

TOWN BOARD MEETING

000201

Town Hall

3/31/69

10:00 A.M.

Present: Councilmen Brenner, Damiani, Frohling, Supervisor Mundt
Town Attorney; 1st Deputy Town Attorney
Town Clerk

Absent: Councilman Bolander

Supervisor Mundt called Town Board meeting to order.

(242) Councilman Brenner offered the following resolution:

WHEREAS, a subdivision known as Demarest Hills West, Section 8 was duly approved by the Clarkstown Planning Board on July 18, 1967 and filed with the County Clerk on August 4, 1967, and

WHEREAS, said subdivision approval provided for a road connection between Long Meadow Drive and Nancy Drive, and

WHEREAS, such a connection would, in the opinion of the Town Board, create a traffic hazard and endanger the safety of pedestrians and children in the area, and

WHEREAS, a review of said subdivision map indicates that adequate access, ingress and egress, is given without the connection of said road, and

WHEREAS, Section 276 of the Town Law empowers the Town Board to authorize the Planning Board to pass upon and approve the development plats already filed in the Office of the Clerk of the County in which such plats are located when such plats are entirely or partially undeveloped, and

WHEREAS, said plat known as Demarest Hills West, Section 8 is partially undeveloped;

NOW THEREFORE, be it

RESOLVED, that the Planning Board be authorized to hold a public hearing for the purpose of modifying said subdivision plat to eliminate the road connection between Nancy Drive and Long Meadow Drive and to substitute therefor a pedestrian walkway for the convenience and safety of school children in the adjoining and surrounding subdivisions.

Seconded by Councilman Frohling.

All voted Aye.

In connection with above resolution, Mr. Conrad, representing people on Nancy Drive, the Highway Superintendent, Mr. Cassels of the Planning Board, the Town Engineer, and the Supervisor to go into field to consider plan which would take in safety factors and access to school without a road (Town Engineer will set up meeting.)

Mr. Kahn appeared before the Town Board re sidewalks on Parrott Road. Highway Superintendent reported that same is on the books, should be done this year.

(243) Councilman Frohling offered the following resolution:

RESOLVED, that a sixty day extension be granted to the Clarkstown Planning Board for their recommendation on Zone Change

RESOLUTION #244 - continued

petition, 59-304 Realty Company.

Seconded by Councilman Damiani.

All voted Aye.

Re Item #3 on Agenda; discussion re deletion of road frontage - Stanley Road, New City; Murray Jacobson of the Town Attorney's Office stated item no longer necessary - easement received.

(244) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown is considering the special improvement of Louis Road and a portion of Stanley Road in New City, New York, be laid out as a highway less than three rods in width; and

WHEREAS, pursuant to Section 171 of the Highway Law, it is necessary to secure a certification from the Superintendent of Public Works of the State of New York, authorizing that a highway of less than three (3) rods be laid out;

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby waives the requirements that said road be at least three rods in width, and be it

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown respectfully request that the Superintendent of Public Works of the State of New York consents that Louis Road and a portion of Stanley Road in New City, New York, be laid out as a highway less than three rods in width, and be it

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown respectfully request said Superintendent of Public Works of the State of New York to execute a certificate in writing of the necessity therefor.

Seconded by Councilman Brenner.

All voted Aye.

Matter of letter from Clarkstown Planning Board re release of restrictive covenant requested by Princess Anna Apartments, (Alfred I. Elish), tabled.

(245) Councilman Damiani offered the following resolution:

WHEREAS, H. Barth DeHart and Dorothy DeHart, his wife, have executed an easement and are offering it to the town for Sewer District No. 20 in consideration of the sum of \$250.00; and

WHEREAS, Thomas E. Walsh and Michael H. Reeder, attorneys for Sewer District No. 20, and Murray N. Jacobson, Deputy Town Attorney, recommend that said easement be accepted 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 accept said easement on behalf of the Town, and

2. That Sewer District No. 20 is hereby authorized to pay the sum of \$250.00 for said easement.

Seconded by Councilman Frohling.

All voted Aye.

(246) Councilman Damiani offered the following resolution:

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

In the Matter of the Petition of

LAWRENCE W. BESTHOFF, LIDA ZARATIN, JOHN M. MCNAN,
FRANK ECLANDER, JR., AND PAUL MUNDT

for judgement pursuant to Article 78, CFLR,

Petitioners,

-against-

ZONING BOARD OF APPEALS OF THE TOWN OF CLARKSTOWN
AND NAT WYFAN,

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 Frohling.

On roll call the vote was as follows:

AYES: Councilmen Brenner, Damiani, Frohling

NOES: None

ABSTENTION: Supervisor Mundt

(247) Councilman Brenner offered the following resolution:

WHEREAS, a performance bond of \$1000.00 was heretofore required from contractors in connection with the performance of sewer hookup services, and

WHEREAS, the amount of the performance bond was raised to \$5000.00;

NOW THEREFORE, be it

RESOLVED, that the Town Clerk be and is hereby authorized to return the \$1000.00 performance bond heretofore filed in her office upon receipt of a new performance bond in the sum of \$5000.00, and be it

FURTHER RESOLVED, that the \$5000.00 performance bond be approved by the Town Attorney's office as to form, prior to acceptance thereof by the Town Clerk and the return of the \$1000.00 performance bonds as may have been previously filed with said Town Clerk.

Seconded by Councilman Frohling.

All voted Aye.

Messrs. D'Meza and Fogel appeared before the Town Board re two homes on Shetland Drive, New City which are occupied - building permits authorized - no drainage safeguards exist; soil erosion and water damage occurring along property. Town Engineer and Building Inspector instructed to visit site. Mr. D'Meza to attend 4/2/69 Town Board meeting at which time resolution may be adopted revoking building permits. (Matter will be placed on agenda by Town Clerk).

Councilman Brenner brought to the attention of the Town Board the fact that one of our scavengers has increased rate to \$4.00 by 4/1/69. He stated that this was illegal and that homeowners receiving notice to pay more than \$3.00, not to do so. The Sanitation Commission will take any steps required, he informed the Town Board, to see that the \$3.00 legal fee is enforced.

(248) Councilman Frohling offered the following resolution:

WHEREAS, the following has applied to the Town of Clarkstown for Certificate of Registration in Compliance with Section 34-6 of the Code of the Town of Clarkstown:

Ronald Snyder, d.b.a. Snyder's Backhoe Service
18 Rammler Lane
Bardonia, New York

NOW THEREFORE, be it

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

69:49 issued to Ronald Snyder

Dated: March 31, 1969

Seconded Councilman Brenner.

All voted Aye.

(249) Councilman Brenner offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED AUGUST 17, 1964 AND AMENDED March 31, 1969, AUTHORIZING \$2,230,000 FOR THE CONSTRUCTION OF A LATERAL SEWER SYSTEM IN SEWER DISTRICT NO. 19, IN THE TOWN OF CLARKSTOWN AND AUTHORIZING THE ISSUANCE OF \$2,230,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Recitals

WHEREAS, following preparing of a general map, plan and report for providing a lateral sewer system, including equipment and apparatus, in a sewer district proposed to be established in the Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, and after a public hearing duly called and held, the Town Board of the Town determined, pursuant to resolution duly adopted on April 13, 1964, subject to permissive referendum, that the notice of such hearing was published and posted as required by law and is otherwise sufficient; that all the property and property owners within said sewer district, proposed to be established, are benefited thereby; that all the property owners benefited are included within the limits of said sewer district, and that the establishment of said Sewer District No. 19 (herein called "District") and the construction of such lateral sewer system, including equipment and apparatus therein; and

WHEREAS, no petition signed and acknowledged by the owners of taxable real property situate in the proposed District, in the Town, as prescribed by 209-e of the Town Law protesting against said resolution and requesting that said resolution be submitted to the owners of such taxable real property for their approval or disapproval has been filed with the Town Clerk within thirty (30) days after the date of the adoption thereof, or at any other time since said adoption; and

WHEREAS, following due submission of an application by said Town Board, the State Comptroller granted permission to establish the District by Order dated July 20, 1964, which Order was

RESOLUTION AMENDING THE BOND RESOLUTION ADOPTED ON 8/17/64, APPROPRIATING \$1,450,000 FOR THE CONSTRUCTION OF A SEWER SYSTEM IN SEWER DISTRICT NO. 19 - AUTHORIZING \$2,230,000 FOR CONSTRUCTION AND AUTHORIZING ISSUANCE OF \$2,230,000 SERIAL BONDS TO FINANCE - continued :

duly filed with and presented to said Town Board, at its first meeting held after said Order was so filed; and

WHEREAS, said Town Board duly adopted an order on August 17, 1964 establishing sewer district, therein designated Sewer District No. 19, in the Town of Clarkstown, and ordering construction of said lateral sewer system, including equipment and apparatus therein, at a cost not to exceed \$1,450,000; and

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 said sewer system to be \$2,230,000, being an increase of \$780,000; and

WHEREAS, pursuant to Section 209-h of the Town Law, after a public hearing duly called and held, following receipt of an Order of the Comptroller of the State of New York, dated October 9, 1968, approving the application of the Town Board to increase the maximum amount to be expended from \$1,450,000 to \$2,230,000, the Town Board on February 19, 1969, adopted an Order, subject to permissive referendum, determining that it is in the public interest to so increase the maximum amount to be expended for construction of a sewer system in the District, and ordering such increase; and

WHEREAS, no petition signed and acknowledged by the owners of taxable real property situate in the District, against said Order and requesting that said Order be submitted to the owners of taxable real property for their approval or disapproval has been filed with the Town Clerk within thirty (30) days after the date of adoption thereof, or any other time since said adoption;

now, therefore, be it

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 County of Rockland, New York, hereby appropriates the amount of \$2,230,000 for construction of a lateral sewer system, including land or rights in land, building and original furnishings, equipment, machinery and apparatus required therefor in the District, all as hereinabove referred to in the recitals of this resolution, and all in accordance with the map, plan and estimate prepared by Nussbaumer, Clarke & Velzy, P. E., Consulting Engineers, duly licensed by the State of New York, on file in the office of Town Clerk and heretofore approved by the Town Board of the Town. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,230,000 and the plan of financing includes the issuance of serial bonds of the Town in the principal amount of \$2,230,000 and the assessment, levy and collection of assessments on the several lots and parcels of land within the District to pay the principal of said bonds and the interest thereon 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.

Section 2. To finance the said appropriation, serial bonds of the Town are hereby authorized to be issued in the principal amount of \$2,230,000 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").

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

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitation of paragraph 11.00 a. 4 of the Law, is forty (40) years.

RESOLUTION #249 BOND RESOLUTION - continued:

(b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes in anticipation thereof, pursuant to Section 107.00 d. 3 (1) of the Law.

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

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation thereof shall contain the recital of validity prescribed by paragraph 52.00 of the Law and said bonds and notes shall be general obligations of the Town, payable as to both principal and interest by a 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 notes and provision shall be made annually in the budgets of the Town by appropriation for (a) the amortization and redemption of the bonds and notes 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 paragraph 30.00 relative to the authorization of the issuance of bond anticipation notes and of paragraph 50.00 and paragraphs 56.00 to 600.00 of the Law, the powers and duties of the Town Board relative to prescribing the terms, form and content and as to the sale and issuance of the bonds hereby authorized and of any notes issued in anticipation thereof are hereby delegated to the Supervisor, the chief

Section 6. The validity of the bonds authorized by this resolution and of any bond anticipation 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 take effect immediately.

Seconded by Councilman Frohling.

All voted Aye.

(250) Councilman Frohling offered the following resolution:

RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK,
ADOPTED MARCH 31, 1969, AMENDING THE BOND RESO-
LUTION ADOPTED ON JUNE 15, 1966, APPROPRIATING
\$560,000 FOR THE CONSTRUCTION OF A SEWER SYSTEM
IN SEWER DISTRICT NO. 27, IN SAID TOWN.

Recitals

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has duly established Sewer District No. 27, in said Town, and authorized construction of a sewer system therein and adopted on June 15, 1966, the bond resolution entitled:

3/31/69

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RESOLUTION # 250 - continued:

"BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JUNE 15, 1966, APPROPRIATING \$560,000 FOR THE CONSTRUCTION OF A LATERAL SEWER SYSTEM IN SEWER DISTRICT NO. 27, IN THE TOWN OF CLARKSTOWN AND AUTHORIZING THE ISSUANCE OF \$560,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION,"

and

WHEREAS, the period of probable usefulness of said specific object or purpose for which said bonds authorized by said resolution are to be issued within the limitations of Section 11.00 a. 4 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York, as amended, is forty (40) years; and

WHEREAS, following receipt of bids for construction of such sewer system and due to generally increased costs of labor and material, preliminary costs and costs incidental thereto, said Town Board has duly authorized an increase in the maximum amount to be expended for construction of such sewer system from \$560,000 to \$705,073.66 pursuant to Section 209-h of the Town Law;

now, therefore, be it

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 bond resolution duly adopted by the Town Board on June 15, 1966, as hereinabove referred to in the Recitals hereof, is hereby amended to read as follows:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JUNE 15, 1966 AND AMENDED March 31, 1969, AUTHORIZING \$705,073.66 FOR THE CONSTRUCTION OF A LATERAL SEWER SYSTEM IN SEWER DISTRICT NO. 27, IN THE TOWN OF CLARKSTOWN AND AUTHORIZING THE ISSUANCE OF \$705,073.66 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Recitals

WHEREAS, following preparation of a general map, plan and report for providing a lateral sewer system, including equipment and apparatus, in a sewer district proposed to be established in the Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, and after a public hearing duly called and held, the Town Board of the Town determined, pursuant to resolution duly adopted on March 16, 1966, subject to permissive referendum, that the notice of such hearing was published and posted as required by law and is otherwise sufficient; that all the property and property owners within said sewer district, proposed to be established, are benefited thereby; that all the property owners benefited are included within the limits of said sewer district, and that the establishment of said sewer district is in the public interest and approved the establishment of said Sewer District No. 27 (herein called "District") and the construction of such lateral sewer system, including equipment and apparatus therein; and

WHEREAS, no petition signed and acknowledged by the owners of taxable real property situate in the proposed District, in the Town, as prescribed by 209-e of the Town Law protesting against said resolution and requesting that said resolution be submitted to the owners of such taxable real property for their approval or disapproval has been filed with the Town Clerk within thirty (30) days after the date of the adoption thereof, or at any other time since said adoption, and

WHEREAS, following due submission of an application by said Town Board, the State Comptroller granted permission to establish the District by Order dated May 31, 1966, which Order was duly filed with and presented to said Town Board, at its first meeting held after said Order was so filed; and

RESOLUTION #250 - continued:

WHEREAS, said Town Board duly adopted an order on June 15, 1966 establishing such sewer district, therein designated Sewer District No. 27, in the Town of Clarkstown, and ordering construction of said lateral sewer system, including equipment and apparatus therein, at a cost not to exceed \$560,000; and

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 said sewer system to be \$705,073.66, being an increase of \$145,073.66; and

WHEREAS, pursuant to Section 209-h of the Town Law, after a public hearing duly called and held, following receipt of an Order of the Comptroller of the State of New York, dated January 22, 1969, approving the application of the Town Board to increase the maximum amount to be expended from \$560,000 to \$705,073.66, the Town Board on February 19, 1969, adopted an Order, subject to permissive referendum, determining that it is in the public interest to so increase the maximum amount to be expended for construction of a sewer system in the District, and ordering such increase; and

WHEREAS, no petition signed and acknowledged by the owners of taxable real property situate in the District, against said Order and requesting that said Order be submitted to the owners of taxable real property for their approval or disapproval has been filed with the Town Clerk within thirty (30) days after the date of adoption thereof, or any other time since said adoption;

now, therefore, be it

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, hereby appropriates the amount of \$705,073.66 for construction of a lateral sewer system, including land or rights in land, building and original furnishings, equipment, machinery and apparatus required therefor in the District, all as hereinabove referred to in the recitals of this resolution, and all in accordance with the map, plan and estimated prepared by Nassbaumer, Clarke & Velzy, P. E. Consulting Engineers, duly licensed by the State of New York, on file in the office of the Town Clerk and heretofore approved by the Town Board of the Town. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$705,073.66 and the plan of financing includes the issuance of serial bonds of the Town in the principal amount of \$705,073.66 and the assessment, levy and collection of assessments on the several lots and parcels of land within the District to pay the principal of said bonds and the interest thereon 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.

Section 2. To finance the said appropriation, serial bonds of the Town are hereby authorized to be issued in the principal amount of \$705,073.66 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").

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

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of paragraph 11.00 a. 4 of the Law, is forty (40) years.

(b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes in anticipation thereof, pursuant to Section 107.00 d. 3 (i) of the Law.

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

3/31/69

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RESOLUTION # 250 BOND RESOLUTION - continued:

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation thereof shall contain the recital of validity prescribed by paragraph 52.00 of the Law and said bonds and notes shall be general obligations of the Town, payable as to both principal and interest by a 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 notes and provision shall be made annually in the budgets of the Town by appropriation for (a) the amortization and redemption of the bonds and notes 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 paragraph 30.00 relative to the authorization of the issuance of bond anticipation notes and of paragraph 50.00 and paragraphs 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to prescribing the terms, form and content and as to the sale and issuance of the bonds hereby authorized and of any notes issued in anticipation thereof 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 bond anticipation 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 take effect immediately.

Section 2. The amendment of the bond resolution set forth in Section 1 of this resolution shall in no way effect the validity of any liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been taken pursuant to said bond resolution as herein amended.

Section 3. The Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, as amended, in full, in "THE JOURNAL-NEWS", a newspaper published in the Village of Nyack, New York, and hereby designated as the official newspaper of said Town for such publication, together with the Town Clerk's statutory form of notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

Seconded by Councilman Damiani.

All voted Aye.

(251) Councilman Damiani offered the following resolution:

RESOLVED, that a thirty (30) day extension is granted to the Clarkstown Planning Board for their recommendation on Zone Change Petition submitted by Dillon, Peterson and Pych - to 5/1/69.

Seconded by Councilman Brenner.

All voted Aye.

3/31/69

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(252) Councilman Frohling offered the following resolution:

WHEREAS, by resolution adopted November 30, 1967, the Town Board resolved that the Receiver of Taxes make a charge for the collection of school taxes, and

WHEREAS, the collection charge for school taxes is desired to be eliminated;

NOW THEREFORE, be it

RESOLVED, that the Receiver of Taxes be and is hereby authorized to receive the school taxes in the current and future years without any collection charge until such time, if any, the Town Board resolves to the contrary.

Seconded by Councilman Damiani.

All voted Aye.

(253) Councilman Frohling offered the following resolution:

RESOLVED, based upon recommendation of the Chief of Police, that 15 MPH traffic signs be temporarily posted on Route 304 in Bouton's construction area.

Seconded by Councilman Brenner.

All voted Aye.

(254) Councilman Brenner offered the following resolution:

WHEREAS, the sewer regulations require the licensed contractors to maintain liability insurance and specific coverage for collapse, explosion and underground property damage, and

WHEREAS, many contractors have found it difficult to obtain the specific coverage for collapse, explosion and underground property damage added to their liability insurance, and

WHEREAS, it is believed that most homeowners are adequately protected through their own insurance companies for the risks involved in the special coverage for collapse, explosion and underground property damage;

NOW THEREFORE, be it

RESOLVED, that a public hearing be had at the Board Room of the Town Hall of the Town of Clarkstown at 10 Maple Avenue, New City, Rockland County, New York, on the 16th day of April 1969, at 8:15 P. M. to consider the amendment of Chapter 34 of the Code of the Town of Clarkstown entitled "Sewer District Regulations" to delete coverage for collapse, explosion and underground property damage from the requirements imposed on the licensed contractors, and it is

FURTHER RESOLVED, that pending such public hearing, the licensed contractors be and are hereby exempt from being required to furnish such coverage for collapse, explosion and underground property damage, and it is

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

Dated: March 31, 1969

Seconded by Councilman Damiani.

All voted Aye.

3/31/69

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(255) Councilman Brenner offered the following resolution:

WHEREAS, individual parcels in sewer districts in the Town of Clarkstown have commenced to hook up to the town lateral lines, and

WHEREAS, discussions have been had concerning the fees for said sewer hookups, and

WHEREAS, the current fee of a flat \$10.00 per unit is excessive when applied to properties having a large number of units and bear no relation to the actual inspection work involved, and

WHEREAS, the Town Engineer's office of the Town of Clarkstown has recommended the following schedule of inspection fees, to wit;

1 Unit	\$10.00
2 Units	20.00
5 Units	30.00
10 Units	40.00
Above 10 Units	65.00

NOW THEREFORE, be it

RESOLVED, that the inspection fee schedule as aforementioned is hereby adopted as the inspection fees for inspections of sewer hookups in the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Town Engineer's Office is hereby authorized to charge the said inspection fees as set forth in the schedule of fees herein for each hookup.

Seconded by Councilman Frohling.

All voted Aye.

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

Republic Insurance Co. Performance Bond #903459
OAK PARK ESTATES, INCORPORATED, Principal (ROSEGLLEN, W. NYACK)
Amount: \$5,000.00
Period: 2 yrs. - 3/17/69 - 3/16/71
Covers: Sewers

Republic Insurance Company Performance Bond #903458
OAK PARK ESTATES, INCORPORATED, Principal (ROSEGLLEN, W. NYACK)
Amount: \$16,000
Period: 2 years - 3/17/69 - 3/16/71
Covers: Public Improvements

Town Board signed Consents approving reduction in amount of bonds for subdivision known as Bridleridge Park. (Resolution approving reduction adopted by Town Board on 3/19/69)

(256) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Attorney of the Town of Clarkstown is hereby authorized to proceed with legal action as set forth in resolution adopted 3/31/67 in connection with flooding of Jerry's nursery caused by blockage of stream by Saieva; and to obtain order to show cause.

Seconded by Councilman Damiani.

All voted Aye.

Request made by Martin Bernstein Agency, 169 South Madison Street, New City for extension of no parking zone from the zone in front of his building and the zone in front of the Kohl building. Chief of Police Ernest F. Wiebicke stated that due to the fact that on street parking space is at a premium on Main Street, he does not feel a no parking restriction is warranted at this location at this time.

(257) Councilman Frohling offered the following resolution:

RESOLVED, based upon recommendation of the Chief of Police, that restricted parking regulation be extended on the south side of New Hempstead Road from Main Street to a point 80' west of the exit from the County Office Building parking area, and be it

FURTHER RESOLVED, that the Superintendent of Highways be directed to post the necessary signs.

Seconded by Councilman Damiani.

All voted Aye.

(258) Councilman Frohling offered the following resolution:

RESOLVED, that based upon the recommendation of Director of Purchasing, bid for furnishing one (1) Four Wheel Drive Sport Wagon-Ford Bronco, be awarded to Harverstraw Motors, West Haverstraw, N.Y. at a cost to Town of \$2,653.00.

Seconded by Councilman Damiani.

All voted Aye.

(259) Councilman Damiani offered the following resolution:

RESOLVED, that based upon the recommendation of Director of Purchasing, bid for furnishing bank run fill, be awarded to A & B Excavators, Incorporated, West Nyack, New York, at cost to Town of \$1.25 per cu. yd.

Seconded by Councilman Frohling.

All voted Aye.

(260) Councilman Damiani offered the following resolution:

RESOLVED, that based upon the recommendation of Director of Purchasing, bid for furnishing transportation for Senior Citizens, be awarded to Rockland Bus at a cost per weekly trip to and from the meetings as follows:

Nanuet Senior Citizens	--	\$37.50
Congers Senior	"	-- \$32.50
New City	"	-- \$37.50

Seconded by Councilman Brenner.

All voted Aye.

(261) Councilman Brenner offered the following resolution:

RESOLVED, that Orange & Rockland Utilities Company is hereby authorized to install two (2) street lights on Lorraine Drive (Pole #101) and Phillips Hill Road (Pole #70) at cost to Town of \$109.20 annually.

Seconded by Councilman Frohling.

All voted Aye.

3/31/69

TBM

000213

(262) Councilman Brenner offered the following resolution:

RESOLVED, that Orange and Rockland Utilities Company is hereby authorized to install one (1) street light on Pole #2 at Adams Place, New City.

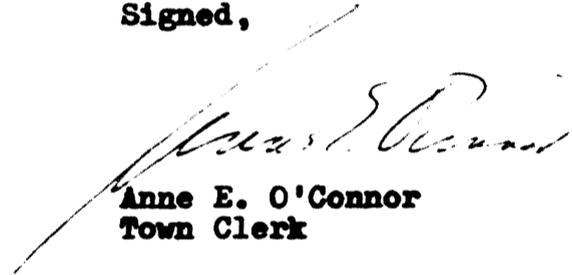
Seconded by Councilman Frohling.

All voted Aye.

Councilman Damiani reported that he made tour of shopping areas and found violations existing, viz. dumping of old cars, dead trees, refrigerators, etc. etc.; also, carts being dumped in streams. Councilman Damiani suggested that all of these areas in town be cleaned up.

Councilman Brenner mentioned that this Town Board meeting could not be cancelled out of respect of the death of Dwight D. Eisenhower because of the shortness of time. On resolution offered by Councilman Brenner, seconded by Councilman Frohling and unanimously adopted, Town Board meeting was adjourned until Wednesday, 4/2/69 at 8:00 PM, in memory of Dwight David Eisenhower.

Signed,


Anne E. O'Connor
Town Clerk