

SPECIAL TOWN BOARD MEETING

000291

Town Hall

5/12/69

8:00 PM

Present: Councilmen Brenner, Bolander, Damiani, Frohling, Supervisor Mundt,  
Town Attorney Donald S. Tracy, Town Clerk Anne O'Conner.  
Supervisor Mundt called Special Town Board meeting to order.

(373) Councilman Damiani offered the following resolution:

RESOLVED, that the Special Town Board Meeting is hereby closed, in order  
to hold scheduled Public Hearing re: Mecurio.

Seconded by Councilman Bolander.

All voted Aye.

(374) Councilman Brenner offered the following resolution:

RESOLVED, that Patrolman Joseph Mecurio is hereby suspended from the  
police force for a period of sixty(60) days at the discretion of Police Chief.

Seconded by Councilman Frohling.

All voted Aye.

(375) Councilman Damiani offered the following resolution:

RESOLVED, that based upon the recommendation of the Town Engineer, the  
amount of \$1394.00 be allotted from Drainage Project #4 to alleviate drainage problem  
existing at property of William J. Kraus, 23 West View Avenue, Congers, New York.

Seconded by Councilman Brenner.

All voted Aye.

Councilman Brenner offered the following resolution:

(376) RESOLVED, that the Historic Review Board is hereby increased from three(3)  
to five (5) members.

Seconded by Councilman Damiani,

On roll call the vote was as follows:

AYES: Councilmen Brenner, Damiani, Frohling, Supervisor Mundt.

NOES: Councilman Bolander

Councilman Damiani offered the following resolution:

(377) WHEREAS, a resolution has been prepared authorizing the Superintendent  
of Highways to demolish presently existing structures on the proposed Town Hall complex  
expansion site, and

WHEREAS, the Town of Clarkstown Recreation Commission is presently  
occupying one structure on said site, and

WHEREAS, by virtue of the foregoing, it becomes necessary to seek suitable space to house the operations of this important Town function, and

WHEREAS, such space has been sought and it has been determined that a proposal by New City Properties, Inc. for the rental of space at 151 South Main Street, New City, New York, is suitable and most advantageous from the viewpoint of economics and location, and

WHEREAS, the proposal is to rent 1,209 square feet at a monthly rental of \$494.00 per month;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute a lease with New City Properties, Inc. for a total term of two years for the rental of said space, said lease to be effective as of June 1, 1969, and be it

FURTHER RESOLVED, that the Town Attorney's Office approve said lease as to form.

Seconded by Councilman Frohling.

All voted Aye.

(378)

Councilman Bolander offered the following resolution:

WHEREAS, due to the Town Hall Expansion Site Program it has become necessary to demolish the Office of the Sewer Coordinator on Demarest Avenue, New City, New York, and

WHEREAS, the Town of Clarkstown is desirous of leasing premises from New City Properties, Inc., at 151 South Main Street, New City, New York to house the office of the said coordinator,

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute a lease for 565 square feet of space at \$5.00 per foot, per month, for a term of one year to commence on the 1st day of June 1969; pro-rated from Sewer District Account.

Seconded by Councilman Damiani.

All voted Aye.

(379)

Councilman Brenner offered the following resolution:

WHEREAS, HARRY MARCUS, is desirous of granting a drainage easement to the Town of Clarkstown; located at East Street, West Nyack, New York;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown accept a drainage easement from Harry Marcus, covering premises located at East Street, West Nyack, New York; more particularly described in said easement dated the 8th day of May, 1969.

Seconded by Councilman Damiani.

All voted Aye.

000283

On resolution offered by Councilman Damiani, seconded by Councilman Bolander and unanimously adopted, Special Town Board meeting was adjourned until Wednesday, 5/21/69 when regularly scheduled Town Board meeting will be held.

Signed,



Anne E. O'Conner

Town Clerk

PUBLIC HEARING

000285

Town Hall

5/21/69

8:15 PM

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

RE: SPECIAL PERMIT APPLICATION MADE BY ADLER, SMITH & WRIGHT

Property located on the southerly side of Route 59, West Nyack:

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

PLANNING BOARD RECOMMENDATIONS:

COUNTY: Granting will not be detrimental to State Route 59.

CLARKSTOWN: APPROVAL-- with understanding that Site Plan will be submitted to the Clarkstown Planning Board for approval; and required building and zoning regulations of the town will be complied with.

Mr. John Hekker, Esq. appeared before the Town Board as attorney for petitioners and stated the following:

Property located on the south side of Route 59, south of Besso, or opposite the Foreign Cars of Rockland County. Located on the east-bound lane of Route 59.

Premises presently in RS zone, which permits the construction and location of gas filling station by Special Permit only.

Mr. Hekker presented as Exh. 1: Letter from Village of Nyack stating that a water main exists in Route 59 in the vicinity of Besso Street, West Nyack, which is presently available for use in that particular area.

Exhibit II: Letter from West Nyack Fire Enging Co. #1, Inc., stating that in connection with handling of fires in Gasoline Filling Stations, they are well prepared to handle fires that might occur at Gasoline Filling Stations. In addition to water carried on their equipment, they also carry Foam and Slix. Fire extinguishers are also carried for small fires of this type. Presently there are several Gasoline Filling Stations within their district, and they have occasionally been called upon to extinguish fires associated with gasoline.

Exhibit III: There is at present time sufficiently police protection in the area of Route 59 and Besso Street, West Nyack.

WITNESS I: Mr. George Geulich, 145 South Main Street, New City, New York:

Real Estate Broker and Appraiser for seven years; resides in Rockland County for thirty years. Familiar with location; character of area definitely commercial, manufacturing. Presently zoned for amusements. Re: nature of business in vicinity-- East-- Rockland Fence Company. To the right-- Charco; behind that Kiddie Park; immediately in back of subject property--Truck storage and service area.

Premises rectangular; 151+ front and back, and 200' on end side.

While it appears to be flat--it is marshy--depression in middle of property. Public facilities (water, transportation, fire, police, etc. ) adequate.

Re: Sewer facilities: None at present time. Percolation tests of this particular piece of property are sufficient to accomodate the facility intended to be located thereon. Would not create any intense traffic congestion. Turnabout immediately in front of this property on 2-lane divided highway+ deceleration lane.

Would not, in his opinion, adversely effect property values or character of this area. Would not impair health, safety, morals, of the Town of Clarkstown. Dangerous or objectionable elements would not be present.

Parcel in question not located within 300' of any church or place of business assembly, nor within 25' of any residential district.

Petitioner will covenant against parking of five vehicles outside enclosure, since it is less than one acre. All major repairs will be constructed in an interior and not in the exterior of any structure located on the subject property.

Re: number of gas stations on vicinity: Within one-mile radius on Route 303 - 7-8 gasoline filling stations exist.

Councilman Brenner: 2 on southwest side; 3 on northeast side; one on northwest side; 2 on west side of 59, opposite this property and one also east bound lane between Nanuet and Nyack.

Petitioner for Special Permit has possible user -- Capital Improvement  
Amount proposed: \$100,000.00 - Sun Oil Co. is making negotiation for site.

IN FAVOR: No one appeared.

OPPOSED:

1. Charles Hekker; 412 Route 59, Nanuet: Service station operator 34 years - problem obtaining help now; cannot make profit. (Sells 10,000 gal. a month earnings & profits low)

REBUTTAL: (Mr. Hekker) Re: economics - no zoning change can be denied solely on the basis of economics. Sun Oil Co. capable of taking business risks and they will look into this. Re: number of stations- There are stations within the area (5-6); they are not this traffic pattern. The one station between Nanuet and Nyack will not jeopardize business of other stations on this area. 50 notices sent to persons in area in connection with this petition - only one objected.

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

Signed,

  
Anne E. O'Conner  
Town Clerk

PUBLIC HEARING

000289

Town Hall

5/21/69

8:30 PM

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

RE: PROPOSED EXTENSION OF WATER SUPPLY DISTRICT TO INCLUDE CAPALL BUILDERS, INC.-SEC. II:

Councilman Damiani, in his capacity as Deputy Supervisor, chaired public hearing and called same to order.

Town Clerk read Notice of Public Hearing.

Murray N. Jacobson, Deputy Town Attorney in Charge of Special Districts ascertained the following from John Hekker, attorney for petitioners, after Mr. Hekker was sworn in by Deputy Supervisor.

Proposed extension will benefit all the property owners within the proposed extension. All property owners who will benefit from this proposed extension are included within the limits of the proposed extension.

Would be in public interest to grant. Will provide fire protection for the safety and well-being of property and lives and would bring about a reduction of fire insurance rates.

In connection with ponding area which caused complaints from residents appearing at hearing residing on Hearth Court, attorney for petitioner, Mr. John Hekker stated he would mention said ponding area to developer.

OPPOSED: No one appeared.

IN FAVOR: No one appeared.

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

Signed,

  
Anne E. O'Conner  
Town Clerk

TOWN BOARD MEETING

000301

Town Hall

5/21/69

8:00 PM

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

Deputy Supervisor James Damiani chaired Town Board meeting.

(380) Councilman Brenner offered the following resolution:

RESOLVED, that resolution #372, adopted 5/7/69 setting time for opening of bids for furnishing Traffic Lights on Collyer and Little Tor, New City, New York is hereby rescinded, and be it

FURTHER RESOLVED, that based upon recommendation of the Supt. of Highways that time for opening of said bids be reset for 6/4/69 at 8:05 PM, in order to enable Highway Supt. to prepare specifications for same.

Seconded by Councilman Bolander.

All voted Aye.

(381) Councilman Brenner offered the following resolution:

(INSERT SPECIAL FINDINGS AND RESOLUTIONS DENYING PERMIT APPLICATION MADE BY MOBIL OIL CORPORATION FOR GAS FILLING STATION AT INTERSECTION OF THE SOUTH SIDE OF ROUTE 59 WITH THE WEST SIDE OF SMITH STREET, MANUET, NEW YORK.)

Seconded by Councilman Damiani.

On roll call the vote was as follows:

AYES: Councilmen Brenner, Damiani

ABSTENTIONS: Councilmen Bolander, Frohling. MOTION NOT CARRIED.

Town Attorney suggested that since there was no quorum, determination Re: above be adjourned until quorum is present. (Town Attorney's office to check on ruling.) (See Page 2 of Minutes.)

(382) Councilman Brenner offered the following resolution:

RESOLVED, that Town Board meeting be adjourned in order to hold scheduled public hearings.

Seconded by Councilman Bolander.

All voted Aye.

(383) Councilman Damiani offered the following resolution:

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

Seconded by Councilman Frohling.

All voted Aye.

(384) Councilman Brenner offered the following resolution:

RESOLVED, the decision of the Special Permit Application for a Gasoline Filling Station on S/S Route 59, West Nyack, New York, made by Adler, Smith & Wright is hereby reserved.

Seconded by Councilman Bolander.

All Voted Aye.

Town Attorney informed Town Board that under Sec. 63 of Town Law, motion denying Mobil Oil Corp., application for Special Permit be withdrawn and tabled until 5/29/69 Town Board Meeting.

Town Board signed Order Extending Water Supply District to include Capall Builders, Inc. - Sec. II.

In the Matter of the Petition for Extension of the Water Supply District to include Section II-Capall Builders, Inc. In the Town of Clarkstown, Rockland County, New York.

A petition in this matter for the extension of the Water Supply District \_\_\_\_\_ of the Town of Clarkstown, excluding any portion already in an existing district, having been duly presented to the Town Board, and an Order having been duly adopted by the Town Board on the 1st day of April 1969, for the hearing of all persons interested in the matter on the 21 day of May, 1969 at 8:30 PM E.D. S. Time, at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, New York, and a Hearing by the said Board having been duly held at such time and place, and it having been duly resolved and determined following such hearing that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all property and property owners within the proposed extension were benefitted thereby, that all property and property owners benefitted were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved, it is hereby

ORDERED, that the Water Supply District \_\_\_\_\_ District of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town of Clarkstown, described as follows:

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 the State of New York, as shown on a filed subdivision map entitled "FINAL SUBDIVISION PLAT, SECTION 2, CAPALL BUILDERS INC., TOWN OF CLARKSTOWN, ROCKLAND COUNTY, NEW YORK" dated May 1968, revised June 28, 1968, made by Ostertag and McDougall, filed in the Rockland County's Clerk Office on November 1, 1968, in the Book 76 of Maps, Page 72 as Map #3793, including all streets and easements as shown on said filed map.

DATED May 21, 1969

000305

William Brenner, Councilman

Frank Bolander, Jr., Councilman

James Damiani, Jr., Deputy Supervisor

Philip J. Frohling, Jr., Councilman

Town Engineer presented report in connection with alleviating drainage problem existing at residence of Robert W. Warner, Jr., 320 East Strawtown Road, New City, New York; with cost estimate of \$2534.00. Matter tabled.

Proposed resolution authorizing transfer of \$5,000.00 for payment of invoice to Seymour D. Gurlitz, A.I.A. for architectural services - tabled.

Re: recommendation from Police Chief for 3-way stop sign on Ruth and Lexington, New City - Highway Superintendent to obtain permission from residents on Ruth Drive - tabled.

(385) Councilman Frohling offered the following resolution:

RESOLVED, that minutes of Town Board meetings held on 4/30/69 and 5/7/69 are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Brenner.

All voted Aye.

Alexander Teitler, Attorney at Law, 200 Main Street, Manuet, New York appeared before the Town Board in behalf of the business men located on Main Street, Manuet, New York--  
Re: proposed restriction of curb parking made by State. Requested that Committee be designated to meet with responsible persons in Sears Roebuck and businessmen in Manuet to discuss matter. Also requested, that if proposed meeting does not bring about solution, Town Board adopt resolution requesting the Board of Supervisors to petition the state to convey Main Street, Manuet to the county. (Full statement in Town Clerk's File.) After considerable discussion, Rep. of Manuet Hebrew Centre, Mr. William Zeller, Mrs. Waentig and Donald Partridge, representing business people; Town Board adopted the following resolution:

(386) Councilman Brenner offered the following resolution:

RESOLVED, that Supervisor is hereby authorized to appoint committee to meet with businessmen on Main Street, Manuet, New York, County Highway Superintendent, Mr. M. N. Sinacori of the State Dept. of Transportation and all persons involved to bring about solution to proposed parking ban made by the State.

Seconded by Councilman Frohling.

All voted Aye.

Mrs. Dorothy Knapp - Re: Fisher Ave.: Councilman Frohling advised Mrs. Knapp that there is a proposal for by-pass, which would include a portion of Fisher Avenue. Engineering study now being made by County Highway Supt. , which will be submitted to the Board of Supervisors in 30 days. When this study is completed, people in area will be contacted to notify them of this proposal.

Mr. Richard Sullinger, Helen Road, Valley Cottage, New York, appeared before the Town Board Re: hazardous condition of Helene Road - mud - storm sewer covered, etc. (Town Board recessed for discussion Re: same.)

Town Board signed petition submitted by the Highway Superintendent to abandon portion of Third Street, Nanuet. (Town Clerk to record same with County).

Attorney representing Emil Altman, 40 Silverbirch Lane appeared before the Town Board requesting permission to have his client put a 45' ranch on a piece of property - encroaching upon town drainage easement. Town Attorney informed Town Board that permission to encroach depends on Town Board. Highway Supt. and Town Engineer to present recommendation to Town Board at Town Board meeting to be held 5/29. (Note from T/C: P. 18)

Mr. Herbert Anderson Hearth Court appeared before the Town Board Re: Stagnant water in area mosquitoes, etc. He was informed that report from Town Engineer forthcoming; based upon his report - Town Board will act. Councilman Frohling requested that Planning Board be made aware of this report; Town Engineer requested to investigate instalation of hydrant and ponding. Re: dead trees - (developer burying trees and recovering), 25' hole, covered by developer. Town Engineer requested to investigate.

(387)

Councilman Bolander offer the following resolution:

WHEREAS, the following are desibous of granting drainage easements to the Town of Clarkstown located in Valley Cottage, New York:

William R. King and Doris King

Grace V. Burckardt

Harry C. Schell and Arlene F. Achell

Mario R. Albe and Marie E. Albe

Edward Barry and Beatrice Barry

Joseph Fox and Florence Fox

George Charles Luper and Marguerite Luper

Jack German and Rachel German

Frances Von Bargaen, Dorothy Mallon and Mildred Mallon

000309

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown accept the foregoing drainage easements located in Valley Cottage, New York, more particularly described in said easements.  
Seconded by Councilman Brenner. All voted Aye.

(388) Councilman Brenner offered the following resolution:

RESOLVED, that the Town Clerk is authorized to sign Hydrant Order for installation of one(1) hydrant on west side of Tave Lane approx. 295' south of south curb line of Laurel Road, New City, New York - Inves. #6090.

Seconded by Councilman Frohling.

All voted Aye.

Re: proposal for street lighting layout for Charles Street, Nanuet;  
Councilman Brenner cancelled same. Town Clerk will notify Orange and Rockland Utilities.

(389) Councilman Brenner offered the following resolution:

RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK ADOPTED MAY 21, 1969,  
APPROVING THE IMPROVEMENT OF LOUIS ROAD AND A PORTION OF STANLEY ROAD IN NEW CITY, IN SAID TOWN, AT AN ESTIMATED MAXIMUM COST OF \$9,000.00, AND PROVIDING THAT SUCH RESOLUTION TO PERMISSIVE REFERENDUM.

#### Recitals

WHEREAS, the Town Board of the Town of Clarkstown (Herein called "Town Board" and "Town," respectively), in the County of Rockland, New York, duly adopted an order on September 20, 1967, calling for a public hearing for the improvement of Louis Road and a portion of Stanley Road, (herein called "Improvement" and "Street" respectively), in New City, in the Town of Clarkstown, by paving thereof, and directing the Town Clerk to prepare an Order Calling Public Hearing for October 9, 1967, at 8:15 PM (D.S.T.) at the Board Room, Town Hall, 10 Maple Avenue, New City, in the Town, and such Order recited a description of the improvement proposed, the maximum amount proposed to be expended for said improvement, and the area benefitted, and specifying the time when and the place where, the Town Board would meet to consider said improvement and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of Section 200 of the Town Law; and

WHEREAS, a public hearing in the matter was duly held by the Town Board at said time and place, at which all interested persons desiring to be heard were heard,

including those in favor of, and those opposed to, the proposed Improvement;

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

Section 1. It is hereby determined that

- (a) the Order Calling Public Hearing was published and posted as required by law, and is otherwise sufficient;
- (b) all the property and property owners included within the improvement area are benefitted thereby;
- (c) all the property and property owners benefitted are included within the improvement area;
- (d) it is in the public interest to make the improvement.

Section 2. The Improvement of the Street by paving approximately 1,300 lineal feet thereof, is hereby approved pursuant to the definite plans and specifications and estimate of the cost prepared by the Town Engineers with the assistance of the Town Attorney pursuant to a resolution duly adopted by the Town Board on October 9, 1967. The outstanding offer of dedication of the Street, as hereinafter described, is hereby accepted. The benefitted area shall be all the real property fronting or abutting on both sides of the Improvement, more particularly described as follows:

ALL that certain plot, piece or parcel of land situate, lying and being in the Hamlet of New City, known as Louis Road and a portion of Stanley Road being particularly bounded and described as follows:

BEGINNING at a point on the southerly side of New Hempstead road where the southerly side of New Hempstead Road is intersected by the westerly side of Louis Road and running thence from said point of beginning (1) South 16° 46' 35" west, 361.56 feet to a point; thence (2) South 15° 37" west 97.75 feet to a point; thence (3) South 23° 23' 05" West 104.10 to a point; thence (4) South 11° 42' 50" West 126.44 feet to a point; thence (5) South 70° 33' 15" East 467.42 feet to a point; thence (6) South 71° 23' East 100.33 feet to a point; thence (7) North 17° 09' 15" East 20 feet to a point; thence (8) North 71° 23' West 99.68 feet to a point; thence (9) North 70° 33' 15" West 449.82 feet to a point thence (10) North 11° 42' 50" East 106.94 feet to a point; thence (11) North 23° 23' 05" East 103.40 feet to a point; thence (12) North 15° 37' East 98.81 feet to a point; thence (13) North 16° 46' 35" East 362.20 feet to a point; thence on the southerly side of New Hempstead Road; thence along the southerly side of New Hempstead Road; (14) South 75° 19' 25" East 20.01 feet to a point or place of beginning.

Section 3. The maximum amount proposed to be expended for the improvement of the Street, by paving thereof, including gutters, drainage, landscaping, grading or improving the rights of way, is \$9,000.00, which is planned to be financed by the issuance of serial bonds of the Town and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the benefitted, pursuant to the Town Law, to pay the principal of and interest on said bonds.

Section 4. This resolution shall take effect thirty days after 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 proposed benefitted area, as shown upon the latest completed assessment roll of the Town, pursuant to Section 200 of the Town Law, protesting against this resolution and requesting that the matter be submitted to the owners of taxable real property situate in the proposed benefitted area at a referendum in the manner provided by the Town Law.

Seconded by Councilman Brenner.

All voted Aye.

(390) Councilman Bolander offered the following resolution:

RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK ADOPTED MAY 21, 1969, DIRECTING THE PUBLICATION AND POSTING OF NOTICE AND ABSTRACT OF THE RESOLUTION APPROVING THE IMPROVEMENT OF LOUIS ROAD AND A PORTION OF STANLEY ROAD, IN NEW CITY, IN SAID TOWN.

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York, shall, within ten days after the adopted by the Town Board of said Town, of the resolution entitled:

"Resolution of the Town of Clarkstown, New York, adopted May 21, 1969, approving the improvement of Louis Road and a portion of Stanley Lane, in New City, in said Town, at an estimated maximum cost of \$9,000.00, and providing that such resolution shall be subjected to permissive referendum,"

cause to be published at least once in "THE JOURNAL NEWS" the official newspaper of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in at least five (5) public places in and along the Louis Road and Stanley Road improvement, 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. Said Notice shall be in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on May 21, 1969, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a resolution entitled:

"Resolution of the Town of Clarkstown, New York, adopted May 21, 1969, approving the improvement of Louis Road and a portion of Stanley Road in New City, in said Town, at an estimated maximum cost of \$9,000.00, and providing that such resolution shall be subject to permissive referendum,"

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

FIRST: RECITING that the Town Board of the Town of Clarkstown duly called and held a public hearing for the improvement of Louis Road and a portion of Stanley Road, in New City, in the Town of Clarkstown by paving thereof, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed improvement;

000314

SECOND: DETERMINING that the Order Calling Public Hearing was published and posted as required by law, and is otherwise sufficient; all the property owners included within the improvement area are benefitted and included within the improvement area; it is in the public interest to make the improvement;

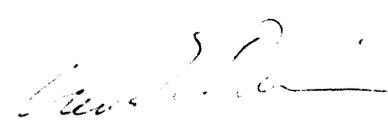
THIRD: APPROVING the improvement of Louis Road and a portion of Stanley Road by paving approximately 1,300 lineal feet thereof pursuant to the definite plans and specifications and estimated of the cost prepared by the Town Engineers and the proposed contract for the work prepared by said Engineers with the assistance of the Town Attorney; pursuant to a resolution duly adopted by the Town Board on October 9, 1967; ACCEPTING the offer of dedication of the street therein described; STATING the benefitted area shall be all the real property fronting or abutting on both sides on the Improvement, more particularly described therein;

FOURTH: STATING the maximum amount proposed to be expended therefore, is \$9,000.00, which is planned to be financed by the issuance of serial bonds of the Town and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the benefitted area which the Town Board shall deem especially benefitted, pursuant to the Town Law, to pay the principal of and interest on said bonds;

FIFTH: STATING this resolution shall take effect thirty days after adoption, unless there shall be filed with the Town Clerk's a petition signed and acknowledged by the owners of taxable real property situate in the proposed benefitted area, as shown upon the latest completed assessment roll of the Town, pursuant to Section 200 of the Town Law, protesting against this resolution and requesting that the matter be submitted to the owners of taxable real property situate in the proposed benefitted area at a referendum in the manner provided by the Town Law.

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

DATED: MAY 21, 1969

  
ANNE E. O'CONNOR,  
Town Clerk

Section 3. This resolution shall take effect immediately.

Seconded by Councilman Brenner.

All voted Aye.

(391) Councilman Brenner offered the following resolution:

RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 21, 1969, APPROVING THE IMPROVEMENT OF AVENUE C, IN NANUET, IN SAID TOWN, AT AN ESTIMATED MAXIMUM COST OF \$3,000, AND PROVIDING THAT SUCH RESOLUTION SHALL BE SUBJECT TO PERMISSIVE REFERENDUM.

Recitals

WHEREAS, the Town Board of the Town of Clarkstown (herein called "Town Board" and "Town," respectively), in the County of Rockland, New York, duly adopted an order on November 20, 1968, calling a public hearing for the improvement of Avenue C, (herein called "Improvement" and "Street", respectively) in Nanuet, in the Town, by paving thereof, and directing the Town Clerk to prepare an Order Calling Public Hearing for December 18, 1968, at 8:15 o'clock P. M. (D.S.T.) at the Town Board Room, Town Hall, 10 Maple Avenue, New City, in the Town, and such Order recited a description of the improvement proposed to be expended for said improvement, and the area benefitted, and specifying the time when and the place where, the Town Board would meet to consider said improvement and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of Section 200 of the Town Law; and

WHEREAS, a public hearing in the matter was duly held by the Town Board at said time and place, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed Improvement;

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

Section 1. It is hereby determined that

- (a) the Order Calling Public Hearing was published and posted as required by law, and is otherwise sufficient;
- (b) all the property and property owners included within the improvement area are benefitted thereby;
- (c) all the property and property owners benefitted are included within the improvement area;
- (d) it is in the public interest to make the improvement.

Section 2. The Improvement of the Street by paving approximately 200 lineal feet thereof, is hereby approved pursuant to the definite plans and specifications and estimate of the cost prepared by the Town Engineers with the assistance of the Town Attorney pursuant to a resolution duly adopted by the Town Board on December 18, 1968. The outstanding offer of dedication of the Street, as hereinafter described, is hereby accepted. The benefitted area shall be all the real property fronting or abutting on both sides of the Improvement, more particularly described as follows:

ALL that certain plot, piece or parcel of land situate, lying and being in the Hamlet of Nanuet, known as Avenue C, being particularly bounded and described as follows:

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BEGINNING at a point on the southerly side of First Avenue, which point is 152.50 feet westerly on a course of N 88° 56' 03" W from an iron pipe which is at the northeast corner of the lands now or formerly of William and Elizabeth Lester, and running from said point of beginning (1) S 10° 38' 50" W 200 feet to a point; thence (2) N 89° 18' 00" W 50.76 feet to a point; thence (3) N 10° 38' 50" E 200.32 feet to a point on the southerly side of First Avenue S 88° 56' 05" E 50.70 feet to the point or place of beginning.

Section 3. The maximum amount proposed to be expended for the improvement of the Street, by paving thereof, including gutters, drainage, landscaping, grading or improving the rights of way, is \$ 3,000.00, which is planned to be financed by the issuance of serial bonds of the Town and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the benefitted, pursuant to the Town Law, to pay the principal of and interest on said bonds.

Section 4. This resolution shall take effect thirty days after 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 proposed benefitted area, as shown upon the latest completed assessment roll of the Town, pursuant to Section 200 of the Town Law, protesting against this resolution and requesting that the matter be submitted to the owners of taxable real property situate in the proposed benefitted area at a referendum in the manner provided by the Town Law.

Seconded by Councilman Frohling.

All voted Aye.

(392) Councilman Bolander offered the following resolution:

RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 21, 1969, DIRECTING THE PUBLICATION AND POSTING OF NOTICE AND ABSTRACT OF THE RESOLUTION APPROVING THE IMPROVEMENT OF AVENUE C, IN NANUET, IN SAID TOWN.

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 days(10) after the adoption by the Town Board, of said Town, of the resolution entitled:

"Resolution of the Town Of Clarkstown, New York, adopted May 21, 1969 approving the improvement of Avenue C, in Nanuet, in said Town, at an estimated maximum cost of \$3,000.00, and providing that such resolution shall be subject to permissive referendum," 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 and along the Avenue C improvement, 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.

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

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on May 21, 1969, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a resolution entitled:

"Resolution of the Town of Clarkstown, New York, adopted May 21, 1969, approving the improvement of Avenue C, in Nanuet, in said Town, at an estimated maximum cost of \$3,000.00, and providing that such resolution shall be subject to permissive referendum,"

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

FIRST: RECITING that the Town Board of the Town of Clarkstown duly called and held a public hearing for the improvement of Avenue C, in Nanuet, in the Town by paving thereof, at which all interested persons desiring to be heard, including those in favor of, and those opposed to, the proposed Improvement;

SECOND: DETERMINING that the Order Calling Public Hearing was published and posted as required by law, and is otherwise sufficient; all the property and property owners included within the improvement area are benefitted thereby; all the property and property owners benefitted are included within the improvement area; it is in the public interest to make the improvement;

THIRD: APPROVING the improvement of Avenue C by paving approximately 200 lineal feet thereof pursuant to the definite plans and specifications and estimate of the cost prepared by the Town Engineers and the proposed contract for the work prepared by said Engineers with the assistance of the Town Attorney; pursuant to a resolution duly adopted by the Town Board on December 18, 1968; ACCEPTING the offer of dedication of the street therein described; STATING the benefitted area shall be all the real property fronting of abutting on both sides of the Improvement, more particularly described therein;

FOURTH: STATING the maximum amount proposed to be expended therefor, is \$3000.00, which is planned to be financed by the issuance of serial bonds of the Town and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the benefitted area which the Town Board shall deem especially benefitted, pursuant to the Town Law, to pay the principal of and interest on said bonds;

FIFTH: STATING this resolution shall take effect thirty days after adoption unless there shall be filed with the Town Clerk's a petition signed and acknowledged by the owners of taxable real property situate in the benefitted area as shown upon the latest completed assessment roll of the Town, pursuant to Section 200 of the Town Law, protesting against this resolution and requesting that the matter be submitted to the owners of taxable real property situate in the proposed benefitted area at a referendum in the manner provided by the Town Law.

000318

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

DATED: MAY 21, 1969

ANNE E. O'CONNOR  
Town Clerk

Section 3. This resolution shall take effect immediately.

Seconded by Councilman Brenner.

All voted Aye.

Re: proposed Bond Resolution authorizing construction of a building to be used as a Community Center situate on Waldron Ave. and West Broadway, Central Nyack; stating estimated maximum cost is \$200,000.00; and authorizing issuance of \$200,000.00 serial bonds to finance said appropriation - tabled for 5/29/69 Town Board meeting.

(393)

Councilman Frohling offered the following resolution:

WHEREAS, the Planning Board, by letter dated January 9, 1969, recommended the abandonment of a temporary turnaround consisting of 1,391 sq. ft. shown of Lot C-8 of a subdivision map entitled "Woodbrook Estates", and

WHEREAS, such portion is being abandoned due to the extension of Gerke Avenue into Carlyle Avenue, and

WHEREAS, Sec. 212-a of the Highway Law authorizes the abandonment of portions of town highways by resolution of the Town Board which are of no further use for highway purposes to said town, and

WHEREAS, said law requires an affirmation recommendation of the Town Superintendent of Highways with the consent of the County Superintendent of Highways;

NOW THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute and act in the name of the Town a quit claim deed for sum of \$1.00 of the lands to be abandoned in favor of the abutting property owner upon the recommendation of the Town Superintendent of Highways and the consent of the County Superintendent of Highways.

Seconded by Councilman Brenner.

All voted Aye.

(394) Councilman Frohling offered the following resolution:

RESOLVED, that Chief Ernest Wiebecke is hereby authorized to attend the Law Enforcement Officers Workshop at Moran Memorial Institute, St. Lawrence University, Canton, New York, from June 22, 1969 through June 27, 1969, and be it

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

Seconded by Councilman Brenner.

All voted Aye.

(395) Councilman Brenner offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to sign Hydrant Order Inves. #6379 - and is hereby authorized the installation of five(5) hydrants at various locations no Greenfield Road, Cypress Street and Scher Drive, New City, New York.

Seconded by Councilman Frohling.

All voted Aye.

(396) Councilman Brenner offered the following resolution:

RESOLVED, that the application of Winn, Arthur L. and Sadie N. , for a change of zoning from an IO district to an R-S district, on property located Route 59 and College Avenue, Manuet, New York be referred to the Planning Board for report pursuant to the provisions of 8.41, 8.42 and 8.421 of the Clarkstown Building Zone Ordinance, and also to the Rockland County Planning Board pursuant to Sections 239\_1 and 239-a of the General Municipal Law.

Dated: May 21, 1969

Seconded by Councilman Frohling.

All voted Aye.

(397) Councilman Frohling offered the following resolution:

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

Ralph Tamburro  
194 Main Street  
Manuet, New York

NOW THEREFORE, be it

RESOLVED, THAT THE FOLLOWING Certificates of Registration be issued:

No. 69-69 to Ralph Tamburro  
No. 69-70 to At-Will Plumbing & Sewer Service of Rockland Co., Inc.

Seconded by Councilman Brenner.

All voted Aye.

(398) Councilman Bolander offered the following resolution:

RESOLVED, that Linda Modafferi, of Undercliff Drive, Upper Nyack, New York, be permanently appointed to the position of Senior Registry Clerk - Town Clerk's Office at a salary of \$5577.00 per annum: Effective 5/21/69.

Seconded by Councilman Frohling.

All voted Aye.

000320

(399) WHEREAS, a hazardous condition has been reported to exist on property designated on Tax Map as Lot 14.13, Block A, Map 21, said property being owned by Meshulem Rottenberg, 184 Maple Avenue, Monsey, New York, and

WHEREAS, the Fire Inspector, Building Inspector, New City Fire Chief, and the Police Chief have recommended that town institute proceedings as stipulated in Chapter 43 of the Code of the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney be instructed to institute proceedings to correct this hazardous condition.

Seconded by Councilman Bolander.

All voted Aye.

(400) Councilman Brenner offered the following resolution:

WHEREAS, WARD PAVEMENTS, INC. has petitioned the Town Board of Town of Clarkstown for a Special Permit for the excavation, or 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 and Route 304 in the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to said ordinance 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 18<sup>th</sup> day of June, 1969, at 8:15 PM to consider said application for Special Permit; and it is

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

All voted Aye.

Town Board signed Order calling Public Hearing Re: Establishment of Proposed Sewer District No. 37 -- 6/4/69 - 8:15 PM

WHEREAS, the Town Board of the Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, has heretofore duly caused to be prepared a general map, plan and report for providing a lateral sewer system in Sewer District No. 37 (herein called "District"), proposed to be established in the Town, consisting of construction of lateral sewers within the District tributary to the proposed Rockland County Sewer District interceptor and disposal system and tributary to existing lateral sewers in Sewer District No. 28, in the Town, including manholes, house connection stubs brought to a point one foot beyond the edge of roads, any necessary pumping stations and force mains and all other appurtenances required for a complete lateral sewer system, necessary improvements in connection therewith, acquisition of necessary land and rights in land, and original equipment, machinery and

appratus, which map, plan and report have been duly filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, said Town Board has determined to proceed with the establishment of the proposed District and the construction of such lateral sewer system therein; and

WHEREAS, the proposed District is more particularly bounded and described as follows:

All the map, block and lot numbers herein mentioned or described, refer to the tax maps of the Town of Clarkstown, Rockland County, New York, for the year 1968 on file in the Town Hall, 10 Maple Avenue, New City, New York.

Northerly Boundary

Beginnign at a point on the existing boundary line between the Town of Clarkstown and the Town of Ramapo where it is intersected by the boundary line of the Village of Spring Valley, which said point is located approximately 150 east of Rose Avenue in Lot 8-A-25; thence easterly along said Town boundary line to a point where the Town line changes from a generally east-west direction to a generally north-south direction, which said point is the southwestern most corner of Sewer District No. 9; thence easterly along the boundary line of the Sewer District No. 9 and the notherly side of Lot 165-A-3.01, to a point on the northerly side of said Lot 165-A-3.01 where the boundary line between Sewer Districts No. 9 and 28 meet; thence continuing easterlu along the north side of Lot 165-A-3.01 and the boundary line of Sewer District No. 28 to the northeasterly side corner of said Lot 165-A-3.01, which point is at the intersection of the boundary lines of Sewer Districts No. 28 and 30;

Easterly Boundary

thence southerly along the westerly boundary line of Sewer District No. 30, which line is coincident with the easterly side of Lot 165-A-3.01, to the southeast corner of said Lot 165-A-3.01, which point is the southwestern most corner of Sewer District No. 30 and on the westerly boundary line of Sewer District No. 28, crossing Smith Road, the Erie Railroad Right-of-Way, the New York State Thruway, and New York State Route 59, to a point where the westerly boundary of Sewer District No. 28 meets the boundary of Sewer District No. 17 at the northeasterly corner of Lot 162-D-33.31; thence in a generally southerly direction along the westerly boundary line of Sewer District No. 17, crossing Convent Road, to a point on the boundary line of Sewer District No. 17 250 feet south of Convent Road, which point is on the westerly side of Lot 4-A-7;

Southerly Boundary

thence across said Lot 4-A-7 true west 1060 feet, true south 430 feet, and true west 500 feet; thence true south across Lots 4-A-7, 2,3 and 4 to a point on the southerly side line intersects the boundary line of the Town of Clarkstown and the Town of Orangetown; thence westerly along the boundary line of the Town of Clarkstown and the Town of Orangetown where said line intersects the boundary line of the Town of Ramapo;

Westerly Boundary

thence northerly along the boundary line of the Town of Clarkstown and the Town of Ramapo to a point where said line intersects the southerly right-of-way of the New

000322

York State Thruway; thence northeasterly along the southerly right-of-way of the New York State Thruway to the westerly side of Pascack Road, which point is the northeasterly corner of Lot 5-B-1; thence northeasterly in a straight line to a point on the existing southerly boundary line of the Village of Spring Valley, which point is 400 feet east of the existing easterly right-of-way of New York State Route 59; thence easterly and continuing to follow along the existing boundary line of the Village of Spring Valley to a point where said line intersects the existing boundary line of the Town of Clarkstown and the Town of Ramapo, approximately 150 feet east of Rose Avenue in Lot 8-A-25, the point of Beginning.

All properties encompassed by the above description shall be within Sewer District No. 38 with the exception of those properties located within existing Sewer Districts No. 3,5,7,12,25,31, and 38.

and,

WHEREAS, the maximum amount proposed to be expended for the construction of said sewer system, as hereinabove described, is \$1,325,000.00, which is planned to be financed by the issuance of serial bonds of the Town and assessment, levy and collection of special District which the Town Board shall deem especially benefited by said sewer system 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 and the establishment and collection of sewer rents, pursuant to the Town Law to pay the principal of and interest on said bonds, and the costs of operation, maintenance and repair; now therefore be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, 10 Maple Avenue, New City, New York, in the Town on the 4th day of June, 1969, at 8:15 o'clock P. M. (D.S.T.) to consider the proposed establishment of the District and the construction of such lateral sewer system therein, as herein referred to, 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, and be it

FURTHER ORDERED, that the Town Clerk publish at least once in "THE JOURNAL NEWS" a newspaper published in Nyack, New York and the official newspaper of the Town, and post on the sign board on the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and conspicuously in at least five (5) public places within the proposed District, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than twenty days before the day designated herein for said public hearing aforesaid.

DATED: MAY 21, 1969

TOWN BOARD OF THE TOWN OF CLARKSTOWN

James Bamiani, Jr. Deputy Supervisor

Philip J. Frohling, Jr. Councilman

William Brenner Councilman

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

(401) Councilman Brenner offered the following resolution:

WHEREAS, a request has been received from Edward R. Arnold, 24 Park Avenue, Nanuet, New York by letter dated February 6, 1969 for the abandonment of a portion of a temporary turnaround shown on a survey of Lot 16, Block B, of a subdivision of property of John E. Leoffer and

WHEREAS, such portion is being abandoned due to the extension of Park Avenue, and

WHEREAS, Sec. 212-a of the Highway Law authorizes the abandonment of portions of town highways by resolution of the Town Board which are of no further use for highway purposes to said town, and

WHEREAS, said law requires an affirmative recommendation of the Town Superintendent of Highways with the consent of the County Superintendent of Highways;

NOW THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute and act in the name of the Town a quit claim deed for the sum of \$1.00 of the lands to be abandoned in favor of the abutting property owner upon the recommendation of the Town Superintendent of Highways and the consent of the County Superintendent of Highways.

Seconded by Councilman Damiani.

All voted Aye.

(402) Councilman Brenner offered the following resolution:

WHEREAS, the Town Board has been informed of obstructions by trains at the Pineview Road crossing in the vicinity of the Chromalloy Plant in the Hamlet of West Nyack, Town of Clarkstown, County of Rockland, by Penn Central Railroad trains, and

WHEREAS, the Clarkstown Police Department has been instructed to strictly enforce the provisions of Sec. 53-b of the Railroad Law of the State of New York, and

WHEREAS, in spite of enforcement of the provisions of the aforementioned law, said obstructions still persist;

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown wishes to go on record in objecting to the unreasonable obstruction of the Pineview Road Crossing and the Town Clerk is hereby directed to forward a copy of this resolution to the corporate officers of the Penn Central Railroad.

Seconded by Councilman Frohling.

All voted Aye.

000324

Councilman Frohling made report, as requested, Re: litter in empty lot belonging to town. (Complaint made by Messrs. Brown and Blick.)

(403) Councilman Frohling offered the following resolution:

RESOLVED, that the Highway Superintendent is hereby authorized to erect "PRIVATE PROPERTY-TOWN OF CLARKSTOWN" sign on empty lot belonging to town located at end of Caravella Lane, Nanuet in order to avoid constant littering at this site.

Seconded by Councilman Brenner.

All voted Aye.

Prints - Valley Cottage Mall - received from Henry Horowitz, P.E.  
Town Clerk instructed to write requesting copy for each Board member.

(404) Councilman Brenner offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 21, 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 IN \$ 220,000.00, APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF \$ 220,000.00, SERIAL BONDS TO FINANCE SAID APPROPRIATION.

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 the 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 financing thereto, is \$ 220,000.00, and the said amount is hereby appropriated therefor. The plan of financing is the issuance of \$220,000.00 serial bonds to finance said appropriation and the levy of a tax upon all 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 \$ 220,000.00, 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 of purposes for which the bonds authorized by this resolution are to be issued, within the limitations 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 if said bonds or such bond anticipation notes are paid, pursuant to the provisions 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 provisions 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 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 an obligation 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

000326

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.

Seconded by Councilman Frohling.

All voted Aye.

(405) 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 on 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:

Section 4. This resolution shall take eddect immediately.

Seconded by Councilman Frohling.

All voted Aye.

(406) Councilman Frohling offered the following resolution:

RESOLVED, based upon recommendation of theTown Attorney, that the Deputy Supervisor is hereby authorized to sign and accept License Agreement with Orange & Rockland Utilities, Inc., of 75 West Route 59, Spring Valley, New York for use of area south of Prospect Avenue, Nanuet, New York, and west of the NJ and NY RR for town parking purposes, subject to conditions as stated in said License Agreement.

Seconded by Councilman Bolander.

All voted Aye.

Re: drainage problem - Frank L. DeVita, 925 Belleville Drive, Valley Cottage - Highway Superintendent requested to bring back report for next Town Board meeting. (5/29/69)

(407) Councilman Frohling offered the following resolution: 000327  
WHEREAS, the Rockland County Personnel Office has certified on May 5, 1969, that four Police Patrolmen positions in the Police Department can now be created,  
NOW THEREFORE, be it  
RESOLVED, that four Police Patrolmen positions in the Police Department at a salary of \$ 8,000.00 per annum, are created.  
Seconded by Councilman Brenner. All voted Aye.

(408) Councilman Frohling offered the following resolution:  
WHEREAS, Certification of Eligibles #6835 Police Patrolman, dated April 30, 1969, and furnished by Rockland County Personnel office was canvassed, and  
WHEREAS, the said Eligibles List contains the name of Harry Covert,  
NOW THEREFORE, upon the recommendation of Chief of Police, Ernest Wiebicke,  
be it  
RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Permanent appointment of Harry Covert, 23 Elmwood Drive, New City, New York to the position of Policeman Patrolman at a salary of \$8,000.00, per annum effective June 2, 1969.  
Seconded by Councilman Brenner. All voted Aye.

(409) Councilman Frohling offered the following resolution:  
WHEREAS, Certification of Eligibles #6835, Police Patrolman, dated April 30, 1969, and furnished by the Rockland County Personnel office was canvassed, and  
WHEREAS, the said Eligibles List contains the name of Walter Syvarth, Jr.,  
NOW THEREFORE, upon the recommendation of Chief of Police, Ernest Wiebicke, be it  
RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Permanent appointment of Walter Syvarth, Jr. , 142 South Little Tor Road, New City, New York, to the position of Police Patrolman at a salary of \$8,000.00 per annum; effective June 2, 1969.  
Seconded by Councilman Brenner. All voted Aye.

(410) Councilman Frohling offered the following resolution:  
WHEREAS, Certification of Eligibles #6835, Police Patrolman, dated April 30, 1969, and furnished by Rockland County Personnel office was canvassed, and  
WHEREAS, the said Eligibles List contains the name of Harry Manion,  
NOW THEREFORE, upon the recommendation of Chief of Police Ernest Wiebicke, be it,  
RESOLVED THAT THE Supervisor be authorized to execute the necessary Civil Service form for the Permanent appointment of Harry Manion, 81 Robert Pitt Drive, Apartment F, Monsey, New York, to the position of Police Patrolman at a salary of \$8,000.00 per annum; effective June 2, 1969.  
Seconded by Councilman Brenner. All voted Aye.

(411) Councilman Frohlinf offered the following resolution:

WHEREAS, Certification of Eligibles #6835 - Police Patrolman, dated April 30, 1969, and furnished by Rockland County Personnel office was canvassed, and

WHEREAS, the said Eligibles List contains the name of Robert McDermott,

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

RESOLVED, that hte Supervisor be authorized to execute the necessary Civil Service form for the Permanent appointment of Robert McDermott, 23 White Avenue, South Nyack, New York, to the position of Police Patrolman at a salary of \$8,000.00, per annum; effective June 2, 1969.

Seconded by Councilman Brenner.

All voted Aye.

(412) Councilman Frohling offered the following resolution:

RESOLVED, based upon the recommendation of Chief of Police, that the Highway Superintendent is hereby authorized to erect NO PARKING sign on the West side of Main Street, New City within the area of Third Street and Schreiber Lane.

Seconded by Councilman Brenner.

On roll call the vote was as follows:

AYES: Councilmen Brenner, Damiani, Frohling.

NOES: Councilman Bolander.

(413) Councilman Brenner offered the following resolution:

WHEREAS, by resolution adopted by the Town Board Meeting on April 16, 1969, the Town Board established special working hours for certain employees of the Assessor's office, and

WHEREAS, the aforesaid resolution further mandated a procedure to determine the need for special working hours, and

WHEREAS, said study has been now completed;

NOW THEREFORE, be it

RESOLVED, that effective Monday May 26<sup>th</sup>, 1969, all personnel of the Town Assessor's Office shall return to the regularly established 9:00 AM to 5:00PM schedule of working hours with the following exception:

Mrs. Elsie Berky is hereby permitted, pursuant to Atr. 5, Sec. 1.3 of the contract between the Town of Clarkstown and C.S.E.A. to work the hours of 8:30 AM to 4:30 PM until Grievance Day, June 17, 1969, after which such time she shall return to the regularly established working hours.

Seconded by Councilman Frohling.

All voted Aye.

(414) Councilman Frohling offered the following resolution:  
WHEREAS, vacancies now exist on the Human Rights Commission, be it  
RESOLVED, that Mrs. Gilbert Whitney, of 176 Germonds Road, West  
Nyack, and Mr. Hans Schoenberger, of 1 Muller Court, New City, be appointed to serve  
on this Commission, without compensation, and at the pleasure of the Town Board,  
effective immediately.

Seconded by Councilman Brenner. All voted Aye.

(415) Councilman Brenner offered the following resolution:  
WHEREAS, the one year term of Seymour Gurlitz as Chairman of the  
Board of Architectural Review expires on May 24, 1969,  
NOW THEREFORE, be it  
RESOLVED, that Sidney Reiff be appointed Chairman; term to expire May 24,  
1970.

Seconded by Councilman Frohling. All voted Aye.

(416) Councilman Brenner offered the following resolution:  
WHEREAS, Certification of Eligibles #6948 - Sewer Inspector, dated  
May 12, 1969, and furnished by Rockland County Personnel office was canvassed, and  
WHEREAS, the said Eligibles List contains the name of Howard Mehl,  
NOW THEREFORE, upon the recommendation of the Town Engineer, Alfred  
Berg, be it

RESOLVED, that the Supervisor be authorized to execute the necessary  
Civil Service form for the Permanent appointment of Howard Mehl, 181 North Main Street,  
New City, New York, to the position of Sewer Inspector - Sewer Dept. Construction at  
a salary of \$6,463.60, per annum effective June 1, 1969.

Seconded by Councilman Frohling. All voted Aye.

(417) Councilman Brenner offered the following resolution:  
WHEREAS, Certification of Eligibles # 6891 - Building Inspector III  
dated May 19, 1969, and furnished by Rockland County Personnel office was canvassed, and  
WHEREAS, the said Eligibles List contains the name of Philip Meisner,  
NOW THEREFORE, upon the recommendation of Building Inspector II, Oscar Lutz,  
be it

RESOLVED, that the Supervisor be authorized to execute the necessary  
Civil Service form for the Permanent appointment of Philip Meisner, 10 Glen Brook Road,  
Monsey New York to the position of Building Inspector III, at a salary of \$6,474.00  
per annum; effective May 26, 1969.

Seconded by Councilman Frohling. All voted Aye.

000330

(418) Councilman Brenner offered the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Second Provisional appointment, pending examination of Garfield M. Carter of 128 Depew Avenue, Nyack, New York, to the position of Sewer Inspector at a salary of \$6463.60, per annum; effective June 1, 1969.

Seconded by Councilman Frohling.

On the roll call the vote was as follows:

AYES: Councilmen Brenner, Damiani, Frohling.

NOES: Councilman Bolander.

(419) Councilman Brenner offered the following resolution:

WHEREAS, the Town Engineer has requested additional help for the period of May 26 through June 13, 1969,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Temporary appointment, pending examination of Ir<sup>w</sup> Rumberg of 2 Oak Lane, Nanuet, New York to the position of Laborer-Student at a salary of \$2.15 Per Hour; effective May 26, 1969.

Seconded by Councilman Frohling.

All voted Aye.

Re: report request - Congers Lake; Edward Ghiazza, Recreation Commissioner, stated he will have complete proposal and recommendation for 5/29 Town Board meeting.

(420) Councilman Frohling offered the following resolution:

RESOLVED, that Mr. Robert Foreman, New City, New York, whose term of office on the Board of Architectural Review expires on May 24, 1969, be reappointed for a term of five years, to May 24, 1974.

Seconded by Councilman Brenner.

All voted Aye.

(421) Councilman Frohling offered the following resolution:

WHEREAS, Robert Lagatella has petitioned this Board for a refund of erroneous 1969 taxes of property in the Town of Clarkstown, assessed to:

<sup>1d</sup>  
0 Mill of Nanuet, Inc.

13 Fenner Lane

Nanuet, New York, 10954

because this property that the subject premises was assessed for 7 units, should be 4

units. For further particulars see memo dated May 6, 1969 from Mr. Hugh La Bonne, and was an erroneous assessment, as verified by the Clarkstown Assessor, now therefore be it

RESOLVED, that the Supervisor be and he is hereby authorized to refund the petitioner the amount of \$69.59 and charge Sewer District # 17 account.

Seconded by Councilman Brenner.

All voted Aye.

(422) Councilman Boalander offered the following resolution:

WHEREAS, Warren F. Ward has petitioned this Board for a refund of erroneous 1969 taxes on property in the Town of Clarkstown, assessed to:

Ward, Warren F.  
Piermont Avenue-Apt. 1B Bldg. 4  
South Nyack, New York, 10906

because this property the subject was charged 25 FF. Should be 12 FF. See memo from Hugh LaBonne, May 5, 1969. Over charge 13 FF.

and was an erroneous assessment, as verified by the Clarkstown Assessor,

NOW THEREFORE be it

RESOLVED, that the Supervisor be and he is hereby authorized to refund the petitioner the amount of \$31.38 and charge Sewer District # 21 account.

Seconded by Councilman Brenner.

All voted Aye.

(423) Councilman Bolander offered the following resolution:

WHEREAS, Warren F. Ward has petitioned this Board for a refund of erroneous 1969 taxes on property in the Town of Clarkstown, assessed to:

Ward, Warren F.  
Piermont Ave.-Apt. 1B Bldg. 4  
Aouth Nyack, New York 10960

because this property the subject was charged 25 FF. Should be 12 FF. See memo from Hugh La Bonne, May 5, 1969. Over Charge 13 FF and was an erroneous assessment, as verified by the Clarkstown Assessor,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be and he is hereby authorized to refund the petitioner the amount of \$ 2.50 and charge Sewer District #21 account.

Seconded by Councilman Brenner.

All voted Aye.

Proposed resolution authorizing refund in amount of \$772.54 - charging Sewer District #21 to Rockland Foundation held for 5/29 Town Board meeting.

000332

Letter received from Robert Kimbark, 34 Whitman Street, Congers commending the Police Department for their prompt response and assistance to emergency situation at his home on 5/15/69. Enclosed was a check made out in the amount of \$10.00 payable to the Clarkstown Patrolmen's Benevolent Association. Town Clerk will forward same to Police Department.

(424) Councilman Frohling offered the following resolution:

WHEREAS, a hazardous condition has been reported to exist on property owned by Mr. Charles Shapiro of 222 Fifth Avenue, New York 1, New York, said property being designated as Lot 13.01 in Block J on Map 138; and

WHEREAS, the Fire Inspector, Building Inspector, Rockland Lake Fire Department Fire Chief, and the Police Chief have recommended that the town institute proceedings as stipulated in Chapter 43 of the Code of the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney be instructed to institute proceedings to correct this hazardous condition.

Seconded by Councilman Bolander.

All voted Aye.

In connection with the above, Town Attorney suggested that all Code 43 violations be referred by the Building Inspector to his office, or that they be accepted by proper petition. Town Attorney will notify Building Inspector of this request.

Councilman Damiani presented report to Town Board as requested concerning parcel 111A29 Kings Park, Congers/Valley Cottage.

Councilman Damiani presented report to Town Board, as requested concerning acquisition of land immediately south of Thornwood Hills south on west side of Kings Highway. (Kings Park - Congers/Valley Cottage). He suggested that the town secure two independent appraisals of the value of parcel 111A29, contained within the approved Congers/Valley Cottage park, so that the same will not be broken up by building of a subdivision.

(425) Councilman Bolander offered the following resolution:

WHEREAS, it has been recommended that the Town of Clarkstown acquire a parcel of land immediately south of Thornwood Hills South on the west side of Kings Highway, Congers in order that said parcel (111A29) will not be broken up by building subdivision,

NOW THEREFORE, be it

RESOLVED, that Councilman Bolander be authorized to obtain two independent appraisals of the value of said parcel contained within the approved

Congers/ Valley Cottage Park and present same to the Town Board.

Seconded by Councilman Brenner.

All voted Aye.

Request received from Clarkstown Planning Board for town acceptance and maintenance of a 4-foot paved walkway and 10-foot easement connecting Nancy Drive stubs between subdivisions named Squadron Acres and Demarest Hill West - Sec. VIII. Highway Superintendent suggested 15' easement instead of 10' easement. Matter held for 5/29 Town Board meeting.

(426) Councilman Frohling offered the following resolution:

WHEREAS, a comprehensive amendment to the Building Zone Ordinance of the Town of Clarkstown was adopted on June 30, 1967, and further amended, and

WHEREAS, Councilman Frohling recommends a zone change correction for property located on the east side of Route 303, West Nyack, New York, from an R-15 and an R-22 zone,

NOW THEREFORE, be it

RESOLVED, that a public hearing, pursuant to Section 264 of the Town Law, be held at the Clarkstown Town Hall, 10 Maple Avenue, New City, Rockland County, New York, in the Board room thereof, on the 18th day of June 1969, at 8:30 PM to consider a zone change correction for the following pieces or parcels of land, as shown and designated on the tax map of the Town of Clarkstown as follows:

MAP	BLOCK	LOT
105	A	31
105	A	29
105	A	30
105	A	28
105	A	33 (east side of Route 303)
105	A	26.01
105	A	26.02
105	A	19
105	A	20
105	A	20.01

and be it

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

Seconded by Councilman Bolander.

All voted Aye.

000334 Councilman Frohling brought to the attention of the Town Board clogging of drainage system that runs under parking lot in Grandway caused by shopping carts. He will propose "Cart Law" at next Town Board meeting.

(427) Councilman Frohling offered the following resolution:  
RESOLVED, based upon recommendation of the Highway Superintendent that the Supervisor be authorized to execute consent to use portion of easement located on the s/s of Silver Birch Lane, owned by Emil Altman, and be it,

FURTHER RESOLVED, that the Town Attorney be instructed to prepare papers in connection with the above.

Seconded by Councilman Damiani.

On roll call the vote was as follows:

AYES: Councilmen Damiani, Frohling.

NOES: Councilman Bolander.

ABSTENTION: Councilman Brenner.

MOTION NOT CARRIED.

Highway Superintendent, in connection with drainage problems existing on Sherry Drive, Valley Cottage, New York (B. Blasenheim, Builder), inquired as to whether or not \$2,000.00 being held in escrow should be used to correct; or should developer be required to do necessary work to alleviate. Town Attorney was instructed to check the agreement to ascertain whether or not Town can use these monies for this purpose. Councilman Frohling stated that if cost exceeds amount of \$200.00; developer should pay balance.

Highway Superintendent, in connection with repaving (sewers); suggested that repaving be done with mechanical pavers. Town Attorney requested that the Highway Superintendent draw up specs, same to be approved by the Town Board, inserting in same that persons obtaining road opening permits abide by its regulations.

(428) Councilman Brenner offered the following resolution:

WHEREAS, the Clarkstown Highway Department, in alleviating drainage problem, caused damage to the driveway of Mr. and Mrs. Burke, 16 Moreland Drive, New City, New York;

THEREFORE, be it

RESOLVED, based upon recommendation of the Superintendent of Highways that amount of \$350.00 be allocated from the Highway Fund and be it,

FURTHER RESOLVED, that sum be used by Highway Superintendent to repair damage done to driveway.

Seconded by Councilman Frohling.

All voted Aye.

Highway Superintendent inquired of Town Board who makes repair when contractors making house connections cause damage to roads. Councilman Damiani suggested sewer regulations be amended to cover these problems. Re: request from Highway Superintendent as to what he should do Re: Parkway Drive; Councilman Frohling stated that Re: regulations; this problem has been caused by contractors negligence. Contractor should be contacted, given five (5) days to repair, or town will do same and charge for work.

Highway Superintendent mentioned that re lateral - in one case contractor hit water main and Spring Valley Water Co. turned off water causing problems to families in area.

Re house connections, the Town Attorney stated that Town Board should not be asked to rule on problems such as these at this time. If we can correct situation immediately, we might let bonding company off the hook. He requested that the Highway Superintendent give his office time to research; we should have established procedure.

Councilman Damiani stated that Highway Superintendent still has problem street sunk. He suggested that it be fixed and then see what could be done to eliminate this legal loophole. Sewer Regulations should state that contractors be given notice and if they don't in few days town will revoke their license.

Highway Superintendent and Town Attorney were instructed to get together to take necessary legal steps.

(429) Councilman Frohling offered the following resolution:

RESOLVED, that the Highway Superintendent is hereby authorized to take immediate action to repair damages done at installation of house sewer connections at properties located at 14 and 22 Parkway Drive, Nanuet, New York, and be it,

FURTHER RESOLVED, that the Town Attorney and the Highway Superintendent are to investigate the matter further.

seconded by Councilman Brenner.

All voted Aye.

Highway Superintendent brought up matter of street signs. Children turning signs around; Police have difficulty locating emergency cases. Requests cement stanchions with street names painted on them. Highway Superintendent was authorized to look into matter.

000336

Town Engineer requested, in connection with amount \$2000.00 for Sherry Drive, that study be made and recommendation be submitted. He suggested that the Town Attorney look into bond to see what can be done withit. People complaining about condition of road; we have \$2000.00 bond. Councilman Frohling requested that Highway Supt. and Town Engineer come to Town Board with cost study; if cost exceeds bond, call in builder.

On resolution offered by Councilman Brenner, Seconded by Councilman Bolander and unanimously adopted, Town Board meeting was adjourned until 10:00 AM on Thursday, 5/29/69.

Signed,

  
Anne E. O' Conner  
Town Clerk