

8/26/70  
Page 15

Re question put to Town Board in connection with expenditure for safe driving course, Councilman Bolander stated he received reply from the Department of Audit and Control stating that trust fund monies held by a town in lieu of reserving parklands in one or more subdivisions may not be expended to establish a limited use - 'drag strip' - area in an existing town park or recreation area. Supervisor stated he spoke to Mr. Dillon of A & C today and explained it would be used for a minibike and gocart. He was requested to send another letter, which he will do tomorrow, spelling out who would use and use intended.

Mr. John Lodico, Chairman of the Clarkstown Conservative Party appeared before the Town Board re sewers:

(1970-524) Councilman Niehaus offered the following resolution:

RESOLVED, that the Town Board notify the appropriate agency in County Government (County Legislature - T/C) that the Town of Clarkstown favors the legal work of the county sewer system be done by an Assistant County Attorney.

Seconded by Councilman D'Antoni.

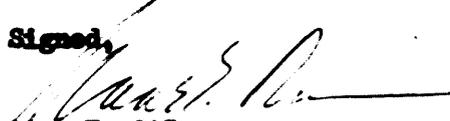
All voted Aye.

Mr. Lodico, as representative of the Safety Committee of Link Elementary School: requested a series of safety signals on Little Tor Road north and south of Red Hill Road; safety blinker to be installed on existing poles. He was informed resolution already adopted, Mrs. Gruber of the Supervisor's Office to check.

Mr. Kimber of Congers appeared before the Town Board re Sinclair sign. Building Inspector matter before the AEB, who denied it. Supervisor retained photos and all papers involved; matter will be investigated.

On resolution offered by Co. D'Antoni, seconded by Co. Niehaus and unanimously adopted, Town Board meeting was adjourned until Wednesday, 9/2/70 at 8:00 PM.

Signed,

  
Anne E. O'Connor  
Town Clerk

#### TOWN BOARD MEETING

Town Hall

9/2/70

8:00 PM

Present: Co. Niehaus, Bolander, Frohling, D'Antoni, Supervisor Vines  
Town Clerk  
Town Attorney  
Deputy Town Attorney

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

Under Old Business -- request from Traffic Advisory Board reappointment to that body -- tabled.

(1970-525) Co. D'Antoni offered the following resolution:

WHEREAS, WALTER F. SCHNABEL & BARBARA SCHNABEL, his wife, are desirous of granting a drainage easement to the Town of Clarkstown located at 3 Saddle Lane, New City N Y:

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown accept a drainage easement from said Walter F. Schnabel and Barbara Schnabel, his wife, covering premises located at 3 Saddle Lane, New City N Y, more particularly described in said easement agreement dated 8/11/70.

Seconded by Co. Frohling.

All voted Aye.

(1970-526) Councilman Niehaus offered the following resolution:

WHEREAS, Robert Christopher & Marjorie Christopher are desirous of granting a drainage easement to the Town of Clarkstown located at Lot #4 in subdivision known as West Rise-Sec. II, New City N Y;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown accept a drainage easement from R. Christopher & M. Christopher, covering premises located at West Rise Sec. II, New City N Y, more particularly described in said easement dated the 29th day of June 1969.

Seconded by Co. D'Antoni.

All voted Aye.

Under Old Business -- request from Police Chief (Science Program Training) -- held.

Under Old Business; recommendation for vacancy on CCAC -- tabled.

(1970-527) Co. D'Antoni offered the following resolution:

RESOLVED, that Bond & Capital Note resolution authorizing the acquisition of one - certain land situate at the southwest corner of the intersection of Germonds and Parrot Roads, commonly known as 'The Trepahagen Estate Property' except for the Trepahagen residential site at an estimated maximum cost of \$1,450,000.00 and (2) Congers Lake and Land fronting thereon, in the Hamlet of Congers at an estimated cost of \$1,600,000.00; each as the site of a town public park, stating the estimated total cost thereof is \$3,050,000.00 appropriating said amount therefor, and authorizing the issuance of \$155,000.00 Capital Notes to provide the down-payment, and \$2,895,000.00 Serial Bonds to finance the balance of said appropriation. (Signed copy in T/C files).

Seconded by Co. Bolander.

On roll call the vote was as follows:

AYES: Co. Bolander, Frohling, D'Antoni, Supervisor Vines  
ABSTENTION: Co. Niehaus.

(1970-528) Co. D'Antoni offered the following resolution:

RESOLVED, that the Town Clerk be authorized to publish and post the foregoing Bond Resolution of Official newspaper of the town, and post in five conspicuous places in the township.

Seconded by Co. Bolander

On roll call the vote was as follows:

AYES: Co. Bolander, Frohling, D'Antoni, Supervisor Vines  
ABSTENTION: Co. Niehaus.

(1970-529) Co. D'Antoni offered the following resolution:

WHEREAS, proceedings have been instituted against George K. Mallersten, et al by the following:

In the matter of the application for a review under Art. 7 of the Real Property Tax Law of a Tax Assessment; by

Robert A. Stern, Richard Lane, Shirley Brent, Harvey K. and Shelly Felber, and Abraham Rosen,

vs.

George K. Mallersten, Assessor of the Town of Clarkstown et al;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is authorized to defend said actions and take all necessary required proceedings in court in connection with said actions, and be it

(cont)

(1970-529 - continued)

FURTHER RESOLVED, that experts for appraisal purposes may be engaged in connection with such proceedings, any fees to be paid out of the budget of the Town Attorney.

Seconded by Co. Niehaus.

All voted Aye.

(1970-530) Co. D'Antoni offered the following resolution:

WHEREAS, a proceeding has been instituted against George K. Mallersten, Assessor of the Town of Clarkstown entitled as follows: In the matter of the application of Ralph J. Greenberg, Petitioner; against the Assessor, and the Board of Review of the Town of Clarkstown, Respondents;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is authorized to defend said action and take all necessary required proceedings in court in connection with said action, and be it

FURTHER RESOLVED, that experts for appraisal purposes may be engaged in connection with such proceedings, any fees to be paid out of the budget of the Town Attorney.

Seconded by Co. Niehaus.

All voted Aye.

(1970-531) Co. Niehaus 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:

Marc Anderson General Contracting Inc.	Simon Randle
21 Freund Drive	113 West Broadway
Mannet, N Y	Central Nyack, N Y

NOW THEREFORE, be it

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

No. 70-61 to Marc Anderson General Contracting Inc.  
No. 70-62 to Simon Randle

Seconded by Councilman Frohling.

All voted Aye.

(1970-532) Co. Niehaus 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:

T.B.M. Construction Co., Inc.  
391 Ridgewood Road  
Westwood, New Jersey

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 70-63 to T.B.M. Construction Co., Inc.

Seconded by Co. Bolander.

All voted Aye.

(1970-533) Councilman D'Antoni offered the following resolution:

RESOLVED, based upon the recommendation of the Town Engineer, that the Town Clerk is hereby authorized to expedite Hydrant Order (Inves. #6657) for installation of one (1) hydrant on the north side of Demarest Mill Road, approximately 585' west of the west curb line of Brockdale Court, West Nyack.

Seconded by Co. Frohling.

All voted Aye.

9/2/70

Mr. David Wagner, representing Mr. Hornik, appeared before the Town Board re stop signs on Rockford Dr. (resolution adopted 6/3/70 - T/C. Never implemented by the Highway Superintendent. Mr. Seeger advised that the Traffic Advisory Board recommended that signs should be removed. Supervisor instructed the Highway Superintendent to re-install signs as ordered in the June 30th resolution.

Mr. Robert Goldberg, President of the Valley Cottage Civic Assoc. appeared before the Town Board re Route 59 and Route 304 accident which caused deaths of four persons suggesting that the town contact the state again for installation of traffic signs or light.

Messrs. Goldberg, Lapo, Cavallo (attorney representing residents), LeCoco and Plotnick of Valley Cottage appeared before the Town Board requesting that litigation in connection with awarding of bid for sewer construction in Sewer District 33-B be stopped; and that work proceed. (Petition containing approximately 600 names presented to Supervisor by Mr. Cavallo.)

(1970-534) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Attorney be and he hereby is directed to withdraw the pending application for re-argument made in connection with the awarding of the contract for construction of Sewer District #33-B to Marvec-All State, Inc. forthwith, and be it

FURTHER RESOLVED, that the Town Attorney be and he hereby is directed to withdraw the Notice of Appeal heretofore filed pursuant to resolution of this Board, and that the Town of Clarkstown comply forthwith with the judgement of the Hon. Robert J. Trainor, Justice of the Supreme Court, made and entered on the 29th day of June 1970, and be it

FURTHER RESOLVED, that the Town Attorney be and he hereby is directed to notify the Court and all of the interested parties of this resolution.

Seconded by Co. Bolander.

On roll call the vote was as follows:

AYES: Co, Bolander, Frohling.  
 NOES: Supervisor Vines, Co. Niehaus  
 ABSTENTION: Co. D'Antonio

MOTION NOT CARRIED

(1970-535) Supervisor Vines offered the following resolution:

WHEREAS, citizens from Valley Cottage and from Congers who reside in Sewer District No. 33-B appeared before this Town Board, and

WHEREAS, the citizens submitted a petition bearing 600 signatures requesting the immediate installation of sewers in Sewer Dist. No. 33B, and

WHEREAS, the citizens have appeared and complained of raw sewage on their property, raw sewage in the streets and actual and potential health hazards to themselves and their families, and

WHEREAS, it appears that, despite the emergency remedial work undertaken by the Superintendent of Highways, pursuant to resolution of this Board of 8/19/70, that another state of emergency exists in a related area of Sewer District 33B, and

WHEREAS, the awarding of the contract for installation of sewers in Sewer Dist. No. 33B is presently in litigation;

NOW THEREFORE, be it

RESOLVED, that the Rockland County Health Department be requested to make forthwith inspection of certain areas of Valley Cottage and Congers, as designated on the attached Schedule A, and report its findings to this Town Board as soon as possible, and be it

(continued)

9/2/70  
Page 5

(1970-535 -- continued)

FURTHER RESOLVED, that the Superintendent of Highways be and is hereby authorized to construct and install that portion of the sewer installation necessary to alleviate the aforesaid emergency condition, and be it

FURTHER RESOLVED, that the Town Consulting Engineer and the Town Engineer provide the Superintendent of Highways with the required technical assistance and supervision necessary for said construction and installation, and be it

FURTHER RESOLVED, that the Superintendent of Highways be reimbursed for the cost of said work from the proceeds of the sewer district appropriation, and be it

FURTHER RESOLVED, that no work be commenced to carry out this resolution unless and until the approval of a Justice of the Supreme Court has been obtained for the emergency work found necessary, and be it

FURTHER RESOLVED, that the Town Attorney is hereby directed to take those steps which he deems appropriate to permit said work to be done.

SCHEDULE A

South Congers Avenue	Stark Lane
Grant Street	Tilton Road
Walbert Street	Gilchrist Road
Kings Highway	Gateway
Third Street	Svahn Drive
Easement #7	Babbling Brook
Easement #8	Deer Track
South Harrison Avenue	Old Mill Road
Easement #9	Bouberger Road
Stern Place	Easement #6

Seconded by Councilman D'Antoni.

On roll call the vote was as follows:

AYES: Co. Niehaus, D'Antoni, Supervisor Vines  
NOES: Co. Bolander  
ABSTENTION: Co. Frohling.

NOTION CARRIED

Mr. R. Steinger, New City appeared before the Town Board re pollution of stream near home; dirt from roads come down into stream. Highway Superintendent will investigate. Mr. Steinger state he will give easement to town.

(1970-536) Co. Frohling offered the following resolution:

RESOLVED, that the Town Engineer is hereby authorized to advertise for bids for the furnishing of one (1) Sewer Truck, said bids to be returnable 9/16/70 at 8:12 PM.

Seconded by Co. Bolander.

All voted Aye.

(1970-537) Councilman Niehaus offered the following resolution:

RESOLVED, that based upon the recommendation of the Clarkstown Traffic Advisory Board, "NO PARKING" signs be erected on the w/s of Sherwood Dr. from Old Turnpike Road south for a distance of 200', said signs to be erected by the Supt. of Highways.

Seconded by Co. D'Antoni.

All voted Aye.

(1970-538) Councilman D'Antoni offered the following resolution:

RESOLVED, based upon the request made by Chas. A. Kothe, District Clerk of CCSD #1, that a Motion of School Crossing Guard is created for the intersection of North Little Tor Road and Gregory St. in the vicinity of the Little Tor Elementary School.

Seconded by Co. Bolander.

All voted Aye.

(1970-539) Councilman Frohling offered the following resolution:

WHEREAS, Mr. John Dellacroce of Rocko Cutstone Co., Route 59, Nanuet, N Y has requested that restriction on Grace Street concerning the prohibiting of trucks weighing over three (3) tons be lifted, and

WHEREAS, the Chairman of the Traffic Advisory Board unanimously recommends that said restriction remain in effect;

NOW THEREFORE, be it resolved that the restriction on Grace St., Nanuet concerning the prohibiting of trucks weighing over three (3) tons remain in effect.

Seconded by Councilman D'Antoni.

All voted Aye.

(1970-540) Councilman Bolander offered the following resolution:

RESOLVED, based upon the recommendation of the Chairman of the Traffic Advisory Board, that a new traffic light be installed on Convent Road, Nanuet, in vicinity of St. Agatha's Home for Children, to replace the existing one; this traffic light to turn red only for traffic moving on Convent Road when the button would be activated by anyone wishing to cross; at all other times light to remain blinking amber.

Seconded by Councilman Frohling.

All voted Aye.

Re item #18 on agenda; Supervisor stated matter already handled. (Letter from Traffic Advisory Board re stop sign, West Clarkstown Road.)

(1970-541) Councilman Frohling offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on 9/2/70 that six (6) Clerk-Typist positions (competitive) in the Police Department can now be created,

NOW THEREFORE, be it

RESOLVED, that the six Clerk-Typist positions (competitive) in the Police Department are created.

Seconded by Councilman D'Antoni.

All voted Aye.

(1970-542) Councilman Frohling offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on 9/2/70 that the position of Police Surgeon p/t in the Police Department can now be created,

NOW THEREFORE, be it

RESOLVED, that the position of Police Surgeon, p/t is hereby created.

Seconded by Councilman D'Antoni.

All voted Aye.

TBM - 9/2/70  
Page 7

(1970-543) Councilman Niehaus offered the following resolution:

RESOLVED, that the Muller Drive Extension be dedicated to the town and that same be included in the Clarkstown Highway System.

Seconded by Councilman D'Antoni. All voted Aye.

Town Board signed the following Maintenance Bond, approving same as to form and sufficiency:

Maintenance Bond - HOPEN CONSTRUCTION CORP., (J. Hopen, President)  
Amount: \$210.00  
Covers: Muller Drive Extension, Bardonia  
Period: One (1) Year - 7/10/70 to 7/9/71

Town Board signed the following Assignment of Savings Account: approving same as to form and sufficiency:

Assignment of Passbook No. 35-28815 (Empire National Bank)  
OTTO'S HOMES, INC. (Otto Biktjorn, Principal)  
Amount: \$2,550.00  
Period: Two years 9/2/70 to 8/1/72  
Covers: Roads

Mrs. Castaldo, Bardonia (Representing neighbors), appeared before the Town Board re Ludvigh Road, Bardonia stating road narrow and presenting danger to children walking along road. Highway Superintendent, Chief of Police and Town Engineer requested by Councilman Frohling to visit site and present their recommendations to the Town Board; in the meantime, Police Chief to set up radar at this location.

(1970-544) Councilman Niehaus offered the following resolution:

RESOLVED, that the Town Board does hereby grant a waiver of sidewalks in the subdivision known as CPAALL ESTATES, NEW CITY upon receipt of payment of \$3.00 per foot for the amount of required sidewalks approved by the Planning Board.

Seconded by Councilman D'Antoni. All voted Aye.

(1970-545) Councilman D'Antoni offered the following resolution:

RESOLVED, based upon the recommendation of the Police Chief, that Sgt. Hammond is hereby authorized to attend the Traffic Science Training Program to be held at the State Campus Building, Albany, New York from 9/14/ thru 11/20/70, and be it

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

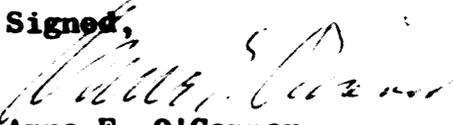
Seconded by Councilman Frohling. All voted Aye.

Mr. Colella appeared before the Town Board re discussion of re-assessment by the Town Board. Councilman D'Antoni informed him that matter will be placed on the agenda of future Town Board meeting.

Mr. Lupo invited the Town Board to be present at the Valley Cottage Civic Association meeting on Tuesday the 29th at the Valley Cottage School on Lake Road at 8:30 PM; meeting open to the public

On resolution offered by Co. Frohling, seconded by Co. Bolander and unanimously adopted, Town Board meeting was adjourned until 9/9/70 at 7:40 PM, at which time public hearings will be held at the CLARKSTOWN SENIOR HIGH SCHOOL AUDITORIUM.

Signed,

  
Anne E. O'Connor  
Town Clerk