

Town Hall

1:00 P.M.

Present: Councilmen Brenner, Bolander, Damiani, Frohling, Supervisor
Mundt
Town Attorney
First Deputy Town Attorney
Deputy Town Attorney
Town Clerk

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

(836) Councilman Damiani offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown has received a petition from Bernard G. Nemeroff and Frances Nemeroff, dated October 22, 1968, for a change of zoning from an R-40 district to R-15 & CS districts, or, in the alternative, to RG-2 and CS districts, on prop. located on Old Route 304 - Christie Airport - 53.513 acres, and

WHEREAS, the relief sought by the above-named petitioners has been previously considered through other petitions on which public hearings have been recently held, and

WHEREAS, no change of circumstances are shown to exist, and

WHEREAS, no useful purpose would, therefore, be served by again conducting a public hearing in this matter;

NOW THEREFORE, be it

RESOLVED, that the petition be and the same is hereby denied for the same reasons as were incorporated in the previous denial of application of the petitioners.

DATED: November 29, 1968

Seconded by Councilman Brenner

All voted Aye.

(837) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown has received a petition from The Dells, Inc. dated October 22, 1968, for a change of zoning from an R-40 district to an R-22 district, on prop. located North of Phillips Hill Rd. & East of Crum Creek - 27.651 acres, and,

WHEREAS, the relief sought by the above-named petitioner has been previously considered through other petitions on which public hearings have been recently held, and

WHEREAS, NO CHANGE OF CIRCUMSTANCES are shown to exist, and,

WHEREAS, no useful purpose would, therefore, be served by again conducting a public hearing in this matter;

NOW THEREFORE, be it

RESOLVED, that the petition be and the same is hereby denied for the same reasons as were incorporated in the previous denial of application of the petitioner.

DATED: November 29, 1968

Seconded by Councilman Bolander

All voted Aye.

ORDERED, that the ESTABLISHMENT LAWRENCE ST. PASCACK MOTEL Sewer District of the Town of Clarkstown be established in the said Town of Clarkstown, 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

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 herein described and the Southeast 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 land South 6 degrees 36 minutes 20 seconds West 10.55 ft. to a stone monument. (4) still along Orange and Rockland land South 84 degrees 53 minutes 40 seconds East 315.04 ft. to a cut in Rockland (5) still along Orange and Rockland land North 6 degrees 34 minutes 20 seconds East 60.0 ft. to a stone monument (6) along Orange and Rockland land 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.

DATED: 10/31/68

TOWN BOARD OF THE TOWN OF CLARKSTOWN

Paul F. Mundt, Supervisor
Councilmen: Frohling, Bolander, Damiani,
Brenner

(838) Councilman Brenner offered the following resolution:

RESOLVED, that Highway Department be authorized to sign and submit the bid or proposal of this corporation for the following projects Two (2) New Two Wheel Drive Four Cubic Yard Dump Trucks and to include in such bid or proposal the certificate as to non-collision required by Section 103-d of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

Seconded by Councilman Frohling

All voted Aye.

(839) Councilman Frohling offered the following resolution:

RESOLVED, that the Highway Superintendent is hereby authorized to place full STOP sign at intersection of Red Hill Rd and Old Brick Rd, New City N.Y.; westbound traffic on Old Brick to stop before intering on to Red Hill Rd., said sign to be located on northeast corner.

Seconded by Councilman Brenner

All voted Aye.

(840) Councilman Frohling offered the following resolution:

RESOLVED, that YIELD sign be placed at the southeast corner of Western Highway and West Nyack Rd., West Nyack N.Y. in front of McGrath's store, northbound traffic on Western Highway to Yield to traffic traveling east and west on West Nyack Rd., and be it

FURTHER RESOLVED that Highway Superintendent be instructed to install same.

Seconded by Councilman Brenner

All voted Aye.

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

Great American Insurance Co. Bond #2826253
ROCKRIDGE ESTATES Princ.
Amount: \$184,000.00
Covers: roads
Period: Two years

Great American Insurance Co. Bond #2826252
ROCKRIDGE ESTATES, Princ.
Amount: \$41,500.00
Covers: sewers
Period: Two years

(841) Councilman Frohling offered the following resolution:

WHEREAS, Enna Siemens and Max Siemens, residing at 1100 Northeast 191st Street, No. Miami Beach, Florida, have a tax title to a portion of Louis Road, New City, New York, shown on the Tax Map of the Town of Clarkstown as Map 168, Block A, Lot 33.04, and

WHEREAS, said persons have not answered inquiries regarding the purchase of said tax interest for the purpose of paving Louis Road;

NOW THEREFORE, be it

RESOLVED, that Murray N. Jacobson, Deputy Town Attorney of the Town of Clarkstown, is hereby authorized to commence condemnation proceedings to condemn the interest of said Enna Siemens and Max Siemens in said portion of Louis Road.

DATED: NOVEMBER 29, 1968

Seconded by Councilman Damiani

All voted Aye.

(842) Councilman Frohling 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:

Bibeau Construction Company, Inc.
274 Piermont Avenue, Hillsdale, N.J.

and,

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

NOW THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

No.68-27

DATED: NOVEMBER 29, 1968

Seconded by Councilman Bolander

All voted Aye.

(843) Councilman Frohling 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:

At-Will Plumbing & Heating Services, Inc.
9 Johnson's Lane, New City, N.Y. 10956

and,

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

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued subject to Seal being placed on Bond:

No. 68-28 to At-Will Plumbing & Heating Services, Inc.

DATED: NOVEMBER 29, 1968

(844) Councilman Brenner offered the following resolution:

WHEREAS, Edward J. Huegel, Inc. has completed all work in Sewer District No. 10 except for a small portion of work which is being delayed because of the necessity of condemning an easement, and

WHEREAS, it is recommended by the Sewer Coordinator of the Town of Clarkstown that the contractor be permitted to reduce the performance bond to the amount remaining under the contract, to post a maintenance bond for the work completed, and to be paid the \$22,000 being retained out of the monies due the contractor to date;

NOW THEREFORE, be it

RESOLVED, that the contractor shall be permitted to reduce his performance bond to the amount remaining under the contract, to post a maintenance bond for the work completed, and to be paid the \$22,000 being retained out of the monies due it for work completed.

Seconded by Councilman Frohling

All voted Aye.

(845) Councilman Frohling offered the following resolution

WHEREAS, the Town Clerk has found it necessary to open her office on Friday Evenings and Saturdays for the purpose of issuing Conservation licenses, and

WHEREAS, Jean Overmeyer and Linda Modafferi were required to work overtime on October 18, October 19, November 1, November 9, November 16 and November 23, for a combined total of 41 hours, and

WHEREAS, in accordance with Section 1.6 of the Attendance Rules for Officers and Employees of the Town of Clarkstown such overtime payment may be authorized by the Town Board, now therefore, be it

RESOLVED, that the above named employees shall be compensated for their positions, and be it further

RESOLVED, that the Supervisor is hereby authorized to sign appropriate vouchers for this purpose.

Seconded by Councilman Damiani

All voted Aye

(846) Councilman Damiani offered the following resolution:

WHEREAS, pursuant to Section 200 of the Town Law De Simone Lane, at West Nyack, in said Town, was Paved for a distance of approximately 1400 lineal feet, and

WHEREAS, the Town Board of said Town has filed a statement in detail showing the actual and complete cost thereof:

NOW THEREFORE, be it

RESOLVED, that the property especially benefited by the improvement is as follows:

The property fronting on both sides of DeSimone Lane, Stony Hill as more specifically described in Schedule A attached here with and made a part hereof, Schedule "A" as follows:

All that certain lot, piece or parcel of land, situate lying and being in the Town of Clarkstown, County of Rockland and State of New York, bounded and described as follows:

BEGINNING at a point in the easterly line of Greenbush Rd. said point being intersected by the easterly line of Greenbush rd. with the southerly line of lands conveyed by Anella Post to Eugene Levine and Pearl Levine, his wife, by deed dated September 27, 1949 and recorded September 28, 1949 in Liber 501 of Deeds at Page 37. Said point being also the intersection of the easterly line of Greenbush Road with the north line of Desimone Lane (proposed road) the following coursed and distances: (1) South $86^{\circ} 46' 00''$ east a distance of 143.89 feet; thence running (2) North $15^{\circ} 24' 55''$ east a distance of 10.23 feet; thence running (3) South $86^{\circ} 46'$ east a distance of 24.58 feet; thence running (4) North $88^{\circ} 37' 10''$ east a distance of 205.53 feet; thence running (5) North $81^{\circ} 50' 10''$ east a distance of 91.72 feet; thence running (6) South $78^{\circ} 27' 40''$ east a distance of 83.55 feet; thence running (7) South $08' 40''$ east a distance of 590.79 feet; (8) thence on a curve to the right having a radius of 240.61 feet a distance of 109.66 feet; thence (9) South $63^{\circ} 01' 55''$ east a distance of 180.04 feet; thence (10) South $26^{\circ} 58' 05''$ west a distance of 100.00 feet; thence (11) North $63^{\circ} 01' 55''$ west a distance of 50.00 feet; thence (12) North $26^{\circ} 58' 05''$ east a distance of 25.00; thence (13) on a curve to the left having a radius of 25.00 feet a distance of 39.27 feet; thence (14) North $63^{\circ} 01' 55''$ west a distance of 105.04 feet; thence (15) on a curve to the left having a radius of 190.61 feet; thence a distance of 86.87 feet; thence (16) North $89^{\circ} 08' 40''$ west a distance of 595.47 feet; thence (17) North $78^{\circ} 27' 40''$ west a distance of 79.54 feet; thence (18) South $81^{\circ} 50' 10''$ west a distance of 86.00 feet; thence (19) South $88^{\circ} 37' 10''$ west a distance of 210.50 feet; thence (20) North $86^{\circ} 46' 00''$ west a distance of 1.35 feet; thence (21) North $16^{\circ} 12' 50''$ east a distance of 5.13 feet; thence (22) North $86^{\circ} 46' 00''$ west a distance of 180.00 feet; to the east line of Greenbush Road, thence (23) North $15^{\circ} 24' 55''$ east a distance of 35.81 feet to the point or place of beginning.

and it is

FURTHER RESOLVED, that the Assessor of the Town of Clarkstown be and hereby is directed to apportion so much of the cost thereof upon the several lots and parcels of land so deemed benefited which the paving shall have conferred upon the same.

Seconded by Councilman Bolander

All voted Aye.

(847) Councilman Frohling offered the following resolution:

WHEREAS, A. Cistone Company is the general contractor for the installation of the necessary work in two sewer districts within the Town, and

WHEREAS, said general contractor is desirous of temporarily leasing from the Town, three bays in the old Clarkstown garage on New Hempstead Road, New City, New York, for the storage and maintenance of its equipment, at a rental of \$216.00 a month, which sum is equivalent to \$1.00 per sq. ft. per annum, and

WHEREAS, said space is presently vacant and without use to the Town;

NOW THEREFORE, be it

RESOLVED, that the Supervisor be and is hereby authorized to enter into a lease for a period of six months with the said general contractor, with an option by the contractor for bi-monthly renewals for ~~up to six additional months~~, subject, however, to the right of the Town of cancel said lease on two months notice after the initial six-month period, and be it

FURTHER RESOLVED, that this resolution is subject to a 30-day permissive referendum.

Seconded by Councilman Damiani

All voted Aye.

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

Republic Insurance Co. Bond #902988
WOODGATE ESTATES, New City - SEC. II
Amount: \$34,000.00
Covers: Roads
Period Covered: Two (2) Years - (11/19/68 - 11/18/70)

Republic Insurance Company Bond #902996
BUTTERNUT PARK, NANUET
Amount: \$5,000.00
Covers: Roads
Period Covered: Two (2) Years - 11/20/68 - 11/19/70

Reports for the month of October 1968 from the Zoning Board of Appeals and the Building Inspector's Office noted by Town Board. Filed in Town Clerk's Office.

(848) Councilman Frohling offered the following resolution:

WHEREAS, Equipment Mart of New York, Inc. was erroneously issued a Building Permit for the construction of a Commercial enterprise on Route 303 in West Nyack, New York, and

WHEREAS, said Equipment Mart of New York, Inc. expended the amount of \$551.00 in fees for the processing of site review before the Planning Board, and

WHEREAS, it was subsequently discovered that the use proposed was not proper in the zone in which the proposed structure was to be built, and

WHEREAS, the application for site review approval was denied and the Building Permit subsequently revoked, and

WHEREAS, it is the opinion of the Town Board that the unnecessary expenditure of \$551.00 by said Equipment Mart of New York, Inc. imposed a hardship which was not self-created;

NOW THEREFORE, be it

RESOLVED, that the sum of \$551.00 paid to the Town of Clarkstown be returned to the said Equipment Mart of New York, Inc.; said funds to be paid from Current Surplus Account.

Seconded by Councilman Bolander

All voted Aye.

(849) Councilman Damiani offered the following resolution:

RESOLVED, that the Town Board hereby accepts the resignation of Fr. David W. Arnold as Chaplain of the Police Department with regret.

Seconded by Councilman Frohling

All voted Aye.

(850) Councilman Damiani offered the following resolution:

RESOLVED, that the Town Board hereby accepts the resignation of Fr. David W. Arnold as a member of the Board of Ethics with regret.

Seconded by Councilman Frohling

All voted Aye.

(851) Councilman Damiani offered the following resolution:

RESOLVED, that Rabbi Richard Rocklin, 7 Old Mountain Road, Upper Nyack N.Y. is hereby appointed to serve as Police Chaplain and as

member of the Board of Ethics of the Town of Clarkstown, replacing Fr. David W. Arnold, effective immediately.

Seconded by Councilman Frohling

All voted Aye.

(852) Councilman Damiani offered the following resolution:

WHEREAS, the Superintendent of Parks and Recreation has requested additional clerical help,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment not to exceed thirty (30) days of Annette Torre, 122 Helene Road, Valley Cottage, New York to the position of Stenographer at a salary of \$4,186.00 per annum, eff. and retroactive to 11/21/68.

Seconded by Councilman Brenner

All voted Aye.

(853) Councilman Frohling offered the following resolution:

WHEREAS, the Town Engineer has requested additional help for the period of November 25, 1968 to December 23, 1968, and from December 23, 1968 to January 3, 1969,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment of Ira Rumberg of 2 Oak Lane, Nanuet, N.Y. to the position of Junior Draftsman at a salary of \$2.78 per hour effective and retroactive to November 25, 1968.

Seconded by Councilman Damiani

All voted Aye.

Re parking lot in front of Town Hall, Mr. Emanuel requested to make report before 12/4/68 Town Board meeting as to how this would fit in with Hamlet Development Plan for New City. (Property owned by Susan Cohen; town wishes to acquire for vestpocket park)

(854) Councilman Frohling offered the following resolution:

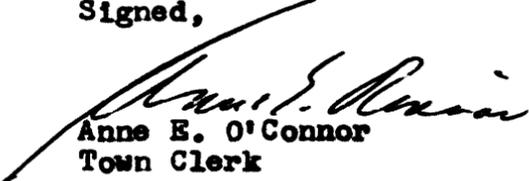
RESOLVED, that the Highway Supt. is hereby authorized to enter undedicated streets for the purpose of removing snow.

Seconded by Councilman Brenner

All voted Aye.

On resolution offered by Councilman Bolander, seconded by Councilman Damiani and unanimously adopted, Town Board meeting was adjourned until Wednesday, December 4th, 1968 at 8:00 P.M.

Signed,


Anne E. O'Connor
Town Clerk