

000668

SPECIAL TOWN BOARD MEETING

Town Hall

12/15/69

8:00 PM

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

Supervisor Mundt called Town Board meeting to order.

(1001) Councilman Damiani offered the following resolution:

RESOLVED, that petition for zonechange made by ROSE ORLAND (R-15 to RS) for property located on the Old Nyack Turnpike and Freedman Avenue, Nanuet N Y be DENIED.

Seconded by Councilman Brenner.

All voted Aye.

(1002) Councilman Brenner offered the following resolution:

RESOLVED, that Zone Change Application made by Hazel K. Richmond (PO to CS) for property located on the north east corner of Old Route 304 and Laurel Road, New City NY be GRANTED.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

(1003) Councilman Frohling offered the following resolution:

RESOLVED, that Restrictive Covenants Placed on property owned by Reiss located on the corner of Hutton Avenue and Route 59, Nanuet be lifted.

Seconded by Councilman Brenner.

All voted Aye.

Re Neri problem (from 12/3) Town Engineer did not submit letter from Mrs. Neri releasing town from any obligation. Matter will be placed on 12/22 agenda; Town Clerk will contact Town Engineer and request that he obtain letter from Mrs. Neri.

(1004) Councilman Damiani offered the following resolution:

RESOLVED, that Resolution #984 adopted 12/3/69 denying request of Planning Board for approval of future acceptance of lands in Silver Heights Estates, West Nyack be rescinded, and be it

FURTHER RESOLVED, that the Town Board accepts said Parklands adjacent to Bardonia School for school purposes.

Seconded by Councilman Brenner.

On roll call the vote was as follows:

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

(1005) Councilman Frohling offered the following resolution:

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

Manuel S. Emanuel Associates, Inc. (Seymour D. Gurlitz A.I.A.
11/19/69: Re: Town Hall Site Improvement Plan for Architectural and
Planning Services rendered to date.....\$2,480.00, and

WHEREAS, said services had been authorized by the Town Board and

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

NOW THEREFORE, be it

RESOLVED, that the sum of \$2,480.00 is hereby transferred from Money in Lieu of Land Account to General Fund-Town Hall Site Improvement Plan for payment of described invoice.

Seconded by Councilman Brenner.

All voted Aye.

(1006) Councilman Brenner offered the following resolution:

RESOLVED, that bid for Police Safety Helmets is hereby awarded to American Safety Equipment Corp., 2400 Fisher Building, Detroit, Michigan, low bidders, at cost to town of \$1,342.40; based upon the recommendation of the Purchasing Director.

Seconded by Councilman Frohling.

All voted Aye.

Letter from Tobias V. Marrazzo, Assistant Town Engineer, in connection with Orchard Plains, Section IV, Subdivision stating that builder, Mr. Booth, has no intention of constructing the 8" sewer line between Lots 4 and 5.

(1007) Councilman Damiani offered the following resolution:

RESOLVED, that the Building Inspector be empowered to withhold all Building Permits and to also refuse Certificates of Occupancy to Builder of Orchard Plains-Sec. IV Subdivision, Mr. Booth, Builder, until all work necessary has been completed.

Seconded by Councilman Brenner.

All voted Aye.

(1008) Councilman Bolander offered the following resolution:

WHEREAS, a letter was sent on 12/3/69 and a duplicate sent again on 12/5/69 with regard to the installation of a missing portion of sewer pipe in subdivision known as Interstate Park Homes, and to date no reply has been received;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to commence legal proceedings against Russ-Tic Estates Corp. (Interstate Park Homes).

Seconded by Councilman Damiani.

All voted Aye.

(1009) Councilman Brenner offered the following resolution:

WHEREAS, the Town is desirous of obtaining an easement for the purpose of egress and ingress on properties of New City Condominiums Corp. and Ekal Ronam, Inc.;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby accepts said easement.

Seconded by Councilman Frohling.

All voted Aye.

(1010) Councilman Frohling offered the following resolution:

WHEREAS, during the construction of Sewer District No. 24, Ext. No.1, a sanitary sewer was constructed for the prime purpose of serving properties in Palmer Ave. in Sewer Dist. No. 17, and

WHEREAS, said construction resulted in substantial savings to Sewer Dist. No. 17, and

WHEREAS, it is recommended by Chas. R. Velzy Associates, Inc. that Sewer Dist. No. 17 reimburse Sewer Dist. No. 24, Ext. No. 1 for a portion of the cost of said sewer line, to wit: \$13,204.37;

NOW THEREFORE, be it

RESOLVED, that Sewer Dist. No. 17 reimburse Sewer Dist. No. 24, Ext. No.1 for its proportionate share of said sewer line, to wit, \$13,204.37 and be it

FURTHER RESOLVED, that the sum of \$13,204.37 be transferred from Sewer Dist. No. 17 Account to Sewer Dist. No. 24, Ext. No.1 Account.

Seconded by Councilman Damiani

All voted Aye.

(1969-1011) Councilman Frohling offered the following resolution:

WHEREAS, during the construction of Sewer Dist. No. 24, Ext. No.1 an extension to an existing sewer line of Rose Road in Sewer Dist. No. 16 was installed, and

WHEREAS, the extension of said sewer line was necessary to serve properties in Sewer Dist. No. 16 and resulted in substantial savings in Sewer Dist. No. 16, and

WHEREAS, Chas. R. Velzy Associates, Inc. recommend that Sewer Dist. No. 16 reimburse Sewer Dist. No. 24, Ext. No. 1 for the cost of said sewer line, to wit, \$9,229.55;

NOW THEREFORE, be it

RESOLVED, that Sewer Dist. No. 16 reimburse Sewer District No. 24, Ext. No. 1 for the cost of said sewer line in the amount of \$9,229.55, and be it

FURTHER RESOLVED, that said \$9,229.55 be transferred from Sewer Dist. No. 16 Account to Sewer Dist. No. 24, Ext. No.1 Account for his purpose.

Seconded by Councilman Damiani.

All voted Aye.

(1012) Councilman Frohling offered the following resolution:

WHEREAS, at the time sewers were constructed in Sewer Dist. No. 17 Ext. 1 to Sewer Dist. No. 17, an outfall sewer from the existing Dist. No. 6 Sewage Treatment Plant was constructed, and

WHEREAS, said outfall sewer enabled Sewer Dist. No. 6 Plant to be eliminated, resulting in a substantial savings to Sewer District No. 6, and the sale by Sewer Dist. No. 6 of said sewer plant site for \$11,000.00; and

WHEREAS, Charles R. Velzy Associates, Inc., Consulting Engineers to the Town of Clarkstown have recommended that a capital contribution of \$6,000.00 be made to Sewer Dist. No. 17 by Sewer Dist. No. 6 to reimburse Sewer Dist. No. 17 for additional charges resulting from said outfall sewer;

(continued)

(1012 - continued)

NOW THEREFORE, be it

RESOLVED, that Sewer District No. 6 make a capital contribution to Sewer Dist. No. 17 of \$6,000.00, and be it

FURTHER RESOLVED, that said \$6,000.00 be transferred from Sewer Dist. No. 6 Account to Sewer District No. 17 Account for this purpose.

Seconded by Councilman Damiani.

All voted Aye.

Letter received from Messrs. Bowman, Chairman; and Davies, Member of the Board of Ethics of the Town of Clarkstown requesting opinion relative to a possible conflict of interest of Mr. Ronald J. Tarigo if granted a Cert. of Registration to install sewer to house connections. Mr. Tarigo is employed by the town as a Motor Equipment Operator in the Highway Department. They recommended the following:

- a. Both the Town Engineer and the Supt. of Hways be informed the matter and make certain that friendships or personalities in the two agencies do not themselves present a conflict.
- b. Highway Department equipment not be used by Mr. Tarigo in his private work.
- c. That Mr. Tarigo, in soliciting jobs, does not imply approval of sewer connections merely because of his job capacity.

Town Clerk will forward copies of this letter, as requested, to the Supervisor, Town Engineer, Highway Supt. and Mr. Tarigo.

(1013) Councilman Damiani offered the following resolution:

RESOLVED, based upon the opinion of the Town Board of Ethics; that Ronald Tarigo be granted a Certificate of Registration.

Seconded by Councilman Brenner.

All voted Aye.

(1014) Councilman Frohling offered the following resolution:

RESOLVED, that bid for Electronic Sirens with Microphone and Speaker to be furnished to the Police Department, is hereby awarded, based upon the recommendation of the Director of Purchasing, to Thomas E. Campbell, Inc., 48 Prairie Avenue, Suffern, New York, at cost to town of \$1,750.00.

Seconded by Councilman Brenner.

All voted Aye.

(1015) Councilman Damiani offered the following resolution:

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

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service forms for the temporary appointment to 12/31/69 of JOSEPH KEBERN, 36 Oak Road, New City N Y to the position of Sewer Inspector - Sewer Department - at a salary of \$3.50 per hour, effective 12/15/69.

Seconded by Councilman Brenner.

All voted Aye.

(1016) Councilman Damiani offered the following resolution:

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

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment to 12/26/69 of MARION PRENDERGAST, 4 Woodside Drive, New City NY to the position of Clerk/p/t at a salary of \$2.00 per hour, effective 12/16/69.

Seconded by Councilman Brenner.

All voted Aye.

(1017) Councilman Damiani offered the following resolution:

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

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment to 12/26/69 of MARILYN NADEL, 22 Shetland Drive, New City N Y to the position of Clerk-P/T at a salary of \$2.00 per hour, effective 12/16/69.

Seconded by Councilman Brenner.

All voted Aye.

(1018) Councilman Damiani offered the following resolution:

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

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment from 12/16 to 1/2/70 of DANE ZABRISKIE, 460 Phillips Hill Road, New City NY, to the position of Laborer-Student -- Town Engineer's Office, at a salary of \$1.75 per hour, effective 12/16/69.

Seconded by Councilman Brenner.

On roll call the vote was as follows:

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

(1019) Councilman Damiani offered the following resolution:

WHEREAS, the Supervisor's Office has requested additional help;

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment from 12/22/69 to 1/2/70 of BARBARA DEMAREST, 14 Wheeler Place, West Nyack N Y to the position of Office Worker-Student -- Planning Board, at a salary of \$1.85 per hour, effective 12/22/69.

Seconded by Councilman Frohling.

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On roll call the vote was as follows:

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

(1020) Councilman Frohling offered the following resolution:

WHEREAS, the Supervisor's Office has requested temporary help;

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment - 12/22/69 to 12/31/69 of CAROLEE KOSTER, 179 East Mary Lane, Valley Cottage N Y to the position of Office Worker-Student -- Supervisor's Office, at a salary of \$2.00 per hour, effective 12/22/69

Seconded by Councilman Damiani

On roll call the vote was as follows:

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

(1021) Councilman Damiani offered the following resolution:

WHEREAS, the Clarkstown Parks Board & Recreation Commission has use of the Dellwood Country Club grounds for sledding purposes in connection with its winter program, and

WHEREAS, the children participating in the sledding program will sled toward Zukor Road, and

WHEREAS, it is necessary to require 'no parking' signs along said portion of Zukor Road;

NOW THEREFORE, be it

RESOLVED, that the Superintendent of Highways hereby is directed to erect such NO PARKING signs on said portion of Zukor Road near the sledding area.

Seconded by Co. Braner.

All voted Aye.

(1022) Councilman Damiani offered the following resolution:

RESOLVED that Joan Cunningham, 56 Old Nyack Turnpike, Nanuet N Y, is hereby appointed to position of Transcriber in the Planning Board Office at a salary of \$4,498.00 per annum, effective 12/15/69.

Seconded by Councilman Frohling.

All voted Aye.

Letter of Resignation received from Richard J. Derella, Recreation Commission. Town Board accepted same with regret; Town Clerk will convey to Mr. Derella.

(1023) Councilman Damiani offered the following resolution:

RESOLVED, that R. Concklin, 6 Tall Oak Lane New City N Y is hereby appointed to fill unexpired term of Richard J. Derella on the Recreation Commission to August 1974.

Seconded by Councilman Brenner.

On roll call the vote was as follows:

AYES: Co. Brenner, Damiani, Supervisor Mujdt. Co. Frohling.

NOES: Co. Bolander

Proposed resolution re Surplus Building located at 18-22 Maple Avenue, New City N Y --- tabled for 12/28/69 Town Board meeting. Councilman Bolander requested to check out.

(1024) 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;

Cadet Plumbing and Heating Corporation
9 Langeries Drive
Monsey, New York

NOW THEREFORE, be it

RESOLVED, that the following Cert. of Registration be issued:

No. 69-03 to Cadet Plumbing and Heating Corporation.

Seconded by Councilman Damiani.

All voted Aye.

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(1025) Councilman Brenner offered the following resolution:

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

R. Newmeyer Plumbing & Heating, Inc.
67 Parker Avenue, New City N Y

Kuhn's Plumbing & Heating Service, Inc.
17 South Magnolia St., Pearl River N Y

Thomas J. Schnell dba Big Cat Septic Service
35 South Madison Avnue, Spring Valley N Y

Clear Drain Corp
24 Lapin Lane, Blauvelt N Y

Leo Tremper
77 Blauvelt Rd., Nanuet, N Y

M. Cassese dba New County Septic Tank Service
387 South Main St., New City N Y

John P. Fehsal,
219 Strawtown Road, New City N Y

Jacob Van Cura
3 Old Ox Road, Central Nyack N Y

StrawtownBullders, Inc. dba Hy-Dynamics Equipment
318 Strawtown Road New City N Y

Rudolph C. Surbley
262nw. Washington AVenue, Pearl River NY

Lou Schafft Contracting Corp
8 Deerfield Drive, New City N Y

Joe & Mike Fox Plumbing and Heating corporation
Quaspeck Blvd., Valley Cottga, N Y

Kenneth J. Taylot, dba Coral Ridge Excavating Co.
302 S. Middletown Road, Nanuet N Y

Joseph Traviglino
4 Lake Road, Congers N Y

Frederick L. Myers dba Freddie's Plumbing & Heating
239 Kings Highway, Congers N Y

NOW THEREFORE, be it

RESOLVED, that the following Certificates of R^egistration be issued:

No. 70-13 to R. Newmeyer Plumbing and Heating, Inc.
No. 70-22 to Kuhn's Plumbing & Heating Service, Inc/^u
No. 70-23 to Thos. J. Schnell, dba Big Cat Septic
No. 70-24 to Clear Drain Corp
No. 70-25 to Leo Tremper
No. 70-26 to Michael Cassese, dba New County Septic
No. 70-27 to John P. Fehsal
No. 70-29 to Jacob Van Cura
No. 70-30 to Strawtown Bldrs. Inc., dba Hy-Dynamics Equip.
No. 70-31 to Rodolph C. Surbley
No. 70-32 to Lou Schafft Contracting Corp.
No. 70-33 to Joe & Mike Fox Plumbing & Heating Corp.
No. 70-34 to Kenneth J. Taylor, dba Coral Ridge Excavating Co.
No. 70-35 to Joseph Traviglino
No. 70-36 to Frederick L. Myers, dba Freddie's Plumbing & Hearing

Seconded by Councilman Brenner

All voted Aye.

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

Republic Insurance Co. Bond #904535
WOODLAND INVESTORS LTD, NEW CITY, Princ. (SPRINGVIEW ESTATES)
Amount: \$139,270.00
Period: Two years - 12/5/69 to 12/4/71
Covers: Roads

Republic Insurance Co. Bond #904536
WOODLAND INVESTORS, LTD., NEW CITY, Princ. (SPRINGVIEW ESTATES)
Amount: \$46,557.50
Period: Two years - 12/5/69 to 12/4/71
Covers: Sewers

Republic Insurance Co. Bond #904537
J. KNUTSEN & CO., INC. NANUET, Princ. (ROYAL CRESTPARK)
Amount: \$32,205.00
Period: Two years - 12/5/69 to 12/4/71
Covers: Sanitary Sewers

Republic Insurance Co. Bond #904537
J. KNUTSEN & CO., INC., Princ. (ROYAL CREST PARK)
Amount: \$124,370.00
Period: Two years 12/5/69 to 12/4/71
Covers: Roads

Re Mrs. Crudo's complaint about drainage at Rennert Lane and Route 304; response received from NYS Department of Transportation stating that Mr. Carway Local Resident Engineer has met with our Highway Superintendent and corrective action has been planned. However, due to the time of year, work cannot be done until next year.

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

Republic Insurance Co. Bond #904541
MALAN DEVELOPMENT CORP., Princ. (WOODCREST ESTATES)
Amount: \$12,175.00
Period: Two years - 12/8/69 to 12/7/71
Covers: Sanitary Sewers

Republic Insurance Co. Bond #904540
MALAN DEVELOPMENT CORP., Princ. (WOODCREST ESTATES)
Amount: \$38,940.00
Period: Two years - 12/8/69 to 12/7/71
Covers: Roads

Re request made by firm of Brent, Phillips and Savadto change name of Old Nyack Turnpike to Route 59-A; Councilman Brenner requested that matter be held until people in area can be heard from.

(1026) Councilman Damiani offered the following resolution:

RESOLVED, that the Building Inspector and his staff are hereby authorized to attend the Second Annual School for Building Officials to be held in Eastchester each Wednesday, commencing 1/7/70; and be it

FURTHER RESOLVED, that any and all expenses incurred be made a proper town charge.

Seconded by Councilman Brenner.

On roll call the vote was as follows:

AYES: Councilmen Brenner, Damiani, Frohling, Supervisor Mundt.
ABSTENTION: Councilman Bolander

Proposed resolution re Sewer District 26 Easements -- Held.

Monthly Reports for the month of November 1969 received from the ZBA and the B/I; noted by the Town Board; filed in the Town Clerk's Office.

(1027) Councilman Brenner offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install 3 Koppers Company Poles and three street lights on Green Hill Homes east, Nanuet N Y at annual cost to town of \$163.80.

Seconded by Councilman Frohling.

All voted Aye.

(1028) Councilman Brenner offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install eight 8' ups Lucalox at \$1238.40 and 17 - 15' ups Lucalox at \$157.92 -- removing 13 street lights with removal credit of \$805.00; at annual increase in cost to town of \$3,117.24; said removal and installations to be made on Route 59, Nanuet in vicinity of Sears-Bamberger-Grandway Complexes.

Seconded by Councilman Frohling.

All voted Aye.

Mr. Malten appeared before the Town Board re Silver Heights Parklands--opposed topark. Inquired as to why Town Board reversed itself twice. He stated that he expected the Town Board to reconsider this proposition from the builders; it is landlocked.

(1029) Councilman Damiani offered the following resolution:

RESOLVED, that Resolution No. 1004 be amended to defer approval of Parklands in Silver Heights, West Nyack with the consent of the proposer and the seconder of said resolution, pending a further meeting.

Seconded by Councilman Brenner.

All voted Aye.

Mr. R. Racyshyn will be requested to place on agenda matter of Silver Heights Proposed park area, Recreation Commission and Supervisor's recommendations were not taken into account.

On resolution offered by Councilman Frohling, seconded by Councilman Bolander and unanimously adopted, Town Board meeting was adjourned until Monday, 12/22/69 at 8:00 PM.

Signed,



Anne E. O'Connor
Town Clerk