

Town Hall

May 31, 1967

1:00 P.M.

Present: Councilmen 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.

Donald S. Tracy, Town Attorney informed Town Board that before he can make recommendations re Recreation Commission, he must receive reply from Department of Audit and Control, which he will have by the 6/7/67 Town Board meeting.

Recommendation from Chief of Police - "No thru trucking" sign - Ludvigh Rd., has not as yet determined.

Recommendation from Town Engineer re Bellwood Drive: Reswaling will not give proper solution. Recommends that rather than taking pipe out and installing larger pipe, we introduce additional piping adjacent to existing piping within the drainage easement. Involves approximately 1200' of pipe and new drop inlets. Recommends enlarging culvert under Burda Lane leading to PIP. Expense of \$9200 involved for the job. There are no builder responsibilities. Matter tabled until new bond issue.

(326) Councilman Frohling offered the following resolution:

RESOLVED, that a Public Hearing be held by the Town Board of the Town of Clarkstown, Rockland County, New York, at the auditorium of the Clarkstown Jr. High School, Parrot Road, West Nyack, on the 24th day of June, 1967 at 10 A.M. to consider the adoption of a comprehensive amendment to the Building Zone Ordinance of the Town of Clarkstown as amended from time to time.

Seconded by Councilman Damiani.

All voted Aye.

(327) Councilman Frohling offered the following resolution:

RESOLVED, that a Public Hearing be held by the Town Board of the Town of Clarkstown, Rockland County, New York, at the auditorium of the Clarkstown Jr. High School, Parrot Road, West Nyack, on the 24th day of June, 1967 at 10:15 A.M. to consider the adoption of an amended official map of the Town of Clarkstown.

Seconded by Councilman Damiani.

All voted Aye.

Letter received from Spring Valley Water Company re proposed hydrant on n/side of curb line of Long Meadow Dr., which, due to several misunderstandings, has not yet been installed. Matter referred to Town Engineer and Chas. Adams for their recommendations.

(328) Councilman Brenner offered the following resolution:

RESOLVED, that upon recommendation of Police Chief Ernest F. Wiebicke, that parking on the e/s of So. Grant Ave., Congers, N.Y., be restricted from Lake Road South to the south end of the School building, a distance of about 300', and that signs should specify the times, either during school hours or from 8:00 a.m. to 4:00 p.m, Monday through Friday, and be it

FURTHER RESOLVED, that the Town Highway Superintendent be instructed to install the necessary signs.

Seconded by Councilman Damiani

All voted Aye.

Nyack Jaycees expressed their appreciation to the Town for their participation in the parade sponsored by them for the Nyack Little League.

Annual Report of William E. Vines, Justice of the Peace, for period January 1966 thru December 1966 received and noted by Town Board.

(329) Councilman Frohling offered the following resolution:

WHEREAS, the following persons have applied to the Town of Clarkstown for Certificates of Registration in compliance with Sec. 34-6 of the Code of the Town of Clarkstown:

Robert Meyer Contracting Corp., 63 College Ave., Nanuet, N.Y.
Ralph O. Heavener, Quaker Rd., Pomona, N.Y.
Ernest Wiebicke, Jr. and Gary Wiebicke d/b/a Wiebicke Contracting, 8 Central Ave., New City, N.Y.

Seconded by Councilman Damiani

All voted Aye.

Resolution setting date of public hearing - zone change application made by Joseph, Michael and Frank Lagana for property located at Old Nyack Turnpike and Pascack Road (RO to M-1) tabled for future meeting.

CCJ301

May 31, 1967 (cont.)

(330) Councilman Frohling offered the following resolution:

RESOLVED, that resolution 273 (from 5/17/67) be amended to read as follows:

RESOLVED, that upon the recommendation of the Town Engineer the Highway Superintendent is hereby authorized to do all work necessary to alleviate drainage problem existing at 17 Deerfield Dr., New City on property of Mr. James Costello, and

BE IT FURTHER RESOLVED, that the amount of \$3000.00 be transferred from CURRENT SURPLUS-GENERAL to DRAINAGE PROJECT II ACCOUNT to cover expense of same.

Seconded by Councilman Brenner.

On roll call the vote was as follows:

AYES: Councilman Holbrook, Brenner, Frohling, Supervisor Mundt.

NOES: Councilman Damiani

In connection with his "no" vote, Councilman Damiani stated that the Town Engineer informed him that this would be relocating hazard.

(331) Councilman Frohling offered the following resolution:

WHEREAS, VINCENT DE FRANCESCO & ANGELA DE FRANCESCO are desirous of granting a drainage easement to the Town of Clarkstown located at 28 Woodglen Dr., New City, N.Y.,

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown accept a drainage easement from VINCENT DE FRANCESCO & ANGELA DE FRANCESCO covering premises located at 28 Woodglen Dr., New City, N.Y., more particularly described in said easement dated the 6th day of January, 1967.

Seconded by Councilman Damiani

All voted Aye.

Mr. Lorenzo appeared before Board complaining of accumulation of water in back yard; is collecting water from catch basin which builder put in on Mr. Suttie's property.

(332) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Engineer is hereby authorized to do all work necessary to eliminate drainage problem existing on property owned by Jordan, Eberling Drive, to possibly eliminate other drainage problems existing on attached properties.

Seconded by Councilman Holbrook

All voted Aye.

In connection with above, Mr. George Suttie, neighbor, stated he did not believe this is town problem; builder should fix.

Letter received from Mr. P.J. Fearon commending Town Highway Supt. and Town Engineer re storm drain in his back yard. Town Attorney stated that re Marycrest Assoc., do not want town to lower stream. Town Engineer and Town Attorney to get together -- Town Attorney will follow through.

Drainage Report - Sears-Macy Complex --received from Town Engineer. Study will be made by Mr. Suttie, Consulting Engineer, T.E. gave qualified approval until report is received.

Letter received from Mrs. Helen Gurvitch, Chairman of Clarkstown Recreation Commission re possibility of current Town Highway Garage being used for recreation purposes.

Councilman Frohling informed Board that Police Department could also use portion of building for police activities; they would have no use for main building. Requested that determination be made as to what portions of building would be used for recreation and what portion for police activities.

Supervisor Mundt will contact one or two architects to come up with estimate as to what kind of fee is involved for both recreation and temporary police use. Police Chief and Building Inspector to determine suitability, with approval by Building Inspector.

(333) Councilman Frohling offered the following resolution:

RESOLVED, that the firm of Charles R. Velzy, Consulting Engineers, is hereby authorized to proceed with Final Engineering for the construction of Lateral Sewers in Sewer District #8, Ext. 7 (Lidvigh Rd. and Gramercy Park) at the per diem rates on file with the town.

Seconded by Councilman Damiani

All voted Aye.

Letter received from John Hekker, of the firm of Johnson, Hekker & Martin, requesting amendment to restrictive covenant to eliminate use of Second Avenue as an exit and to permit ingress and egress from Lawrence Street. Councilman Frohling suggested tabling matter until discussed with Chief of Police as to safety measures.

May 31, 1968 (continued)

page 3

(334) Councilman Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted August 4, 1965, rezoned premises owned by THE DELLS INC., BERNARD G. NEMEROFF AND FRANCES NEMEROFF by redistricting Parcel IIIA from an R-1 and RA-1 to R-22 and Parcel IIIB from LO to R-22, and

WHEREAS, a restrictive covenant was entered into by THE DELLS INC., BERNARD G. NEMEROFF and FRANCES NEMEROFF, dated September 15, 1965, and recorded in the Office of the Clerk of the County of Rockland in Liber 800, page 489, and

WHEREAS, Paragraph "SECOND" in said restrictive covenant states in part as follows:

"The owners, their heirs, successors and assigns shall construct no more than thirty (30) residences in any calendar year and the Building Inspector shall issue no more than thirty (30) building permits for each calendar year for said premises...."

WHEREAS, approximately two years have passed since this Declaration of Restrictive Covenants was accepted and the DELLS INC., BERNARD G. NEMEROFF and FRANCES NEMEROFF have requested a modification of this restrictive covenant to provide for the building of fifty (50) homes per year;

NOW THEREFORE, be it

RESOLVED, that after due consideration, the Supervisor of the Town of Clarkstown is authorized to accept and file an amended restrictive covenant providing for no more than forty-one (41) homes in any calendar year.

Seconded by Councilman Damiani

All voted Aye.

Councilman Brenner inquired if any work being done on Schillinger property. Town Engineer reported that objection was made that construction on his property be subject to Town Engineer's approval; this is holding up easement. Town Attorney advised that town not accept easement in word only; which in effect, is not easement.

Councilman Brenner reported that Water Co. left scrap pipe, etc. on Sophia Drive, West Nyack and blacktop not replaced correctly. Highway Supt. - re pipe - they could pick up and use.

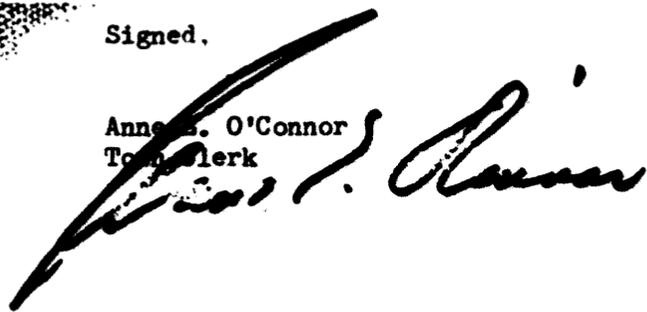
Councilman Brenner suggested that Mr. Suttie make letter re hoodup for sewers more specific before decisions are made.

Councilman Frohling met with representative from Department of Public Works re Grant Pulley. They will not grant us a traffic signal at intersection because there is not enough volume of traffic.

On motion made by Councilman Frohling, seconded by Councilman Holbrook and unanimously adopted, Town Board meeting was adjourned in memory of Sergeant Frank B. Hochreiter of the Clarkstown Police Department.

Signed,

Anna M. O'Connor
Town Clerk



CCJ301