a map, plan and report describing the same are on file in the Town Clerk's Office for public inspection and specifying June 21, 1965, at 9:15 o'clock P.M. as the time when, and the Town Hall, 10 Maple Avenue, New City, in said Town, as the place where the said Town Board would meet to consider the proposed extension of said New City-West Nyack Water Supply District and the supplying of services therein, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of said Town Board in relation thereto as may be required by law; and

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

WHEREAS, a public hearing in the matter was duly held by said Town Board on the 21st day of June, 1965, commencing at 9:15 o'clock P.M. at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the establishment of said proposed extension of the New City-West Nyack Water Suplly District and the performance or supplying of services therein; and

WHEREAS, said Town Board by resolution adopted on June 21, 1965 determined that

(a) the notice of public hearing was published and posted

as required by law, and is otherwise sufficient; and

(b) all the property and property owners included within the proposed extension of the New City-West Nyack Water Supply District hereinabove referred to are benefited thereby;

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

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

WHEREAS, pursuant to said resolution, the Town Board approved the extension of the New City-West Nyack Water Supply District as described therein and the supplying of services as set forth in said order calling the public hearing, and

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

WHEREAS, the Town Board, pursuant to said resolution, provided that said resolution shall take effect thirty days after its adoption unless there shall be filed with the Town Clerk a petition signed and acknowledged by the owners of taxable real property situate in the proposed extension, as provided by law, and no such petition requesting that the matter be submitted to a referendum of the owners having been filed with the Town Clerk;

NOW THEREFORE, be it

ORDERED that the New City-West Nyack Water Supply District is hereby extended, said extension being more particularly described in Schedule A attached hereto and made a part hereof, and be it further

ORDERED that the cost of performing or supplying the services in said extension shall not exceed \$100.00 annually for each fire hydrant installed, which said amount shall be raised by taxation in the said extension of said district pursuant to the Town Law, and be it further

ORDERED that within ten days after the 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 the Town Clerk.

(599) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Engineer be authorized to draw up specs re Capral Lane drainage problem #1; and to publish same - bids to be opened 9/13/65 - 8:05 P.M.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

Letter of resignation as Republican Inspector of Elections in District No. 26 received from Mrs. Mary Ellen Hetzler.

(600) Councilman Danko offered the following resolution:

RESOLVED, that Mrs. Miriam Gilligan, 15 Greendale Road, New City, N.Y. is hereby appointed to serve as Republican Inspector of Elections in District No. 26.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

(601) Councilman Danko offered the following resolution:

RESOLVED, that the application of FRANK T. HURLEY for a change of zoning from a C-1 district to a C-2 district, on property located on southerly side of Route 59, Nanuet, New York be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

(602) Councilman Frohling offered the following resolution:

RESOLVED, that the application of KARL F. KIRCHNER for a change of zoning from an R-1 district to an RO district, on property located Congers, 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 Danko.

On roll call the vote was as follows:

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

(603) Councilman Danko offered the following resolution:

RESOLVED, that the application of T.S.G.W. Corp., for a change of zoning from an RA district to an M-1 and for an amendment to the zoning ordinance so as to designate a portion of Ridge Road as a commercial street, on property located near New City, New York be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance, and also to the Rockland County Planning Board pursuant to Sections 239-1 and 239-m of the General Municipal Law.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

Following reports received and noted by Town Board:

Welfare Officer - Month of July, 1965; Trial Balance dated July 31st, 1965; Sewer Operating Only Account - July, 1965 (together with reconciliation with bank statement); Zoning Board of Appeals Report for June 1965; (All will be filed in Town Clerk's Office.)

(604) Councilman Frohling offered the following resolution:

WHEREAS, BENJAMIN ASH, LILA STERNS, RUBIN JOSEPHS, and IORBER REALTY CORPORATION are desirous of granting a drainage easement to the Town of Clarkstown located on the westerly boundary line of premises located on the west side of Route 304, south of Collyer Avenue, New City, New York;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown accept a drainage

easement from Benjamin Ash, Lila Sterns, Rubin Josephs and Lorber Realty Corporation covering premises on the westerly boundary line of premises located on the west side of Route 304, south of Collyer Avenue, New City, New York, more particularly described in said easement dated the 30<sup>th</sup> day of July, 1965.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

(605) Councilman Frohling offered the following resolution:

RESOLVED, that a proposed amendment to the Zoning Ordinance of the Town of Clarkstown, attached hereto and made a part hereof, being a new paragraph designated Section 8.41 Site Development Plan Approval, be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance and also to the Rockland County Planning Board.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

(606) Councilman Frohling 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

WHEREAS, by resolution, the Town Board, on August 4, 1965, approved the plans, specifications and proposed contract pursuant to Section 197 of the Town Law, and

WHEREAS, pursuant to said resolution, the Town Clerk was directed to receive sealed proposals for the performance of the work, on August 23, 1965, and

WHEREAS, proper notices calling for such sealed proposals have been published as required by said resolution;

NOW THEREFORE, be it

RESOLVED, that Husted Lane as described upon the attached map together with the easements designated thereon, is hereby accepted as a town street and it is hereby directed that the deeds of conveyance to said premises be recorded in the Rockland County Clerk's Office.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Supervisor Mundt.  
ABSTENTION: Councilman Danko

(607) Councilman Frohling offered the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Provisional appointment, pending examination of Tobia V. Marrazzo, of 44 Ablondi Road, Pearl River, New York, to the position of Assistant Engineer at a salary of \$9360 per annum, retroactive to and effective August 9, 1965.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

(608) Councilman Frohling offered the following resolution:

BE IT RESOLVED, that pursuant to recommendation of the Personnel Officer, Rockland County Personnel Office, the position of ASSISTANT ENGINEER to the Town Engineer be and the same is hereby created, retroactive to and effective 8/9/65 at a salary of \$9360 per year.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

(608a) Councilman Frohling offered the following resolution:

WHEREAS, the Town of Clarkstown has embarked upon a lateral sewer program, and

WHEREAS, a contract for the final engineering services was executed by the Supervisor of the Town of Clarkstown dated April 13, 1965, and authorized by resolution of the Town Board of the Town of Clarkstown on March 22, 1965, and

WHEREAS, it is necessary to amend said agreement to provide that the same shall not become effective as to any services to be covered in an application to the Housing and Home Finance Agency until after the Agency has made an offer of funds and the same have been accepted by the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute such an amendment to the agreement made the 13<sup>th</sup> day of April, 1965, between the Town of Clarkstown and Newell L. Nussbaumer and Charles R. Velzy, partners doing business under the name of Nussbaumer, Clarke & Velzy.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

Clarkstown Planning Board transmitted to Town Board copy of resolution adopted at their regular meeting of July 27, 1965 approving site plan presented by Skouras Theatres with stipulations. (Filed in Town Clerk's Office).

(609) Councilman Danko offered the following resolution:

RESOLVED, that Florence Blauvelt be granted permission to attend the Annual Training School for Fiscal Officers from September

26 to October 1, 1965, at Saratoga Springs, New York, and that all necessary expenses incurred in this connection be a town charge.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

(610) Councilman Frohling offered the following resolution:

WHEREAS, Mr. Alexander Goodman Goodman, 10 Lakewood Drive, Congers, New York has resigned as member of the Congers Hamlet Development Board, be it

RESOLVED, that Mr. Raymond Faggella, 39 Sheridan Avenue, Congers, New York is hereby appointed to serve as a member of the Congers Development Board without compensation, effective immediately.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

(611) Councilman Holbrook offered the following resolution:

RESOLVED, that Rev. David W. Arnold, St. John's Episcopal Church, 365 Strawtown Rd., New City, New York is hereby appointed to serve as a member of the Code of Ethics Board, without compensation, effective immediately.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

(612) Councilman Holbrook offered the following resolution:

WHEREAS the Practicing Law Institute is conducting a seminar for municipal attorneys in New York City on August 18, 19 and 20, 1965; NOW THEREFORE, be it

RESOLVED that the Town Attorney, J. Martin Cornell, and the Deputy Town Attorney Murray N. Jacobson, are authorized to attend said seminar, the costs and expenses thereof to be a Town charge.

Seconded by Councilman Danko.

On roll call the vote was as follows:

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

(613) Councilman Frohling offered the following resolution:

WHEREAS, a Notice of Claim was served upon the Town Clerk of the Town of Clarkstown on August 3, 1965 at 2:40 P.M., entitled "In the Matter of the Claim of Peter Leonard, d/b/a/" "Peter's Pets" against the Town of Clarkstown, Rockland County, New York and the Board of Architectural Review of the Town of Clarkstown, Rockland County, New York", and

WHEREAS, the Town Board of the Town of Clarkstown and the Board of Architectural Review and the Building Inspector and the

Members of the Board of Architectural Review individually, have been made parties to an action brought by Peter Leonard, d/b/a "Peter's Pets";

NOW THEREFORE, be it  
RESOLVED, that the Town Attorney is authorized to appear in said action and defend the same.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

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

Report to be submitted by Town Engineer and Highway Superintendent re problem at East St., Nanuet at meeting to be held on 9/13/65.

Town Engineer recommends that drainage problem existing on Fenner Lane, Nanuet be turned over to the Drainage Commission. He also requested authorization for survey assistance if he needs it. Supervisor requested that Town Engineer give the Board some idea of cost at special meeting to be held on August 4th at 4:00 P.M.

(614) Councilman Holbrook offered the following resolution:

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

Section 1. The Bond Anticipation Note of this Town, dated August 17, 1964, maturing August 17, 1965, subject to prior redemption, numbered 1, heretofore authorized to be issued in the principal amount of \$55,000 pursuant to bond anticipation note resolution duly adopted by the Town Board of said Town on June 22, 1964, is hereby authorized to be renewed by the issuance of a new bond anticipation note in the principal amount of \$55,000.

Section 2. The Bond Anticipation Note of this Town dated March 23, 1965, maturing August 17, 1965, subject to prior redemption, numbered 2, heretofore authorized to be issued in the principal amount of \$2,500 pursuant to bond anticipation note resolution duly adopted by the Town Board of said Town on June 22, 1964, is hereby authorized to be renewed by the issuance of a new bond anticipation note in the principal amount of \$2,500.

Section 3. Said new Notes herein to be issued shall be combined for the purpose of sale into a single Note issue in the aggregate principal amount of \$57,500, hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York. The new Note herein authorized to be issued shall mature not later than one year from date and may be renewed from time to time pursuant to the provisions of said Local Finance Law.

Section 4. The terms, form and details of said renewal Note shall be as follows:

Amount and Title: \$57,500 Bond Anticipation Note For  
Sewers and Sewer Crossings - 1965

Dated: August 17, 1965

Matures: August 17, 1966, subject to prior redemption

No. R-1 Denomination: \$57,500

Interest rate: 2.40% per annum, payable at maturity

Place of payment of principal and interest:

Supervisor's Office

New City, New York

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

Section 5. Said Note is hereby awarded and sold to TAPPAN ZEE NATIONAL BANK OF NYACK, Nyack, New York, at the price of \$57,502, to bear interest at the rate of two and forty hundredths per centum (2.40%) per annum, payable at maturity, and the Supervisor is hereby authorized to deliver said Note to said purchaser upon receipt of the face amount, plus accrued interest, if any, from the date of said Note to the date of delivery.

Section 6. Said Note shall contain the recital of validity

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

Section 7. Said Note shall be executed on behalf of the Town by its Supervisor and the corporate seal of said Town shall be affixed thereto and attested by its Town Clerk.

Section 10. This resolution shall take effect immediately.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

Re drainage problem existing on Gregory St., New City; Town Engineer and Attorney Martin Hurwitz to look into matter before roads are taken over. Flooding exists between Gregory and Gail Dr. due to Gail Drive having been raised, causing natural drainage to become blocked, which causes flooding of area between the two roads.

Highway Superintendent requested permission to remove old records from Highway Department. Also wants shed for graders and loaders. Building Superintendent to be contacted to find a place to store this equipment; also, to get some specifications for shed.

On resolution offered by Councilman Holbrook, seconded by Councilman Frohling and unanimously adopted, Town Board Meeting was adjourned to August 23, 1965 at 4:00 P.M. when further Town business will be handled.

Signed,

Anne E. O'Connor  
Town Clerk

CCE312