

TOWN BOARD MEETING

Town Hall

7/1/70

8:00 P.M.

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

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

Supervisor stated that he received word from Assemblyman Eugene Levy that the State Department of Transportation has order light for Third Street and Route 304 and that town is hoping for early installation.

1970-386 Councilman D'Antoni offered the following resolution:

RESOLVED, that minutes of Town Board meetings held on 6/17/70 and 6/24/70 are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Niehaus.

All voted Aye.

1970-387 Councilman Niehaus offered the following resolution:

RESOLVED, that minutes of Town Board meeting held on 6/22/70 are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Niehaus, Frohling, D'Antoni, Supervisor Vines
ABSTENTION: Councilman Bolander (Absent on 6/22/70)

1970-388 Councilman Frohling offered the following resolution:

RESOLVED, that time for receiving bids for furnishing of Three (3) Voting Machines is hereby closed, and that any and all bids received up to this time be opened.

Seconded by Councilman Niehaus.

All voted Aye.

NO BIDS RECEIVED

1970-389 Councilman Frohling offered the following resolution:

WHEREAS, no replies have been received to the town's advertisement for bids for the furnishing of Three Voting Machines; and

WHEREAS, reason for same could be that local newspaper in which advertisement was placed has a very small circulation,

NOW THEREFORE, be it

RESOLVED, that the Town Clerk is hereby instructed to contact companies which have bid previously, and that an additional advertisement be placed in the town's official newspaper, bids to be opened at Town Board meeting to be held August 26, 1970.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-390 Councilman D'Antoni offered the following resolution:

RESOLVED, that time for receiving bids for installation of Public Address System for Town Hall Meeting Room 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 Bolander.

All voted Aye.

The following bid was received:

Musicast Communications, Inc.
160 West Nyack Road
West Nyack, New York

Public Address System-Meeting Room Town Hall
in accordance with specifications\$ 2,950.00

1970-391 Councilman D'Antoni offered the following resolution:

RESOLVED, that decision on bid received for furnishing Public Address System in Town Hall Meeting Room is hereby reserved.

Seconded by Councilman Frohling.

All voted Aye.

1970-392 Councilman D'Antoni offered the following resolution:

WHEREAS, the Town of Clarkstown is desirous of leasing premises from New City Properties, at 151 South Main Street, New City, N.Y.

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute a lease with New City Properties for all that space on the second floor known as Room 202, 206, 208 and 210 for a term of one year to commence on the 1st day of May 1970, for an annual rental of Eleven Thousand Two Hundred Twenty Dollars (\$11,220.00)

Seconded by Councilman Frohling.

All voted Aye.

Monthly Report for the month of MAY 1970 received from the Office of the Building Inspector, noted by the Town Board; ordered filed in the Town Clerk's Office.

1970-393 Councilman D'Antoni offered the following resolution:

RESOLVED, that the application of GEORGE J. CULOSO for a change of zoning from an R-15 district to an RS or LS district on property located on e/s of North Middletown Road, near Nanuet, approximately 321 feet south of the intersection of the southerly side of Palmer Avenue be referred to the Planning Board for report pursuant to the provisions of 8.41, 8.42 and 8.421 of the Clarkstown Building Zone Ordinance, and also to the Rockland County Planning Board pursuant to Sections 239-1 and 239-m of the General Municipal Law.

Seconded by Councilman Niehaus.

All voted Aye.

1970-394 Councilman Frohling offered the following resolution:

RESOLVED, based upon the request of Town Planner, that in the future, all zone change referrals to Planning Boards be also forwarded to the Hamlet Zoning Advisory Committee by the Town Planner.

Seconded by Councilman D'Antoni.

All voted Aye.

Theodore Zollendeck, Town Planner reported that on 9/3/70 he will make report to the Town Board.

1970-395 Councilman D'Antoni offered the following resolution:

WHEREAS, there is a vacancy in the position of Typist in the Building Inspector's Office created by the resignation of Suzanne Berhaupt,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the provisional appointment, pending examination, of MAUREEN A. CROSBY, 87 Cairnsmuir Lane, New City, New York to the position of Typist - Building Inspector's Office, at a salary of \$4,286.10 per annum, effective and retroactive to June 29, 1970.

Seconded by Councilman Frohling.

All voted Aye.

1970-396 Councilman Frohling offered the following resolution:

RESOLVED, based upon the recommendation of the Town Engineer, that the Town Clerk is hereby authorized to expedite Hydrant Order No. 7004 for installation by the Spring Valley Water Co., Inc. of two (2) hydrants; one on w/s of Wesley Road, approximately 35 feet south of the south curb line of turnaround in Wesley Road, between Wesley Court and Park Terrace; and one on the north side of Wesley Court, approximately 121 feet west of the west curb line of Park Terrace.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-397 Councilman Frohling offered the following resolution:

RESOLVED, that request of Clarkstown Planning Board for extension of time for recommendation on Special Permit for Gas Station - Route 59-304 Realty, Nanuet to 7/31/70 is hereby granted.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-398 Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install street lights in the BROOKHAVEN ESTATES SUBDIVISION at the annual cost to the town of \$163.80.

Seconded by Councilman Frohling.

All voted Aye.

1970-399 Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install URD Street lights in the ROYAL CREST PARK SUBDIVISION at the annual cost to the town of \$1,255.80.

Seconded by Councilman Frohling.

All voted Aye.

1970-400 Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install street lights on Strawtown Road, West Nyack, Redwood Court, Nanuet and Kings Highway, Valley Cottage at the annual cost to the Town of \$261.00.

Seconded by Councilman Frohling.

All voted Aye.

1970-401 Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install street lights on Woodside Drive, New City at the annual cost to the Town of \$54.60.

Seconded by Councilman Frohling.

All voted Aye.

1970-402 Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install URD Street lights in ESSEX HILLS SUBDIVISION at the annual cost to the Town of \$109.20.

Seconded by Councilman Frohling.

All voted Aye.

1970-403 Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install URD street lights in MIDDLETOWN ESTATES SUBDIVISION at the annual cost to the town of \$54.60.

Seconded by Councilman Frohling.

All voted Aye.

1970-404 Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install URD street lights in VAILSHIRE DEVELOPMENT at the annual cost to the Town of \$382.20.

Seconded by Councilman Frohling.

All voted Aye.

1970-405 Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install URD street lights in THORNWOOD HILLS SOUTH SUBDIVISION at the annual cost to the Town of \$873.60.

Seconded by Councilman Frohling.

All voted Aye.

1970-406 Councilman Bolander offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown is desirous of proceeding with the acquisition of certain lands for park and recreational purposes, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider the property known as Congers Lake in Congers, New York,

NOW THEREFORE, be it

RESOLVED, that the Town Engineer of the Town of Clarkstown prepare a description of the boundaries of said proposed park and recreational area in a manner sufficient to identify the lands included therein as in a deed of conveyance, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to review the appraisals with respect to the parcel of land proposed to be acquired, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to contact

Resolution #406 - continued

bonding counsel for the purpose of commencing the necessary proceedings relating to the acquisition for said park and recreational areas on a permissive referendum basis.

Seconded by Councilman D'Antoni.

On roll call the vote was as follows:

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

(Councilman Niehaus stated in abstaining that he preferred that it be on a mandatory referendum basis.)

1970-407 Councilman Bolander offered the following resolution:

RESOLVED, that the Supervisor is hereby requested to use his good offices to have the dam at Congers Lake repaired so that lake can be refilled.

Seconded by Councilman Frohling.

All voted Aye.

1970-408 Councilman Bolander offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown is desirous of proceeding with the acquisition of certain lands for park and recreational purposes, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider the property known as Traphagen Farm in West Nyack, New York,

NOW THEREFORE, be it

RESOLVED, that the Town Engineer of the Town of Clarkstown prepare a description of the boundaries of said proposed park and recreational area in a manner sufficient to identify the lands included therein as in a deed of conveyance, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to review the appraisals with respect to the parcel of land proposed to be acquired, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to contact bonding counsel for the purpose of commencing the necessary proceedings relating to the acquisition for said park and recreational areas on a permissive referendum basis.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

Messrs. Leeman, representing RENOWN; McKenna on behalf of Save the Lake Committee; Mrs. Slade of Audubon Society of West Nyack; the Conservation Advisory Council; Mr. Wm. Malten and Mr. Alan Gussow on behalf of County Committee on Natural Beauty commended the Town Board's action on Traphagen and Congers Lake and expressed their appreciation to the Town Board.

Mr. Harris Taylor of the Recreation Commission appeared before the Town Board re neighborhood parks with the following recommendations:

Suggested Municipal Pool (French Farms Property.) His Commission investigating for Senior Citizens site on Kings Highway in Valley Cottage. Also investigating site on Main Street for Youth of town for our first mini-rec center (Store-Front Center). Also called for expenditure of \$100,000.00 from Money in Lieu of Land for parklands.

He stated that meeting will be held on July 9th in Nanuet; upon completion of these meetings, they will make report on all recreation in the Town of Clarkstown, said report to include recommendation re drag strip and safe driving course.

1970-409 Councilman Frohling offered the following resolution:

RESOLVED, that Resolution No. 1970-355 which changes the name of Old Nyack Turnpike in Nanuet to Route 59A, and also directing Highway Superintendent to replace street sign is hereby rescinded, and be it

FURTHER RESOLVED, that name of said street be changed to "Old Turnpike Road", and that the Highway Superintendent be ordered to install street sign reflecting name change.

Seconded by Councilman D'Antoni.

All voted Aye.

Mr. & Mrs. Arthur J. Ashe appeared before the Town Board re Stony Hill Homes, In part, he stated that road in bad condition caused by builders - cannot turn around at top of hill; no permits posted, etc. Supervisor stated Town Board will look into matter.

1970-410 Councilman Niehaus offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to expedite Hydrant Order No. 6732 for installation of one hydrant on north side of Norge Avenue, approximately 135' west of west curb line of Hague Court, Nanuet.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-411 Councilman Niehaus offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to expedite Hydrant Inves. No. 6645 for installation of one hydrant on the west side of Brookhaven Court, approximately 35' west and north from the east curb line of Blauvlet Road, Nanuet.

Seconded by Councilman D'Antoni.

All voted Aye.

Supervisor Vines stated, in connection with notice from Rockland County Sanitation Association, that residents are not obligated to place garbage cans curbside for pickup, and to disregard said notice. Co. Frohling requested that the Supervisor's office be called by aggrieved residents in this connection. Mr. Weiss of the Sanitation Commission stated that the commission agreed to non-collection on holidays because the Town Dump was closed; but scavengers were never given permission to request that garbage cans be placed curbside for pickup by scavengers.

1970-412 Councilman D'Antoni offered the following resolution:

WHEREAS, a proceeding has been instituted against the Town Board of the Town of Clarkstown, entitled as follows:

In the Matter of the Application of
MARVEC-ALL STATE, INC., Petitioner

-against-

WILLIAM E. VINES, SUPERVISOR, FRANK BOLANDER, COUNCILMAN
PHILIP FROHLING, COUNCILMAN, ANTHONY D'ANTONI, COUNCILMAN,
WILLIAM NIEHAUS, COUNCILMAN, constituting the Town Board of
the Town of Clarkstown, and the Town Board of Clarkstown,
Respondents.

NOW THEREFORE, be it

RESOLVED, that the Town Attorney and Joseph F.X. Nowicki, Esq. Sewer Counsel, are hereby authorized to take all necessary steps to defend said action.

Seconded by Councilman Niehaus.

All voted Aye.

1970-413 Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install street lights in WOODBROOK ESTATES SUBDIVISION at the annual cost to the Town of \$374.40.

Seconded by Councilman Frohling.

All voted Aye.

1970-414 Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install street lights in ROCKRIDGE ESTATES SUBDIVISION at the annual cost to the Town of \$1,731.60.

Seconded by Councilman Frohling.

All voted Aye.

1970-415 Councilman Frohling offered the following resolution:

WHEREAS, the Planning Board has referred a proposal that the Town accept an open area of Hackensack River Drainage land for future dedication to the Town, in application 89C2 River Estates Subdivision, West Nyack, New York in accordance with Sec. 281, to the Town Board and,

WHEREAS, after due deliberation the Town Board does not consider this proposed dedication a benefit to the Town;

NOW THEREFORE, be it

RESOLVED, that the aforesaid reference by the Planning Board for the acceptance of the open area of the Hackensack River drainage land in 89C2, River Estates Subdivision, West Nyack, be and the same is hereby rejected and, be it

FURTHER RESOLVED, that the Town Board hereby recommends to the Planning Board that Sec. 281 of the Town Law not be implemented or applied in connection with the 89C2 River Estates Subdivision, West Nyack, New York.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-416 Councilman Frohling offered the following resolution:

RESOLVED, based upon the recommendation of the Chief of Police, that amount of \$419.88 be transferred from Current Surplus-General to be used for construction of a roofed open shelter for shooting stands at the Trap Rock shooting range, in accordance with specifications and estimates submitted by the Police Department, said stands for use of members of Police Department shooting team.

Seconded by Councilman Bolander.

All voted Aye.

1970-417 Councilman Niehaus offered the following resolution:

WHEREAS, the Traffic Advisory Board has recommended that the stop sign on West Clarkstown Road at Addison Boyce Drive be removed,

NOW THEREFORE, be it

RESOLVED, that the Superintendent of Highways is hereby authorized and instructed to remove said stop sign.

Seconded by Councilman Bolander.

All voted Aye.

1970-418 Councilman Frohling offered the following resolution:

WHEREAS, the Traffic Advisory Board has studied the condition of First Street in Nanuet with regard to parking and traffic safety and has forwarded its recommendations to the town, therefore be it

RESOLVED, that "NO PARKING AT ANY TIME" signs be installed on the south side of First Street from Main Street to College Avenue, except in bay areas, and that "NO PARKING BETWEEN SIGNS" signs be installed on the north side of First Street from Main Street to the first bay.

Seconded by Councilman Niehaus.

All voted Aye.

1970-419 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) the normal salary, and

WHEREAS, Albert Krueger has used all his available sick leave, vacation, holidays, overtime and personal leave credits,

NOW THEREFORE, be it

RESOLVED, that Albert Krueger be paid one-half (1/2) his normal salary not to exceed six weeks to start July 1st, 1970.

Seconded by Councilman Frohling.

All voted Aye.

1970-420 Councilman Bolander offered the following resolution:

WHEREAS, the Rockland County Personnel office has furnished Certification of Eligibles #6925 & #7019 - Recreation Supervisor, which contains the name of Murray Brown,

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Murray Brown, 15 Kensington Circle, Garnerville, New York to the position of Recreation Supervisor - Recreation Department at a salary of \$7,862.40 per annum; effective retroactive to May 20, 1970.

Seconded by Councilman D'Antoni.

All voted Aye

1970-421 Councilman D'Antoni offered the following resolution:

WHEREAS, a decision adverse to the Town of Clarkstown has been rendered in the matter of MARRAM REALTY, INC. against ANNE E. O'CONNOR, as Town Clerk of the Town of Clarkstown, and

WHEREAS, it is the recommendation of the Town Attorney that said decision be reargued in Appellate Division or be appealed to Court of Appeals, State of New York;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to reargue or appeal said decision.

Seconded by Councilman Frohling.

All voted Aye.

1970-422 Councilman D'Antoni offered the following resolution:

RESOLVED, that the resignation of Lynn Buck, North Midland Avenue, Upper Nyack, New York as a member of the Clarkstown Conservation Advisory Council is hereby accepted with regret, effective immediately.

Seconded by Councilman Niehaus.

All voted Aye.

1970-423 Councilman Frohling offered the following resolution:

RESOLVED, that the Rockland County Democrat Committee is hereby granted permission for the public display of fireworks to be displayed at Ripples of Rockland, New City, N.Y. on July 5, 1970, subject to receipt by the Town Clerk of Certificate of Insurance.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-424 Councilman D'Antoni offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified the position of Cashier and Research Aide,

NOW THEREFORE, be it

RESOLVED, that Patricia Sheridan, 12 Spruce Lane, West Nyack, New York is hereby appointed to the position of Cashier and Research Aide, provisionally pending examination, at an annual salary of \$8,000.00 effective August 17, 1970.

Seconded by Councilman Bolander.

All voted Aye.

1970-425 Councilman D'Antoni offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on July 1, 1970, that the position of Cashier and Research Aide (Competitive) in the Town Comptroller's Office can now be created,

NOW THEREFORE, be it

RESOLVED, that said position is hereby created.

Seconded by Councilman Bolander.

All voted Aye.

1970-426 Councilman Frohling offered the following resolution:

RESOLVED, that the Superintendent of Highways is hereby authorized to install blacktop on the town roadway leading to the property of the Congers Ambulance Building at a cost not to exceed \$2,482.00.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-427 Councilman Frohling offered the following resolution:

RESOLVED, that the Superintendent of Highways is hereby authorized to install a Guard Rail at the western end of New Haven Avenue, Nanuet right-of-way.

Seconded by Councilman D'Antoni.

All voted Aye.

1970-428

Councilman D'Antoni offered the following resolution:

WHEREAS, the pavement on Parker Avenue in Sewer District #26 requires repaving as a result of the installation of sewer lines, and

WHEREAS, the sewer contract provides for a sum of money for such repaving, and

WHEREAS, the Town Board prefers that the repaving be done by the Supt. of Highways,

NOW THEREFORE, be it

RESOLVED, that the Superintendent of Highways is authorized to repave said roadway at a cost equal to that allowed in the sewer contract for said district.

Seconded by Councilman Frohling.

All voted Aye.

Re swampy area - Parrott Road; Supervisor stated every effort is being made by the Town Board to correct. Cost involved not known at present time, but using our own fill will cut down on cost. When sewers begin; at the same time work will be done.

Re Audit and Control report re use of money in lieu of land for drag strip; Town Attorney stated Councilman Bolander sent letter and has not as yet received reply. However, they have received Town Attorney's letter and they state they are taking it into consideration and will reply as soon as possible.

1970-429

Councilman Niehaus offered the following resolution:

RESOLVED, that the Superintendent of Highways is hereby instructed to erect a sign reading "Emergency Vehicles Only" on town's right of way located at the intersection at Carmen Drive, Nanuet and the temporary access road to the Jeanne-Marie Apartments.

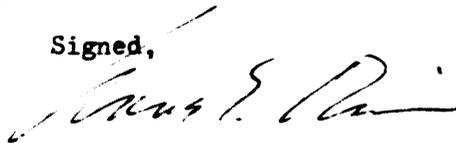
Seconded by Councilman Frohling.

All voted Aye.

Mr. Lodico requested forms for permissive referendum in connection with purchase of lake property. Town Clerk will contact Mr. Lodico re same.

On resolution offered by Councilman Bolander, seconded by Councilman Frohling and unanimously adopted, Town Board meeting was adjourned until Wednesday, July 15th in order to hold scheduled public hearings.

Signed,



Anne E. O'Connor
Town Clerk