

TOWN BOARD MEETING

Town Hall

9/30/69

10:00 AM

Present: Councilmen Breener, Bolander, Damiani, Frohling, Supervisor Mundt
Town Clerk Anne E. C' Connor
Town Attorney and Deputy Town Attorneys

Supervisor called Town Board meeting to order.

Progress Report in connection with Rennert Lane made by Town Attorney. Has been in touch with Mr. Phillips who has recommended to his client that he give easement free of charge to the town. Client has not yet made decision; Mr. Phillips will follow up matter.

Town Engineer reported to Town Board that erosion problem existing at Klapper residence located at 15 Gerardine Place has been resolved at no additional cost to the Town.

(765) Councilman Bolander offered the following resolution:

RESOLVED, based upon the recommendation of the Chief of Police, that a STOP sign be placed at the northeast corner of Radcliff Drive and James Street, New City, N.Y. and be it

FURTHER RESOLVED, that the Highway Superintendent be instructed to Have same erected at this location.

Seconded by Councilman Damiani.

All voted Aye.

(766) Councilman Damiani offered the following resolution:

WHEREAS, based upon the recommendation of the Chief of Police that a red and yellow blinker light be placed at the intersection of Red Hill Road and Little Tor Road and a red blinker facing east bound traffic on Red Hill, and be it

FURTHER RESOLVED, that the Highway Supt. is hereby authorized to install said Lights.

Seconded by Councilman Frohling.

All voted Aye.

(767) Councilman Damiani offered the following resolution:

RESOLVED, that Gladys G. Weber, 4 Phillips Hill Rd., New City, N.Y. is hereby appointed to serve on the Historical Review Board, effective immediately.

Seconded by Councilman Frohling.

All voted Aye.

Highway Superintendent will report re complaint of Mrs. Brooks Arthur, Sherry Drive, Valley Cottage (condition of road), at next Town Board meeting. (10/8/69). Town Clerk will place on agenda.

(768) Councilman Brenner offered the following resolution:

WHEREAS, the following have 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:

L & R Excavating, Inc.
63 Grove Street, Tenafly, N.J.

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Resolution #768 continued:

Edward J. Huegel, Inc.
110 Crooked Hill Road, Pearl River, N.Y.

NOW THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

No. 69-85 to L & R Excavating
No. 69-86 to Edward J. Huegel, Inc.

Seconded by Councilman Bolander.

All voted Aye.

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

Re Amundsen, New City Park: the following resolution was adopted:

(769) Councilman Bolander offered the following resolution:

WHEREAS, residents on Amundsen Lane, New City, in vicinity of Link School have requested the Town Board to prohibit use of street for school busses to alleviate danger to children walking to school,

NOW THEREFORE, be it

RESOLVED, that Councilman Bolander be instructed to investigate school bus traffic on this street, and be it

FURTHER RESOLVED, that the Town Engineer devise a rendering which would relate to widening of entire road, including sidewalks and come up with entire cost, and that the Highway Superintendent be authorized to contact homeowners and remove shrubs and bushes on the right of way to make visibility greater, and be it

FURTHER RESOLVED, that based upon the recommendation of the Chief of Police, a NO PARKING restriction to be placed on Amundsen Lane in the vicinity of Red Hill Road; both sides of Amundsen Lane to be marked "NO PARKING" within the area of 200' from Red Hill Road, Highway Superintendent erect signs.

Seconded by Councilman Damiani.

All voted Aye.

(770) Councilman Frohling offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install one (1) 7900 Lu Mercury Vapor Street Light on Pole #2, Hustead Lane, West Nyack, at cost of town of \$54.60 annually.

Seconded by Councilman Damiani.

All voted Aye.

(771) Councilman Frohling offered the following resolution:

WHEREAS, a Performance Bond No. 90091 of LAKE DEFOREST DEVELOPMENT CORP. as Principal, and SYDNEY KENT AND BEN SHERMAN as Co-Principals, and the REPUBLIC INSURANCE COMPANY as Surety, dated July 28, 1967, in the amount of \$130,600.00, Final Plat of Section 1 Thornwood Hills South, dated May 22, 1967 and revised June 19, 1967, said performance bond having been approved by the Town Board of the Town of Clarkstown August 2, 1967, and

WHEREAS, after due notice and public hearing by the Planning Board, amount of said bond was reduced from \$130,600.00 to \$105,400.00 at the Town Board meeting of October 31, 1967, and

Resolution #771 continued:

WHEREAS, after due notice and public hearing, the Planning Board of the Town of Clarkstown has recommended the further reduction of Bond No. 90091 from \$105,400.00 to \$48,835.00;

NOW THEREFORE, be it

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

Seconded by Councilman Damiani.

All voted Aye.

(772) Councilman Brenner offered the following resolution:

WHEREAS, a bid was received on November 20, 1968 for the landscaping of Gerardine Place by J.J. Schweizer of 1 Eldor Avenue, New City, New York in the net sum of \$7,640.00, and

WHEREAS, the foregoing was the low bid submitted and said J. J. Schweizer was authorized by the Town Board to proceed with the work set forth in said bid,

NOW THEREFORE, be it

RESOLVED, that said bid J. J. Schweizer be and the same is hereby accepted and the work performed thereunder be and the same is hereby approved and ratified with the payment for same charged to Drainage Project. No. 4

Seconded by Councilman Frohling.

All voted Aye.

(773) Councilman Damiani offered the following resolution:

RESOLVED, that upon the request of C. Elsie Monneret, Receiver of Taxes, the employment of the following clerks in the office of the Receiver of Taxes be extended for a period of thirty days from October 2, 1969, at their present hourly rate of compensation:

Edna Maisch, 25 Fairview Avenue, Nanuet, New York
 Florence M. Pratt, 31 No. Middletown Rd., Nanuet, N.Y.
 Betty Snyder, 126 South Harrison Avenue, Congers, N.Y.
 Ruth McElhone, 143 So. Harrison Avenue, Congers, N.Y.

Seconded by Councilman Frohling.

All voted Aye.

(774) Councilman Damiani offered the following resolution:

WHEREAS, there is a vacancy in the position of Typist in the Planning Board 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 JOAN CUNNINGHAM, 56 Old Nyack Turnpike, Nanuet, New York to the position of Typist-Planning Board at a salary of \$4,082.00 per annum, effective October 6, 1969.

Seconded by Councilman Brenner.

All voted Aye.

(775) Councilman Damiani offered the following resolution:

WHEREAS, Edward J. Flynn, Town Justice, has requested additional clerical help,

NOW THEREFORE, be it

Resolution #775 continued:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Mary E. Keyes, 41 James St., New City, N.Y. to the position of Clerk to Town Justice at a salary of \$4,846.00 per annum; effective October 6, 1969.

Seconded by Councilman Brenner.

All voted Aye.

Mr. Stensby, 4 Ethel Drive, New City, N.Y. appeared before the Town Board requesting waiver of sewer hookup. Report requested from Town Engineer and Sewer Consultants. Matter will be placed on 10/8/69 Town Board meeting agenda by Town Clerk.

Request of Mrs. Neri, 12 May Place for landscaping done in back yard; Highway Superintendent sought Town Board approval for same. Matter will be placed on 10/8/69 Town Board meeting agenda.

(776) Supervisor Mundt offered the following resolution:

RESOLVED, that Resolution No. 727 adopted on 9/17/69 establishing Sewer District No. 35 - with revisions is hereby rescinded.

Seconded by Councilman Damiani.

All voted Aye.

(777) Supervisor Mundt offered the following resolution:

RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPT. 30, 1969, APPROVING THE ESTABLISHMENT OF PROPOSED SEWER DISTRICT NO. 35 IN SAID TOWN AND CONSTRUCTION OF A LATERAL SEWER SYSTEM THEREIN 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, has heretofore duly caused Charles R. Velzy, Associates, Inc., P. E. consulting engineers duly licensed by the State of New York, to prepare a general map, plan and report relating to the establishment of proposed Sewer District No. 35, in the Town (herein called "District"), as hereinafter described and for the construction of a lateral sewer system therein, and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been duly filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, pursuant to order duly adopted on July 16, 1969 the Town Board determined to proceed with the establishment of the District and the construction of such lateral sewer system therein and adopted an order reciting a description of the boundaries of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, including acquisition of the necessary land and rights in land, the proposed method of financing to be employed in the fact that a map, plan and report describing the same are on file in the Town Clerk's Office for public inspection and specifying July 30, 1969, at 8:15 o'clock P. M. (E.S.T.) at the time when, and the Town Hall, 10 Maple Avenue, New City, N.Y. in the Town, as the place where, the Town Board would meet to consider establishment of the District and the construction of a lateral sewer system therein, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law; and

WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of Article 12-A of the Town Law; and

Resolution #777 continued: APPROVING THE ESTABLISHMENT OF PROPOSED SEWER DISTRICT NO 35 AND CONSTRUCTION OF A LATERAL SEWER SYSTEM THEREIN AND PROVIDING THAT SUCH RESOLUTION SHALL BE SUBJECT TO PERMISSIVE REFERENDUM.

WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of Article 12-A of the Town Law; and

WHEREAS, a public hearing in the matter was duly held by the Town Board on this 30th day of July, 1969, commencing at 8:15 o'clock P.M. (E.S.T.), at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the establishment of the District and construction therein of such lateral sewer system;

now, therefore, upon the evidence adduced at such public hearing, be it

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 notice of public hearing was published and posted as required by law, and is otherwise sufficient;

(b) all the property and property owners included within the District hereinabove referred to in the recitals hereof are benefited thereby;

(c) all the property and property owners benefited are included within the limits of the District; and

(d) it is in the public interest to establish the District.

Section 2. The establishment of the District is hereby approved as hereinafter described and the proposed lateral sewer system therein shall be constructed as set forth in the said Order Calling the Public Hearing and the District shall be designated and known as Sewer District No. 35, in the Town of Clarkstown, situate wholly outside of any incorporated village or city, and shall be bounded and described as follows:

TOWN OF CLARKSTOWN
ROCKLAND COUNTY, NEW YORK

Sewage Collection District No. 35

APPENDIX A
BOUNDARY DESCRIPTION

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 Assessor's office located in the Town Hall, 10 Maple Avenue, New City, New York.

Easterly Boundary

Beginning at a point located at the southwesterly corner of Lot 140-A5, which point is on the easterly right-of-way of New York State Route 9W; thence northerly along the westerly boundary of Lot 141-A-5 to the southwesterly corner of Lot 141-A-6.04; thence easterly along the southerly boundary of said Lot 141-A-6.04 to the southeasterly corner of said Lot 141-A-6.04; thence northerly along the easterly boundaries of Lots 141-A-6.04, and 6.05 to the northeasterly corner of Lot 141-A-6.05; thence easterly along the southerly boundary of Lot 141-A-6.06 to the southeasterly corner of Lot 141-A-6.06; thence northeasterly corner of said Lot 141-A-6.06 at Doctor Davies Road; thence northerly in a straight line across Doctor Davies Road to the southeasterly corner of Lot 141-A-19; thence northerly along the easterly boundary of Lot 141-A-19 to the northeasterly corner of Lot 141-A-19; thence northerly along the easterly boundary of Lots 142-A-3 and 5.01 to the northeasterly corner of Lot 142-A-5.01; thence easterly along the southerly boundary of Lot 142-A-5.02 to the southeasterly corner of Lot 142-A-5.02; thence northerly along the easterly boundary of said lot 142-A-5.02 to the northeasterly corner of said Lot 142-A-5.02; thence westerly along the northerly boundary of Lot 142-A-5; thence northerly along the easterly boundary of said Lot 141-A-5 to the northeasterly corner of said Lot 141-A-5; thence westerly along the northerly boundary of said Lot 141-A-5 to the northwesterly corner of Lot 142-A-5, at N.Y.S. Route 9W; thence northerly along the westerly boundary of Lot 142-A-6 to the southwesterly corner of Lot 142-A-5.05; thence easterly along the southerly boundary of Lot 142-A-5.05 to the southeasterly corner of said Lot 142-A-5.05; thence northerly along the easterly boundary of Lot 142-A-5.05 to the northwesterly corner of said Lot 142-A-5.05;

Resolution #777 continued: APPROVING THE ESTABLISHMENT OF PROPOSED SEWER DISTRICT NO. 35 AND CONSTRUCTION OF A LATERAL SEWER SYSTEM THEREIN AND PROVIDING THAT SUCH RESOLUTION SHALL BE SUBJECT TO PERMISSIVE REFERENDUM.

Northerly Boundary

thence westerly along the northerly boundary of Lot 142-A-5.05 to the northwesterly corner of said Lot 5.05, at Route 9W; thence southerly in a straight line across Route 9W to the northeasterly corner of Lot 142-A-7; thence westerly along the northerly side of said Lot 142-A-7 to the northwesterly corner of said Lot 142-A-7 which point is on the easterly side of Lot 142-A-32.18; thence northerly along the easterly side of said Lot 142-A-32.18 to the northeasterly corner of said Lot 142-A-32.18; thence westerly along the northerly side of said Lot 32.18 to the northwesterly corner of said Lot 32.18; thence southerly along the westerly side of said Lot 32.18 to the southwesterly corner of said Lot 32.18; thence westerly in a straight line across Lot 142-A-32.19 to the northeasterly corner of Lot 142-A-31; thence westerly along the northerly side of said Lot 31 and the northerly right-of-way of Viking Lane to the northwesterly corner of said right-of-way; thence generally westerly in a straight line across Lot 128-A-3 and the New York State Route 303 right-of-way to the southeasterly corner of Lot 128-A-5.05; thence northerly along the easterly side of Lots 128-A-5.05 and 5.01 to the northeasterly corner of said Lot 5.01; thence westerly along the northerly side of said Lot 5.01 to the northwesterly corner of said Lot 5.01, which point is on the easterly side of Lot 128-A-16; thence northerly along the easterly side of said Lot 16 to the northeasterly corner of said Lot 16; thence westerly along the northerly side of said Lot 16 to the northwesterly corner of said Lot 16, which point is on the easterly side of Lot 128-A-15.01; thence northerly along the easterly side of said Lot 15.01 to the northeasterly corner of said Lot 15.01; thence westerly along the northerly side of said Lot 15.01 to the northwesterly corner of said Lot 15.01; thence westerly in a straight line projected from the northerly side of said Lot 15.01 across the Penn-Central Railroad right-of-way to a point on the westerly right-of-way of Penn Central Railroad; thence southerly along the westerly right-of-way of the Penn-Central Railroad to the northeasterly corner of Lot 128-A-8; thence westerly along the northerly side of said Lot 8 to the southeasterly corner of Lot 128-A-14.03; thence northerly along the easterly side of Lots 128-A-14.03, 14.04, 14.05, 14.08, 14.09, 14.15, and 14.16, and Lots 129-A-24.03, 24.04, 24.05, 24.06, Hazel Land, and Lots 129-A-24.08, to 24.12 inclusive, to the northeasterly corner of said Lot 24.12 at the right-of-way known as Cordes Lane; thence westerly along the northerly side of Lot 129-A-24.12 to the northwesterly corner of Lot 129-A-24.12, at Old Haverstraw Road; thence westerly in a straight line across Old Haverstraw Road to the northeasterly corner of Lot 114-A-10; thence westerly along the northerly side of Lot 114-A-10 a distance of 220 feet.

WESTERLY BOUNDARY

thence southerly in a straight line across said Lot 10 to the northwesterly corner of Lot 114-A-11; thence southerly along the westerly side of said Lot 11 to the southwesterly corner of said Lot 11; thence easterly along the southerly side of said Lot 11 to a point which is the northwesterly corner of Lot 114-A-12.01; thence southerly along the westerly side of said Lot 12.01 to the southwesterly corner of said Lot 12.01; thence southerly in a straight line across Lot 114-A-12 to the northwesterly corner of Lot 114-A-12; thence southerly along the westerly side of said Lot 13 to the southwesterly corner of said Lot 12; thence southerly in a straight line across Lots 114-A-14 and 15 to the northwesterly corner of Lot 114-A-16; thence southerly along the westerly side of Lots 114-A-16 and 17 to the southwesterly corner of said Lot 17, which point is on the northerly side of Lot 114-A-12 to the northwesterly corner of Lot 114-A-13; thence southerly along the westerly side of said Lot 13 to the southwesterly corner of said Lot 13; thence southerly in a straight line across Lots 114-A-14 and 15 to the northwesterly corner of Lot 114-A-16; thence southerly along the westerly side of Lots 114-A-16 and 17 to the southwesterly corner of said Lot 17, which point is on the northerly side of Lot 114-A-18; thence westerly along the northerly side of said Lot 18 to the westernmost corner of said Lot 18, at an unnamed right-of-way; thence southerly across said unnamed right-of-way to the northwesterly corner of Lot 114-A-19; thence southerly along the westerly side of said lot 19 to the southwesterly corner of said Lot 19; thence easterly along the southerly side of said Lot 19 to the northwesterly corner of Lot 114-A-19.01; thence southerly along the westerly side of said Lot 19.01 to the southwesterly corner of said Lot 19.01 at

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Resolution #777 continued: APPROVING THE ESTABLISHMENT OF PROPOSED SEWER DISTRICT NO. 35 AND CONSTRUCTION OF A LATERAL SEWER SYSTEM THEREIN AND PROVIDING THAT SUCH RESOLUTION SHALL BE SUBJECT TO PERMISSIVE REFERENDUM.

Westerly Boundary continued:

Norfolk Avenue; thence southeasterly across Norfolk Avenue to the northwesterly corner of Lot 114-A-19.05; thence southerly along the westerly boundary of Lot 114-A-19.05 to a point on the northerly boundary of Lot 114-A-19.06; thence westerly and southerly along the northerly and westerly boundaries of said Lot 114-A-19.06 to a point on the northerly right-of-way line of Chester Avenue; thence southerly in a straight line across Chester Avenue to a point on the southerly right-of-way of Chester Avenue; thence southwesterly in a straight line across Chester Avenue to the northwesterly corner of Lot 114-A-20; thence southerly along the westerly boundary of said Lot 114-A-20 to the southwesterly corner of said Lot 20 at Central Avenue; thence easterly in a straight line across Central Avenue to the northwesterly corner of Lot 114-A-30.06; thence southerly along the westerly side of said Lot 30.06 to the southwesterly corner of said Lot 30.06, which said point is on the northerly right-of-way of Holbrook Avenue; thence easterly and southerly along said right-of-way to the southwesterly corner of Lot 114-A-23.03; thence westerly in a straight line across Holbrook Avenue, to the southeasterly corner of Lot 114-A-30.02; thence westerly in a straight line across Waltham Avenue to the northwesterly corner of Lot 114-A-27; thence southerly along the westerly side of said Lot 27 to the southwesterly corner of said Lot 27, which point is the southeasterly corner of Lot 114-A-29; thence westerly along the southerly side of said Lot 29 to the southwesterly corner of said Lot 29; thence southwesterly in a straight line across Beacon Street to the southeasterly corner of Lot 114-A-29.24; thence westerly along the southerly side of said Lot 29.24 to the southwesterly corner of said Lot 29.24, which point is on the easterly right-of-way of Randolph Street; thence southerly along said right-of-way to the northwesterly corner of Lot A-113-1.01; thence southerly along the westerly side of Lots 113-A-1.01, 46.17, 46.11 and 46.13 to the southwesterly corner of said Lot 46.13, which point is on the northerly side of Lot 113-A-46.01; thence westerly along the northerly side of Lots 113-A-46.01, 46.101, and the right-of-way of Charles Street to the northwesterly corner of said right-of-way; thence southerly along the westerly right-of-way of Charles Street to the northeasterly corner of Lot 113-A-46.09; thence westerly along the northerly side of said Lot 46.09 to the northwesterly corner of said Lot 46.09; thence southerly along the westerly side of said Lot 46.09 to the southwesterly corner of said Lot 46.09 at Park Avenue; thence southerly in a straight line across Park Avenue to the northwesterly corner of Lot 113-A-46.12; thence southerly along the westerly side of said Lot 46.12 to the southwesterly corner of said Lot 46.12; thence easterly along the southerly side of said Lot 46.12 to the southeasterly corner of said Lot 46.12 on the westerly right-of-way of Charles Street; thence southerly along the westerly right-of-way of Charles Street to the northeasterly corner of Lot 113-A-46.08; thence westerly along the northerly side of said Lot 46.08 to the northwesterly corner of said Lot 46.08; thence southerly along the westerly side of said Lot 46.08 to the southwesterly corner of said Lot 46.08; thence easterly along the southerly side of said Lot 46.08 to a point on the southerly side of said Lot 46.08 which point is the northwesterly corner of Lot 113-A-23.36 and is on the northerly boundary of Sewer District No. 20;

Southerly Boundary

thence easterly along the northerly boundary of Sewer District No. 20 to a point where the northerly boundary of Sewer District No. 20 intersects the northerly right-of-way of Lake Road; thence easterly along said right-of-way to the southeasterly corner of Lot 141-A-7; thence easterly in a straight line across New York State Route 9W to the southwesterly corner of Lot 141-A-5, the point of beginning.

Section 3. The maximum amount proposed to be expended for the construction of said lateral sewer system, consisting of lateral sewers within the District tributary to the proposed Rockland County Sewer District intercepting sewers through the existing sewage collection system of Sewer District No. 20, in said Town, including manholes, house connection stubs brought to a point one foot beyond the edge of roads, two pumping stations and necessary force mains, and all other appurtenances required for a complete lateral sewer system, and acquisition of necessary land and rights in land, including the rights of permanent use of the sewage collection system in said Sewer District No. 20, and original equipment, machinery and apparatus,

Resolution #777 continued: APPROVING THE ESTABLISHMENT OF PROPOSED SEWER DISTRICT NO. 35 AND CONSTRUCTION OF A LATERAL SEWER SYSTEM THEREIN AND PROVIDING THAT SUCH RESOLUTION SHALL BE SUBJECT TO PERMISSIVE REFERENDUM.

is \$1,100,000 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 District which the Town Board shall deem especially benefited by said lateral 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.

Section 4. The Town Clerk of the Town is hereby authorized and directed within ten (10) days after the adoption of the resolution, to file certified copies of this resolution, in duplicate, in the office of the State Department of Audit and Control at Albany, New York, together with an application by the Town Board, in duplicate, for permission to establish the District, in the Town, as herein described, pursuant to the provisions of said Town Law and that such publication shall be executed and verified by and in behalf of the Town Board by the Supervisor of the Town.

Section 5. This resolution shall be subject to permissive referendum.

Seconded by Councilman Damiani.

All voted Aye.

(778) Supervisor Mundt offered the following resolution:

RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK ADOPTED SEPTEMBER 30, 1969, DIRECTING THE PUBLICATION AND POSTING OF NOTICE AND ABSTRACT OF THE RESOLUTION APPROVING THE ESTABLISHMENT OF SEWER DISTRICT NO. 35, IN THE TOWN OF CLARKSTOWN AND THE CONSTRUCTION OF A LATERAL SEWER SYSTEM THEREIN.

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 by the Town Board of said Town, of the resolution entitled:

"Resolution of the Town of Clarkstown, New York, adopted Sept. 30, 1969 approving the establishment of proposed Sewer District No. 35, in said Town and construction of a lateral sewer system therein and providing that such resolution shall be subject to permissive referendum,"

cause to be published at least one 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 the proposed Sewer District No. 35, in said Town of Clarkstown, 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 Sept. 30, 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 Sept. 30, 1969, approving the establishment of proposed Sewer District No. 35, in said Town and construction of a lateral sewer system therein 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 ("Town Board" and "Town," respectively), New York, has heretofore duly caused the preparation of a general map, plan and report relating to the establishment of proposed Sewer District No. 35, in the Town, therein described and for

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RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK ADOPTED SEPTEMBER 30, 1969, DIRECTING THE PUBLICATION AND POSTING OF NOTICE AND ABSTRACT OF THE RESOLUTION APPROVING THE ESTABLISHMENT OF SEWER DISTRICT NO. 35, IN THE TOWN OF CLARKSTOWN AND THE CONSTRUCTION OF A LATERAL SEWER SYSTEM THEREIN. continued:

the construction of a lateral sewer system therein and has duly appropriated a specific amount to pay the cost thereof, which map, plan and report have been duly filed in the office of the Town Clerk of the Town for public inspection; that an order was adopted on Jul 16, 1969, reciting a description of the boundaries of said proposed Sewer District No. 35 ("District") in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for such improvements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's Office for public inspection, and specifying the time and place of a public hearing to hear all persons interested in the subject thereof concerning the same; that copies of such Order have been duly published and posted; and that such hearing has been duly held on July 30, 1969 at the time and place specified;

SECOND: RESOLVING AND DETERMINING THAT (a) the notice of hearing was published and posted as required by law and is otherwise sufficient, (b) all the property and property owners within the District are benefited thereby, (c) all the property and property owners benefited are included within the limits of the District and (d) that the establishment of the District is in the public interest;

THIRD: FURTHER RESOLVING AND DETERMINING that the establishment of the District be approved, that the proposed lateral sewer system shall be constructed therein; DESIGNATING such District as Sewer District No. 35, in the Town of Clarkstown, and DESCRIBING the District by metes and bounds;

FOURTH: RESOLVEING that the maximum amount proposed to be expended for construction of said lateral sewer system consisting of lateral sewers within the District tributary to the proposed Rockland County Sewer District intercepting sewers through the existing sewage collection system of Sewer District No. 20, in said Town, including manholes, house connection stubs brought to a point one foot beyond the edge of road, two pumping stations and necessary force mains, and all other appurtenances required for a complete lateral sewer system, is \$1,300,000 which is planned to be financed by the issuance of serial bonds of the Town to finance such costs and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the District which the Town Board shall deem especially benefited by said lateral 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:

FIFTH: FURTHER RESOLVING that the Town Clerk shall within ten (10) days after adoption of this resolution, file certified copies in the office of the Department of Audit and Control, together with an application by the Town Board for permission to establish the District and that such application shall be executed by the Supervisor; and

SIXTH: STATING that this resolution shall be subject to permissive referendum.

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

Dated: Sept. 30, 1969

Seconded by Councilman Damiani.

All voted Aye.

(779) Councilman Bolander offered the following resolution:

WHEREAS, A & R BURGLAR ALARM CORP. desires to engage in the business of maintaining central monitoring burglar alarm facilities in the Police Headquarters of the Town of Clarkstown, and

WHEREAS, said A & R BURGLAR ALARM CORP. has requested a public hearing for the presentation of the above matter to the Town Board,

NOW THEREFORE, be it

RESOLVED, that October 15th, 1969 at 8:45 P.M. EST is hereby designated as the date and time for said public hearing, and the Town Clerk is directed to publish public notice of said hearing in the official newspaper of the Town not more than twenty or less than ten days prior to the date set forth above.

Seconded by Councilman Brenner.

All voted Aye.

0000 9/30/69

TBM

(780) Councilman Brenner offered the following resolution:

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

INTER-County Title Guaranty & Mortgage Co.
55 S. Main St., New City, New York

Re: Town of Clarkstown v. Heirs of
George Pierce, etc.

\$171.00

WHEREAS, financing by general obligation bonds has been authorized for the above referenced Special Road Improvement District but it is deemed not advisable to issue bond anticipation notes to pay for this invoice at this time;

NOW THEREFORE, be it

RESOLVED, pursuant to Sec. 165.10 of the Local Finance Law, that the Supervisor is hereby authorized to transfer from Current Surplus General the sum of \$171.00 to Pierce Street Special Road Improvement Account to pay for said invoice; said amount to be reimbursed to Current Surplus General upon the issuance of bond anticipation notes; and suitable records shall be maintained of the temporary diversion of such funds herein authorized.

Seconded by Councilman Damiani.

All voted Aye.

(781) Councilman Brenner offered the following resolution:

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

ROCKLAND INDEPENDENT NEWS/LEADER
88 N. Main Street
Spring Valley, New York

RE: Town of Clarkstown v. Pierce, and ors.

7/16/69	131 lines @ 23¢ per	\$30.13
7/23/69	131 lines @ 15¢ per	19.65
7/30/69	131 lines @ 15¢ per	19.65
8/6/69	131 lines @ 15¢ per	<u>19.65</u>
	TOTAL	\$89.08

WHEREAS, financing by general obligation bonds has been authorized for the above-referenced road improvement district but is is deemed not advisable to issue bond anticipation notes to pay for this invoice at this time,

NOW THEREFORE, be it

RESOLVED, pursuant to Sec. 165.10 of the Local Finance Law, the Supervisor is hereby authorized to transfer from Current Surplus General the sum of \$89.08 to Pierce Street Special Road Improvement District Account to pay for said invoice; said amount to be reimbursed to Current Surplus General upon the issuance of bond anticipation notes; and suitable records shall be maintained of the temporary diversion of such funds herein authorized.

Seconded by Councilman Damiani.

All voted Aye.

(782) Councilman Damiani offered the following resolution:

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

A. D. McLeod Inc.
Contractor
Nyack, New York

Application #1, Central Nyack
Community Center, Central Nyack

\$5,400.00

Resolution #782 continued:

WHEREAS, financing by general obligation bonds has been authorized for the above-referenced project but it is deemed not advisable to issue bond anticipation notes to pay for this invoice at this time;

NOW THEREFORE, be it

RESOLVED, pursuant to Sec. 165.10 of the Local Finance Law, the Supervisor is hereby authorized to transfer from Current Surplus General the sum of \$5,400.00 to Central Nyack Recreation Center Account to pay for said invoice; said amount to be reimbursed to Current Surplus General upon the issuance of bond anticipation notes; and suitable records shall be maintained of the temporary diversion of such funds herein authorized.

Seconded by Councilman Frohling.

All voted Aye.

(783) Councilman Damiani offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown adopted a resolution on April 30, 1969 authorizing the amount of \$1,140.00 from Drainage Project #4 to cover cost of pipe installation, grading of easement and seeding- Arcabella Easement, and

WHEREAS, the following invoice has been received:

Clarkstown Highway Department
12 Seeger Drive
Nanuet, New York

Re: Installation of pipe, grading of easement
and seeding.

Arcabella Easement, 885 Stockton Road,
Valley Cottage, New York

\$2,400.00

WHEREAS, above-described invoice exceeds originally authorized amount for installation of pipe, grading of easement and seeding - Arcabella Easement,

NOW THEREFORE, be it

RESOLVED, that resolution of April 30, 1969 is hereby rescinded and by this resolution the authorization is increased to \$2,400.00.

Seconded by Councilman Frohling.

All voted Aye.

(784) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown adopted a resolution on May 15, 1969 authorizing the amount of \$1,447.50 from Drainage Project #4 to cover cost of pipe installation, grading and seeding easement - DeVito Easement, and

WHEREAS, the following invoice has been received:

Town of Clarkstown Highway Department
Fred J. Seeger, Supt. of Highways
12 Seeger Drive
Nanuet, New York

Re: Installation of pipe, grading and seeding easement

DeVito Drainage Easement
925 Belleville Drive
Valley Cottage, New York

\$2,475.00

WHEREAS, above-described invoice exceeds originally authorized amount for installation of pipe, grading of easement and seeding - DeVito Easement, now therefore, be it

Resolution #784 continued:

RESOLVED, that resolution of May 15, 1969 is hereby rescinded and by this resolution the authorization is increased to \$2,475.00.

Seconded by Councilman Damiani.

All voted Aye.

It was suggested that something be done to approach; town should macadem so gravel won't wash down into the road.

(785) Councilman Bolander offered the following resolution:

WHEREAS, the Town Board has on numerous occasions petitioned the Transportation Department of the State of New York for additional traffic control signalization at various points on Route 304 in New City, and

WHEREAS, the State Transportation Department in each instance has refused to provide such additional signalization, and

WHEREAS, this Town Board has determined that an impartial survey of the traffic problems along Route 304 in its entirety from Bardonia to Route 9W in Congers would be beneficial in its future requests to the State Transportation Department,

NOW THEREFORE, be it

RESOLVED, that the engineering firm of Howard, Needles, Tammen & Bergendoff be retained for the purpose of conducting such a survey, and be it

FURTHER RESOLVED, that the fee for such survey shall not exceed \$3,000.00 and shall be determined according to cost schedule outlined in a letter from Mr. Robert Killmer of the firm of Howard, Needles, Tammen & Bergendoff dated September 8, 1969, and be it

FURTHER RESOLVED, such fees shall be charged to Current Surplus-General.

Seconded by Councilman Damiani.

All voted Aye.

(786) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Clerk be instructed to contact the State Department of Transportation requesting that speed limit be reduced from 50 mph to 40 mph from Bardonia area to Cavalry Drive, New City area until such time permanent measures have been made.

Seconded by Councilman Brenner.

All voted Aye.

(787) Councilman Damiani offered the following resolution:

RESOLVED, based upon recommendation of the Town Engineer and Consulting Engineer, that bid for Alarm Systems, Sewer Pump and Ejector Stations submitted by A & R Burglar Alarm Corporation in amount of \$4,200.00 for 10 stations, plus \$150.00 per month for maintenance, is hereby accepted, and be it

FURTHER RESOLVED, that contract is to be made for two year period; said contract to contain 60-day provision that states that town can terminate.

Seconded by Councilman Frohling.

All voted Aye.

9/30/69

TBM

000585

(788) Councilman Brenner offered the following resolution:

WHEREAS, Sherry Drive in Valley Cottage Heights, Section 2 is in a state of disrepair, and

WHEREAS, the sum of \$2,000.00 would be required to effect immediate repairs,

NOW THEREFORE, be it

RESOLVED, that the amount of \$2,000.00 be transferred from escrow to the Highway Department account; that the Town Attorney commence procedures to obtain the balance of funds necessary to repair Sherry Drive from the Maintenance Bond.

Seconded by Councilman Bolander.

All voted Aye.

(789) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board has become aware that a certain subdivision known as Lake Park Estates is presently pending before the Planning Board, and

WHEREAS, the subdivision layout as it presently exists might cause a hazardous traffic situation, and

WHEREAS, Mr. Mascioli is a member of the Clarkstown Planning Board from Valley Cottage and is very familiar with the area concerned;

NOW THEREFORE, be it

RESOLVED, that the Planning Board is requested to have Mr. Mascioli analyze the presently existing subdivision and report to the Town Board, and be it,

FURTHER RESOLVED, that no building permits be issued until such time as a satisfactory and safe subdivision layout is approved by the Town Board.

Seconded by Councilman Damiani.

All voted Aye.

(790) Councilman Damiani offered the following resolution:

WHEREAS, there is a vacancy in the position of Typist in the Building Inspector's Office created by the resignation of Mary Whelan,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the provisional appointment, pending examination of Suzanne M. Barhaupt, Call Hollow Road, Pomona, New York to the position of Typist-Building Inspector's Office at a salary of \$4,082.00 per annum, effective and retroactive to September 24, 1969.

Seconded by Councilman Brenner.

All voted Aye.

(791) Councilman Frohling offered the following resolution:

RESOLVED, that Patrolmen Harry Covert, Harry Manion, Walter Syvarth, Jr. and Robert McDermott, Jr. are hereby authorized to attend the mandatory Municipal Police Training Council Basic Training Course for Police Officers October 20, 1969 thru December 5, 1969 at Rockland Community College, and be it

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

Seconded by Councilman Damiani.

All voted Aye

9/30/69

TBM

(792) Councilman Frohling offered the following resolution:

RESOLVED, that Sergeant Kenneth Parker is hereby authorized to attend the mandatory Municipal Police Training Council course in Police Supervision at Rockland Community College from September 29, 1969 to October 10, 1969, and be it

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

Seconded by Councilman Damiani.

All voted Aye.

(793) Councilman Frohling offered the following resolution:

RESOLVED, that Chief Ernest Wiebicke is hereby authorized to attend the Executive Development Course at Cornell University from October 20, 1969 to October 31, 1969, and be it

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

Seconded by Councilman Damiani.

All voted Aye.

(794) Councilman Frohling offered the following resolution:

RESOLVED, based upon recommendation of the Chief of Police, that sick-leave of Patrolwoman Janice Rogan be extended 16 days and 2 and $\frac{1}{2}$ hours.

Seconded by Councilman Damiani.

All voted Aye.

(795) Councilman Frohling offered the following resolution:

WHEREAS, it is the policy of the Town to adjust an employee's compensation upon such employee passing a Civil Service Examination to a higher grade, and

WHEREAS, Frances Sikora is a legal stenographer in the Town Attorney's Office and has passed the Civil Service Examination to a higher grade position;

NOW THEREFORE, be it

RESOLVED, that the compensation of Frances Sikora be increased by one increment of \$323.18, to be effective immediately.

Seconded by Councilman Brenner.

All voted Aye.

(796) Councilman Brenner offered the following resolution:

WHEREAS, the Town presently uses property designated as Map 105, Block A. Lot 33.03 and Lot 22.05 as and for a **sanitary** fill area, and said lots are divided by Lot 22.04, and

WHEREAS, said three lots aggregate approximately 38.6 acres, and

WHEREAS, the Town desires to know the value of these three lots, all of which abut the sanitary fill area owned by the town and have the same appraised;

NOW THEREFORE, be it

RESOLVED, that the above-mentioned three lots be appraised by two separate individual real estate appraisers; to wit, Samuel Karr and George Hall.

Seconded by Councilman Bolander.

All voted Aye.

Proposed resolution granting Certificate of Registration - Tarigo - tabled. (To be checked with Board of Ethics)

9/30/69

TBM

000337

(797) Councilman Brenner 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:

Coral Ridge Excavating Co.
19 Morris Dr.
New City, New York

and,

WHEREAS, it appears by an insurance broker's binder that the bond has been approved and is in the process of being issued by the United States Fire Insurance Co.

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued upon receipt of the appropriate bond:

No. 69-88 to Coral Ridge Excavating Company.

Seconded by Councilman Damiani.

All voted Aye.

(798) Councilman Brenner offered the following resolution:

RESOLVED, based upon recommendation of the Town Engineer, that amount of \$2,500.00 be drawn on Drainage Project #4 account for a study for sidewalks, road widening and drainage related to Mountain View Avenue.

Seconded by Councilman Damiani.

All voted Aye.

(799) Councilman Brenner offered the following resolution:

WHEREAS, the Receiver of Taxes of the Town of Clarkstown has returned the assessment roll for DeSimone Lane (Stony Hill) special improvement to the Supervisor of the Town of Clarkstown and indicated those parcels upon which said assessments have not been paid, and

WHEREAS, the Supervisor of the Town of Clarkstown has presented said assessment roll to the Town Board of the Town of Clarkstown at this meeting, and

WHEREAS, a special assessment roll has been prepared setting forth the amounts necessary to amortize the unpaid assessment against each parcel of land in the DeSimone Lane (Stony Hill) Special Improvement for a fifteen (15) year period;

NOW THEREFORE, be it

RESOLVED, that said special assessment roll setting forth such amortization is hereby adopted, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown shall transmit said assessment roll to the Board of Supervisors at the meeting thereof at which taxes are levied.

Seconded by Councilman Frohling.

All voted Aye.

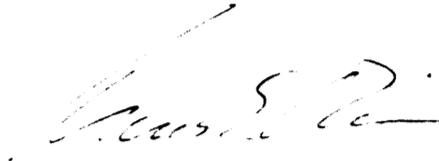
Councilman Damiani forwarded to Supervisor brochures re Senior Citizens; he will have further report by end of month. Councilman Damiani also requested the Town Attorney to look into rent control for senior citizens.

000538 9/30/69

TBM

On resolution offered by Councilman Brenner, seconded by Councilman Bolander and unanimously adopted, Town Board meeting was adjourned until Wednesday, October 1st, 1969 at 8:00 P. M.

Signed,



Anne E. O'Connor
Town Clerk