

PUBLIC HEARING

Town Hall

3/19/69

8:30 P.M.

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

RE: PROPOSED SPECIAL ROAD IMPROVEMENT - PIERCE STREET, NANUET, NEW YORK:

Supervisor declared public hearing in session. Town Clerk read notice of public hearing.

Town Clerk sworn in and testified as to proper posting and publication of legal notice of hearing.

Murray Jacobson, Deputy Town Attorney stated that prior hearing was had to pave 740'. Subsequent to that hearing, a couple of landowners, Craig and Young, contacted the town and stated that they fronted on Gray St. and they asked town to cut the road off in front of their property. Based on that, on March the 5th, the Town Board rescinded their prior resolution and set up a new hearing for 631'. Lots involved are #76 and #77. Balance of property owners have been given legal notice; does not affect them in any way. Runs beyond Avenue C approximately 25'. (Purpose of this hearing to eliminate the last two lots.)

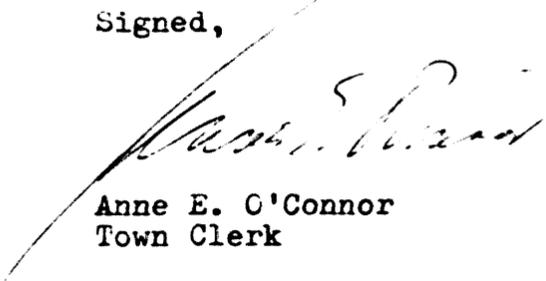
Town Engineer Alfred Berg ascertained that there would be no substantial change in price; may even be a few dollars less.

Highway Superintendent stated that he would like to start before the middle of May at the earliest; would take three days to complete.

RE question put by a Mr. Buzzell, Pierce Street, Town Engineer informed him that up to now he has not done detailed engineering on turnaround; is awaiting legal aspects are straightened out. He will get together with Highway Superintendent to work out turnaround; Mr. Buzzell to sit in on discussion if he so desires.

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

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

000179

Town Hall

3/19/69

8:45 P.M.

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

Absent: Councilmen Damiani, Frohling

RE: PROPOSED AMENDMENT TO BUILDING ZONE ORDINANCE - Section 7.34:

Supervisor declared public hearing in session. Town Clerk read notice of public hearing.

Town Attorney stated the following:

Section 7.34 of the Zoning Ordinance, as presently existing, deals with non-conforming use, the extension and enlargement thereof. Under present Zoning Ordinance, if a person has a valid non-conforming use, it may be extended by declaration of the ZBA up to 50%.

Due to recent ZBA hearing, some multiple residences were increased pursuant to this section, by resolution of that Board. The fear went up that this would open the door for more bungalow colonies to increase their non-conforming status into residences.

By this inclusion, it will close the door upon that fear.

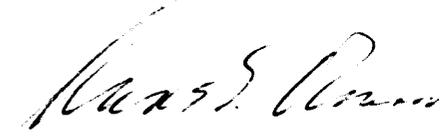
(Proposed change would add to the last sentence of Section 7.34, the following:

"and in no event may be applied to multiple residences".) T/C

Councilman Bolander inquired if it would be solved any better by taking out of the hands of the ZBA the variance for any garden apartment dwellings. Town Attorney replied that there would be no necessity for doing that because there are no garden apartments permits under variance or special permit of ZBA. (Only the Town Board special permit).

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

Signed,



Anne E. O'Connor
Town Clerk

PUBLIC HEARING

600181

Town Hall

3/19/69

9:00 P.M.

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

RE: PROPOSED INCREASE IN MAXIMUM AMOUNT TO BE EXPENDED FOR THE IMPROVEMENT IN EXTENSION 6 OF SEWER DISTRICT NO. 8:

Supervisor declared public hearing in session. Town Clerk read Notice of Public Hearing.

Town Clerk sworn in and testified as to proper posting and publication of notice of public hearing.

Mr. George Suttie, Consulting Engineer sworn in and testified as follows:

\$207,000 when approved. Asking for increase to sum of \$258,884.75. \$51,884.75 is amount of aid the town has received from HUD.

Reason for increase: Caused by increase in construction costs. Of \$150,000., there is 1/2 of that in the account of Sewer District 8-6. Amount spent for HUD almost entirely on the interest that had to be spent for the overall amount of work. There was not an estimate of the interest rate in the original amount.

It is contemplated that the HUD money will be used for interest, and also for pavement from edge to edge, which was not required originally.

There will be no increase in rate.

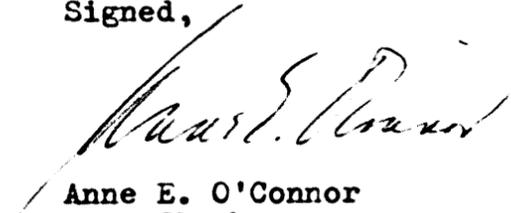
No further questions.

IN FAVOR: No one appeared.

OPPOSED: No one appeared.

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

Signed,


Anne E. O'Connor
Town Clerk

Town Hall

3/19/69

8:00 P.M.

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

Absent: Councilmen Damiani, Frohling.

Supervisor Mundt called Town Board meeting to order.

(204) Councilman Brenner offered the following resolution:

RESOLVED, that time for opening bids for furnishing One (1) New 1969 1/2 Ton Two Wheel Drive pickup; and Two (2) New Two-Wheel Drive 4 cu yd. Dump Trucks to the Clarkstown 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 to be opened.

Seconded by Councilman Bolander.

All voted Aye.

The following bids were received:

1/2 TON TWO WHEEL DRIVE PICKUP:

Ted Schultz Ford, Incorporated
4 North Middletown Road,
Pearl River, New York.....Net Bid: \$1437.00

Porry's Garage
22 Cosgrove Avenue
West Haverstraw, New York.....Net Bid: \$1800.00

Driscoll Chevrolet, Incorporated
Route 59
Spring Valley, New York.....Net Bid: \$1746.00

TWO (2) NEW TWO WHEEL DRIVE 4 CUBIC YARD DUMP TRUCKS:

Mid-Town Auto Body
9 W, Congers, New York.....Net Bid: \$12,250.00

Ted Schultz Ford, Incorporated
Pearl River, New York.....Net Bid: \$12,140.00

Porry's Garage
22 Cosgrove Avenue
W. Haverstraw, New York.....Net Bid: \$11,600.00

Driscoll Chevrolet, Incorporated
Route 59
Spring Valley, New York.....Net Bid: \$11,024.00

(205) Councilman Bolander offered the following resolution:

RESOLVED, based upon the recommendation of the Highway

RESOLUTION # 205 continued:

Superintendent, that bid for the furnishing of One (1) ½ Ton Two Wheel Drive Pickup be awarded to Ted Schultz Ford, Incorporated, 4 North Middletown Road, Pearl River, New York at cost to town of \$1437.00; and be it

FURTHER RESOLVED, that bid for furnishing Two (2) New Two Wheel Drive 4 cubic yard Dump Trucks be awarded to Driscoll Chevrolet, Incorporated, route 59, Spring Valley, New York at cost to town of \$11,024.00.

Seconded by Councilman Brenner.

All voted Aye.

Letter addressed to Town Board from Department of Transportation re Route 59 at its intersection with Grandview Avenue and the Thruway referred to Councilman Frohling. (Town Clerk will forward)

(206) Councilman Brenner offered the following resolution:

RESOLVED, that the executive secretary to the Governmental Operations Committee be paid the sum of \$1,000.00 for the current year for services, including necessary research relative to the work of this Committee, and be it

FURTHER RESOLVED, that said amount be transferred from CURRENT SURPLUS-GENERAL to Governmental Operations Committee-Employee Compensation account.

Seconded by Councilman Bolander.

All voted Aye.

(207) Councilman Brenner offered the following resolution:

RESOLVED, that the Town of Clarkstown hereby consents to the installation of water main by the Spring Valley Water Company in North Fairview Avenue, Nanuet for a distance of 340', and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute the necessary consent at no cost to the town or the residents for installation of same.

Seconded by Councilman Bolander.

All voted Aye.

(208) Councilman Brenner offered the following resolution:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, is hereby authorized to construct and install surface drainage sewer facilities (designated as Drainage Project No. 5), consisting of mains, receivers, catch basins, manholes and appurtenances thereto in public streets or portions thereof and easements or other rights in land acquired or to be acquired therefor, in the Town, including original equipment, machinery and apparatus required therefor, all in accordance with plans and specifications to be prepared by the Town Engineer, filed in the office of Town Clerk and approved by the Town Board of the Town, The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the

RESOLUTION #208 BOND ISSUANCE - continued:

financing thereof, is \$220,000 and the said amount is hereby appropriated therefor. The plan of financing is the issuance of \$220,000 Serial Bonds to finance said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon.

Section 2. Serial bonds in the principal amount of \$220,000, of the Town, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the class of objects or purposes for which the bonds authorized by this resolution are to be issued, within the limitation of Section 11.00 a. 4 of the Law is forty (40) years, but the maturity of said bonds shall not exceed fifteen (15) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the making of expenditures from the proceeds of said bonds herein authorized or any bond anticipation notes in anticipation of the sale of said bonds or from a fund into which the proceeds of said bonds or such bond anticipation notes are paid, pursuant to the provision of Section 107.00 d. 4 of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by paragraph 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budgets of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 30.00 and paragraph 50.00 and paragraph 56.00 to 60.00 of said Law, the powers and duties of the Town Board relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds and any notes issued in anticipation of said bonds, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall be subject to permissive referendum.

The adoption of the foregoing resolution was seconded by Councilman Bolander and duly put to a vote on roll call, which resulted as follows:

AYES: Messrs. Mundt, Brenner and Bolander

NOES: None

The resolution was declared unanimously adopted.

(209) Councilman Brenner offered the following resolution:

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

Section 1. The Town Clerk of the Town of Clarkstown, in the County of Rockland, New York, shall within ten (10) days after the adoption of the bond resolution referred to in the form of Notice hereinafter set forth in Section 3 hereof, cause to be published at least once in the "JOURNAL NEWS," a newspaper published in Nyack, New York, having a general circulation within said Town, and hereby designated as the official newspaper of said Town, and to be posted on the sign board maintained pursuant to subdivision 6 of Section 30 of the Town Law and in at least five (5) public places in the Town, a Notice which shall set forth the date of adoption of said foregoing resolution and contain an abstract thereof concisely stating its purpose and effect.

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper hereinabove referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. The Notice referred to in Section 1 hereof, shall be in substantially the following form:-

TOWN OF CLARKSTOWN, IN THE
COUNTY OF ROCKLAND, NEW YORK

PLEASE TAKE NOTICE that on March 19, 1969, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted the resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted March 19, 1969, authorizing construction and installation of surface drainage sewer facilities and appurtenances thereto in said Town, stating the estimated maximum cost of said class of objects or purposes is \$220,000, appropriating said amount therefor and authorizing the issuance of \$220,000 serial bonds to finance said appropriation.

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Clarkstown ("Town") to construct and install surface drainage sewer facilities (designated as Drainage Project No. 5), consisting of mains, receivers, catch basins, manholes and appurtenances thereto in public streets or portions thereof and easements or other rights in land acquired, in the Town, including original equipment, machinery and apparatus required therefor, all in accordance with plans and specifications to be prepared by the Town Engineer, filed in the office of Town Clerk and approved by the Town Board; STATING the estimated maximum cost, including preliminary costs and costs incidental thereto and the financing thereof, is \$220,000; APPROPRIATING said amount

3/19/69

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RESOLUTION #209 BOND RESOLUTION DUPLICATION - continued:

therefor and STATING the plan of financing is the issuance of \$220,000 serial bonds to finance said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon;

SECOND: AUTHORIZING the issuance of \$220,000 serial bonds of the Town to finance said appropriation;

THIRD: DETERMINING that the period of probable usefulness of said class of objects or purposes hereinabove described is forty (40) years, but the maturity of said bonds shall not exceed fifteen (15) years; expenditures from the proceeds of said bonds or any notes in anticipation of the sale thereof or from a fund into which the proceeds of said bonds or such notes have been paid and that the maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of bonds and any notes issued in anticipation of said bonds; and

SIXTH: DETERMINING that the resolution shall be subject to permissive referendum.

DATED: MARCH 19, 1969

ANNE E. O'CONNOR

Town Clerk

Section 4. This resolution shall take effect immediately.

The adoption of the foregoing resolution was seconded by Councilman Bolander and duly put to a vote on roll call, which resulted as follows:

AYES: Messrs. Mundt, Brenner and Bolander

NOES: NONE

The resolution was declared unanimously adopted.

(210) Councilman Bolander offered the following resolution:

WHEREAS, Warren R. Witt and Edith Thomas Witt, his wife, have executed an easement and are offering it gratuitously to the Town for Sewer District No. 20; and

WHEREAS, Edgar H. Jolliffe and Harriet A. Jolliffe, his wife, have executed an easement and are offering it gratuitously to the Town for Sewer District No. 20; and

WHEREAS, Joseph Korbelak and Louis Korbelak, his wife, also known as Joseph J. Corby and Louisa Corby, his wife, also known as Joseph John Corby and Louisa Corby, his wife, have executed an easement and are offering it, in consideration of the mutual covenants and agreements as set forth in a Resolution of the Town Board of the Town of Clarkstown dated September 30, 1968, to the Town for Sewer District No. 20; and

WHEREAS, Thomas E. Walsh and Michael H. Reeder, attorneys for Sewer District No. 20, and Murray Norman Jacobson, Deputy Town

RESOLUTION #210 ACCEPTING LINEAL EASEMENTS IN TOWN DISTRICT No.20 -
continued:

Attorney, recommend that said easements be accepted by the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to accept said easements on behalf of the Town.

Seconded by Councilman Brenner.

All voted Aye.

(211) Councilman Brenner offered the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deed from:

GUTERL CONSTRUCTION CORPORATION, dated October 31, 1968.

conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of GREEN HILL HOMES, TOWN OF CLARKSTOWN, NEW YORK, dated March 30, 1967, revised December 20, 1967 as follows:

Green Hill Court 880 lineal feet

is hereby accepted by the Town of Clarkstown and ordered filed in the Rockland County Clerk's Office; and be it

FURTHER RESOLVED, that Performance Bonds Numbers 551686 and 551687 dated the 20th day of December, 1967, GUTERL CONSTRUCTION CORPORATION as Principal, and COMMERCIAL UNION INSURANCE COMPANY OF NEW YORK as Surety, for the benefits of the Town of Clarkstown, are hereby released.

Dated: March 19, 1969

Seconded by Councilman Bolander.

All voted Aye.

Monthly Reports from Building Inspector's Office, and Zoning Board of Appeals for the month of February 1969 received and noted by the Town Board; filed in Town Clerk's Office.

Clarkstown Planning Board stated their agreement to extension of Dutch Lane, Spring Valley.

(212) Councilman Brenner offered the following resolution:

RESOLVED, that the application of WARD PAVEMENTS, INC. for a Special Permit for the excavation, processing and removal of sand, stone, gravel, etc. pursuant to requirements of Sections 8.334, 3.11 and 4.32 of the Building Zone Ordinance of the Town of Clarkstown, for approximately 25 acres located between Long Clove Road and Route 304 in the Town of Clarkstown, be referred to the Clarkstown Planning Board for report.

Seconded by Councilman Bolander.

All voted Aye.

(213) Councilman Brenner offered the following resolution:

WHEREAS, Spring Valley Water Company Incorporated is desirous of granting a drainage easement to the Town of Clarkstown in connection with subdivision known as East Ridge, property of Patricia Ann Homes, Incorporated,

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute an agreement with Spring Valley Water Company Incorporated of Spring Valley, New York, accepting a drainage easement from said Spring Valley Water Company Incorporated in connection with subdivision known as East Ridge, property of Patricia Ann Homes, Incorporated.

Seconded by Councilman Bolander.

All voted Aye.

(214) Councilman Brenner 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.

(215) Councilman Bolander offered the following resolution:

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

Seconded by Councilman Brenner.

All voted Aye.

(216) Councilman Bolander offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 5th day of March, 1969, has initiated the procedure for the improvement of the highway in said Town known as a Fierce Street in Manuet, Town of Clarkstown, New York by paving approximately 631 lineal feet thereof, and

WHEREAS, the maximum amount proposed to be expended for the improvement of said highway as stated in said resolution is the sum of, and not to exceed \$11,000.00, and

WHEREAS, on the 5th day of March, 1969 the Town Board adopted an Order and entered the same in the minutes of its proceeding reciting the adoption of the aforesaid resolution, the maximum amount proposed to be expended for the improvement, the area to be benefited as stated in the resolution, and specifying the time and place where said Board would meet to consider the resolution and to hear all persons interested in the subject thereof, and

WHEREAS, a copy of said Order certified by the Town Clerk was duly published in the Journal News on March 7, 1969, and

WHEREAS, a copy of said Order was posted on the sign board of the Town and in five (5) public places along the street to be improved and

WHEREAS, the Town Board, after such hearing duly held on the 19th day of March, 1969, and upon the evidence given thereat, has determined that it is in the public interest to make the improvement;

NOW THEREFORE, be it

3/19/69

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RESOLUTION # 216 - APPROVING SPECIAL ROAD IMPROVEMENT OF PIERCE STREET, NANUET, NEW YORK - continued:

RESOLVED, that the Town Attorney contact bonding counsel for the purpose of financing said improvement, and it is further

RESOLVED, that the Town Engineer prepare definite plans and specifications and make a careful estimate of the expense and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work, and that such plans and specifications, estimate, and proposed contract shall be presented to this Board as soon as reasonably possible.

Dated: March 19, 1969

Seconded by Councilman Brenner.

All voted Aye.

(217) Councilman Brenner offered the following resolution:

RESOLVED, that the amount of \$200.00 be transferred from Current Surplus General to Special Road Improvement Pierce Street, Nanuet, Account; said monies to be used by Highway Department to temporarily alleviate road bed condition.

Seconded by Councilman Bolander.

All voted Aye.

(218) Councilman Brenner offered the following resolution:

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

HENRY JAMES MILLER and ELIZABETH ANNE MILLER,
Petitioners,

-against-

MERTON E. RAWSON, Chairman, CLYDE ROBINSON
WILLIAM I. ZABRISKIE, PETER MASCIOLI, and
RUDOLPH YACYSHYN, constituting the Planning
Board of the Town of Clarkstown, in the
County of Rockland, New York,

Respondents.

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is authorized to defend said action and take all necessary required proceedings in court in connection with said action.

Seconded by Councilman Bolander.

All voted Aye.

(219) Councilman Brenner offered the following resolution:

WHEREAS, the Town Clerk's Office has requested additional help,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the extension of the temporary appointment of LAVARNE POUND, 11 Stratford Place, New City, New York to a position of Typist at a salary of \$2.30 per hour effective 4/2/69.

Seconded by Councilman Bolander.

All voted Aye.

3/19/69

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(220) Councilman Brenner offered the following resolution:

WHEREAS, a recommendation has been made by Ernest Wietlicke, Chief of Police of the Town of Clarkstown, of the assignment of Patrolman William King to the Detective Bureau and his salary increased to \$11,650.00 per annum; now therefore, be it

RESOLVED, that Patrolman William King is hereby appointed to the position of Detective 2nd Grade at a salary of \$11,650.00 per annum effective March 24, 1969.

Seconded by Councilman Bolander.

All voted Aye.

(221) Councilman Brenner offered the following resolution:

WHEREAS, a Performance Bond No. 901582 of PEARL CREST KNOLLS, INCORPORATED, as Principal, and JOSEPH F. FARRELL and BJARNE GRODUM, as Co-Principals, and the REPUBLIC INSURANCE COMPANY, as Surety, dated January 11, 1968, in the amount of \$8,290.00, covering improvements on the streets and other facilities as shown on the Final Plat of "Subdivision of Property of Bridleridge Park", dated June 1967, said Performance Bond having been approved by the Town Board of the Town of Clarkstown on January 17, 1968, and

WHEREAS, a Performance Bond No. 901583 of PEARL CREST KNOLLS, INCORPORATED, as Principal, and JOSEPH F. FARRELL and BJARNE GRODUM, as Co-Principals, and the REPUBLIC INSURANCE COMPANY, as Surety, dated January 11, 1968, in the amount of \$1,900.00, covering all improvements for sanitary sewers and other facilities as shown on design drawings approved by the Rockland County Health Department and on the Final Plat of "Subdivision of Property of Bridleridge Park", dated June 1968, said performance bond having been approved by the Town Board of the Town of Clarkstown on January 17, 1968, and

WHEREAS, after due notice and public hearing, the Planning Board of the Town of Clarkstown has recommended the reduction of Bond No. 901583 from \$1,900.00 to \$190.00;

NOW THEREFORE, be it

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

Seconded by Councilman Bolander.

All voted Aye.

(222) Councilman Brenner offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on March 5, 1969, provided for a public hearing on the 19th day of March, 1969, at 8:45 P.M., to consider a change to the Building Zone Ordinance of the Town of Clarkstown, and

WHEREAS, notice of said public hearing was duly published as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW THEREFORE, be it

RESOLVED, that the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

By adding to the last sentence of Section 7.34 the following:

"and in no event may be applied to multiple residences."

Dated: March 19, 1969

Seconded by Councilman Bolander.

All voted Aye.

3/19/69

T.M.

(223) Councilman Brenner offered the following resolution:

RESOLVED, that bid for Sewer District #26 Lateral Sewer Construction be awarded to A. Cestone Company, Glen Ridge, New Jersey in the amount of \$889,150.80.

Seconded by Councilman Bolander.

All voted Aye.

(224) Councilman Brenner offered the following resolution:

WHEREAS, the Town of Clarkstown has advertised for bids for the construction of improvements in Sewer District No. 26 in the Town of Clarkstown, and

WHEREAS, it is evident from the amount of the bids received, and the general project development cost increases, that the previously authorized amount of \$1,092,000.00 to be expended for the improvements in Sewer District No. 26 will be exceeded and that it will be necessary to increase the authorized amount to be expended on the project to \$1,400,000.00, and

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

NOW, THEREFORE, be it

RESOLVED, that Donald Tirschwell, attorney for Sewer District No. 26, 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 \$1,092,000.00 to \$1,400,000.00, 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: March 19, 1969

Seconded by Councilman Bolander.

All voted Aye.

(225) Councilman Brenner offered the following resolution:

At a regular meeting of the Town Board of the Town of Clarkstown, in the County of Rockland, New York, held at the Town Hall, 10 Maple Avenue, New City, New York, in said Town, on the 19th day of March, 1969.

In the Matter of the Increase in the Maximum Amount to be Expended for the Improvement in Extension No. 6 of Sewer District No. 8, in the Town of Clarkstown, in the County of Rockland, New York.

ORDER INCREASING THE MAXIMUM AMOUNT TO BE EXPENDED FROM \$207,000 TO \$258,884.75

WHEREAS, the Town Board of the Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, has heretofore duly extended Sewer District No. 8, in the Town (herein called "District") pursuant to Order dated December 13, 1965, therein designated "Extension") and the maximum amount proposed to be expended for the extension of the District therein set forth in said Order submitted to said Town Board is \$207,000;

WHEREAS, due to generally increased costs of labor and materials, preliminary costs and costs incidental thereto said Town Board has estimated the maximum cost of constructing the sewer system in the Extension to be \$258,884.75, being an increase of \$51,884.75; and

WHEREAS, following due submission of an application by said Town Board, the State Comptroller approved the increase in the maximum amount to be expended for construction of said sewer system in the Extension from \$207,000 to \$258,884.75 pursuant to Order

3/19/69

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RESOLUTION #225 - ORDER INCREASING THE MAXIMUM AMOUNT TO BE EXPENDED FROM \$207,000 TO \$258,884.75 - continued:

dated February 21, 1969; and

WHEREAS, pursuant to Section 209-h of the Town Law, said Town Board has duly called and held a public hearing on March 19, 1969, at the Town Hall, New City, in the Town, at 9:00 o'clock P.M. (E.S.T.) to consider such proposed increase in the maximum amount to be expended 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.

now, therefore, be it

ORDERED, and it is hereby determined that it is in the public interest to increase the maximum amount proposed to be expended for the construction of a sewer system in the Extension, in the Town, from \$207,000 to \$258,884.75, and such maximum amount is hereby so increased. The plan of financing is the issuance of serial bonds of the Town and the assessment, levy and collection of special assessments upon several lots and parcels of land in the Extension which the Town Board shall determine and specify to be especially benefited thereby so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same to pay the principal of and interest on said bonds, and it is further

ORDERED, that this Order shall take effect thirty days after its adoption, unless there shall be filed with the Town Clerk a petition signed and acknowledged by the owners of taxable real property situate in the Extension as shown upon the latest completed assessment roll of the Town in number equal to at least five per cent of the total number of such owners, or by one hundred of such owners, whichever is the lesser, protesting against this Order and requesting that the matter be submitted at a referendum in the manner provided by law.

DATED: MARCH 19, 1969

TOWN BOARD OF THE TOWN OF
CLARKSTOWN, NEW YORK

PRESENT:

Honorable Paul F. Mndt,
William Brenner,
Frank Bolander,

Supervisor
Councilman
Councilman

Members of the Town Board of the
Town of Clarkstown, New York

Seconded by Councilman Bolander.

All voted Aye.

(226) Councilman Brenner offered the following resolution:

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

Section 1. The Town Clerk of the Town of Clarkstown, in the County of Rockland, New York, shall, within ten (10) days after the adoption by the Town Board of said Town, of the Order referred to in the following notice, cause to be published at least once in the "JOURNAL NEWS," the official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in at least five (5) public places in the Extension in said Town of Clarkstown, a notice which shall set forth the date of adoption of said foregoing Order and contain an abstract thereof concisely stating its purpose and effect.

Section 2. Said Notice shall be in substantially the following form: -

RESOLUTION # 226- DIRECTING THE PUBLICATION AND POSTING OF NOTICE AND ABSTRACT OF THE ORDER APPROVING INCREASE IN MAXIMUM AMOUNT TO BE EXPENDED FOR THE IMPROVEMENT IN EXTENSION NO. 6 OF SEWER DISTRICT NO. 8 - continued:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on March 19, 1969, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted an Order entitled:

In the Matter of the Increase in the Maximum Amount to be expended for the Improvement in Extension No. 6 of Sewer District No. 8, in the Town of Clarkstown, in the County of Rockland, New York.

ORDER INCREASING THE MAXIMUM AMOUNT TO BE EXPENDED FROM \$207,000 TO \$258,884.75

an abstract of such Order, concisely stating the purpose and effect thereof,

being as follows:

FIRST: RECITING that the Town Board of the Town of Clarkstown has heretofore duly extended Sewer District No. 8, therein designated Extension No. 6 of said District, in the Town, and the maximum amount proposed to be expended for the construction of a sewer system therein as set forth in the order submitted to said Town Board, is \$207,000; that due to generally increased costs of labor and materials, preliminary costs and costs incidental thereto, said Town Board has estimated the maximum cost of constructing said sewer system in the Extension is \$258,884.75, being an increase of \$51,884.75; that following due submission of an application by said Town Board, the State Comptroller approved the increase in the maximum amount to be expended for construction of said sewer system in the Extension from \$207,000 to \$258,884.75 pursuant to Order dated February 21, 1969 and said Town Board has duly called and held a public hearing on March 19, 1969 to consider such proposed increase in the maximum amount to be expended and to hear all persons interested in the subject thereof, concerning the same and for all such other action on the part of said Town Board with relation thereto as may be required by law;

SECOND: ORDERED AND DETERMINED that it is in the public interest to increase the maximum amount proposed to be expended for the construction of a sewer system in the Extension, in the Town, from \$207,000 to \$258,884.75; AUTHORIZING such increase in the maximum amount; STATING the plan of financing is the issuance of serial bonds of the Town and the assessment, levy and collection of special assessments upon several lots and parcels of land in the Extension which the Town Board shall determine and specify to be especially benefited thereby so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same to pay the principal of and the interest on said bonds;

THIRD: ORDERED that this resolution shall take effect thirty (30) days after adoption unless within such period a petition shall be filed with the Town Clerk protesting against this order and requesting that it be submitted at a referendum in the manner provided by law.

By order of the Town Board of the
Town of Clarkstown, in the County of
Rockland, New York.

Dated: March 19, 1969

Anne E. O'Connor

Town Clerk

Section 3. This resolution shall take effect immediately.

Seconded by Councilman Bolander.

All voted Aye.

3/19/69

17

000195

(227) Councilman Bolander offered the following resolution:

WHEREAS, SHELDON GROSSBARTH and SUZANNE GROSSBARTH are desirous of granting a drainage easement to the Town of Clarkstown, located at 195 Foxwood Road, West Nyack, New York;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown accept said easement from Sheldon Grossbarth and Suzanne Grossbarth, covering premises located at 195 Foxwood Road, West Nyack, New York, more particularly described in said easement agreement dated the 14th day of March, 1969.

Seconded by Councilman Brenner.

All voted Aye.

(228) Councilman Bolander offered the following resolution:

WHEREAS, SHELDON GROSSBARTH and SUZANNE GROSSBARTH, have executed an easement to the Town for Sewer District No. 16, and

WHEREAS, said easement requires the execution by the Town of Clarkstown agreeing to certain stipulations contained therein and the payment of \$475.00 for said easement, and

WHEREAS, Murray N. Jacobson, Deputy Town Attorney, recommends that said agreement be executed by the Town of Clarkstown and said fee paid;

NOW THEREFORE, be it

RESOLVED, 1) That the Supervisor of the Town of Clarkstown is hereby authorized to execute said agreement on behalf of the Town, and 2) That Sewer District No. 16 is hereby authorized to pay the sum of \$475.00 for said easement.

Seconded by Councilman Brenner.

All voted Aye.

(229) Councilman Brenner offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown refers the application of CHARLES CATTANEO and SIGMUND JACOBSEN for a change of zoning from an R-22 and R-40 district to an R-15 district on property located on the E/S of Brewery Road, New City to the Clarkstown Planning Board.

Seconded by Councilman Bolander.

All voted Aye.

Proposed resolution authorizing the Planning Board to take necessary procedure to modify subdivision plat; tabled for future meeting.

In connection with Ramapo Valley Airport, Supervisor noted that matter must still go to Senate and Governor would have right of veto. Assemblyman Eugene Levy complimented by Supervisor for his efforts in this connection.

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

3/19/69

Commercial Union Insurance Company, of New York Maintenance Bond
5516 87 A
GENERAL CONSTRUCTION CORPORATION, Principal
Amount: \$2,600.00
Period: One (1) year - 10/15/68 - 10/14/69

Commercial Union Insurance Company of New York Maintenance Bond
#55 16 86-A
GENERAL CONSTRUCTION CORPORATION, Principal
Amount: \$700.00
Period: One (1) year - 10/15/68 - 10/14/69
Covers: Sanitary Sewers

Republic Insurance Company Performance Bond #903333
PASCACK REALTY CORPORATION, Principal (SEYMOUR & JOSEPHINE RAPKIN
Co-Principal)
Amount: \$6,600.00
Period: Two (2) years - 2/5/69 - 2/4/71
Covers: Improvements

Republic Insurance Company Performance Bond #903334
PASCACK REALTY CORPORATION, Principal (SEYMOUR & JOSEPHINE RAPKIN,
Co-Principal)
Amount: \$1,600.00
Period: Two (2) years - 2/5/69 - 2/4/71

International Fidelity Insurance Company Performance Bond #9537
R.T.B. BUILDERS, INCORPORATED, Principal
Amount: \$7776.00
Period: Two (2) years - 1/3/69 - 1/2/71
Covers: Sanitary Sewers

International Fidelity Insurance Company Performance Bond #9536
R.T.B. BUILDERS, INCORPORATED, Principal
Amount: \$29,271.10
Period: Two (2) years - 1/3/69 - 1/2/71

(230) Councilman Brenner offered the following resolution:

WHEREAS, the County of Rockland has offered the Town of Clarkstown the use of a portable pool for Central Nyack, and

WHEREAS, the Parks Board and Recreation Commission recommends to the Town Board that this would be in the best interest of the community;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown execute an agreement with the County of Rockland for said portable pool for one dollar. (\$1.00).

Seconded by Councilman Bolander.

All voted Aye.

Letter received from Joseph W. Hornik, F. E., Deputy County Superintendent of Highways in connection with proposed traffic light at intersection of Collyer Avenue and Little Town Road, New City. Town Clerk will inform Mr. Hornik that the Town Board authorized his department to proceed with the preparation of contract plans and specifications for installation of said traffic light.

(231) Councilman Brenner offered the following resolution:

RESOLVED, based upon recommendation of Councilman Philip Frohling and Chief Ernest Wiebicke, that the following traffic warning signs be installed in Central Nyack:

RESOLUTION #231 - continued:

1. YIELD - south side Depew Avenue at intersection Depew Avenue and Waldron Avenue (Depew Avenue traffic to yield to Waldron Avenue.)
2. CAUTION - east side Waldron Avenue near intersection with Depew Avenue (for northbound traffic).
3. west side Waldron Avenue near intersection with Depew Avenue (for southbound traffic) CAUTION
4. SLOW - south side of West Street approximately 100' east of intersection of Old Nyack Turnpike and West Street.
5. SLOW - west side of Pine Street immediately north of No. 4 Pine Street;

and be it

FURTHER RESOLVED, that the Highway Superintendent be authorized to install the above-mentioned signs.

Seconded by Councilman Bolander.

All voted Aye.

(232) Councilman Brenner offered the following resolution:

RESOLVED, that Mr. John Moran, 9 James Drive, Nanuet, whose term of office on the Advisory Traffic Safety Committee expires in March 1969, be reappointed for a term of five years, to March 1974.

Seconded by Councilman Bolander.

All voted Aye.

(233) Councilman Bolander offered the following resolution:

RESOLVED, that the following are hereby appointed to serve as members of the Town of Clarkstown Grievance Board, pursuant to the provisions of the contract between the Town of Clarkstown and the C.S.E.A.

1. Bruce Rogers, 23 Gerardine Place, Spring Valley and Gene Grogan, 10 Glenn Lane, New City, as the two members who are not employees of the Town and who will represent the general public.

2. Joh Samoylo, Carlann Lane, Valley Cottage, as a member who is a permanent employee of the Town, and will represent Town employees generally,

3. Charles Adams, 33 Primrose Lane, New City, who has been nominated by the C.S.E.A., and will represent employee organizations.

4. Councilman Bolander, who will represent the Town Board.

Seconded by Councilman Brenner.

All voted Aye.

(234) Councilman Brenner offered the following resolution:

WHEREAS, there is a vacancy in the position of Clerk in the Assessor's Office created by the retirement of Thorbjorg Jentoft-Nilsen, and Clerk Certificate of Eligibles CR-5 69-9 furnished by the Rockland County Personnel Office did not provide an eligible,

NOW THEREFORE, be it

RESOLUTION #234 - continued:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the provisional appointment, pending examination, of Vincenza DeKapoli, 103 Third Street, New City, New York to the position of Clerk at a salary of \$3,985.80 per annum, effective March 24, 1969.

Seconded by Councilman Bolander.

All voted Aye.

(235) Councilman Brenner offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on February 14, 1969, that the position of Typist in the Sewer (Construction) office can now be created, now therefore, be it

RESOLVED, that said position is hereby created, and be it

FURTHER RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the provisional appointment, pending examination, of Marion Youmans, 74 Prospect Avenue, Nanuet, New York to the position of Typist at a salary of \$6,149.00 per annum, effective and retroactive to March 3, 1969.

Seconded by Councilman Bolander.

All voted Aye.

(236) Councilman Brenner offered the following resolution:

WHEREAS, there is a vacancy in the position of Typist in the Supervisor's Office created by the resignation of Lynn Van der Busch, and

WHEREAS, the Rockland County Personnel Office furnished Certification of Eligibles, Typist CR-1 69-21 containing the name of Mary E. Keyes, now, therefore be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Mary E. Keyes, 41 James Street, New City, New York to the position of Typist at a salary of \$4,604.60 per annum, effective and retroactive to March 3, 1969.

Seconded by Councilman Bolander.

All voted Aye.

(237) Councilman Brenner offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on February 20, 1969, that the position of Sr. Typist in the Receiver of Taxes Office can now be created, now therefore, be it

RESOLVED, that said position is hereby created, and be it

FURTHER RESOLVED, that the Rockland County Personnel Office has approved the transfer of Evelyn Knerr from the County of Rockland, now therefore, be it

FURTHER RESOLVED, that Evelyn Knerr, 23 Elm Street, Garnerville, New York is hereby appointed to the position of Sr. Typist at a salary of \$5,319.60 per annum effective March 17, 1969.

Seconded by Councilman Bolander.

All voted Aye.

3/19/69

TBH

000199

Town Board accepted resignation of Roberta Knarich as Town Historian as of April 4, 1969 with regret.

(238) Councilman Brenner offered the following resolution:

WHEREAS, the Town Attorney's office has requested additional help,

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment of Maureen Cooney of 31 Short Hill Road, New City, New York to the position of Office Worker Student-Trainee at a salary of \$1.75 per hour effective March 19, 1969.

Seconded by Councilman Bolander.

All voted Aye.

(239) Councilman Brenner offered the following resolution:

RESOLVED, based upon recommendation of the Assessor, that the following Tax Refunds be made:

1969 Tax Refunds:

Sewer Districts: Battista Barberi
Rockland Lake Methodist Church
James Fyffe
Congers Methodist Church
Mary Marshall
John Goodman

Highway: Nathan Sher
James Fyffe

Zoning and Planning: James Fyffe
Nathan Sher

New City Fire District: James Fyffe

Consolidated Light: James Fyffe

1968 Tax Refunds:

Zoning and Planning - James Fyffe
New City Fire District - James Fyffe
Consolidated Light - James Fyffe

(See Town Clerk's files for reasons and specific amounts)

Seconded by Councilman Bolander.

All voted Aye.

Mr. Horan, representing CAPRA, appeared before the Town Board in connection with Zoning Board of Appeals decision re Germonds Bungalow Colony, reiterating their request that the Town Board bring suit against the Zoning Board of Appeals concerning their decision. After considerable discussion, meeting was set up, Building Inspector Oscar Lutz, and Mr. Murdock in attendance together with Mr. Horan and Councilman Bolander; in the Supervisor's Office, to discuss further.

(240) Councilman Bolander offered the following resolution:

WHEREAS, various streets opened for the installation of sewer pipes require a mechanical sweeper to clean the streets, and

RESOLUTION # 240 - continued:

WHEREAS, it is the obligation of the sewer contractor to clean the streets but is delayed by reason of the general shortage of this equipment, and

WHEREAS, the Town has a mechanical sweeper which is not being fully utilized,

NOW THEREFORE, be it

RESOLVED, that the Town rent to Allstate Associates a mechanical sweeper with a Town operator to clean the streets that were opened for sewer pipe installations, at per diem rate and on a per diem basis to be set and fixed by the Superintendent of Highways.

Seconded by Councilman Brenner.

All voted Aye.

(241) Councilman Bolander offered the following resolution:

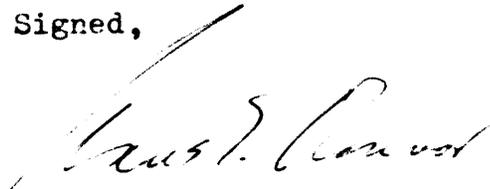
RESOLVED, based upon recommendation of the Superintendent of Highways, that all contractors performing sewer construction in the Town of Clarkstown, are hereby authorized to install "15 MPH" speed signs at all construction sites.

Seconded by Councilman Brenner.

All voted Aye.

On resolution offered by Councilman Brenner, seconded by Councilman Bolander, and unanimously adopted, Town Board meeting was adjourned until Monday, March 31, 1969 at 10:00 A. M.

Signed,


Anne E. O'Connor
Town Clerk