

TOWN BOARD MEETING
1/24/66

Town Hall

8:00 P.M.

Present: Councilmen Brenner, Damiani, Frohling, Holbrook and Supervisor Mundt.
Town Attorney Donald S. Tracy
Dep. Town Attorneys Murray Jacobson and Neal Hirshfeld

Supervisor Mundt called Town Board meeting to order.

(108) Councilman Frohling offered the following resolution:

RESOLVED, that minutes of Organizational Meeting, 1/3/66; Two (2) Public Hearings and Regular Town Board meeting held 1/10/66 are hereby approved and accepted as submitted by Town Clerk.

Seconded by Councilman Holbrook.

All voted Aye.

(109) Councilman Holbrook offered the following resolution:

WHEREAS, a written petition dated November 1, 1965, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York, for the Establishment of Sewer District No. 31 in the said Town, to be bounded and described as follows:

ALL those certain lots situate, lying and being in the Town of Clarkstown, County of Rockland, State of New York, bounded and described as follows:

BEGINNING at a point formed by the intersection of the easterly right-of-way of Pascack Road and the southerly right-of-way line of Old Nyack Turnpike; thence along the easterly right-of-way line of Pascack Road the following two courses and distances:

1. S 3° 04' 10" E, 241.63 ft; thence
2. S 6° 19' 20" W, 524.74 ft; thence
3. Along the southerly boundary lines of the lands described herein N 83° 56' 26" E, 630.65 ft; thence
4. Along the easterly boundary line of the lands described herein N 6° 12' 47" W, 751.57 ft to the point of intersection between the easterly boundary line of the lands described herein and the southerly right-of-way line of Old Nyack Turnpike; thence
5. Along the southerly right-of-way line of Old Nyack Turnpike S 84° 11' 50" W, 503.52 feet to the point or place of BEGINNING.

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, N.Y. in said Town of Clarkstown on the 14th day of February, 1966, at 8:15 P.M. Local Time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Councilman Damiani.

All voted Aye.

(110) Councilman Frohling offered the following resolution:

WHEREAS, Eldorado Estates, Inc. has petitioned the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioned described from an R-1 district to a C-2 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, N.Y. on the 14th day of February, 1966 at 8:45 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 Holbrook.

All voted Aye.

CCG660

30
(111) Councilman Frohling offered the following resolution:

WHEREAS, the School Boards of the Clarkstown Central School District #1 and Ramapo School District #2 meet the second and fourth Mondays of each time, and

WHEREAS, said meetings are in conflict with the meeting dates of the Town Council of the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that Resolution #19, dated 1/3/66, be and is hereby amended to read "that regular Town Board meetings shall be held on the first and third Wednesdays of each month at 8:00 P.M. and on the last business day of each month at 2:00 P.M.: and be it

FURTHER RESOLVED, that this amendment to Resolution No. 19 take effect on March 1, 1966.

Seconded by Councilman Holbrook.

All voted Aye.

(112) Councilman Holbrook offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deeds from John H. Clark, Thomas J. Clarke, Edgar Rose, Doris F. Rose, Empire State Federal Savings & Loan Assn., Marine Midland Trust Co., Tremont Savings & Loan Assn. (Valley Acres) to the Town of Clarkstown conveying 1400 L.F. Cottage Lane and Old Mill Road be accepted, and be it

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

Seconded by Councilman Frohling

All voted Aye.

(113) Councilman Holbrook offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deeds from Knickerbocker Federal Savings & Loan Assn., Spring Valley Savings & Loan Assn., and Patayne Estates, Inc. (Holt Hills) to the Town of Clarkstown conveying 810 L.F. Eberling Drive Extension, 140 L.F. Dorchester Avenue, and 594 L.F. of Verdin Drive be accepted, and be it

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

Seconded by Councilman Frohling.

All voted Aye.

(114) Councilman Damiani offered the following resolution:

RESOLVED, that the application of Houses & Homes, Ltd. for a change of zoning from an RA-1 to a R-2 district on property located on North Main Street, 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, also to the Rockland County Planning Board pursuant to Sections 239-1 and 239-M of the General Municipal Law.

Seconded by Councilman Holbrook.

All voted Aye.

(115) Councilman Damiani offered the following resolution:

RESOLVED, that the application of Bertha Slomka and Daniel Schumer for a zone change from SC & RO to an R-2 district on property located at Pipetown Hill Road, 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 Frohling.

All voted Aye.

(116) Councilman Frohling offered the following resolution:

WHEREAS, the Town of Clarkstown is desirous of entering into an agreement with Patayne Estates, Inc. in connection with dedication of roads in Holt Hills, Section 2,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute an agreement with Patayne Estates, Inc. of Fort Lee, New Jersey, providing for the deposit of \$4500.00 with the Town of Clarkstown by said Patayne Estates, Inc. to be held by the Town pending final and complete improvements of the roads in said development by the developer, subject to final approval of the Town Engineer and the Superintendent of Highways of the Town of Clarkstown.

Seconded by Councilman Holbrook.

All voted Aye.

(117) Councilman Frohling offered the following resolution:

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

Seconded by Councilman Holbrook.

All voted Aye.

(118) Councilman Brenner offered the following resolution:

RESOLVED, that regular Town Board meeting is hereby resumed, regularly scheduled public hearings having been held.

Seconded by Councilman Damiani

All voted Aye.

(119) Councilman Brenner offered the following resolution:

WHEREAS, a proposed amendment to Local Law No. 1-1964 "LOCAL LAW RELATING TO CONFLICTS OF INTEREST AND ETHICS FOR OFFICERS AND EMPLOYEES OF THE TOWN OF CLARKSTOWN", was introduced by Mr. William Brenner, a member of the Town of Board of the Town of Clarkstown at a Town Board meeting on January 10, 1966, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 10th day of January, 1966, directed that a public hearing be held on the 24th day of January 1966, at 8:15 P.M. o'clock in the evening eastern standard time, to consider the adoption of said proposed amendment, and

WHEREAS, a notice of said public hearing was duly prepared and published in The Journal News on January 12, 1966, and posted on the sign board of the Town of Clarkstown on the same date, and

WHEREAS, a public hearing was held by the Town Board on January 24, 1966, at 8:15 P.M. in the evening, E.S.T., and

WHEREAS, copies of the proposed amendment in final form were mailed to the members of the Town Board on the 11th day of January, 1966, 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, N.Y., on January 24, 1966, an amendment to Local Law No. 1-1964, "LOCAL LAW RELATING TO CONFLICTS OF INTEREST AND ETHICS FOR OFFICERS AND EMPLOYEES OF THE TOWN OF CLARKSTOWN", was adopted and passed by an affirmative vote 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:

Hon. Paul F. Mundt, Supervisor	-	AYE
Councilman Martin E. Holbrook	-	AYE
Councilman Philip J. Frohling	-	AYE
Councilman James V. Damiani	-	AYE
Councilman William Brenner	-	AYE

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

Seconded by Councilman Frohling.

All voted Aye.

CCG660

(120) Councilman Holbrook offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. be authorized to install street lights at the following locations:

Congers Road, Ridge Road, Route 304 & Cavalry Drive, Strawtown Road, Laurel Road, Route 304, Route 304 between Laurel Road and Crambrook Road, South Main Street, Third Street, Route 303 and Storms Road, Smith Street.

Seconded by Councilman Damiani.

All voted Aye.

(121) Councilman Holbrook offered the following resolution:

RESOLVED, that the Town Clerk be authorized to execute Hydrant Orders Inves. #5202 for one hydrant on Carlann Lane, Valley Cottage, N.Y.

Seconded by Councilman Frohling.

All voted Aye.

The Supervisor read a letter from Melvyn S. Kohn, DDS, 325 W. Clarkstown Road, Spring Valley, requesting that a guard rail be placed on front of 325 and 321 West Clarkstown Road. The matter was referred to the Superintendent of Highways.

The Annual Report of the Town Clerk was received. The Supervisor noted the increased business in this office, especially the number of Public Hearings, Regular and Special Meetings held during the year of 1965.

(122) Councilman Damiani offered the following resolution:

WHEREAS, the Town Board of Clarkstown, New York, is desirous of submitting an application to the Department of Housing and Urban Development for an interest-free advance of funds to prepare preliminary planning documents for a refuse incinerating plant,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board, that Bowe, Albertson & Walsh, Engineers, be authorized to prepare the application and supporting engineering data, and

BE IT FURTHER RESOLVED, that the Attorney and Financial Officers be authorized to furnish such pertinent legal and financial information as the Engineers may require in the preparation of the application, and

BE IT FURTHER RESOLVED, that upon allocation of the funds by the Department of Housing and Urban Development that the aforementioned engineers proceed with the preparation of the planning documents as provided for by the advance planning funds, and

BE IT FURTHER RESOLVED, that the Supervisor be authorized to enter into an engineering agreement with Bowe, Albertson & Walsh for the preparation of the complete planning documents and supervision of construction of the proposed refuse incinerating plant in accordance with the American Society of Civil Engineers, Manual No. 45, "Consulting Engineering - A Guide for the Engagement of Engineering Services", and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Engineers and Attorney.

Seconded by Councilman Frohling.

All voted Aye.

(123) Councilman Damiani offered the following resolution:

WHEREAS, the Town of Clarkstown, New York, herein called the Applicant, after thorough consideration of the various aspects of the problem and study of available data has hereby determined that the construction of certain public works, generally described as Refuse Incinerating Plant, is desirable and in the public interest and to that and it is necessary that action preliminary to the construction of said works be taken immediately; and

WHEREAS, under the terms of Public Law 560, 83rd Congress, as amended, the United States of America has authorized the making of advances to public bodies to aid in financing the cost of engineering and architectural surveys, designs, plans, working drawings, specifications or other action preliminary to and in preparation for the construction of public works; and

WHEREAS, the Applicant has examined and duly considered such act and the applicant considers it to be in the public interest and to its benefit to file an application under said Act, and to authorize other action in connection therewith;

NOW, THEREFORE, BE IT RESOLVED by the Town Board, the governing body of said Applicant, as follows:

1. That the construction of said public works is essential to and is to the best interests of the Applicant, and to the end that such public works may be provided as promptly as practicable, it is desirable that action preliminary to the construction thereof be undertaken immediately;
2. That Paul F. Mundt, Supervisor, be hereby authorized to file in behalf of the Applicant an application (in form required by the United States and in conformity with said Act) for an advance to be made by the United States to the Applicant to aid in defraying the cost of plan preparation for the above described public works, which shall consist generally of surveys, preliminary plans, specifications, report, estimate of cost, soil investigations;
3. That if such advance is made, the Applicant shall provide or make necessary arrangements to provide such funds, in addition to the advance, as may be required to defray the cost of the plan preparation of such public works;
4. The said Paul F. Mundt, Supervisor, is hereby authorized to furnish information and take such other action as may be necessary to enable the applicant to qualify for the advance;
5. That the officer designated in the preceding paragraph is hereby designated as the authorized representative of the Applicant for the purpose of furnishing to the United States such information, data and documents pertaining to the application for an advance as may be required; and otherwise to act as the authorized representative of the Applicant in connection with this application.
6. That certified copies of this resolution be included as part of the application for an advance to be submitted to the United States.

Seconded by Councilman Holbrook.

All voted Aye.

(124) Councilman Damiani offered the following resolution:

RESOLVED, that the Supervisor shall submit to the Town Clerk within sixty days after the close of the fiscal year a copy of the report to the State Comptroller required by Section 30 of the General Municipal Law and the Town Clerk shall cause a summary of such report to be published within ten (10) days after receipt thereof in a form approved by the State Comptroller in the official newspaper and in such other newspapers as the Town Board may direct.

Seconded by Councilman Frohling.

All voted Yes.

(125) Councilman Holbrook offered the following resolution:

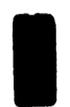
RESOLVED, that the Supervisor be and he is hereby authorized to carry forward to 1966 the following balances:

Redemption of Debt (Principal and Interest)	\$ 2,830.00
Sidewalk Construction	10,764.41
Payment to State: Social Security, Town Share	14,492.46
Town Building Site	2,420.25
Bardonia & Nanuet: Sewer Plan Map & Reports	2,977.77
Storm Drainage	12,944.37
Town Hall Building Site	5,000.00
Registrar of Vital Statistics	539.50
Water	13,732.17
Clarkstown Consolidated Light District #1	10,611.80
Sewer Districts (Construction)	5,756.18
Dykes Park Road Special Road Improvement	4,258.98
Sewer District #4 (Silver Birch)	19.32
N. Y. State Withholding Tax (Employees only)	40.00
Employees' Withholding Tax for Social Security	2,974.84
Guaranty Deposits	11,540.00

Seconded by Councilman Frohling.

All voted Aye.

CC6660



Supervisor's Pre-Closing Trial Balance dated 12/31/65 was received by Board and filed.

(126) Councilman Frohling offered the following resolution:

RESOLVED, that Rudolph J. Yacyshyn , 5 Foxburn Street, New City, is hereby appointed as a member of the Clarkstown Planning Board to fulfill unexpired term of Morton Isler, term expiring 1/5/67, at annual salary of \$600.00.

Seconded by Councilman Damiani

All voted Aye.

(127) Councilman Frohling offered the following resolution:

RESOLVED, that the Building and Zoning Inspector and members of his staff be authorized to register and attend the 17th Annual School for Building Inspectors to be held in New York City on February 24, and 25th, 1966, and be it

FURTHER RESOLVED, that all actual and necessary expenses be made a proper Town charge.

Seconded by Councilman Damiani.

All voted Aye.,

Supervisor Mundt read a letter from William Yuda, 95 East Rte 59A, West Nyack, requesting that name of Route 59A be renamed Clarksville Road and East Route 59A be renamed Carteret Lane. This matter was referred to Councilman Brenner for report to be submitted at next regular meeting.

(128) Councilman Damiani offered the following resolution:

WHEREAS, the total land holdings of the Palisades Interstate Parkway in the State of New York and New Jersey approximates 62,338 acres and

WHEREAS, of that total acreage 24,000 acres are situated in the State of New Jersey, and

WHEREAS, of that total acreage 32,932 acres are situated in the County of Rockland, State of New York,

NOW, THEREFORE, be it resolved that, in order to protect and promote the interests of the residents of Rockland County and the residents of the Town of Clarkstown, the Governor of the State of New York is requested to consider the appointment of a resident of Rockland County, preferably the Town of Clarkstown, to the Palisades Interstate Park Commission.

Seconded by Councilman Brenner.

All voted Aye.

Supervisor Mundt read letter from Board of Cooperative Educational Services requesting traffic light at the intersection of Route 304 and Germonds Road, New City.

(129) Councilman Holbrook offered the following resolution:

RESOLVED, that the Supervisor write to the New York State Traffic Commission and urgently request that a traffic signal be installed at the intersection of Route 304 and Germonds Road, New City.

Seconded by Councilman Damiani.

All voted Aye.

CC6660

(130) Councilman Damiani offered the following resolution:

RESOLVED, that Donald S. Tracy, Town Attorney, and Councilman Damiani attend Public Service Commission hearing at Trenton, N.J. on 1/26/66 re discontinuance of passenger service on the Erie-Lackawanna Railroad.

Seconded by Councilman Holbrook.

All voted Aye.

(131) Councilman Holbrook offered the following resolution:

RESOLVED, that the Superintendent of Highways be authorized to advertise for bids on the following equipment:

Backhoe - 8:05 PM - 2/14/66
Grader - 8:07 PM - 2/14/66

Seconded by Councilman Damiani

All voted Aye

(132) Councilman Frohling offered the following resolution:

RESOLVED, that the Supervisor be authorized to transfer from CURRENT SURPLUS-GENERAL to Storm Drainage Account (East Street) the sum of \$350.00.

Seconded by Councilman Holbrook.

All voted Aye.

(133) Councilman Holbrook offered the following resolution:

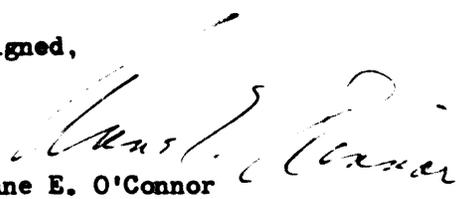
RESOLVED, that Marjorie R. Hopper, MD, 278 N. Midland Avenue, Upper Nyack, N.Y. be appointed a member of the Clarkstown Shade Tree Committee to fulfill the unexpired term of Millia Harkavy term expiring December 1968, to serve without compensation.

Seconded by Councilman Frohling.

All voted Aye.

On resolution of Councilman Damiani, seconded by Councilman Brenner and unanimously adopted, Town Board meeting was adjourned until 1/31/66 at 2:00 P.M.

Signed,


Anne E. O'Connor
Town Clerk