

TOWN BOARD MEETING

85

TOWN HALL

2/29/68

1:00 P.M.

Present: Councilmen Brenner, Damiani, Frohling Supervisor Mundt
Town Clerk
Town Attorney
First Deputy Town Attorney
Dep. Town Attorney
Dep. Town Attorney in charge of Special districts.

Absent: Councilman Bolander

Supervisor Mundt called Town Board meeting to order at 1:00 P.M.

Patrolman Gary Smith was presented with citation of special merit and award for meritorious action in line of duty.

(155) Councilman Brenner offered the following resolution:

WHEREAS, Green Valley Manor, Inc. and Mark Wyle and Shirley Wyle were principals and Continental Casualty Co. was the surety on the above-referenced bond which was to insure the performance of certain work to be done on park lands within the Town of Clarkstown, and

WHEREAS, said work guaranteed by the bond has been substantially performed, and

WHEREAS, the principals have offered to donate to the Town of Clarkstown certain topsoil in lieu of completing performance under the terms of said bond, and

WHEREAS, the Town Engineer and Highway Superintendent have verified and recommended to the Town Board that such an agreement would be to the benefit of the Town:

NOW THEREFORE, be it

RESOLVED, that the Town hereby accepts the offer of the principals to donate said topsoil in lieu of completing the work referenced under the above bond, and be it

FURTHER RESOLVED, that the principals and surety therein named are forever released from any claim or obligation of said bond.

Dated: February 29, 1968

Seconded by Councilman Frohling.

All voted Aye.

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

Patricia Ann Homes Bond #901729
Amount: \$47,000.00
Period: 2 years - 2/20/68 - 2/10/70
Covers: Roads

Bond #901730
Amount: \$12,900.00
Period: 2 years - 2/20/68 - 2/19/70
Covers: Sewers

(156) Councilman Brenner offered the following resolution:

WHEREAS, the following person has applied to the Town of Clarkstown for Certificate of Registration in compliance with Sec. 34-6 of the Code of the Town of Clarkstown:

Eugene Fehsal
146 Little Tor Rd. South
New City, N Y

and

CCJ301

84
2/29/68

TOWN BOARD MEETING

(156) Continued.

WHEREAS, the Town Engineer recommends the approval of said application;

NOW THEREFORE, be it

RESOLVED, THAT the following certificate of registration be issued:

No. 68-2 to Eugene Fehsal

Seconded by Councilman Frohling

All voted Aye.

(157) Councilman Frohling offered the following resolution:

WHEREAS, work has been completed and voucher submitted by the Town Highway Superintendent for labor and construction of a portable skating rink in the amount of \$750.77, now therefore be it

RESOLVED, that said sum be transferred from CURRENT SURPLUS-GENERAL to PARKS BOARD & RECREATION COMMISSION-MAINTENANCE OF PARK LANDS & RECREATION account.

Seconded by Councilman Damiani

All voted Aye.

Town Board signed the following Performance Bonds, approving same as to form: (Reductions):

ROLLING HEDGE (Rivervale Park) Bond #900735 (Reduced from \$11,500.00)
Amount: \$3,900.00
Period Covered: 1 yr - 6/6/67 - 6/5/68 (as per original bond)
Covers: Roads

Bond #900736 (Reduced from \$5,000.00)
Amount: \$1,400.00
Period: 1 yr - 6/6/67 - 6/5/68 (as per original bond)
Covers: Sewers

(158) Councilman Damiani offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install 6-7900 LU. 8' ups street lights on New City-Congers Road, New City at annual cost to town of \$327.60.

Seconded by Councilman Frohling.

All voted Aye.

(159) Councilman Damiani offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown requests the State of New York Department of Transportation in Albany, N Y to issue a permit to the Town of Clarkstown to construct a sidewalk on the westerly side of Route 304, from approximately the intersection of Ludvigh Rd. to the intersection of Germonds Road, within their right - of-way, and be it

FURTHER RESOLVED THAT the Town of Clarkstown agrees to maintain the sidewalk.

Seconded by Councilman Brenner

All voted Aye.

Nyack Community Nursery School presented budget for year-round Head Start project. Request will be handled by Supervisor's Office.

TOWN BOARD MEETING

87

2/29/68

(160) Councilman Frohling offered the following resolution:

RESOLVED, that the Highway Superintendent be authorized to install a STOP sign on the n/e corner of James Drive for Traffic exiting off James Drive on to Middletown Road in Nanuet, N Y.

Seconded by Councilman Brenner.

Allvoted Aye.

Letter received from E. J. Heed, Sec. New City Republican Club re 1% fee for the collection of school taxes. Members of said club wished to go on record as being opposed stating this acted as a surtax; if fee for collection of taxes needed, they feel charge should be more in line with actual cost.

In response to request made by Councilman Brenner, Lake DeForest Development Corp. (Thornwood Hills, Congers) informed the Town Clerk that re installation of street lights along Bluebird Drive from King's Highway to Waters Edge; and along Waters Edge, from Dover Rd. to Beauregard Terrace, Congers; light poles and power cables have already been installed.

(161) Councilman Brenner offered the following resolution:

WHEREAS, it will be necessary to have appraisals of sites for Town Hall expansion, now therefore be it

RESOLVED, that \$900.00 be transferred from CURRENT SURPLUS-GENERAL to Town Hall account.

Seconded by Councilman Damiani

All voted Aye.

(162) Councilman Damiani offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown is considering the purchase of certain properties owned by John L. DeBevoise, Lorraine DeBevoise Fisher and Harry Waitzman, to be used for proposed extension of the Town Hall, and

WHEREAS, the Town Board of the Town of Clarkstown desires that appraisals of said properties be made;

NOW THEREFORE, be it

RESOLVED, that Henry Fenbert of 44 S. Main Street, New City, N Y and George Hall of 22 S. Main Street, New City, N. Y. be employed by the Town of Clarkstown to make said appraisals of these properties at a charge to the Town of \$450.00 to Henry Fenbert and \$450.00 to George Hall.

Dated: February 29, 1968

Seconded by Councilman Frohling

All voted Aye.

(163) Councilman Damiani offered the following resolution:

WHEREAS, the Town of Clarkstown, on January 3, 1968, established the position of Deputy Town Attorney in charge of Special Districts, and

WHEREAS, the Rockland County Personnel Office has formally classified the above mentioned title on February 8, 1968;

88
2/29/68

TOWN BOARD MEETING

(163) Continued.

NOW THEREFORE, be it

RESOLVED, that the position of Deputy Town Attorney in Charge of Special Districts is hereby ratified, confirmed and approved in accordance with the resolution of January 3, 1968, which is made a part hereof.

Seconded by Councilman Brenner.

All voted Aye.

(164) Councilman Damiani offered the following resolution:

WHEREAS, the Town of Clarkstown on January 3, 1968, appointed Murray N. Jacobson as Deputy Town Attorney in Charge of Special Districts, and

WHEREAS, the Rockland County Personnel Office has formally approved the above mentioned title on February 8, 1968;

NOW THEREFORE,

RESOLVED, that the appointment of Murray N. Jacobson as Deputy Town Attorney in Charge of Special Districts is hereby ratified, confirmed and approved in accordance with the resolution of January 3, 1968, which is made a part hereof.

Seconded by Councilman Brenner.

All voted Aye.

(165) Councilman Damiani offered the following resolution:

RESOLVED, that Warren W. Inglese, 3 Ivy Lane, New City, be appointed to serve on Board of Historic Review, effective immediately.

Seconded by Councilman Brenner.

All voted Aye.

(166) Councilman Frohling offered the following resolution:

WHEREAS, Peter J. O'Connor is named on Certification of Eligibles, Police Patrolman List #6775, dated 2/28/68 as furnished by Rockland County Personnel Office, and he is now eligible to be appointed therefrom, and it appearing that said Peter J. O'Connor is willing to accept a permanent appointment from said list,

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

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Peter J. O'Connor, 916 Edison Avenue, Bronx, New York to the position of Police Patrolman at a salary of \$7,000.00 per annum, effective immediately.

Seconded by Councilman Damiani

All voted Aye.

(167) Councilman Frohling offered the following resolution:

RESOLVED, that Date of Public Hearing regarding Zone Map Corrections be held 3/20/68 at 8:30 P.M.

Seconded by Councilman Damiani.

All voted Aye.

(168) Councilman Frohling offered the following resolution:

WHEREAS, HARRAM REALTY INCL, is desirous of granting a drainage easement to the Town of Clarkstown, located at Gilchrest Road, Congers, N Y.

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown accept said easement from

CCJ301

(168) Continued.

Harram Realty, Inc. covering premises at Gilchrest Road, Congers, New York, or as particularly described in said easement agreement dated the 27th day of February, 1968.

Seconded by Councilman Damiani.

All voted aye.

(169) Councilman Brenner offered the following resolution:

RESOLVED that the five members of the Clarkstown Sanitation Commission be paid at the rate of \$300. a year for each member and \$500. a year for the Chairman, and be it further

RESOLVED, that said amount be transferred from Current Surplus-General to The Sanitation Commission Account.

Seconded by Councilman Frohling.

All voted aye.

(170) Councilman Frohling offered the following resolution:

RESOLVED, THAT THE TOWN ATTORNEY is hereby authorized to institute proceedings, as stipulated in Chapter 43 of the Code of the Town of Clarkstown, to rectify violation on premises owned by Leon E. Hill in the Hamlet of West Nyack, more particularly described as Lot 28 In Block C on Map 89 on the Tax Map of the Town of Clarkstown.

Dated: February 29, 1968

(171) Councilman Frohling offered the following resolution:

WHEREAS, Martha Reed has petitioned this Board for a refund of erroneous 1968 Sewer Charges on property in the Town of Clarkstown assessed to: Martha Reed, Lake Road, Valley Cottage, N Y, Map 138, blk. J Lot 3 - 1968 Tax Roll because this property cannot be served by Sewer District #1 and was an erroneous assessment as verified by the Clarkstown Assessor, now therefore be it

RESOLVED, that the Supervisor be and he is hereby authorized to refund the amount of the erroneous tax, \$30.31, and charge Sewer District #1 Account.

Seconded by Councilman Damiani

All voted Aye.

(172) Councilman Damiani offered the following resolution:

WHEREAS, Martha Reed has petitioned this Board for a refund of erroneous 1965 Sewer Charges on property in the Town of Clarkstown assessed to: Martha Reed, Lake Road, Valley Cottage, N Y; Map 138, Block J, Lot 2 - 1965 Tax Roll because this property cannot be served by Sewer District No. 1 and was an erroneous assessment as verified by the Clarkstown Assessor, now therefore be it

RESOLVED that the Supervisor be and he is hereby authorized to refund the amount of the erroneous tax, \$15.52, and charge Sewer District No. 1 Account.

Seconded by Councilman Brenner.

All voted Aye.

2/29/68

TOWN BOARD MEETING

(173) Councilman Damiani offered the following resolution:

WHEREAS, Martha Reed has petitioned this Board for a refund of erroneous 1968 Sewer Charges on property in the Town of Clarkstown assessed to: Martha Reed, Rockland Lake Road, Valley Cottage, N Y, Map 138, Blk. J, Lot 2 because this property cannot be served by Sewer District #1 and was an erroneous assessment as verified by the Clarkstown Assessor, now therefore be it

RESOLVED that the Supervisor be and he is hereby authorized to refund the amount of the erroneous tax, \$30.31, and charge Sewer District No. 1 Account.

Seconded by Councilman Brenner.

All voted Aye.

(174) Councilman Damiani offered the following resolution:

WHEREAS, Martha Reed has petitioned this Board for a refund of erroneous 1965 Sewer Charges on property in the Town of Clarkstown assessed to: Martha Reed, Lake Road, Valley Cottage, N Y, Map 138, Blk. J, Lot 3 because this property cannot be served by Sewer District #1 and was an erroneous assessment as verified by the Clarkstown Assessor, now therefore be it

RESOLVED that the Supervisor be and he is hereby authorized to refund the amount of the erroneous tax, \$37.24, and charge Sewer District No. 1 Account.

Seconded by Councilman Brenner.

All voted Aye.

(175) Councilman Damiani offered the following resolution:

WHEREAS, Martha Reed has petitioned this Board for a refund of erroneous 1968 Sewer Charges on property in the Town of Clarkstown assessed to: Martha Reed, Lake Road, Valley Cottage, N Y, Map 138, Blk. J, Lot 3.01 + 1968 Tax Roll because this property cannot be served by Sewer District No. 1 and was an erroneous assessment as verified by the Clarkstown Assessor, now therefore be it

RESOLVED that the Supervisor be and he is hereby authorized to refund the amount of the erroneous tax, \$30.31, and charge Sewer District No. 1 Account.

Seconded by Councilman Brenner.

All voted Aye.

(176) Councilman Damiani offered the following resolution:

WHEREAS, Martha Reed has petitioned this Board for a refund of erroneous 1965 Sewer Charge on property in the Town of Clarkstown assessed to: Martha Reed, Lake Road, Valley Cottage, N Y, Map 138, Blk. J, Lot 3.01 because this property cannot be served by Sewer District No. 1 and was an erroneous assessment as verified by the Clarkstown Assessor, now therefore be it

RESOLVED that the Supervisor be and he is hereby authorized to refund the amount of the erroneous tax, \$4.66, and charge Sewer District No. 1 Account.

Seconded by Councilman Brenner.

All voted Aye.

TOWN CLERK instructed to contact Mr. Fred Loescher, Burial Commissioner, requesting that he be present at 8:00 P.M. at 3/6/68 Town Board meeting to discuss burial grounds.

On resolution offered by Councilman Brenner, seconded by Councilman Frohling and unanimously adopted, Town Board meeting was adjourned until 8:00 P.M. on 3/6/68.

Signed,

Anne E. O'Connor
ANNE E. O'CONNOR
TOWN CLERK

CCJ301