

## TOWN BOARD MEETING

Town Hall

1/31/67

2:00 P.M.

Present: Councilman Holbrook, Brenner, Damiani, Frohling  
Town Attorney Donald S. Tracy  
First Deputy Town Atty. Murray N. Jacobson  
Town Clerk Anne E. O'Connor

Councilman Holbrook, in his capacity as Deputy Supervisor, called Town Board meeting to order in Supervisor's Mundt's absence.

(80) Councilman Brenner offered the following resolution:

RESOLVED, that time for receiving bids for Project No. WS-1-33-0041 for the construction of lateral sewers; Sewer Dist. No. 16, West Nyack, is hereby closed, and

BE IT FURTHER RESOLVED, that any and all bids received up to and including this time are hereby officially ordered opened.

Seconded by Councilman Holbrook.

All voted Aye.

## THE FOLLOWING BIDS WERE RECEIVED:

<u>BIDDER</u>	<u>CLAY</u>	<u>ASBESTOS</u>
V.A. Spatz Excavating & Paving Co. & Carlone Const. Co. (Joint ventures) Lone Pine Drive Berkeley Heights, N.J.	\$965,863.50	\$965,863.50
A. Cestone Co., Contractors & Engineers 710 Bloomfield Ave. Glen Ridge, N.J.	\$1,433,219.00	1,394,066.00
All State Associates Inc. 251½ Grove Avenue Verona, N.J.	1,374,770.00	1,297,880.00
Suburban Contractors Inc. R.D. #3, County Line Rd. Sommerville, N.J.	1,717,600.00	1,662,180.00
Fireside Utility Constructors Inc. 2435 Plainfield Ave. Scotch Plains, N.J.	1,758,950.00	1,690,030.00
United Foundation Corp. 350 Princeton Rd. Union, N.J.	1,632,882.50	1,606,197.00
Thalle Construction Co. Inc. 365 Tuckahoe Rd. Yonkers, N.Y.	1,604,491.50	1,594,891.50

(81) Councilman Frohling offered the following resolution:

RESOLVED, that the sum of \$1,150,24 be transferred from Sewer Department account to Town Hall, Furniture and Equipment Account, said amount to purchase radio equipment.

Seconded by Councilman Damiani.

All voted Aye.

(82) Councilman Frohling offered the following resolution:

RESOLVED, that the sum of \$3,450.72 be transferred from CURRENT SURPLUS GENERAL to Town Hall-Furniture and Equipment Account, said amount to purchase radio equipment.

Seconded by Councilman Brenner

All voted Aye.

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Councilman Damiani offered the following resolution:

(83) RESOLVED, that the sum of \$2,300.48 be transferred from ZONING & PLANNING CURRENT SURPLUS to Town Hall, Furniture and Equipment Account, said amount to purchase Radio Equipment for Building Inspector and Fire Inspector.

Seconded by Councilman Frohling.

All voted Aye.

Councilman Brenner offered the following resolution:

(84) RESOLVED, that the sum of \$1,150.24 be transferred from Sewer Operating to Town Hall, Furniture and Equipment Account, said amount to purchase radio equipment.

Seconded by Councilman Damiani

All voted Aye.

(85) Councilman Holbrook offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. be authorized to install three (3) street lights - Sandstone Trail, New City & Grant Pulley & Hardware, W. Nyack at an annual cost of \$180.72.

Seconded by Councilman Frohling.

All voted Aye.

(86) Councilman Brenner offered the following resolution:

Resolved, that Orange & Rockland Utilities, Inc. be authorized to install one (1) street light at the end of Dr. Davies Road, Congers at the annual cost of \$46.80.

Seconded by Councilman Frohling.

All voted Aye.

Town Board signed the following consents for reductions of the following bonds: Same approved as to form and sufficiency.

Continental Casualty Co. Consent  
Reduction of Bond #2236406 (Candlewood Const. Corp. et al, Prin)  
From \$24,880.00 to \$2,400.00 - as of 12/7/66

Continental Casualty Co. Consent  
Reduction of Bond #2236405 (Candlewood Const. Corp. et al, Prin)  
From \$127,160.25 to \$85,000.00 - as of 12/7/66

(87) Councilman Frohling offered the following resolution:

WHEREAS, CHARLES P. CATTANEO has assigned to the Town of Clarkstown savings account in HIGHLAND NATIONAL BANK, NEWBURGH, N.Y. to the extend of \$43,000.00, as evidenced by Savings Bank Book No. 32900, covering installation of roads and other improvements as set forth in connection with Map of Tamarac Knolls, Section 2, said assignment dated June 11, 1965, and

WHEREAS, CHARLES P. CATTANEO has assigned to the Town of Clarkstown savings account in HIGHLAND NATIONAL BANK, NEWBURGH, N.Y. to the extend of \$6,000, as evidenced by Savings Bank Book No. 32901, covering all improvements for sanitary sewers and other facilities as set forth in connection with Map of Tamarac Knolls, Section 2, said assignment dated June 11, 1965, and

WHEREAS, after due notice and public hearing the Planning Board of the Town of Clarkstown has recommended the reduction of Savings Bank Book No. 32900 in the amount of \$43,000.00 to \$17,350.00 and the reduction of Savings Bank Book No. 32901 in the amount of \$6,000 to \$600.00;

NOW THEREFORE, be it

RESOLVED, that the reduction in the amount of the assignment of said savings account pass books, as aforesaid, is hereby approved.

Seconded by Councilman Brenner.

All voted Aye.

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(88) Councilman Frohling offered the following resolution:

WHEREAS, a Performance Bond No. 667802 of DORALD DEVELOPMENT CORPORATION, as Principal, and SEABOARD SURETY COMPANY, as Surety, dated March 25, 1965, in the amount of \$138,600, covering improvements on the streets and other facilities as shown on the Final Plat of Thornwood Hills dated December 14, 1964, said performance bond having been approved by the Town Board of the Town of Clarkstown on May 24, 1965, and

WHEREAS, a Performance Bond No. 659450 of DORALD DEVELOPMENT CORP., as Principal, and SEABOARD SURETY COMPANY, as Surety, dated March 25, 1965, in the amount of \$27,550.00 covering all improvements for sanitary sewers and other facilities as shown design drawings approved by the Rockland County Health Department entitled Thornwood Hills, dated December 14, 1964, said performance bond having been approved by the Town Board of the Town of Clarkstown on May 24, 1965, and

WHEREAS, after due notice and public hearing, the Planning Board of the Town of Clarkstown has recommended the reduction of Bond No. 667802 from \$138,600 to \$41,000.00 and the reduction of Bond No. 659450 from \$27,550.00 to \$2,800.00;

NOW THEREFORE, be it

RESOLVED, that the reduction of said performance bonds, as aforesaid, is hereby approved.

Seconded by Councilman Brenner.

All voted Aye.

(89) Councilman Damiani offered the following resolution:

WHEREAS, a Performance Bond No. 756073 of PATRICIA ANN HOMES, INC., as Principal, and CONTINENTAL CASUALTY COMPANY, as Surety, in the amount of \$88,000.00, covering improvements on the streets and other facilities as shown on the Final Plat entitled Section One, Stonehedge East, dated July 8, 1966, said performance bond having been approved by the Town Board of the Town of Clarkstown on August 3, 1966, and

WHEREAS, a Performance Bond No. 756074 of PATRICIA ANN HOMES, INC., as Principal, and CONTINENTAL CASUALTY COMPANY, as Surety, in the amount of \$20,500.00, covering all improvements for sanitary sewers and other facilities as shown on design drawings approved by the Rockland County Health Department entitled Section One, Stonehedge East, Subdivision of Property of Patricia Ann Homes, Inc., dated July 8, 1966, said performance bond having been approved by the Town Board of the Town of Clarkstown on August 3, 1966, and

WHEREAS, after due notice and public hearing, the Planning Board of the Town of Clarkstown has recommended the reduction of Bond No. 756073 from \$88,000.00 to \$27,600.00 and the reduction of Bond No. 756,074 from \$20,500.00 to \$2,100.00;

NOW THEREFORE, be it

RESOLVED, that the reduction of said performance bonds, as aforesaid, is hereby approved.

Seconded by Councilman Frohling.

All voted Aye.

(90) Councilman Frohling offered the following resolution:

WHEREAS, a Performance Bond No. 973437 of J.H. MARTIN CONTRACTING COMPANY, INC., as Principal, and the HANOVER INSURANCE COMPANY, as Surety, in the amount of \$37,848.00, covering improvements on the streets and other facilities as shown on the Final Plat of Rockland Heights, Section #3, dated February 28, 1964, said performance bond dated November 13, 1964, and said bond having been approved by the Town Board of the Town of Clarkstown on December 28, 1964, and

WHEREAS, a Performance Bond No. 973438 of J.H. Martin CONTRACTING COMPANY, INC., as principal, the HANOVER INSURANCE COMPANY, as Surety, in the amount of \$7,140.00, covering all improvements for sanitary sewers and other facilities shown on design drawings approved by the Rockland County Health Department and on the Final Plat of Rockland Heights, Section #3, dated February 28, 1964, said performance bond dated November 13, 1964, and said performance bond having been approved by the Town Board of the Town of Clarkstown on December 28, 1964, and

WHEREAS, after due notice and public hearing the Planning Board of the Town of Clarkstown has recommended the reduction of Bond No. 973437 from

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\$37,848.00 to \$20,000 and the reduction of Bond No. 973438 from \$7,140.00 to \$750.00;

NOW THEREFORE, be it

RESOLVED, that the reduction of said performance bonds, as aforesaid, is hereby approved.

Seconded by Councilman Brenner

All voted Aye.

(91) Councilman Frohling offered the following resolution:

WHEREAS, the Town of Clarkstown purchased a portion of the property of Margaret Bardon Gray as a site for the proposed Town Highway Garage, and

WHEREAS, bond anticipation notes have been authorized to pay the expenses of said purchase, and

WHEREAS, the 1967 State, County and Town taxes on said property include a portion attributable to premises now owned by the Town of Clarkstown, and

WHEREAS, an apportionment computation has been made by the Assessor of the Town of Clarkstown in the amount of \$400.20;

NOW THEREFORE, be it

RESOLVED, that the sum of \$400.20 is authorized to be paid to the Receiver of Taxes of the Town of Clarkstown as the proportionate share attributable to the Town of Clarkstown of the 1967 State, County and Town taxes on premises assessed to Margaret B. Gray, and be it

FURTHER RESOLVED, that the said sum of \$400.20 be transferred from CURRENT SURPLUS GENERAL to TOWN BUILDING SITE ACCOUNT (highway garage), which transfer from surplus shall be reimbursed from the proceeds of the sale of bond anticipation note, pursuant to Sec. 165.10 of the Local Finance Law, and be it

FURTHER RESOLVED, that suitable records shall be kept for the temporary diversion of such funds.

Seconded by Councilman Brenner.

All voted Aye.

(92) Councilman Brenner offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified that the position of SECRETARY, for the Clarkstown Shade Tree Committee, can now be established,

NOW THEREFORE, BE IT

RESOLVED, that the position of Secretary, part-time, for the Clarkstown Shade Tree Committee, be and the same is hereby established as of this date.

Seconded by Councilman Damiani.

All voted Aye.

(93) Councilman Frohling offered the following resolution:

WHEREAS, the position of SECRETARY for the Clarkstown Shade Tree Committee was this day established upon certification of the Rockland County Personnel Office,

NOW THEREFORE, upon recommendation of Frank Steffens, Chairman of Clarkstown Shade Tree Committee, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Permanent Appointment of LORRAINE R. WEIGOLD of 8 Greendale Road, New City, New York, to the position of SECRETARY, Part-time, at a salary of \$400.00 per annum effective February 1, 1967.

Seconded by Councilman Brenner.

All voted Aye.

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(94) Councilman Brenner offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified that the position of SECRETARY, in the Clarkstown Commission on Human Rights, can now be established,

NOW THEREFORE, BE IT RESOLVED, that the position of Secretary, part-time, in the Clarkstown Commission on Human Rights be and the same is hereby established as of this date.

Seconded by Councilman Frohling.

All voted Aye.

Letter received from Nyack Community Nursery School requesting additional funds. Matter held for Supervisor's return.

Samuel G. Fisher, Chairman and member of the Clarkstown Recreation Commission, submitted resignation; said resignation to become effective when replacement appointed. Town Clerk instructed to write to Mr. Fisher, accepting his resignation with regret; commenting that Town Board appreciates his pioneering efforts in operating and building the recreation program in the Town of Clarkstown of which they are extremely proud.

(95) Councilman Damiani offered the following resolution:

WHEREAS, Samuel G. Fisher has resigned as Chairman and member of the Clarkstown Recreation Commission, now therefore be it

RESOLVED, that Helen Gurvitch, 8 Jill Drive, West Nyack, has been elected to serve as Chairman of the Recreation Commission, effective Jan. 19, 1967, for one year, to serve without compensation.

Seconded by Councilman Brenner.

All voted Aye.

Town Clerk to contact Justices of the Peace and inform them that from now on, the Recreation Commission is meeting at the Tiemann Building to avoid problems. (Copy of letter will be forwarded to Chairman of the Recreation Commission so all will be informed)

Justice of the Peace Edward J. Flynn requested approval for his attendance at the Association of Town's Annual Meeting in New York City during the week beginning February 6, 1967 (2/6-7-8). Town Clerk instructed to notify Mr. Flynn that blanket resolution adopted at Organizational Meeting authorizes his attendance as Town Official.

Re report from Town Engineer - Lakewood and Birchwood; suggests that present access remain and that stone base be installed to provide proper drainage. Informed Board that we have easement if another road has to be created.

Re drainage complaint - 5 Spruce Drive, Nanuet: Town Engineer's Office has checked out; suggested procedure to alleviate. Town Engineer stated this major proposition. Town Clerk instructed to refer to Drainage Commission for study and report.

Mrs. Bain contacted Town Board seeking verification on outcome of her zone change application. Matter referred to Town Attorney who will notify Mrs. Bain that attorney handling zone change application for her should have advised her of outcome.

Councilman Frohling - re ban on burning: Suggested expansion of Sanitary Fill area to take everything that people may wish to dispose of (instead of burning). Councilman Damiani will study and make recommendation (re adoption of Town Ordinance to conform with state law) at future meeting.

Letter of commendation for Chief of Police and his department received from District Attorney Robert Meehan, in connection with Arthur R. Gates murder trial, citing unit as doing wonderful job. Especially commended were Captain Dwight Eisgrau, Detective Sergeant George Finaly, Detective James R. Purdum, Sergeant John Courtney and Patrolman Florance J. Sullivan.

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Town Clerk instructed to contact State Traffic Commission informing them that since inception of Shoprite Shopping Center, problem has developed with traffic movement on crossover in area of Shoprite and Grant Pulley at Route 59, West Nyack, Request was made for survey of area with view towards installation of traffic control system and construction of left turn storage lanes. Councilman Frohling, Supervisor and Chief of Police to be notified when survey to be made so they can relate specific problems existing in this area.

Paul Bailey, Assessor, appeared before Board suggesting I/D Cards for members of his department who sometimes have to enter homes as part of their official duties for the town. Councilman Frohling suggested that all Department Heads confer with Chief of Police re I.D. card for all town employees - Police Chief to call meeting and advise all of time and date.

Re Endlish drainage problem - report made by Town Engineer. House built low. Town Engineer's Office is maintaining contact with Mrs. Endlish.

(96) Councilman Brenner offered the following resolution:

WHEREAS, an Article 78 Proceeding has been commenced against the Town of Clarkstown, PAUL F. MUNDT, PHILIP J. FROHLING, WILLIAM BRENNER, JAMES V. DAMIANI, MARTIN E. HOLBROOK, constituting the Town Board of the Town of Clarkstown, by HOWARD CONCKLIN:

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is authorized to appear in said action and take all necessary steps to defend the same.

Seconded by Councilman Frohling.

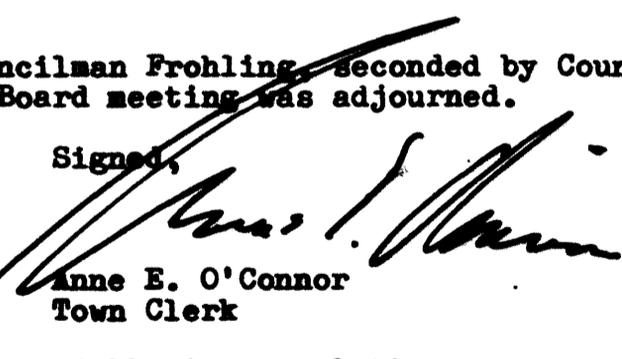
All voted Aye.

Assessor inquired of Board whether or not Old Age exemption appeal is function of Grievance Board. Town Attorney requested to check and report back to Town Board.

Building Inspector Oscar Lutz requested that Town Board request Welfare Dept. not to rent out apartments unless they have approval of construction from Building Inspector and Fire and Zoning Inspectors. Town Attorney suggested that Town Board formulate a resolution calling this problem to the attention of the County Welfare Officials and asking them to cooperate. (Matter tabled until 7:30 P.M. - 2/1/67 for discussion).

On resolution offered by Councilman Frohling, seconded by Councilman Brenner and unanimously adopted, Town Board meeting was adjourned.

Signed,

  
Anne E. O'Connor  
Town Clerk

(96a) Councilman Frohling offered the following resolution:

WHEREAS, the Town of Clarkstown is desirous of leasing premises from NED A. BESSO, said premises being located in the Town of Clarkstown, Rockland County, New York, and being designated on the Tax Map of the Town of Clarkstown as Map 105, Block A, Lot 33.02;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute a lease of said premises.

Seconded by Councilman Holbrook

All voted Aye.