

PUBLIC HEARING

Town Hall

3/16/66

8:15 PM

Present: Councilmen Holbrook, Brenner, Damiani, Frohling, Supervisor Mundt.
Town Clerk Anne E. O'Connor
Town Attorney Donald S. Tracy

RE: ZONE CHANGE APPLICATION - ELLES REALTY CORPORATION (M-1 to R-1)
PROPERTY LOCATED WEST SIDE GREEN AVENUE - (VALLEY COTTAGE)

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

PLANNING BOARD RECOMMENDATIONS:

TOWN: Approve

COUNTY: Extend R-1 to cover all or part of 2-acre area.

Attorney for petitioner - Henry Horowitz, 59 Rose Road, Nanuet.

Parcel approximately 2.3 acres located on west side of Green Avenue. Originally part of 9 acre parcel which was approved for subdivision; (presented exhibit showing approved subdivision)(and M-1 portion up for consideration)

Residential street only way to enter this parcel. Additional two acres would allow from four to six additional homes. Property close enough to railroad tracks to be considered contiguous. If approved, his client would return to Planning Board re fencing along rear of property. (Mr. Horowitz requested to submit letter to Town Board as to whether or not client would be willing to accept fencing as restrictive covenant.) Willing to submit to Shade Tree Commission

IN FAVOR: None

OPPOSED:

1. Mr. Howard Taylor, Sequoia Drive: Drainage problem at present in Ponderosa Estates - this property adjacent. Fencing also imperative because of children.
2. Mr. Peter Brega, Kings Hwy: (Owns land north of Ponderosa) Drainage problem. There is need for M-1.
3. Mr. Kase, Valley Cottage: Land being washed away now.

Supervisor stated that Nussbaumer, Clarke & Velzy have been engaged to make drainage analysis. There is possibility of floating bond issue up to one million dollars. In the meantime, Planning Board has instructions to pipe every residence and not to allow streams to enter through subdivision.

On resolution offered by Councilman Holbrook, seconded by Councilman Frohling and unanimously adopted, Public Hearing was closed.

Signed,



Anne E. O'Connor
Town Clerk

CCG660

PUBLIC HEARING

Town Hall

3/16/66

8:30 P.M.

Present: Councilmen Holbrook, Brenner, Damiani, Frohling, Supervisor Mundt.
Town Clerk Anne E. O'Connor
Town Attorney Donald S. Tracy
Deputy Town Attorney Murray N. Jacobson

RE: ESTABLISHMENT OF PROPOSED SEWER DISTRICT #26.

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

Attorney for district - William P. Carroll, 49 Maple Avenue, New City:

Deputy Town Clerk testified as to proper posting and publication of notice of public hearing.

Charles Velzy sworn in by Supervisor and testified as follows:

Firm of Nussbaumer, Clarke & Velzy first consulted in June of 1959. Town authorized firm to proceed with study and plan of proposed sewer districts in Town of Clarkstown. Report for formation of Sewer District #26, dated December 1965, was prepared by Nussbaumer, Clarke & Velzy. This report contains true statements of facts, figures, costs and other data, with respect to formation. Filed in Office of the Town Clerk.

Financing- Advance from H.H.F.A. Report filed with N.Y.S. Department of Health. Report shows all outlets, terminals, etc., and gives location and general description of all plants, stations, etc. within said proposed district. Is consistent with any comprehensive plan for sewer development in the town and county.

All property owners will be benefited by improvements proposed. All property owners who will be benefited are included within limits of proposed sewer district.

Mr. Velzy described northerly, easterly and westerly boundaries from map.

Would be in public interest to establish.

There were no other witnesses.

COSTS TO USER BASED ON \$5000 VALUATION:

First year: \$125
Fifth year: 95
15th year: 63

(Town of Clarkstown has application before Housing & Urban Development Agency of Federal Government for 50% of construction costs for all of its districts).

Bids to be opened 3/21/66 on County Sewer Line. Construction anticipated to commence in April 1966.

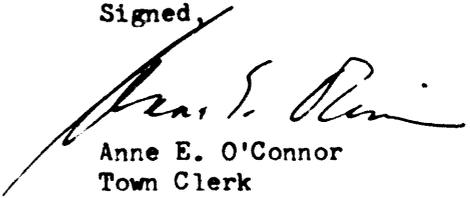
IN FAVOR: Mr. Kase: Creation of sewer districts very important.

OPPOSED: None.

Councilman Frohling inquired how rate in this district is compared with rates in other districts. Mr. Velzy replied that variation is very small.

Upon resolution offered by Councilman Damiani, seconded by Councilman Holbrook and unanimously adopted, public hearing was closed.

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

3/16/66

8:45 P.M.

Present: Councilmen Holbrook, Brenner, Damiani, Frohling, Supervisor Mundt.
Town Clerk Anne E. O'Connor
Town Attorney Donald S. Tracy

RE: ESTABLISHMENT OF SEWER DISTRICT NO. 27:

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

Attorney for district: Alexander Teitler, 200 Main Street, Nanuet.

Deputy Town Clerk testified as to proper posting and publication of notice of public hearing.

Mr. Charles Velzy of firm of Nussbaumer, Clarke & Velzy appeared before Board and stated following:

Submitted report December 1965 for formation Sewer District #27, prepared by his firm, which concerns statements of facts and figures. Report filed in Town Clerk's Office. Not financed directly by Town of Clarkstown. (H.H.F.A.) Report filed with Department of Health which has approved same. Plan and Report show all outlets, terminals, etc. and gives locations within proposed district. Sewer facilities not within any incorporated village. All property owners will benefit. All who will benefit included in proposed district.

Boundaries defined by Mr. Velzy. Would be in public interest to establish.

COST TO USER BASED ON \$5000 ASSESSED VALUATION:

First year: \$129
Fifth year: 107
15th year: 77

Supervisor stated Town is applying for 50% aid which would cut cost. \$460,000 total construction cost - \$230,000 to be obtained from government.

Cost to home owner per foot: \$2-4 foot. Plumber must install.

No further questions. No further witnesses.

IN FAVOR: None.

OPPOSED: None.

On resolution offered by Councilman Frohling, seconded by Councilman Damiani and unanimously adopted, public hearing was closed.

Signed,


Anne E. O'Connor
Town Clerk

CCG660

PUBLIC HEARING

Town Hall

3/16/66

9:00 P.M.

Present: Councilmen Holbrook, Brenner, Frohling, Damiani, Supervisor Mundt.
Town Clerk Anne E. O'Connor
Town Attorney Donald S. Tracy

RE: PROPOSED ESTABLISHMENT OF SEWER DISTRICT #28:

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

Attorney for district; Irving W. Werner, 20 Park Lane, Nanuet.

Deputy Town Clerk testified as to proper posting and publication of notice of public hearing.

Mr. Charles Velzy of Nussbaumer, Clarke & Velzy sworn in and testified as follows:

Report prepared by his firm. Contains true statement with respect to formation of said sewer district. Not financed by Town of Clarkstown. Financed by Planning Agency, U.S. Government. Filed with Department of Health which has approved same. Shows terminals, etc. Consistent with any comprehensive sewer district of county. All property owners will be benefited; all are included within limits.

(Mr. Velzy outlined proposed sewer district on map.) Would be in public interest.

COST BASED ON \$5000 ASSESSED VALUATION:

First year: \$127
Fifth year: 101
15th year: 66

Question: Construction time of this in comparison with reconstruction of Smith Road.

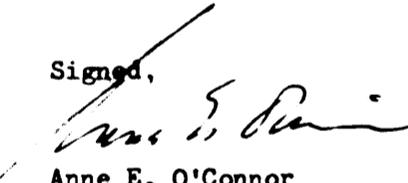
Supervisor: Smith Road engineering will be completed shortly. Construction may be commenced this year. If there are any lateral lines involved, the Town will work with contractors to make sure we do not have to re-open road.

IN FAVOR: None

OPPOSED: None

On resolution offered by Councilman Damiani, seconded by Councilman Brenner and unanimously adopted, public hearing was closed.

Signed,


Anne E. O'Connor
Town Clerk

TOWN BOARD MEETING

Town Hall

3/16/66

8:00 P.M.

Present: Councilmen Holbrook, Br nner, Damiani, Frohling, Supervisor Mundt.
Town Clerk Anne E. O'Connor
Town Attorney Donald S. Tracy
Deputy Town Attorney Murray N. Jacobson

Supervisor Mundt called Town Board meeting to order at 8:00 P.M.

(216) Councilman Holbrook offered the following resolution:

RESOLVED, that minutes of two (2) PUBLIC HEARINGS, REGULAR Town Board meeting held on 2/14/66; regular Town Board meeting held on 2/28/66 at 2:00 P.M.; and one (1) public hearing and regular Town Board meeting held on 2/28/66 at 8:00 P.M.; and minutes of regular Town Board meeting held on 3/2/66 are hereby approved and accepted by the Town Board as submitted by the Town Clerk.

Seconded by Councilman Frohling.

All voted Aye.

Mr. George Toll, 296 Brewery Road, President of the Rockland County Trotting Pony Association appeared before the Town Board and presented list of rules and regulations governing same. Mr. Toll was instructed to address any arguments to the Zoning Board of Appeals, their next meeting to be held on 4/4/66 at 8:00 P.M. in the Town Hall.

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(217) Councilman Holbrook offered the following resolution:

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

Seconded by Councilman Damiani.

All voted Aye.

(218) Councilman Frohling offered the following resolution:

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

Seconded by Councilman Holbrook.

All voted Aye.

(219) Councilman Brenner offered the following resolution:

RESOLVED, that decision on zone change application made by ELLES REALTY CORPORATION (M-1 to R-1) be reserved.

Seconded by Councilman Damiani.

All voted Aye.

(220) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly caused Nussbaumer, Clarke & Velzy, P.E., consulting engineers duly licensed by the State of New York, to prepare a general map, plan and report relating to the establishment of proposed Sewer District No. 26 in said Town of Clarkstown as hereinafter described and for the construction of a lateral sewer system therein, 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 February 14, 1966, said Town Board determined to proceed with the establishment of said proposed Sewer District No. 26 and the construction of such lateral sewer system therein and adopted an order reciting a description of boundaries of said proposed Sewer District No. 26 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 land, 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 March 16, 1966, at 8:30 o'clock PM E.S.T. as the time when, and the Town Hall, 10 Maple Avenue, New City, in said Town, as the place where, the said Town Board would meet to consider establishment of said proposed sewer district No. 26 and the construction of a lateral sewer system therein, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of said Town Board in relation thereto, as may be required by law, and

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

WHEREAS, a public hearing in the matter was duly held by said Town Board on this 16th day of March, 1966, commencing at 8:30 o'clock PM, EST, at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the establishment of said proposed Sewer District No. 26 and construction therein of such lateral sewer system;

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

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

Section 1. It is hereby determined that

- (a) the notice of public hearing was published and posted as required by law, and is otherwise sufficient;
- (b) all the property and property owners included within the proposed sewer district No. 26 hereinabove referred to in the recitals hereof are benefited thereby;
- (c) all the property and property owners benefited are included within the limits of said proposed sewer district No. 26; and
- (d) it is in the public interest to establish said proposed Sewer District No. 26

Section 2. The establishment of said proposed Sewer District No. 26 is hereby approved as hereinafter described and the proposed lateral sewer system therein shall be constructed as set forth in the said order calling the public hearing and said sewer district shall be designated and known as Sewer District No. 26, in the Town of Clarkstown, situate wholly outside of any incorporated village or city, and shall be bounded and described as follows:

BEGINNING at a point which is the southeasterly corner of lot 35B-16, thence northerly along the easterly side of said lot 16 to the northeasterly corner of said lot 16, at Church Road; thence northerly across Church Road to the southeasterly corner of lot 36E-13.01; thence northerly along the easterly side of lot 36E-13.01 to the northeasterly corner of lot 36E-13.01 which point is on the southerly side of lot 36E-12; thence easterly along the southerly side of lot 36E-12 to the southeasterly corner of said lot 12 which point is on the westerly boundary of existing Sewer District No. 19; thence northerly along the westerly boundary of existing sewer district No. 19 to a point which is the northeasterly corner of lot 37F-37, which point is on the southerly boundary of existing sewer district No. 22, thence westerly and northerly along the southerly and westerly boundary of existing sewer district No. 22 to a point where it intersects the northerly side of lot 38B-5; thence westerly along the westerly boundary of existing sewer district No. 22 to a point on the northerly side of lot 38B-5.5 where it intersects the southerly boundary of existing sewer district No. 18; thence southerly and westerly along the southerly boundary of existing Sewer District No. 18 to a point which is on the northwesterly corner of lot 19C-8 at West Clarkstown Road; thence southerly along the westerly side of lots 19C-8, 3.05, 3.06, 4, 5, 18A-30.01, 30, 29.05, 29.04, 29.03, 29.02 and 28.01 to a point which is the southernmost point of said lot 28.01 at Burda Lane; thence easterly across Burda Lane to the northwesterly corner of lot 18A-25; thence southerly along the westerly side of lots 18A-25.13, 17A-1.03, 1.04, 1.05, 1.15 and 1.01 to the southwest corner of said lot 17A-1.01; thence southerly 9' along the westerly side of lot 17A-2 to the southwest corner of said lot 2; thence easterly along the southerly side of said lot 2 to the northwesterly corner of lot 17A-3; thence southerly and easterly along the sides of said lot 3 to the southeasterly corner of said lot 3 at North Middletown Road; thence southerly along the westerly side of the R.O.W. of North Middletown Road to a point where a straight line projected from the westerly side of lot 17A-3 intersects the westerly side of the R.O.W. of North Middletown Road, which point is approximately 170 ft. south of the southeast corner of said lot 3; thence southerly and easterly across North Middletown Road on a line projected from the westerly side of lot 17A-3 to a point on Church Road where said line intersects the southerly side of the R.O.W. of Church Road; thence easterly and southerly along the southerly side of the R.O.W. of Church Road to a point where it intersects the northerly side of lot 35B-12; thence westerly and southerly along the northerly, westerly and southerly side of lot 35B-12 to a point which is the southernmost corner of said lot 12; thence southeasterly along the westerly side of lot 35B-14 to a point which is the southwest corner of said lot 14; thence easterly along the southerly side of lots 35B-14; 14.01 and 16 to a point which is the southeasterly corner of lot 35B-16, the point of BEGINNING.

Section 3. The maximum amount proposed to be expended for the construction of said lateral sewer system consisting of lateral sewers, submains and subtrunks, tributary to the subtrunk in existing Sewer District No. 22 and including pumping stations, manholes, house connection stubs brought to the curbs, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, is \$1,092,000 which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown and the assessment, levy and collection of special assessments upon the several lots and parcels of land in said proposed Sewer District No. 26 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 an interest on said bonds and the costs of operation, maintenance and repair.

TBM - 3/16/66

Section 4. The Town Clerk of the said Town of Clarkstown is hereby authorized and directed within 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, N.Y., together with an application by said Town Board, in duplicate, for permission to establish said Sewer District No. 26 in the Town of Clarkstown as herein described, pursuant to the provisions of said Town Law and that such application shall be executed and verified by and in behalf of said Town Board by the Supervisor of the Town.

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

Seconded by Councilman Brenner.

All voted Aye.

(221) Councilman Damiani offered the following resolution:

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

Section 1. The Town Clerk of the Town of Clarkstown, in the County of Rockland, New York, shall within 10 days after the adoption by the Town Board of said Town, of the resolution entitled:

"Resolution of the Town of Clarkstown, New York, adopted March 16, 1966, approving the establishment of proposed sewer district No. 26, in said Town, and construction of a lateral sewer system therein, and providing that such resolution shall be subject to permissive referendum",

cause to be published at least once in THE JOURNAL NEWS the official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in at least five (5) public places in the proposed Sewer District No. 26 in said Town of Clarkstown, an notice which sets forth the date of adoption of said foregoing resolution and contains an abstract thereof concisely stating its purpose and effect.

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

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE, that on March 16, 1966, the Town Board of the Town of Clarkstown, in the County of Rockland, adopted a resolution entitled:

"Resolution of the Town of Clarkstown, New York, adopted March 16, 1966, approving the establishment of proposed Sewer District No. 26 in said Town and construction of a lateral sewer system therein and providing that such resolution shall be subject to permissive referendum."

an abstract of such resolution, concisely stating the purpose and effect thereof.

Seconded by Councilman Holbrook.

All voted Aye.

(222) Councilman Brenner offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly caused Nussbaumer, Clarke & Velzy, P.E., consulting engineers duly licensed by the State of New York, to prepare a general map, plan and report relating to the establishment of proposed Sewer District No. 27 in said Town of Clarkstown as hereinafter described and for the construction of a lateral sewer system therein, 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 February 14, 1966, said Town Board determined to proceed with the establishment of said proposed sewer district No. 27 and the construction of such lateral sewer system therein and adopted an order reciting a description of the boundaries of said proposed Sewer District No. 27 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 land, 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 March 16, 1966, at 8:45 o'clock PM as the time when, and the Town Hall, 10 Maple Avenue, New City, N.Y., as the place where, the said Town Board would meet to consider establishment of said proposed Sewer District No. 27 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

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

WHEREAS, a public hearing in the matter was duly held by said Town Board on this 16th day of March, 1966, commencing at 8:45 o'clock PM at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the establishment of said proposed Sewer District No. 27 and construction therein of such lateral sewer system;

NOW, THEREFORE, upon the evidence adduced at such public hearing, be it

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

Section 1. It is hereby determined that

- (a) the notice of public hearing was published and posted as required by law, and is otherwise sufficient; and
- (b) all the property and property owners included within the proposed Sewer District No. 27 hereinabove referred to in the recitals hereof are benefited thereby;
- (c) all the property and property owners benefited are included within the limits of said proposed Sewer District No. 27 and
- (d) it is in the public interest to establish said proposed sewer district No. 27.

Section 2. The establishment of said proposed Sewer District No. 27 is hereby approved as hereinafter described and the proposed lateral sewer system therein shall be constructed as set forth in the said order calling the public hearing and said sewer district shall be designated and known as Sewer District No. 27 in the Town of Clarkstown, situate wholly outside of any incorporated village or city and shall be bounded and described as follows:

Beginning at a point on the present boundary line between the Towns of Clarkstown and Orangetown, which point is at the intersection with a straight line projected southerly from the easterly side of lot 69-A-47; thence northerly along said line across lot 69-A-5 to the southeasterly corner of lot 69-A-47; thence northerly along the easterly side of said lot 47 to the northeasterly corner of said lot 47, which point is on the southerly boundary line of existing Sewer District No. 16; thence generally in a westerly and northerly direction along the southerly boundary of existing Sewer District No. 16 to the southwesterly corner of lot 69-A-10.16, which point is on the northerly side of lot 69-A-24; thence westerly along the northerly side of said lot 24 to the northwesterly corner of said lot 24, which point is on the easterly side of the Palisades Interstate Parkway Right-of-Way; thence westerly in a straight line across said Right-of-Way to the northeasterly corner of lot 49-A-4.40, which point is on the westerly side of the Palisades Interstate Parkway Right-of-Way; thence northerly along the westerly side of said Right-of-Way to the northwesterly corner of lot 51-A-9; thence northwesterly in a straight line to the northeasterly corner of lot 31-A-1.01; thence northwesterly along the northerly side of lots 31-A-1.01 and 3.01 to the northwesterly corner of said lot 3.01; thence northwesterly in a straight line across New York State Route 304 Right-of-Way, to the easterly corner of lot 32-1-A-25, which point is on the easterly boundary line of existing Sewer District No. 24; thence in a generally southerly and westerly direction along the easterly and southerly boundary of existing Sewer District No. 24 to the southwesterly corner of lot 18.02, which point is on the easterly boundary line of existing Sewer District No. 17; thence in a generally southerly and westerly direction along the easterly boundary line of existing Sewer District No. 17 to a point where said boundary line intersects the Clarkstown, Orangetown, Town Line; thence easterly along the Clarkstown, Orangetown, Town Line, to a point on the southerly side of lot 69-A-5, which point is at the intersection with a line projected southerly from the easterly side of lot 69-A-47, the point of beginning.

Section 3. The maximum amount proposed to be expended for the construction of said lateral sewer systems consisting of lateral sewers tributary to the proposed Disposal District Trunk, including house connection stubs brought to the curbs, manholes, pumping stations, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, is \$560,000 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 proposed Sewer District No. 27 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 costs of operation, maintenance 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 establish said Sewer District No. 27, 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 said Town.

Section 5. This resolution shall take effect thirty (30) days after its adoption, unless there shall be filed with the Town Clerk a petition signed and acknowledged by the owners of taxable real property situate in the proposed district, as shown upon the latest completed assessment roll of said Town, in number equal to at least 5 percent of the total number of such owners, or by one hundred of such owners, whichever is the lesser, protesting against this resolution and requesting that the matter be submitted to the owners of taxable real property situate in said proposed district at a referendum, in the manner provided by the Town Law.
Seconded by Councilman Frohling.

All voted Aye.

(223) Councilman Frohling offered the following resolution:

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

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

"Resolution of the Town of Clarkstown, New York, adopted March 16, 1966, approving the establishment of proposed Sewer District No. 27, in said Town and construction of a lateral sewer system therein and providing that such resolution shall be subject to permissive referendum"

cause to be published at least once in THE JOURNAL NEWS, the official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in at least five places in the proposed sewer district No. 27 in said Town of Clarkstown, a notice which shall set forth the date of adoption of said foregoing resolution and contain an abstract thereof concisely stating its purpose and effect.

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

PLEASE TAKE NOTICE that on March 16, 1966, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a resolution entitled:

"Resolution of the Town of Clarkstown, New York, adopted March 16, 1966, approving the establishment of proposed sewer district No. 27 in said Town and construction of a lateral sewer system therein and providing that such resolution shall be subject to permissive referendum."

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

FIRST: RECITING that the Town Board of the Town of Clarkstown, New York, has heretofore duly caused the preparation of a general map, plan and report relating to the establishment of proposed Sewer District No. 27 in said Town, therein described and for the construction of a lateral sewer program therein and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been duly filed in the office of the Town Clerk of said Town for public inspection, that an order was adopted on February 14, 1966, reciting a description of the boundaries of said proposed Sewer District No. 27 in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's Office for public inspection and specifying the time and place of a public hearing to hear all persons involved in the subject thereof concerning the same; that copies of such order have been duly published and posted; and that such hearing has been duly held on March 16, 1966 at the time and place specified;

SECOND: RESOLVING and determining that (a) the notice of hearing was published and posted as required by law and is otherwise sufficient, (b) all the property and property owners within the proposed Sewer District No. 27 are benefited thereby (c) all property and property owners benefited are included within the limits of the proposed district and (d) that the establishment of such District is in the public interest;

THIRD: FURTHER RESOLVING AND DETERMINING that the establishment of such proposed Sewer District No. 27 be approved, that the proposed lateral sewer system shall be constructed therein; DESIGNATING such district as Sewer District No. 27, in the Town of Clarkstown, and describing said district by metes and bounds;

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FOURTH: RESOLVING, that the maximum amount proposed to be expended for construction of said lateral sewer system consisting of lateral sewers tributary to the proposed Disposal District Trunk, including house connection stubs brought to the curbs, manholes and pumping stations is \$560,000 which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown to finance such costs and the assessment levy and collection of special assessments upon the several lots and parcels of land in said Sewer District No. 27 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 and interest on said bonds and the costs of operation maintenance and repair;

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

SIXTH: STATING that this resolution shall take effect thirty days after adoption unless within such period a petition shall be filed with the Town Clerk protesting against this resolution and requesting that it be submitted to the owners of taxable real property situate in said proposed Sewer District No. 27 at a referendum in the manner provided by the Town Law.

Seconded by Councilman Damiani/

All voted Aye.

(224) Councilman Brenner offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly caused Nussbaumer, Clarke & Velzy, P.E., consulting engineers duly licensed by the State of New York, to prepare a general map, plan and report relating to the establishment of proposed Sewer District No. 28 in said Town of Clarkstown as hereinafter described and for the construction of a lateral sewer system therein, 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 the said Town of Clarkstown for public inspection, and

WHEREAS, pursuant to resolution duly adopted on February 14, 1966, said Town Board determined to proceed with the establishment of said proposed Sewer District No. 28 and the construction of such lateral sewer system therein and adopted an order reciting a description of the boundaries of said proposed Sewer District No. 28 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 land, 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 March 16, 1966, at 9 o'clock P.M. as the time when and the Town Hall, 10 Maple Avenue, New City, N.Y. as the place where, the said Town Board would meet to consider establishment of said proposed sewer district No. 28 and the construction of a lateral sewer system therein, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of said Town Board in relation thereto, as may be required by law, and

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

WHEREAS, a public hearing was duly held by said Town Board on this 16th day of March, 1966, commencing at 9 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 Sewer District No. 28 and construction therein of such lateral sewer system;

NOW, THEREFORE, upon the evidence adduced at such public hearing, be it

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

Section 1. It is hereby determined that

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

(b) all the property and property owners included within the proposed Sewer District No. 28 hereinabove referred to in the recitals hereof are benefited thereby;

(c) all the property and property owners benefited are included within the limits of said proposed Sewer District No. 28; and

(d) it is in the public interest to establish said proposed sewer district No. 28.

Section 2. The establishment of said proposed Sewer District No. 28 is hereby approved as hereinafter described and the proposed lateral sewer system therein shall be constructed as set forth in the said order calling the public hearing and said sewer district shall be designated and known as Sewer District No. 28 in the Town of Clarkstown, situate wholly outside of any incorporated village or city and shall be bounded and described as follows:

Beginning at a point on the northerly boundary line of existing Sewer District No. 17, which point is the southeasterly corner of lot 14-C-28 and on the westerly side of lot 14-C-7; thence northerly along the northerly boundary line of existing Sewer District No. 17, crossing New York State Route 59, Fenner Lane, West Palmer Avenue, New Haven Avenue and the New York State Thruway, to the southwesterly corner of lot 16-A-76.01, at North Middletown Road; thence northerly, along the easterly side of North Middletown Road, across Poplar Street, to a point where it intersects the boundary line of existing Sewer District No. 8, on the westerly side of lot 16-A-14; thence westerly and in a generally northerly direction along said existing Sewer District No. 8 line to a point where it intersects the westerly right of way line of Palisades Interstate Parkway, which point is the southeasterly corner of lot 17-A-7; thence in a northwesterly direction along the westerly right-of-way line of Palisades Interstate Parkway, across West Burda Place to the northwesterly corner of lot 18-A-21, at West Burda Place; thence southwesterly across West Burda Place to the northeasterly corner of lot 18-A-22.54, which point is on the boundary line of existing Sewer District No. 9; thence along the boundary line of said existing Sewer District No. 9, southerly crossing Center Lane and High Street, westerly along the northerly side of West Clarkstown Road and northerly and westerly to the northwesterly corner of lot 166-A-8; thence southerly along the boundary line of existing Sewer District No. 9, crossing West Clarkstown Road to the southwesterly corner of lot 165-A-6.06; thence easterly along the southerly sides of Lots 165-A-6.06, 6.02 and 15 to the southeasterly corner of said lot 15, which point is the southwesterly corner of lot 17-A-13; thence easterly along the southerly side of said lot 13 to a point where it is intersected by the westerly side of lot 17-A-10, which point is the northwesterly corner of said lot 10; thence southerly along the westerly side of said lot 10 to the southeasterly corner of said lot 10; which point is the northwesterly corner of lot 16-C-2; thence easterly along the northerly side of said lot 2 to the northeasterly corner of said lot 2; thence southerly along the easterly side of said lot 2, to a point where it intersects the westerly side of the right-of-way of Fulton Street; thence continuing southerly along the easterly side of said lot 2 and lot 16-C-3, to the southeasterly corner of said lot 3, which point is the southwesterly corner of lot 16-C-2.20 at Lake Shore Drive, thence in a generally southwesterly direction, across Lake Shore Drive, to the northeasterly corner of lot 16-C-18.01; thence southerly, along the easterly side of said lot 18.01, to the southeasterly corner of said lot 18.01; thence westerly along the southerly side of said lot 18.01, to a point where it is intersected by the easterly side of lot 16-C-15, which point is the northeasterly corner of said lot 15; thence southerly, along the easterly side of said lot 15, to the southeasterly corner of said lot 15, which point is on the northerly side of lot 16-C-14; thence westerly, along the northerly side of said lot 14, to the northwesterly corner of said lot 14; thence southerly, along the westerly side of said lot 14, to the southwesterly corner of said lot 14, which point is on the northerly side of lot 16-C-12; thence westerly, along the northerly side of said lot 12, to the northwesterly corner of said lot 12, thence southerly along the westerly sides of lots 16-C-12 and 16-C-13 to the southwesterly corner of said lot 13, at Smith Road, thence southerly, crossing Smith Road to the northwesterly corner of lot 164-A-2.01; thence southerly along the westerly side of said lot 2.01 one hundred and fifty feet; thence easterly, crossing said lot 2.01 on a line, drawn parallel to the northerly side of said lot 2.01, to a point where it intersects the easterly side of said lot 2.01, which point is on the westerly side of lot 16-B-4.02; thence southerly along the westerly side of said lot 4.02 to the southwesterly corner of said lot 4.02, which point is on the northerly side of lot 164-A-12.01, thence, southerly, in a straight line across said lot 12.01, to the northwesterly corner of lot 15-A-21; thence southerly and westerly along the

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westerly side of said lot 21, to a point which is the northeasterly corner of lot 15-A-21.01; thence westerly, along the northerly side of said lot 21.01, to the northwesterly corner of said lot 21.01, thence southerly along the westerly side of said lot 21.01 to the southwest corner of said lot 21.01, which point is at the intersection of the right-of-ways of the Erie Railroad and the New York State Thruway; thence southerly crossing the right-of-way of the New York State Thruway to the northwesterly corner of lot 15-A-19; thence westerly crossing the right-of-way of the Erie Railroad to the northeasterly corner of lot 163-A-4; thence westerly along the northerly side of said lot 4 to the northwesterly corner of said lot 4, at Hutton Avenue; thence westerly across Hutton Avenue to the northeasterly corner of lot 163-A-3; thence westerly along the northerly side of said lot 3 to the northwesterly corner of said lot 3, which point is on the easterly boundary line of existing Sewer District No. 25; thence southerly along the boundary line of said existing Sewer District No. 25, which is the westerly sides of lots 163-A-3, 21, 19 and 19.02; to the southwest corner of lot 163-A-19.02; thence westerly along the southerly side of existing Sewer District No. 25 two hundred feet; thence westerly crossing New York State Route 59 at Grandview Avenue to the northeasterly corner of lot 163-D-5; thence northwesterly along the northerly side of said lot 5 to the northwesterly corner of said lot 5; thence southerly along the westerly side of said lot 5 to the southwest corner of said lot 5; at Old Nyack Turnpike; thence southwest, crossing Old Nyack Turnpike at Sherwood Drive, to the northwesterly corner of lot 163-D-6; thence southerly along the westerly side of said lot 6 to the southwest corner of said lot 6, which point is on the northerly side of lot 163-D-8; thence westerly along the northerly side of said lot 8 to the northwesterly corner of said lot 8; thence southerly along the westerly sides of lots 163-D-8, 9, 10 and 11 to the southwest corner of said lot 11, which point is on the northerly side of lot 163-D-16; thence westerly along the northerly side of said lot 16 to the northwesterly corner of said lot 16; thence southerly along the westerly sides of lots 163-D-16 through 28, inclusive, to the southwest corner of lot 163-D-28, which point is on the northerly side of lot 162-E-1.12; thence southerly, in a straight line across said lot 1.12 and Sherwood Circle, to the northwesterly corner of lot 162-E-1.16; thence southerly along the westerly side of said lot 1.16 to the southwest corner of said lot 1.16, which point is on the westerly side of lot 162-E-1.18; thence southerly along the westerly side of lots 162-E-1.18 and 1.19 to a point where it intersects the westerly boundary line of existing Sewer District No. 17, which point is the northwesterly corner of lot 162-E-25; thence in a generally northerly and easterly direction, along the boundary line of said existing Sewer District No. 17, to the southeasterly corner of lot 14-C-28, which point is 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 tributary to the proposed Disposal District Trunk, including house connection stubs brought to the curb, manholes, pumping stations, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, is \$943,800 which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown and the assessment, levy and collection of special assessments upon the several lots and parcels of land in said proposed Sewer District No. 28 which the Town Board shall deem especially benefited by said lateral sewer system so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair.

Section 4. The Town Clerk of the said Town of Clarkstown is hereby authorized and directed to file certified copies of this resolution, in duplicate, within ten days after the adoption of the resolution, in the office of the State Department of Audit and Control, at Albany, New York, together with an application by said Town Board, in duplicate for permission to establish said Sewer District No. 28 in the Town of Clarkstown, as herein described, pursuant to the provisions of said Town Law, and that such application shall be executed and verified by and in behalf of said Town Board by the Supervisor of the Town.

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

Seconded by Councilman Damiani.

All voted Aye.

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(225) Councilman Damiani offered the following resolution:

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

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

"Resolution of the Town of Clarkstown, New York, adopted March 16, 1966, approving the establishment of proposed Sewer District No. 28 in said Town and construction of a lateral sewer system therein and providing that such resolution shall be subject to permissive referendum."

cause to be published at least once in THE JOURNAL NEWS, the official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in at least five public places in the proposed Sewer District No. 28 in said Town of Clarkstown, a notice which shall set forth the date of adoption of said foregoing resolution and contain an abstract thereof concisely stating its purpose and effect.

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

PLEASE TAKE NOTICE that on March 16, 1966, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a resolution entitled:

"Resolution of the Town of Clarkstown, New York, adopted March 16, 1966, approving the establishment of proposed Sewer District No. 28 in said Town and construction of a lateral sewer system therein and providing that such resolution shall be subject to permissive referendum."

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

FIRST, reciting that the Town Board of the Town of Clarkstown, New York, has heretofore duly caused the preparation of a general map, plan and report relating to the establishment of proposed Sewer District No. 28 in said Town, therein described and for the construction of a lateral sewer system therein and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been duly filed in the office of the Town Clerk of said Town for public inspection; that an order was adopted on February 14, 1966, reciting a description of the boundaries of said proposed Sewer District No. 28 in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's Office for public inspection, and specifying the time and place of a public hearing to hear all persons interested in the subject thereof concerning the same; that copies of such order have been duly published and posted; and that such hearing has been duly held on March 16, 1966, at the time and place specified;

SECOND, resolving and determining that (a) the notice of hearing was published and posted as required by law and is otherwise sufficient, (b) all the property and property owners within the proposed Sewer District No. 28 are benefited thereby; (c) all property and property owners benefited are included within the limits of the proposed District and (d) that the establishment of such District is in the public interest;°

THIRD, further resolving and determining that the establishment of such proposed Sewer District No.28 shall be approved, that the proposed lateral sewer system shall be constructed therein; designating such district as Sewer District No. 28, in the Town of Clarkstown, and describing said district by metes and bounds;

FOURTH, resolving that the maximum amount to be expended for construction of said lateral sewer system consisting of lateral sewers tributary to the proposed Disposal District Trunk, including house connection stubs brought to the curb, manholes, and pumping stations is \$943,800 which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown to finance such costs and the assessment, levy and collection of special assessments upon the several lots and parcels of land in said Sewer District No. 28 which the Town Board shall deem especially benefited by said lateral sewer system so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair;

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

SIXTH, stating that this resolution shall take effect thirty days after adoption unless within such period a petition shall be filed with the Town Clerk protesting against this resolution and requesting that it be submitted to the owners of taxable real property situate in said proposed Sewer District No..28 at a referendum in the manner provided by the Town Law.

Seconded by Councilman Brenner.

All voted Aye.

(226) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown has a vital interest and concern for the well-being of the community, and

WHEREAS, the Town Board recognizes that a vital part of a well-rounded community is good library

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service to the community, and

WHEREAS, the Board of Trustees of the New City Free Library has made a full presentation to this Town Board of the minimum national, state and local standards of library service and the status of The New City Free Library as compared with those minimum standards, and

WHEREAS, the Board of Trustees of the New City Free Library has presented to the Town Board its plan for a comprehensive long range program for development of improved and expanded library service through the facilities of the New City Free Library, which program centers around a budget request presented to the voters of the Clarkstown Central School District No. 1 and

WHEREAS, the Town Board of the Town of Clarkstown recognizes the need for the improvement and expansion of library service to the community and has analyzed the comprehensive plan for said improvement and expansion of the New City Free Library facility and service,

NOW, THEREFORE, be it resolved that this Town Board of the Town of Clarkstown commend to the New City and Clarkstown community, and specifically to the voters of the Clarkstown Central School District No. 1 the program developed and presented by the Trustees of the New City Free Library for the increase of the library's budget and thereby the comprehensive improvement and expansion of library service to the community, and

BE IT FURTHER RESOLVED, that this Town Board strongly recommends to the voters of the Clarkstown Central School District No. 1, all of whom reside in the Town of Clarkstown, that they endorse and support at the polls in May, the propositions for the budget increase as proposed by the Board of Trustees of the New City Free Library.

Seconded by Councilman Damiani/

All voted Aye.

(227) Councilman Frohling offered the following resolution:

WHEREAS, the Town of Clarkstown is desirous of entering into an agreement with Pomona Builders, Inc. in connection with dedication of roads in a subdivision known as Leslie Heights;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute an agreement with Pomona Builders, Inc. providing for the deposit of \$360.00 with the Town of Clarkstown by said Pomona Builders, 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.

The following maintenance bonds were signed by Town Board, approving them as to form and sufficiency:

Continental Casualty Company Bond #2234838
POMONA CUSTOM BUILDERS, INC. & LEIF BERGSTOL (ROADS)
Amt: \$6,306.00
Period covered: 1 yr - 3/16/66-3/16/67

Continental Casualty Company Bond #2234839
Pomona Custom Builders, Inc. & Leif Bergstol (Sewers)
Amt: \$1,534.00
Period covered: 1 yr - 3/16/66-3/16/67

(228) Councilman Frohling offered the following resolution:

WHEREAS, Clarkstown Cablevisions, Inc. desire to engage in business of transmitting, re-transmitting, amplifying and distributing television and radio signals in the Town of Clarkstown, and

WHEREAS, said Clarkstown Cablevisions, Inc. has requested a Public Hearing for the presentation of the above matter to the Town Board,

NOW, THEREFORE, be it

RESOLVED, that April 6, 1966, at 8:15 P.M. is hereby designated as the date and time for the Public Hearing, and the Town Clerk is directed to publish notice of said hearing in the official newspaper of the Town not more than twenty or less than ten days prior to the date set forth above.

Seconded by Councilman Damiani

All voted Aye.

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(229) Councilman Holbrook offered the following resolution:

RESOLVED, that Henry W. Fenbert, 38 Twin Elms Lane, New City, be authorized to appraise Tieman & Coyle property located on Demarest Avenue, New City, N.Y.

Seconded by Councilman Damiani.

All voted Aye.

(230) Councilman Holbrook offered the following resolution:

RESOLVED, that Robert Luther, 24 West Evergreen Road, New City, be appointed to position of school crossing guard at a salary of \$4.00 per day, effective March 21, 1966.

Seconded by Councilman Frohling.

All voted Aye.

(231) Councilman Holbrook offered the following resolution:

RESOLVED, that the application of George B. Miller for a change of zoning from an R-1 & R-2 district to a C-1 district on property located on e/side of Route 303, Congers, 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.

All voted Aye/

(232) Councilman Holbrook offered the following resolution:

RESOLVED, that the application of Pascack Motel, Inc. for a change of zoning from an M-1 district to a C-2 district on property located on north side of Lawrence Street, Spring Valley, 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 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.

(233) Councilman Holbrook offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deed from Pomona Custom Builders, Inc. (Leslie Heights Subdiv.) to the Town of Clarkstown conveying 849 l.f., 746 l.f. Wheatstone Road, 1080 l.f. Angus Road, and 304 l.f. of Lisa Lane 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.

Town Board signed Order extending Sewer District #9 to include property of Harry Koffler and Seymour Koffler.

In the matter of the petition for the extension of Sewer District #9, Ext. 5, to include property of Harry Koffler and Seymour Koffler, Town of Clarkstown, Rockland County, New York, excluding any portion already in an existing district, having been duly presented to the Town Board, and an Order having been duly adopted by the Town Board on the 10th day of January 1966, for the hearing of all persons interested in the matter on the 24th day of January 1966, at 8:30 P.M. at the Board Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, N.Y. and a hearing by the said Board having been duly held at such time and place, and it having been duly resolved and determined

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Following such hearing that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all the property and property owners within the proposed extension were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved; it is hereby

ORDERED, that Sewer District #9, Extension #5, of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town of Clarkstown, described as follows:

ALL that certain plot, piece or parcel of land together with the buildings and improvements thereon erected, situate, lying and being in the Town of Clarkstown, County of Rockland, State of New York, more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of Burda Lane which said point is the most easterly southeasterly corner of the within described premises and which said point is the northeasterly corner of lands now or formerly of Lavoie and which said point is northwesterly along the westerly side of Burda Lane 147.0 feet from a Palisades Interstate Parkway monument and which said point is an old iron pipe and from said point or place of beginning the following courses and distances:

1. Westerly along the northerly boundary of lands now or formerly of Lavoie south 89°27'40" west 257 ft to an old iron pipe, thence
2. Southerly along the westerly boundary of lands now or formerly of Lavoie south 0°37'10" west 145.95' to an old iron pipe, thence
3. South 89°36'05" west 228.39 ft. to a point, thence
4. Northerly along the easterly boundary of lands now or formerly of Wood Knolls, Inc. north 13°46'10" east 455.11 ft. to a point which point is the southwesterly corner of lands now or formerly of George, thence
5. North 89° 45' 20" east 302.29 feet to a point in the westerly side of Burda Lane, thence
6. Southerly along the westerly side of Burda Lane south 14° east 302.35 ft. to the point or place of beginning.

Monthly reports received from Welfare Officer; Rockland Lake Fire District (Annual); and Trial Balance (Opening Balances 1/1/66). All noted by Town Board. Filed in Town Clerk's Office.

(234) Councilman Holbrook offered the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Robert J. Cummings, Jean Drive, New York to the position of Assistant Court Clerk in the office of the Justice of the Peace, at a salary of \$2275.00 per annum retroactive to and effective January 1, 1966.

Seconded by Councilman Frohling.

All voted Aye.

(235) Councilman Holbrook offered the following resolution:

RESOLVED, that the application of Eagle Day Camp, Inc. for a change of zoning from an R-1 & C-1 to a C-2 district on property located on the northerly side of Route 59 and easterly side of Hutton Avenue in Nanuet, 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 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.

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(236) Councilman Holbrook offered the following resolution:

RESOLVED, that the application of Brent & Phillips for a change of zoning from a R-1 & C-2 to a C-1 district on property located on the corner of Old Nyack Turnpike & Sherwood Drive, Nanuet, NY 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.

All voted Aye.

237) Councilman Damiani offered the following resolution:

RESOLVED, that Theodore Zollendeck, Town Planner, is hereby authorized to attend the National Planning Conference of the American Society of Planning Officials from April 17th to April 21st in Philadelphia, Pa., all expenses to be made a proper Town charge.

Seconded by Councilman Holbrook.

All voted Aye.

Letter received from J. J. Graham tendering his resignation as a member of the Zoning Board of Appeals. Town Clerk instructed to write to Mr. Graham, accepting his resignation with regret, thanking him for his services in the past.

Letter received from Arnall T. Connell tendering his resignation as a member of the Valley Cottage Hamlet Development Board. Town Clerk instructed to convey Borad's regret, thanking him for his services in the past.

(238) Councilman Holbrook offered the following resolution:

RESOLVED, that Robert E. Levitan, Phillips Hill Road, New City, N.Y. be appointed a member of the Zoning Board of Appeals to fill the unexpired term of J. J. Graham, at a salary of \$600.00 per annum.

Seconded by Councilman Damiani.

All voted Aye.

Letter received from Edward C. Palmenberg, Deputy Town Engineer, re stream obstruction (Local Law #2-1965) in connection with obstruction to the flow of stream immediately south of Palmer Avenue, Nanuet. He stated that stream now in original condition, obstructions having been removed and recommended that no action be taken against the property owner.

(239) Councilman Frohling offered the following resolution:

WHEREAS, Sewer District #9 was extended pursuant to an Order of the Town of Clarkstown on 3/16/66 to include premises to be developed by Rockland Park, Inc., and

WHEREAS, said Rockland Park, Inc. has agreed to contribute funds for the extension of said Sewer facilities in Sewer District #9,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute an agreement with Rockland Park, Inc. providing for the construction of facilities by said corporation in the area covered by the extension of Sewer District #9; said agreement providing for the payment of \$1600 to the Town of Clarkstown as a contribution to defray the cost of capital improvements; and also requiring the payment of \$600 in accordance with the schedule of fees set forth in the Local Law of the Town of Clarkstown

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concerning sanitary sewers; and the sum of \$132 in order to defray the difference between the cost of sewer service for the second half of 1966 and the amount of money already paid to the Village of Spring Valley by Rockland Park, Inc. for said sewer service for the second half of the year 1966; and the sum of \$662.24 in order to defray the cost of sewer service for the year 1967.

Seconded by Councilman Holbrook.

All voted Aye.

Request for lights. Route 304 and Route 9W; Laurel Road and Brewery Road. Councilman Holbrook requested to investigate and report to Town Board.

(240) Councilman Frohling offered the following resolution:

WHEREAS, present lease expires on 5/1/66,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute new lease with New City Properties for space at 151 South Main Street, New City, N.Y., at a monthly rental of \$667.50, no transfer from Current Surplus needed.

Seconded by Councilman Brenner.

All voted Aye.

(241) Councilman Damiani offered the following resolution:

RESOLVED, that two (2) commissioners and one (1) director of the Clarkstown Recreation Commission are hereby authorized to attend the annual New York State Recreation Conference to be held at the Concord Hotel on April 17, 18, 19 and 20th, 1966.

AND BE IT

FURTHER RESOLVED, that all expenses incurred be made a proper Town charge.

Seconded by Councilman Frohling.

All voted Aye.

(242) Councilman Frohling offered the following resolution:

RESOLVED, that expenses incurred in connection with attendance of Chief Wiebicke and Captain Eisgrau at the Metropolitan Regional Council meeting of the Law Enforcement Committee at Westport, Conn. on 3/18/66 be made a proper Town charge.

Seconded by Councilman Holbrook.

All voted Aye.

Town Clerk instructed to inform Chief Wiebicke that all requests for attendance at police functions should be made previous to dates of attendance.

(243) Councilman Frohling offered the following resolution:

RESOLVED, that Chief Ernest F. Wiebicke is hereby authorized to attend the Eastern Regional Safety Convention at New York City on 3/28/66, all necessary expenses to be made a proper Town charge.

Seconded by Councilman Holbrook.

All voted Aye.

TBM - 3/16/66

Re Capral Lane Drainage Project #1 Supervisor suggested to Town Engineer that matter be re-advertised, making pipe separate item.

(244) Councilman Damiani offered the following resolution:

RESOLVED, that the Town Clerk be authorized to advertise for bids in connection with Capral Lane Drainage Project #1, returnable 4/6/66 at 8:05 P.M.

Seconded by Councilman Holbrook.

All voted Aye.

County Attorney J. Martin Cornell submitted copy of bill introduced in the Senate which seeks to amend the Town Law in relation to authorizing entry upon certain private streets. Town Attorney stated he has reviewed same and suggests that Town support bill.

CCG660

(245) Councilman Holbrook offered the following resolution:

RESOLVED, that the Clarkstown Town Board go on record as supporting an Act introduced in the Senate to amend the Town Law in relation to authorizing entry upon certain private streets for the purpose of protecting the public interest (Print 1050, Intro 1038) and be it

FURTHER RESOLVED, that the Town Clerk communicate with various representatives from Rockland County recommending support of this bill.

Seconded by Councilman Frohling.

All voted Aye.

Letter received from Alexander C. Basking, Regional Manager of the Department of Commerce, White Plains, N.Y. commending Chairman of the Clarkstown Industrial and Commercial Advisory Committee and extending his best wishes for the success of said Committee.

(246) Councilman Brenner offered the following resolution:

RESOLVED, that Route 59-A be renamed as follows: from Middletown Road to RR crossing "West Nyack Road", and the spur from West Nyack Road to Route 59 "West Nyack Way", and be it

FURTHER RESOLVED, that the Highway Superintendent be authorized to purchase signs and place them at the proper locations.

Seconded by Councilman Holbrook.

All voted Aye.

(247) Councilman Brenner offered the following resolution:

RESOLVED, that the Highway Superintendent is hereby authorized to advertise for bids for the installation of chain link fence to be installed on the west side of Tucker Avenue, said bids to be returnable 4/6/66 at 8:10 P.M.

Seconded by Councilman Holbrook.

All voted Aye/

(248) Councilman Brenner offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted July 8, 1965, rezoned premises owned by PLYMOUTH ROCK REALTY, LTD. from an R-1 district to a C-1 district, and

WHEREAS, a restrictive covenant was entered into by PLYMOUTH ROCK REALTY, LTD. and the Town of Clarkstown, dated July 20, 1965, recorded in the Office of the Clerk of the County of Rockland in Liber 794, at page 1012, and

WHEREAS, Paragraph SECOND in said restrictive covenant contains a sub-paragraph "a" wherein it was stated as follows:

"The premises are to be used for restaurant purposes only or any other use permitted in an RA-1 district"

and

WHEREAS, it was the intent that the said sub-paragraph "a" of the restrictive covenant should read

"The premises are to be used for restaurant purposes only or any other use permitted in an R-1 district"

and

WHEREAS, the Town Board of the Town of Clarkstown and the owners of premises covered by said zoning change desire that the restrictive covenants be corrected;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown shall join in the execution of the restrictive covenants as corrected, and be it

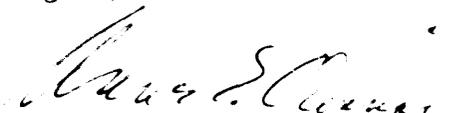
FURTHER RESOLVED, that the Supervisor is hereby authorized to sign said correction of declaration of restrictive covenants in behalf of the Town of Clarkstown.

Seconded by Councilman Holbrook.

All voted Aye.

On resolution offered by Councilman Damiani, seconded by Councilman Frohling and unanimously adopted, Town Board meeting was adjourned until Thursday, March 31, 1966, at 2:00 P.M.

Signed,


Anne E. O'Connor
Town Clerk