

PUBLIC HEARING

000269

Town Hall

5/7/69

8:30 P.M.

Present: Councilmen Brenner, Bolander, Damiani, Frohling,
Supervisor Mundt
Town Attorney and Staff
Town Clerk Anne E. O'Connor

RE: APPLICATION FOR CORRECTION OF ERROR IN COMPOSING ZONING ORDINANCE ADOPTED 6/30/67 ---
PROPERTY LOCATED SOUTHWEST CORNER OF NORTH MAIN STREET AND
PHILLIPS HILL ROAD, NEW CITY:

Supervisor called Public Hearing to order. Town Clerk read notice of public hearing.

Donald Tirschwell appeared as attorney for petitioners and stated the following:

Under Comprehensive Zoning Ordinance adopted by the Town Board on 6/30/67 the parcel in question was divided into two zones - R-22 and R-12. This petition concerns the location of the division line between the two zones. The Zoning Map upon which petitioner's premises are shown scales incorrectly in that at the point in question, (the point which indicates that the R-15 zone commences 350 feet from the northerly boundary line) the scaling indicates petitioners' property at this point is 452.81 feet in width. (Showed affidavit made by Robert Peachey, L. S.). The town tax maps scale at this point to 440 feet.

It was suggested by Mr. Tirschwell, that the intention of the drafters of the Comprehensive Zoning Ordinance was to have the zoning line, on petitioners' property, equally divide the parcel at this point, and run in an east-west direction along petitioners' property at this point. In error, supposedly, the map indicated the line to be 350 feet from the northerly property line. This figure should be determined by dividing the actual width in half. The Zoning Map is correct in indicating that this line divides petitioners' property in half at that point, the assumed error being in the figure of 350 feet set forth on the Zoning Map.

CORRESPONDENCE:

County Planning Board: The existing zoning map notation of '350 feet appears to clearly show that the zoning boundary between R-22 and R-15 was to be measured from the 40,000 square foot home sites located on Roseland Court. To their knowledge the map does not have, contrary to the claim of the applicant, any area that was zoned so as to place one-half a property in one district and the other half in another district.

The Town Planning Board recommended, in their 1966 Proposed Revisions to Zoning Ordinance, (in order to carry out the intent of the Town Plan) that the applicant's property be zoned R-40 and R-22. The R-22 District line coincided with the rear property boundaries of the 40,000 square foot home sites on Roseland Court.

Town Planning Board: It was resolved that Town Planning Board take no position pro or con, therefore no recommendation was made regarding the appropriate decision of the Town Board on this petition. (They attached correspondence received from Rockland County Planning Board (3/18/69) and Manuel S. Emanuel Associates (3/20/69) each of which letters concerns itself with the particular situation existing at the particular time to which it refers. (Copies of letters in Town Clerk's file).

PUBLIC HEARING - continued:

000271

RE: APPLICATION FOR CORRECTION OF ERROR IN COMPOSING ZONING ORDINANCE ADOPTED 6/30/67 --
PROPERTY LOCATED SOUTHWEST CORNER OF NORTH MAIN STREET AND
PHILLIPS HILL ROAD, NEW CITY:

CORRESPONDENCE: (cont)

MANUEL S. EMANUEL, AIP (Enclosed 3/20/69 letter to Clarkstown Planning Board)

Intent was to divide the property equally between R-22 and R-15 at time the Comprehensive Zoning Ordinance was adopted. When the dimension of 350 feet was established, it was done by virtue of the scaled width on the Clarkstown Base Map which measured approximately 700 feet. However, this dimension was later found to be incorrect after a check was made of the Town's Tax Map. The property in question actually was found to measure about 500 feet in width indicating that the Zoning Map dimension should actually have been 250 feet.

IN FAVOR: No one appeared.

OPPOSED:

Mr. Hagopian, 5 Eileen Avenue, New City: If granted, would increase R-15 100 feet to the north; requested that new zoning line be moved to the south and R-22 adjacent to one acre property be maintained.

Mr. Corshen: Petitioners should have come forward when 22 corrections were brought to light shortly after adoption of map. Granting would increase our R-5 and decrease R-22 area. Road would also take away from R-22 area - opposed.

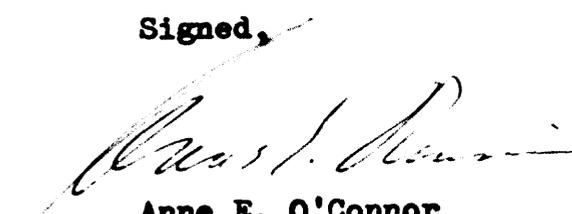
Mr. Bert Strauss: East-West line 3000 feet long. Moving that line 100 feet - 300,000 square feet change in area. This means 20 new homes; School Board figures three school children for each home - 60 extra school children. Cost - \$1200.00 each; \$72,000.00 per year. 2-3 extra teachers would be needed at \$7000.00 to \$8000.00 each year. Would create demand for 2½ extra school rooms. School taxes would be small for additional 60 homes, so that in addition to losing R-22 property, we would also have more taxes - opposed.

REBUTTAL: (Donald Tirschwell):

Mr. Emanuel admits error was made; unfortunate that he did not take it up. Submitted sketch plat as requested, to the Planning Board in February. Had no knowledge of need to correct the error at time other corrections of errors were made. At suggestion of Town Attorney, this was handled as zone change petition.

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

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

5/7/69

8:45 P.M.

000273

Present: Councilmen Brenner, Bolander, Damiani, Frohling, Supervisor Mundt
Town Attorney's Office
Town Clerk Anne E. O'Connor

RE: PROPOSED INCREASE IN THE MAXIMUM AMOUNT TO BE EXPENDED FOR SEWER DISTRICT NO. 16:
(From \$1,426,000 to \$2,150,000)

Supervisor Mundt called public hearing to order. Town Clerk read notice of public hearing.

Supervisor stated that this increase will not have direct effect on the taxpayer.

Jerome Trachtenberg appeared as attorney for Sewer District #16.

Town Clerk Anne E. O'Connor sworn in and testified as to proper posting and publication of Notice of Public Hearing.

Mr. George Suttie of the firm of Charles R. Velzy Associates, Consulting Engineers to the town sworn in and stated the following:

Reason for requested increase: All the roads had to be done from edge to edge. Application submitted to Audit and Control who approved petition. Cost to users will not be increased - there will be decrease. There is a 28% cut to the average homeowner in the area below the estimated that was set in the report. \$724,000 increase: 1) Edge to Edge: 2) \$90,000 interest that had to be spent on overall amount owed. 3) \$25,000 increase after the contract was let. 28% below what the estimate had been.

Councilman Bolander: In the original specs was there a paragraph concerning the paving of the roads? Answer: Yes. Ath the time we were going to pave only where excavation was done. Then it was decided to go from edge to edge. Added amount only for road already in.

Suttie: (continued): \$80,000 increase when the Rockland County Interceptors were put in another area than was originally set out, which cut down the cost of total amount being done but added extra work in our area.

We also had a substantial increase for easements: \$10,000 set aside; \$24,000 increase over the \$10,000, \$34,000 expense on easements in that area.

That all added up to \$640,000; and contingency added to that.

Councilman Bolander requested line by line report on what has been expended before these hearings for increase.

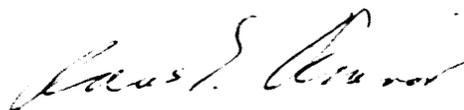
No further witnesses. No futher questions.

IN FAVOR: No one appeared.

OPPOSED: No one appeared.

On Resolution offered by Councilman Damiani, seconded by Councilman Frohling and unanimously adopted, public hearing was closed.

Signed,



Anne E. O'Connor
Town Clerk

PUBLIC HEARING

000275

Town Hall

5/7/59

9:00 P.M.

Present: Councilman Brenner, Bolander, Damiani, Frohling, Supervisor Mundt
Town Attorney's Office
Town Clerk Anne E. O'Connor

RE: PROPOSED INCREASE IN MAXIMUM AMOUNT TO BE EXPENDED FOR SEWER DISTRICT NO. 17:
(From \$1,173,000 to \$1,475,000.)

Supervisor called public hearing to order. Town Clerk read notice of public hearing.

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

Town Attorney mentioned that error in public notice which stated increase was to \$1,450,000; actual amount it is being increased to is \$1,475,000.00 - \$25,000 difference - it should not invalidate this hearing.

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

\$1,173,000 when formed. New York State Department of Audit and Control has approved said increase. Boundaries of district have not changed.

Reasons for increase: \$125,000.00 increase for paving from edge to edge. \$85,000.00 increase on the interest that had to be expended. \$25,000.00 increase in the work overall. 10% added on to that to cover contingencies. This comes up to requested increase.

Re Building costs: HUD Aid - \$220,000 which can be applied, which would mean a net increase of \$82,000. However, since this work is completed and done and all the roads are repaved and homeowners are hooking up, we have \$85,000 below what we are asking. HUD Aid will pay for all of the increase we are asking for. 1965 bill 18% below estimate. There will be no addition to this.

No witnesses. 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 BOARD MEETING

000277

Town Hall

5/7/69

8:00 P.M.

Present: Councilmen Brenner, Bolander, Damiani, Frohling, Supervisor
Mundt
Town Attorney Donald S. Tracy
First Deputy Town Attorney
Deputy Town Attorney
Town Clerk Anne E. O'Connor

Supervisor called Town Board meeting to order.

(345) Councilman Damiani offered the following resolution:

RESOLVED, that minutes of Town Board meeting held on 4/16/69
are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Brenner.

All voted Aye.

(346) Councilman Bolander offered the following resolution:

RESOLVED, that time for receiving bids for the construction
of Sewer District #34 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 Brenner.

All voted Aye.

The following bids were received:

A. CESTONE	
Glen Ridge, N. J.....	\$140,430.30
EDWARD HUEGEL	
Pearl River, N.Y.....	\$129,913.30
BECKERLE-BROWN	
Pearl River, N.Y.....	\$134,788.90

All bids to Mr. George Suttie of Charles R. Velzy, Consult-
ing Engineers for recommendation.

Messrs. Joseph Murphy and Val Dagaev for the Committee of
Concerned Citizens appeared before the Town Board in connection with
violations existing in the operations of the Ramapo Valley Airport. A
prepared list of ordinances to control noise problems and safety in
this connection was submitted to the Town Board. Supervisor Mundt will
set up meeting with all concerned to resolve problems on cooperative
basis. Councilman Frohling suggested that the Building Inspector be
asked if any violations exist at present.

5/7/69

TBM

(347) Councilman Brenner offered the following resolution:

RESOLVED, that regular Town Board meeting is hereby adjourned in order to hold scheduled public hearings.

Seconded by Councilman Bolander.

All voted Aye.

(348) Councilman Damiani offered the following resolution:

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

Seconded by Councilman Frohling.

All voted Aye.

(349) Councilman Brenner offered the following resolution:

RESOLVED, that the application of RIDGE ROAD BUILDERS, INC., for a change of zoning from an R-22 district to an R-15 district, on property located on the south side of West Clarkstown Road, New City, N. Y. be reserved for decision.

Seconded by Councilman Bolander.

All voted Aye.

(350) Councilman Damiani offered the following resolution:

RESOLVED, that the matter of the application of MANNY APPELBAUM AND ABRAHAM MELTZER, Owners, for correction of an error in the Comprehensive Zoning Ordinance is hereby reserved for decision.

Seconded by Councilman Frohling.

All voted Aye.

(351) Councilman Brenner offered the following resolution:

RESOLVED, that based upon the recommendation of consulting engineers, that the bid for construction of sewer district #34 at a cost of \$129,913130 is hereby awarded to EDWARD HUEGEL, Pearl River, New York.

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 7th day of May, 1969.

In the Matter of the Increase in the Maximum Amount to be Expended for the Improvement in Sewer District No. 16, in the Town of Clarkstown, in the County of Rockland, New York.

ORDER INCREASING THE MAXIMUM AMOUNT TO BE EXPENDED FROM \$1,426,000 TO \$2,150,000.

WHEREAS, the Town Board of the Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, has heretofore duly established Sewer District No. 16, in the Town, (herein called "District") pursuant to applicable provisions of the Town Law and the maximum amount proposed to be expended for the construction of a sewer system therein as set forth in the petition submitted to said Town Board is \$1,426,000;

5/7/69

TBM

000279

ORDER INCREASING THE MAXIMUM AMOUNT TO BE EXPENDED FOR SEWER DISTRICT NO. 16 FROM \$1,426,000 TO \$2,150,000 - continued:

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 \$2,150,000, being an increase of \$724,000; 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 from \$1,426,000 to \$2,150,000 pursuant to Order dated March 5, 1969; and

WHEREAS, pursuant to Section 209-h of the Town Law, said Town Board has duly called and held a public hearing on May 7, 1969, at the Town Hall, New City, in the Town, at 8:45 o'clock P.M. (D.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 District in the Town, from \$1,426,000 to \$2,150,000 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 District 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 District, 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: MAY 7, 1969

PRESENT:

Town Board of the Town of Clarkstown, N.Y.

Paul F. Mundt, Supervisor
Philip Frohling, Jr.
James V. Damiani, Councilman
William Brenner, Councilman
Frank Bolander, Councilman

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

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 7th day of May, 1969.

In the Matter of the Increase in the Maximum Amount to be Expended for the Improvement in Sewer District No. 17, in the Town of Clarkstown, in the County of Rockland, New York.

ORDER INCREASING THE MAXIMUM AMOUNT TO BE EXPENDED FROM \$1,173,000 TO \$1,475,000.

WHEREAS, The Town Board of the Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, has heretofore duly established Sewer District No. 17, in the Town, (herein called "District") pursuant to applicable provisions of the Town Law and the maximum amount proposed to be expended for the construction of a sewer system therein as set forth in the petition submitted to said Town Board is \$1,173,000;

5/7/70

TBM

000280

ORDER INCREASING THE MAXIMUM AMOUNT TO BE EXPENDED FOR THE IMPROVEMENT OF SEWER DISTRICT NO. 17 FROM \$1,173,000 to \$1,475,000 cont.:

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 \$1,475,000, being an increase of \$302,000; 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 from \$1,173,000 to \$1,475,000 pursuant to Order dated March 5, 1969; and

WHEREAS, pursuant to Section 209-h of the Town Law, said Town Board has duly called and held a public hearing on May 7, 1969, at the Town Hall, New City, in the Town, at 9:00 o'clock P.M. (D.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 District in the Town, from \$1,173,000 to \$1,475,000, 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 District 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 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 situated in the District, 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: May 7, 1969

PRESENT:

TOWN BOARD OF THE TOWN OF CLARKSTOWN,
NEW YORK

Paul F. Mundt, Supervisor
Philip J. Frohling, Jr., Councilman
James V. Damiani, Councilman
William Brenner, Councilman
Frank Bolander, Jr.

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

Mr. Robert W. Warner, Jr., 320 Strawtown Road, New City appeared before the Town Board re drainage problem. Town Engineer was requested to submit estimate in written form to enable Town Board to allocate funds for alleviation. Mr. Warner will contact the Town Attorney to draw up easements so matter can be handled at the next Town Board meeting.

Messrs. Brown and Block of Nanuet appeared before the Town Board re letter in empty lot belong to town. Matter referred to Councilman Frohling who will investigate and report back to the Town Board at the next Town Board meeting.

5/7/69

TBM.

000281

(352) Councilman Damiani offered the following resolution:

WHEREAS, it is necessary for the Town of Clarkstown, its agents, subcontractors, and licensees to excavate in state highways for the purpose of installing various items of public works, and

WHEREAS, it is required that a surety bond in the amount of \$50,000.00 be posted by the Town of Clarkstown with the Department of Public Works of the State of New York in order to indemnify the State of New York against damages resulting from said excavation;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Supervisor of the Town of Clarkstown is hereby authorized on behalf of the Town of Clarkstown and as its agent to execute the application for said surety bond, and all other documents necessary to effectuate the obtaining of said surety bond.

Seconded by Councilman Frohling.

All voted Aye.

(353) Councilman Bolander offered the following resolution:

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

Jospeh Travaglini, 4 Lake Road, Congers, New York
Charles O. DePiero, 88 Upper Saddle Road, Montvale, N.J.
A & R Plumbing and Heating, 32 Mallory Dr., Spring Valley, N.Y.
Walter Hicks, 55 Burnside Ave., Congers, N.Y.
Redwood Construction Corp., 151 S. Main St., New City, N.Y.
Ludwig Schafft, 8 Deerfield Dr., New City, N.Y.
Harvey J. Sampson, 131 Burd St., Nyack, N.Y.
John De Maio, 14 Grandview Ave., Spring Valley, N.Y.

NOW THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued as follows:

No. 69-67 to Joseph Travaglini
No. 69-61 to Charles O. DePiero
No. 69-62 to A & R Plumbing and Heating
No. 69-63 to Walter Hicks
No. 69-64 to Redwood Construction Corp.
No. 69-65 to Ludwig Schafft
No. 69-66 to Harvey J. Sampson
No. 69-68 to John DeMaio

Seconded by Councilman Frohling.

All voted Aye.

Annual Report of the Fire District Treasurer for the year ended 12/31/68 received from the Central Nyack Fire District.

Councilman Damiani reported that re temporary access road - Thornwood Hills Estates - has maps and work schedule which has to be passed by the town Planning Board. Councilman Damiani will forward same to Planning Board and notify President of the Civic Association that this is being done.

(354) Councilman Brenner offered the following resolution:

RESOLVED, that the Town Clerk is authorized to sign hydrant order (Inves. No. 6567) authorizing Spring Valley Water Company to install one (1) hydrant on west side of Charles Street, approximately 377 feet south of the south curb line of Old Nyack Turnpike.

Seconded by Councilman Bolander.

All voted Aye.

(355) Councilman Frohling offered the following resolution:

WHEREAS, Item 19 in the above referenced executed sewer district contracts provides an option for the Town, and a reservation of rights thereto, to delete the aforesaid work item from the contract entirely, and

WHEREAS, it is deemed more advantageous to the Town of Clarkstown to delete Item 19 entitled "Replacement of Bituminous Macadam Wearing Courses" from the contract for Sewer Districts Nos. 18, 19, 20, 22 and 23 and to assign said work item to the Clarkstown Highway Department;

NOW THEREFORE, be it

RESOLVED, that pursuant to the provision of Item 19, Section D-19.1 of the contracts for the above-referenced sewer districts, the Town hereby exercises its right to delete that work item from the contracts entirely and the Town Clerk is directed to serve a certified copy of this resolution on the contractors involved, and be it

FURTHER RESOLVED, that the Clarkstown Superintendent of Highways is hereby authorized and directed to assume the responsibility for Item 19, Replacement of Bituminous Madadam Wearing Courses, in the above-referenced sewer district contracts.

Seconded by Councilman Damiani.

All voted Aye.

(356) Councilman Damiani offered the following resolution:

WHEREAS, the Town Board by resolution adopted the 30th day of April 1969 authorized the planning for the addition to the existing Town Hall and related facilities, and

WHEREAS, various structures presently exist on the newly acquired Town Hall Expansion Site, and

WHEREAS, it is deemed in the best interest of the Town to demolish and clear said structures from the site at this time;

NOW THEREFORE, be it

RESOLVED, that the Superintendent of Highways is hereby authorized to demolish existing structures on the newly acquired Town Hall Expansion site and to level and clear said properties.

Seconded by Councilman Brenner.

All voted Aye.

(357) Councilman Frohling offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles list #6835 - Police Patrolman, containing the name of Joseph Slapp,

NOW THEREFORE, based upon the recommendation of the Chief of Police, Ernest F. Wiebicke, be it

5/7/69

TBM

C20283

RESOLUTION #357 continued:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Joseph Slapp, 15 Bayview Drive, Stony Point, New York to the position of Police Patrolman at a salary of \$8,000.00 per annum; effective May 19th, 1969.

Seconded by Councilman Damiani.

All voted Aye.

(358) Councilman Frohling offered the following resolution:

WHEREAS, due to the heavy volume of sewer construction in the lateral sewer program of the Town of Clarkstown, sewer inspectors may be required to work hours in excess of the basic work week, and

WHEREAS, Section 1.6 of the contract between the Town of Clarkstown and the Clarkstown Unit of the CSEA makes provision for such overtime for office employees, and

WHEREAS, it is deemed consistent to apply the same procedures to sewer inspectors;

NOW THEREFORE, be it

RESOLVED, that overtime work is hereby authorized for sewer inspectors in the Town Engineer's Office; any such overtime actually worked to be compensated for at the rate of time and one half pay.

Seconded by Councilman Damiani.

All voted Aye.

(359) Councilman Brenner offered the following resolution:

WHEREAS, S. TILLIM & COMPANY, INCORPORATED, is desirous of granting a drainage easement to the Town of Clarkstown, located at Western Highway, West Nyack, New York;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown accept a drainage easement from S. Tillim & Company, Incorporated, covering premises located at Western Highway, West Nyack, New York; more particularly described in said easement dated the 2nd day of May, 1959.

Seconded by Councilman Frohling.

All voted Aye.

Letter received from Department of Transportation, Charles E. Besanceney, Director of Traffic Engineering and Safety re proposal to regulate parking on Main Street, Route 304 when the Nanuet Shopping Center is opened or this section of Route 304 could become seriously congested. They suggested local action be initiated to provide the Department of Transportation and again strenuously state that parking must remain until some alternative is arranged by way of off street parking. Councilman Bolander stated he was in agreement.

(360) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Clerk is authorized to contact the Department of Transportation to again strenuously state that parking on Main Street, Nanuet must remain until some alternative is arranged by way of off street parking.

Seconded by Councilman Bolander.

All voted Aye.

000284

Appraisal Report for Sewer District #6 (Sewer Disposal Plant) received from George Hall. Will be circulated among Town Board members for their information.

(361) Councilman Frohling offered the following resolution:

WHEREAS, the Town of Clarkstown has the responsibility of making fiscally sound present and future plans of financing for the development of the numerous Capital Improvement Projects to be provided for its citizens, and

WHEREAS, the Town, in order to protect its credit ratings and financial standing prior to and during the financing and construction of these Capital Improvements Projects, will require the assistance of Investment Bankers specializing in Municipal Finance to advise the suitability of the financing plans to adjust to the requirements and life of each project, to comply with the plans of the Town as a whole, and to take into account the development and financing of future Town Projects, and

WHEREAS, the Town deems it advisable to engage and execute a contract with Herbert J. Sims and Company, Incorporated to continue the availability of financial consultation to the Town;

NOW THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute a contract with Herbert J. Sims and Company, Incorporated to effectuate the above purposes, and be it

FURTHER RESOLVED, that by copy of this resolution, the contract heretofore existing and authorized between the Town of Clarkstown and Goldman, Sachs & Company is hereby terminated with the exception of the joint contract between the Town of Clarkstown, Town of Orangetown and Goldman, Sachs and Company which has been substantially completed and which is to be completed by the said Goldman, Sachs & Company.

Seconded by Councilman Damiani.

All voted Aye.

(362) Councilman Damiani offered the following resolution:

RESOLVED, that the Town Planning Board is hereby granted a sixty (60) day extension for their recommendation re Zone Change Application made by C. CATTANEO & S. JACOBSEN (R-22 & R40 to R-15) property located E/S Brewery Road, New City. To 7/7/69

Seconded by Councilman Frohling.

All voted Aye.

(363) Councilman Damiani offered the following resolution:

WHEREAS, the Nanuet Public Library is a Free Library Association providing library service to inhabitants of the Town of Clarkstown, and

WHEREAS, said Nanuet Public Library has requested that the Town of Clarkstown blacktop the area to the side and rear of the library owned by said Nanuet Public Library, 149 Church Street, Nanuet, New York, and

WHEREAS, it has been determined that the cost of blacktopping said property would be a maximum of \$2,000.00, and

WHEREAS, Section 256 of the Education Law of the State of New York provides that towns may grant aid to free association libraries,

NOW THEREFORE, be it

RESOLVED, that pursuant to Section 256 of the Education Law of the State of New York (1) the Highway Superintendent of the Town of Clarkstown is authorized to blacktop the area to the side and rear of the Nanuet Public Library, 149 Church Street, Nanuet,

5/7/69

TBM

00285

RESOLUTION #363 - continued:

New York, and (2) the sum, not to exceed \$2,000.00, be transferred from CURRENT SURPLUS-GENERAL TO TOWN HIGHWAY ACCOUNT-ITEM No. 4.

Seconded by Councilman Bolander.

All voted Aye.

Re drainage complaint made by Mr. Craus, 23 West View Avenue, Congers, New York; Supervisor suggested that he come before the Town Board to explain the problem, with map, before Town expends monies to alleviate. Town Engineer will prepare map for Town Board; Highway Superintendent, Town Engineer and Supervisor, together with any Board member that wishes to accompany them, will visit site at 1:30 P.M. Thursday 5/8/69 to investigate.

(364) Councilman Damiani offered the following resolution:

RESOLVED, that based upon the recommendation of the Town Engineer, the amount of \$2240.00 be allocated from Drainage Project #4 Account to alleviate drainage problem existing at residence of Herbert Noil, Gillis Avenue, Central Nyack, New York.

Seconded by Councilman Brenner.

All voted Aye.

Proposed resolution authorizing transfer of \$5,000.00 from Current Surplus-General to Town Hall Building Addition Account to pay for invoice submitted by Seymour D. Gurlitz for architectural services rendered to date - table, until bond resolution becomes effective.

(365) Councilman Frohling offered the following resolution:

WHEREAS, the Assessor has requested additional 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 six months of John G. Purtil, 33 Carolina Drive, New City, New York to the position of Jr. Draftsman Trainee-Student at a salary of \$1.75 per hour, effective and retroactive to May 5, 1969.

Seconded by Councilman Damiani.

All voted Aye.

(366) Councilman Brenner offered the following resolution:

WHEREAS, the promotional examination in the title #6902 - Secretarial Assistant 11 failed to produce an eligible list, now therefore, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the second provisional appointment, pending examination of Emily Gardiner of 77 Demarest Avenue, West Nyack, New York to the position of Secretarial Assistant 11 - Town Engineer's Office at a salary of \$7,121.40 per annum; effective May 7, 1969.

Seconded by Councilman Damiani.

All voted Aye.

(367) Councilman Damiani offered the following resolution:

WHEREAS, the promotional examination in the title #6907 - Secretarial Assistant 1 - failed produce an eligible list, not therefore, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the second provisional appointment, pending examination, of Irène Saccende, 11 Windmill Lane, New City, New York to the position of Secretarial Assistant 1 - Parks Board & Recreation Commission at a salary of \$6,149.00 per annum; effective May 7, 1969.

Seconded by Councilman Brenner.

All voted Aye.

Councilman Damiani informed Town Board that he received letter from Lake DeForest Development Corporation advising that temporary access and emergency road to Kings Highway will be installed within thirty days after approval by the Clarkstown Planning Board.

Mr. Ghiazza of the Parks Board and Recreation Commission presented report to Town Board in connection with parking situation in Town Hall area. Supervisor will circulate this report to Town Board members; matter tabled for 5/21/69 Town Board meeting. (Proposed resolution authorizing Town Board to enter into lease with New City Properties Incorporated held)

(368) Councilman Brenner offered the following resolution:

WHEREAS, Regulation 2.4 of the Town of Clarkstown Attendance Rules provides for an extension of sick leave with pay to any permanent employee who has used up all his sick leave, vacation, holidays, overtime and personal leave credits, provided, however, that compensation for such extended sick leave at one-half (½) the normal salary, not exceeding one month for each completed two years of continuous Town Service,

AND WHEREAS, HOWARD HORNSBY has used all his available sick leave, vacation, holidays, overtime and personal leave credits,

NOW THEREFORE, upon the recommendation of Paul Bailey, Assessor, be it

RESOLVED, that Howard Hornsby be paid one half (½) his normal salary not to exceed five and one half (5-½) months, starting May 5, 1969.

Seconded by Councilman Damiani.

All voted Aye.

(369) Councilman Frohling offered the following resolution:

WHEREAS, the present subdivision regulations adopted by the Planning Board on January 5, 1965 and approved by the Town Board

5/7/69

TBM

000287

RESOLUTION #369 - continued:

on March 8, 1965, provide for the installation of sidewalks in subdivisions, and

WHEREAS, requests for waiver of sidewalks have heretofore been accomplished by the Planning Board under the waiver authority in said subdivision regulations, and

WHEREAS, the Town Board feels that the waiver of sidewalks is a policy determination to be considered by the legislative branch and policy making branch of local government;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby directed to prepare an amendment of the Subdivision Regulations which would require all requests for waiver of sidewalks to be acted upon by the Town Board, and be it

FURTHER RESOLVED, that the Planning Board, in enacting such a regulation, further provide that basic information such as proximity to schools, absence or presence of sidewalks in contiguous subdivision, etc. be furnished to the Town Board, provided said Town Board, and be it

FURTHER RESOLVED, that the Planning Board, in enacting such a regulation, further provide that basic information such as proximity to schools, absence or presence of sidewalks in contiguous subdivision, etc. be furnished to the Town Board, provided said Town Board requests an advisory opinion or recommendation from the Planning Board.

Seconded by Councilman Damiani.

All voted Aye.

Councilman Brenner reported that he requested letter from Orange and Rockland Utilities which would indicate their intention so town can prepare budget for lighting. At next Town Board meeting, Councilman Brenner will have all subdivision lights analyzed.

At a meeting of the Town Board of the Town of Clarkstown, Rockland County, New York, held at the Meeting Room of the Town Hall, at 10 Maple Avenue, New City, in said Town of Clarkstown on the 7th day of May 1969.

PRESENT:

PAUL F. MUNDT,	SUPERVISOR
PHILIP J. FORHLING, JR.,	COUNCILMAN
FRANK BOLANDER,	COUNCILMAN
JAMES V. DAMIANI,	COUNCILMAN
WILLIAM BRENNER,	COUNCILMAN

IN THE MATTER OF PETITION for the Extension of the Water Supply District to include Section 11-Capall Builders, Incorporated in the Town of Clarkstown, Rockland County, New York.

WHEREAS, a written Petition dated 4/1/69 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York, for the Extension of the Water Supply District in the said Town, to be bounded and described as follows:

SCHEDULE "A"

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York, as shown on a filed subdivision map entitled "FINAL SUBDIVISION PLAT, SECTION 2, CAPALL BUILDERS INCORPORATED, TOWN OF CLARKSTOWN, ROCKLAND COUNTY, NEW YORK" dated May 1968, revised June 28, 1968, made by Ostertag and McDougall, filed in the Rockland County Clerk's Office on November 1, 1968, in Book 76 of Maps, Page 72 as Map #3793, including all streets and easements as shown on said filed map.

5/7/69

TBM

000288

ORDER CALLING PUBLIC HEARING - Section 11-Capall Builders, Incorporated
continued:

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 21st day of May 1969, at 8:30 P.M. E.D.S. time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Dated: May 7, 1969

In connection with letter from Charles Cassels, Administrative Assistant, Planning Board re Parkland Homes, Congers - Councilman Damiani will check out with Planning Board first. (Request was made that Town Board give him direction on whether to process or deny).

Councilman Bolander brought up condition existing on Route 304 on right hand side of road beyond the new pumping station. Town Engineer requested to investigate.

Councilman Bolander, stating that town dump still on fire, stated he would like to discuss, in executive session, at length on Monday evening.

Councilman Frohling received letter from Chief of Nanuet Fire Department re installation of buildings, developments, streets, and hydrants, requesting that he be informed of said installations. Town Clerk will contact Planning Board to notify Fire Departments of any final approval of subdivision plats within their respective districts.

(370) Councilman Brenner offered the following resolution:

RESOLVED, that all Fire Chiefs in the Town of Clarkstown be notified re the installation of new fire hydrants for the fire district and also it be part of Planning Board Procedure to Notify respective fire chiefs of any final approval of Subdivision Plats within their respective districts.

Seconded by Councilman Frohling.

All voted Aye.

Councilman Frohling informed the Town Board that there should be zone correction on e/s of Route 303, West Nyack stating that this property has seven commercial properties; viz. lumber yard, two service stations, candy company, real estate office, etc. Always in commercial zone. For some reason, during change of the recent map, they were placed in residential zone. We have application from candy company to change back to commercial zone. This would create spot zone, so we should take care of entire strip to return all of these properties to original commercial zone. It was suggested to Councilman Frohling that this be referred to the Planning Board.

5/7/70

TBM

000289

(371) Councilman Brenner offered the following resolution:

RESOLVED, that Messrs. Bolander, Damiani and Tracy are hereby authorized to attend a two-day workshop at Cornell University, Ithaca, New York re Collective Negotiations on June 30 and July 1, 1969 and be it

FURTHER RESOLVED, that all expenses be made a proper Town charge.

Seconded by Councilman Frohling.

All voted Aye.

Highway Superintendent received petition to install a 3-way STOP at the intersection of Ruth Drive and Lexington Road in New City. Referred to Chief of Police for recommendation.

(372) Councilman Brenner offered the following resolution:

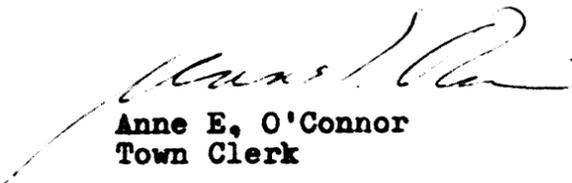
RESOLVED, that the Highway Superintendent is hereby authorized to advertise for bids for traffic light at intersection of Collyer and Little Tor in New City, said bids to be returnable 5/21/69 at 8:05 P.M.

Seconded by Councilman Frohling.

All voted Aye.

On resolution offered by Councilman Damiani, seconded by Councilman Bolander and unanimously adopted, Town Board meeting was adjourned until Wednesday, 5/21/69 at 8:00 P.M.

Signed,


Anne E. O'Connor
Town Clerk