

## TOWN BOARD MEETING

Town Hall

6/30/69

10:00 AM

Present: Councilmen Brenner, Bolander, Damiani, Frohling, Supervisor Mundt  
Town Clerk  
Town Attorney  
First Deputy Town Attorney

Supervisor Mundt called Town Board meeting to order.

(511) Councilman Frohling offered the following resolution:

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

Black Arrow Construction Corp.  
Filors Lane,  
Stony Point, New York 10980

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued to

No. 69-73 to Black Arrow Construction Corp.

Seconded by Councilman Brenner.

All voted Aye.

Letter received from Mr. Lennard S. Goodman, attorney representing Anthony J. and Uta Strupcewski owners of property situate on Old Mill Road, Valley Cottage, New York, in connection with assurance by town that the rear of their property would be filled and restored and the stagnant water removed. (situation cause by re-routing of creek when the sewer system was put in). Referred to Town Engineer who was requested to check out with Mr. Goodman and Sewer Coordinator, Mr. Adams.

Letter received from Mr. Cassels, Adm. Asst. to Clarkstown Planning Board re Rockford Drive (Stonehedge East and Candlewood Subdivision), re request to Chief of Police for 15 miles per hour speed limit and additional stop signs, etc. Mr. Cassels stated Rockford Drive is a 60-foot collector or secondary road (not 50' as in subdivisions) intended to join Strawtown Road with Route 304, which was arranged for in resolutions approving both subdivisions.

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Re request made by Clarence James for permission to use Clarkstown Sanitary Fill; Mr. James not present - tabled. (Councilman Brenner stated that South Nyack not included in Agreement - Town Board in accord in not allowing Mr. James Clarkstown Dumping proviliges.)

(512) Councilman Frohling offered the following resolution:

WHEREAS, a Performance Bond No. 4199 of WHISPERING WINDS INC., 554 Chestnut Ridge Road, Woodcliff Lake, New Jersey, as principal, and INTERNATIONAL FIDELITY INSURANCE COMPANY, 11 Hill Street, Newark, New Jersey, with a New York office at 89-64 163rd Street, Jamaica, New York.

as Surety, dated December 2, 1966 in the amount of \$21,060.00 covering all improvements on the streets and other facilities as shown on the Final Plat of TOR ACRES dated Rec. December 5, 1966.

WHEREAS, a Performance Bond No. 4198 of WHISPERING WINDS INC., 554 Chestnut Ridge Road, Woodcliff Lake, New Jersey, as principal, and INTERNATIONAL FIDELTY INSURANCE COMPANY, 11 Hill Street, Newark, New Jersey, with a New York office at 89-64 163rd Street Jamaica, New York.

dated December 2, 1966 in the amount of \$9,235.00, covering all improvements for sanitary sewers and other facilities as shown on design drawings approved by the Rockland County Health Department and on the Final Plat of TOR ACRES

WHEREAS, after due notice and public hearing, the Planning Board of the Town of Clarkstown has recommended the reduction of Bond No. 4199 from \$21,060.00 to \$7,636.00 and the reduction of Bond No. 4198 from \$9,235.00 to \$923.50.

NOW THEREFORE, be it,

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

Seconded by Councilman Damiani.

All voted Aye.

(513) Councilman Brenner offered the following resolution:

WHEREAS, Sheldon and Barbara Endlich have heretofore brought a suit against the Town of Clarkstown based on a drainage claim and said suit is presently pending, and

WHEREAS, the Town Engineer has indicated that an expenditure of approximately \$716.00 is required to substantially correct the condition, giving rise to the complaint of Sheldon and Barbara Endlich, and

WHEREAS, the correction of said complaint by the Town would also help surrounding properties and be in the general welfare of the community;

NOW THEREFORE, be it

RESOLVED, that the Town Engineer be and is hereby authorized to disburse the sum of \$716.00 said amount to be drawn on Drainage Project Account #4; of the drainage problems in the area of the residence of Sheldon and Barbara Endlich, conditioned however, on the discontinuance of the suit brought by the Endlichs, on the merits, which discontinuance of suit is to be first approved by the Office of the Town Attorney.

Seconded by Councilman Frohling.

All voted Aye.

(514) Councilman Frohling offered the following resolution:

RESOLVED, that the application of Rose Orland, for a change of zoning from an RS district, on property located on Old Nyack Turnpike and Freedman Avenue, Nanuet, 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-m of the General Municipal Law.

Seconded by Councilman Brenner.

All voted Aye.

(515) Councilman Frohling offered the following resolution:

RESOLVED, based upon recommendation of Purchasing Director, that bid for furnishing Leather Police Jackets be awarded to Best Uniforms, 18 West 18<sup>th</sup> Street, New York, New York, at cost to town of \$4,235.00, (low bidder).

Seconded by Councilman Frohling.

All voted Aye.

(516) Councilman Damiani offered the following resolution:

RESOLVED, that Edward Ghiazza, Supt. of Recreation, is hereby authorized to attend the NRPA (National Recreation and Park Association) Annual Congress to be held in Chicago, Illinois, from September 14, 1969 through September 18, 1969, and be it further

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

Seconded by Councilman Frohling.

All voted Aye.

Proposed resolution appointing Mr. Murray Brown to Recreation Department at annual salary of \$7488.00, provisionally, tabled. Councilman Damiani will check with commission. (Town Clerk will place on 7/2/69 TBM Agenda.)

Re withholding of COs - Somerset (Knutsen-Townline subdivision); Mr. John Griffin, attorney representing Mr. Knutsen appeared before the Town Board claiming that resolution denying said COs which Town Board adopted in 6/18/69 illegal, that COs, can only be held when work town specifies not completed. Mr. Collucci of the Building Department stated that as of this morning, six of these houses not ready; still checking the others. Town Attorney cited reasons why said resolution was legal. After considerable discussion between attorney for developer, present owners in development who claim hardship, and potential homeowner, the Town Board adopted the following resolution:

(517) Councilman Brenner offered the following resolution:

WHEREAS, by resolution of the Town Board dated June 18, 1969, the Building Inspector was directed to cease issuing Certificates of Occupancy in the development known as Somerset Homes, and

WHEREAS, said resolution has imposed great hardship on some contract-purchasers who require immediate closings and/or occupancy of the homes which the contracted to purchase;

NOW THEREFORE, be it

RESOLVED, that the Building Inspector be and is hereby authorized to issue certificates of occupancy on the various residences wherein the purchasers thereof have demonstrated a hardship situation by the withholding of such certificates of occupancy, subject, however to the satisfaction of the Building Inspector that said residences have been fully completed in accordance with the rules and regulations of the Building Department, and be it

FURTHER RESOLVED, that the Building Inspector refer all questions of hardships to the Town Board for individual examination as to the merits of the alleged hardship on the contract purchaser, and be it,

FURTHER RESOLVED, that except as to the residences above-mentioned which are considered hardship cases, the resolution dated June 18, 1969 be and hereby remains in full force and effect.

Seconded by Councilman Damiani.

on roll call the vote was as follows:

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

NOES: Councilman Bolander.

Letter received from William Zabriskie, Chairman of the Clarkstown Planning Board re town acquiring land on Phillips Hill Road next to county park. Supervisor inquired of Mr. Cassels whether any of this land could be picked up "in lieu of" or "density" wise. Mr. Cassels replied that very little could be picked up in this fashion by the town. Supervisor concluded that county should make acquisition because it is adjacent to county park. He will so inform County Board of Supervisors.

On resolution offered by Councilman Brenner, seconded by Councilman Bolander and unanimously adopted, Town Board meeting was adjourned until Wednesday, July 2, 1969 at 8:00 PM.

Signed,



Anne E. O'Conner

Town Clerk