

## TOWN BOARD MEETING

Town Hall

11/26/69

10:00 AM

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

Supervisor Mundt called Town Board meeting to order.

(942) Councilman Frohling offered the following resolution:

RESOLVED, that the Ramapo Valley Airport be placed in non-conforming use; and that concept rejecting phasing out of airport be in order; and be it

FURTHER RESOLVED, that Heliport be moved to another section of the field at the earliest possible opportunity to enable Religious Community surcease.

Seconded by Councilman Damiani.

All voted Aye.

Councilman Bolander commented that he would like to see immediate re-appraisal of this property so that they may bear their fair share of taxation. Councilman Damiani stated that the airport, in the past, has saved lives by bringing in medication and blood, and adds to progressiveness of the Town. Councilman Frohling stated that any business that has been so firmly embedded in this County should not be phased out; airport has helped economic growth of the County, supports emergency services, etc.

Mr. Shapiro, who owns store at 11 South Middletown Road, Nanuet, appeared before the Town Board re bus stop directly in front of their place of business, stating that since opening of the Nanuet Mall, teen-agers congregate, blocking the driveway, etc. Suggested that the bus stop be moved closer to the Nanuet Mall exit on Middletown Road.

(943) Councilman Frohling offered the following resolution:

RESOLVED, that the Chief of Police be instructed to conduct a survey in the area of 11 South Middletown Road, Nanuet, with view of creating safer bus stop in Nanuet area; removing one existing; and be it

FURTHER RESOLVED, that said report be submitted to the Town Board within fifteen (15) days.

Seconded by Councilman Bolander.

All voted Aye.

Councilman Bolander to meet in field with Mr. Tim Carway of State to rectify dangerous condition existing in connection with left-turn going into the Sears Complex on Route 59, Nanuet.

Mr. Everett Johns appeared before the Town Board re renewal of lease for Sanitary Fill Area, stating that the town and not owners of the property are seeking renewal. Property not landlocked as claimed, the town using at present for Sanitary Fill purposes. Both leases have terminated; town using property; have not paid rental since September on one parcel, and October on the other.

Supervisor stated that the town reluctant to enter into this type of Agreement because over the years it has satisfied property owners in terms of improving their property and paying their taxes. Town also pays additional amount over and above taxes in rental fees. Would create precedent.

(944) Councilman Bolander offered the following resolution:

RESOLVED, that the Dumpmaster not be permitted to dump on the two parcels involved in Sanitary Landfill Area until the Town's demands are met.

Seconded by Councilman Damiani.

All voted Aye.

Proposed resolution concerning Sanitary Fill not brought up at meeting held on 11/19/69.

Mr. M. Reeder and Thomas Walsh, Counsel for Sewer District No. 20 presented Final Report on said Sewer District; including surveys, title reports, and deeds.

(945) Councilman Damiani offered the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Temporary appointment not to exceed thirty (30) days, of JOSEPH A. SECORA, 19 Jerrys Avenue, Nanuetm New York, to the position of Sewer Inspector - Sewer Department at a salary of \$3.50 per hour, effective and retroactive to November 8th, 1969.

Seconded by Councilman Frohling.

All voted Aye.

(946) Councilman Damiani offered the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Temporary appointment, not to exceed thirty (30) days, of ALBERT W. HOHMANN, JR. 29 Elmwood Drive, New City, New York, to the position of Sewer Inspector - Sewer Department. at a salary of \$3.50 per hour; effective and retroactive to 11/4/69.

Seconded by Councilman Frohling.

All voted Aye.

(947) Councilman Damiani offered the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Temporary appointment, not to exceed thirty (30) days, of JOSEPH KUBRAN, 16 Oak Road, New City N Y to the position of Sewer Inspector - Sewer Department, at a salary of \$3.50 per hour, effective and retroactive to November 15, 1969.

Seconded by Councilman Frohling.

All voted Aye.

(948) Councilman Damiani offered the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service forms for the temporary appointment n/t/e thirty days of MARILYN NADEL, 22 Shetland Drive, New City, New York to the position of Clerk, part-time at a salary of \$2.00 per hour, effective and retroactive to November 16, 1969,

Seconded by Councilman Frohling.

All voted Aye.

(949) Councilman Damiani offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to execute the necessary Civil Service form for the Temporary appointment n/t/e thirty days of MARION FRENDERGAST, 4 Woodside Drive, New City New York to the position of Clerk, Part/Time at a salary of \$2.00 per hour effective and retroactive to 11/16/69.

Seconded by Councilman Frohling.

All voted Aye.

Mr. Karl Wanderman, Attorney representing Harold Riess, appeared before the Town Board requesting release of restrictive covenants. Master Plan changed subject property from G2 which was granted by the Town Board to RS. Mr. Wanderman was requested by the Supervisor to make recommendations to the Town Board. Matter will be placed on 12/3/69 Town Board meeting Agenda.

(950) Councilman Frohling offered the following resolution:

RESOLVED, that the Historical Review Board is hereby authorized to expend the amount of \$400.00 from their budget for three (3) double faced wooden colonial-type signs to be placed at the northernmost and southernmost point of West Nyack Historic zone, as well as in center of Town.

Seconded by Councilman Damiani.

AYES: Councilmen Damiani, Frohling, Supervisor Mumdt.  
NOES: Councilman Bolander

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(1969-951) Councilman Damiani offered the following resolution:

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

Mike Araneo, Inc., 11 Robin Hood Lane, New City N Y

Re: French Farm Property, New City N Y,.....\$980.00

Rental of Bulldozer and Operator to  
Grade fill at the French Farm area from  
10/29 to 11/1/69 - 56 hours at \$17.50; and

WHEREAS, said expenses were incurred in a 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 \$980.00 is hereby transferred from Money in Lieu of Land Account to General Fund-Recreation Park Development Account, for the payment of described invoice.

Seconded by Councilman Frohling.

All voted Aye.

(952) Councilman Frohling offered the following resolution:

WHEREAS, the Planning Board has advised the Town Board of the Town of Clarkstown that for reasons of safety and convenience in view of area commercial development sidewalks are needed between the intersections of West Nyack Road and Bardonia Road, along the right of way of Route 304; and from Route 59-A to Demarest Mill Road on the east side; and

WHEREAS, agreement with owners of said properties will make it possible for such sidewalks to be constructed by them and at their expense according to town specifications; and

WHEREAS, the New York State Department of Transportation has stated the conditions under which the pertinent sidewalk construction permits are presently being granted,

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstows hereby requests the New York State Department of Transportation to authorize the Town Board to see to the construction of sidewalks in the aforementioned areas and furthermore, that NYSDT issue permits for individual portions of said construction upon simple notification by the Planning Board to NYSDT, in the understanding that the Town of Clarkstown hereby undertakes to see to:

- A) Construction of said sidewalks according to town specifications, and
- B) Maintenance of said sidewalks without cost to NYSDT, such maintenance to include snow removal.

Seconded by Councilman Bolander.

All voted Aye.

Town Engineer presented report re complaint of property damage due to sewer construction made by ZMr. & Mrs. Romaine, 243 West Nyack Road, West Nyack. Suggested that pipe under Rose Road be cleaned and repaired at north end. Also, that catch basin be constructed at north end. Highway Superintendent instructed to install catch basin; matter of correction of condition existing left to discretion of the Town Engineer and the Highway Superintendent.

(953) Councilman Damiani offered the following resolution:

RESOLVED, that petition of J. Knutsen & Co., Inc. (R40 to R22) for property located on the north side of Demarest Mill Road, Bardonia, be referred to the Town Planning Board for recommendations.

Seconded by Councilman Frohling.

All voted Aye.

Town Board signed Maintenance Bond from Edward J. Heugel, Inc., 110 Crooked Hill Road, Pearl River, New York, for Sewer District No. 34; approving same as to form and sufficiency; in the amount of \$150,000.00.

(954) Councilman Damiani offered the following resolution:

WHEREAS, the Clarkstown Parks Board and Recreation Commission is desirous of using the grounds of the Dellwood Country Club for sledding purposes in connection with its winter program, and

WHEREAS, the Dellwood Country Club has gratuitously offered its grounds for this purpose, subject to securing insurance and being indemnified against any claim resulting from an accident on its grounds;

NOW THEREFORE, be it

RESOLVED, that the Supervisor be and is hereby authorized to enter into an agreement subject to the approval of the Town Attorney, with the Dellwood Country Club, Inc., whereby sledding is permitted on its grounds with the Town securing insurance and indemnifying the Dellwood Country Club against any claim made in connection with such sledding activities.

Seconded by Councilman Frohling.

All voted Aye.

(955) Councilman Frohling offered the following resolution:

RESOLVED, that Bond Resolution appropriating \$11,000.00 for the Improvement of Pierce St., Nanuet; estimated maximum cost \$11,000.00 and Authorizing Issuance of \$11,000.00 Serial Bonds to Finance, is hereby adopted. (Bond Resolution in files)

Seconded by Councilman Damiani.

All voted Aye.

(956) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to publish the foregoing Bond Resolution.

Seconded by Councilman Damiani.

All voted Aye.

(957) Councilman Frohling offered the following resolution:

WHEREAS, a resolution was duly adopted on 7/30/69 allocating proceeds from the sale of surplus lots to Sewer District #17, and

WHEREAS, the allocation set forth in said resolution should have been to Sewer District #6;

NOW THEREFORE, be it

RESOLVED that the said resolution dated 7/30/69 be, and is hereby modified only to the extent of substituting Sewer District #6 for and in place of Sewer District #17, and be it

FURTHER RESOLVED, that all net proceeds and receipts from the sale of Lot 33.11 of Clarkstown Tax Map 162 be allocated for the pro-rate benefit of all the lots contained in Rockland Estates Subdivision and credited for their future sewer tax charges from Sewer District #6.

Seconded by Councilman Damiani.

All voted Aye/

(958) Councilman Frohling offered the following resolution:

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

Town of Clarkstown, Highway Department  
F. J. Seeger, Supt.  
12 Seeger Drive, Nanuet N Y

Sears Complex, Nanuet N Y .....Installation of Fence.....\$1,137.00; and

WHEREAS, the Town Board of the Town of Clarkstown authorized such work to be performed;

NOW THEREFORE, be it

RESOLVED, that the sum of \$1,137.00 be paid to Supt. of Highways of the Town of Clarkstown and this be a proper charge to Sewer District #6.

Seconded by Councilman Damiani.

All voted Aye.

(959) Councilman Frohling offered the following resolution:

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

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

Demolition of old barn and store on town property,  
Demarest Avenue, New City N Y.....\$800.00, and

WHEREAS, the Town Board of the Town of Clarkstown authorized such work be performed,

NOW THEREFORE, be it

RESOLVED that the sum of \$800.00 be paid to the Superintendent of Highways and this be a proper charge to Current Surplus-General.

Seconded by Councilman Damiani.

All voted Aye.

(960) Councilman Frohling offered the following resolution:

WHEREAS, it was necessary that the Supervisor's Office remain open until 5:00 PM during the summer months, and

and WHEREAS, additional over-time was required to work on the Town Budget,

and WHEREAS, in accordance with Sec. 1.6 of the Attendance Rules for Officers and Employees of the Town of Clarkstown such overtime payment may be authorized by the Town Board,

NOW THEREFORE, be it

RESOLVED that Cam Gromack and Alice Secora shall be compensated for the overtime worked at the hourly rate established for their positions, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to sign appropriate vouchers for this purpose.

Seconded by Councilman Damiani.

All voted Aye.

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(961) Councilman Damiani offered the following resolution:

RESOLVED, that Frances Korn, 5 Mary Ann Lane, New City N Y is hereby appointed permanently to position of Clerk-P/T in the Purchasing Department, at a salary of \$2.30 per hour, effective immediately.

Seconded by Councilman Frohling.

All voted Aye.

(962) Councilman Damiani offered the following resolution:

RESOLVED, that Richard J. Derella, West Nyack N Y, whose term of office on the Clarkstown Parks Board and Recreation Committee expired in August 1969, be re-appointed for a term of five years to August 1974.

Seconded by Councilman Frohling.

All voted Aye.

(963) Councilman Damiani offered the following resolution:

RESOLVED that Charles Lankau, Nanuet N Y, whose term of office on the Clarkstown Parks Board & Recreation Commission expired in August 1969, re re-appointed for a term of five years, to August 1974.

Seconded by Councilman Frohling.

All voted Aye.

(964) Councilman Damiani offered the following resolution:

RESOLVED, that William J. Stein, New City N Y, whose term of office on the Town Drainage Commission expired on September 6, 1969, be re-appointed to said Commission for a term of three years, to September 6, 1972.

Seconded by Councilman Frohling.

All voted Aye.

Request made by Lake Road Homes and Germonds Building Corp. for return of Capital Improvement deposit for Sewer District No. 1. Request denied by Town Board; Town Attorney requested to look into legal merits of same. (Letter given to Town Attorney).

Councilman Frohling offered the following resolution:

(965) RESOLVED, that Resolution #939, adopted 11/19/69, authorizing the Highway Superintendent to advertise for bids for the furnishing of Three Dump Trucks and Three Salt Spreaders, to be opened on 12/3/69 is hereby rescinded, and be it

FURTHER RESOLVED, that the Highway Supt. of hereby authorized to advertise for bids for same items, said bids to be opened instead on 12/22/69 at 8:05 PM.

Seconded by Councilman Damiani.

All voted Aye.

(966) Councilman Frohling offered the following resolution:

RESOLVED, that expenditure in the amount of up to \$3600.00 from Sewer District #17<sup>n</sup>, be authorized for the installation of sewer service stub to property owned by Mr. Paul Marshalla, Nanuet, New York.

Seconded by Councilman Damiani.

All voted Aye.

(967) Councilman Damiani offered the following resolution:

RESOLVED, based upon the recommendation of Edw. J. Ghiazza, Supt. of Parks and Recreation, that the amount of \$5000. be appropriated from Money In Lieu of Land Account to Central Nyack Community Center, said amount to be used for installation of Automatic Fire Detection and Alarm System; excavating and filling in old septic tank; extending leader and footing derain to catch basin at corner; and for installation of flag Pole.

Seconded by Co. Frohling.

All voted Aye.

Councilman Brenner joined the Town Board meeting.

(968) Councilman Brenner offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install two (2) 7900 lu street lights on Parkway Drive & Rockford Avenue, West Nyack N Y at annual cost to the town of \$105.20.

Seconded by Councilman Frohling.

All voted Aye.

(969) Councilman Brenner offered the following resolution:

RESOLVED, based upon recommendation of Councilman Brenner, that the Town Clerk contact Orange & Rockland Utilities, Inc., instructing them to eliminate requested light on Pole #3 on Morris Drive, Nanuet N Y.

Seconded by Councilman Frohling.

All voted Aye.

(970) Councilman Brenner offered the following resolution:

RESOLVED, that Bond Resolution adopted 7/13/64 and amended 2/21/68, appropriating \$2,120,000. for the construction of a lateral sewer system in Sewer District No. 18 be further amended. (See file)

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

(971) Councilman Brenner offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to publish above-mentioned Amended Bond Resolution.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

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(972) RESOLVED that Bond Resolution adopted on August 4, 1964 appropriating \$780,000. for the construction of Sewer District No. 22 be amended. (See file)

Seconded by Councilman Brenner.

On roll call the vote was as follows:

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

(973) Councilman Brenner offered the following resolution:

RESOLVED, that Sewer Assessment Roll for the year 1969-1970 and Authorizing submission to the Board of Supervisors of same.

Seconded by Councilman Frohling.

All voted Aye.

On resolution offered by Councilman Frohling, seconded by Councilman Brenner and unanimously adopted, Town Board meeting was adjourned until Wednesday 12/3/69 at 8:00 PM.

Signed,

*Anne E. O'Connor*  
Anne E. O'Connor  
Town Clerk

PUBLIC HEARING

Town Hall

12/3/69

8:00 PM

Present: Co. Brenner, Bolander, Damiani, Frohling, Supervisor Mundt  
Town Attorney and Deputy Town Attornies  
Town Clerk

RE: PROPOSED AMENDMENT TO BUILDING ZONE ORDINANCE - SEC. 3.11 (POSTPONED FROM 11/19/69):

Supervisor Mundt called public hearing order; Town Clerk read notice of public hearing noting that this is continuation of public hearing held on 11/19/69, at which time the Town Attorney adjourned hearing to 12/3/69 because, as he stated, his office had not notified the Palisades Interstate Park Commission.

Donald Tirschwell, 162 South Main St., New City N Y appeared before the Town Board and stated the following:

Represents owner of parcel located on the corner of Germonds Road and Route 304, New City; this proposed amendment aimed specifically at this parcel. (Co. Brenner took exception to this statement, stating he did not agree).

Mr. Tirschwell continued that this matter pending before the Planning Board since July of this year; property contracted for almost one year ago. Contract contained a stipulation that the property zoned LS and that it permitted restaurants. This was so because it was in the ordinance.

Clarkstown Planning Board did not hold hearing.

(continued)