

PUBLIC HEARING

Town Hall

6/5/68

8:15 P.M.

Present: Councilmen Brenner, Bolander, Damiani, Frohling,
 Supervisor Mundt
 Town Attorney
 First Deputy Town Attorney
 Deputy Attorney in charge of Special Districts
 Deputy Town Attorney
 Town Clerk

RE: ZONE CHANGE APPLICATION-CRAGMERE ESTATES - R40 to R15
 PROP. LOCATED SOUTH SIDE OLD ROUTE 304 INTERS. WITH CYPRESS ST.,
 NEW CITY, NEW YORK

Supervisor called public hearing to order. Town Clerk read notice of public hearing to order. Town Clerk read notice of public hearing.

Letter received from attorney for petitioner requesting that public hearing be postponed,

Town Board, stating that they were not notified far enough in advance of desired postponement, dismissed petition and instructed petitioner to reapply.

Signed,


 Anne E. O'Connor
 Town Clerk

212

PUBLIC HEARING

Town Hall

6/5/68

8:30 P.M.

Present: Councilmen Brenner, Bolander, Damiani, Frohling,
 Supervisor Mindt
 Town Attorney
 First Deputy Town Attorney
 Deputy Attorney in charge of Special Districts
 Deputy Town Attorney
 Town Clerk

RE: SPECIAL PERMIT APPLICATION - ALBERT G. LAMBORN
PROP. LOCATED N/W CORNER ROUTE 9W AND LAKE RD. DIRECTLY OPPOSITE
ROCKLAND LAKE PARK

Supervisor called public hearing to order. Town Clerk read notice of public hearing.

Mr. John Hekker, attorney at Law, appeared as attorney for petitioner.

CLARKSTOWN PLANNING BOARD:

DENY for following reasons:

1. Proposed activity does not reflect the Town Development Plan's suggested pattern of development.
2. Issuance of a permit would detract from the general scheme of improvement of the nearby areas.
3. Access to the proposed station is centered in an an area of great natural beauty, Rockland Lake State Park.
4. Proposed site, after taking of necessary widenings of Route 9W and Lake Rd, will not conform with the requirements of the Zoning Ordinance.

Town Planning Board continued that in event Town Board feels special permit should be given, zoning requirements should be met in every respect; to include site layout with maximum of landscaping and minimum of "commercial character that would allow it to be discordant with improvement and natural beauty in area."

COUNTY PLANNING BOARD: Will probably not be detrimental to Route 9W and County Road and need not be detrimental to Rockland Lake State Park if design of station were in conformity with landscaped atmosphere of park.

PIP: Requested that Town Board give careful consideration to use and development of area along Route 9W, adjacent to Rockland Lake State Park, so that it will conform with and not detract from its general scheme of improving area.

Attorney for petitioner introduced the following correspondence:

Spring Valley Water Co: Existing water main in 9W which can be tapped for proposed gasoline filling station upon execution of proper applications.

Orange & Rockland Utilities, Inc.: Available adequate electric and natural gas facilities to serve needs of proposed gasoline filling station.

Clarkstown Police Department: Police service in Congers area adequate to police any new gasoline filling station.

6/5/68

PUBLIC HEARING
(Continued)

213

Mr. Dennis Coyle, 9 Lake Rd., Congers, N.Y., sworn in as witness and testified as follows:

Real estate Broker 10 years; familiar with property in question - would not affect property values; would not cause undue congestion; danger - no more than presently allowed in RS.

Mr. Hecker continued that petitioner will comply in all respects; such as size of pumps, location of pumps, number of cars permitted, and any screening from residential properties. Between Village of Upper Nyack and Haverstraw, two gas filling stations (Phillips 66). Next one located at Main St. & 9W., Nyack. Would serve need for people using Rockland Lake recreation area, as well as persons traveling north and south along 9W.

QUESTIONS FROM TOWN BOARD:

1. Planning Board states that necessary widening of 9W And Lake Rd. would leave this property in such a fashion that it would conform to requirements of Zoning Ordinance.

Answer: Property is only portion of land owned by Mr. Lamborn; he owns considerable more surrounding.

If there is a widening necessary, it would not in any ^{WAY} diminish size of property in order to meet the requirements of zoning ordinance, that is 20,000 square feet. Will covenant to maintain 20,000 square feet of area should any property be taken. In the event of condemnation and widening and taking, would have to come back to Board.

Covenant: If land taken; will covenant to widen to conform between now and construction.

Any repairs will be in an enclosed structure. Will NOT accept restrictive covenant limiting to do dispensing of gasoline only.

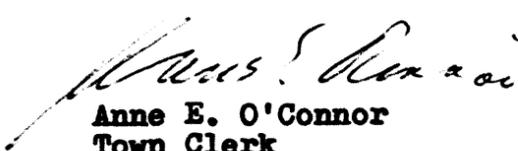
No further questions - no further witnesses.

IN FAVOR: Mr. Al Garrido, Route 9W, Congers: Helps with taxes.
Mr. Scierlin, Congers
Mr. George Smith, Lake Rd., Congers: (Adjacent to property in question): Sees need for gasoline filling station in this area.
Mrs. Henry Frisch: - (Owner of Sunnyside Cabins)

OPPOSED: On one appeared.

On resolution offered by Councilman Brenner, seconded by Councilman Damiani and unanimously adopted, public hearing was closed.

Signed,


Anne E. O'Connor
Town Clerk

214

Town Hall

PUBLIC HEARING
6/5/1968

8:45 P.M.

Present: Councilmen Brenner, Bolander, Damiani, Frohling, Supervisor Mundt
Town Attorney
First Deputy Town Attorney
Deputy Town Attorney in Charge of Special Districts
Deputy Town Attorney
Town Clerk

RE: SPECIAL PERMIT APPLICATION - STANLEY SOLTZER, JACOB S. LAMPERT & HERMAN MAYER PROPERTY LOCATED AT INTERSECTION OF ROUTE 59 & SICKLETOWN ROAD, WEST NYACK:

Supervisor called public hearing to order. Town Clerk read Notice of Public Hearing.

Myon I. Mandel, 120 North Main St., New City, N.Y. appeared as attorney for petitioners, and stated the following:

Applicants' property is 3.736 acres in size. The proposed three story Nursing Home building will be approximately 264 feet long and 50 feet deep. No portion of the building will be closer than 100 feet to any other lot line. It is proposed that there will be 200 beds in the Nursing Home; 60 beds in 29 rooms on the first floor and 70 beds in 33 rooms on each of the second and third floors. Each of the three floors comprises an area of approximately 13,120 square feet. It is proposed that a partial basement will house kitchen and dining room facilities, offices, therapy rooms, etc. Entire site will be suitably landscaped with gardens and sitting areas and on-site parking facilities will be provided for 68 cars. Entrance and exit to the facility will be from Sickletown Road (submitted architect's plans).

Applicant's property bordered on the south by Route 59, elevated as it adjoins this property which not only prohibits entrance and exit to Route 59, but which elevation acts as a barrier or screen for the property as it faces to the south. This would eliminate any affect Nursing Home might have on residences located to the south of this property on the other side of Route 59.

To the east is P.O.; which is used for this non-residential purpose. To the northwest is LS (shopping center), and one residence within 1000' of this property. To the northeast, R7.5; there are no residential houses within about 1000' of this property. To the west, separated by Sickletown Rd., is R15 zone - three residential houses within about 1000' of applicants' property.

Adequate transportation, water and sewer facilities in proposed site. Will cause no congestion or hazard.

15' sewer easement already taken by state lies to the west of the proposed building. The 55' easement given the state lies directly to the east of the proposed building; applicants cannot construct anything upon them - severely limits available building area on this site.

Nursing Home will fill need in county.

Estimated cost: \$2,490,000.00
Tax: \$86,000.00 a year for combined state, county and sewer.

Re proposed interchange on Route 59; presented letters from county, state and town stating that there will be no change in the immediate future.

Re design (historic zone): Plans will be submitted to ARB - Will comply with any suggestions re screening, lighting and routing of traffic in and out of Nursing Home.

Clarksville Inn 400' away from property line; 75' Away From building. Frontage on Rte 59. Parking will conform to ordinance.

6/5/68

PUBLIC HEARING
(Continued)

215

Witness: Mr. S. L. Malkind, 16 Fisher Ave., Nanuet: Testified as to availability of water and other services. Stated that it would not be possible to place five saleable homes on this property. Re alleviation of water problem in area, reputable engineer to be employed to overcome any conditions that exist. Re traffic on Sickletown Rd., traffic for nursing home will be low, relatives only. Upper three floors of Nursing Home will be above Route 59. Re noise from Route 59, all rooms will be soundproofed. Bulk of patients using facility will come from County. Will seek approval of Social Service for 200 beds, when approval is obtained from the Town Board. Re staffing and servicing of building; will also be done thru Social Service.

WitnessII: Mr. Stanley Soltzer, 48 Brewster Rd., Scarsdale, New York: Would NOT agree to develop park. He and partner to develop Nursing Home. Will build immediately upon getting requirements from State. Agrees to covenant to build in time Town Board would consider reasonable. Re Route 59A drainage problem - Town Board requested report from Town Engineer as to problems inherent in development of this property and as to how it would affect adjacent property owners. Re approval from state and building of highway facilities (bringing land values up); Mr. Mandel, attorney for petitioners stated taking would affect only front of property 350' in.

No further witnesses.

IN FAVOR:

1. Merton E. Rawson (in capacity of Chairman of Clarkstown Planning Board): Nursing Home in this location meets with Board's approval. Enough room to accommodate parking. However, they are not agreeable to to only 68 parking lots.

OPPOSED:

1. Mr. Stanley Simon, West Nyack: Shopping center adjacent; gasoline filling station to the north of this; access road on Sickletown is real estate office. Entrance will have to be on Sickletown. Dangerous.

2. Mr. Carroll, West Nyack: Since 45-50 persons will be employed in Nursing Home; (20 per shift); this would leave 48 parking spaces for visitors. Inadequate.

Petitioners stated they would vocenant - no stores.

3. Mrs. B. Tepper, West Nyack: Questioned how petitioners can put in parking facility and driveway with building of that proportion. Also, West Nyack Fire Dept. requested that Sickletown be widened because they had difficulty getting in and out of fire house. New High School also will be located on Strawtown. This would add to traffic. If parking facilities were needed for the Nursing Home and there were parking on Sickletown, would add to traffic hazard.

(In response to Mrs. Tepper; Architect for Nursing Home stated that there is enough land available to double parking facilities).

4. Mr. D. Schmidt, 30 Foxwood Rd., West Nyack: (Submitted petition opposing containing 150 names)

5. Mr. Michael Franchino, West Nyack: This would not be difficult to convert to apartment house if Nursing Home not successful. (Councilman Frohling informed Mr. Malkind that it would be necessary to appeal to Town Board for change of zone if that desired to change to apartments.)

6. Mr. William E. Vines, West Nyack: Would be affront to community. Land is swampy now.

214

6/5/68

PUBLIC HEARING
(Continued)

7. Mr. Stephen Leeman, West Nyack: Historic Review Board does not agree to Nursing Home in what he considers to be historic area. Also, restaurant in basement not desirable; too damp.

8. Mr. D. V. Johnson, West Nyack: Buildings in historic area should conform architecturally with those presently in area. Re water condition, if this area built upon, swampy water will inundate surrounding areas. Wants park on this land.

RUBUTTAL: (Attorney for petitioners):

Property has been zoned by Town for use which we believe it cannot be used for. We are applying for use which town contemplated in ordinance. Re parking - land available; we will give town any parking space they think necessary; we will make corrections in design. Re site layout - will be bound by site requirements. Re water - Will obtain engineers and comply with State and Town requirements. Will covenant as to time for construction.

On resolution offered by Councilman Damiani, seconded by Councilman Brenner and unanimously adopted, public hearing was closed.

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

6/5/68

9:00 P.M.

217

Present: Councilmen Brenner, Bolander, Damiani, Frohling, Supervisor Mundt

Town Attorney
First Deputy town Attorney
Deputy Town Attorney in Charge of Special Districts
Deputy Town Attorney
Town Clerk

RE: PROPOSED AMENDMENT TO BUILDING ZONE ORDINANCE TO INCLUDE MRS -- MAJOR REGIONAL SHOPPING:

Supervisor called public hearing to order. Town Clerk read notice of public hearing.

Mr. John Hekker, Nyack appeared before Town Board as attorney for petitioners and stated the following:

Proposed amendment will supply needs of major shopping centers; deals with sites in excess of 50 acres.

Witness: (sworn in by Supervisor): Mr. Harold Grabino, 151 W. 34th St., New York N.Y.: Stated the following:

Will enable Sears and Macy complex on Route 59 to follow pattern of development. Two department stores will be connected with mall. Shopping activities would be under cover with air conditioning and heating. Parking area to surround major buildings. Would actually constitute one structure and work like one unified development.

Parking needs will be met according to requirements of the Planning Board.

Property under ownership of Sears and Macy's fronting on Route 304 not zoned in same category as rest of shopping site. Amendment would also change zoning of that particular lot to conform with rest of shopping center site. (From CS to RS).

Mr. Everett Johns inquired if study has been made of all Rs land in excess of 50 acres and what applicable bulk regulation would apply. Town Attorney informed Mr. Johns that bulk section type of designation RS would now place them in MRS provided they met applicable requirements. Only sections, Town Attorney stated, are the Sears-Macy's parcels.

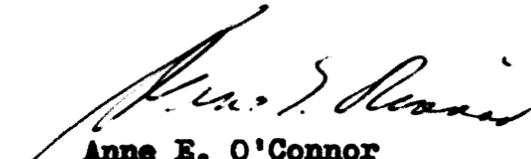
In response to question put by Mrs. Emma Blauvelt, benefits to town would be overall ratable and would make business development of this property in orderly, businesslike manner.

IN FAVOR: None

OPPOSED: None

On resolution offered by Councilman Brenner, seconded by Councilman Damiani and unanimously adopted, public hearing was closed.

Signed,


Anne E. O'Connor
Town Clerk

TOWN BOARD MEETING

219

TOWN Hall

6/5/68

8:00 P.M.

Present: Councilmen Brenner, Bolander, Frohling, Damiani, Supervisor
Mundt
 Town Attorney
 First Deputy Town Attorney
 Deputy Town Attorney
 Deputy Town Attorney in Charge of Special Districts
 Town Clerk

Supervisor Mundt called Town Board meeting to order.

The Town Council delayed commencement of the Town Board meeting for one minute of silent prayer for Senator Robert F. Kennedy and for our country in general in these troubled times.

(398) Councilman Brenner offered the following resolution:

RESOLVED, that time for receiving bids for furnishing signalization for Little Tor and New Valley Roads is hereby closed, and be it

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

Seconded by Councilman Bolander All voted Aye.

The following bids were received:

- (1) Byron Electric Company
30 Mamaroneck Road
White Plains, New York..... \$10,993.00
- (2) M. Eisenberg & Bros.
74 Demarest Ave.
West Nyack, New York..... \$12,600.00
- (3) New City Electric, Inc.
New City, New York..... \$11,950.00

All bids turned over to Highway Supt. for recommendation.

(399) Councilman Damiani offered the following resolution:

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

Seconded by Councilman Bolander All voted Aye.

(400) Councilman Brenner offered the following resolution:

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

Seconded by Councilman Frohling. All voted Aye.

220

6/5/68

TOWN BOARD MEETING

(401) Councilman Brenner offered the following resolution:

WHEREAS, Cragmere Estates, Inc. submitted a petition for change of zone from R-40 to R-15 district, and

WHEREAS, notice of public hearing was duly published in the official newspaper of the Town, and

WHEREAS, on the 3rd day of June 1968, the petitioner requested an adjournment, and

WHEREAS, said request for adjournment was not conveyed to the Town Board until the meeting night of June 5, 1968, and

WHEREAS, numerous adjacent property owners appeared at said meeting pursuant to notice published, and

WHEREAS, it has been the policy of the Town Board to require that requests for adjournment of duly scheduled public hearings be made in a reasonable time prior to the scheduled hearing date, and

WHEREAS, it was the opinion of the Town Board that this request for adjournment was not made in a reasonable time and no good cause shown why it could not be;

NOW THEREFORE, be it

RESOLVED, that the petition is hereby dismissed without consideration and that the petitioner is Directed to resubmit his petition and to comply with all applicable notice requirements pursuant to Section 8.43 of the Zoning Ordinance; this dismissal to be without prejudice.

Seconded by Councilman Damiani

All voted Aye.

(402) Councilman Damiani offered the following resolution:

WHEREAS, consistent with the President's committee on Youth Opportunity and Rockland County "Operation Cool and Clean", it is in the best interest of the economy to provide summer employment for youth, and

Whereas, work and training opportunities for our community's youth can be promoted through summer employment;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor be authorized to employ and assign to the various Town Departments youth 16 through 21 years of age at an hourly rate previously established for these departments

AND BE IT FURTHER RESOLVED, that the period of summer employment be considered as running from JUNE 15, 1968 until September 13, 1968.

Seconded by Councilman Brenner.

All voted Aye.

(403) Councilman Brenner offered the following resolution:

WHEREAS, the following 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:

Glenside Plumbing and Heating Co., Inc.
9 Glenside Drive
New City, N.Y.

and

6/5/68

TOWN BOARD MEETING

221

(403) RESOLUTION 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. 68-6 to Glenside Plumbing & Heating Co., Inc.

Seconded by Councilman Frohling.

All voted Aye.

(404) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Board reserve decision on special permit application made by ALBERT LAMBORN for GASOLINE FILLING STATION LOCATED ON N/W CORNER OF ROUTE 9W & LAKE RD., CONGERS.

Seconded by Councilman Damiani.

All voted Aye.

(405) Councilman Damiani offered the following resolution:

RESOLVED, that the Town Board reserve decision on special permit application made by STANLEY SOLTZER - JACOB S. LAMPERT & HERMAN MAYER - PROP. LOCATED INTERSECTION ROUTE 59 & SICKLETOWN RD.

Seconded by Councilman Brenner.

All voted Aye.

(406) Councilman Bolander offered the following resolution:

RESOLVED, that the Town Board reserve decision on proposed amendment to zoning ordinance to include new zoning designation known as MRS -MAJOR REGIONAL SHOPPING)

Seconded by Councilman Frohling.

All voted Aye.

Town Board signed Order Extending Clarkstown Consolidated Water Supply District to include Rolling Hedge Subdivision - Sec. II which is described as follows:-

EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT TO INCLUDE ROLLING HEDGE SUBDIVISION - SEC.II

A petition in this matter for the extension of The Clarkstown Consolidated Water Supply District of the Town of Clarkstown, excluding any portion already in an existing district, having been duly presented to the Town Board, and an Order having been duly adopted by the Town Board on the 1st day of May 1968, for the hearing of all persons interested in the matter on the 5th day of June, 1968, at 9:30 P.M. E.D.S.T. Time, at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, New York, and a Hearing by the said Board having been duly held at such time and place, and it having been duly resolved and determined following such hearing that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all the property and property owners within the proposed extension were benefitted thereby, that all property owners benefitted were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved, it is hereby

222

6/5/68

TOWN BOARD MEETING

ORDER EXTENDING DISTRICT --CONTINUED

ORDERED, that the Clarkstown Consolidated Water Supply District of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland Coynty, New York, to include lands in the said Town of Clarkstown, described as follows:

SCHEDULE A

All that plot, piece, parcel of land, lying, situate and being within the Hamlet of New City, Town of Clarkstown, County of Rockland and State of New York more particularly described as follows:

BEGINNING at a point formed by the intersection of the easterly right of way of Lisa Lane, at the northerly end of the present terminus of Lisa Lane, and the southerly boundary line of the lands described herein; thence the following courses and distances:

- 1) N 79°- 54' - 20" W a distance of 10.83 feet
- 2) N 68°- 44' - 20" W a distance of 123.00 feet
- 3) N 15°- 42' - 10 "W a distance of 19.00 feet
- 4) N 73°- 32' - 00" W a distance of 126.13 feet
- 5) N 16°- 05' - 00" E a distance of 362.19 feet
- 6) N 08°- 10' - 05" E a distance of 99.18 feet
- 7) S 74°- 11' - 45" E a distance of 154.19 feet
- 8) N 17°- 16' - 15" E a distance of 30.47 feet
- 9) S 74°- 35' - 55" E a distance of 798.59 feet: thence
- 10) S 25°- 48' - 50" W a distance of 244.90 feet
- 11) S 22°- 47' - 50" W a distance of 266.95 feet
- 12) N 74°- 28' - 50 "W a distance of 255.53 feet
- 13) S 15°- 09' - 50" W a distance of 33.02 feet
- 14) N 71°- 00' - 20" W a distance of 308.98 feet
- 15) N 79°- 54' - 20" W a distance of 44.22 feet back to the point or place of BEGINNING.

DATED: June 6, 1968

TOWN BOARD OF CLARKSTOWN

Councilmen: Branner, Bolander, Damiani
and Frohling
Supervisor Paul F. Mundt

Certified by Anne E. O'Connor, Town Clerk

Mr. Schaffhauser, 10 Pine Avenue, Congers Appeared before Town Board re drainage problem. Town Engineer and Highway Supt. will visit site; Engineer to re-survey and draw description; cost estimate will be obtained and problem will be handled.

Letter received from Building & Zoning Inspector confirming verbal Stop Work Order issued by their office on 5/29/68 re Odfin Construction Co. until this subdivision satisfies their office with respect to drainage. Town Board requested that it be kept informed.

6/5/68

TOWN BOARD MEETING

223

(407) Councilman Damiani offered the following resolution:

RESOLVED, that upon the recommendation of the Building & Zoning Inspector and the Town Engineer a building permit be granted under Sec. 280-A to Ernest F. Wiebicke for property situate on the north side of Central Ave. at the intersection of proposed Second Street in New City, N. Y.

Seconded by Councilman Brenner.

All voted Aye.

(408) Councilman Frohling offered the following resolution:

RESOLVED, that upon the recommendation of the Building & Zoning Inspector and the Town Engineer a building permit be granted under Sec. 280-A to Gloria O. Wadsworth for property situate on the east side of Second St., 175 feet north of Central Avenue in New City, N.Y.

Seconded by Councilman Damiani.

All voted Aye.

William E. Vines appeared before Town Board re drainage problem existing in vicinity of south side of Route 59; south to area just south of Deerhead Inn. Requested that Town Board consider feasibility study of this area. Town Engineer requested to give opinion by next meeting as to whether or not this requires feasibility study or if we can now incorporate it in the fourth bond issue.

Mrs. Emma Blauvelt appeared re Gun Law; was informed Town Board is holding hearing on same on the 19th. Mrs. Blauvelt also stated that impossible to exit from Korvette Shopping Center and make immediate left turn. Sought correction. Supervisor will call Korvette's for sign. Suggested we also contact other shopping centers.

(409) Councilman Frohling offered the following resolution:

WHEREAS, incidents of crime, shooting and killing of persons are on the increase in our nation, and

WHEREAS, THE SAFETY OF PUBLIC OFFICIALS AND all citizens of our nation are increasingly jeopardized, and

WHEREAS, proper gun control laws should prevent the sue of hand guns and rifles by undesirables and persons afflicted with mental diseases, and

WHEREAS, for the safety of all citizens it is desious that improved gun control laws be adopted,

NOW THEREFORE, be it

RESOLVED, that Congress and State Legislators initiate immediate steps to adopt more rigid and improved gun control measures, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to the Honorable John G. Dow, Cannon House Office Building, Washington, D.C.; The Honorable D. Clinton Dominick III, the Senate, State of New York, Albany, N.Y.; and the Honorable Joseph St. Lawrence, Senate Chambers, Albany, New York.

Seconded by Councilman Damiani

All voted Aye.

224
6/5/68

TOWN BOARD MEETING

(410) Councilman Brenner offered the following resolution:

RESOLVED, that Orange & Rockland Utilities are hereby authorized to install one street light on Pole #5 Louise Drive, West Nyack; and one street light on Pole #4, Carolina Drive and Glen Lane, New City at Annual cost of \$93.60

Seconded by Councilman Bolander.

All voted Aye.

(411) Councilman Brenner offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown considers it to be in the interest of the Town to amend Chapter 25 of the Code of the Town of Clarkstown entitled "Nuisances" as follows:

By deleting existing Section 25-2 and substituting therewith the following:

"Sec. 25-2. Occupants must remove litter.

The owner, tenant or occupant of property located within the Town of Clarkstown is hereby required to remove all nuisances, hazards and litter, including but not limited to, abandoned automobiles or any part thereof unless such party has a license to store the same, and any waste material, garbage, refuse, rubbish, papers or paper products, bottles, cans, metal or other substances, forthwith or as soon as possible, when ordered to do so by a member of the Police Department, Fire Inspector, Building Department Inspector or Deputy Inspector, Superintendent of Highways or Deputy Superintendent of Highways.

Failure to comply with the direction of any agent of the Town of Clarkstown as aforesaid, forthwith or as soon as possible, shall constitute a violation of this ordinance.

Privately owned property as herein described shall include all parking sites and vacant or improved property."

NOW THEREFORE, be it

RESOLVED, that a public hearing be had at the Board Room of the Town Hall of the Town of Clarkstown at 10 Maple Avenue, New City, Rockland County, New York, on the 21st day of August, 1968, at 8:30 PM relative to such proposed amendment, and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and the Town Clerk cause the same to be published in the Journal News, the official newspaper of the Town, as aforesaid and file proof thereof in the office of the said Clerk.

Dated: June 5, 1968

(412) Councilman Frohling offered the following resolution:

WHEREAS, Regulation 24 of the Town of Clarkstown attendance rules and regulations provides for an extension of sick leave with pay to any permanent employee who has used up all of his sick leave, vacation, holidays, overtime and personal leave credits, provided, however, that compensation for such extended sick leave be at one half (½) the normal salary, not exceeding one month for each completed two years of continuous Town service, and

WHEREAS,

6/5/68

TOWN BOARD MEETING

25

(412) Resolutiin continued

WHEREAS, Patrolman Frank Hearne has used all his available sick leave, cacation, holidays, overtime, personal leave credits;

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

RESOLVED, that Patrolman Frank Hearne be paid one-half (½) of his normal salary not exceed two (2) months starting June 10, 1968.

Seconded by Councilman Brenner.

All voted Aye.

(413) Councilman Frohling offered the following resolution:

RESOLVED, that resignation of Theodore S. Stazak from the Police Department effective Juen 14, 1968 is hereby accepted with regret.

Seconded by Councilman Damiani.

All voted Aye.

(414) Councilman Damiani offered the following resolution:

RESOLVED, that upon recommendation of Police Chief Ernest F. Wiebicke a STOP sign be placed at the interection of Brookridge Drive and New York State Highway Route 403, Valley Cottage, New York; eastbound traffic on Brookridge to stop before entering on Route 303, and be it

FURTHER RESOLVED, that the Town Highway Superintendent be authorized to install said signs.

Seconded by Councilman Brenner.

All voted Aye.

(415) Councilman Damiani offered the following resolution:

WHEREAS, the Town Board has recommended the development of a Recreation Center in Central Nyack and

WHEREAS, the Clarkstown Parks Board and Recreation Commission unanimously adopted a resolution recommending that the Town of Clarkstown retain an architect for this purpose, now therefore be it

RESOLVED, THAT the Supervisor be and is hereby authorized to enter into an agreement to retain an architect for the purpose of promoting and developing the Central Nyack Recreation Center.

Seconded by Councilman Brenner.

All voted Aye.

224
6/5/68

TOWN BOARD MEETING

(416) Councilman Damiani offered the following resolution:

WHEREAS, the Town Board has recommended the extension of the summer recreational program for the youths of Clarkstown, now therefore, be it

RESOLVED, that the sum of \$20,000.00 be transferred from CURRENT SURPLUS-GENERAL ACCOUNT to the CLARKSTOWN PARKS BOARD & RECREATION - PROGRAM EXPENSE ACCOUNT.

Seconded by Councilman Frohling.

All voted aye.

Re drainage problem - Quaker Rd., Highway Supt. informed Town Board that Town has easements; Town Engineer, Highway Supt. and Supervisor will look at in field.

(417) Councilman Damiani offered the following resolution:

RESOLVED, that the Town Supt. Highways, Fred J. Seeger, be authorized to do drainage correction work in the vicinity of Amarillo Drive, Nanuet, N.Y., at a cost not to exceed \$2,500.00 and be it

FURTHER RESOLVED, that said amount be charged to Construction U Installation of Surface Drainage Sewer Facilities & Appurtenances, PROJECT No. 3.

Seconded by Councilman Brenner.

All voted aye.

(418) Councilman Damiani offered the following resolution:

WHEREAS, the Planning Board of the Town of Clarkstown has advised the Bown Board verbally that the owners of the subdivision known as Fromson Michaluk (123A16), situate on the south side of Lake Rd. about 110 feet east of Tena Pl. have agreed to install the new drainage pipe contained in the easterly portion of their frontage on said road, including new catch basin and connection with an existing culvert crossing said road, and

WHEREAS such installation shall be commenced and completed within a period of 60 days ending 8/3/68, and

WHEREAS, it is important forthe public safety and welfare of surrounding property owners that such repair be done regardless of the ordinary contingencies and delays, so as to avoid any further flooding, and

WHEREAS a subdivision map is now before the Planning Board for approval, and said map contains the appropriate alignment and details needed for installation by competent persons,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby authorized andinstructs the Highway Supt. of the same that, in the event the drainage pipe installation agreed upon by the owners of the fromson-Michaluk subdivision (123A16) is not duly completed by the 3rd day of August, 1968, said Highway Supt. shall enter upon and complete said installation, and be it

FURTHER RESOLVED, that the drainage pipe installation sahl be charged to the subdividers referred to, payment of such expense to be made a condition of approval of the subdivision map by the Planning Board.

Seconded by Councilman Frohling.

All voted Aye.

6/5/68

TOWN BOARD MEETING

227

Re Zone Change petition submitted by the Dells, Inc., Sadim Trading Corp., Bernard G. Nemeroff & Frances Nemeroff (LO, R-80 & R-40) to RG-1, RG-2 CS and zone permitting cluster development zoning for property located in northern part of New City, comprising tract of 656 acres; Councilman Damiani suggested that due to scope of project, public hearing not be held during summer months. At the Town Board meeting to be held on the 19th, Town Board to set date of public hearing re same.

(419) Councilman Frohling offered the following resolution:

WHEREAS, a certain map entitled "OLD BRICK HOMES, Subdivision of Property of MELLEN & SHAFFER LAND DEVELOPMENT, INC., New City - Town of Clarkstown - Rockland County - N.Y." was filed in the Rockland County Clerk's Office on September 9, 1965, in Book 70 of Maps at Page 36 as Map No. 3380, and

WHEREAS, in connection with said subdivision a performance bond bearing No. 2234137 was made and executed by MELLEN & SHAFFER LAND DEVELOPMENT, INC., as Principal, and Chester Mellen and Leland Shaffer, as Co-Principals, and CONTINENTAL CASUALTY COMPANY, as Surety, and

WHEREAS, said bond is dated August 23, 1965, and was submitted as security to comply with and conform to the provisions and requirements of, and the specifications contained in or referred to in the Rules and Regulations of the Planning Board of the Town of Clarkstown, and to cause to be made all the improvements on the streets and other facilities thereof including but not limited to streets, curbs and sidewalks, within two (2) years from the date of said bond, and

WHEREAS, the top course of blacktop has not been completed on the roads in said subdivision within the time above provided, and

WHEREAS, there is hardship and inconvenience of the purchasers of the homes in said subdivision by reason of the incomplete roads;

NOW THEREFORE, be it

RESOLVED, that Bond No. 2234137 executed by MELLEN & SHAFFER LAND DEVELOPMENT, INC., as Principal, and Chester Mellen and Leland Shaffer, as Co-Principals, and CONTINENTAL CASUALTY COMPANY, as Surety, be and the same is hereby declared to be in default, and it is

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown be and is hereby authorized to install the top course and complete the roads in the aforementioned subdivision and keep a record of the costs and expenses in connection therewith, unless the builder commences work on said roads not later than July 1, 1968, and completes same by July 15, 1968, and it is

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown take all necessary steps and proceedings pursuant to said bond to cause the Principal and/or Surety to pay for said roads.

Dated: June 5, 1968

At request of Highway Supt., Supervisor will contact County Highway Supt. re signalization of Main St., Nanuet area, requesting him to make out specifications. Councilman Frohling suggested that complex should pay for any signalization in Nanuet.

228
6/5/68

TOWN BOARD MEETING

Re progress on ditch and water flow from the Rennert Lane area; Town Engineer's Office stated that we have verbal agreement from one property owner for right of entry; others refuse permission until we can guarantee that the pool will not flood again (owner of Monterey Swim Club). Councilman Frohling requested that Town Engineer's office expedite easement.

(420) Councilman Frohling offered the following resolution:

WHEREAS, due to improper restoration work on properties facing along highway, caused flooding condition at resident of Mr. Banton, 20 Lexow Avenue, Nanuet, be it

RESOLVED, that the Highway Superintendent is hereby authorized to do proper restoration at this site to prevent water running and expense for said restoration be billed to Allstate Construction Company.

Seconded by Councilman Brenner.

All voted Aye.

Councilman Bolander made statement concerning the passing of Al Spiro of radio Station WRKL:

"This week, a strong, vibrant voice in this county was stilled.

"It was the voice of a man who re-affirmed the idea that truth is respectable and that integrity has not gone out of style. This voice softened to the pleas of the impoverished, grew strident at the irrationality of the misinformed, and became emphatic when the rights of free men were threatened. This was the voice of a man who, though slight of build, was large in heart. Here was a man of courage, a man of conviction, and a man whose conscience reminded the people that, if our citizens wanted good government, they had to become interested, informed, and involved in county and local affairs.

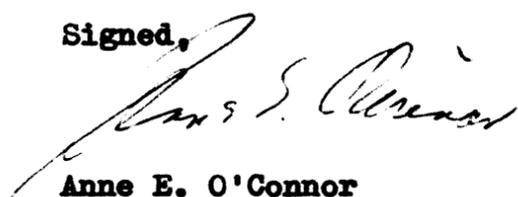
"The voice was, in turn, whimsical, witty, and super-charged. To the lonely, it was that of an unseen friend--to the irritated, it was a means of emotional catharsis, -- and to the mountebank, it was the sword of Damocles. For a period of four short years, that voice was the conscience of an ever-widening circle of influence. When it was extinguished by fire, it rose again from the ashes like the legendary Phoenix. In person, that voice will be heard no more, and this county will be the lesser for it.

"At this moment in time, our hearts reach out in sympathy to his bereaved family with this simple statement - Be proud of Al Spiro-- here was a father, a son, and a husband of intellect, conviction, and courage.

"Mr. Chairman, I ask that this statement be recorded in the minutes."

On resolution offered by Councilman Frohling, seconded by Councilman Brenner and unanimously adopted, Town Board meeting was adjourned until Wednesday, 6/19/68.

Signed,


Anne E. O'Connor
Town Clerk