

TOWN BOARD MEETING

Town Hall

6/17/70

8:00 P.M.

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

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

1970-361 Councilman Niehaus offered the following resolution:

RESOLVED, that time for receiving bids for the construction of lateral sewers and appurtenances, Sewer District #33 is closed, and be it

FURTHER RESOLVED, that any and all bids received up to and including this time be opened.

Seconded by Councilman Bolander.

All voted Aye.

The following bids were received: (CONTRACT B - SECS. 1 & 2)

(1) MARVEC-ALL STATE INC.
 251½ Grove Avenue
 Verona, New Jersey

Section 1.....	\$ 439,018.69
Section 2.....	590,638.02
Combination - Secs 1 & 2.....	1,028,657.61

(2) BECKERLE BROWN, INC.
 Pearl River, New York

Section 1.....	\$ 465,801.50
Section 2.....	623,662.00
Combination - Secs 1 & 2.....	1,088,952.70

(3) A. CESTONE COMPANY
 710 Bloomfield Avenue
 Glen Ridge, New Jersey

Section 1.....	\$ 483,767.89
Section 2.....	613,712.31
Section 1 & 2 combined.....	1,094,404.30

(4) M.A. STEPHEN CONSTR. CO., INC.
 32 North Day Street
 Orange, New Jersey

Section 1.....	\$ 663,080.00
Section 2.....	887,670.00
Combination - Sec. 1 & 2.....	1,475,180.00

(5) EDWARD J. HUEGEL, INC.
 60 Crooked Hill Road
 Pearl River, New York

Section 1.....	\$ 565,725.00
Section 2.....	763,415.00
Combination - Sec. 1 & 2.....	1,264,930.60

(6) UFHEIL CONSTRUCTION COMPANY, INC.
 178 River Road
 New Milford, New Jersey

Combination - Secs. 1 & 2 (only).....	1,341,628.10
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Mr. Richard Gaudy, 51 Bluebird Drive, Congers appeared before the Town Board in connection with date of installation of Sewers in Thornwood Hills and Waters Edge Development in Congers. Mr. Cestone, contractor, stated they would be in by the end of November. Mr. Suttie, Consulting Engineer, stated they will schedule work of most desperate areas immediately.

Re swampy areas in above locations; Supervisor stated town is moving as rapidly as possible to eliminate.

1970-362

Councilman Frohling offered the following resolution:

WHEREAS, the Town Clerk advertised for bids for installation of a public address system for the Town Hall for opening on 6/17/70 - 8:10 P.M., and

WHEREAS, no bids were received by the Town Board at that time,

NOW THEREFORE, be it

RESOLVED, that the Town Clerk is hereby authorized to re-advertise for bids for the installation of a Public Address System for the Town Hall, specifications to be obtained in the Supervisor's Office, said bids to be returnable 7/1/70 - 8:07 P.M.

Seconded by Councilman Bolander.

All voted Aye.

1970-363

Councilman Bolander offered the following resolution:

WHEREAS, the New York State Division for Youth conducts a program known as "Home Town Beautification Project," and

WHEREAS, the Town of Clarkstown is eligible under provisions of this project to conduct a suitable program,

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorized the filing of an application with the New York State Division for Youth to seek reimbursement for fifteen youth working under the jurisdiction of the Supt. Of Highways.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-364

Councilman D'Antoni offered the following resolution:

WHEREAS, Councilman D'Antoni, a member of the Town Board of the Town of Clarkstown, has introduced an amendment to Local Law No. 3-1966 entitled "LOCAL LAW PROVIDING FOR THE GRANTING OF PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION FOR REAL PROPERTY OWNED BY CERTAIN PERSONS WITH LIMITED INCOME WHO ARE SIXTY-FIVE YEARS OF AGE OR OVER", which law is designated in the Code of the Town of Clarkstown as Chapter 61. Said amendment is as follows:

Amend Section 61-2 to read as follows:

61.2: Property exempt.

All real property in the Town of Clarkstown owned by one (1) or more persons, each of whom is sixty-five (65) years of age or over, or real property owned by husband and wife, one of whom is sixty-five (65) years of age or over, shall be exempt to the extent of fifty percent (50%) of the assessed value as shown on the Town Assessment roll, provided the requirements set forth in Section 61-3 below are complied with.

Reso. #364 - continued

Amend Section 61-3 to read as follows:

61-3. Statutory qualifications.

A. Each of the owners of the real property must be sixty-five (65) years of age or over, except that where real property is owned by husband and wife, either husband or wife must be sixty-five (65) years of age or over on the date the application is filed.

D. The combined income of all the owners of the property must have been Five Thousand Dollars (\$5,000.00) or less during the twelve (12) consecutive months immediately preceding the date of making the application for exemption. Where title to property is vested in either a husband or wife, the combined income of the husband and wife may not exceed Five Thousand Dollars (\$5,000.00). "Income" included all social security and retirement payments, interest, dividends, net rental income, salaries or other earnings, including net income from self-employment. "Income" does not include gifts or inheritances.

Amend Section 61-4 to read as follows:

61-4. Application for exemption.

Application for such exemption must be made by the owner, or all of the owners of the property, on forms prescribed by the state board to be furnished by the appropriate assessing authority and shall furnish the information and be executed in the manner required or prescribed in such forms, and shall be filed in such assessor's office on or before the appropriate taxabel status date.

61-4(a): At least sixty days prior to the appropriate taxable status date, the assessing authority shall mail to each person who was granted exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before taxable status date and be approved in order for the exemption to be granted. Failure to mail any such application form and notice or the failure of such person to receive the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owner by such person.

Amend Section 61-9 to read as follows:

61-9: Effective date.

This local law shall become effective for the tax year commencing January 1st, 1971; and

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the public interest that an amendment to Local Law No. 3-1966 be adopted;

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sec. 20 of the Municipal Home Rule Law be had at the Board Room of the Town Hall, 10 Maple Avenue, New City, New York, on the 15th day of July, 1970 at 8:15 P.M. in the evening, relative to such proposed amendment; and it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Rockland Leader, the official newspaper of the town, and posted in the manner provided by law; and it it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the Town Clerk.

Seconded by Councilman Niehaus.

All voted Aye.

Mr. G. J. Nelson et al appeared before the Town Board regarding Senior Citizens Housing, requesting that town subsidize same. After considerable discussion, the Town Planner stated that he has looked into the matter; zoning ordinance we have today prohibits. He suggested that we try to develop within the apartment district the possibility of increasing density. He believes that Senior Citizens should not be placed in separate premises and recommends that they be made part of a total apartment complex. He stated that we must try to get apartment builders to put in or put aside Senior Citizens apartments. For this, we would have to increase density. Units that would be put aside for all time for Senior Citizens at a percentage of the building rate. Also, there is Public Senior Citizens Housing.

Senior Citizens housing located in South Jersey will be visited to obtain more information. Re 160 North Main, Supervisor had conference with new landlord and he is willing to give consideration to putting one section for Senior Citizens and some adjustment would be made re the assessment on that unit.

Mr. Frank Osterman - re available space for Senior Citizens housing: There is piece of property of 34 acres belonging to St. Anthony's Church located on Old Route 59 going there to thruway. Property tax free; wanted Town Board to investigate possibility of purchasing.

Mr. Theodore Zollendeck, Town Planner to look it over with Mr. Osterman. Councilman Bolander also mentioned available land along Lake Road in Congers.

1970-365

Councilman Niehaus offered the following resolution:

RESOLVED, that minutes of the Town Board meeting held on 6/3/70 are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman D'Antoni.

All voted Aye.

Re report from appraisers - parklands; Mr. Steffens reported not ready at this time - two weeks additional needed for same.

Mr. Wm. Osgood, representing Citizens Group for Sensible Recreation, appeared before the town board re expenditure of \$60,000 for Safe Driving Course stating public did not have enough information re same - opposed. He stated cost not realistic and location not satisfactory. Also that proposed voluntary help would not be easily obtained. Questioned use of money in lieu of land because this would not serve most of children in town. Requested that the Recreation Commission make overall plan for recreation, and the report be obtained from the Narcotics Commission re this strip.

Petition containing 600 signatures (students) favoring this course submitted by J. Tepper of the Clarkstown JHS stating this needed for go-carts and mini-bikes.

Mr. David Ash, (in motorcar racing field) appeared before the Town Board stating concept good but cited several instances of this plan that need improving; such as supervision, length of strip; maintenance cost and insurance. Suggested this be done on larger scale, possibly on county level.

Mr. Kenneth Ward, Secretary of the Rockland County Patrolmans' Association stated this project asset to community in dealing with problem of juvenile delinquency.

Mr. Richard Rack of West Nyack request that Town Board obtain formal opinion of Department of Audit and Control re use of \$60,000.00 from Money in Lieu of Land for this project. Town Attorney instructed to obtain opinion from Dept. of Audit & Control, public will be informed of said opinion.

Mr. Morton Leifer who was listed on agenda to appear re Laurel II--not present.

Dr. Artz appeared before the Town Board representing the Nyack Community Nursery requesting appropriation as given to them in the past. Town Attorney stated Department of Audit & Control critical of these payments; he contacted said department re entering into contract. Dr. Artz requested to contact Town Attorney to outline contract if same allowed by Audit & Control.

Mr. Richard Krim appeared before the Town Board presenting petition requesting return of "Kaufman Property" to original R-40 zone. Matter turned over to Town Planner and Planning Board.

Monthly reports from Dog Warden and Narcotics Counselor noted by Town Board - ordered filed in Town Clerk's Office.

1970-366 Councilman D'Antoni offered the following resolution:

WHEREAS, a proceeding has been instituted against WM. E. VINES entitled as follows:

MARILYN TROY, a taxpayer, on behalf of herself
and all others similarly situated, Plaintiff

-against-

WM. E. VINES, individually and as Supervisor
of the Town of Clarkstown, Defendant,

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to defend said action.

Seconded by Councilman Niehaus.

All voted Aye.

(Councilman Frohling not at Board table when vote taken on above resolution)

1970-367 Councilman Bolander offered the following resolution:

WHEREAS, HARRY ADLER, HAROLD A. SMITH and RUSSELL WIGHT, JR. made application for a Special Permit for a gas filling station located at the south side of Route 59, opposit Besso Street, West Nyack, in the Town of Clarkstown, and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board on the 21st day of May, 1969, at 8:15 P.M., and

WHEREAS, the Town Board of the Town of Clarkstown, at a meeting held on December 29, 1969, denied said application for Special Permit, and

WHEREAS, petitioners commenced a proceeding against the Town of Clarkstown to have the determination made by the Town Board of the Town of Clarkstown on December 29, 1969 annulled, and

WHEREAS, on June 2, 1970, an Order of the Hon. Morton B. Silberman, Supreme Court Justice of Rockland County, was filed, directing that the Town Board of the Town of Clarkstown proceed expeditiously with a new hearing and render its determination on said application for a Special Permit;

NOW THEREFORE, be it

RESOLVED, that a new public hearing be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, on the 15th day of July, 1970, at 8:30 P.M. o'clock, to consider the application of HARRY ADLER, HAROLD A SMITH and RUSSELL WIGHT, JR. relative to said Special Permit, and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such hearing and that the Town Clerk cause the same to be published in the Rockland Independent, the official newspaper of the Town of Clarkstown as aforesaid and file proof thereof in the office of the said clerk.

Seconded by Councilman Niehaus.

All voted Aye.

1970-368

Councilman Niehaus offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown adopted Local Law No. 6-1967 entitled "AMENDMENT TO LOCAL LAW NO. 2-1967 ENTITLED LOCAL LAW PROVIDING FOR THE CONSTRUCTION, REPAIR AND MAINTENANCE OF SHOPPING CENTER PARKING AREAS", at a regular meeting held on September 20, 1967, and

WHEREAS, the Court of Appeals of the State of New York has ruled that said local law is invalid, and

WHEREAS, Councilman Niehaus, a member of the Town Board, has introduced a local law entitled "LOCAL LAW TO REPEAL LOCAL LAW NO. 6-1967 AMENDING LOCAL LAW NO. 2-1966 PROVIDING FOR THE CONSTRUCTION, REPAIR AND MAINTENANCE OF SHOPPING CENTER PARKING AREAS"

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law be had at the Board Room of the Town Hall, 10 Maple Avenue, New City, New York, on the 15th day of July 1970 at 8:45 P.M. o'clock relative to the repeal of said local law, and it is

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Rockland/Independent, the official newspaper of the Town, and posted in the manner provided by law, and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the office of the said Town Clerk.

Seconded by Councilman Frohling.

All voted Aye.

1970-369

Councilman Frohling offered the following resolution:

WHEREAS, a comprehensive amendment to the Building Zone Ordinance of the Town of Clarkstown was adopted on June 30, 1967, 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 Avenue, New City, Rockland County, New York, on the 15th day of July, 1970 at 8:00 P.M. to consider the adoption of the following proposed amendment to the Town of Clarkstown Comprehensive Building Zone Ordinance of 1967:

Amend Sec. 2.1 by deleting Symbol and Title IO, Industrial Office, and adding in its place instead Symbol and Title LIO, Light Industrial Office.

Amend Sec. 2.123, IO Zone. The purpose of the Limited Light Industrial Office District is to permit the development of selected industrial uses on land planned and suited to such uses but at the same time protecting the character of the surrounding residential areas or planned residential areas. Manufacturing operations are to be permitted only if they are incidental or accessory to the primary operation of the plant. This District is planned and intended for industrial land uses characterized by low land coverage, with large year-round landscaped setbacks for protection of residential areas, attractive building designs and developing an industrial park-like setting. The regulations are designed to promote industrial developments using the highest acceptable planning standards to properly handle any obnoxious and objectionable external effects upon the surrounding residential areas, circulation systems, drainage and other natural features. All references throughout this entire ordinance to IO Industrial Office are herein-after deemed to refer to LIO, Light Industrial Office.

Amend Sec. 3.11, Table of General Use Regulations, for the LIO Zone, Column 2, Uses Permitted by Right, by deleting present section in its entirety and inserting in its place the following:

1. Industrial land uses with related offices and showrooms which assemble, make, process, package, store and distribute small unit products using only machinery powered by or requiring no more than two horsepower to operate the same, handcrafted, or custom made products, such as optical devices, precision instruments, watches, and gauges, professional

Resolution #369 - continued

and medical instruments, electric and electronic equipment, signs, sporting goods, wearing apparel and dry goods.

2. Research, development, experimental or testing laboratories.
3. Schools for industrial or business training.
4. Professional administrative, governmental or business offices.
5. Warehouses and wholesale distribution centers with related offices and showrooms, with trucking limited solely to daytime hours. No retail sales shall be permitted.
6. Public utility substations, telephone control and exchange centers, railroad right-of-way and public utility right-of-way.
7. Automotive new car dealerships and distributorships.
8. Newspaper publishers.
9. Firehouses, police and ambulance stations.
10. All uses permitted hereunder must comply with federal, state, county and local standards concerned with the preservation and protection of the environment and ecology, both human and otherwise, from pollution from any source whatsoever and comply with federal, state, county and local anti-noise standards; 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 Rockland Independent, the official newspaper of the Town, as aforesaid, and file proof thereof in the office of said Town Clerk.

Seconded by Councilman D'Antoni.

All voted Aye.

Mr. Harris Taylor of the Recreation Commission appeared before the Town Board requesting appointment of Mr. Murray Brown as Supervisor of Mr. Murray Brown as Supervisor of Recreation (Informed that decision will be made on 7/1/70)

Mr. Edward Ghiazza, Superintendent of Parks and Recreation, appeared before the Town Board recommending construction of Swimming Pool at cost of \$350,000.00, said pool to be constructed at French Farm site. Suggested permissive bond referendum; stated operating costs could be realized by revenue.

Mr. Harris Taylor suggested that amount of \$100,000. be taken from MILL for development of neighborhood parks as follows:

Stonehedge East, West Nyack - \$13,500.00
 Reyville Estates, Nanuet - \$35,000.00
 Kings Park, Congers - \$16,500.00
 Town Line Park, Nanuet - \$12,500.00
 Misc. Dev. (Phillips Hill, etc. to be included: Total App. \$100,000.00)

Councilman D'Antoni instructed Mr. Taylor to contact Planning Associates and present Town Board with updated study of the Swimming Pool project.

1970-370

Councilman D'Antoni offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to enter into a contract with Planning Associates, Inc., 291 Hempstead Avenue, West Hempstead, New York for updating the study of 1968 in connection with swimming pool part of the old report.

Seconded by Councilman Frohling.

All voted Aye.

1970-371

Councilman Niehaus offered the following resolution:

WHEREAS, on 6/3/70, the Town Board adopted Resolution #338 authorizing the Town Clerk to advertise for bids for the furnishing of three (3) voting machines, and

WHEREAS, specifications were not submitted to the Town Clerk's Office on time,

NOW THEREFORE, be it

RESOLVED, that Resolution #338 adopted 6/3/70 is hereby rescinded, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for the furnishing of three (3) voting machines, said bids to be returnable on 7/1/70 at 8:05 P.M.; specifications for same having been received.

Seconded by Councilman D'Antoni.

All voted Aye.

Letter received from Mr. Hartford, Owner of Rieman Rest., Congers citing drainage problem existing on Highway Avenue, between Lake Road and Butler Street, Congers referred to the Town Engineer.

Letter received from Town of Ramapo re college students to assist Municipal Boards -- will be taken into consideration by the Town Board.

Town Board signed the following ORDER setting public hearing

IN THE MATTER OF: PETITION for the Proposed Extension of the Clarkstown Consolidated Water Supply District #1 to include GERMONDS ACRES, WEST NYACK, NEW YORK in the Town of Clarkstown, Rockland County, New York.

WHEREAS, a written Petition dated June 5, 1970 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York, for the Proposed Extension of the Clarkstown Consolidated Water Supply District #1 to include GERMONDS ACRES in the said Town, to be bounded and described as follows:

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon, situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York, more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Germonds Road where the same is intersected by the lands now or formerly of Van Houten and the premises hereinafter described, running thence

1. North 34 degrees 21 minutes 55 seconds East, along said lands of Van Houten, 423.71 feet to an "X" cut in a large rock;
2. North 75 degrees 07 minutes 55 seconds West, 97.74 feet;
3. North 34 degrees 12 minutes 50 seconds East, 221.07 feet to a stake;
4. South 53 degrees 08 minutes 00 seconds East, along or through a stone wall to 179.29 feet to an iron pipe;
5. South 33 degrees 30 minutes 00 seconds West, 141.52 feet, along or through a stone wall to an iron pipe;
6. South 2 degrees 32 minutes 30 seconds West, 297.70 feet along lands of Frederick P. Meyers and Vabina, his wife, to the northerly side of a proposed street, 50 feet in width;

ORDER calling Public Hearing - GERMONDS ACRES

7. North 87 degrees 20 minutes 43 seconds East, along the southerly line of said lands of Frederick P. Meyers and Vabine, his wife, and, the southerly line of lands of Robert Meyers and Jacqueline, his wife, 390.69 feet;
8. North 2 degrees 32 minutes 30 seconds East, 212.06 feet along the easterly line of lands of Robert Meyers and Jacqueline, his wife;
9. South 76 degrees 13 minutes 30 seconds East, along or through a stone wall 193.48 feet;
10. South 80 degrees 01 minutes 40 seconds East, along or through a stone wall 221.56 feet to an iron pipe;
11. North 10 degrees 48 minutes 45 East, along or through a stone wall, 382.50 feet to an iron pipe;
12. South 86 degrees 10 minutes 10 seconds East, along or through a stone wall 381.90 feet to an iron pipe;
13. South 0 degrees 38 minutes 10 seconds West, along or a stone wall, 362.01 feet to an iron pipe;
14. North 86 degrees 48 minutes 45 seconds West, 16.37 feet;
15. South 1 degree 19 minutes 50 seconds East, along or through a stone wall, 297.00 feet;
16. South 89 degrees 12 minutes 10 seconds West, along or through a stone wall, 568.00 feet to an iron pipe;
17. South 2 degrees 56 minutes 30 seconds East, along or through a stone wall, 168.00 feet;
18. North 89 degrees 57 minutes 15 seconds West, along the remains of a fence 856.39 feet to the easterly side of Germonds Road;
19. Northerly along the easterly side of Germonds Road, the following three (3) courses and distances:
 - a. North 33 degrees 58 minutes 35 seconds West, 80.50 feet
 - b. On a curve to the right having a radius of 288.93 feet, the arc distance of 55.83 feet, and
 - c. North 22 degrees 54 minutes 20 seconds West, 202.85 feet to the point or place of BEGINNING.

EXCEPTING THEREFROM, HOWEVER, so much of the premises hereinabove described as may already be situate within the boundaries of the CLARKSTOWN CONSOLIDATED WATER DISTRICT as the same presently exists.

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 14th day of October 1970, at 9:00 P.M. EDST to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Dated: June 17, 1970

s/William E. Vines, Supervisor

s/Frank Bolander, Jr., Councilman

s/William R. Niehaus, Councilman

s/ Anthony D'Antoni, Councilman

s/ Philip J. Frohling, Jr., Councilman

STATE OF NEW YORK
 COUNTY OF ROCKLAND SS:
 TOWN OF CLARKSTOWN

I, ANNE E. O'CONNOR, Town Clerk of said Town of Clarkstown, County of Rockland, hereby certify that I have compared the foregoing copy of an ORDER setting hearing RE: PROPOSED EXT. CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT #1 - GERMONDS ACRES with the original now on file in said office, and find same to be a true and correct transcript therefrom and of the whole of such original. IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of said Town of Clarkstown, this 17th day of June, 1970.

s/Anne E. O'Connor, Town Clerk

SEAL

1970-372 Councilman D'Antoni offered the following resolution:

RESOLVED, that a leave of absence be granted to Lorraine Berardo, 18 Bonnie Lane, New City, New York, Senior Stenographer in the Town Attorney's Office, effective July 6, 1970 through August 31, 1970, without compensation.

Seconded by Councilman Frohling.

All voted Aye.

1970-373 Councilman D'Antoni offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on June 16, 1970, that the position of Community Relations Assistant (Competitive) in the Supervisor's Office can now be created,

NOW THEREFORE, be it

RESOLVED, that the position of Community Relations Assistant in the Supervisor's Office is hereby created.

Seconded by Councilman Frohling.

All voted Aye.

1970-374 Councilman D'Antoni offered the following resolution:

RESOLVED, that Marie Gruber, 17 Diane Drive, New City, New York is hereby appointed to the position of Community Relations Assistant (Competitive) in the Supervisor's Office at an annual salary of \$9,000.00 to serve at the pleasure of the Supervisor, effective immediately.

Seconded by Councilman Frohling.

All voted Aye.

1970-375 Councilman D'Antoni offered the following resolution:

WHEREAS, Regulation 2.4 of the Town of Clarkstown Attendance Rules provides for an extension of sick leave with pay to any permanent employee who has used up all his sick leave, vacation, holidays, overtime and personal leave credits, provided however, that compensation for such extended sick leave at one-half (1/2) of the normal salary, and

WHEREAS, Thomas Marsico has used all his available sick leave, vacation, holidays, overtime and personal leave credits,

NOW THEREFORE, based upon the recommendation of Fred Seeger, Supt. of Highways, be it

RESOLVED, that Thomas Marsico be paid one-half (1/2) his normal salary retroactive to 2/1/70 through 12/8/70.

Seconded By Councilman Frohling.

All voted Aye.

1970-376 Councilman Niehaus offered the following resolution:

WHEREAS, an easement is required on parcel designated as Sec. 40, Block A, Lot 60.12 in connection with Sewer District. No. 34-B, and

WHEREAS, the owners thereof have been unwilling to grant the easement required, notwithstanding consideration being offered;

NOW THEREFORE, be it

RESOLVED, that Counsel to Sewer District No. 34-B be and is hereby authorized to proceed with condemnation for the easement.

Seconded by Councilman Bolander.

All voted Aye.

1970-377

Councilman D'Antoni offered the following resolution:

WHEREAS, the County interceptor sewer line as installed across property owned by Richard E. Lavery and his wife at 15 Louis Drive, West Nyack, due to engineering and construction requirements, caused a strip of land approximately five feet wide from the boundary line of the sewer easement to remain, and

WHEREAS, it was intended that the house owned by Frank Buccherie and his wife, which is contiguous to the Lavery property was intended to be serviced by means of a connection to the said County interceptor line on the Lavery property, and

WHEREAS, in order to complete the connection to the Buccherie house to the interceptor line on the Lavery property, it is necessary to obtain an easement across the aforementioned five foot strip of land from the Lavery property line to the sewer easement boundary, and

WHEREAS, numerous and continued efforts to obtain such an easement from Richard E. Lavery have been fruitless and the obtaining of such easement cannot now be accomplished, and

WHEREAS, sewer service is required to be provided to the residence of Frank Buccherie and such sewer service can be provided by an extension of the County interceptor line from the manhole in Louis Drive adjacent to the Buccherie property;

NOW THEREFORE, be it

RESOLVED, that the Consulting Engineer and the Sewer Coordinator be and they hereby are authorized to prepare the necessary plans and specifications for such extension of the County interceptor line from the nearest manhole to the Buccherie property and to engage the services of a reputable contractor for the installation and completion of said sewer line at a cost not to exceed the sum of \$500.00 which amount shall be paid to the contractor upon the completion of said work out of the monies on deposit to the account of Sewer District No. 16.

Seconded by Councilman Bolander.

All voted Aye.

1970-378

Councilman Frohling offered the following resolution:

WHEREAS, the lowest bid in the amount of \$1,028,657.61 for construction of the lateral sewer system in Sewer District No. 33 pursuant to Contract "B" sections one and two, was submitted by Marvec-All State, Inc.; 251½ Grove Avenue, Verona, New Jersey; and

WHEREAS, it is the policy of this Town Board that all aspects and phases of bids for the construction of lateral sewers and appurtenances for the Town of Clarkstown be reviewed by the Counsel for Sewer Districts and the Consulting Engineer to determine whether the best interests of the Town are promoted by awarding a bid to the lowest bidder,

NOW THEREFORE, be it

RESOLVED, that the bid submitted by Marvec-All State, Inc. be reviewed by the Counsel for Sewer Districts and the Consulting Engineer and that they each render a written opinion of their recommendations for awarding or rejecting the bid as submitted by Marvec-All State, Inc.; and be it

FURTHER RESOLVED, that subject to the receipt of the said opinions and recommendations of the Counsel for Sewer Districts and the Consulting Engineer, the Town Board awards Sewer District No. 33, Contract "B", Sections one and two to Marvec-All State, Inc.; and be it

FURTHER RESOLVED, that no written contract be executed by or on behalf of the Town of Clarkstown until such time as the members of the Town Board have received and examined the recommendations of the Counsel for Sewer Districts and the Consulting Engineer, and the members of the Town Board are satisfied that the best interests of the Town will be promoted by awarding the said bid to Marvec-All State, Inc.

Seconded by Councilman D'Antoni.

All voted Aye.

000196

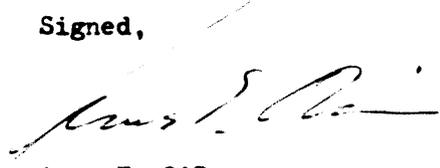
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TBM

6/17/70

On resolution offered by Councilman Frohling, seconded by Councilman Niehaus and unanimously adopted, Town Board meeting was adjourned until Wednesday, June 24, 1970 at 7:45 P.M. to hold scheduled public hearings.

Signed,



Anne E. O'Connor
Town Clerk