

00000

(1970-630 -- continued)

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the provisional appointment, pending examination of Judith L. Brown, 265 Strawtown Road, New City N Y to the position of Typist Building Inspector's Office, at a salary of \$4,286.10 per annum; effective 11/2/70.

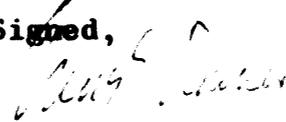
Seconded by Councilman Bolander.

All voted Aye.

Councilman Bolander received apology from Town Attorney Roland who stated that confidential information re sewer case not released by Councilman Bolander.

On resolution offered by Councilman Frohling, seconded by Councilman Niehaus and unanimously adopted, Town Board meeting was adjourned until Wednesday 10/14/70 at 7:40 PM, at which time Town Board will reconvene in order to open bids and conduct public hearings.

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

10/14/70

8:00 PM

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

Absent: Councilman Frohling.

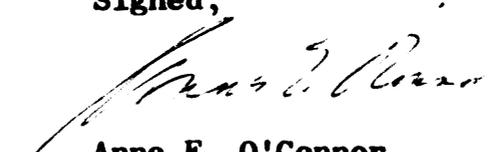
RE: PROPOSED AMENDMENT TO LL #8-1967 (REGULATING GARBAGE REMOVAL):

Supervisor called Public Hearing to order; Town Clerk read Notice of Public Hearing.

Town Clerk informed the Town Board that the Notice of Public Hearing, as forwarded to the Rockland News Leader-Independent by the Office of the Town Attorney, contained a typographical error incorrectly substituted '...Local Law #3-1967', instead of '....Local Law #8-1967' Resolution then adopted by the Town Board instructing the Town Attorney's Office to send corrected Notice of Public Hearing to the official newspaper, and public hearing resume was re-set for 11/12/70 - 8PM,

Seconded

Signed,


Anne E. O'Connor
Town Clerk

10/14/70

PUBLIC HEARING

Town Hall

10/14/70

8:15 PM

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

RE: ZONE CHANGE APPLICATION - GEORGE J. CULOSO (R-15 to RS or LS)
(Property located e/s North Middletown Road, Nanuet)

Supervisor Vines called public hearing to order; Town Clerk read Notice of Public Hearing.

Town Clerk sworn in and testified that posting and publication of Notice of Hearing was performed correctly. Also that proof was submitted to her office by Attorney that notice was given to all owners listed on the latest assessment roll whose property or any portion thereof lies within 500 feet of any boundary line of the property to be within the town.

1. COUNTY PLANNING BOARD RECOMMENDATION:

Subject property does not lie within 500 feet of an adjacent municipality or state or county road, stream or facilities and is therefore not subject to mandatory review by the County Planning Board.

2. TOWN PLANNER'S RECOMMENDATION: (To the Planning Board):

In summary, Mr. Zollendeck recommended to the Planning Board, that the property not be zoned LS since this would, in essence, be a spot zone and contrary to proper zoning practices. Furthermore, he stated, if the RS request is approved safeguards for limiting the types of commercial uses and the adequate buffer strips mentioned in their comments be included as part of the recommendation of the Planning Board to the Town Board.

3. TOWN PLANNING BOARD RECOMMENDATION:

The Planning Board approved rezoning of this property to an RS district such to include a restrictive covenant running with the land whereby uses be limited to those of an LS district only such to include a 20 foot landscaped buffer along the north and easterly boundaries, and that any variances required to permit LS type construction could be secured in the normal fashion from the ZBA, sitelayout review requirements also to be fulfilled.

Michael Fury, Esq. of the firm of Fury & Kennedy, Attorneys at Law, 4 No. Main St., Pearl River, N Y appeared as attorne for the petitioner and stated the following:

Petitioner is contract purchaser under an agreement of sale dated 2/2/70 of premises situate on the e/s of No. Middletown Rd., Nanuet N Y, located a distance of approximately 32 feet south of the intersection of the southerly side of Palmer Ave., and the easterly side of No. Middletown Road.

Premises have frontage on North Middletown Rd of 100 feet depth on its southerly boundary line of 180+ feet, a depth on its northerly boundary line of 170.44 feet, and a rear line of 172.75 feet.

Property located in R-15 zoning district and abuts on an RS zoning district located directly to the south of the subject property.

Petitioner requests rezoning of this property from R-15 to RS Or an LS zoning district.

REASONS FOR REQUEST:

Property located directly south is RS. That said property is owned by Tritt and Altman and is leased in part to the Huffman Boyle furniture store. At present time there is open land area between Huffman Boyle furniture store and the subject premises but this land area is located in an RS zone and is planned for commercial use.

(cont.)

10/14/70
PH - CULOSO - cont.

The property located opposite the subject premises on the w/s of North Middletown Road is presently under constructgion for use as a gasoline stateion. Property further west and south of said gasoline station is presently occupied and used by the Grand Way Supermarket, numerous commercial stores and a Mobil Gasoline Service Station, which are all located in RS zone.

Immediate area inwhich the property of petitioner is located has undergone change in neighborhood from that of residential to that of Regional Shopping District. RS Districts which exist to the south and west of the property in question were established under the present zoning ordinance of the town.

To the east property is owned by St. Anthony's Church and is used for cemetery purposes. Cemetery is located in an R-15 zone but is not being utilized for residential use.

Subject property abuts RS District and the nature of the business conducted within said RS District makes the subject property unsuitable for the purposes per missible under R-15 District regulations.

Property located on North Middletown Road approximately 881' north from Route 59 which is a main arterial highway - much commercial traffic and business. On information and belief, North Middletown Rd is to be widened in the near future. As presently constituted, the northerly line of the existing RS District gerrymanders as it traverses North Middletown Road to cause the property of petitioner to be located in an R-15 zone. Re-zoning of the subject property to either RS or LS would constitute reasonable and proper amendment the the existing RS zone.

Article 8, Sec. 8.11 of Zoning Ordinance states that legislative intent and this Ordinance shall be regarded as remedial to help inproviding for all residents of the town the benefits of an orderly patter of development and therefore this ordinance shall be construed liberally to further its underlying purposes.

Granting of this petition will be in accordance with the legislative intent of the Zoning Ordinance.

Mr. Furey continued: Rezoning of the premises to an LS District would be preferable to an RS District for the reason that the proposed use of the premises by the petitioner in an LS district would require lesser set-back variances. Said structure as shown on survey in an RS District will require set-back variances in addition to the zone change herein requested. Application is for both the zone change indicated above and also the setback variances required for the erection of the proposed building shown as Schedule B.

Petitioner states that property not within a distance of 500' from the boundary of any city, village or town, or from the boundary of any thruway, expressway or other controlled access highway, or from the right of way of any stream or drainage channel owned by the county for which the county has established channel lines, or from the boundary of any county or state owned land on which a public building or institution is situated. (Not subject to 239 l and m).

Samuel Malkind, Architect prepared site plan which would implement recommendations of the Town Planning Board. Planning Board has not seen this site plan as yet.

WITNESSES: (Sworn in by Supervisor):

1. MR. GEORGE J. CULOSO, 143 Prospect St., Nanuet, N Y:

Owns dairy on Route 59 opposite Korvette's; wants to relocated on Middletown because of the realignment of Route 59 and widening of same. Serves local residents; intends to erect three stores on this site. (Presented rendition of proposed building to the Town Board.)

Certified mail notices and receipts submitted for filing with exhibits.

- EXHIBIT I: Notices
EXHIBIT II: Responses
EXHIBIT III: Site Plan
EXHIBIT IV: Architectural rendering.

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PH - CULOSO

000299

Delicatessen 1st store on the south side; bakery - second store.
Stereo Hi Fi Equipment - 3rd store.

WILL COVENANT: This property to be used only for retail purposes; there is no intention to use any portion for gas stations, or eating or drinking establishments.

RS with limited uses acceptable to Town Planner; this is also acceptable to petitioner.

No questions from members of the Town Board.

WITNESS II: Mr. Frederick Horn, 343 Holt Drive, Pearl River N Y:

Appraiser and licensed real estate broker; no personal interest in petition; survey land, would be suitable. Architect and Engineer have complied with recommendation of Planning Board. Photos of parcel submitted - (Exh. V thru IX in Town Clerk's folder).

WITNESS III: Samuel Malkind, 16 Fisher Avenue, Nanuet N Y:

Prepared site rendition (Exh. 3 and 4). Plan prepared from copy of Planning Board decision of August. Re 28-1/2 feet instead of 50 foot requirement; he stated that Planning Board created buffer zone. This is all the space allotted to them. Re Exh. 4; architectural rendition - kind of construction - roof steel joists; walls, masonry similar to Bamberger's and Sears.

Councilman D'Antoni: Cost of Construction? Answer: Fifty to Sixty Thousand Dollars.

No further questions from the Town Board

IN FAVOR:

Charity Moore Smith, 57 North Middletown Road, Nanuet
Mrs. Fred Schultzel, Fenner Lane, Nanuet
Paul Wilhelm, 25 Palmer Ave., Nanuet
Mrs. Beckman, 51 No. Middletown Road, Nanuet
Mrs. Trip, Nanuet (owns adjacent property)

OPPOSED:

I. Mrs. Famulari, 7 Palmer Avenue, Nanuet:

Chevron station put in over petitions filed by residents of that area who were opposed. You say this will conform with the area - petition turned down by the Supreme Court -- now you are going to widen that road. Downzoning will be continued to the north down Palmer Avenue.

Mr. Fury: Re drainage; will comply with all regulations
Re gas station across street -- his office had nothing to do with that application.

Does not propose any further north than the north line of this lot. Talking only about one lot which has imposed upon it hardships of such intensity that owner cannot either use it or sell it.

Councilman Bolander: Previous administration turned down that application for a gasoline station. The Courts decided that it was spot-zoning in reverse.

Mrs. Famulari (cont): This will start precedent 58' wide 60' depth (speaking of building proposed - T/C). Building set back 66-1/2' from the road.

Mr. Fury: Re road widening; 20' from east side of the road for road widening may be taken by town or county for state widening of roadway. This building to be 66-1/2' back from the road; westerly would have a front yard of 46-1/2'. Re parking of cars; space for 25 autos with screening areas.

10/14/70
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000501

PUBLIC HEARING

Town Hall

10/14/70

8:45 PM

Present: Councilmen Bolander, D'Antoni, Niehaus, Supervisor Vines
Town Clerk
Town Attorney
Deputy Town Attorney

Absent: Councilman Frohling

RE: PROPOSED EXTENSION TO SEWER DISTRICT 13-3: (WINDFOR DEVELOPMENT CORP.)

Supervisor called public hearing to order; Town Clerk sworn in and testified as to proper posting and publication of Notice of Public Hearing.

John Hekker, Esq., 200 Piermont Avenue, South Nyack, New York appeared before the Town Board as attorney for petitioner and stated the following:

His client, John Booth, signed petition as President of Windfor Development Corporation; Mr. Hekker as Secretary and General Counsel. Proposed extension will benefit all property owners within the proposed extension; all property owners who will benefit are included within the limits of the proposed extension. Would be in the public interest to grant because it will eliminate septic systems; will handle waste in the district. Will benefit people in the district and community.

Correspondence from Town Engineer, Charles R. Velzy, Consulting Engineers; and Mr. Adams of the Sewer Department read into minutes as follows:

1. C. Adams, Sewer Department-Construction: 'Petition returned with approval for public hearing.'

2. Charles R. Velzy Associates, Inc. (George T. Suttie, Associate):

(a) White District 13 is a town sewer district it presently has a separate treatment plant which is operated by the original developer. Properties within the district tributary to this plant pay a monthly charge to the developer for sewer service and do not pay any town sewer charges.

(b) Sewer District 13 and its present extensions have not been included in the proposed consolidated districts for which the town will hold hearings on September 9, 1970.

(c) The subject subdivision located on the west side of Little Tor Road, will require a pump station to lift the flow from seven houses to District 13. The remaining 14 units are tributary to District 13 by gravity. The subdivision is so located that future development to the south may well discharge flow to the westerly section of Tor Terrace, and development north of Tor Terrace could probably provide sewer lines which would eventually eliminate the need for the presently required pump station by connecting directly to a proposed county interceptor.

(d) There is an immediate possibility that the District 13 treatment plant may be either taken over by the town or abandoned in favor of a connection to the existing sewers of District 34 to the east.

(e) Because of the unique situation of District 13 with respect to the ultimate town consolidated Sewer District, the location of Tor Terrace in relation to surrounding properties and future sewer system development, and the possibility of elimination of the present district 13 plant, it is suggested that it might be more appropriate at this time, and beneficial in the future, if the Tor Terrace Subdivision was not made an extension of District 13, but rather a "Contract User" until a more definite plan for this area is developed.

This possibility should be discussed with the town Sewer Counsel and the Town Engineer before a final determination is made.

(f) In any event, it is recommended that the map attached to the petition be revised to show a connection to the existing Little Tor Road sewer in District 13 and the location of the proposed pump station. Maintenance responsibilities for the sewers and pump station should also be spelled out in the final arrangement.

(g) It is further recommended that approval from the Rockland County Health Department be obtained for the connection of this area to the facilities of District 13.

3. Alfred Berg, Town Engineer: He has received a copy of Mr. Suttie's letter dated August 17th, 1970 (see above) and concurs with these recommendations.

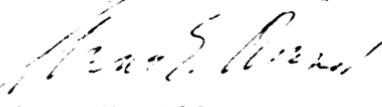
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As requested, copies of memorandums will be forward to each member of the Town Board (T/C).

On resolution offered by Councilman Bolander, seconded by Councilman Niehaus and un animously adopted, public hearing was closed.

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

10/14/70

9:00 PM

Present: Councilmen Niehaus, Bolander, D'Antoni, Supervisor Vines
Town Clerk
Town Attorney and Deputy Town Attorney

RE: PROPOSED EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT
#1 TO INCLUDE GERMONDS ACRES:

Supervisor called public hearing to order; Town Clerk testified as to proper posting and publication of Notice of Public Hearing.

Mr. Morton B. Elish, 12 Howard Drive, Spring Valley N Y appeared before the Town Board, was sworn in, and testified as follows:

Signed petition on behalf of Germonds Acres as President. Proposed extension will benefit all property owners within the proposed extension; all property owners who will benefit from this proposed extension are included within limits of the proposed extension. Would be in the public interest to grant because it will provide fire protection for the safety and well being of property and lives and would bring about a reduction in fire insurance rates.

Two model homes involved at present; Councilman Bolander inquired if there are any people who insist that Mr. Elish complete the model of their home at the present time. Mr. Elish replied that he is working on it; hoping to finish by the end of this year.

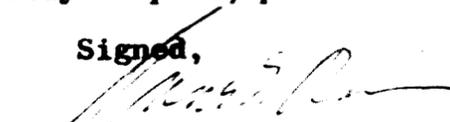
Councilman Bolander asked if this proposed extension would include this individual; Answer - no.

Councilman Bolander asked if this is only individual lot sold to. Answer - at present time, yes.

Councilman Bolander asked since April no homes built in this subdivision even though there is someone who is in contract with you? Answer - Will get done because homes needed before the 17 lots are sold.

On resolution offered by Councilman D'Antoni, seconded by Councilman Niehaus and unanimously adopted, public hearing was closed.

Signed,


Anne E. O'Connor
Town Clerk

10/14/70

PUBLIC HEARING

Town Hall

10/14/70

9:15 PM

Present: Councilmen Niehaus, Bolander, D'Antoni, Supervisor Vines
Town Clerk
Town Attorney - Deputy Town Attorney

Absent: Councilman Frohling.

RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCE (R-15 to R-40 -- KAUFMAN PROPERTY
(Property located north of the New Hempstead & West of Little Tor Rd., New City)

Supervisor called public hearing to order; Town Clerk testified as to proper posting and publication of Notice of Public Hearing.

Mr. Bruce Rogers, Attorney for Petitioner stated the following:

On June 15th, 1970 petition presented requesting upzoning this property from R-15 to R-40. Previously zoned one acre -- in 1967 changed.

West: One acre zoning; North and East, 1/2 Acre on border.

This creates spot zoning; if not changed, additional schools would have to be built which would bring about higher taxes. Requests that the communities that exist be preserved, if changed to 1/2 acre, would fit in with existing areas.

RECOMMENDATIONS:

TOWN PLANNER:

In preparing his report Town Planner stated he has reviewed the homeowners petition; the Master Plan reports, particular attention was given to the report, "Proposed Revisions to Zoning Ordinance" prepared by Planning Consultants and adopted by the Clarkstown Planning Board in August of 1966, the 1955 and 1967 Zoning Ordinances.

1. The subject property is owned by Frieda Kaufman, 17 Stuyvesant Oval, New York NY, and is approximately 27.6 acres. It is located on the north side of North Middletown Road approximately 1400 feet west of the intersection of Little Tor Road and North Middletown Road.

2. While the subject property is vacant, the surrounding area on all four sides of the subject property are entirely developed and can be characterized as a residential area with single family detached homes. The surrounding development is more specifically described as:

a. The area to the north and adjacent to the subject property located along John and Lynne Drive is an older established residential area having lots averaging about 20,000 sq. ft. or more.

b. The area to the west and adjacent to the subject property was recently subdivided with residential lots having an average size of 40,000 sq. ft.

c. On the easterly side of the subject property from Lombardi Drive to Little Tor Road is another well-established residential area completely developed with lots averaging 20,000 sq. ft. or more.

d. While New Hempstead Road tends to physically separate the subject property from that area located to the south of said road, the property to the south is developed with residential lots having an average size of 20,000 sq. ft. or more.

3. Map A: The 1955 Zoning Ordinance, as amended, shows the subject property almost evenly divided into two districts; the western portion was zoned RA-1, while the easterly was zoned R-1. It should be pointed out that the RA-1 and the R-1 are comparable to the R-40 districts (40,000 sq. ft.) and R-15 district (15,000 sq. ft.) found in the present zoning ordinance respectively.

4. Map B: The 1966 adopted Master Plan shows the subject property entirely classified as 'low residential with the density factor of one unit or less per acre'. Translating this residential recommendation into a comparable district in the present ordinance, the subject property should have been zoned R-40. The present zoning map shows the subject property entirely zoned R-15.

TOWN PLANNER RECOMMENDATIONS -- continued:RECOMMENDATIONS:

1. Map C: In light of our findings and evaluation of the above comments, the zoning of the subject property that would tend to conform to the Master Plan would be the most appropriate use of the land since it would be consistent with the comprehensive objectives of the Master Plan. In the Master Plan report 'Proposed Revisions to Zoning Ordinance' which dealt specifically with appropriate zoning patterns for the entire town, recommended the subject property be zoned R-40. This office conducted a field survey on July 10, 1970 to examine what changes occurred in the area since that Master Plan. After reviewing the field notes, I have not found any significant changes and therefore recommend that the zoning conform to the plan, namely R-40.

2. Map D: The Master Plan also recommends that the zoning pattern follow, wherever possible, the concept of concentric zoning or transitional zoning. If this is the desire of the Town Board, this can be accomplished by rezoning the properties to R-22 located between Lynn Drive and New Hempstead Road and between the subject property and Little Tor Road. The primary reason for rezoning this area, is to develop stability for the R-22 rather than rezoning only the subject property. While the enlarged area is mostly developed, the recommended rezoning would tend to upgrade the area and more importantly, establish a more appropriate zoning pattern within the guidelines of the Master Plan.

IN FAVOR:

1. Mr. Kriml, 10 Angus Lane, New City: (Representing the North Little Tor Civic Association): 1/3 acre zoning set in middle of 1 acre zoning and 1/2 acre zoning not consistent with good planning.
2. Mr. James Costello, 41 Lombardi Drive, New City: Property abuts Kaufman property. Now have privacy, retain by upzoning to R-40. Re school, will increase number of school children, thus increasing taxes.
3. Mr. Phillip Pollack, 6 Wheatstone Drive, New City: Safe area now, upzoning would prevent more buildings and more traffic.
4. Joseph Levy, 22 Cairngorm Road, New City: Abuts Kaufman property, wants to return privacy; also mentioned traffic and safety.
5. West Clarkstown Civic Association: In favor of upzoning/
6. Mr. Harry Norbett, 190 New Hempstead Road, New City: In favor.
7. Mr. Kaufman (Civic Association): Not related to petitioner; upzone town as promised.

OPPOSED:

1. John Lodico, New City: Spot zoning in reverse. What Master Plan is being discussed; was it ever approved?
2. Columbia University: (Letter received from Cox, Treanor & Shaugnessy Counsellors at Law, 12 East 41st St., New York NY) stating they are attorneys for the University, owner of real property in New City known as the Kaufman property. They protest against a change of the zone by redistricting the subject property to R-40. (Letter in file) - T/C
3. John Hekker, Attorney for Contract Purchaser and Developer of Property John Knutsen:

Mr. Hank Carter only hand raised as being opposed to this zone change. Inquired as to who proposed this zone change, act of Town Board or Civic Association. Subject property owned by Mrs. Kaufman since 1933; donated to Columbia University in July of 1970. Columbia has filed protest; should be taken into account when this matter voted upon.

Inquired as to why normal procedures relating to zone change applications not followed in this instance and why matter not brought before the Planning Boards as is usual. Re notice of public hearing, it does not indicate two parcels of property in center which remain in R-15 zone and is not included in this application. (Lots 4 and 5 -T/C)

Actual zoning is R15; there are homes built on less than 20,000 sq. ft. (Mr. Hekker presented two maps outlining property included in district, stating several lots overlooked in petition. Re school children; zoning should not be based solely on economics. Fifth Amendment to the Constitution gives people property rights. These are being ignored. Owner entitled to same courtesy and procedure of this town any other person or group would be entitled to. Spot-zoning; send to Town and County Planning Board for their recommendations.

TBM - 10/14/70

The following bids were received:

BEST UNIFORM CO., INC.
18 West 18th St., New York N Y.....Total Bid Price: \$3662.70

MERSON UNIFORM CO., INC.
254 Canal St., New York N Y.....Total Bid Price: \$3568.00

(1970-632) Councilman D'Antoni offered the following resolution:

RESOLVED, that decision on award of bid for furnishing of Police Winter Uniforms be reserved; bids to be submitted to the Chief of Police for his recommendation.

Seconded by Councilman Niehaus. All voted Aye.

(1970-633) Councilman Bolander offered the following resolution:

RESOLVED, that time for receiving bids for furnishing the town with one (1) Sewer Truck is closed, and be it

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

Seconded by Councilman D'Antoni. All voted Aye.

The following bids were received:

MANLEY CHEVROLET, INC.
Nyack N Y :.....Total Cost: \$4242.18

PORRY'S GARAGE
22 Cosgrove Ave., West Haverstraw, N Y:Total Cost: \$4519.50

(1970-634) Councilman Bolander offered the following resolution:

RESOLVED, that decision on award of bid for furnishing SEWER TRUCK to the town be reserved, pending approval of the Town Engineer.

Seconded by Councilman D'Antoni. All voted Aye.

(1970-635) Councilman Bolander offered the following resolution:

RESOLVED, that time for receiving bids for the furnishing of Three Automatic Voting Machines is hereby closed, and be it

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

Seconded by Councilman Niehaus All voted Aye.

The following bid was received:

AUTOMATIC VOTING MACHINE DIVISION
Jamestown, New York :\$1867.00 Per machine

(1970-636) Councilman D'Antoni offered the following resolution:

WHEREAS, after three publications advertising for bids, and telephone calls to the two suppliers were made, only one bid was received;

NOW THEREFORE, be it

RESOLVED, that due to the dire need for this equipment, bid for furnishing Three Automatic Voting Machines to the town be awarded to AUTOMATIC VOTING MACHINE DIVISION, Jamestown, New York at cost to town of \$1867.00 per machine.

Seconded by Councilman Bolander.

All voted Aye.

(1970-637) Councilman Niehaus offered the following resolution:

WHEREAS, the notice of hearing forwarded by the Town Attorney to the Rockland News-Leader Independent re proposed amendment to LL#8-1967 contained a typographical error; and

WHEREAS, due to said typographical error, notice of public hearing was published by said newspaper as 'Proposed Amendment to Local Law #3-1967; and

WHEREAS, due to said error scheduled public hearing had to be cancelled;

NOW THEREFORE, be it

RESOLVED, that public hearing re proposed amendment to said local law (#8-1967) be rescheduled for 11/12/70 at 8PM, and be it

FURTHER RESOLVED, that the Town Attorney prepare and cause to have published in the Journal-News a corrected notice of public hearing re the above and furnish proof of said publication to the Town Clerk.

Seconded by Councilman Bolander.

All voted Aye.

(1970-638) Councilman Bolander offered the following resolution:

RESOLVED, that decision on zone change petition made by George J. Culoso (R15 to RS or Ls) for property located on the east side of North Middletown Rod, Nanuet N Y be RESERVED.

Seconded by Councilman D'Antoni.

All voted Aye.

Mr. Patrick Murphy, Chairman of the Hamlet Zoning Advisory Committee, appeared before the Town Board requesting that signatures of members of said committee be removed from the Hamlet Study Maps that they have prepared for the purposes of study and revision of the Town Zoning Ordinance; and that their preliminary report be returned to them for revision and further study.

Town Board signed ORDER extending Clarkstown Consolidated Water Supply District #1 to include SPRINGVIEW ESTATES.

(1970-639) Councilman Bolander offered the following resolution:

RESOLVED that decision on proposed extension of Sewer District 13 (extension #3) - Windfor Development (to include Little Tor West, New City) be reserved.

Seconded by Councilman Niehaus.

All voted Aye.

(1970-640) Councilman D'Antoni offered the following resolution:

RESOLVED, that decision on proposed extension to Clarkstown Consolidated Water Supply District #1 to include GERMONDS ACRES be reserved.

Seconded by Councilman Bolander.

All voted Aye.

(1970-641) Councilman D'Antoni offered the following resolution:

RESOLVED that decision on proposed amendment to zoning ordinance in connection with area surrounding Kaufman Property (R15 to R40) be Reserved.

Seconded by Councilman Bolander.

All voted Aye.

(1970-642) Councilman Niehaus offered the following resolution:

WHEREAS, Mr. Niehaus, a member of the Town Board of the Town of Clarkstown has introduced an amendment to a local law entitled "LOCAL LAW TO ENSURE THAT HOMEBUYERS SHALL BE PROTECTED FROM LOSS OF THEIR CONTRACT DEPOSITS BECAUSE OF THE FINANCIAL FAILURE OF A BUILDER" by amending Sec. 62-2 entitled "Requirement of assurance."; and

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the public interest that an amendment to LL No. 3-1967, and as amended 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 in the Town Hall, 10 Maple Avenue, New City, N Y on the 12th day of November 1970 at 8:15 PM in the evening, relative to such proposed amendment; and it is

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the JOURNAL NEWS, the official newspaper of the Town of Clarkstown, 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 Bolander.

All voted Aye.

(1970-643) Councilman D'Antoni offered the following resolution:

WHEREAS, pursuant to Sec. 200 of Town Law, Louis Road and a portion of Stanley Road, New City N Y in said town was paved for a distance of approximately 1300 lineal feet; and

WHEREAS, the Town Board has filed a statement in detail showing the actual and complete cost thereof;

(continued)

(1970-643 -- continued)

NOW THEREFORE, be it

RESOLVED, that the property especially benefited by the improvement is as follows:

The property fronting on both sides of Louis Road and a portion of Stanley Road, as more specifically described in Schedule A attached herewith and made a part hereof (in file)

and it is

FURTHER RESOLVED, that the Assessor of the town be and hereby is directed to apportion so much of the cost thereof upon the several lots and parcels of land so deemed benefited which the paving shall have conferred upon the same.

Seconded by Councilman Niehaus.

All voted Aye.

(1970-644) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown is desirous of entering into a lease agreement with Pyrofax Gas Corp. for the installation and maintenance of a carburation system and supply tanks for use on auxilliary power plant of the Clarkstown Police Department;

1 NOW THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute lease agreement with Pyrofax Gas Corp. for said installation and maintenance of a carburation system with supply tanks, for a period of five years, at a cost of \$5.75 per month for one carburator and cylinder, with an additional cost of \$1.20 per month for two extra cylinders; and it is

FURTHER RESOLVED, that the Town Attorney approve said lease as to form.

Seconded by Councilman Bolander.

All voted Aye.

(1970-645) Supervisor Vines offered following Proclamation:

CIVIC APPRECIATION WEEK

WHEREAS, Clarkstown Civic Associations are a very important part of our community; and

WHEREAS, Clarkstown Civic Associations members are residents who are deeply interested and involved in their community; and

WHEREAS, through their concern and involvement Civic Associatiuons have helped our community by taking an active interest in its development; and

WHEREAS, the Town of Clarkstown encourages its residents to become involved in all community activities;

NOW THEREFORE, be it

RESOLVED, that I Wm. E. Vines, Supervisor of the Town of Clarkstown do hereby proclaim that the week of 10/18 thru the 24th be CIVIC APPRECIATION WEEK in the town.

Seconded by Councilman D'Antoni.

All voted Aye.

10/14/70

(1970-646) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Journal News, Nyack New York, in addition to the News Leader Independent, be declared as an official newspaper of the town, effective immediately, for the balance of the year 1970.

Seconded by Councilman Bolander.

All voted Aye.

Proposed resolution re excluding portion of Orangetown from Rockland County Sewer District #1 -- tabled.

Town Board received Inventory of Highway Machinery, Tools and Equipment dated 9/29/70 from the Highway Department.

(1970-647) Councilman Bolander offered the following resolution:

RESOLVED, that amount of \$2499. be transferred from CURRENT SURPLUS-GENERAL ACCOUNT to TRASHMASTER ACCOUNT, said monies to be used for the repair of the Trashmaster at the Clarkstown Sanitary Fill.

Seconded by Councilman Frohling.

All voted Aye.

Mr. Rabinowitz, 109 Tennyson Drive, Nanuet N Y appeared before the Town Board in connection with petition for submission to referendum in connection with resolution of the Town Board re consolidation of Sewer Districts A & B. Mr. Rabinowitz requested that said petition, which Town Attorney advised Town Clerk could not be accepted because petition was not in proper form, be reconsidered by the Town Board and matter be submitted for referendum.

Supervisor Vines stated he will contact Town Attorney and Sewer Consultant re statement made that possibly they were excluded in error. Mr. Rabinowitz will contact the Supervisor for reply and will appear at 10/21/70 Town Board meeting re same.

(1970-648) Councilman D'Antoni offered the following resolution:

RESOLVED that the Town Clerk be directed to advertise for the receipt of bids for SEWER CONSTRUCTION IN SEWER DISTRICT NO. 39 - CONTRACT D - said bids to be returnable 11/18/70 at 8:05 PM.

Seconded by Councilman Niehaus.

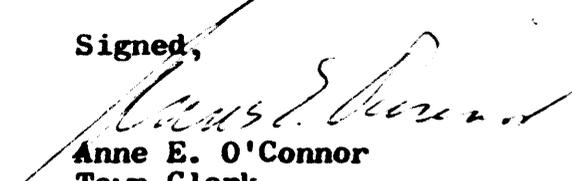
All voted Aye.

Representative of Ramapo Central School District No. 2 appeared before the Town Board re change of zoning for subdivisions Forest Brook and Spring Brook Estates in Spring Valley before the Planning Board. He requested information to enable them to study and present an analysis of impact on schools, etc. He also requested that the Town Board and the Planning Board defer any approval action on these two projects until they have had opportunity to make said analysis.

Reverend Hammond of New City appeared before the Town Board re proposed construction of Hamburger Stand on the northwest corner of Main and Laurel Road, south of the First State Bank, New City (fifty feet from the church; fifty feet from the school.) Supervisor informed Rev. Hammond that the Town Board, Planning Board, and the Town Attorney will discuss. Rev. Hammond was requested to contact the Supervisor in a few days.

On resolution offered by Councilman D'Antoni, seconded by Councilman Bolander and unanimously adopted, Town Board meeting was adjourned until 10/21/70.

Signed,



Anne E. O'Connor
Town Clerk