

PUBLIC HEARING

Town Hall

10/15/69

8:15 PM

Present: Councilmen Brenner, Bolander, Damiani, Frohling.
Town Attorney and Staff
Town Clerk

Absent: Supervisor Mundt

RE: PETITION FOR INCREASE IN MAXIMUM AMOUNT TO BE EXPENDED FOR
IMPROVEMENT IN SEWER DISTRICT NO. 22 - \$780,000.00 to \$1,325,000.00:

Councilman Damiani called public hearing to order in his capacity as Deputy Supervisor.

Town Clerk read notice of public hearing and testified, after being sworn in, that notice of hearing was properly posted and published.

Milton M. Kase, one of the attorneys for Sewer District No. 22, appeared before the Town Board and testified as follows:

Sewer District No. 22 established August 4, 1965. At that time it was estimated that cost would be \$780,000.00; that sum of money was authorized at that time.

An additional sum of money is now necessary to complete construction of district and to pay for non-construction costs.

Cost now estimated at \$1,325,000.00.

Mr. George Suttie of the firm of Charles R. Velzy Associates, Consulting Engineers, New City, N.Y. stated the following:

His firm did engineering for Sewer District No. 22. Is familiar with facts and circumstances of this district. Expenditure for construction and their cost estimated was a \$780,000.00. This was authorized to be spent. Change in circumstances - revised estimate. Now cost of construction is \$1,325,000.00. This includes increased interest rates, curb to curb and other non-construction costs.

Cost to homeowners will be in line with cost to homeowners in recently formed districts.

First year: \$5,000.00 assessed valuation: \$129.00.

Councilman Bolander ascertained that Theodore Ginsburg, New City other attorney for S r District No. 22.

Mr. Suttie stated the following:

This area formed in 1964. Estimates made in 1964: hearings held in early 1965. Contracts were let out in 1968. At the time those went out, they came in higher. We applied to Audit and Control for approximately a 29% increase (last Year - end of 1968).

Audit & Control went into it, and by the time they got their work done, they had found that the interest had picked up in the interval it took them. They wrote back and said they could not approve, based on 4 1/2% to 5% interest rate. 6 1/2% had to be used, and would have to authorize that amount of interest and we would have to redo our application in Albany.

In the interim, there was an award of contract and work in area was begun. Subsequent to that, we had quite a bit rock in that area, which added to the amount.

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Public Hearing

Mr. Suttie's statement continued:

So that, actually, the overall between the 1964 estimate and the amount we are seeking here tonight is somewhat over a 60% increase overall. Almost one half of that is due to interest hike. There is substantial amount of \$110,000. to be able to pave all roads from edge to edge, which was not in the old estimates.

Area almost completed. One Half of homeowners in that area already hooked up. The tax amount which has been set for that area, based on the bonds we have to repay, is such that it is within the estimate that we give to an average house.

There is a trunk line that runs from Hempstead Rd and cuts right down through that area, which at one time was anticipated to be an interceptor line that would receive aid. As it would up, the New York State Health Office did not say this was eligible for aid, so it fell back on the area to construct that pipe line.

We have asked the County Sewer Agency to ask them to pay back all of the cost of that pipeline.

\$310,000.00 is being paid back to this area for this pipe line that will be built. It will cut the amount we are asking for here and actually being spent in that area.

Councilman Bolander: So from 20% increase in 1968 to now, figure has gone from 29% to almost 70%, increasing on the estimates back in 1964.

Mr. Suttie: Yes- but over one half of that amount is due to the increase in interest rates. (6.88%)

Councilman Frohling: What position of \$1,325,000.00 was accredited to the repaving?

Answer (Mr. Suttie): \$170,000.00.

Councilman Frohling: You stated that some portion of construction would be reimbursed by County. Would you render a guess as to what amount?

Answer (Mr. Suttie): \$310,000.00.

Councilman Frohling: Total sum of \$1,325,000.00 does not take into account possible reimbursement of \$310,000.00 from County?

Answer (Mr. Suttie): No.

Councilman Frohling: How has the increase affected the average cost per homeowner?

Answer (Mr. Suttie): \$5000. assessment - \$105.00 Old figure
\$129.40 New Figure

(Was 30 year Bond - Now 40 year bond)

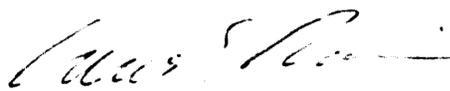
Mr. Suttie stated day was spent in Albany with this effect:

22% cut in the cost - 15% net worth in average annual amount. (\$17.00) off \$129.00 bringing it down to \$112.00. End result, approximately \$7.00 increase of former price in first year by going for a longer length of time.

Councilman Brenner; If we remove \$310,000.00 from \$1,325,000.00, we arrive at \$1,115,000.00; so that net increase would not be 40% increase, but a 30% increase.

There being no further questions, and on motion made by Councilman Frohling, seconded by Councilman Damiani and unanimously adopted, public hearing was closed.

Signed,



Anne E. O'Connor,
Town Clerk

PUBLIC HEARING

Town Hall

10/15/69

8:30 PM

Present: Councilmen Brenner, Bolander, Damiani, Frohling
Town Attorney and Staff
Town Clerk

Absent: Supervisor Mundt

RE: PROPOSED INCREASE IN THE MAXIMUM AMOUNT TO BE EXPENDED THE
IMPROVEMENT IN SEWER DISTRICT NO. 18 - FROM \$1,700,000.00 to
\$2,120,000.00):

Deputy Supervisor Damiani called public hearing to order; Town Clerk read notice of public hearing.

Town Clerks sworn in and testified as to proper posting and publication of notice of public hearing.

Mr. George Suttie of the firm of Charles R. Velzy Associates, Consulting Engineers, New City, N.Y. appeared before the Town Board and stated the following:

Is engineer for Sewer District 18. Present authorization \$1,700,000.00. It is proposed to increase to \$2,120,000.00; \$420,000.00 increase.

This district 90% completed; now almost 100%. More rock than anticipated while under construction, which required extra payments to contractors. Amount - \$190,000.00. Also had additional expense for paving streets curb to curb, which was not anticipated originally, amounting to \$110,000.00

There was an additional interest cost to Bond Anticipation Note because of rising interest rates. Additional interest cost - \$120,000.00 which totals up to \$420,000.00 increase.

Facilities same as was originally anticipated with no additions. There was a certain amount of relaid pipe lines to add in the lines to get added houses within the area.

Average price to \$5,000.00 assessed valuation: \$145.00 per year.

The amount that has been set aside - \$495,000.00, which is approximately \$75,000.00 more than the increase. That amount of anticipated reimbursement will reduce the cost of this district. 16% cut, which will bring it down to \$110.00 a year.

No questions from Town Board.

Question (Mrs. Marie Gruber): \$5,000. assessed home; \$130.00 a year. My home assessment more and I paid less last year. Am I going to go above that?

Answer (Mr. Suttie): The amount you paid the year before was based on the money that was expended on the original bond. Bond amount then and number of homes in the area, add the estimate and cost to that would enable the cost to the homeowner below the estimate and cost to that would enable the cost of the homeowner below the estimate that it was originally. Now based on the calculations made on the undeterminate amount, it will be higher than that for the average \$5,000. assessment.

Money that we will get back. You have to allocate the amount in that area even though they might not be spent. Right now, the allocation asks for a certain increase to pave edge to edge. Since that time, the Highway Superintendent has taken over the work of doing this edge to edge and he estimates that the total amount that he has to expend should be quite a bit below that amount.

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Sewer District #18 Continued:

Mrs. Gruber: District was increased couple of months ago.

Mr. Suttie: That was for construction only.

There being no further questions, on motion offered by Councilman Bolander, seconded by Councilman Frohling and unanimously adopted, public hearing was closed.

Signed,



Anne E. O'Connor
Town Clerk

PUBLIC HEARING

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Town Hall

10/15/69

8:45 PM

Present: Councilmen Brenner, Bolander, Damiani, Frohling.
Town Attorney and Staff
Town Clerk

RE: APPLICATION MADE BY A & R BURGLAR ALARM CORP. FOR FRANCHISE,
PURSUANT TO SECTION 64 (?):

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

Harry Waitzman Esq. appeared as attorney for petitioner and stated the following:

A & R Burglar Alarm Corp. in business number of years. They will install within residences, stores, on public facilities, alarm monitoring device which will run from the premises by leased telephone lines to a panel installed in police headquarters.

It is an automatic alarm in case of breaking and entering on the premises of subscriber.

Previously, application would have to be made to Police Chief in the Town of Clarkstown and installations are made. Has been an increase in applications made; feel that must be standardized in design. Request if for franchise to install at their own cost and expense, a facility, and maintain same for right to tie into that unit.

They do not want the exclusive right to offer this facility to subscribers.

\$6.00 a month - standardized design. They are proposing in this franchise to pay compensation to the Town to maintain this facility.

They now have 51 units installed; another 15 units will be installed involving 15 subscribers. They will pay to the Town \$1.00 per month, per unit.

Principals - Robert Mellon and Al Ladin.

Councilman Brenner: This is rather short notice. Would like to study proposal and have further hearing re: same when he has had time to study.

Councilman Bolander: Re: exclusive clause in this contract: If this franchise agreement is granted by this Town Board, that it would be exclusive to this particular company and then the company would then decide what other burglar alarm systems would be linked into and on system so that would be a lever they would have. Answer: We are seeking the exclusive right to maintain the central facility itself within the Town. By the franchise that we propose we are stating that it is not exclusive insofar as other corporations are concerned. However, any number of companies will be able to apply to our system.

Connection charge \$450.00 a month to our subscribers or another burglar alarm system to tie into box. Maintenance - \$6.00 a month. Corporation will pay to the Town of Clarkstown \$1.00 per month for each subscriber.

RE: Monopoly:

One company will be responsible. We have three to four different kinds of systems that are not compatible. We would like to have one central facility to be installed by A & R Burglar Alarm Corp. Town gets facility. Would be easier for the Police Department.

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PUBLIC HEARING

A & R PUBLIC HEARING CONTINUED:

Councilman Damiani: Will you preclude anyone from hooking in?

Answer: No

Termination of franchise: 15 year agreement with two to five year renewals.

QUESTION: What happens to existing equipment:

Answer: Approximately 5/6 is already ours. (We have 51 units in already) We would expect the people already in to pay the \$45.00 charge and pay the regular maintenance.

Question: At termination of franchise - who owns the equipment?

Answer: I do not know. I will consult with my client.

Question: Re: setting of rates - Town Board can do??

Answer: Town Board in making determination of rates should take into consideration what prevailing rates are.

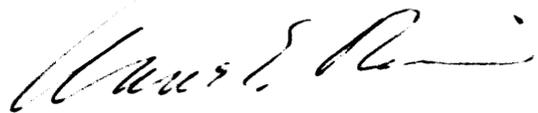
Councilman Brenner: To Captain Eisgrau (representing Police Chief)
Any Comments?

Captain Eisgrau: No comment - wants Chief to hear first.

Councilman Frohling: After we read over proposed franchise, we will have more questions and discuss with Police Chief. After we study proposed franchise, we will hold another meeting with Harry Waitzman and his client.

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

Signed,



Anne E. O'Connor
Town Clerk

TOWN BOARD MEETING

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Town Hall

10/11/69

8:00 PM

Present: Councilmen Brenner, Bolander, Damiani, Frohling, Supervisor Mundt
Town Attorney and Staff
Town Clerk

Deputy Supervisor Damiani called the Town Board Meeting to order; Supervisor Mundt not being in attendance at the beginning of meeting.

(822) Councilman Brenner offered the following resolution:

WHEREAS, the property designated as Lot 31.11 of Tax Map 162 is surplus property and was advertised to be sold, and

WHEREAS, George Faist as President of Highview Acres, Inc. bid the sum of \$12,200. for same;

NOW THEREFORE, be it

RESOLVED, that resolution No. 801 dated 10/1/69, be, and is hereby confirmed and that the said bid of \$12,200. be accepted, subject to a permissive referendum, and it is

FURTHER RESOLVED, that the Town Clerk post and publish a Notice of this Resolution as required by law.

Seconded by Councilman Bolander.

All voted Aye.

(823) Councilman Bolander offered the following resolution:

RESOLVED, that time for receiving bids for the construction of Sewer Districts 33, 37 and 39 in the Town of Clarkstown 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 BIDS WERE RECEIVED:

<u>BIDDER</u>	<u>TOTAL PROJECT BID SEWER DIST. NO. 33</u>	<u>TOTAL PROJECT BID SEWER DIST. NO. 37</u>	<u>TOTAL PROJECT BID SEWER DIST. NO. 39</u>
A. Cestone Co. 710 Bloomfield Ave. Glen Ridge, N.J.	\$404,299.30	\$81,585.35	\$418,111.30
Beckerle-Brown, Inc.. 10 W. Jefferson Ave. Pearl River, N.Y.	\$532,972.70	NO BID	\$475,830.75
All State Assoc., Inc. 251 1/2 Grove Ave. Verona, N.J.	\$316,101.34	\$69,736.44	\$458,456.28
Edw. J. Huegel, Inc. 110 Crooked Hill Rd. Pearl River, N.Y.	\$438,779.30	\$88,624.56	\$54,005.30

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BIDS RECEIVED CONTINUED:

BIDDER	TOTAL PROJECT BID	TOTAL PROJECT BID	TOTAL PROJECT BID
	SEWER DIST. NO. 22	SEWER DIST. NO. 27	SEWER DIST. NO. 29
A.E. Recchia, Inc. 22 N. Day St. Orange, N.J.	\$506,200.00	NO BID	\$445,680.00
D.A.&L. Caruso, Inc. 508 Henry St. Elizabeth, N.J.	\$452,780.00	\$94,020.00	\$508,340.00

ALL bids to Mr. George Suttie of Charles R. Velzy Associates, Consulting Engineers, for recommendation.

Request was made to consulting firm for engineering estimates for all three districts. Same will be supplied by Mr. Suttie to all members of the Town Board.

Mr. David W. Silverman Chairman of the Governmental Operations Committee, present report of said Committee to the Town Board.

(824) Councilman Bolander offered the following resolution:

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

Seconded by Councilman Brenner.

All voted Aye.

(825) Councilman Bolander offered the following resolution:

RESOLVED, that the Town Board meeting be resumed, scheduled public hearings having been held.

Seconded by Councilman Brenner.

All voted aye.

Town Board signed ORDER INCREASING MAXIMUM AMOUNT to be expended for the improvement in Sewer District No. 22, in the Town of Clarkstown; from \$780,000. to \$1,325,000. as follows:

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 Ave., New City, New York, in said Town, on the 15th day of October, 1969.

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

WHEREAS, the Town Board of the Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, has heretofore duly established Sewer District No. 22, in the Town, (herein called "District") pursuant to applicable provisions of the Town Law and the maximum amount proposed to be expended for the construction of a sewer system therein as set forth in the petition submitted to said Town Board is \$780,000;

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ORDER INCREASING MAXIMUM AMOUNT to be expended for Sewer Dist. #22 Continued:

WHEREAS, due to generally increased costs of labor and materials, preliminary costs and costs incidental thereto said Town Board has estimated the maximum cost of constructing said sewer system to be \$1,325,000; being an increase of \$545,000; and

WHEREAS, following due submission of an application by said Town Board, the State Comptroller approved the increase in the maximum amount to be expended for construction of said sewer system from \$780,000 to \$1,325,000 pursuant to Order dated September 2, 1969;

WHEREAS, pursuant to Section 209-h of the Town Board has duly called and held a public hearing on October 15, 1969, at the Town Hall, New City, in the Town, at 8:15 o'clock P.M. to consider such proposed increase in the maximum amount to be expended 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, now, therefore, be it

ORDERED, and it is hereby determined that it is in the public interest to increase the maximum amount proposed to be expended for the construction of a sewer system in the District in the Town, from \$780,000 to \$1,325,000, and such maximum amount is hereby so increased. The plan of financing is the issuance of serial bonds of the Town and the assessments, levy and collection of special assessments upon several lots and parcels of land in the District which the Town Board shall determine and specify to be especially benefited thereby 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 to pay the principal of and interest on said bonds, and it is further

ORDERED, that this Order shall take effect thirty days after its adoption, unless there shall be filed with the Town Clerk a petition signed and acknowledged by the owners of taxable real property situate in the District, as shown upon the latest completed assessment roll of the Town in number equal to at least five per cent of the total number of such owners, or by one hundred of such owners, whichever is the lesser, protesting against this Order and requesting that the matter be submitted at a referendum in the manner provided by law.

Dated: October 15, 1969

Signed by the Members of the Town Board of the Town of Clarkstown, New York.

/Paul F. Mundt, Supervisor, /Philip J. Frohling, Jr., /James V. Damiani, Sr.
/Frank Bolander, /William Brenner - Councilmen.**FOR DESCRIPTION SEE TEM 9/17/69**

(826) Councilman Frohling offered the following resolution:

RESOLVED, that the Town of Clarkstown, New York, adopted October 15, 1969, directing the publication and posting of notice and abstract of the order of said town approving the increase in the maximum amount to be expended for the improvement in Sewer District No. 22, in said Town.

RESOLVED, by the Town Board of the Town of Clarkstown, in the County of Rockland, New York, as follows:

Section 1. The Town Clerk of the Town of Clarkstown, in the County of Rockland, New York, shall, within ten (10) days after the adoption by the Town Board of said Town, of the Order referred to in the following notice, cause to be published at least once in the "JOURNAL NEWS", the official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in at least five (5) public places in the District in said Town of Clarkstown, a notice which shall set forth the date of adoption of said foregoing Order 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 October 15, 1969, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted an Order entitled:

**ORDER INCREASING THE MAXIMUM AMOUNT TO BE EXPENDED FROM
\$780,000 to \$1,325,000**

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.

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

FIRST: RECITING that the Town Board of the Town of Clarkstown, has heretofore duly established Sewer District No. 22, in the Town, and the maximum amount proposed to be expended for the construction of a sewer system therein as set forth in the petition submitted to said Town Board, is \$780,000; that due to generally increased costs of labor and materials, preliminary costs and costs incidental thereto, said Town Board has estimated the maximum cost of constructing said sewer system is \$1,325,000, being an increase of \$545,000; that following due submission of an application by said Town Board, the State Comptroller approved the increase in the maximum amount to be expended for construction of said sewer system from \$780,000 to \$1,325,000 pursuant to Order dated September 2, 1969; and said Town Board has duly called and held a public hearing on October 15, 1969 to consider such proposed increase in the maximum amount to be expended 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;

SECOND: ORDERED AND DETERMINED that it is in the public interest to increase the maximum amount proposed to be expended for the construction of a sewer system in the District, in the Town, from \$780,000 to \$1,325,000; AUTHORIZING such increase in the maximum amount; Stating the plan of financing is the issuance of serial bonds of the Town and the assessment, levy and collection of special assessments upon several lots and parcels of land in the District which the Town Board shall determine and specify to be especially benefitted thereby so much up on and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same to pay the principal of and interest on said bonds;

THIRD: ORDERED that this resolution shall take effect thirty (30) days after adoption unless within such period a petition shall be filed with the Town Clerk protesting against this order and requesting that it be submitted at a referendum in the manner provided by law.

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

Seconded by Councilman Damiani.

All voted Aye.

(827) Councilman Brenner offered the following resolution.

RESOLVED by the Town Board of the Town of Clarkstown, in the County of Rockland, New York, as follows:

SECTION 1. The Town Clerk of the Town of Clarkstown, in the County of Rockland, New York, shall, with the approval of the Town Board of said Town, of the Order referred to in the following notice, cause to be published at least once in the JOURNAL NEWS The official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law and in at least five (5) public places in the District in said Town of Clarkstown, a notice which shall set forth the date of adoption of said foregoing Order and contain an abstract thereof concisely stating its purpose and effect:

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.

WHEREAS, the Town Board of the Town of Clarkstown (herein called "Town"), in the County of Rockland, New York, has heretofore duly established Sewer District No. 18, in the Town (herein called "District"),

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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; and

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

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 the 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; and

WHEREAS, pursuant to Section 209-h of the Town Law, said Town Board had duly called and held a further public hearing on October 15, 1969, at the Town Hall, New City, in the Town, at 8:30 o'clock P. M. to consider such proposed increase in the maximum amount to be expended 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; now, therefore, be it

ORDERED, and it is hereby determined that it is in the public interest to increase the maximum amount proposed to be expended for the construction of a sewer system in the District, in the Town, from \$1,700,000 to \$2,120,000 and such maximum amount is hereby so increased. The plan of financing is the issuance of serial bonds of the Town and the assessment, levy and collection of special assessments upon several lots and parcels of land in the District which the Town Board shall determine and specify to be especially benefited thereby 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 to pay the principal of and interest on said bonds, and it is further

ORDERED, that this Order shall take effect thirty days after its adoption, unless there shall be filed with the Town Clerk a petition signed and acknowledged by the owners of taxable real property situate in the District, as shown upon the latest completed assessment roll of the Town in number equal to at least five per cent of the total number of such owners, or by one hundred of such owners, whichever is the lesser, protesting against this Order and requesting that the matter be submitted at a referendum in the manner provided by law.

DATED: October 15, 1969

TOWN BOARD OF THE TOWN OF CLARKSTOWN,
NEW YORK

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

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

Seconded by Councilman Damiani. All voted Aye.
FOR DESCRIPTION SEE TBM 9/17/69

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(828) Councilman Bolander offered the following resolution:

Decision on Petition by A & R BURGLAR ALARM CORPORATION applying for Franchise in the Town of Clarkstown is hereby RESERVED.
(Public Hearing was held this date 10/15/73 at 8:45 PM.

Seconded by Councilman Frohling.

All voted Aye.

Mr. & Mrs. Mark Wyle, 14 Cairngorm Road, New City, N Y appeared before the Town Board requesting that Town Board adopt proposed resolution prepared by him in connection with alleged violation of the Zoning Ordinance on premises situate on the northerly side of New Hempstead Road. After considerable discussion, it was suggested that everyone wait for results of case to come up on 10/21/69.

Supervisor Mundt joined Council at Board table.

(829) Councilman Brenner offered the following resolution:

WHEREAS, a comprehensive amendment to the Building Zone Ordinance of the Town of Clarkstown was adopted on 6/30/67, and further amended, and

WHEREAS, the Town Board of the Town of Clarkstown desires to further amend the Comprehensive Building Zone Ordinance;

NOW THEREFORE, be it

RESOLVED, that a public hearing, pursuant to Sec. 264 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Ave., New City, Rockland County, New York, on the 29th day of October 1969, at 8:05 PM, to consider the adoption of the following proposed amendments to the Town of Clarkstown Comprehensive Building & Zone Ordinance of 1967:

1. Amend Section 3.11, Table of General Use Regulations, Column 3 in IO Zone by removing from B. 1, No. B. 1.

2. Amend Article 7, Non-confirming Use & Non-Conforming Bulk Regulations by adding thereto Section 7.366 as follows:

"7.366. Elimination of non-conforming airports and heliports, notwithstanding any other provision of this ordinance, any airport or hwliport in existence in an IO zone on the effective date of this amendment to the ordinance shall, at the expiration of three (3) years from the date of this amendment, be discontinued.", and be it

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

Seconded by Councilman Bolander.

All voted Aye.

(830) Councilman Frohling offered the following resolution:

RESOLVED, that date of public hearing with regard to zoning petition made by ROSE ORLAND (R-15 to RS) be set for 11/19/69 at 8:15 PM; property located Old Nyack Tpk & Freedman Avenue, Nanuet; Town Attorney to prepare said notice of hearing; Town Clerk to publish and see that same is posted.

Seconded by Co. Damiani

On roll call the vote was as follows:

AYES: Co. Bremer, Damiani, Frohling, Supervisor Mundt
NOES: Co. Bolander

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(831) Co. Brenner offered the following resolution:

RESOLVED, that public hearing be held on 11/19/69 at 8:30 PM regarding zoning petition of Hazel Richmond (PO to CS) property located n/e corner Route 304 and Laurel Road, New City N Y.

Seconded by Co. Damiani

On roll call the vote was as follows:

AYES: Co. Brenner, Damiani, Frohling, Supervisor Mundt
NOES: Co. Bolander.

(832) Co. Damiani offered the following resolution:

RESOLVED, that sewer easement and pumping station easement in Sewer District No. 20 be accepted from Frederick J. Hansey & Lucille Hansey.

Seconded by Co. Frohling.

All voted Aye.

Town Board signed ORDER establishing Sewer District No. 36 in the Town of Clarkstown. (Filed in Town Clerk's Office).

(833) Co. Damiani offered the following resolution:

(Bond resolution adopted 10/15/69 authorizing \$665,000.00 for the construction of a lateral sewer system in Sewer District No. 36 and authorizing the issuance of \$665,000.00 Serial Bonds to finance said appropriation.) Complete Bond Resolution in Sewer Dist. #20 file)

Seconded by Co. Frohling.

All voted Aye.

(834) Co. Brenner offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized, based upon the recommendation of the Town Engineer, to expedite Hydrant Order #6837 for installation of the following hydrants:

1. West side of West Burda Place, approximately 650 feet north of the north curb line of Bristol Court,
2. West side of West Burda Place, approximately 1,350 feet north of the north curb line of Bristol Court,
3. North side of Gerardine Place, approximately 390 feet west of the west curb line of West Burda Place, New City.

Seconded by Co. Damiani.

All voted Aye.

(835) Councilman Damiani offered the following resolution:

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

Mike Araneo, Inc.
11 Robin Hook Lane
New City N Y 10956
Re: French Farm Bulldozing, New City, N Y.....\$735.00, and

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

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

NOW THEREFORE, be it

RESOLVED, that the sum of \$735.00 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 Co. Brenner.

All voted Aye.

Response received from Penn Central Company re Town Board resolution concerning the block of Pineview Crossing in West Nyack. They stated it is not their intent to unreasonably obstruct Pinview Road Crossing, and that all transportation personnel have been directed to notify all persons concerned to alleviate blocking of this crossing.

Re town's request for fire hydrant on Elath Road, New City; Spr9ng Valley Water Co. will make survey.

Mr. A. D'Orio, 152 Charles Boulevard, Valley Cottage, appeared before the Town Board re conditions caused by construction of Knollwood Estates.

(836) Councilman Frohling offered the following resolution:

RESOLVED, that all work be stopped by Mr. Romano, Builder of Knollwood Estates, until roads are paved according to specifications of the Highway Department.

Seconded by Co. Damiani.

All voted Aye.

Re letter written to Department of Transportation which enclosed resolution of Town Board stating their disapproval of proposed earthen fill type construction in area of Route 59 and Main St., and in connection with traffic flow plan proposed by state; Mr. Hughes of the Department of Transportation notified Town Board that he will review the matter with the District Engineer and write further.

Letter received from Mr. Bescaneny, Director, Traffic Engineering and Safety, reprovision of temporary pre-timed traffic control signals at Route 50 at the east drive and Route 304 and Main St., at the north drive of the Namet Shopping Center in Namet.

(837) Councilman Brenner offered the following resolution:

WHEREAS, the traffic signal at the intersection of Route 303 and Lake Road is presently on Flasing "caution" signal in the early hours of the morning, and

WHEREAS, there have been many complaints received regarding need for normal operation of this signal, and

WHEREAS, the Police Department survey revealed heavy volume of vehicles using this intersection in the morning hours, and

WHEREAS, it is recommended by the Chief of Police that in the interest of safety normal operation of the signal be established,

(continued)

(837 - continued)

NOW THEREFORE, be it

RESOLVED, that the New York State Department of Transportation be requested to establish the usual red-green-amber sequence of this signal between the hours of 6:00 AM and 12:00 midnight.

Seconded by Councilman Frohling.

All voted Aye.

(838) Councilman Brenner offered the following resolution:

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

WHEREAS, it is necessary to acquire the property of Arthur G. J. and Carrie Keenan and Theodore J. Albanos, and

WHEREAS, the negotiations with said parties have been completed;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown acquire the property of Arthur G. J. and Carrie Keenan at \$10,000.00; and of Theodore J. Albanos at \$3,000.00; and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute the contracts of said purchases.

Seconded by Councilman Damiani.

All voted Aye.

(839) Councilman Frohling offered the following resolution:

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

John Stoll, Jr.
168 Route 304
Bardonia, New York;

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 69-89 to John Stoll, Jr.

Seconded by Co. Damiani.

All voted Aye.

(840) Councilman Damiani offered the following resolution:

WHEREAS; the Town Board is aware of a proposed expansion of the Prentice-Hall facility in West Nyack and

WHEREAS, the Town is desirous of obtaining a road on the east side of the present Prentice-Hall facility to connect with Route 59A,

NOW THEREFORE, be it

RESOLVED, that the Planning Board is hereby requested in its discretion, to require a road to the east side of its present facility during site review procedures.

Seconded by Councilman Frohling.

All voted Aye.

Councilman Brnner requested that the town look into complaint made by a Mrs. Ryan, Bull Run, who stated that she was told her property value was lowered because she lives next to Prentice-Hall (Councilman Brenner requested to follow up matter).

(841) Councilman Frohling offered the following resolution:

WHEREAS, the following invoice has been received:

Town of Clarkstown Highway Department
Fred J. Seeger, Superintendent of Highways
12 Seeger Drive, Nanuet N Y

9/1/69 Adlesio Easement, 10 Collingswood, New City N Y
Installation of pipe, topsoil, grading and seeding easement....\$918.52

and,

WHEREAS, the Town Board had previously authorized work to be done at Adelsio easement;

NOW THEREFORE, s be it

RESOLVED, that the amount of \$918.52 be paid to the Highway Department from Drainage Project #4.

Seconded by Councilman Bolander.

All voted Aye.

(842) Councilman Brenner offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown adopted resolution #82 authorizing the amount of \$6,650.00 for Schaffhauser easement, Pine Avenue, Congers New York from Drainage Project #4 Account, and

WHEREAS, the following invoice has been received:

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

9/1/69 Schaffhauser easement, Pine Avenue, Congers N Y
Installation of Pipe, landfill, topsoil and grading and seeding of easement.....\$10,556.02, and

WHEREAS, above-described invoice exceed originally authorized amount for Schaffhauser easement;

NOW THEREFORE, be it

RESOLVED that resolution previously mentioned is hereby rescinded and by this resolution the authorization is increased to \$10,556.02.

Seconded by Councilman Damiani.

All voted Aye.

Highway Superintendent stated that a Mr. DiChiaro, 6 Dore Court had problem with curbing that has not been completed by builder (Mr. Posner).

(843) Councilman Brenner offered the following resolution:

RESOLVED, that the builder of residence of DiChaiaro, 6 Dore Court be notified that he has five (5) days notice to complete curing work, said work to be completed before the Town Board meeting to be held on 10/29/69.

Seconded by Councilman Damiani.

All voted Aye.

(844) Councilman Brenner offered the following resolution:

RESOLVED, based upon the recommendation of Consulting Engineers, that bid for the construction of Sewer District No. 36 be awarded to A. Cestone Company, 710 Blookfield Avenue, Glen Rodge, New Jersey, at cost to town of \$352,906.30.

Seconded by Co. Frohling.

All voted Aye.

(845) Councilman Brenner offered the following resolution:

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

Town of Clarkstown Highway Department
Fred J. Seeger, Superintendent of Highways
12 Seeger Drive
Nanuet N Y 10954

9/12/69 Property Corners set on Pizarek prop erty,
18 Ruth Drive, New City N Y.....\$150.00, and

WHEREAS, the Town Board had previously authorized such property corners set of Pizarek Property,

NOW THEREFORE, be it

RESOLVED that the sum of \$150.00 be paid to the Town of Clarkstown Highway Department from Drainage Project #4.

Seconded by Councilman Bolander.

All voted Aye.

(846) Councilman Bremner offered the following resolution:

WHEREAS, the Clarkstown Receiver of Taxes is bonded pursuant to law, and

WHEREAS, the Town Board may require such other person as its discretion dictates to also be bonded;

NOW THEREFORE, be it

RESOLVED, that the Deputy Receiver of Taxes, Evelyn Knerr, be bonded for the faithful performance of her duties, in the sum of \$100,000 and that application therefor be made to a surety company for such a bond.

Seconded by Councilman Frohling.

All voted Aye.

(847) Councilman Frohling offered the following resolution:

RESOLVED, that leaveof absence granted to Annette Torre, Recreation Department is hereby terminated at her request, and be it

FURTHER RESOLVED, that the Town Board accept resignation of said Annette Torre with regret, effective immediately.

Seconded by Councilman Bolander.

All voted Aye.

848) Councilman Brenner offered the following resolution:

WHEREAS, the Chief of Police has recommended the creation of a School Crossing post at the intersection of Waldron A emue and Dickinson Avenue, Central Nyack,

NOW THEREFORE, be it

(848 - continued)

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

FURTHER RESOLVED, that Mr. Charles Thompson, 18 DePew Avenue, Central Nyack, N Y is hereby appointed as School Crossing Guard to fill this position at a salary of \$7.00 per day.

Seconded by Councilman Frohling.

All voted Aye.

Proposals for street lights, as presented by Orange & Rockland for new street lighting on Main St., New City; and new street lighting on Main St., Namet ___ held by Councilman Brenner.

(849) Councilman Brenner offered the following resolution:

RESOLVED, based upon the recommendation of the Chief of Police, that a full STOP sign be placed at the intersection of Brenner Drive and Route 303, Congers, New York; eastbound traffic on Brenner Drive to STOP before entering on to Route 303, and be it

FURTHER RESOLVED, that the Highway Superintendent be directed to install said sign.

Seconded by Councilman Frohling.

All voted Aye.

(850) Councilman Brenner offered the following resolution:

RESOLVED, that a Special Assessment Roll for DeSimone Lane Road Improvement be, and is hereby authorized.

Seconded by Councilman Bolander.

All voted Aye.

Town Board signed said assessment roll as submitted by the Assessor.

(851) Councilman Frohling offered the following resolution:

WHEREAS, considerable trespassing has developed across the lots designated as 33.07, 33.08, 33.09 and 33.11 on Map 162, Block A, because Sears Complex is near the rear of the above-mentioned lots, and

WHEREAS, the railroad right of way and tracks lie between the above-mentioned lots and the Sears Complex, and

WHEREAS, the foregoing constitutes a danger to the health and welfare of the community;

NOW THEREFORE, be it

RESOLVED, that the Superintendent of Highways be and is hereby authorized to install a cyclone fence in the rear of the above properties and thereby prevent trespassing across the properties and the railroad tracks for access onto the Sears Complex at an expenditure not to exceed \$1,500.00; and be it

FURTHER RESOLVED, that said amount be drawn on Sewer District #6 Account.

Seconded by Councilman Brenner

On roll call the vote was as follows:

AYES: Co. Brenner, Frohling, Supervisor Mundt
NOES: Co. Bolander, Damiani

MOTION CARRIED

Councilman Bolander, re release of Bittig property - would like to have placed back on tax rolls as soon as possible for school tax purposes, Town Attorney requested to check.

Councilman Bolander met with Nyack School Board re Mountainview Homes situation and was not satisfied with outcome. Requested that the matter be pursued. The Town Attorney requested to ascertain whether the Town Board can make Nyack School Board discharge its obligations re transportation law. Town Attorney stated his office powerless to act in this situation; however the homeowners would have the right to bring suit.

(852) Councilman Brenner offered the following resolution:

RESOLVED, that the Improvement of Pierce St., Nanuet at an estimated maximum cost of \$11,000. and providing that such resolution shall be subject to permissive referendum, be approved. (See file)

Seconded by Councilman Bolander. All voted Aye.

(853) Councilman Bolander offered the following resolution:

RESOLVED, that the Town Clerk be authorized and directed to publish and post notice and abstract of resolution approving the improvement of Pierce St., Nanuet N Y.

Seconded by Councilman Brenner. All voted Aye.

(854) Councilman Damiani offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to negotiate a price with two appraisers and present same to the Town Board in connection with appraisal of Congers Lake for recreational area.

Seconded by Councilman Brenner. All voted Aye.

Councilman Damiani; re Bardonia School area and Germonds school area: Traffic tied up, busses cannot make left turn in morning. Requested that police look into matter and make report re left hand turn going towards school.

Councilman Damiani suggested that the Planning Board consider an amendment to subdivision regulations in connection with roads, drainage, and sewer facilities. Requested that the Town Attorney draft proper legal wordage and set for public hearing. Town Attorney stated that this should be referred to the Planning Board and then worked up with his office for wordage.

Councilman Damiani informed the Town Board that he has contacted the PIP Commission with suggestions on reducing congestion going to and from New York City during commuter hours.

Re Old Brick Road, not dedicated, bond expired. Town Attorney has not been successful in obtaining deeds from owners; Highway Supt. stated roads in good condition but not owned by town as yet. Town Attorney informed Town Board that suit papers have been prepared; he has been unable to locate one of the owners; requests another few days for positive action. Will keep Town Board informed.

Councilman Frohling recently wrote letter to Dept. of Transportation requesting signalization at intersection of Rose Road and Route 59, Nanuet. Signals are now being installed; Rose Rd. only intersection not being controlled. Requested that a resolution be sent requesting that the Dept. of Transportation install proper signalization for left-turn movements and left-turn vehicle storage lanes.

(855) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to contact the New York State Department of Transportation requesting the installation of proper signalization for left-turn movements and left-turn vehicle storage lanes at the intersection of Rose Road and Route 59, Nanuet, New York.

Seconded by Councilman Brenner.

All voted Aye.

Highway Superintendent re Demarest Hills-Section VIII: Stub between Long Meadow and Tamarac - developer put up cash, town should complete street. Highway Superintendent asked to check with Town Attorney in the morning.

Town Attorney: Re Adler, Smith & Wight Special Permit Application; received letter from their attorneys to make decision; they have instituted suit, which compels town to make decision. Suggested that the Town Board adopt resolution this evening announcing a suitable date on which it will give their decisions or he can defend suit in Supreme Court; showing that decision will be forthcoming in due course.

(856) Supervisor Mundt offered the following resolution:

RESOLVED, that Special Permit Application made by Adler, Smith & Wight for Gasoline Filling Station on southerly side of Route 59, West Nyack, be DENIED.

No Second.

Motion not voted upon.

NOT CARRIED

(857) Councilman Damiani offered the following resolution:

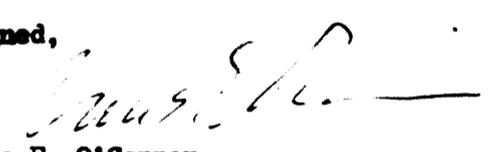
RESOLVED, that decision on Special Permit Application made by Adler, Smith & Wight for gasoline filling station to be located on the south side of Route 59 in West Nyack, will be made by the Town Board at the Town Board meeting to be held on 10/29/69.

Seconded by Councilman Bolander.

All voted Aye.

On resolution offered by Councilman Frohling, seconded by Councilman Bolander and unanimously adopted, Town Board meeting was adjourned until 10/29/69 at 8:00 PM.

Signed,


Anne E. O'Connor
Town Clerk