

Town Hall

1:00 PM

Present: Councilmen Brenner, Bolander, Damiani, Frohling, Supervisor Mundt
Town Attorney
First Deputy Town Attorney
Deputy Atty. in charge of special districts
Deputy Town Attorney
Town Clerk

Supervisor Mundt called Town Board meeting to order at 1:00 PM

Supervisor Mundt signed Order suspending Ptl. James R. Faganof the Police Department for a period of 20 work days commencing November 4, 1968 and ending December 2, 1968.

(756) Councilman Brenner offered the following resolution:

RESOLVED, that time for receiving bids for furnishing one (1) Dump Truck for use of Highway Department is hereby closed, and be it

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

Seconded by Councilman Damiani

All voted Aye.

The following bids were received:

PORRY'S GARAGE
West Haverstraw, New York

Net Bid \$4,400.00

FAULKNER FORD
Nyack, New York

Net Bid \$6,716.88

Bids turned over to Highway Superintendent for his recommendation.

(757) Councilman Brenner offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install one (1) street light on Dogwood Lane off Parrot Road at annual cost to town of \$46.80 per annum. (Pole #3)

Seconded by Councilman Damiani

All voted Aye.

(758) Councilman Frohling offered the following resolution:

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

JERRY M. HAGGERTY and KATHLEEN HAGGERTY,
Plaintiffs,

-against-

BENJAMIN LEE, HAROLD BASSER, and WILLIAM ISER,
d/b/a/ VALLEY COTTAGE NURSING HOME: PENINSULA
MILL CORP., and THE TOWN OF CLARKSTOWN, NEW YORK,

Defendants,

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to defend said action.

Seconded by Councilman Damiani

All voted Aye.

(759) Councilman Frohling offered the following resolution:

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

BERNARD G. NEMEROFF, et al

Plaintiffs,

-against-

PAUL F. MUNDT, SUPERVISOR, et al

Defendants

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to defend said action.

Seconded by Councilman Damiani

All voted Aye.

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

GERMONDS ACRES, WEST NYACK
Republic Insurance Co. Bond #902841
Amount: \$43,000
Covers: Roads
Period: 2 yrs. - 10/15/68 - 10/14/70

Republic Insurance Co. Bond #902842
Amount: \$9,800
Covers: Sewers
Period: 2 yrs. - 10/15/68 - 10/14/70

Monthly Reports for the month of September 1968 received from Zoning Board of Appeals and Building Inspector's Office.

In connection with letter from Clarkstown Planning Board re Panoramic Estates; (which requested that Town Board place high priority on drainage work), Mr. Cassels of the Planning Board was notified by Mr. Suttle that area included in their report- engineering work already begun.

(760) Councilman Frohling offered the following resolution:

WHEREAS, pursuant to Sec. 200 of the Town Law, the Town Board is desirous of improving that street known as Avenue C in Nanuet, Town of Clarkstown, New York, and

WHEREAS, the property to be improved has been surveyed and lines and grades thereof are being established and such survey is filed in the Town Clerk's Office, and

WHEREAS, the maximum amount proposed to be expended is \$2,000.00 and the area benefited is as follows:

Schedule A, as follows:

ALL that certain plot, piece or parcel of land situate, lying and being in the hamlet of Nanuet, known as Avenue C, being particularly bounded and described as follows:

BEGINNING at a point on the southerly side of First Avenue, which point is 152.50 feet westerly on a course of N 88° 56' 03" W from an iron pipe which is at the northeast corner of the lands now or formerly of William and Elizabeth Lester, and running from said point of beginning (1) S 10° 38' 50" W 200 feet to a point; thence (2) N 89° 18' 00" W 50.76 feet to a point; thence (3) N 10° 38' 50" E 200.32 feet to a point on the southerly side of First Avenue; thence (4) along the southern side of First Avenue S 88° 56' 05" E 50.70 feet to the point or place of beginning.

NOW THEREFORE, be it

RESOLVED, that the Town Clerk prepare an Order pursuant to Subdivision 7 of Section 200 of the Town Law and that such Order be entered into the minutes of this proceeding setting November 20, 1968, at 8:30 P.M. o'clock in the evening, at the Board Room, Town Hall, 10 Maple Avenue, New City, New York, for a public hearing on this resolution at which time all interested parties will be heard.

Dated: October 31, 1968

Seconded by Councilman Brenner

All voted Aye.

(761) Councilman Brenner offered the following resolution:

WHEREAS, FLORA CONSTRUCTION CORP. has applied for a building permit under Sect. on 280-A for property situate on the west side of Grant Avenue in Congers, N.Y., and

WHEREAS, the office of The Town Engineer of the Town of Clarkstown has recommended that said Flora Construction Corp., aside from the usual requirements of a 280-A Building Permit, be required to grant a sewer easement to the Town of Clarkstown on this property, and

WHEREAS, Flora Construction Corp. is desirous of granting said sewer easement to the Town of Clarkstown for property located on the west side of Grant Avenue, Congers, New York;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown accept the sewer easement, dated October 18, 1968, from Flora Construction Corp. covering aforesaid premises, and be it

FURTHER RESOLVED, that their application for a building permit under Section 280-A is hereby approved and granted.

Seconded by Councilman Damiani

All voted Aye.

(762) Councilman Bolander offered the following resolution:

WHEREAS, THE town of Clarkstown is desirous of leasing premises known as the Clarkstown Sanitary Fill Area to the Town of Orangetown for the purpose of depositing garbage and/ or refuse originating within the territorial boundaries of the Town of Orangetown, now therefore be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute said lease for a term to commence on January 1, 1969 and to terminate December 31, 1969.

Seconded by Councilman Brenner

All voted Aye.

(763) Councilman Frohling offered the following resolution:

WHEREAS, the Town of Clarkstown is concerned with the congested traffic situation and the need to provide additional parking to relieve parking congestion on Main Street in Nanuet, and

WHEREAS, the Town of Clarkstown has previously obtained an easement from American Company affecting certain property on Prospect Street in Nanuet, New York, and

WHEREAS, it is the desire of the Town to obtain further easements in this area to alleviate parking congestion;

NOW THEREFORE, be it

RESOLVED, that the Town Engineer be directed to prepare a survey map of the area indicating the exact dimensions which the Town desires to utilize as an additional parking area, and it is

FURTHER RESOLVED, that the Town Clerk, upon receipt of said survey, is hereby authorized to direct a letter to Mr. Charles A. Rickabaugh,

Manager Engineer & Maintenance Services, Lederle Laboratories, Pearl River, New York 10965 enclosing a copy of the survey and certified copy of this resolution with a formal request from the Town of Clarkstown for permission to use this property for parking; and it is

FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to directed a letter to Orange and Rockland Utilities, Inc. to obtain permission for the filling and grading which would have to be done on the right-of-way (Orange & Rockland Utilities Easement), and it is

FURTHER RESOLVED, upon all approvals being obtained, that the Town undertake to indicate that the Grantors of the additional easement would be protected by insurance to be contracted for by the Town of Clarkstown.

Seconded by Councilman Brenner

All voted Aye.

(764) Councilman Damiani offered the following resolution:

WHEREAS, Sewer District No.20 in the Town of Clarkstown requires temporary and permanent easements over premises known as Tax Map 127, Block D, Lots 7, 7.01, 8, 22.01, 22.02, 22.03 and 22.04 and 23 for the purposes of installing and maintaining a sewer line; and

WHEREAS, the Consulting Engineers, Charles R. Velzy Associates, Inc., have advised this Town Board that there is no alternate route for the sewer line except through said easements; and

WHEREAS, Thomas E. Walsh and Micheal H. Reeder, Attorneys for said sewer district, have advised this Town Board that they have been unable to obtain the consent of the owners of said several parcels for the creation of said easements by negotiation; and

WHEREAS, counsel for said sewer district have further advised that the owners of said several parcels have refused to grant the said easements; and

WHEREAS, counsel for said sewer district have advised this Town Board that the only way they will be able to obtain said easements is by condemnation and have recommended condemnation;

NOW THEREFORE, be it

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

That Thomas E. Walsh and Michael H. Reeder are hereby authorized and directed to proceed with condemnation proceedings to obtain the said several easements over , under and through the aforementioned parcels and to commence appropriate condemnation action therefor.

Seconded by Councilman Brenner

All voted Aye.

(765) Councilman Damiani offered the following resolution:

WHEREAS, Sewer District No. 20 in the Town of Clarkstown requires a permanent and temporary easement over premises known as Tax Map 113, Block A, Lot 23.36 for the purposes of installing and maintaining a sewer line; and

WHEREAS, the Consulting Engineers, Charles R. Velzy Associates, Inc., have advised this Town Board that there is no alternate route for the sewer line except through said easement; and

WHEREAS, Thomas E. Walsh and Michael H. Reeder, Attorneys for said sewer district, have advised this Town Board that they have been unable to obtain the consent of the owner of said parcel for the creation of said easement by negotiation; and

WHEREAS, counsel for said sewer district have further advised that the owner of said parcel had refused to grant the said easement; and

WHEREAS, Counsel for said sewer district have advised this Town Board that the only way they will be able to obtain said easement is by

Condemnation and have recommended condemnation;

NOW, THEREFORE, be it

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

That Thomas E. Walsh and Michael H. Reeder are hereby authorized and directed to proceed with condemnation proceedings to obtain the said easement over, under and through the aforementioned parcel and to commence appropriate condemnation action therefor.

Seconded by Councilman Brenner

All voted Aye.

(766) Councilman Brenner offered the following resolution:

WHEREAS, the street known as "DeSimone Lane" has been the subject of confusion within the Town of Clarkstown, and

WHEREAS, the majority of the residents living on DeSimone Lane have petitioned the Town Board for a change of name on said street to "Stony Hill Lane" and

WHEREAS, the change of name as requested in the petition would eliminate consisting confusion and serve the best interests of the residents on said street, and the Town of Clarkstown,

NOW THEREFORE, be it

RESOLVED, that the name of "DeSimone Lane" be and is hereby changed to "Stony Hill Lane", and be it

FURTHER RESOLVED, that the Highway Superintendent take notice of this resolution and make appropriate changes in the street signs as may be necessary and make that a copy of this resolution be forwarded to the residents of the aforementioned lane, and be it

FURTHER RESOLVED, that this resolution take effect immediately.

Seconded by Councilman Frohling

All voted Aye.

(767) Councilman Damiani offered the following resolution:

RESOLVED, that the Highway Supt. and Town Engineer be instructed to draw up specification for drainage work to be done on Gerardine Place same to be put out on bids; bids to be returnable 11/20/68 - 8:05 P.M.

Seconded by Councilman Brenner

All voted Aye.

(768) Councilman Brenner offered the following resolution:

RESOLVED, that Highway Supt. is hereby directed to place sidewalks in the area of Brown Property Westward up Seckletown Road where it meets Wheeler Place and join it with existing sidewalk as soon as possible.

Seconded by Councilman Damiani

All voted Aye.

(769) Councilman Damiani offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, has heretofore duly caused to be prepared a plan and an estimate of the cost for the construction and installation of 3,200 lineal feet of sanitary sewers and sewer crossings in State Highway Route 304 between Ludvigh and Germonds Roads, which plan and estimate have been duly completed and are to be filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, said Town Board has determined to proceed with the construction and installation of said sanitary sewers in State Highway Route 304 pursuant to Section 202-f of the Town Law; and

WHEREAS, the maximum amount proposed to be expended for the construction of said sanitary sewers and sewer crossings as herein-above

described is \$75,000, which is planned to be financed by the issuance of serial bonds of the Town and the cost thereof shall be a Town charge and shall be assessed, levied and collected in the same manner and at the same time as other Town charges provided, however, that the Town may authorize the use of such improvement installed or constructed by any sewer district or extension thereof hereafter established in the Town and said improvement shall become a part of such district or districts or extension thereof and the entire cost of such improvement, including the expense of maintenance thereof, shall be a charge against such district or districts or extension thereof and shall be assessed, levied and collected in the same manner as other charges against such district or districts or extensions thereof;

now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, 10 Maple Avenue, New City, New York, in the Town on the 2nd day of October, 1968, at 9 o'clock P.M. of sanitary sewers and sewer crossings in State Highway Route 304 as herein referred to, 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 with relation thereto as may be required by law, and be it

FURTHER ORDERED, that the Town Clerk publish at least once in "THE JOURNAL-NEWS," a newspaper published in Nyack, New York, and the official newspaper of the Town, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than twenty days before the day designated herein for said public hearing as aforesaid.

Seconded by Councilman Bolander

All voted Aye.

Town Board signed Order calling public hearing for 11/20/68 - 8:45 PM re proposed establishment of the Lawrence Street-Pascack Motel Sewer District

WHEREAS, a written Petition dated 10/23/68 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York, for the Establishment of the Lawrence Street Pascack Motel Sewer Dist. in the said Town, to be bounded and described as follows:

Schedule "A"

All that certain lot, piece or parcel of land lying, being and situated near Spring Valley, Town of Clarkstown, Rockland County, New York, more particularly bounded and described as follows:

BEGINNING at a point in the Northerly line of Lawrence Street, at the Southwest corner of property of C. Shultz. (1) North 4 degrees 37 minutes 10 seconds East along land of Shultz, Pitt, Burns and others 1587.54 ft. to South line of Longyork Inc. (2) along Longyork Inc. South 85 degrees 19 minutes East 255.66 ft. to land of Orange and Rockland Utilities, Inc. (3) along Orange and Rockland South 6 degrees 36 minutes 20 seconds West 10.55 ft. to a stone monument. (4) still along Orange and Rockland South 84 degrees 53 minutes 50 seconds East 315.04 ft. to a cut in Rockland (5) still along Orange and Rockland North 6 degrees 34 minutes 20 seconds East 60.0 ft. to a stone monument (6) along Orange and Rockland South 89 degrees 25 minutes 05 seconds 144.73 ft. to land of S.G.H. Development Corp. (7) several courses along S.G.H. South 15 degrees 20 minutes 05 seconds West 704.68 ft. (8) South 6 degrees 35 minutes 55 seconds East 186.12 ft. (9) South 35 degrees 36 minutes 25 seconds East 120.78 ft. (10) South 49 degrees 24 minutes 40 seconds East 124.08 ft. (11) South 17 degrees 22 minutes 40 seconds East 87.78 ft. (12) South 43 degrees 01 minutes 40 seconds East 44.88 ft. (13) South 9 degrees 31 minutes 40 seconds East 75.90 ft. (14) South 0 degrees 35 minutes 40 seconds East 26.87 ft. to Northeast corner Jones, (15) along Jones North 85 degrees 12 minutes 20 seconds West 285.55 ft. (16) still along Jones South 4 degrees 47 minutes 40 seconds West 537.34 ft. to North line of Lawrence St. (17) along North line of Lawrence st. north 71 degrees 33 minutes West 614.76 ft. to point or place of Beginning. Containing 25.195 acres.

(771) Councilman Damiani offered the following resolution:

WHEREAS, by resolution dated November 6, 1968, the Town Board of the Town of Clarkstown, set a public hearing on the application of Arthur Hggins & Grace Huggins, etal for an amendment to the Building Zone

Seconded by Councilman Damiani

All voted Aye.

(781) Councilman Brenner offered the following resolution:

RESOLVED, that Mr. Harris Taylor, Sequoia Drive, Valley Cottage, whose term of office on the Clarkstown Parks Board and Recreation Commission expired, be re-appointed for a term of five years to August, 1973.

Seconded by Councilman Damiani

All voted Aye.

(782) Councilman Damiani offered the following resolution:

RESOLVED, that the Highway Superintendent be instructed to clean pipe under Endlich Driveway, 3 Quaker Road, New City and storm drain on adjacent property owned by Noto.

Seconded by Councilman Brenner

All voted Aye.

(783) Councilman Damiani offered the following resolution:

RESOLVED, that the amount of \$1430 be transferred from DRAINAGE BOND III and be it

FURTHER RESOLVED, that the Highway Supt. is hereby authorized To use said funds to pipe ditch on Sandstone Trail, in Centenary Ridge Subdivision, New City.

Seconded by Councilman Frohling

All voted Aye.

(784) Councilman Brenner offered the following resolution:

WHEREAS, the Town of Clarkstown has advertised for bids for the construction of improvements in Sewer District No. 22, in the Town of Clarkstown, and

WHEREAS, it appears from the amount of the bids received this date that the amount of \$1,085,000.00 to be expended for the improvements in Sewer District No. 22 will exceed the authorized amount which is the sum of \$780,000.00 and

WHEREAS, the Town of Clarkstown pursuant to Section 209-h of the Town Law must increase the maximum amount to be expended in the district,

NOW THEREFORE, be it

RESOLVED, that Milton M. Kase, Attorney for Sewer District No.22, is hereby authorized to prepare a petition to the Comptroller of the State of New York, Department of Audit and Control, requesting permission to increase the maximum amount of the monies to be expended for the said sewer district from \$780,000.00 to \$1,085,000.00 and, be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute said petitions on behalf of the Town Board of the Town of Clarkstown.

Dated: October 16, 1968

Seconded by Councilman Bolander

All voted Aye.

(785) Councilman Damiani offered the following resolution:

RESOLVED, based upon recommendation of Edw. J. Ghiazza, Supt. of Parks and Recreation of the Town of Clarkstown, that the Supervisor is hereby authorized to file an application with the New York State Division for Youth for Recreation Projects covering the period of one year, 1/1/69

to 12/31/69, total State Aid for this period \$9,756.80.

Seconded by Councilman Brenner

All voted Aye.

(786) Councilman Frohling offered the following resolution:

RESOLVED, that the Highway Superintendent is hereby instructed to clean culvert located to south of Jerry's Nursery on Route 59-A, Nanuet to re-alleviate drainage problem.

Seconded by Councilman Brenner

All voted Aye.

(787) Councilman Damiani offered the following resolution:

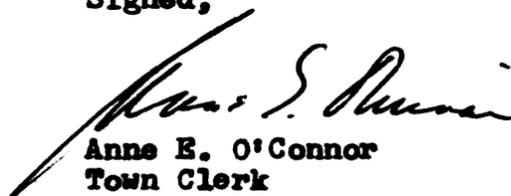
RESOLVED, that based upon recommendation of the Chief of Police, the Palisades Interstate Park Commission be contacted with request that they move as rapidly as possible to complete construction on cloverleaf in vicinity of Middletown Road and PIP, in order to alleviate hazardous condition existing in area.

Seconded by Councilman Frohling

All voted Aye.

On resolution offered by Councilman Frohling, seconded by Councilman Bolander and unanimously adopted, Town Board meeting was adjourned until Wednesday, November 6, 1968 at 8:00 P.M.

Signed,


Anne E. O'Connor
Town Clerk