

TOWN BOARD MEETING

Town Hall

3/4/70

8:00 P.M.

Present: Councilmen Niehaus, Bolander, Frohling, D'Antoni, Supervisor Vines
 Town Clerk Anne E. O'Connor
 Town Attorney Frederick P. Roland
 Deputy Town Attorney Martin Friedman

Supervisor Vines called Town Board meeting to order.
 Assemblage saluted the Flag.

1970-127 Supervisor Vines offered the following resolution:

WHEREAS, the Building Inspector of the Town of Clarkstown has requested instructions from the Town Board as to whether or not he should revoke the building permit heretofore issued to New City Condominiums, Inc.,

NOW THEREFORE, be it

RESOLVED, that the Building Inspector of the Town of Clarkstown, be, and he hereby is, instructed to revoke said building permit.

Seconded by Councilman Niehaus.

On roll call the vote was as follows:

AYES: Councilman Niehaus, Supervisor Vines

NOES: Councilman Bolander, Frohling, D'Antoni

MOTION NOT CARRIED.

1970-128 Councilman D'Antoni offered the following resolution:

RESOLVED, that Sherwin Slater, 8 Woodland Road, New City, New York is hereby appointed to serve as a member of the Industrial & Commercial Advisory Board, without compensation, effective immediately, term to expire 12/31/71.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Niehaus, Frohling, D'Antoni, Supervisor Vines

ABSTENTION: Councilman Bolander

1970-129 Councilman D'Antoni offered the following resolution:

WHEREAS, there is a vacancy in the position of Secretary, part-time to the Architectural Review Board,

NOW THEREFORE, be it

RESOLVED, that Elizabeth Beck, 22 Spruce Lane, West Nyack, N.Y. is hereby appointed to the position of Secretary, part-time to the Architectural Review Board, at an annual salary of \$1,050.00, retroactive to February 23, 1970.

Seconded by Councilman Niehaus.

All voted Aye.

1970-130 Councilman Bolander offered the following resolution:

RESOLVED, that minutes of Town Board meetings held on 2/18/70 and 2/25/70 are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-131 Councilman Niehaus offered the following resolution:

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

Peter B. Adams, Inc.
304 Piermont Road
Closter, New Jersey

Thomas J. Kempton, Jr., Inc.
89 South Main Street
New City, N.Y.

NOW THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

No. 70-51 to Peter B. Adams, Inc.
No. 70-52 to Thomas J. Kempton, Jr., Inc.

Seconded by Councilman Frohling.

All voted Aye.

1970-132 Councilman Niehaus offered the following resolution:

RESOLVED, that Orange and Rockland Utilities, Inc., is hereby authorized to install 1 - 7900 LU Mercury Vapor Street Light on Pole #24 on Old Mill Road, Valley Cottage, New York, at an annual cost to the town of \$54.60.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-133 Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc., is hereby authorized to install 1 - 7900 LU Mercury Vapor Street Light on Pole #1 on Bel-Aire Terrace, New City, N.Y. at annual cost to town of \$54.60, and be it

FURTHER RESOLVED, that Orange & Rockland also be authorized to install 2 - 2500 LU Power Floor Lights in the vicinity of the Commuter Parking Lot on Prospect Street, Nanuet at annual cost to town of \$195.40.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-134 Councilman D'Antoni offered the following resolution:

WHEREAS, by resolution of the Town Board dated January 17, 1968, DAVID G. ROEPE, ESQ., attorney for the New City Sewer District No. 10, was authorized to institute condemnation proceedings for the acquisition of certain easements to be located within said district; and

WHEREAS, thereafter condemnation proceedings were duly commenced in the Supreme Court of the State of New York against the New City Company, et al, for certain easements crossing their premises situate on the northeast corner of North Main Street and Congers Road, designated therein as Easements 1A, 1B, 1C, 1D and 1E; and

WHEREAS, Ferdinand R. Horn, the appraiser retained to represent the said sewer district, has appraised the damages to the owner by reason of the premises described as Easement 1A in the sum of \$6,375.00 and having appraised no additional sum by way of damages for Easements 1B, 1C, 1D and 1E; and

WHEREAS, Karl F. Kirschner, the appraiser retained by the owner has appraised the damages to the owner by reason of the premises described in Easement 1A in the sum of \$8,500.00, and indicated a nominal payment should be made for the additional Easements 1B, 1C, 1D and 1E; and

WHEREAS, the owner is willing to accept the aggregate sum of \$7,000.00 with interest in full payment for all damages arising out of the acquisition of all of said easements and in full settlement of the aforesaid condemnation proceeding now pending; and

WHEREAS, the attorney for said sewer district, DAVID G. ROEPE, ESQ., recommends that the payment of said sum of \$7,000.00 with interest in settlement of the claims of the said owner against the Town of Clarkstown for the acquisition of said easements is reasonable in view of the two appraisals submitted, and that additional expenses by reason of further condemnation proceedings will be avoided;

NOW THEREFORE, be it

RESOLVED, that the attorney for said sewer district, DAVID G. ROEPE, be and hereby is authorized to settle the pending condemnation action for the sum of \$7,000.00, to be paid by the said sewer district to the owner with interest at the legal rate from the 3rd day of February, 1969, the date that the Town of Clarkstown obtained possession of the premises sought to be condemned, in full payment to the owner for the damages occasioned by the acquisition of the easements designated as 1A, 1B, 1C, 1D, and 1E; and be it

FURTHER RESOLVED, that the said sewer district be and the same hereby is authorized to pay to FERDINAND R. HORN, JR., the sum of \$500.00 as and for his appraisal services in connection with said condemnation proceeding as set forth in his voucher dated December 22, 1969; and be it

FURTHER RESOLVED, that the said sewer district be and the same hereby is authorized to pay to DAVID G. ROEPE the sum of \$900.00 as and for his legal services rendered in connection with the said condemnation proceeding as set forth in the voucher dated December 22, 1969; and be it

FURTHER RESOLVED, that DAVID G. ROEPE, the attorney for said sewer district, the Supervisor of the Town of Clarkstown, and the Sewer Coordinator for the Town of Clarkstown, be and they hereby are authorized and directed to execute all documents which are required in order to effectuate the settlement of the condemnation action, discontinuance thereof, and the payment of the amounts above specified under the procedures usually applicable to payment thereof by the Town of Clarkstown.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Niehaus, D'Antoni, Frohling, Supervisor Vines
NOES: Councilman Bolander

MOTION CARRIED

1970-135 Councilman Niehaus offered the following resolution:

RESOLVED, that request made by the Clarkstown Planning Board for approval of park area in Springview Estates, New City is hereby DENIED.
Seconded by Councilman D'Antoni. All voted Aye.

1970-136 Councilman D'Antoni offered the following resolution:

RESOLVED, that the position of Dog-Warden, Full-Time, is hereby created, effective immediately, at a salary of \$6,000.00 per annum..
Seconded by Councilman Niehaus. All voted Aye.

Annual Report for the Year 1969 received from the Supervisor's Office; Annual Report of Notices of Tort Claims for the Fiscal Year Ending December 31, 1969 - noted by Town Board; filed in Town Clerk's Office.

Proposed resolution re acceptance of passbooks in lieu of bonds Linda Estates -- tabled.

1970-137 Councilman D'Antoni offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to have further study made in connection with renovation of old Town Highway Garage.
Seconded by Councilman Bolander All voted Aye.

1970-138 Councilman Bolander offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to proceed in the acquisition or condemnation of additional land for Sanitary Fill purposes.
Seconded by Councilman D'Antoni. All voted Aye.

1970-139 Councilman Frohling offered the following resolution:

RESOLVED, that the Highway Supt. is hereby instructed to advertise in the official newspaper of the town for the furnishing of Sanitary Fill according to specifications, and be it

FURTHER RESOLVED, that said bids be returnable at the Town Board meeting to be held on 3/18/70 at 8:03 P.M.

Seconded by Councilman Niehaus. All voted Aye.

1970-140 Councilman D'Antoni offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to draw up an Agreement re disposal of abandoned cars.

Seconded by Councilman Niehaus. All voted Aye.

1970-141 Councilman Frohling offered the following resolution:

RESOLVED, based upon the recommendation of the Chairman of the Traffic Advisory Commission, that the Highway Superintendent is hereby authorized to remove the STOP sign located at Twin Elms Lane and Mueller Court, New City, N.Y.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-142 Councilman D'Antoni offered the following resolution:

WHEREAS, it has come to the attention of the Town Board that certain rental properties are being maintained in violation of the Local Laws of the Town of Clarkstown, and

WHEREAS, under the present Local Law the Building Inspector of the Town of Clarkstown is limited in his authority to the issuance of violation orders only, and

WHEREAS, in the interest of the health, safety and welfare of the occupants of property, and tenants, both residential and commercial, that the Building Inspector have the power to commence enforcement proceedings under the Local Laws of the Town of Clarkstown in the Town Justice Court;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney be and hereby is directed to prepare appropriate amendments to the Local Laws of the Town of Clarkstown to provide the Building Inspector and the members of his staff with the power to issue summonses, returnable in the Town Justice Courts, in addition to the power that the Building Inspector now has to issue violation notices for violation of the Local Laws in the Town of Clarkstown.

Seconded by Councilman Bolander.

All voted Aye.

1970-143 Councilman Bolander offered the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Provisional appointment, pending examination of Joyce J. Lynch, 58 Parker Avenue, New City, New York to the position of Secretarial Assistant I - Recreation Dept. at a salary of \$6,000.00 per annum; effective March 5, 1970.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-143a Councilman D'Antoni offered the following resolution:

RESOLVED, that the resignation of Mrs. Estelle Lipschitz of the Assessor's Office is hereby accepted with regret, said resignation to take effect on February 27, 1970.

Seconded by Councilman Niehaus.

All voted Aye.

Town Planner submitted report re Valley Cottage Hamlet Center. Town Board requested that same be submitted to each member to the Town Board in writing for further action.

Residents of Pineview Estates appeared before the Town Board re obstruction of railroad crossing by trains. Supervisor stated that he had contacted the Public Service Commission seeking to rectify the situation.

1970-144 Supervisor Vines offered the following resolution:

WHEREAS, it appears that the Town Board of the Town of Clarkstown heretofore instructed the Planning Board of the Town of Clarkstown to direct that the construction of the road on the Prentice-Hall complex, West Nyack, be on the easterly side of said premises, and

WHEREAS, it appears that the Planning Board has consented to the construction of said roadway on the westerly side of Prentice-Hall,

NOW THEREFORE, be it

RESOLVED, that the Town Board hereby directs the Planning Board to direct the Building Inspector, the management officials of Prentice-Hall, and the contracting agent in the construction of the addition at the Prentice-Hall complex to meet together to discuss conforming to the Town Board resolution of October 15, 1969 prior to the breaking of ground scheduled for March 17, 1970.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-145 Councilman D'Antonie offered the following resolution:

RESOLVED, that based upon the recommendation of the Highway Superintendent and the Chief of Police, that "15 MPH" signs be placed on the east and west sides of the Woodglen School property on the south side of Phillips Hill Road, and be it

FURTHER RESOLVED, that the Highway Superintendent be instructed to erect said signs.

Seconded by Councilman Bolander.

All voted Aye.

1970-146 Councilman Frohling offered the following resolution:

RESOLVED, that the Highway Superintendent is hereby authorized to advertise for bids for the purchase of Two (2) 1/2 Ton Pickup Trucks, said bids to be returnable on 4/1/70 at 8:05 P.M.

Seconded by Councilman D'Antoni.

All voted Aye.

On resolution offered by Councilman Frohling, seconded by Councilman Bolander and unanimously adopted Town Board meeting was adjourned until Wednesday, March 18, 1970 at 8:00 P.M.

Signed,

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