

Present: Councilman Bolander, Damiani, Frohling, Supervisor Mundt  
Town Attorney  
1st Deputy Town Attorney  
Deputy Town Attorney  
Deputy Town Attorney for Special Districts  
Deputy Town Clerk

Absent: Councilman Brenner and Town Clerk

RE: PROPOSED ZONE CHANGE PETITION - RICHARD GIZZI - M to RS

Supervisor Mundt called Public Hearing to order.

Attorney for petitioner was Mr. Jack M. Blecher, 190 Main St., Spring Valley, N.Y.

Supervisor Mundt stated the recommendation of the Clarkstown Planning Board is to deny petition for reasons as follows:

1. Location not in keeping with uses of area as in Town Development Plan.
2. Regional shopping districts are plentiful in other parts of town.
3. Granting zone change would establish precedent contrary to Town Development Plan.

Mr. Blecher objected to term used by Planning Board of Uglification, saying this property is near Town dump. Though zoning regional shopping was in keeping with his intent to operate an automobile sales lot for used cars. Operated this type of business in Westchester. Asked Zoning Board to consider his request on its own merits.

Councilman Frohling: It appears it would break continuity of the M zone along Route 303.  
Attorney Blecher: North of this car lot would be steep rise and billboards.

Councilman Bolander: You mention it would be tax ratable? How could this be?

Attorney Blecher: Land vacant since 1907; during this time no tax ratable for Town.

Mr. Gizzi sworn in and testified as follows: Not working due to this delay. In used car business five years before this. With exception of one place 25 miles away, no one else in County is in this type of business. When questioned why did not try to find another spot for his business, he stated this was ideally located for the deliveries he would have to have made of cars.

OPPOSED: Mr. Daniel T. Brucker, Atty., Deer Track Lane, Valley Cottage; appeared on behalf of Mr. Besso & Mr. Lydecker who were unable to attend. They own about 25 acres of land to the north of this parcel. Property owned by Mr. Besso being improved by Town. Lydecker property to north attractive piece of property; concerned about the orderly development of property on Rt. 303; one of the most valuable pieces of property in Town. Mr. Gizzi knew this was zoned M when he bought same. Other building would be better tax ratable.

OPPOSED: Mr. G. J. Garber, Moisan Rd., Blauvelt, President of Greenbush Realty.

On resolution offered by Councilman Damiani, Seconded by Councilman Frohling and unanimously adopted, Public Hearing was closed.

Signed,



Anne H. Huvane  
Deputy Town Clerk

Present: Councilman Bolander, Damiani, Frohling, Supervisor Mundt  
Town Attorney  
1st Deputy Town Attorney  
Deputy Town Attorney  
Deputy Town Atty. for Special Districts  
Deputy Town Clerk

Absent: Councilman Brenner and Town Clerk

PUBLIC HEARING IN THE MATTER OF THE EXTENSION NO. 1 OF SEWER DISTRICT NO. 24, IN THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK

Supervisor Mundt called public hearing to order.

(Deputy Town Clerk Anne Huvane read notice, which was published in "The Journal News" calling for the public hearing to be held on this date.)

Mr. Mundt: The Chair now declares that the Extension No. 1 to Sewer District No.24 is open.

Murray Jacobson: I might say parenthetically before taking testimony that the report of our sewer consultants has an average cost to the home owner which is based on a 30 year bond issue. The law now provides for a 40 year bond issue and I requested Robert Toolan who is our financial consultant to give us an analysis of what a 40 year bond issue would do in this case. He will give testimony later.

Could I have Anne Huvane sworn ?

ANNE HUVANE, after first being duly sworn was examined, and testified as follows:

EXAMINATION BY MR. JACOBSON:

Q Will you please state your name and address?

A Mrs. Steve Huvane, Tulip Tree Dr., Garnerville, N.Y.

Q Are you employed by the Town of Clarkstown and in what capacity are you so employed?

A Secretarial Assistant in the Town Clerk's office.

Q Do you have on file in your office an order of the Town Board adopted January 17,1968, setting this public hearing for tonight, February 7, 1968 at 8:15 P.M.?

A I do.

Q Was a true copy of that order posted by you on the Town signboard not less than 10 days nor more than 20 days prior to this hearing?

A That is correct.

Q Was a true copy of this order published in the official newspaper of the Town of Clarkstown, the Journal News, on the 25th day of January 1968?

A That is correct.

Q Was a true copy of this order posted by you in at least five conspicuous places within the proposed extension No. 1 of Sewer District No. 24, not less than 10 nor more than 20 days prior to the day of this public hearing?

A Yes.

Mr. Jacobson: That's all.

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GEORGE SUTTIE, after being first duly sworn was examined, and testified as follows:

EXAMINATION BY MR. JACOBSON:

Q Your name is George Suttie and you reside at 82 Eberling Drive, New City?

A Yes.

Q And you are employed by Charles R. Velzy Associates, Sewer Consultants for the Town of Clarkstown?

A Yes sir.

Q Will you please tell us briefly of your educational background and your experience in the engineering field?

A Yes. I went to the State University. I got out in 1951. Since then I have been employed as an engineer with them.

Q Did the Town of Clarkstown authorize you to proceed with the study and planning of the proposed sewer district extension within the Town of Clarkstown?

A Yes sir.

Q I show you a "Report for Formation of Sewer Collection Dist. No. 24, Extension No. 1" dated December, 1967 and ask you whether this report was prepared by the firm of Charles R. Velzy Associates?

A It has been, sir, yes.

Q With respect to this final report dated December 1967, does it contain a true statement of facts, figures and other data with respect to the formation of the said Sewer District No. 24, Ext. No. 1 to the best of your knowledge?

A It does, sir.

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Q Has this report been filed in the office of the Town Clerk of the Town of Clarkstown?

A It has.

Q Have you filed a copy of your report with the New York State Department of Health?

A Yes sir.

Q Has the New York State Department of Health approved of the report?

A It has.

Q Does your plan and report show all of the outlets, terminals and courses of each proposed sewer or drain and does it also give the location and general description of all sewer disposal plants, pumping stations and other public works, if any, within the said proposed District No. 24, Extension No. 1?

A It does, yes.

Q In your opinion is this plan and report consistent so far as is possible with any comprehensive plan for sewer development in the Town of Clarkstown and in the County of Rockland?

A It is, sir.

Q Are any of the sewer facilities set forth in your plan and report for Dist. No. 24, Ext. No. 1, within the bounds of any incorporated villages?

A No sir, it is not.

Q In your opinion will all the property and property owners within the proposed Sewer District No. 24, Extension No. 1, be benefited by the improvements proposed in the said sewer district?

A I believe they will, yes.

Q In your opinion are all the property and property owners who will be benefited by the improvements in the proposed sewer district included within the limits of the proposed Sewer District No. 24, Ext. No. 1?

A I believe that they are, yes sir.

Q We have here a large map showing the proposed Sewer Dist. No. 24, Ext. No. 1 Will you describe in a general way the northerly, easterly, southerly and westerly boundaries of the proposed district?

A Sewer Dist. No. 24, Ext. No. 1, fits into a hollow between Sewer Districts No. 16, 24, and 27 and Sewer Dist. 8. It is an area which you could say extends from Route 59 to Sewer Dist. 8 and the Palisades Interstate Parkway to Middletown Road.

Q Within the limits which you have described, is there now existing any sewer district?

A There is not, no sir.

Q In your opinion is it in the public interest to establish this proposed Sewer Dist. No.24, Ext. No. 1?

A I believe it is, sir.

Q Would you please describe how the figure of \$500,000.00 for cost of the sewer system is arrived at?

A Yes, if I may refer to our report. Coming to an estimate for the anticipated construction to be done in the area that we are speaking about here tonight, the complete engineer and designation made of the area, if you were up here and could actually look at it and see there is indicated on here manypipe that will have to be constructed to pick up all of the homes in the area. Once we know where these have to be installed and know to the extent that they must go in, we work with estimates of work that is being currently done. We add a 10% amount onto the estimate that we give to cover the contingencies that we are indicating should be put in and might not be put in within a six or eight month length of time and we could expect it to be hiked up somewhat.

Q Mr. Suttie, on page 25 of your report you have estimated construction costs for \$386,000.00, contingencies \$38,600.00 for a total project construction cost of \$424,600.00. Easements you show as \$6,400.00 administrative, legal and engineering at approximately 15% of the project construction cost for \$62,000.00 and capital contributions of Sewer Dist. No. 16 \$7,000.00, for a total project cost of \$500,000.00.

A That is true.

Q Mr. Jacobson: Those are all the questions I have, Mr. Suttie. Thank you.

Mr. Mundt: Are there any questions of Mr. Suttie?

Mr. Bolander: Are there any parts of this particular Extension to Sewer District No. 24, are there any parts where there are apartments with dry sewer construction involved?

THE WITNESS: There aren't within the area we are speaking about, sir, no. There are apartment-houses that have been constructed and built in an area right here (indicating). As you can see our area extends up and up here (indicating) but does not include that because when those apartment houses were build they organized an area of their own to put their own in thea, sir.

Mr. Bolander: What will be the legal fees on this particular project?

THE WITNESS: I do not know that, sir.

MR. JACOBSON: There are no legal fees on this. I receive my salary from the town.

MR. BOLANDER: Basically it was a question of the project cost itself. We talked about a project cost in a recent sewer meeting you and I did and the Town Board.

THE WITNESS: That's right.

MR. BOLANDER: And in terms of this particular Sewer District do you anticipate project costs to increase?

THE WITNESS: Exceed this?

MR. BOLANDER: Exceed this amount.

THE WITNESS: No sir. I don't believe so because the conditions that we have here aren't exactly the

same as the other one. In the other area the original estimate was made in 1964 for works being done in 1968. In this case it is based on estimates with a contingency amount into it based on estimates in 1968 and we intend to hopefully get the pipelines in 1968, too.

MR. BOLANDER: The other question I have is this, that should the bids come in above this estimate would you be prepared to come back to the Town Board to recommend a rebidding on this?

THE WITNESS: Yes, sir -- well -- rebidding, that is --

MR. BOLANDER: In other words, if they come over this project estimate of \$500,000.00.

THE WITNESS: If they come over I would want to make an analysis of the bids that we did get --

MR. MUNDT: Legally, you do.

THE WITNESS: -- with respect to the other work done in the area.

MR. MUNDT: Legally the Town Board would have to check any bid in excess of the amount of this public hearing.

THE WITNESS: I see.

MR. MUNDT: I think the policy question which Councilman Bolander actually is asking is would you be prepared in the light of the rejection to seek an additional amount. Of course you have to study it.

THE WITNESS: And recommend.

MR. MUNDT: Legally we have to reject any bid over this.

MR. BOLANDER: I have no more questions.

MR. FROHLING: Mr. Suttie, I am sure that if there are any residents here from the proposed area that they are very interested in what the cost would be, what the net cost would be assuming we do get --

THE WITNESS: I believe that is going to be introduced here, now, by the next man.

ROBERT TOOLAN, After first being duly sworn was examined, and testified as follows:

EXAMINATION BY MR. JACOBSON:

Q Would you state your name and address?

A My name is Robert Toolan. I live at 122 Park Avenue, Williston Park, New York.

Q You are associated with what firm?

A Glore Forgan, William R. Staats, Inc.

Q Is this firm employed by the Town of Clarkstown as financial consultants in the marketing of their bonds and other financial obligations?

A Yes, we are doing their financial work for a period of time.

Q Have you examined this "Report for Formation of Sewer Collection District No. 24, Ext. No. 1", made by Charles R. Velzy Associates and dated December 1967?

A Yes.

Q Were you requested by myself to make an analysis of the costs to the average home owner in the district based on a forty-year bond issue?

A Yes, I was.

Q Were you requested by me to make an analysis of the probable financial return to the district from the investment of funds prior to the disbursement to sewer contractors?

A Yes sir.

MR. JACOBSON: I would ask that it be entered into the record.

(Report of estimated costs to property owners in the proposed Sewage Collection District No. 24, Ext. No. 1, deemed marked as Town's Exhibit No. 1 in evidence).

BY MR. JACOBSON:

Q Mr. Toolan, would you please give a resume of your analysis to the Board?

A Mr. Chairman and Members of the Board, ladies and gentlemen. Mr. Suttie has described the physical boundaries of the district. Basically the district is comprised of 360 acres and those 360 acres are broken down as follows: 90 acres are in residential zoning, 55 acres are commercial zoning, industrial office zoning accounts for 160 acres and the balance of 55 acres of the 360 is attributable to roads.

Mr. Suttie has reviewed the total project cost of a half million dollars with you and of course in that project cost is the normal pattern of contingency estimates. In the development of our basic costs we reviewed the assessed valuation projections that were contained in the engineering report

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and they seemed quite conservative. Basically the plan of financing for the accomplishment of the project contemplates the initial issuance of bonds and anticipation notes which I would expect would be dated April 1, 1968 and would mature approximately January 2, 1969. Subsequent to that bond anticipation issue we would have a regular bond issue running for a period of 1 to 39 years. The bond issue that we have contemplated we estimate it at 4-1/2% which we consider a reasonable estimate under today's market. In order to establish the cost of running the district they comprise two items, one, the basic item of capital cost which is the cost of building the project in the first instance and the second item of cost to make up the total cost is the operation and maintenance of the system. The engineers have proposed three areas of charges to accommodate this situation. There will be a general benefit charge which will accomplish the retirement of half of these costs, the front footage charge to accomplish a quarter of these costs and the final quarter of course, will be accomplished through a unit connection charge.

Now, the general benefit charge will be based on ad valorem value of all properties within the district. It will be a tax per \$100 of assessed valuation on the particular projects that are involved. On the front footage charge there are 25,000 front feet of property that are available to be served by this contemplated project and that's the basis on which the front footage charge would be levied. The unit connection charge, and I might at this point define what a unit is, a unit is basically a single family dwelling containing 3.5 persons and initially in the district according to our engineers report there would be 264 units of use. As the district is filled out and expanded it would reach a saturation population of 1,010 units. Now, those units are built up on a regular straight line basis, naturally, as the growth of the area occurs. We have stopped out any escalation of projection of units in the year 1983 figuring that it would be quite conservative to stop the growth at that time and see a reasonable pattern of charges.

I guess we would all be interested in knowing what it might run for a typical family home in the district. The way this district is constituted it pretty much works out that the typical family home -- that's a single family home in the area of this particular district, that's not the town area at large but the area of the particular concentration, the district itself -- is a home that is bearing an assessed valuation of \$5000 and it has a 60 foot frontage and it has 3.5 persons in it. Now, running the scale over the life of the indebtedness it works out as follows: The general benefit charge -- I will give you the maximum charge first and then I will give you the average over the life of the indebtedness -- the general benefit charges would be \$53.50; the unit use charges would be \$19.99; the front foot benefit charges would be \$20.70. Now, that adds up to a total of \$94.19. The reason that it is much higher than the average, and the average incidentally is \$37.67, is, of course, that when this district is initially started the growth isn't there and if growth is accomplished it goes down in every succeeding year from that point forward.

Mr. Frohling asked the question of does this projection of cost take into consideration any estimate of aid. Sir, we have not. We feel it is rather unlikely that the Federal Government will have money for this in the projected future so you might in one sense call this both a gross and a net at the same time. Of course, if any aid is available while it is statutorily committed you have to look to the dollars if they are there. If Federal aid comes into the picture or New York State aid in any substantial measure, these figures would subsequently be reduced but we figured in the interest of conservative projection; we have not included any aid whatsoever. So these figures are maximum figures. Thank you, gentlemen.

MR. MUNDT: You will find that this is one time when the majority of the Board prefers a conservative estimate.

BY MR. JACOBSON:

Q Mr. Toolan, I would like you to discuss Table IV where you discuss investment earnings for the Board.

A As I said, the financing is initially started with the bond and anticipation issue which will be outstanding from April 1, 1968 to January 2 of 1969. Obviously while that money is outstanding all of the money will not be committed for construction expenditures immediately. So we have staged in conference with your engineers, we have worked out a construction schedule which commits the monthly amounts paid out in accordance with anticipated construction bills and retained percentages. To that extent we have effected here what we consider to be a conservative estimate of the investment that will be earned during that period. That figure is \$2,349.00 that would be earned during that period and we have applied that figure into the charges in the first year and reduced it. I would presume that that is quite a conservative figure since we have anticipated a 4% interest rate on the bond anticipation notes and we have anticipated reinvesting the same funds with certificates of deposits with local banks for an average return of 5%.

MR. JACOBSON: I have no further questions, if the Board would like to question Mr. Toolan.

MR. MUNDT: No questions. Any questions of Mr. Toolan?

MR. FROHLING: Mr. Toolan, would a rapid buildup of the industrial area in that Extension, I believe of our sizable industrial areas, would a rapid buildup in those areas have any appreciable effect of those rates?

THE WITNESS: Well, we have taken into consideration the projections that the engineers show in their report in determining these figures. Empirically I would say that the estimates are conservative. I could possibly expect them to be exceeded and to that extent your cost would be lowered.

MR. BOLANDER: You used the variable of a 60 foot frontage in terms of the home.

THE WITNESS: That's right.

MR. BOLANDER: In this area have you determined or have you tried to determine how many of these homes would actually be with a 60 foot front?

THE WITNESS: Well, the preponderance of them are in this particular area as I say this area is not, per se, characteristic of the town by and large but of the particular area involved the 60 foot frontage seems to be the common denominator.

MR. BOLANDER: And the second question would be in determining the cost of this to the homeowner, the usage cost, I noted in the report and in Mr. Velzy's report that \$200 to \$400 charge also would be involved on top of this, would it not?

THE WITNESS: That's right. That's a one time charge. It is not a system charge. It is basically the plumber's charge for hooking you up.

MR. MUNDT: Thank you, Mr. Toolan. Do you have any other witnesses, Mr. Jacobson?

MR. JACOBSON: No.

MR. MUNDT: Is there anyone present who is also in favor and wishes to be heard on record in extending this district?

(No response).

MR. MUNDT: Is there anyone present who is opposed to the extension of this district?

JAMES MAHONEY, 87 Laurel Rd., New City, N.Y. It is not so much that I am actually opposed to the creation of a sewer district. When I read the legal notice I was rather concerned because I couldn't see where this was an Extension of Sewer District No. 1. If you read the legal description as it appeared in the paper you will find that there is no mention of a continuous boundary with the existing Sewer District No. 24. That is not why I am opposed. That's the main reason I came to find out what area we were talking about.

Now that I see the area that we are talking about some questions have arisen in my mind as to how much engineering work actually went into this. We have in accordance with the present zoning, we have what amounts to two entirely separate areas here. We had the area between Route 59 and the New York State Thruway and the area from Middletown Rd. to almost the Palisades Parkway which is primarily an industrial type area, manufacturing. It has been so zoned for. Notable exception I would say would be St. Anthony's Church. I believe not too long ago there was also an application for the garden apartment structure going in along Old 59 there. We then have the second half of the area, that part which is north of the thruway and that is the part which is completely jazzed up if you would, cut up, it looks like a mess. I don't know how much consideration went into attempting to take this which is your residential part of the area and either include this as part of Sewer District 11 at possibly less cost to the homeowner or possibly consider the Extension of Sewer District Number 8 or I believe Sewer District No. 11 which was mentioned in the description. These are the areas, the questions I think we would like to have answered by the consulting engineer.

MR. MUNDT: Do you live in the district, sir?

MR. MAHONEY: No, I do not.

MR. MUNDT: You opposed to the extension of the district even though you do not live in there?

MR. MAHONEY: I am not opposed to the creation of a sewer district which is basically what we have. I think that what we have done here we may not be doing it at the most economical cost to the people who are residing within the district.

MR. SUTTIE: The man said that he didn't know how much engineering work went into it. I do. So I will answer if I may. It says in one area that this comes down to Sewer Dist. No. 4 which is here (indicating). We call it an extension of that because there is a pipeline, an interceptor that comes up through the 24 area and will be build and extend on up here (indicating), all of the flow from the red line (indicating), and the red line here because of a hill here and a hill here has to come in and be picked up in that line. That line extends down and it is an extension of Sewer Dist. 24. This is how we picked that. We picked this red line here and this one here because it is a line and because all of the areas east of this line and west of this line already have pipelines in them. They are in this hollow here and are being installed in this area here because of the hill. Again, they all have to go that way and that way, that way too.

When you come up above here (indicating) and you see the way we ended up above that can be explained by the fact that there already is a sewer district up in this area here. Since an area is an entity of its own it must then pay for everything that is put in within its own. When you extend on you don't actually extend on and the amount you expend to extend you then put over the whole area to which you extended. You extend on to an area that you have but the area you extend into you have to wholly support and pay for what went in. So there was no way that we could take an area in that already has a pipeline and make them or have them help to pay for what went in here. It's not able to be done. So that because we had pipelines in here, here and here also up in this area, this was a hollow that was in here We are now extending out to pick that hollow up.

MR. MAHONEY: You mention that the basic reason for calling this an extension of Sewer District No. 24 was that the main apparently interceptor line originated in 24. This is the middle of the hollow?

MR. SUTTIE: Yes, sir.

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MR. MAHONEY: At the same time this pipeline also serves District No. 11 and Sewer District No. 8?

MR. SUTTIE: Yes. This is not a pipeline that's being put in here though. It is not being put in as a part of our work it is being done here.

MR. MAHONEY: What I am saying is because of the fact that that area south of the thruway and north of 59 is primarily an industrial type area and I would presume have a greater waste flow than you would get from a residential, I don't know whether this assumption is correct or not --

MR. SUTTIE: It is not actually so. You could by the fact that this is indicated as an IO area anticipate that there is industry there. It has a heavy rate of flow, the fact is that the industries in there haven't these heavy rates of flow but the heavier rate of flow that they have than an ordinary house would have is taken into account when we take it out.

MR. MAHONEY: What I am driving at primarily is north of the thruway there. I would think it would be required to pay for the additional or at least a greater proportion because of the fewer number of homes which are in this area than what you normally have.

MR. SUTTIE: You see the homes up in here (indicating) already have a pipeline of their own in and they are paying for that. What will be extended up to pick that flow up is an interceptor line. That main line is not a part of the work that we are doing here. It is being installed by the County. So whether it has to be an eight inch pipe or 50 inch or what, it doesn't come back in a direct amount to pay for that line. It doesn't come back directly to the homeowners here or here.

MR. MUNDT: Thank you very much, gentlemen, for that exposition, detailed exposition.

Is there any other question from the audience before this hearing is closed?

(No response).

MR. MUNDT: If not the Chair will entertain a motion to close the hearing.

(Upon motion duly made and seconded, the hearing was closed).

Signed,



Anne H. Huvane  
Deputy Town Clerk

TOWN BOARD MEETING

Town Hall

February 7, 1968

8:00 P.M.

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Present: Councilman Bolander, Damiani, Frohling, Supervisor Mundt  
Town Attorney  
1st Deputy Town Attorney  
Deputy Town Attorney  
Deputy Town Attorney for Special Districts  
Deputy Town Clerk

Absent: Councilman Brenner, Town Clerk

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

Request to have agendas and meeting notices delivered to all Councilmen by the Police Department rescinded at the request of Councilman Bolander.

(106) Councilman Damiani offered the following resolution:

RESOLVED, that the approval and acceptance of Town Board minutes of meetings on 1/17/68 and 1/31/68 be accepted as submitted by the Town Clerk.

Seconded by Councilman Bolander

All voted Aye.

(107) Councilman Damiani offered the following resolution:

WHEREAS, there is a permanently established dam at the southerly end of Congers Lake, and

WHEREAS, the permanent level of said dam was partially raised by the placement of crude wooden planks and debris on top of the dam, and

WHEREAS, the said dam and the wooden planks and debris on top thereof, is situate very near a public highway and constitutes a potential danger area where children play, and

WHEREAS, the partial raising of said dam by said wooden planks and debris resulted in the flooding of the public highway on the northerly end of said Congers Lake and constituted a health hazard to the community and buildings situate on the northerly end of said lake, and

WHEREAS, the reputed owner of Congers Lake consented to have the Town remove said wooden planks and debris resting on top of the dam so that the danger to children would be reduced as well as having the water table of Congers Lake lowered by the height of said wooden planks and debris, thereby granting relief to the flooding conditions on the northerly end of said lake, and

WHEREAS, by resolution dated January 17, 1968, the Town Board of the Town of Clarkstown authorized the Highway Superintendent to gradually lower Congers Lake water level three feet and,

WHEREAS, the said authorization to the Highway Superintendent should be clarified;

NOW THEREFORE, be it

RESOLVED, that the Highway Superintendent is hereby authorized to gradually lower Congers Lake water level only by removing the temporarily installed wooden planks and debris resting on top of the dam on the southerly end of Congers Lake and the Highway Superintendent is to take all necessary care and caution not to interfere with the natural water level of said lake or to interfere with the dam situate below the aforementioned wooden planks, and be it

FURTHER RESOLVED, that the resolution adopted at the Town Board meeting of January 17, 1968, insofar as the same is contrary or inconsistent to this resolution, be and is hereby rescinded.

Seconded by Councilman Frohling

All voted Aye.

(108) Councilman Frohling offered the following resolution:

WHEREAS, various acts of vandalism and burglary have occurred in the Town Highway Garage, and

WHEREAS, the Town Highway Superintendent has recommended to the Town Board that a burglar alarm system be installed, now therefore be it

RESOLVED that the Supervisor of the Town of Clarkstown be and is hereby authorized to enter into a contract with A. & R. Burglar Alarm Corp., 76 Maple Ave., New City.

Seconded by Councilman Damiani

All voted Aye.

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(109) Councilman Damiani offered the following resolution:

WHEREAS, the Government of the United States has requested all employers to deduct from the salary of employees on a constant basis, an amount of money designated by the employee for the purposes of having the employer purchase U.S. Savings Bonds for the employees, and

WHEREAS, the Town of Clarkstown employs personnel that may desire to have deducted from their salary money for the purchase of savings bonds;

NOW THEREFORE, be it

RESOLVED, that the fiscal officer of the Town of Clarkstown be authorized to deduct from the payroll of such employees as may consent to have deductions made from their salaries for the purchase of U.S. Savings Bonds, and be it

FURTHER RESOLVED, that the fiscal officer of the Town of Clarkstown purchase, on behalf of such employees, U.S. Savings Bonds as may be requested by the employees of the Town of Clarkstown out of the deductions made from their salaries.

Seconded by Councilman Frohling

All voted Aye.

(110) Councilman Bolander offered the following resolution:

RESOLVED that the Village of Nyack Water Department be authorized to install one hydrant at the southwest corner of the intersection of Old Nyack Turnpike and Laurel Road; and one hydrant on the southeast corner of Division Street and Laurel Road, Central Nyack, and be it further

RESOLVED, that the cost of said installation and rental of hydrants be charged to the Central Nyack Water District.

Seconded by Councilman Damiani

All voted Aye.

(111) Councilman Frohling offered the following resolution:

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled as follows:

In the Matter of the Application of ROBERT JOHN MAIER AND JOHN MAIER, Petitioners FOR AN ORDER PURSUANT TO ARTICLE 78 CPLR REVIEWING AND SETTING ASIDE A DECISION OF THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, PAUL F. MUNDT, SUPERVISOR, MARTIN E. HOLBROOK, DEPUTY SUPERVISOR, PHILIP J. FROHLING, JR., JAMES V. DAMIANI AND WILLIAM BRENNER, Constituting the Town Board of the Town of Clarkstown and LOUIS J. LEFKOWITZ, ATTORNEY GENERAL OF THE STATE OF NEW YORK, Respondents.

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is authorized to defend said action and take all necessary required proceedings in court in connection with said action.

Seconded by Councilman Damiani

All voted Aye.

(112) Councilman Damiani offered the following resolution:

RESOLVED, that the application of Stanley Soltzer, Jacob S. Lampert and Herman Mayer for a special permit for the erection of a nursing home pursuant to requirements of Section 3.11 (Table of General Use Regulations) of the Town of Clarkstown Building Zone Ordinance adopted June 30, 1967, and as amended, for property in an R-7.5 District located at the intersection of Route 59 and Sickletown Rd., West Nyack, N.Y. be referred to the Clarkstown Planning Board for report.

Seconded by Councilman Frohling

All voted Aye.

(113) Councilman Damiani offered the following resolution:

RESOLVED, that the application of James & Rose Thurer for a change of zoning from an PO district to an ES, or in the alternative to IO district, on property located at s/e corner of Rt. 304 & Crambrook Rd., New City New York, be referred to the Planning Board for report pursuant to the provisions of 8.41, 8.42 and 8.421 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.

(114) Councilman Frohling offered the following resolution:

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

Seconded by Councilman Bolander

All voted Aye.

(115) Councilman Bolander offered the following resolution:

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

Seconded by Councilman Frohling

All voted Aye.

(116) see next page

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(116)

Councilman Damiani offered the following resolution:

Councilmen Damiani offered the following resolution  
and moved its adoption:-

RESOLUTION OF THE TOWN OF CLARKSTOWN,  
NEW YORK, ADOPTED FEBRUARY 7, 1968,  
APPROVING THE PROPOSED EXTENSION OF SEWER  
DISTRICT NO. 24, IN SAID TOWN, AND CONSTRUCTION  
OF A LATERAL SEWER SYSTEM THEREIN AND  
PROVIDING THAT SUCH RESOLUTION SHALL BE  
SUBJECT TO PERMISSIVE REFERENDUM.

Recitals

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly caused Charles R. Velzy Associates, Inc., consulting engineers duly licensed by the State of New York, to prepare a general map, plan and report relating to the proposed extension of Sewer District No. 24 in said Town of Clarkstown, as hereinafter described and for the construction of a lateral sewer system therein, consisting of lateral sewers within the proposed Extension No. 1 tributary to the proposed Rockland County Disposal District trunk sewer, Interceptor E; and of lateral sewers within said proposed Extension tributary to the Lower Hackensack Interceptor through the facilities of District No. 15, including manholes, house connection stubs brought to a point one foot beyond the edge of roads, and any appurtenances required for a complete lateral sewer system, which map, plan and report have been filed in the office of the Town Clerk of said Town for public inspection; and

WHEREAS, pursuant to order duly adopted on January 17, 1968, said Town Board determined to proceed with the proposed extension of said Sewer District No. 24 and the construction of such

lateral sewer system therein and adopted an order reciting a description of the boundaries of said proposed extension 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 February 7, 1968, at 8:15 o'clock P.M. (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 the proposed extension of said Sewer District No. 24 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 7th day of February, at 8:15 o'clock P.M. (E.S.T.), 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 proposed extension of said Sewer District No. 24, and the 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 the Public Hearing hereinabove referred to in the recitals hereof was published and posted as required by law, and is otherwise sufficient; and

(b) all the property and property owners included within the proposed extension hereinabove referred to in said recitals are benefited thereby;

(c) all the property and property owners benefited are included within the limits of said proposed extension; and

(d) it is in the public interest to extend said Sewer District No. 24, as proposed.

Section 2. The proposed extension of said Sewer District No. 24 as hereinafter described is hereby approved and the proposed lateral sewer system therein shall be constructed as set forth in the said Order Calling the Public Hearing, including acquisition of the necessary lands and rights in land, and said extension situate wholly outside of any incorporated village or city, shall be designated and known as Extension No 1 of Sewer District No. 24, in the Town of Clarkstown, and shall be bounded and described as follows:

Easterly Boundary

Beginning at a point on the northerly Right-of-Way line of New York State Route 59 at the southeasterly corner of lot 32-A-18.02, which point is on the westerly boundary line of existing Sewer District No. 16; thence generally in a northerly direction along the westerly boundary of existing Sewer District No. 16 to its intersection with the westerly Right-of-Way line of the Palisades Interstate Parkway; thence generally in a north-westerly direction along the westerly side of the Right-of-Way of the Palisades Interstate Parkway, crossing the New York State Thruway, and continuing to the southeasterly corner of lot 34-B-31.01, which point is on the southerly boundary line of existing Sewer District No. 8;

Northerly Boundary

thence westerly and southerly along the boundary line of existing Sewer District No. 8 to its intersection with the northerly Right-of-Way line of the New York State Thruway; thence westerly along said northerly Right-of-Way line and along the boundaries of existing Sewer Districts Nos. 8 and 11 to the southwesterly corner of existing Sewer District No. 11, thence generally northerly along the westerly boundary of existing Sewer District No. 11, crossing James Drive, to the northwesterly corner of said Sewer District No. 11; thence easterly along the northerly boundary line of said Sewer District No. 11 to its intersection with the boundary of existing Sewer District No. 8; thence northerly along the boundary of said Sewer District No. 8 to the southeasterly corner of lot 34-B-37.08, which point is on the southerly boundary of existing Sewer District No. 8; thence in a westerly direction, along the boundary of said Sewer District No. 8, crossing Carmen Drive and Ludvig Road, to its intersection with the easterly boundary line of existing Sewer District No. 17;

Westerly Boundary

thence southerly along the easterly boundary line of Sewer District No. 17, to its intersection with the southerly Right-of-Way line of New York State Route 59;

Southerly Boundary

thence easterly along the southerly Right-of-Way line of Route 59, and along the boundary lines of existing Sewer Districts Nos. 17, 24 and 27 to the northeasterly corner of lot 31-A-1.01; thence northerly in a straight line across New York State Route 59 to the southeasterly corner of lot 32-A-18.02, 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 within the proposed Extension No. 1 tributary to the proposed Rockland County Disposal trunk sewer, Interceptor E; and of lateral sewers within said proposed Extension tributary to the Lower Hackensack Interceptor through the facilities of District No. 16, including manholes, house connection stubs brought to a point one foot beyond the edge of roads, and any appurtenances for a complete lateral sewer system, is \$500,000 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 extension of Sewer District No. 24 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.

Deputy

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 extend said Sewer District No. 24, 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 Extension, as shown upon the latest completed assessment roll of said Town, in number equal to at least five 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 Extension at a referendum, in the manner provided by the Town Law.

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The adoption of the foregoing resolution was seconded by  
Councilmen Frohling and duly put to a vote on roll call,  
which resulted as follows:

Supervisor Mundt  
AYES: Councilmen Bolander  
Councilmen Damiani  
NOES: Councilmen Frohling  
None

The resolution was declared unanimously adopted.

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Councilmen Damiani offered the following resolution  
and moved its adoption:

RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED FEBRUARY 7, 1958, DIRECTING THE PUBLICATION AND POSTING OF NOTICE AND ABSTRACT OF THE RESOLUTION APPROVING THE EXTENSION OF SEWER DISTRICT NO. 24 OF THE TOWN OF CLARKSTOWN AND THE CONSTRUCTION OF A LATERAL SEWER SYSTEM THEREIN.

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

Section 1. The Deputy 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 February 7, 1958, approving the proposed extension of Sewer District No. 24, 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 extension 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:-

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on February 7, 1968, 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 February 7, 1968, approving the proposed extension of Sewer District No. 24, 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 proposed extension of Sewer District No. 24, in said Town, therein described and for the construction of a lateral sewer system therein, consisting of lateral sewers within the proposed Extension No. 1 tributary to the proposed Rockland County Disposal District trunk sewer, Interceptor E; and of lateral sewers within said proposed Extension tributary to the Lower Hackensack Interceptor through the facilities of District No. 16, including manholes, house connection stubs brought to a point one foot beyond the edge of roads, and any appurtenances required for a complete lateral sewer system, 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 January 17, 1968, reciting a description of the boundaries of said proposed extension, 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 February 7, 1968, 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 extension are benefited thereby; (c) all property and property owners benefited are included within the limits of the proposed extension and (d) that the extension of such District is in the public interest;

**THIRD: FURTHER RESOLVING AND DETERMINING** that the proposed extension of such Sewer District be approved, that the proposed lateral sewer system shall be constructed therein; **DESIGNATING** such Extension as Extension No. 1 of Sewer District No. 24, in the Town of Clarkstown, and **DESCRIBING** said Extension by metes and bounds;

FOURTH: RESOLVING that the maximum amount proposed to be expended for construction of said lateral sewer system is \$500,000 which is planned to be financed by the issuance of serial bonds of said Town of Clarkstown to finance such cost and the assessment, levy and collection of special assessments upon the several lots and parcels of land in said Extension 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;

Deputy

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 extend such District and that such application shall be executed by the Supervisor; and

SIXTH: STATING that this resolution shall take effect 30 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 extension of Sewer District No. 24 at a referendum in the manner provided by the Town Law.

By order of the Town Board of the  
Town of Clarkstown, in the County  
of Rockland, New York.

DATED: FEBRUARY 7, 1968

~~ANNE H. HUVANE~~  
Anne H. Huvane

Deputy Town Clerk

Section 3. This resolution shall take effect immediately.

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The adoption of the foregoing resolution was seconded by  
Councilmen Bolander and duly put to a vote on roll call, which  
resulted as follows:

Supervisor Mundt  
AYES: Councilmen Bolander  
Councilmen Damiani  
Councilmen Frohling

NOES: None

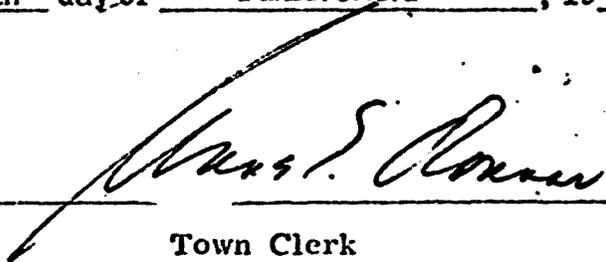
The resolution was declared unanimously adopted.

CERTIFICATE

I, ANNE E. O'CONNOR, Town Clerk of the Town of Clarkstown,  
in the County of Rockland,

State of New York, HEREBY CERTIFY that the foregoing  
annexed extract from the minutes of a meeting of the \_\_\_\_\_  
Town Board of said Town,  
duly called and held on FEBRUARY 8, 1968, has been  
compared by me with the original minutes as officially recorded in my  
office in the Minute Book of said Town Board  
and is a true, complete and correct copy thereof and of the whole of said  
original minutes so far as the same relate to the subject matters referred  
to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the  
corporate seal of said Town  
this 8 th day of FEBRUARY, 19 68

  
\_\_\_\_\_  
Town Clerk

(Seal)

(117) Councilman Frohling offered the following resolution:

RESOLVED, that decision be reserved re Zone Change application of Richard Gizzi (M to RS).

Seconded by Councilman Damiani

All voted Aye.

(118) Councilman Damiani offered the following resolutions:

a. WHEREAS, after due notice and public hearing, the Planning Board of the Town of Clarkstown has recommended the reduction of Performance Bond (Savings Book No. 35340 of Highland National Bank, Newburgh, New York) covering all improvements on the streets and other facilities as shown on the Final Plat of Tamarac Knolls II, from \$17,350.00 to \$8,260.00;

NOW THEREFORE, be it

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

Seconded by Councilman Frohling

All voted Aye.

(118) Councilman Damiani offered the following resolution:

b. WHEREAS, after due notice and public hearing, the Planning Board of the Town of Clarkstown has recommended the reduction of Performance Bond No. 2236405, covering all improvements on the streets and other facilities as shown on the Final Plat of Leland Estates, from \$85,000 to \$17,000;

NOW THEREFORE, be it

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

Seconded by Councilman Frohling

All voted Aye.

(118) Councilman Damiani offered the following resolution:

c. WHEREAS, a Performance Bond No. (No Number) of Bjarne Osmundsen, Amundsen Lane, New City, New York, as Principal, and the Aetna Casualty & Surety Co., 95 Church St., White Plains, N.Y. as surety, dated May 24, 1966, in the amount of \$22,800.00 covering all improvements on the streets and other facilities as shown on the Final Plat of BELLE-AIRE ESTATES, Section II, and

WHEREAS, a Performance Bond No. (No number) of Bjarne Osmundsen, Amundsen Lane, New City, New York, as Principal, and the AETNA CASUALTY & SURETY CO., 95 Church St., White Plains, New York, as Surety, dated May 24, 1966 in the amount of \$5,000.00 covering all improvements for sanitary sewers and other facilities as shown on design drawings approved by the Rockland County Health Department and on the Final Plat of BELL AIRE ESTATES Section II

WHEREAS, after due notice and public hearing, the Planning Board of the Town of Clarkstown has recommended the reduction of the \$22,800.00 bond to \$3,000.00 and the reduction of \$5,000 bond to \$500.00

NOW THEREFORE, be it

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

Seconded by Councilman Frohling.

All voted Aye.

Letter from N.Y. State Dept. of Transportation re our request for school zone signs and 15 mph signs referred to Superintendent of Highways & Councilman Bolander.

Re Letter from Chestnut Grove P.T.A. regarding five-cornered intersection & traffic light covering same, Mr. Seeger authorized to present estimate of costs and Town Attorney asked to look into standardization of lights.

Councilman Frohling spoke re Staged Construction. Had public hearing on this and extended courtesy to Rockland County Home Builders to discuss. Has not heard from Home Builders Assoc. Much building on in Township. Should limit builders to 25% per year.

(119) Councilman Frohling offered the following resolution:

whereas, three previous requests have been made to signalize the intersections of Church & Main St. and Prospect Ave. & Main St., Manuet, and

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WHEREAS, increased traffic volume has further aggravated the hazardous condition at this intersection, and

WHEREAS, Emergency vehicles of the Nanuet Fire Department and the Nanuet Ambulance Corps must use the facilities of this intersection, and

WHEREAS, the activities of the adjacent Sears complex will compound the existing delays and hazards at this intersection, and

WHEREAS, it is in the interest of the safety and welfare of the community,

NOW THEREFORE, BE IT

RESOLVED, that the New York State Dept. of Transportation be requested to institute immediate steps to properly signalize the intersections of Prospect Ave. and Main St. and Church St. and Main St. in Nanuet.

Seconded by Councilman Damiani

All voted Aye.

(120) Councilman Damiani offered the following resolution:

RESOLVED, that at the request of the Clarkstown Planning Board extension for the Zone Change Application/<sup>recommendation</sup>for Jacaruso, Forni & Coatti (R-15 to PO) be extended to April 15, 1968 .

Seconded by Councilman Frohling

All voted Aye.

A Mr. Downes spoke re danger to school children at Lakewood & Birchwood Dr. intersection; no sidewalks; wants 15 mph sign at school crossing. Chairman suggested that subject to recommendation of Police Department, Board to instruct Highway Superintendent to put a 15 mph sign at school crossing. Police Dept. to be notified.

Letter from General Code Publishers Corp. re the numbering of buildings referred to Town Attorney.

(121) See following page

(121 & 122) Councilman Frohling offered the following resolutions:

RESOLUTION OF THE TOWN OF CLARKSTOWN,  
NEW YORK, ADOPTED FEBRUARY 7, 1968,  
APPROPRIATING \$7,750 FOR THE REDEMPTION,  
IN PART, OF A \$15,500 BOND ANTICIPATION  
NOTE FOR TRAXCAVATOR-1967.

Recital

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-1967 in the principal amount  
of \$15,500, and it is now desirable to redeem said Note to the extent of  
\$7,750 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 \$7,750 is hereby appropriated from  
funds now available to said purpose to redeem, in part, on or before  
February 16, 1968, the outstanding Bond Anticipation Note For  
Traxcavator-1967 in the principal amount of \$15,500 of the Town of  
Clarkstown, in the County of Rockland, New York (herein called "Town"),  
hereinabove referred to in the Recital of this 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.

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Seconded by Councilman Damiani

All voted Aye.

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The adoption of the foregoing resolution was seconded  
by Councilman Damiani and duly put to a vote on roll call, which  
resulted as follows:

AYES: Supervisor Mundt  
Councilmen Bolander  
Councilmen Damiani  
Councilmen Frohling

NOES: None

The resolution was declared unanimously adopted.

\* \* \*

Councilman Frohling offered the following  
resolution and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION OF  
THE TOWN OF CLARKSTOWN, NEW YORK,  
ADOPTED FEBRUARY 7, 1968, AUTHORIZING  
THE RENEWAL, IN PART, OF THE \$15,500 BOND  
ANTICIPATION NOTE FOR TRAXCAVATOR-1967,  
BY THE ISSUANCE OF A NEW NOTE IN THE  
PRINCIPAL AMOUNT OF \$7,750.

Recital

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-1967 in the principal amount of \$15,500  
and has duly appropriated \$7,750 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 \$7,750;  
now, therefore, be it

Seconded by Councilman Damiani

All voted Aye.

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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 Traxcavator-1967 in the principal amount of \$15,500, dated February 17, 1967, maturing February 16, 1968, numbered RRRR-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 15, 1967, is hereby authorized to be renewed, in part, by the issuance of a new Note in the principal amount of \$7,750; the amount of \$7,750 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, 1967, 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 (herein called "Law"). 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 the Law.

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

Amount and Title: \$7,750 Bond Anticipation Note For Traxcavator-1968

Dated: February 16, 1968

Matures: February 14, 1969

No. 5R-1 Denomination: \$7,750

Interest rate: 4.15% per annum, payable at maturity

Place of payment of principal and interest:  
Supervisor's Office  
Town Hall  
New City, New York

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Seconded by Councilman Damiani

All voted Aye.



Form of Note: Substantially in accordance with form prescribed by Schedule B, 2 of the Law.

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 \$7,750, to bear interest at the rate of four and fifteen hundredths per centum (4 15%) 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 §2.00 of the Law, and shall be a general obligation of the Town, 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 of 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 immediately.

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The adoption of the foregoing resolution was seconded by Councilmen Damiani and duly put to a vote on roll call, which resulted as follows:

Supervisor Mundt  
ayes; Councilmen Bolander NOES: None  
Councilmen Damiani  
Councilmen Frohling  
The resolution was declared unanimously adopted.

\* \* \*

Seconded by Councilman Damiani

All voted Aye.

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Letter from Town Clerk of Ramapo re dog seizure fees referred to Town Attorney.

(123) Councilman Bolander offered the following resolution:

WHEREAS, the Clarkstown Clergy Association, an organization of ministers, priests and rabbis, having a congregation or parish within the Town of Clarkstown, have recommended to the Town Board of the Town of Clarkstown that the Town Board officially appoint three chaplains representing the three major faiths to the Police Department of the Town of Clarkstown, and

WHEREAS, the Town Board recognizes that said Chaplains can be of personal and pastoral assistance to any member of the administration and staff, can be available to the Police Department and other agencies of the Town of Clarkstown for invocations, blessings and that said appointment would be beneficial to the Town of Clarkstown, and

WHEREAS, the Clarkstown Clergy Association has recommended the appointment of the following three chaplains for the calendar year 1968; the Reverend David W. Arnold of St. John's Episcopal Church, the Reverend Christopher H. Daly of St. Augustine's Roman Catholic Church, and Rabbi Henry A. Sosland of the New City Jewish Center;

NOW THEREFORE, be it

RESOLVED, that the above named Clergymen are hereby appointed as chaplains to the Clarkstown Police Department for the calendar year 1968, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown expresses its sincere appreciation to the Clarkstown Clergy Association for its interest in promoting this valuable community resource within the Town of Clarkstown, and be it

FURTHER RESOLVED, that the functions and duties of the said chaplains shall be:

1. To minister to the spiritual needs of members of the Police Department as needed or requested.
2. To visit the sick, injured or dying members of the Police Department at the request of the member, his family or the Chief of Police.
3. To officiate in their clerical capacity at any function as requested by the Chief of Police or the Town Board of the Town of Clarkstown.

Seconded by Councilman Frohling

All voted Aye.

Councilman Frohling said that these appointments were a good thing at this time.

Councilman Bolander stated that the selection of the clergymen to attend the spiritual needs of the police department was excellent.

(124) Councilman Frohling offered the following resolution:

RESOLVED that the Town Board approve the installation of proposed street light on Pole #8 Gerke Rd., East Spring Valley, at a cost of \$46.80 annually.

Seconded by Councilman Bolander

All voted Aye.

(125) Councilman Damiani offered the following resolution:

Resolved, that Building Permit under Sec. 280A is hereby granted to Joseph Valenti for property situate on west side of Second St., 175 feet south of Central Ave., Manuet, N.Y.

Seconded by Councilman Frohling.

All voted Aye.

(126) Councilman Bolander offered the following resolution:

RESOLVED that a leave of absence be granted to Simone L. Griffith, 557 Millburn Court, Valley Cottage, N.Y., as Secretarial Assistant II in Town Engineer's office, Sewer Dept. Construction and Sewer Districts Operating Department, effective Feb. 19, 1968, until August 19, 1968, without pay.

Seconded by Councilman Frohling

All voted Aye.

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(127) Councilman Frohling offered the following resolution:

WHEREAS, on Oct. 31, 1968 transfers were made, pursuant to Sec. 165.10 of the Local Finance Law, from CURRENT SURPLUS GENERAL, for sum of \$2,500 to TOWN HALL SITE and \$2,500 to TOWN HIGHWAY GARAGE SITE for the purpose of making a payment on said Capital Notes, and

WHEREAS, said sums were to be reimbursed to GENERAL FUND, and

WHEREAS, provision was made in the 1968 budget for said amounts, now therefore be it

RESOLVED, that said amounts be reimbursed to GENERAL FUND.

Seconded by Councilman Damiani

All voted Aye.

(128) Councilman Bolander offered the following resolution:

RESOLVED, that the following named men are hereby authorized to attend the Mob & Riot Control Police Training School at Camp Smith, Peekskill, N.Y.:

Sgt. Thompson & Ptl. McKenna - Feb. 20, 21, 1968  
Sgt. Hammond & Ptl. King - Feb. 26, 27, 1968

and be it further

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

Seconded by Councilman Damiani

All voted Aye.

(129) Councilman Frohling offered the following resolution:

WHEREAS, Herman Dorfman has resigned as a member of the Clarkstown Planning Board, now therefore, be it

RESOLVED, that Mr. Peter J. Mascoli, Valley Cottage Rd., Valley Cottage, N.Y. is hereby appointed to serve on the Clarkstown Planning Board to fill the unexpired term of Mr. Dorfman, to Jan. 1, 1969, at an annual salary of \$1,300.00.

Seconded by Councilman Damiani

All voted Aye.

Monthly report of Zoning Board of Appeals was received and noted by Town Board.

Discussion on clearing of stream bed on property of Mr. Foley was tabled; no action taken.

(130)a. Councilman Frohling offered the following resolution:

WHEREAS, Patrick Murphy has resigned as a member of the Clarkstown Drainage Commission, now therefore be it

RESOLVED, that Mr. Danra Ramphal, 108 North Greenbush Rd., West Nyack, N.Y., is hereby appointed to serve on the Clarkstown Drainage Commission to Sept. 1971, at \$600.00 per annum.

Seconded by Councilman Bolander

All voted Aye.

(130b) Councilman Frohling offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and Town Engineer, deed from James H. Martin, Jr. and Stephen G. Doig to the Town of Clarkstown conveying ROCKLAND HEIGHTS SEC. II, WEST NYACK, N.Y. - MALLARD DR. 1230 L.F. and MANDARIN LAND 200 L.F. 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 Bolander

All voted Aye.

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Councilman Bolander asked the Board if Town supplied group insurance to employees. Supervisor Mundt stated insurance was available on voluntary basis through C.S.E.A. Councilman Bolander stated that we would like to see the Town supply group insurance for its employees.

Mr. John Lodico, representing the Clarkstown Conservative Party asked that resolution be considered so Board of Supervisors could discuss situation as regards to rules and regulations in Rockland Community College re students use of drugs. Since investigations are being made by State agency at other colleges on subject of use of narcotics, it would not hurt for us to know what the college policy is here. Supervisor Mundt stated that he was not at previous meeting when this subject was brought up and no action was taken. He will look into matter when he sees resolution concerned.

On resolution offered by Councilman Damiani, meeting was closed in honor of Supervisor Mundt's birthday, which is this day.

Councilman Bolander seconded the motion.

All voted Aye.

Signed,



Anne H. Huvane  
Deputy Town Clerk