

TOWN BOARD MEETING

003533

Town Hall

9/17/69

8:00 P.M.

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

Supervisor called Town Board meeting to order.

(706) Councilman Frohling offered the following resolution:

RESOLVED, that minutes of Town Board meeting held on 9/3/69 are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Bolander.

All voted Aye.

(707) Councilman Brenner offered the following resolution:

RESOLVED, that time for receiving bids for the purchase of a Pumper Fire Truck, according to specifications, is hereby closed, and be it

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

Seconded by Councilman Frohling.

All voted Aye.

The following bid was received:

CONGERS FIRE DISTRICT
Model L 1946 Mack 750 GPM Pumper Fire Truck..... \$3,250.00

(708) Councilman Frohling offered the following resolution:

RESOLVED, that bid of Congers Fire District for the furnishing of 1946 Mack Pumper Fire Truck be accepted, at cost to town of \$3,250.00.

Seconded by Councilman Brenner.

All voted Aye.

(709) Councilman Damiani offered the following resolution:

RESOLVED, that Joseph Sutera, 168 Sickletown Road, West Nyack, N.Y. is hereby appointed to serve as Commissioner of the Sanitation Commission, to serve the unexpired term of Franchino to 12/31/71, salary to remain the same.

Seconded by Councilman Brenner.

All voted Aye.

Letter received from William E. Vines, Town Justice, submitting his resignation, effective immediately.

(710) Councilman Frohling offered the following resolution:

RESOLVED, that the resignation of Town Justice William E. Vines, effective immediately, is hereby accepted with regret.

Seconded by Councilman Brenner.

All voted Aye.

9/17/69

TBM

(711) Councilman Damiani offered the following resolution:

WHEREAS, Section 64, subd. 5 of the Town Law confers upon the Town Board the authority to appoint a qualified person to fill the vacancy in the Office of Town Justice, and

WHEREAS, by virtue of a resignation of one of the Justices of the Town, a vacancy exists, and

WHEREAS, the Town Board considers Stephen G. Doig to be eminently qualified by virtue of his professional ability, experience and outstanding reputation in the community, and

WHEREAS, said vacancy will exist until the next Town election;

NOW THEREFORE, be it

RESOLVED, that Stephen G. Doig is hereby appointed to fill the vacancy in the Office of Town Justice until the forthcoming Town election, and be it

FURTHER RESOLVED, that, upon acceptance, the appointee is to file an oath of office and undertaking as prescribed by the Town Law.

Seconded by Councilman Brenner.

On roll call the vote was as follows:

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

NOES: Councilman Bolander.

Re recommendation to be made by Councilman Bolander - member for Historic Review Board - tabled by Councilman Bolander. (Town Clerk will place on 9/30/69 TBM Agenda).

(712) Councilman Frohling offered the following resolution:

RESOLVED, that the Highway Superintendent is hereby authorized to proceed, based upon the request of McArthur Barr, Supt. of Schools, with the construction of sidewalks on the south side of Prospect St., from Main to Fairview, and from Rockland Ave. southerly to Hogenkamp.

Seconded by Councilman Damiani.

All voted Aye.

Town Attorney's Office reported that town is trying to obtain easement required by Town Engineer and Consulting Engineer and Consulting Engineer in connection with Rennert Lane. On September 10th, he stated, letter was sent to attorney for the property owners (letter read). Town Attorney stated he would like opportunity to negotiate with attorney re easement.

Town Clerk presented Budget Estimates to the Town Board for all departments for year 1970.

Mrs. Klapper, 15 Gerardine Pl., Nanuet appeared before the Town Board re erosion behind her home. Town Engineer instructed to analyze this problem and present the Town Board with estimate on the Town Board meeting to be held on the 30th.

(713) Councilman Brenner offered the following resolution:

RESOLVED, that time for receiving bids for furnishing of Alarm Systems for sewer pump and ejector stations 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 bid was received:

A & R Burglar Alarm Corporation
151 South Main Street
New City, New York.....\$4,200.00

(714) Councilman Brenner offered the following resolution:

RESOLVED, that single bid received for furnishing of Alarm Systems for Sewer Pump and Ejector Stations be rejected, and be it

FURTHER RESOLVED, that the Town Clerk submit copies of specifications as submitted by Mr. Edward Murdock to members of the Town Board.

Seconded by Councilman Frohling.

All voted Aye.

(715) Councilman Brenner offered the following resolution:

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES, AS FOLLOWS:

Section 1. The bond resolution of the Town of Clarkstown, in the County of Rockland, New York, entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted August 6, 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 is \$100,000.00 appropriating said amount therefor and authorizing the issuance of \$100,000.00 serial bonds to finance said appropriation,"

duly adopted by the Town Board on the date therein referred to, subject to permissive referendum, has become effective as of September 6, 1969, and the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the "JOURNAL NEWS," a newspaper published in Nyack, New York, and hereby designated the official newspaper for said publication, together with a Notice in 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 2. This resolution shall take effect immediately.

Seconded by Councilman Bolander.

All voted Aye.

Mrs. T. Niven, 5 Lorraine Court, New City, who was to appear re sidewalk and safety lights - Leona Ave. and Johnson Lane, New City -- not present.

Mrs. Brooks Arthur, Sherry Drive, Valley Cottage, who was to appear re condition of road -- not present. (Highway Supt. stated he will report on this at 9/30 Town Board meeting.)

(715) Councilman Brenner offered the following resolution:

RESOLVED, that the following are appointed to serve as Dog Enumerators for the year 1970:

Dayton Bennett
Old Mountain Road
Upper Nyack, N.Y.

Mrs. E. C. McKeegan
11 DeForest Avenue
New City, N.Y.

Mrs. Loretta Hauser
19 South Park Avenue
Nanuet, New York

Mrs. Anna Ruiz
19 Windmill Lane
New City, N.Y.

Mrs. Eileen Hughes
21 Marcia Lane
New City, N.Y.

Seconded by Councilman Damiani.

All voted Aye.

(716) Councilman Brenner offered the following resolution:

RESOLVED, that Orange and Rockland Utilities is hereby authorized to install 16 street lights on West Clarkstown Road at cost to Town of \$970.80; removing six street lights -- at annual increase of \$690.00.

Seconded by Councilman Damiani.

All voted Aye.

(717) Councilman Brenner offered the following resolution:

RESOLVED, that Orange and Rockland Utilities is hereby authorized to install seven(7) street lights in Dutch Glen Development, Bardonia at cost to Town of \$382.20 annually-URD.

Seconded by Councilman Bolander.

All voted Aye.

(718) Councilman Brenner offered the following resolution:

RESOLVED, that Orange and Rockland Utilities is hereby authorized to install four (4) street lights at various locations on W. Palmer Avenue at cost to town of \$218.40 annually. (Also, Heather, Morris and Bradford).

Seconded by Councilman Damiani.

All voted Aye.

(719) Councilman Frohling offered the following resolution:

WHEREAS, certain properties presently outside of Sewer District No. 18 desire sewer service from Sewer District No. 18, and

WHEREAS, said sewer service is presently available;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown in behalf of Sewer District No. 18, execute agreements with the following:

Daniel and Trudy Regan
Barnett and Eileen Frumkin
Robert and Judith Thomases

Seconded by Councilman Brenner.

All voted Aye.

9/17/69

TBM

003337

(720) Councilman Damiani offered the following resolution:

WHEREAS, a proceeding has been instituted against the Assessor and the Board of Review of the Town of Clarkstown as follows:

"In the Matter of the Application of Steed Realty Corp.,
Petitioner,

-against-

THE ASSESSOR AND THE BOARD OF REVIEW OF THE TOWN OF CLARKSTOWN,
Respondents

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is authorized to defend said action and take all necessary required proceedings in court in connection with said action, and be it

FURTHER RESOLVED, that experts for appraisal purposes may be engaged in connection with such proceedings, any fees to be paid out of the budget of the Town Attorney.

Seconded by Councilman Bolander.

All voted Aye.

Letter received from State of New York Department of Health re Nutrient Control and Eutrophication (pure waters program).

(721) Councilman Brenner offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to expedite HYDRANT ORDER INVES. No. 6685 for installation of one (1) hydrant on Glenside Drive.

Seconded by Councilman Frohling.

All voted Aye.

Monthly Reports from the Zoning Board of Appeals and the Building Inspector for the month of July 1969 received and noted by Town Board.

Trial Balance dated August 31, 1969, received and noted by Town Board.

At a regular meeting of the Town Board of the Town of Clarkstown, in the County of Rockland, New York, held at the Town Hall, 10 Maple Avenue, New City, New York, in said Town, on the 17th day of September, 1969.

PRESENT:

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

In the Matter of the Increase in the Maximum Amount to be Expended for the Improvement in Sewer District No. 22, in the Town of Clarkstown, in the County of Rockland, New York.

9/17/69

TBM

ORDER CALLING PUBLIC HEARING ON INCREASING THE MAXIMUM AMOUNT TO BE EXPENDED FROM \$780,000 TO \$1,325,000 FOR THE IMPROVEMENT OF SEWER DISTRICT NO. 22.
continued

ORDER CALLING PUBLIC HEARING ON INCREASING THE MAXIMUM AMOUNT TO BE EXPENDED FROM \$780,000 TO \$1,325,000

OCTOBER 15, 1969

WHEREAS, the Town Board of the Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, has duly established Sewer District No. 22, in the Town (herein called "District"), pursuant to Order dated August 4, 1965, following a public hearing duly called and held, and receipt of an order of the State Comptroller granting permission therefor, the boundaries of the District being described as follows:

Easterly Boundary

Beginning at a point on the boundary line of existing Sewer District No. 19 which point is the southeasterly corner of lot 37-B-114; thence northerly along the easterly side of lots 37-B-114, 115, 116, and 117 to the southwesterly corner of lot 37-B-123; thence easterly along the southerly side of lots 37-B-123, 124, 125 to the southeasterly corner of said lot 125, which point is on the westerly boundary line of existing Sewer District No. 19; thence northerly along the westerly boundary line of existing Sewer District No. 19 to a point where it intersects the southerly boundary of existing Sewer District No. 10, which point is the northwesterly corner of lot 56-B-9; thence westerly along the southerly boundary of existing Sewer District No. 10 to the southwesterly corner of lot 56-B-8; thence northerly along the westerly boundary of existing Sewer District No. 10 to a point where it intersects the northerly side of lot 57-G-10, which point is the southeasterly corner of lot 57-G-8;

Northerly Boundary

thence westerly along the northerly side of lot 57-G-10 to the northwesterly corner of said lot 10; thence southerly along the westerly side of said lot 10 to the southwesterly corner of said lot 10, which point is on the northerly side of lot 57-G-16; thence westerly along the northerly side of said lot 16 and the northerly side of lots 38-A2, 3.21, 3.20, 15.42, 15.34, 15.33, 15.31, and 15.30, 15.32 to the northwesterly corner of said lot 15.30 at Little Tor Road; thence continuing westerly in a straight line projected from the northerly side of lot 38-A15.30 to a point where said line intersects the centerline of Little Tor Road; thence northerly along the centerline of Little Tor Road to its intersection with the centerline of Old Hempstead Road, which point is on the southerly boundary line of existing Sewer District No. 18; thence in a westerly and northerly direction along the boundary line of existing Sewer District No. 18 to a point where it intersects a straight line projected from the northerly side of lot 39-B-27.06; thence westerly along said line, crossing lot 39-B-3, to the northeasterly corner of lot 39-B-27.06, which point is on the southerly boundary line of existing Sewer District No. 18; thence westerly along the boundary line of existing Sewer District No. 18 to a point where it intersects a straight line projected from the westerly side of lot 39-B-18;

Westerly Boundary

thence southerly along the boundary line of existing Sewer District No. 18 to a point where it intersects the southerly side of lot 38-B-4; thence easterly along the southerly side of said lot 4 and lots 38-B-4.07, 4.06, 4.05, 4.04, 4.03, and 4.02 to a point on the southerly side of said lot 4.02, which point is 28 feet from the southeasterly corner of said lot 4.02; thence southerly along a line drawn parallel with the easterly side of lots 38-B-5 and 37-C-1, crossing said lots 38-B-5 and 37-C-1, to the northwesterly corner of lot 37-C-1.01;

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00030

ORDER CALLING PUBLIC HEARING RE INCREASE OF THE MAXIMUM AMOUNT TO BE EXPENDED FOR THE IMPROVEMENT OF SEWER DISTRICT NO. 22 - continued

continuation of WESTERLY BOUNDARY

thence southerly along the westerly side of said lot 1.01 to the southwesterly corner of said lot 1.01; thence southwesterly in a straight line crossing lots 37-C-1, 2, and 3 to the northwesterly corner of lot 37-C-4; thence southerly along the westerly side of said lot 4 to a point which is the northeasterly corner of lot 37-C-12; thence in a westerly direction along the northerly side of said lot 12 to the northwesterly corner of said lot 12; thence southerly along the westerly side of lots 37-C-12, 34, 35, 36, to a point on the westerly side of said lot 36, which point is the southeasterly corner of lot 37-C-55; thence westerly along the southerly side of said lot 55 to the northwesterly corner of lot 37-C-37; thence southerly along the westerly side of said lot 37 to a point where it intersects the northerly side of lot 37-C-52; thence westerly along the northerly side of said lot 37-C-52 to the northwesterly corner of said lot 52; thence southerly along the westerly side of lots 37-C-52 and 39 to the southwesterly corner of said lot 39; thence easterly along the southerly side of said lot 39 to a point where it intersects the westerly side of lot 37-C-40; thence southerly along the westerly side of lots 37-C-40, 41, 42, 43, 44, 45 to the southwesterly corner of said lot 45 at Red Hill Road; thence easterly along the southerly side of said lot 45 to a point where it intersects a straight line projected from the easterly side of lot 37-E-3.02 northerly across Red Hill Road; thence southerly along said line to the northeasterly corner of said lot 3.02; thence southerly along the easterly side of said lot 3.02 to the southeasterly corner of said lot 3.02;

SOUTHERLY BOUNDARY

thence easterly along a straight line projected from the southerly side of lot 37-E-3.02 crossing lot 37-E-2 to a point where it intersects the centerline of Little Tor Road; thence northerly along the centerline of Little Tor Road to a point where it intersects a straight line projected from the southerly side of lot 37-B-7; thence easterly along said line to the southwesterly corner of lot 37-B-7; thence easterly along the southerly side of lots 37-B-7, 9.01, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19 to a point where it intersects the boundary line of existing Sewer District No. 19; thence easterly along said boundary line of existing Sewer District No. 19 to a point on the boundary line of existing Sewer District No. 19, which point is the southeasterly corner of lot 37-B-114, the point of beginning.

WHEREAS, the maximum amount proposed to be expended for construction of a lateral sewer system, consisting of lateral sewers, sub-mains and subtrunks tributary to the subtrunk extension along Main Street within existing Sewer District No. 10 and including any necessary appurtenances required therefor, manholes, house connection stubs brought to the curbs, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, in the District, as stated in the notice calling the public hearing to consider the establishment of the District and the construction of such sewer system, is \$780,000.; and

WHEREAS, due to generally increased costs of labor and materials, preliminary costs and costs incidental thereto, it is now estimated that the maximum cost of such construction will exceed \$780,000 by the amount of \$545,000; and

WHEREAS, following due submission of an application by said Town Board, the State Comptroller has approved the increase of the maximum amount to be expended for construction of such sewer system from \$780,000. to \$1,325,000. pursuant to Order dated September 2, 1969; 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, in the Town, on the 15th day of October, 1969, at 8:15 o'clock P. M. (D.S.T.), to consider such proposed increase in the maximum amount to be expended from \$780,000. to \$1,325,000.

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ORDER CALLING PUBLIC HEARING RE INCREASE OF MAXIMUM AMOUNT TO BE EXPENDED FROM \$780,000 to \$1,325,000 continued

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 hereby designated as the official newspaper of the Town for such publication and post conspicuously 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 the District, in the Town, a copy of this Order certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the day designated therein for said public hearing aforesaid.

DATED: SEPTEMBER 17, 1969

TOWN BOARD OF THE TOWN OF CLARKSTOWN

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

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

At a regular meeting of the Town Board of the Town of Clarkstown, in the County of Rockland, New York, held at the Town Hall, 10 Maple Avenue, New City, New York, in said Town, on the 17th day of September, 1969.

PRESENT:

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

In the Matter of the Increase in the Maximum Amount to be Expended for the Improvement in Sewer District No. 18, in the Town of Clarkstown, in the County of Rockland, New York.

ORDER CALLING PUBLIC HEARING INCREASING THE MAXIMUM AMOUNT TO BE EXPENDED FROM \$1,700,000 TO \$2,120,000 - OCTOBER 15, 1969

WHEREAS, the Town Board of the Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, has duly established Sewer District No. 18, in the Town (herein called "District"), pursuant to Order dated July 13, 1964, following a public hearing duly called and held, and receipt of an order of the State Comptroller granting permission therefor, the boundaries of the District being described as follows :

FOR BOUNDARY DESCRIPTION REFER TO TOWN BOARD MINUTES OF JULY 13, 1964 PAGES 259 thru 263

WHEREAS, the maximum amount proposed to be expended for construction of a lateral sewer system, consisting of lateral sewers, sub-mains and sub-trunks tributary to the sub-trunk extension along New Hempstead Road within existing Sewer District No. 10, in the Town, and including manholes, house connection stubs brought to the curbs, acquisition of necessary land and rights in land and original equipment, machinery and apparatus, in the District, as stated in the notice calling the public hearing to consider the establishment of the District and the construction of such sewer system, is \$1,196,000; and

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TBM

ORDER CALLING PUBLIC HEARING INCREASING THE MAXIMUM AMOUNT TO BE EXPENDED FROM \$1,700,000 TO \$2,120,000 - OCTOBER 15, 1969 continued

WHEREAS, pursuant to Section 209-h of the Town Law, after a public hearing duly called and held, following receipt of an Order of the Comptroller of the State of New York, dated December 6, 1967, approving the application of the Town Board to increase the maximum amount to be expended from \$1,196,000 to \$1,700,000, the Town Board on January 17, 1967, adopted an Order, subject to permissive referendum, determining that it is in the public interest to so increase the maximum amount to be expended for construction of a sewer system in the District and ordering such increase; and

WHEREAS, due to further increased costs of labor and materials, preliminary costs and costs incidental thereto, it is now estimated that the maximum cost of such construction will exceed \$1,700,000 by the amount of \$420,000; and

WHEREAS, following due submission of an application by said Town Board, the State Comptroller has approved the increase of the maximum amount to be expended for construction of such sewer system from \$1,700,000 to \$2,120,000, pursuant to Order dated September 10, 1969;

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, in the Town, on the 15th day of OCTOBER, 1969, at 8:30 o'clock P. M. (D.S.T.), to consider such proposed increase in the maximum amount to be expended from \$1,700,000 to \$2,120,000 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 hereby designated as the official newspaper of the Town for such publication and post conspicuously 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 within the District, in the Town, a copy of this Order certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the day designated therein for said public hearing aforesaid.

DATED: SEPTEMBER 17, 1969

TOWN BOARD OF THE TOWN OF CLARKSTOWN

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

Members of the Town Board of the Town of Clarkstown

(722) Councilman Damiani offered the following resolution:

RESOLVED, based upon request made by Charles T. Cassels, Adm. Asst. to the Clarkstown Planning Board, that an extension of 45 days be given to the Planning Board for reply to referral of zone change made by Hilberg (R-15 to RG-2) for property located on w/s Dustman Lane.

Seconded by Councilman Brenner.

All voted Aye.

(723) Councilman Brenner offered the following resolution:

RESOLVED, that the Clarkstown Planning Board be granted 45 day extension for recommendation on Zone Change Application made by Hazel Richmond (PO to CS) bringing the expiration date to October 31st, 1969.

Seconded by Councilman Damiani

All voted Aye.

9/17/69

TBM

(724) Councilman Bolander offered the following resolution:

WHEREAS, 59-304 Realty Co. has made application for a zone change from IO, R-22 and R-15 to MRS and M or IO affecting property bounded south of Route 59, east of Route 304 and west of Rose Road in Nanuet, New York and

WHEREAS, a public hearing was called to consider the said application on September 10, 1969 at 8:00 P. M., but prior thereto, the applicants requested an "indefinite postponement" resulting in the cancellation of the public hearing, and

WHEREAS, foot-note 8 to paragraph 3.12 of the Clarkstown Zoning Ordinance prohibits the creation of an MRS Zone unless there is sufficient area so as to permit a rectangle measuring 1000 feet by 1200 feet to fit entirely within the site, and

WHEREAS, it appears that the parcel set forth in the petition does not meet the area requirement above mentioned:

NOW THEREFORE, be it

RESOLVED, that the petition be and is hereby dismissed.

Seconded by Councilman Brenner.

All voted Aye.

Town Attorney to give copy of letter re above to Mrs. LaFenta, 16 Kirchner Dr., West Nyack.

(725) Councilman Bolander offered the following resolution:

RESOLVED, that the Police Chief analyze request made by Mr. J. Banask, 44 James St., New City for STOP sign on northeast corner of Radcliff and James and make recommendation to Town Board at meeting to be held on 9/30/69.

Seconded by Councilman Frohling.

All voted Aye.

(726) Councilman Damiani offered the following resolution:

WHEREAS, a proceeding has been instituted against the Town Board members entitled as follows:

In the Matter of the Application of

JOSEPH HORNICK,

Petitioner,

-against-

PAUL MUNDT, JAMES DAMIANI, WILLIAM
BRENNER, PHILIP FROHLING AND FRANK
BOLANDER,

Respondents,

For a writ pursuant to Section 7801 of
the CPLR in the nature of mandamus;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is authorized to defend said action and take all necessary required proceedings in court in connection with said action.

Seconded by Councilman Brenner.

All voted Aye.

9/17/69

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(727) Councilman Frohling offered the following resolution:

PLEASE REFER TO MINUTES OF 9/30/69. Resolution #776.

Seconded by Councilman Damiani.

All voted Aye.

(728) Councilman Damiani offered the following resolution:

RESOLVED, based upon recommendation of the Town Engineer, that amount of \$4,328.00 be drawn from Drainage Bond Issue #4 to alleviate drainage problem existing on Salem Road, New City.

Seconded by Councilman Frohling.

All voted Aye.

(729) Councilman Frohling offered the following resolution:

WHEREAS, it is necessary to obtain an easement from ARKO HOMES, INC. for the construction of lateral sewers in Sewer District No. 33, and

WHEREAS, negotiations with Arko Homes, Inc. have arrived at a price of \$1,250.00 for said easement, together with some restoration work to be done to the property of said company, and

WHEREAS, Charles R. Velzy Associates, sewer consultants for the Town of Clarkstown, recommend the acceptance of said easement;

NOW THEREFORE, be it

RESOLVED, that the easement from Arko Homes, Inc. be accepted and Sewer District No. 33 pay said corporation the sum of \$1,250.00, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to sign said easement agreement.

Seconded by Councilman Damiani.

All voted Aye.

(730) Councilman Damiani offered the following resolution:

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

Simon Rawle, West Broadway, Central Nyack, New York;

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued;

No. 69-82 to Simon Rawle.

Seconded by Councilman Frohling.

All voted Aye.

(731) Councilman Damiani offered the following resolution:

WHEREAS, Reyville Estates, Sec. 11 presently has outstanding performance bond No. 2234165 in the amount of \$25,000 and sanitary sewer bond No. 2234166 in the amount of \$7400.00, and

WHEREAS, all work on public improvements with the exception of of grading and seeding a portion of the parkland to be dedicated to the town has been completed,

NOW THEREFORE, be it

RESOLVED, that upon the recommendation of the Town Attorney, Town Engineer, and Supt. of Highways, the Supervisor is hereby authorized to execute an agreement providing for the dedication of said roads, the release of the

Resolution #731 continued:

above referenced bonds and the acceptance of a maintenance bond of Continental Casualty Co. in the amount of \$14,960.00; in addition, the principal on said bond is to deposit with the Town of Clarkstown, the sum of \$2500.00 to guarantee the completion of the grading and seeding.

Seconded by Councilman Frohling.

All voted Aye.

(732) Councilman Brenner offered the following resolution:

WHEREAS, the Town of Clarkstown is in receipt of the following invoice:

BARBOUR & JOST SURVEYORS
219 So. Main St., New City, N.Y.

Feasibility Study: Plan and Profile
for regrading of Virginia Street westerly
from Carolina Drive; with Estimate of Cost
of said improvement..... \$450.00

WHEREAS, the Town Board of the Town of Clarkstown had authorized such work be done by Barbour & Jost, Surveyors,

NOW THEREFORE, be it

RESOLVED, that the sum of \$450.00 be paid to Barbour & Jost, Surveyors and this be a proper charge to Current Surplus-General.

Seconded by Councilman Frohling.

All voted Aye.

(733) Councilman Frohling offered the following resolution:

WHEREAS, the Town of Clarkstown is in receipt of the following invoice:

GEORGE F. HALL
22 South Main St., New City, N.Y.

8/11/69 - Appraisal - Map 111, Block A, Lot 29..... \$150.00

WHEREAS, such appraisal was authorized by the Town Board by resolution on May 21, 1969, and

WHEREAS, said expenses were incurred in furtherance of the Town Recreation Program, and

WHEREAS, it is deemed said expenses are a proper charge against the Money in Lieu of Land Account,

NOW THEREFORE, be it

RESOLVED, that the sum of \$150.00 is hereby transferred from Money in Lieu of Land Account to General Fund, Recreation - Park Development Account for the payment of described invoice.

Seconded by Councilman Brenner.

All voted Aye.

(734) Councilman Damiani offered the following resolution:

WHEREAS, the Town of Clarkstown is in receipt of the following invoice:

Mike Araneo, Inc.
11 Robin Hood Lane
New City, N.Y.
Re: French Farm Bulldozing, New City, N.Y.\$980.00

WHEREAS, said expenses were incurred in furtherance of the Town Recreation Program, and

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Resolution #734 continued:

WHEREAS, it is deemed said expenses are a proper charge against the Money in Lieu of Land Account;

NOW THEREFORE, be it

RESOLVED, that the sum of \$980.00 is hereby transferred from Money in Lieu of Land Account to General Fund, Recreation-Park Development Account for the payment of described invoice.

Seconded by Councilman Brenner.

All voted Aye.

(735) Councilman Damiani offered the following resolution:

WHEREAS, the Town of Clarkstown is in receipt of the following invoice:

Mike Araneo, Inc.
11 Robin Hood Lane
New City, New York.....\$805.00

WHEREAS, said expenses were incurred in furtherance of the Town Recreation Program, and

WHEREAS, it is deemed said expenses are a proper charge against the Money in Lieu of Land Account;

NOW THEREFORE, be it

RESOLVED, that the sum of \$805.00 is hereby transferred from Money in Lieu of Land Account to General Fund, Recreation-Park Development Account for the payment of described invoice.

Seconded by Councilman Frohling.

All voted Aye.

(736) Councilman Damiani offered the following resolution:

WHEREAS, the Town of Clarkstown is in receipt of the following invoice:

Mike Araneo, Inc.
11 Robin Hood Lane
New City, New York
Re: French Farm Bulldozing, New City, N.Y.....\$875.00

WHEREAS, said expenses were incurred in furtherance of the Town Recreation Program, and

WHEREAS, it is deemed said expenses are a proper charge against the Money in Lieu of Land Account;

NOW THEREFORE, be it

RESOLVED, that the sum of \$875.00 is hereby transferred from Money in Lieu of Land Account to General Fund, Recreation-Park Development Account for the payment of described invoice.

Seconded by Councilman Brenner.

All voted Aye.

(737) Councilman Brenner offered the following resolution:

WHEREAS, the Town of Clarkstown is in receipt of the following invoice:

Mike Araneo, Inc.
11 Robin Hood Lane
New City, N.Y.
Re: French Farm Bulldozing, New City, N.Y. \$910.00

WHEREAS, said expenses were incurred in furtherance of the Town Recreation Program, and

WHEREAS, it is deemed said expenses are a proper charge against the Money in Lieu of Land Account;

Resolution #737 continued:

NOW THEREFORE, be it

RESOLVED, that the sum of \$910.00 is hereby transferred from Money in Lieu of Land Account to General Fund, Recreation-Park Development Account for the payment of described invoice.

Seconded by Councilman Damiani.

All voted Aye.

(738) Councilman Frohling offered the following resolution:

WHEREAS, there is a vacancy in the Town Clerk's Office created by the leave of absence granted to Sandra Lopes,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service Form for the provisional appointment, pending examination of Mary Coughlin, 5 Carrie Drive, New City, N.Y. to the position of Typist-Town Clerk's Office at a salary of \$4082.00 per annum, effective and retroactive to 9/15/69.

Seconded by Councilman Damiani.

All voted Aye.

(739) Councilman Damiani offered the following resolution:

WHEREAS, the Town Engineer has requested additional help,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment n/t/e thirty days of Joseph Secora, 19 Jerrys Avenue, Nanuet, N.Y. to the position of Sewer Inspector at a salary of \$3.50 per hour, effective and retroactive to September 8, 1969.

Seconded by Councilman Frohling.

All voted Aye.

(740) Councilman Damiani offered the following resolution:

WHEREAS, there is a vacancy in the position of Cleaner in Town Hall created by the retirement of William Mutinsky,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment - September 3, 4 and 5, 1969 of Joseph A. Secora, 19 Jerrys Avenue, Nanuet, N.Y. to position of Cleaner-Town Hall at a salary of \$3.50 per hour, effective and retroactive to September 3, 1969.

Seconded by Councilman Frohling.

All voted Aye.

(741) Councilman Frohling offered the following resolution:

WHEREAS, the Town Engineer's Office has requested additional help,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment, n/t/e 30 days of Joseph Kubran, 36 Oak Road, New City, N.Y. to the position of Sewer Inspector-Sewer Department, at a salary of \$3.50 per hour, effective and retroactive to September 15, 1969.

Seconded by Councilman Damiani.

All voted Aye.

(742) Councilman Frohling offered the following resolution:

WHEREAS, additional help is needed in the Town Hall in the position of Cleaner,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment September 8 thru September 12, 1969 of Joseph W. Kubran, 36 Oak Road, New City, N.Y. to the position of Cleaner at a salary of \$3.50 per hour, effective and retroactive to September 8, 1969.

Seconded by Councilman Damiani.

All voted Aye.

(743) Councilman Frohling offered the following resolution:

WHEREAS, there is a vacancy in the position of Cleaner in Town Hall created by the retirement of William Mutinsky,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment n/t/e 30 days of Virgil D. Baker, 6 Blauvelt Road, Nanuet, N.Y. to the position of Cleaner-Town Hall at a salary of \$3.50 per hour, effective and retroactive to September 8, 1969.

Seconded by Councilman Damiani.

All voted Aye.

(744) Councilman Damiani offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on July 16, 1969, that the position of Stenographer in the Supervisor's Office can now be created,

NOW THEREFORE, be it

RESOLVED, that said position is hereby created, and be it

FURTHER RESOLVED, that Marie Molinare, Crest View, Tomkins Cove, New York, is hereby appointed to the position of Stenographer, part-time, in the Supervisor's Office at a salary of \$2.47 per hour effective and retroactive to September 8, 1969.

Seconded by Councilman Frohling.

All voted Aye.

(745) Councilman Brenner offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certificate of Eligibles containing the name of Helen Gurvitch,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Helen Gurvitch, 8 Jil Drive, West Nyack, N.Y. to the position of Purchaser at a salary of \$5,887.10 per annum, effective and retroactive to September 8, 1969, on a Part-Time basis.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Brenner, Damiani, Frohling, Supervisor Mundt
 NCES: Councilman Bolander

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(746) Councilman Damiani offered the following resolution:

WHEREAS, the position of Sr. Typist in the Supervisor's Office has been established and Certificate of Eligibles furnished by the Rockland County Personnel Office contains the name of Alice Secora,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Alice M. Secora, 19 Gerrys Avenue, Nanuet, N.Y. to the position of Sr. Typist-Supervisor's Office at a salary of \$5,070.00 per annum, effective and retroactive to September 8, 1969.

Seconded by Councilman Brenner.

All voted Aye.

(747) Councilman Frohling offered the following resolution:

WHEREAS, there is a vacancy in the position of Typist in the Town Engineer's Office,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the provisional appointment, pending examination, of Helen M. Olsen, 21 Haverstraw Road, Congers, New York to the position of Typist-Sewer Department, at a salary of \$4,082.00 per annum, effective September 17, 1969.

Seconded by Councilman Damiani.

All voted Aye.

(749) Councilman Damiani offered the following resolution:

WHEREAS, the Town Engineer has requested additional help,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment, n/t/e thirty days of Albert W. Hohmann, Jr., 29 Elmwood Drive, New City, New York to the position of Sewer Inspector at a salary of \$3.50 per hour, effective and retroactive to September 4, 1969.

Seconded by Councilman Frohling.

All voted Aye.

(750) Councilman Brenner offered the following resolution:

WHEREAS, Paul Bailey, Assessor, has requested additional clerical help,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment n/t/e thirty days of Marilyn Nadel, 22 Shetland Drive, New City, New York to the position of Clerk, part-time Assessor's Office, at a salary of \$2.00 per hour, effective Sept. 17, 1969.

Seconded by Councilman Damiani.

All voted Aye.

(751) Councilman Brenner offered the following resolution:

WHEREAS, Paul Bailey, Assessor, has requested additional clerical help,

Resolution #751 - continued:

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment n/t/e thirty days of Marion Frendergast, 4 Woodside Drive, New City, N.Y. to position of Clerk, part-time, Assessor's Office at a salary of \$2.00 per hour, effective and retroactive to September 16, 1969.

Seconded by Councilman Damiani.

All voted Aye.

(752) Councilman Damiani offered the following resolution:

RESOLVED, based upon the recommendation of the Director of Purchasing, that bid for furnishing Football Equipment 1969 be made to lowest bidder on a per item basis as follows:

Todd-Phelps Sportswear (Items #3, #5).....	\$1,074.00
Simkins (Items #1-A, 1-C).....	150.00
Marty Spolan (Items #1-B, 2,4).....	<u>166.50</u>
Total	\$1,390.50

Seconded by Councilman Brenner.

All voted Aye.

(753) Councilman Frohling offered the following resolution:

RESOLVED, based upon recommendation of the Chief of Police, that Ptl. Thomas Boccardi be given an extended sick leave of three days.

Seconded by Councilman Damiani.

All voted Aye.

(754) Councilman Bolander offered the following resolution:

WHEREAS, the resolution adopted on 9/3/69 this Board authorized the preparation by the Apostle-Lockwood Advertising Agency of a brochure detailing the purpose of Local Law #8-1968 relating to the creation of the Town Sanitation Commission and the regulation of garbage removal in the Town,

NOW THEREFORE, be it

RESOLVED, that for the purpose of printing said brochure the sum of \$992.00 be authorized to be expended and said amount be charged against Sanitary Land Fill account.

Seconded by Councilman Brenner.

All voted Aye.

(755) Councilman Brenner offered the following resolution:

RESOLVED, based upon recommendation of the Town Engineer, that the amount of \$1950.00 be drawn on Sidewalk Account for installation of sidewalks on the west side of Route 304, between Leona Avenue and Virginia St., New City, N.Y.

Seconded by Councilman Bolander.

All voted Aye.

(756) Councilman Damiani offered the following resolution:

RESOLVED, based upon recommendation of the Town Engineer, that the amount of \$1280.00 be charged to Drainage Bond Issue #4 to correct drainage problem of John Bischoff, South Mountain Rd., New City, N.Y.

Seconded by Councilman Frohling.

All voted Aye.

(757) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board has approved Phase 1 of the Valley Cottage Mall authorizes the acquisition of property for same, and

WHEREAS, it is necessary to acquire the property of Stone and Shatzberg, and

WHEREAS, the negotiations with said parties have been completed:

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown acquire the property of Stone for the sum of \$7,000.00 and of Shatzberg for the sum of \$23,500.00, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute the contract of said purchase.

Seconded by Councilman Damiani.

All voted Aye.

(758) Councilman Damiani offered the following resolution:

WHEREAS, the Town of Clarkstown is in possession of Bond No. 2238715, in the amount of \$4,000.00 of RULAIN REALTY CORP., as Principal, HOWARD ELLISH, JEROME GERBER, SHELDON GOLDSTEIN & SAMUEL SONNETT, as Co-Principals, and the Continental Casualty Co., dated the 31st day of August 1966, concerning the repairing and restoration of roads in the location of a pipe in a subdivision known as REYVILLE ESTATES-SEC. 11, and

WHEREAS, the Highway Supt. recommends the release of said bond,

NOW THEREFORE, be it

RESOLVED, that the bond as above referred to is hereby released.

Seconded by Councilman Bolander.

All voted Aye.

Mr. Phillip Bosco appeared before Town Board requesting exclusion of through trucking on Rose Road - Councilman Frohling will pursue matter.

(759) Councilman Brenner offered the following resolution:

WHEREAS, condemnation proceedings to condemn the bed of Pierce St., Nanuet have resulted in an Order of immediate possession signed 9/9/69 by the Honorable Robert E. Dempsey, Justice of the Supreme Court, and

WHEREAS, it is desired to construct the special improvement to be known as Pierce Street;

NOW THEREFORE, be it

RESOLVED, that the Highway Supt. is hereby authorized to construct the special improvement known as Pierce Street at a cost not to exceed \$8000.00 upon the completion of the plans and specifications of the Town Engineer.

Seconded by Councilman Bolander.

All voted Aye.

(760) Councilman Bolander offered the following resolution:

WHEREAS, a request has been received by Councilman Bolander from the Link School Parent-Teacher Association for installation of two school blinker lights approximately 500' north and south of the intersection of Red Hill Road and Little Tor Road; said lights to be set blinking from 7:45 AM to 8:45 AM; 11:15 AM to 12:15 PM to 3:30 PM;

Resolution #760 continued:

NOW THEREFORE, be it

RESOLVED, that the Town Clerk forward said request to the Chief of Police and the Highway Superintendent requesting that they present their recommendation to the Town Board at the meeting to be held on 9/30/69.

Seconded by Councilman Brenner.

All voted Aye.

Councilman Damiani reported that he met with Commissioner of State of New York on Senior Citizens Housing; will make full report when brochures received requested that Town Board give full thought to rent control on Senior Citizens' housing.

(761) Councilman Brenner offered the following resolution:

WHEREAS, it has been proposed that Route 59, Nanuet, be reconstructed, and

WHEREAS, such plan for reconstruction has been approved by the Rockland County Liaison Committee, and

WHEREAS, the Liaison Committee has expressed approval on design only, with no opinion expressed on type of construction, and

WHEREAS, earthen fill construction will (a) create an extreme hardship to the community during the period of construction, (b) will not be in the best interest of the community esthetically, (c) will divide the Nanuet Business Area with an earthen wall, (d) will decrease property values in the heart of the most highly assessed and most valuable commercial lands in the Town of Clarkstown, and

WHEREAS, the Town Board has previously expressed approval of the design plan, being unaware of the proposed earthen-fill construction, and

WHEREAS, the residents of Nanuet, and the Town of Clarkstown Town Board has expressed the desire for concrete pillar, cantilever-type construction,

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown expresses approval of the traffic flow plan as recently proposed by the Department of Transportation, but for reasons stated heretofore, expresses opposition and disapproval of the earthen-fill type construction in the immediate area of Route 59 and Main Street, Nanuet.

Seconded by Councilman Bolander.

All voted Aye.

The following resolution was typed out of order - #762 follows.

(763) Councilman Brenner offered the following resolution:

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

Thomas Carbone, d/b/a T & C Sewer Connections
16 Central Drive, Nanuet, New York

Mario Lepori
55 Grove Street, Monsey, New York

NOW THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

No. 69-83 to Mario Lepori
No. 69-84 to Thomas Carbone

Seconded by Councilman Damiani.

All voted Aye.

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Resolution #762 - out of order

(762) Councilman Frohling offered the following resolution:

RESOLVED, that the Highway Superintendent be authorized to expend an amount not to exceed \$1500. to improve New York Trap Rock property located on the north side of Long Clove Road, adjacent to the intersection with Route 9W to be used as Clarkstown Police Shooting Range.

Seconded by Councilman Damiani.

All voted Aye.

(764) Councilman Frohling offered the following resolution:

WHEREAS, the Town of Clarkstown is in receipt of the following invoice:

OLIVE C. MCRICHARD
468 South Route 304, New City, N.Y.

Services rendered in the matter of the appraisal
for the Kings Park Project.....\$150.00

WHEREAS, such appraisal was authorized by the Town Board by resolution on September 17, 1969, and

WHEREAS, said expenses were incurred in furtherance of the Town Recreation Program, and

WHEREAS, it is deemed said expenses are a proper charge against the Money in Lieu of Land Account,

NOW THEREFORE, be it

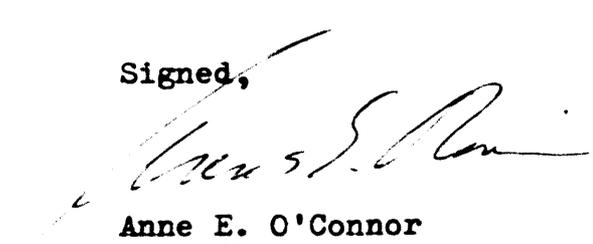
RESOLVED, that the sum of \$150.00 is hereby transferred from Money in Lieu of Land Account to General Fund, Recreation - Park Development Account for the payment of described invoice.

Seconded by Councilman Damiani.

All voted Aye.

On resolution offered by Councilman Frohling, seconded by Councilman Damiani and unanimously adopted, Town Board meeting was adjourned until 9/30/69 at 10:00 AM.

Signed,


Anne E. O'Connor
Town Clerk