

TOWN BOARD MEETING

Town Hall

2/15/67

8:00 P.M.

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

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

(112) Councilman Frohling offered the following resolution:

RESOLVED, that minutes of 1/31/67 and 2/1/67 Town Board meetings are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Brenner

All voted Aye.

(113) Councilman Holbrook offered the following resolution:

RESOLVED, that time for receiving bids for the furnishing of (1) Loader and (1) Sweeper to the Clarkstown Highway Department is hereby closed, and be it

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

Seconded by Councilman Damiani.

All voted Aye.

The following bids were received:

LOADER:

Empire Tractor and Equipment Corp.  
55 East Grassy Sprain Road  
Yonkers, New York.....\$16,750.00

Romack Equipment Corporation  
15 Oakland Avenue  
Harrison, New York..... 22,319.00

Bell Eastern  
1015 Saw Mill River Road  
Yonkers, New York..... 18,196.00

H.O. Penn  
140th Street & East River  
New York 54, N.Y..... 18,845.00

SWEEPER:

W.E. Timmerman & Co.  
Route 22  
Whitehouse, New Jersey..... 15,000.00

All bids received turned over to Highway Superintendant for his recommendation.

(114) Councilman Frohling offered the following resolution:

RESOLVED, that upon recommendation of the Chief of Police, the Highway Supt. is hereby authorized to erect a NO PARKING on the north side of New Hempstead Road between Eberling Drive and the w/side entrance to the building known as 18 New Hempstead Road, New City.

Seconded by Councilman Holbrook

All voted Aye.

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(115) Councilman Frohling offered the following resolution:

RESOLVED, that permission is hereby given to the following Police Officer and Patrolmen to attend a Mob and Riot Control Police Training School at Camp Smith, Peekskill, N.Y. on March 15 and 16, 1967:

Lieutenant William Zielich  
Patrolman Benjamin Albertson  
Patrolman George Tanges  
Patrolman Robert Eckerson  
Patrolman Donald Hardy  
Patrolman Charles Lutz, and be it

FURTHER RESOLVED, that all necessary expense in connection therewith be made a proper Town Charge.

Seconded by Councilman Damiani.

All voted Aye.

Letter received from State Traffic Commission acknowledging our request for traffic control signal and the construction of left turn storage lanes on Route 59 at the Shoprite Shopping Center and Grant Pulley in West Nyack, Ivenstigation has been initiated; they will advise when field information is evaluated.

(116) Councilman Holbrook offered the following resolution:

RESOLVED, that Orange & Rockland Utilities is hereby authorized to install on pole on Freedman Street, Manuet at the annual cost to the Town of Clarkstown of \$46.80.

Seconded by Councilman Brenner

All voted Aye.

Letter received from Department of Public Works informing Town Board that orders have been issued for construction of turn around to be provided on Old Nyack Turnpike. Councilman Damiani stated nothing accomplished; Supervisor will contact Department for expedition.

(117) Councilman Holbrook offered the following resolution:

WHEREAS, the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized, sold and issued its Bond Anticipation Note For Traxacavator-1966 in the principal amount of \$22,500 and it is now desirable to redeem said Note to the extent of \$7,000 from a source other than the proceeds of the bonds in anticipation of which said Note has been issued; now therefore be it

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

Section 1. The amount of \$7,000 is hereby appropriated from funds now available to said purpose to redeem, in part, on or before Feb. 17, 1966, the outstanding Bond Anticipation Note for Traxcavator 1966 in the principal amount of \$22,500 of the Town of Clarkstown, in the County of Rockland, New York, hereinabove referred to in the Recital of the resolution, said funds being a source other than the proceeds of the bonds in anticipation of which said Note has been issued.

Section 2. This resolution shall take effect immediately.

Seconded by Councilman Brenner

All voted Aye.

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(118) Councilman Holbrook offered the following resolution:

WHEREAS, the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized, sold and issued its Bond Anticipation Note For Traxcavator-1966 in the principal amount of \$22,500 and has duly appropriated \$7,000 for the redemption, in part, of said Note and it is now necessary and desirable to provide for the renewal, in part, of said Note by the issuance of a new Note in the principal amount of \$15,500;

NOW THEREFORE, be it

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

Section 1. The Bond Anticipation Note for Traxeavator-1966 in the principal amount of \$22,500, dated February 17, 1966, maturing February 17, 1967, numbered RRR-1, heretofore duly authorized, sold and issued pursuant to the bond anticipation note resolution duly adopted by the Town Board of said Town on February 14, 1966, is hereby authorized to be renewed, in part, by the issuance of a new Note in the principal amount of \$15,500; the amount of \$7,000 having been heretofore duly appropriated from a source other than the proceeds of the bonds in anticipation of which said Note has been issued, to redeem, in part, said Note dated February 17, 1966, all as hereinabove referred to in the Recital hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York. The maturity of said renewal Note herein authorized shall not be later than one year from its date, and said Note may be further renewed pursuant to the provisions of said Local Finance Law.

Section 2. The terms, form and details of said renewal Note shall be as follows:

Amount and Title: \$15,500 Bond Anticipation Note for Traxcavator-1967

Dated: February 17, 1967

Matures: February 16, 1968

No. RRRR-1 Denomination: \$15,500

Interest rate: 3-~~4~~% per annum, payable at maturity

Place of payment of principal and interest:

Supervisor's Office  
Town Hall  
New City, New York

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

Section 3. Said Note is hereby sold to the MARINE MIDLAND TRUST COMPANY OF ROCKLAND COUNTY, Nyack Office, Nyack, New York, at the price of \$15,500 to bear interest at the rate of three and three-quarters per centum (3~~3~~%) per annum, payable at maturity, and the Supervisor is hereby authorized to deliver said Note to said purchaser upon receipt of the purchase price, plus accrued interest, if any, from the date of said Note to the date of delivery.

Section 4. Said Note shall contain the recital of validity prescribed by #52.00 of said Local Finance Law, and shall be a general obligation of the Town of Clarkstown, payable as to both principal and interest by a general tax upon all the taxable real property within the Town, without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said Note and provision shall be made in the budget of the Town by appropriation for the redemption of the Note to mature in such year and for the payment of interest to be due in such year.

Section 5. Said Note shall be executed in the name of the Town by its Supervisor and the corporate seal of said Town shall be affixed thereto and attested by its Town Clerk.

Section 6. This resolution shall take effect immediatley.

Seconded by Councilman Damiani

All voted Aye.

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(119) Councilman Frohling offered the following resolution:

WHEREAS, the name of David Wedlick appears on Certification of Eligibles #6682, POLICE PATROLMAN, Permanent, dated February 2, 1967, said Certification having been furnished by the Rockland County Personnel Office,

NOW THEREFORE, upon recommendation of Police Chief Ernest Wiebicke, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Permanent appointment of DAVID WEDLICK, of 117 South Highland Avenue, Ossining, N.Y. to the position of Police Patrolman at a salary of \$6,300 per annum effective March 1, 1967.

Seconded by Councilman Holbrook

All voted Aye

(120) Councilman Holbrook offered the following resolution:

RESOLVED, that the application of SOL MEKLER for a change of zoning from an RO district to an R-2 district, on property located on the south side of Route 59, West Nyack, 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 Damiani

All voted Aye.

(121) Councilman Holbrook offered the following resolution:

RESOLVED, that Hydrant No. X-4369H shown on Spring Valley Water Company Map 13 be relocated at a point 124' east of old location of Woodside Drive, between property line of Stanczyk and Travaligni.

Seconded by Councilman Damiani

All voted Aye

Town Board signed Order setting date of Public Hearing for Extension of New City-West Nyack Water Supply District to include THORNWOOD HILLS SUBDIVISION - 3/15/67 - 8:30 P.M.

ORDER ON FOLLOWING PAGE

(122) Councilman Brenner offered the following resolution:

WHEREAS, bids submitted for Sewer Dist. No. 16 construction were reviewed by the firm of Charles R. Velzy Assoc., Inc. and the Town Attorney, and

WHEREAS, it was determined that the bid of V.A. Spatz, Excavating & Paving Co. & Carlone Const. Co. (A Joint Venture) was non-responsive in that their proposal had omitted various specified materials and construction procedures from certain bid items, and

WHEREAS, a consultation was held with the low bidder in the Town Attorney's office, whereupon said low bidder acknowledged the omission of certain items;

NOW THEREFORE, be it

RESOLVED, that upon the recommendation of Charles R. Velzy Assoc., Inc., consulting engineers, and the Town Attorney, the contract for sewage collection facilities within Sewer District No. 16 be awarded to All State Assoc., Inc., which is determined to be the lowest responsible responsive bidder, and the Supervisor be authorized to execute said contract in the amount of \$1,297,880.00 subject to consent and concurrence by the Dept. of Housing and Urban Development, and by the exchange of mutual releases between V.A. Spatz, Excavating & Paving Co. & Carlone Const. Co. (A Joint Venture) and the Town of Clarkstown.

Seconded by Councilman Holbrook.

All voted Aye

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At a meeting of the Town Board of the Town of Clarkstown, Rockland County, New York, held at the Meeting Room of the Town Hall, at 10 Maple Ave., New City, in said Town of Clarkstown on the 15th day of FEBRUARY 1967.

PRESENT:

PAUL F. MUNDT,  
PHILIP J. FROHLING, JR.  
MARTIN E. HOLBROOK  
JAMES V. DAMIANI,  
WILLIAM BRENNER,

SUPERVISOR  
COUNCILMAN  
COUNCILMAN  
COUNCILMAN  
COUNCILMAN

ORDER CALLING  
PUBLIC HEARING

IN THE MATTER OF

PETITION for the Extension of the New City-West Nyack Water Supply District #5

include THE WOOD HILLS SUBDIVISION

in the Town of Clarkstown, Rockland County, New York.

WHEREAS, a written Petition dated 1/4/67 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 EXTENSION of the NEW CITY-WEST NYACK WATER SUPPLY DIST. #5 in the said Town, to be bounded and defined as follows:

(Attach description)

RESOLVED, 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, Rockland County, New York, in said Town of Clarkstown, on the 15th day of March 1967, at 8:30 P.M. EST 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 custom in the premises.

Date: 2/15/67  
Paul F. Mundt, Supervisor  
Philip J. Frohling, Jr., Councilman

James V. Damiani, Councilman  
Martin E. Holbrook, Councilman  
William Brenner, Councilman

STATE OF NEW YORK  
COUNTY OF ROCKLAND ss:  
TOWN OF CLARKSTOWN

I, ANNE EG'CONNOR, Town Clerk of said Town of Clarkstown, Dist. #5 of Rockland, hereby certify that I have compared the foregoing copy of an ORDER setting hearing RE: Ext. of New City-W. Nyack Water with the original now on file in said office, and find same to be true and correct transcript therefrom and of the whole of such matter. IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of said Town of Clarkstown, this 15th day of February 1967.

Anne Eg'Connor  
Town Clerk

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SCHEDULE "A"

ALL those certain lots situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York, shown and designated on a certain subdivision plan entitled "THORNWOOD HILLS, SUBDIVISION OF PROPERTY OF THORNWOOD HILLS, SUBDIVISION OF PROPERTY OF THORNWOOD CONSTRUCTION, INC., TOWN OF CLARKSTOWN, ROCKLAND COUNTY, NEW YORK," dated December 14, 1964, and filed in the Rockland County Clerk's Office on April 21, 1965, in Map Book 69, at Page 45, as Map No. 3328.

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(123) Councilman Holbrook offered the following resolution:

WHEREAS, the Nyack Community Nursery School has requested additional Town Funds,

NOW THEREFORE, be it

RESOLVED, that the amount of \$1400.00 be transferred from CURRENT SURPLUS GENERAL to NYACK COMMUNITY NURSERY SCHOOL ACCOUNT.

Seconded by Councilman Brenner

All voted Aye.

(124) Councilman Holbrook offered the following resolution:

WHEREAS, Secs. 12 and 13 of the Town Law provide for the donation of moneys by the Town for patriotic observances and rental of quarters by certain patriotic organizations, and

WHEREAS, a request for said moneys has been received from the ROCKLAND COUNTY AMVETS and the LT. THEODORE KERCHMAN POST, JWV.,

NOW THEREFORE, be it

RESOLVED, that the sum of \$200.00 for rental of quarters and the sum of \$50.00 for patriotic observances be donated by the Town to each said organization, and be it

FURTHER RESOLVED, that the sum of \$500.00 be transferred from CURRENT SURPLUS GENERAL to VETERAN'S ORGANIZATIONS ACCOUNT.

Seconded by Councilman Frohling.

All voted Aye.

Town Board signed the following Performance Bonds, approving same as to form and sufficiency:

LAKE MANOR SECTION III

REPUBLIC INSURANCE CO.

Bond #900225

Amount: \$11,000.00

Period: 2 yrs. - 2/15/67-2/14/69 - Covers: Sewers

REPUBLIC INSURANCE CO.

Bond #900224

Amount: \$44,000.00

Period: 2 yrs - 2/15/67-2/14/69 - Covers: Roads w/drainage

(125) Councilman Damiani offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified that the position of JUNIOR DRAFTSMAN in the Town Engineer's Office, Town of Clarkstown, can now be established,

NOW THEREFORE, BE IT RESOLVED, that the position of JUNIOR DRAFTSMAN, in said Town Engineer's Office, be and the same is hereby established as of this date.

Seconded by Councilman Frohling

All voted Aye.

(126) Councilman Damiani offered the following resolution:

WHEREAS, the position of JUNIOR DRAFTSMAN in the Town Engineer's Office was this day established, upon certification of the Rockland County Personnel Office,

AND WHEREAS, the name of Henry T. Gassert, Jr., appears on Certification of Eligibles #6428, dated February 15, 1967, furnished by said Office, now therefore, upon recommendation of Frederick Busch, Town Engineer, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Permanent appointment of HENRY T. GASSERT, JR., of 41 Kinsman Lane, Garnerville, New York, to the position of Junior Draftsman, in said Town Engineer's Office, at a salary of \$4,602.00 per annum effective February 20, 1967.

Seconded by Councilman Holbrook

All voted Aye.

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(127) Councilman Damiani offered the following resolution:

WHEREAS, Paul Bailey, Tax Assessor, has requested additional clerical help for his office for a period of two weeks, to assist in processing Elderly Exemption papers,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Temporary appointment until March 31, 1967, of EUGENIA M. ADAMS, of 33 Primrose Lane, New City, New York, to the position of Clerk in said Town Assessor's Office, at a salary of \$1.75 per hour effective March 20, 1967.

Seconded by Councilman Holbrook.

All voted Aye.

(128) Councilman Brenner offered the following resolution:

WHEREAS, a vacancy has occurred in the Town Clerk's Office due to the resignation of Rosalie Greene,

NOW THEREFORE, upon recommendation of Anne E. O'Connor, Town Clerk, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Provisional appointment, pending examination of JEAN OVERMEYER, of 15 Demarest Avenue, Nanuet, New York, to the position of Stenographer in said Town Clerk's Office, at a salary of \$4,186.00 per annum, retroactive to and effective February 14, 1967.

Seconded by Councilman Holbrook.

All voted Aye.

(129) Councilman Holbrook offered the following resolution:

WHEREAS, Anne E. O'Connor, Town Clerk, has requested that the services of Sandra L. Lopes, Typist, be extended for an additional period of thirty days,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Temporary appointment for a period not to exceed thirty days, of SANDRA L. LOPES, of 10 Hillside Drive, New City, New York, to the position of Typist in the Town Clerk's Office, at a salary of \$1.75 per hour, retroactive to an effective February 3, 1967.

Seconded by Councilman Damiani

All voted Aye.

(130) Councilman Frohling offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified that five (5) positions of Member, Board of Architectural Review, Town of Clarkstown, can now be established,

NOW THEREFORE, BE IT

RESOLVED, that five (5) positions of Member of said Board in the Town of Clarkstown, be and the same are hereby established, retroactive to and effective January 1st, 1967.

Seconded by Councilman Holbrook.

All voted Aye.

Letter of resignation received from Patrolman Clinton Graffam. Accepted by Town Board.

Report for the month of January 1967 received from Welfare Officer. Noted by Town Board; filed in Town Clerk's Office.

In response to request that hearings re above be held on Mondays, Tuesdays and Wednesdays a week apart; Supervisor stated that there will be general hearing after Hamlet hearings if changes are made.

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(131) Councilman Holbrook offered the following resolution:

RESOLVED, that the Supervisor be and he is hereby authorized to transfer from CURRENT SURPLUS, ZONING AND PLANNING, to ZONING AND PLANNING ACCOUNT (Printing and Advertising) the sum of \$4406.72.

Seconded by Councilman Frohling.

All voted Aye.

(132) Councilman Damiani offered the following resolution:

RESOLVED, that Richard J. Derella, 3 Dutch Court, W. Nyack, N.Y. is hereby appointed to serve on the Clarkstown Recreation Commission to fill the unexpired term of Samuel G. Fisher to August '68.

Seconded by Councilman Brenner.

All voted Aye.

(133) Councilman Frohling offered the following resolution:

WHEREAS, Sewer District No. 1 of the Town of Clarkstown was extended and an Agreement entered into between the Town of Clarkstown and Tolstoy Foundation Inc. and

WHEREAS, paragraph 14 of said agreement provided for payment of a hookup charge in the amount of \$15,000.00 ninety days after the execution of that agreement, and

WHEREAS, Bond No. 376145 in the amount of \$5,000.00 was tendered to the Town of Clarkstown to guarantee the performance of installation of said sewer lines, and

WHEREAS, the Foundation, a non-profit organization has requested modification of the agreement to provide for postponement of the \$15,000.00 hookup charge until such time as application is made for a building permit and has further requested that Bond No. 376145 be released and a similar bond furnished at the time a building permit is applied for,

NOW THEREFORE,

BE IT RESOLVED,

That the Supervisor is authorized to execute a modification to the above referred agreement to postpone payment of the hookup charge until such time as the Foundation applies for a building permit and

BE IT FURTHER RESOLVED, that Bond #376145 be and hereby is released and that a similar bond be required prior to the issuance of a building permit to the Foundation.

Seconded by Councilman Holbrook.

All voted Aye.

Re Elks Drive, Manuet, Town Engineer inquired of Town Board if bridge structure could commence. Town Attorney instructed Town Engineer to proceed on the bridge portion.

Re Strawberry Hill Road Improvement: Town Attorney informed Town Engineer that \$1400. maintenance bond was posted and full payment was made to Mr. Adams.

Highway Supt. instructed to restore New Mill Rd. street sign. Mr. Gerber instructed to contact residents to ascertain their wishes in naming this street.

Town Board signed Agreement for the Expendage of Highway Monies between the Highway Superintendent and the Town of Clarkstown.

Letter addressed to Mr. Art Aldrich, Editor of the Rockland News-Leader, in connection with article dated February 15<sup>th</sup>, read aloud by Supervisor. (Copy of letter in Town Clerk's Office).

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(Following resolution received from Supervisor's Office 2/16/67):

(134) Councilman Frohling offered the following resolution:

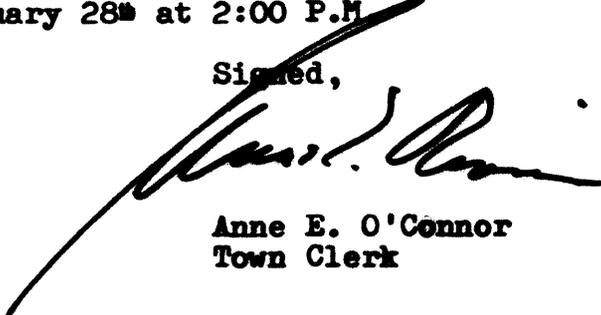
RESOLVED, that mileage at the rate of 10¢ a mile be paid to THEODORE ZOLLENDECK, Town Planner, Town of Clarkstown, for use of his personal automobile in performance of his official duties.

Seconded by Councilman Holbrook.

All voted Aye

On resolution offered by Councilman Brenner, seconded by Councilman Frohling and unanimously adopted, Town Board meeting was adjourned until Tuesday, February 28<sup>th</sup> at 2:00 P.M.

Signed,



Anne E. O'Connor  
Town Clerk

CCJ301

PUBLIC HEARINGS

RE: Proposed Zoning Amendment &amp; Zoning Map (See Files for Transcripts)

<u>AREA</u>	<u>HELD AT</u>	<u>HELD ON</u>
Valley Cottage -	County Office Building	February 23, 1967
West Nyack - Central Nyack	West Nyack Elem. School	February 24, 1967
Nanuet - Bardonia	Nanuet Sr. High School	February 28, 1967
Congers	Congers Elem. School	March 7, 1967
New City	Jr. High School	March 8, 1967

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