

TOWN BOARD MEETING

00307

Town Hall

9/3/69

8:00 P. M.

Present: Councilmen Brenner, Bolander, Damiani, Frohling, Supervisor Mundt  
Town Clerk, Anne E. O'Connor  
Town Attorney  
1st Deputy Town Attorney  
Deputy Town Attorney

Supervisor called Town Board Meeting to order.

(689) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 16th day of July, 1969, provided for a public hearing on the 6th day of August, 1969, at 8:15 P. M., to consider the application of CHARLES CATTANEO and SIGMUND JACOBSEN to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an R-22 and R-40 district to an R-15 district; and

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

NOW THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the application be DENIED.

Seconded by Councilman Brenner.

All voted Aye.

(690) Councilman Brenner offered the following resolution:

RESOLVED, that time for receiving bids for purchase of two surplus lots owned by town (Lot 33.11, tax Map 162) is hereby closed, and be it

FURTHER RESOLVED that any and all bids received up to and including this time are hereby ordered to be opened.

Seconded by Councilman Bolander.

All voted Aye.

The following bids were received:

Clarence Aull, 29 Buena Vista Rd., New City, N.Y. ....	\$5,000.00
New City Realty Co., 2 Diane Drive, New City, N.Y. ....	\$9,050.00

(691) Councilman Frohling offered the following resolution:

RESOLVED, that bids received for purpose of two surplus lots owned by the town be rejected, and be it

FURTHER RESOLVED, that the Director of Purchasing be instructed to re-advertise for bids, to be returnable 10/1/69 - 8:05 P. M.

Seconded by Councilman Bolander.

All voted Aye.

Town Clerk instructed to write letter to Purchasing Director instructing her to forward a description of these lots to all the builder in the Home Builders Guide.

(692) Councilman Brenner offered the following resolution:

RESOLVED, that time for receiving bids for furnishing Highway Department with One (1) Cubic Yard Dump Truck is hereby closed, and be it

FURTHER RESOLVED, that any and all bids received up to and including this time are hereby ordered to be opened.

Seconded by Councilman Bolander.

All voted Aye.

The following bids were received:

John J. King of Monroe, Inc., P. O. Box 235, Route 17M, Monroe, N.Y.  
\$21,075.00 NET BID

(693) Councilman Brenner offered the following resolution:

RESOLVED, that bid for furnishing Highway Department with One (1) Cubic Yard Dump Truck be awarded to John King of Monroe, Inc., Route 17M, Monroe, New York at net cost to town of \$21,075.00 based upon recommendation of the Highway Superintendent.

Seconded by Councilman Damiani.

All voted Aye.

(694) Councilman Damiani offered the following resolution:

RESOLVED, that minutes of Town Board meeting held on 7/2, 7/16, 7/30, 7/31, 8/6 and 8/13/69 are hereby approved and accepted by the Town Board as submitted by the Town Clerk.

Seconded by Councilman Frohling.

All voted Aye.

(695) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 21st day of May, 1969, provided for a public hearing on the 18th day of June, 1969, at 8:30 P. M., to consider a zone change correction on certain pieces or parcels of land situate in the Town of Clarkstown, and

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

NOW THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the zoning designation of the following pieces or parcels of land has been changed from R-15 and R-22 districts to an RS district. References to block and lot numbers are taken from the Town of Clarkstown Tax Assessment Map:

<u>MAP</u>	<u>BLOCK</u>	<u>LOT</u>
105	A	31
105	A	29
105	A	30
105	A	28
105	A	33 (east side Rte. 303)
105	A	26.01
105	A	26.02
105	A	19
105	A	20
105	A	20.01

Seconded by Councilman Brenner.

All voted Aye.

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Report from Town Attorney's office re condemnation procedure- Rennart Lane, Bardonia; Mr. Hirsheld reported that owner of Monterey Swim Club refused permit for pipe to be installed. Question has to be resolved as to whether we can develop through the engineer, an alternate drainage pattern or go to condemnation. He has not had time to meet with Mr. Horowitz. Matter tabled for 9/17 Town Board meeting.

(696) Councilman Frohling offered the following resolution:

WHEREAS, the Chief of Police of the Town of Clarkstown has requested that a school crossing guard be posted at the intersection of Route 304 and Johnson Lane, New City, New York,

NOW THEREFORE, be it

RESOLVED, that said post is hereby created.

Seconded by Councilman Brenner.

All voted Aye.

(697) Councilman Brenner offered the following resolution:

WHEREAS, this Town Board feels that the citizens of the Town of Clarkstown would be well served by a detailed explanation of the purpose and intent of Local Law No. 8-1967 (amended by Local Law No. 3-1969) relating to the regulation of garbage removal and the creation of the Clarkstown Sanitation Commission, and

WHEREAS, it is the intention of this Board to have researched and prepared, a booklet for such purposes,

NOW THEREFORE, be it

RESOLVED, that the sum of \$738.79 be paid to the firm of Apostle/Lockwood Advertising Agency Ltd. of Spring Valley, New York for lay-out, research, copy, and art work of such a booklet, and be it

FURTHER RESOLVED, that this sum be charge against the Sanitary Land Fill Account.

Seconded by Councilman Frohling.

All voted Aye.

(698) Councilman Damiani offered the following resolution:

RESOLVED, based upon the recommendation of the Town Engineer, that the amount of \$1092.50 be expended to clean stream in rear of properties of Ross and Cannon, Irion Drive, New City, and be it

FURTHER RESOLVED, that said amount be drawn on Drainage Project #4 Account.

Seconded by Councilman Brenner.

All voted Aye.

(699) Councilman Frohling offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to sign application to the State of New York Department of Transportation, Charles E. Besanceney, Director of Traffic Engineering and Safety for permission to erect special sign assemblies to post a 30 MPH speed limit on Route 304 adjacent to the Bardonia Elementary School, and be it

FURTHER RESOLVED, that copy of said application be returned to the Department of Transportation by the Town Clerk.

Seconded by Councilman Damiani.

All voted Aye.

(700) Councilman Brenner offered the following resolution:

WHEREAS, all the homes known as Pineview Estates have been sold to the public and the streets thereof dedicated to the town by the developer known as Bernhart Realty Corp., and insured by Security Title Co., and

WHEREAS, title to all the homes in said development, as well as the streets thereon, has been challenged by another corporation named Mar-jeff Realty Corp.,

NOW THEREFORE, be it

RESOLVED, that the Town Attorney take the appropriated steps to clarify the towns rights relating to the streets in said development and start suit, if necessary for such determination.

Seconded by Councilman Bolander.

All voted Aye.

(701) Councilman Brenner offered the following resolution:

WHEREAS, at a Special Term of the Supreme Court, State of New York, on the 19th day of August, 1969, the matter of Mobil Oil Corporation vs. the Town Board, the Hon. Morton B. Silberman determined that the decision of the Town Board, dated May 29th, 1969, denying the petitioner his application for special permit was annulled, and

WHEREAS, said decision further ordered the Town Board to issue to the petitioner, Mobil Oil Corporation, a special permit in accordance with the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, it has been determined that under the law and the facts, an appeal in this case is not indicated;

NOW THEREFORE, be it

RESOLVED, that the special permit herein above referred to is granted.

Seconded by Councilman Damiani.

All voted Aye.

On roll call the vote was as follows:

AYES: Councilman Brenner, Damiani, Supervisor Mundt  
NOES: Councilman Bolander  
ABSTENTION: Councilman Frohling

(702) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to expedite hydrant order for installation of one (1) hydrant on north side of AUBURN DRIVE an one(1) hydrant on west side of GLEN HAVEN DRIVE - Inves. No. 6462.

Seconded by Councilman Damiani.

All voted Aye.

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

Republic Insurance Co. Bond #904046  
MIDDLETOWN ESTATES (Candlewood Construction Corp.), Princ.  
Amount: \$1920.00  
Covers: Sanitary Sewers  
Period Covered: 2 years - 7/24/69 - 7/23/71

Republic Insurance Co. Bond #904045  
MIDDLETOWN ESTATES (Candlewood Construction Corp.), Princ.  
Amount: \$10,747.00  
Covers: Roads  
Period Covered: 7/24/69 - 7/23/71

(703) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Engineer be instructed to present estimate for installation of sidewalks between Leonia and Virginia St., New City.

Seconded by Councilman Bolander.

All voted Aye.

In connection with above resolution, Supervisor stated that traffic engineer stated that after Labor Day he would have an estimate of what it would cost to make a survey of Route 304 in terms of recommended safety factors from the Palisades Interstate Parkway intersection with Route 304 up to Route 9W. Consensus of Town Board is that if we can get an expert to back them up with the state, we will get further. Police Chief stated that he is considering placing a regular officer at this crossing because he considers it too dangerous for a school crossing guard. Highway Superintendent suggested state be contacted before we go ahead with engineering study on sidewalks, in the meantime police will escort children across the street. Police Chief will write letter to School Board.

(704) Councilman Brenner offered the following resolution:

RESOLVED, that DANIEL S. BRON is hereby appointed as a member of the Historical Review Board - Term to expire 12/31/69.

Seconded by Councilman Frohling.

All voted Aye.

(705) Councilman Damiani offered the following resolution:

RESOLVED, that amount not to exceed \$300.00 be drawn from Drainage Project #4 to alleviate drainage problem existing at residence of Neri, 12 May Place, Nanuet, and be it

FURTHER RESOLVED, that Highway Superintendent do all work involved.

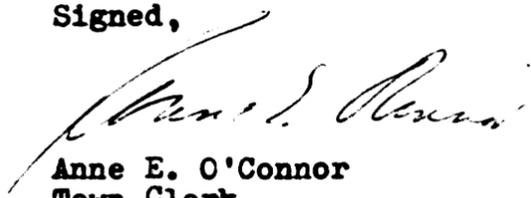
Seconded by Councilman Brenner.

All voted Aye.

In response to question put by Mrs. Emma Blauvelt, Town Attorney stated that re Route 50-304 petition, petitioner withdrew with intention of modifying. They asked Planning Board for permission to do this; Planning Board told them to enter new petition. Modification will not be entertained.

On resolution offered by Councilman Damiani, seconded by Councilman Bolander and unanimously adopted, Town Board meeting was adjourned until Wednesday, September 17, 1969 at 8:00 P.M.

Signed,

  
Anne E. O'Connor  
Town Clerk