

TOWN BOARD MEETING

Town Hall

2/28/69

10:00 A.M.

Present: Councilmen Bolander, Damiani, Frohling, Supervisor Mundt
Deputy Town Attorney Walter Werner
Town Clerk, Anne E. O'Connor

Absent: Councilman Brenner

Supervisor called Town Board meeting to order at 10:00A.M.

Students of the Fifth Grade of the Laurel Plains Elementary School attended Town Board meeting and were addressed by the Town Board.

(166) Councilman Frohling offered the following resolution:

WHEREAS, a performance Bond No. 902017 of HIGHVIEW ACRES, INC. as Principal and GEORGE FAIST and DOLORES FAIST as Co-Principals and Republic Insurance Company as Surety, dated April 26, 1968, in the amount of \$55,500.00, covering improvements on the streets and other facilities as shown on the Final Plat of "Highview Estates" dated Oct. 30, 1967, and revised Dec. 28, 1967, said performance bond having been approved by the Town Board of the Town of Clarkstown on May 15, 1968, and

WHEREAS, a Performance Bond No. 902018 of HIGHVIEW ACRES, INC. as Principal and George Faist and Dolores Faist as Co-Principals and Republic Insurance Company, as Surety, dated April 26, 1968, in the amount of \$13,146.00, covering all improvements for sanitary sewers and other facilities as shown on Final Plat of "Highview Estates" dated Oct. 30, 1967 and revised Dec. 28, 1967, said performance bond having been approved by the Town Board of the Town of Clarkstown on May 15, 1968, and

WHEREAS, after due notice and public hearing, the Planning Board of the Town of Clarkstown has recommended the reduction of Bond No. 902017 from \$55,500.00 to \$18,000.00; and the reduction of Bond No. 902018 from \$13,146.00 to \$1,400.00;

NOW THEREFORE, be it

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

Seconded by Councilman Damiani.

All voted Aye.

(167) Councilman Bolander offered the following resolution:

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

Ralph J. Werner, d/b/a Quick Plumbing & Heating
43 Vermont Avenue
Congers, New York

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued to :

69-43 issued to Ralph J. Werner

Seconded by Councilman Damiani.

All voted Aye.

Mr. Felix Zito, Secretary-Treasurer of Sewerage Disposal Systems, Inc., 3301 Barnes Ave. Bronx, New York, New York appeared before the Town Board re Sewer District Regulations, stating that since sewer connections, in his estimation, is plumbing work, it should only be done by qualified men. After considerable discussion, Supervisor Mundt requested that Alfred Berg, Town Engineer, and George Suttie, Consulting Engineer be asked for their recommendations. If policy determination to be made, the Town Board will do so when they receive these recommendations.

(168) Councilman Frohling offered the following resolution:

RESOLVED, based upon recommendation of the Chief of Police, that the Highway Supt. is hereby authorized to install a full STOP sign at the intersection of Chestnut St. and Route 59, Central Nyack, New York, northbound traffic on Chestnut St. to stop before entering on to Route 59.

Seconded by Councilman Bolander.

All voted Aye.

(169) Councilman Damiani offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to sign Hydrant Order No. 6647 requesting Spring Valley Water Company to install one (1) hydrant on the north side of Branchville Rd., approximately 200 feet east of the east curb line of Old Mill Rd., Valley Cottage, New York.

Seconded by Councilman Frohling.

All voted Aye.

(170) Councilman Frohling offered the following resolution:

WHEREAS, certain easements are required in connection with Lateral Sewer District No. 19 in the Town of Clarkstown, from Marie G. Mullen and Wm. George Lediger and Lediger, owners of premises designated on the Clarkstown Tax Rolls respectively as Lot 77A, 17.22 and Lot 17.21 and

WHEREAS, every effort has been made by the attorney assigned to Sewer District No. 19, Harry Waitzman, Esq., to acquire these easements by agreement, and it is deemed advisable to take necessary steps at this time to authorize condemnation proceedings if required;

NOW THEREFORE, be it

Resolved, that in the event the aforeseaid attorney is unable to acquire the necessary easements by negotiation and agreement, with Marie G. Mullen and William George Lediger and Lydia M. Lediger, that Harry Waitzman, Esquire is hereby authorized to commence condemnation proceedings in connection with those easements required.

Seconded by Councilman Damiani.

All voted Aye.

(171) Councilman Bolander offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to submit a request to the Rockland County Sewer District No. 1. Sewer Commission to provide direct house connections to the interceptor line designated as Contract 25 as listed below, and be it

FURTHER RESOLVED, that the cost of said house connections be borne by Town Lateral Sewer District No. 33

<u>MAP NO.</u>	<u>BLOCK NO.</u>	<u>LOT NO.</u>
109	E	22
110	A	23.47
110	A	23.17
110	A	21.04
110	A	17.
110	A	23.01
110	A	23.18
110	A	23.53
110	A	23.55
110	A	23.56
110	A	23.57
110	A	23.51
110	A	23.48
111	A	33.01

Seconded by Councilman Damiani.

All voted Aye.

(172) Councilman Damiani offered the following resolution:

RESOLVED, that Patrolman Fred Brunjes, Patrolman Hugh Gannon, Patrolman William Collins, and Patrolman Thomas Knarich are hereby authorized to attend the Mob and Riot Control Police Training School at Camp Smith, Peekskill, New York, two days, March 12 and 13, 1969, and be it

FURTHER RESOLVED, that all actual and necessary expenses are to be made at proper charge.

Seconded by Councilman Frohling.

All voted Aye.

(173) Councilman Damiani offered the following resolution:

RESOLVED, that Patrolman Curtis Settle, Patrolman Frank Hearne, Patrolman Anthony Little, Patrolman Warren Lawrence are hereby authorized to attend the Mob & Riot Control Police Training School at Camp Smith, Peekskill, New York, on April 17th and 18th, 1969, and be it

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

Seconded by Councilman Frohling.

All voted Aye.

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(174) Councilman Damiani offered the following resolution:

RESOLVED, that Lieut. Wm. Zielich, Lieut. John Ambrose, Sergeant George Hammond, Sergeant James R. Purdum are hereby authorized to attend the two day Seminar on Alcohol, Drugs and Driving at Westchester Community College, Valhalla, New York on April 1st and 2nd, 1969, and be it

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

Seconded by Councilman Frohling.

All voted Aye.

Supervisor brought up matter of incinerator back of Korvette Shopping Center. Health Department has done good job in abating fumes, however, the incinerator still makes a great deal of noise. Has obtained "Noise Ordinance" from Town of Hempstead which he is submitting to the Town Attorney's Office to draft as Local Law for public Hearing. Supervisor requested that the Town Attorney's Office submit copies of said draft for discussion before date of public hearing is set.

(* copies of this draft to be submitted to members of Town Board for discussion....etc.)

(175) Councilman Damiani offered the following resolution:

RESOLVED, that resolution #95 authorizing Deputy Building Inspector and one member of the Staff to attend the Housing Code Enforcement Procedures held at Westchester Community College be amended to include other members of the Building & Zoning Inspector's staff, as designated by him, and be it

FURTHER RESOLVED, that all expenses are to be made a proper Town Charge.

Seconded by Councilman Frohling.

All voted Aye.

(176) Councilman Damiani offered the following resolution:

WHEREAS, a vacancy exists in the position of Typist in the Supervisor's Office due to the resignation of Lynn Vander Busch, now therefore be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment n/t/e/ 30 days of Mary E. Keyes of 41 James Drive, New City, N.Y. to position of Typist as a salary of \$4,604.60 per annum; effective and retroactive to 2/24/69.

Seconded by Councilman Frohling.

All voted Aye.

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(177) Councilman Damiani offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on 11/21/69 that the position of Legal Stenographer, part-time in the Town Attorney's Office can be created, now therefore, be it created, and be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Josephine Scribano of 3 Longmeadow Drive, New City, N.Y. to the position of Legal Stenographer, part-time as a salary of \$2.79 per hour effective and retroactive to January 1st, 1969.

Seconded by Councilman Frohling.

All voted Aye.

(178) Councilman Damiani offered the following resolution:

WHEREAS, the Town Engineer has requested additional help for the period of March 3 through March 11, 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, 2 Oak Lane, Nanuet, N.Y. to the position of Laborer-Student as a salary of \$2.15 per hour effective March 3, 1969.

Seconded by Councilman Bolander.

All voted Aye.

(179) Councilman Frohling offered the following resolution:

WHEREAS, the Rockland County Personnel has furnished the Town Engineer list #68132, dated February 19, 1969, which contains the name of Alfred Berg, now therefore, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Alfred Berg, 4 Kirchner Drive, West Nyack, N.Y. to the position of Town Engineer at a salary of \$16,242.60 per annum, effective February 28, 1969.

Seconded by Councilman Damiani.

All voted Aye.

(180) Councilman Damiani offered the following resolution:

WHEREAS, Lorraine Weigold has resigned from the position of Secretary part-time to the Clarkstown Shade Tree Committee, and Joan Howard having indicated her willingness to accept such position,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Joan Howard, 83 North Grant Ave., Congers, N.Y. to the position of Secretary, part-time at a salary of \$440.00 per annum, effective February 28, 1969.

Seconded by Councilman Frohling.

All voted Aye.

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(181) Councilman Frohling offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Senior Typist List #68105 dated February 13, 1969, which contains the name of Alice Secora, now therefore, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Alice Secora, 19 Jerrys Avenue, Nanuet, New York to the position of Senior Typist at a salary of \$4,833.40 per annum; effective and retroactive to February 25, 1969.

Seconded by Councilman Damiani.

All voted Aye.

(182) Councilman Damiani offered the following resolution:

WHEREAS, Helen Gurvitch, Director of Purchasing 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 n/t/e/ 30 days of Frances L. Korn, 5 Mary Ann Lane, New City, N.Y. to the position of Clerk, part-time at a salary of \$2.00 per hour, effective and retroactive to February 17, 1969.

Seconded by Councilman Frohling.

All Voted Aye.

(183) Councilman Bolander offered the following resolution:

WHEREAS, the below listed were erroneously taxed, it is hereby resolved, that the refunds are hereby authorized to be remitted:

	<u>Refund</u>	<u>Charge</u>
Florence Blauvelt 11 Garret Ave. Congers, N.Y.	\$13.82	Sewer Dist. 20
Robert Zimmerman 24 Woodside Dr. New City, N.Y.	\$27.15	Sewer Dist. 19
Stephen C. Danko, Jr.&W. 63 Lenox Ave. Congers, N.Y.	\$34.01	Sewer Dist. 20
Terence Donohue&W 9 Hillside Terrace Nanuet, N.Y.	\$115.98	Sewer Dist. 17
Edward Hamilton &W 15 Fisher Ave. Nanuet, N.Y.	\$26.66	Sewer Dist. 17
Philip Connolly & Joan 80 Endicott St. Congers, New York	\$21.91 \$ 5.86 \$ 2.39 \$15.87 \$35.09 \$ 5.97	Highway Cons. Light Dist.1 Zoning & Planning Congers Fire Dis.3 Sewer Dist. 20 Cons.Water Dist.1

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(183) Resolution continued:

<u>Name</u>	<u>Refund</u>	<u>Charge</u>
Norman Insley	\$ 6.67	Sewer Dist. 17
36 Old Middletown Rd.	18.13	Sewer Dist. 17
Nanuet, N.Y.	8.66	Sewer Dist. 17
	6.67	Sewer Dist. 17
	10.53	Sewer Dist. 17
	9.73	Sewer Dist. 17
	10.53	Sewer Dist. 17
	10.53	Sewer Dist, 17

Seconded by Councilman Damiani.

All Voted Aye.

(184) Councilman Damiani offered the following resolution:

WHEREAS, there is a vacancy in the position of Bingo Inspector created by a two months leave of absence granted to Eileen Ahle, now therefore, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment of Elaine E. Vitolo of 6 Flitt St., West Nyack, New York to the position of Bingo Inspector at a salary of \$10.00 per occasion effective and retro-active to February 1st, 1969.

Seconded by Councilman Frohling.

All voted Aye.

Supervisor Mundt read letter received from State of New York Department of Transportation, Charles E. Besanceney, Director of Traffic Engineering and Safety in connection with traffic conditions at the interesection of Route US 9W and Route 304 in the Town of Clarkstown. In reply, Supervisor suggested a traffic signal control with warn-ing signs, such as "Traffic Light Ahead," on approaches as appropriate to increase safety. (Department of Transportation stated that they will install a flashing signal with dual indications on each approach to the intersection.) Town Clerk will forward copies of above-mentioned correspondence to each member of the Town Board.

Annual Report for the year ended December 31, 1968 from the Nanuet, N. Y. Fire District received and noted by the Town Board. Filed in Town Clerk's Office.

(185) Councilman Damiani offered the following resolution:

WHEREAS, Mobil Oil Corporation has petitioned the Town Board of the Town of Clarkstown for a Special Permit for the erection of a gas filling station on premises described in said petition pursuant to the Building Zone Ordinance of the Town of Clarkstown;

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(185) Resolution Continued

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to said provisions of the Building Zone Ordinance of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, on the 2nd day of April, 1969, at 8:45 P.M. O'Clock, to consider the application of MOBIL OIL COPRS. relative to said Special Permit; and it is

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

Seconded by Councilman Frohling.

All Voted Aye.

(186) Councilman Damiani offered the following resolution:

RESOLVED, that the application of Manny Apfelbaum & Abraham Meltzer for a map correction be referred to the Planning Board for report pursuant to the provisions of 8.41, 8.42 and 8.421 of the Clarkstown Building Zone Ordinance..

Seconded by Councilman Frohling.

All Voted Aye.

(187) Councilman Frohling offered the following resolution:

WHEREAS, VOLPE CARTING CO. has been licensed by the Sanitation Commission of the Town of Clarkstown to pick up refuse within the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that said Volpe Carting Co. be and is hereby authorized to use the Town Sanitary Fill Area upon the payment of the appropriate fees therefore.

Seconded by Councilman Bolander.

All Voted Aye.

(188) Councilman Damiani offered the following resolution:

RESOLVED, that the following are hereby authorized to attend the 48th New York State recreation & Parks Conference to be held at the Concord Hotel, Khamesha Lake, New York, April 13 to 16, 1969;

James Damiani
Edward Ghiazza
Recreation Commissioners
Staff Members

and be it

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

Seconded by Councilman Frohling.

All voted Aye.

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(189) Councilman Frohling offered the following resolution:

WHEREAS, sewer hookup contractors are required to submit performance bonds in the sum of \$5,000. and liability insurance as set forth in the Sewer District Regulations, as amended by decision of the Town Board, on February 19, 1969, and

WHEREAS, it appears that the licensed contractors require approximately 3 weeks to amend their respective performance bonds to comply with new requirements and

WHEREAS; many homes are desirous of hooking up to the sewer laterals prior to the time that the performance bonds can be obtained;

NOW THEREFORE, be it

RESOLVED, that the existing licensed sewer contractors be and are hereby authorized to perform hookup services during the month of March, 1969 with a performance bond of \$1,000. as previously required, and it is

FURTHER RESOLVED, that effective April 1, 1969, all licensed sewer contractors shall fully comply with the amendment to the Sewer District Regulations adopted February 19, 1969, by the Town Board and shall each have a performance bond in the sum of \$5,000. together with all other requirements therein set forth.

Seconded by Councilman Damiani.

All Voted Aye.

Mrs. Marilyn Collucci representing CAPRA appeared before the Town Board re Germonds Bungalow Colony inquiring whether or not it has legally been established that multiple dwelling units do not exist on this property; do buildings permits exist; and actual number of dwelling units. She informed Town Board that she has had no reply to her letter of over two months ago addressed to the Zoning Board of Appeals. Matter will be placed on agenda of Town Board meeting to be held on the 5th of March. Councilman Frohling stated that at Town Board meeting held on 2/19 the Town Board asked for summary of facts from the Zoning Board of Appeals; as soon as they are received, Supervisor will forward to Board members. The Town Attorney was requested to immediately analyze whether or not there is the danger under the Bungalow Colony section of our ordinance that a repetition of this could occur. If so, the zoning ordinance must be amended to preclude that possibility.

Town Board went on record as being with the complainants in this matter.

In response to question put by Councilman Bolander, Edward Ghiazza, of Recreation responded that there is no list of park regulations in terms of our pocket parks (park use). He did state that we have draft of what county adopted and they are working toward that for adoption. Councilman Bolander requested that a 7:00 P M meeting be held before the March 5th Town Board meeting.

Mrs. Lasky appeared before the Town Board requesting that sidewalks be built with safety factor built in, (extra couple of feet between sidewalk and curb). Town Engineer notified Mrs. Lasky that older streets have only 33' right of way.

(190) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to look into all aspects of furnishing housing for Senior Citizens now residing in the Town of Clarkstown.

Seconded by Councilman Bolander.

All Voted Aye.

Councilman Damiani requested that, based upon recommendation of the Recreation Commission, piece of property adjacent to French Farms be purchased. Said land now petitioned by the builder, and he expects homes will be put up before long. Requested resolution that this land be purchased with money in lieu of ... Supervisor Mundt stated that Chair is opposed; we do not have money for this. (Total \$180,000.00 purchase price.) Councilman Frohling also disagreed with purchasing large tracts of land; (taxes). There was no second to Councilman Damiani's motion.

Supervisor (to Mr. Cassels): Petitioner will have to grant Town two acres. We do not want the money in this case. Added to the 14, we will have 16 acres. Mr. Cassels noted that only 2% can be taken. Councilman Frohling stated that Planning Board was to keep Town Board apprised of any movements on this piece of land; no approval to be given until Town Board is made aware of situation. Mr. Ghiazza noted that Federal and State monies available; he was requested to find out what is available in the way of Federal and State funds for purchase of this piece of property for recreation.

Meeting will be held in Supervisor's Office next week Thursday morning, 9:30 A.M.), town Engineer in attendance to discuss financing, etc. of pool for the Town of Clarkstown to not affect the tax base.

(191) Councilman Frohling offered the following resolution:

RESOLVED, that the Highway Superintendent is hereby authorized to install STOP sign at Chestnut Street and Route 59, Central Nyack; "NO TRUCKING" signs at corner of Argow Place and Rose Road & Corner of Kreuz Drive and Rose Road.

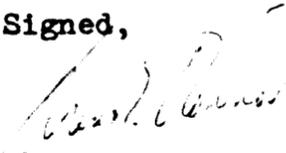
Seconded by Councilman Damiani

All Voted Aye,

Councilman Bolander, in connection with construction at Bardonia School, requested that construction men be requested to use the access from Route 304 thru the bank area, rather than using heavy construction equipment on entrances and exits of the school. Town Engineer will look into; Councilman Frohling will advise Police Chief to investigate same.

On resolution offered by Councilman Damiani, seconded by Councilman Bolander and unanimously adopted, Town Board meeting was adjourned until, Wednesday, March 5, 1969 at 8:00 P.M.

Signed,


Anne E. O'Connor
Town Clerk