

PUBLIC HEARING

Clarkstown Senior High
School Auditorium

2/24/71

7:15 PM

Present: Councilmen Niehaus, Bolander, D'Antoni, Supervisor Vines
Town Clerk Anne E. O'Connor
Town Attorney and Deputy Town Attorney

Absent: Councilman Frohling.

RE: PROPOSED EXT. of Clarkstown Consolidated Water Supply Dist. #1 to include
AREA IN VICINITY OF PASCACK ROAD, NANUET, N Y:

Supervisor declared public hearing in session; Town Clerk read Notice of Public Hearing; and testified as to proper posting by her office.

Representative of petitioner, Spring Valley Water Co., having been notified of public hearing by letter and telephone as to time and place of said public hearing, did not appear. Town Board tabled matter.

Signed,



Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Clarkstown Senior High
School Auditorium

2/24/71

7:30 PM

Present: Councilmen Niehaus, Bolander, D'Antoni, Supervisor Vines
Town Clerk Anne E. O'Connor
Town Attorney and Deputy Town Attorney

Absent: Councilman Frohling.

RE: PROPOSED EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT #1
TO INCLUDE VAILSHIRE SUBDIVISION, NANUET:

Supervisor Vines called public hearing to order; Town Clerk read Notice of Public Hearing; and testified as to proper posting of hearing by her office.

J. Martin Cornell, Esq., South Main St., New City N Y appeared as attorney for petitioner.

Mr. Lester A. Clark, President of Vailshire, Inc., appeared before the Town Board, was sworn in and testified as follows:

Petition for requested extension of Clarkstown Consolidated Water Supply District #1 to include Vailshire Subdivision signed by Mr. Clark in his capacity as President of Corporation. Property involved located on Smith Road, West of North Middletown Road, Nanuet,

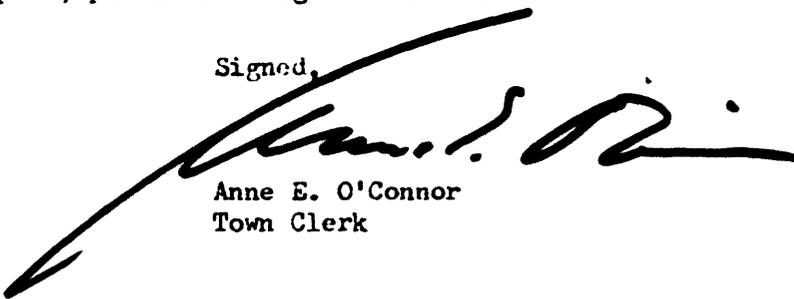
Proposed extension will benefit all the property owners within the proposed extension; all property owners who will benefit from this proposed extension are included within the limits of the proposed extension.

Would be in the public interest to grant proposed extension 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.

Proposed extension will be at no expense to the town.

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

Signed,



Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Clarkstown Senior High
School Auditorium

2/24/71

7:45 PM

RE: PROPOSED EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT #1
TO INCLUDE MONTEREY ESTATES, VALLEY COTTAGE N Y:

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

Donald S. Tracy, Esq., New City N Y appeared before the Town Board as attorney for petitioner, Adsek, Inc.

Mr. Samuel Schechter, 323 South Main Street, Spring Valley, N Y appeared before the Town Board; was sworn in, and testified as follows:

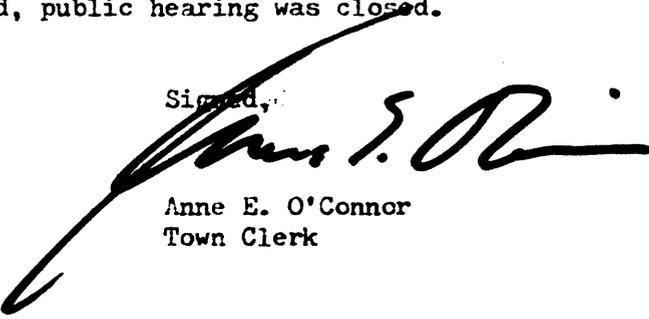
He signed petition requesting extension of Water District as President of Adsek, Inc. Proposed extension will benefit all the property owners within the proposed extension; all the property owners who will benefit from this proposed extension are included within the limits of the proposed extension.

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 a bout a reduction in fire insurance rates.

Proposed extension will be at no cost to town.

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

Signed,



Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Clarkstown Senior High
School Auditorium

2/24/71

8:00 PM

RE: PROPOSED DISSOLUTION OF CLARKSTOWN SANITARY SEWER DISTRICTS:

Present: Councilmen Niehaus, Bolander, D'Antoni, Supervisor Vines
Town Clerk Anne E. O'Connor
Town Attorney and Deputy Town Attorney

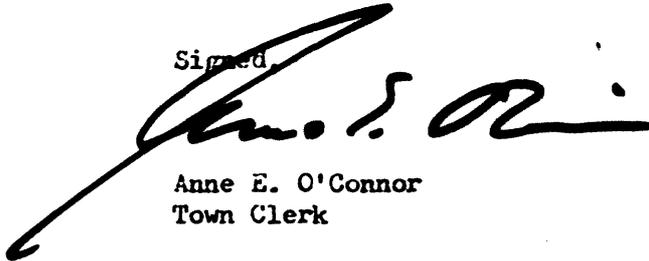
George Suttie, Consulting Engineer
Charles Adams, Sewer Coordinator
Richard E. Sigal of Hawkins, Delafield and Wood
Robert E. Toolan of Goldman Sachs and Company

Absent: Councilman Frohling.

Supervisor Vines declared public hearing in session; Town Clerk testified as to proper posting and publication of Notice of Public Hearing.

As per instructions from the Deputy Town Attorney, minutes of above-mentioned public hearing was taken by a public stenographer. When said minutes are received, same will be filed in the Town Clerk's Office, or if requested, copies will be forwarded to the Town Attorney and Town Board members.

Signed



Anne E. O'Connor
Town Clerk

All that certain plot, piece or parcel of land situate, lying and being in the Town of Clarkstown, County of Rockland and State of New York, more fully bounded and described as follows:

BEGINNING at a point on the westerly line of the present limits of Water District No. 1 where it intersects the northerly line of lands now or formerly owned by Tolstoy Foundation, Inc. said point being located approximately 500 ft. west of the westerly right-of-way line of Cottage Drive running thence along the northerly line of said lands now or formerly owned by Tolstoy Foundation, Inc. the following five (5) courses and distances;

- (1) S 59-10-10 W, approximately 55 feet; thence
- (2) S 51-40-30 W, 244.73 feet; thence
- (3) S 7- 9-15 E, 221.00 feet; thence
- (4) S 7-33-15 E, 211.54 feet; thence
- (5) S 73-35-45 W, 943.19 feet to the easterly line of lands now or formerly owned by Joy Acres; running thence along the easterly line of said lands now or formerly owned by Joy Acres the following five (5) courses and distances;
 - (6) N 20-21-25 W, 300.00 feet; thence,
 - (7) N 75-04-35 E, 303.50 feet; thence,
 - (8) N 16-25-25 W, 553.64 feet; thence,
 - (9) S 74-09-35 W, 347.70 feet; thence,
 - (10) N 23-25-25 W, 169.10 feet to the southerly line of lands now or formerly owned by J. Wachs; thence,
 - (11) N 65-14-10 E along said southerly line of lands now or formerly owned by J. Wachs 732.55 feet to the southwesterly corner of lands now or formerly owned by Clarkstown Estates, Inc. & L. E. Schwartz; thence
 - (12) N 65-51-40 E along the southwesterly line of said lands now or formerly owned by Clarkstown Estates, Inc. & L. E. Schwartz for a distance of approximately 750 feet to the previously mentioned westerly line of the present limits of Water District No. 1; thence
 - (13) Southeasterly, along said westerly line of the present limits of Water District No. 1 approximately 700 feet to the point or place of BEGINNING.

(1971-120) Councilman D'Antoni offered the following resolution:
(INSERT RESOLUTION APPROVING (1) DISSOLUTION OF ALL THE SEWER DISTRICTS, WHOLLY LOCATED IN SAID TOWN, AND (2) A BENEFITED SEWERAGE IMPROVEMENT AREA AND PROVIDING THAT SAID RESOLUTION SHALL BE SUBJECT TO A PERMISSIVE REFERENDUM)

Seconded by Councilman Bolander. All voted Aye.

(1971-121) Councilman D'Antoni offered the following resolution:
(INSERT RESOLUTION DIRECTING THE PUBLICATION AND POSTING OF NOTICE AND ABSTRACT OF RESOLUTION APPROVING (1) DISSOLUTION OF ALL THE SEWER DISTRICTS, WHOLLY LOCATED IN SAID TOWN AND (2) A BENEFITED SEWERAGE IMPROVEMENT AREA)

Seconded by Councilman Bolander. All voted Aye.

(1971-122) Councilman D'Antoni offered the following resolution:
RESOLVED, that the bid for one four-door sedan is hereby awarded to the low bidder, Schmidt Chevrolet, Route 9W, West Haverstraw, New York in amount of \$3,799.95.

Seconded by Councilman Niehaus. All voted Aye.

(1971-123) Councilman D'Antoni offered the following resolution:
WHEREAS, there is a vacancy in the position of Laborer in the Town Engineer's Department,
NOW THEREFORE, be it

(cont)

SPECIAL TOWN BOARD MEETING

Clarkstown Sr. High School

2/24/71

7:15 PM

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

Absent: Councilman Frohling.

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

(1971-118) Councilman Niehaus offered the following resolution:

RESOLVED, that Special Town Board meeting be adjourned in
 order to hold scheduled Public Hearings.

Seconded by Councilman D'Antoni

All voted Aye.

(1971-119) Councilman Bolander offered the following resolution:

RESOLVED, that Special Town Board meeting be resumed; scheduled
 public hearings having been held.

Seconded by Supervisor Vines.

All voted Aye.

Town Board signed ORDER Extending Clarkstown Consolidated Water
 Supply District #1 to include VAILSHIRE, INC.

Town Board signed ORDER Extending Clarkstown Consolidated Water
 Supply District #1 to include MONTEREY ESTATES.

Proposed and scheduled public hearing re extension of Clarkstown
 Consolidated Water Supply Dist. #1 to include Area in Vicinity of Pascack Road,
 Nanuet (Spring Valley Water Co.); tabled. Attorney not present.

ORDER

(A)

In the Matter of the Petition for EXTENSION of the Clarkstown Consolidated Water Supply District #1 to include VAILSHIRE, INC.

EXTENDING DISTRICT

In the Town of Clarkstown, Rockland County, New York

A petition in this matter for the extension of the Clarkstown Consolidated Water Supply Dist.#1 -VAILSHIRE, INC. of the Town of Clarkstown, excluding any portion already in an existing district, having been duly presented to the Town Board, and an Order having been duly adopted by the Town Board on the 20th day of January, 1971, for the hearing of all persons interested in the matter on the 24th day of February, 1971 at 7:30 P.M. EST Time, in the Auditorium of the Clarkstown Sr. High School, Congers Rd. at the Board Room of the Town Hall of the Town of Clarkstown, 100 Maple Avenue, New City, New York, and a Public Hearing by the said Town Board having been duly held at such time and place, and it having been duly resolved and determined, following such hearing, that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all property and property owners within the proposed extension were benefitted thereby, that all property and property owners benefitted were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved, it is hereby,

ORDERED, that the Clarkstown Consolidated Water Supply District #1 of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town of Clarkstown, described as follows:

(INSERT DESCRIPTION)

DATED February 24, 1971

Signature of Councilman

Councilman

Signature of Supervisor

Supervisor

Signature of Councilman

Councilman

Signature of Councilman

Councilman

STATE OF NEW YORK (OF COUNTY OF ROCKLAND) TOWN OF CLARKSTOWN)

SS:

I, ANNE E. O'CONNOR, Town Clerk of the said Town of Clarkstown, County of Rockland, hereby certify that I have compared the foregoing copy of an Order EXT. Clarkstown Cons. water Spplly Dist.#1 VAILSHIRE with the original now on file in said office, and find same to be a true and correct transcript and the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of said Town of Clarkstown this 24th day of February, 1971.

Signature of Town Clerk

Town Clerk

SEAL

SCHEDULE "A"

All that certain lot, piece or parcel of land situate lying and being in the Hamlet of Nanuet, Town of Clarkstown, Rockland County, New York, more particularly described on a Subdivision Plat entitled "Subdivision Plat for Vailshire", revised June 24, 1969, and filed in the Rockland County Clerk's Office on December 5, 1969, in Book 79 of Maps, at page 47, as Map 3970, excepting so much of said premises already included in Clarkstown Consolidated Water Supply District No. 1.

ORDER

the Matter of the Petition for
EXTENSION of the Clarkstown Consolidated Water Supply
District #1 to include MONTEREY ESTATES

EXTENDING
DISTRICT

In the Town of Clarkstown, Rockland County, New York

A petition in this matter for the extension of the Clarkstown Consolidated Water Supply Dist. #1 - MONTEREY ESTATES of the Town of Clarkstown, excluding any portion already in an existing district, having been duly presented to the Town Board, and an Order having been duly adopted by the Town Board on the 3rd day of February, 1971, for the hearing of all persons interested in the matter on the 24th day of February, 1971 at 7:45 P.M. EST Time, in the Auditorium of the Clarkstown Senior High Schl., Congers Road at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, New York, and a Public Hearing by the said Town Board having been duly held at such time and place, and it having been duly resolved and determined, following such hearing, that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all property and property owners within the proposed extension were benefitted thereby, that all property and property owners benefitted were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved, it is hereby,

ORDERED, that the Clarkstown Consolidated Water Supply District #1 of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town of Clarkstown, described as follows:

(INSERT DESCRIPTION)

DATED February 24, 1971

Frank Bolander
Councilman

W. R. Niehaus
Supervisor

W. R. Niehaus
Councilman

Councilman

Anthony W. Anton
Councilman

STATE OF NEW YORK OF COUNTY OF ROCKLAND)
TOWN OF CLARKSTOWN)

SS:

I, ANNE E. O'CONNOR, Town Clerk of the said Town of Clarkstown, County of Rockland, hereby certify that I have compared the foregoing copy of an Order Ext. Clarkstown Cons. Wtr Spplly Dist. #1 MONTEREY ESTATES with the original now on file in said office, and find same to be a true and correct transcript and the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of said Town of Clarkstown this 24th day of February, 1971.

Anne E. O'Connor
Town Clerk

SEAL

RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED FEBRUARY 24, 1971,
DIRECTING THE PUBLICATION AND POSTING OF
NOTICE AND ABSTRACT OF THE RESOLUTION
APPROVING (1) DISSOLUTION OF ALL THE SEWER
DISTRICTS, WHOLLY LOCATED, IN SAID TOWN,
AND (2) A BENEFITED SEWERAGE IMPROVEMENT
AREA.

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN,
IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of the Town of Clarkstown, in the
County of Rockland, New York, shall, within ten (10) days after the adoption
by the Town Board of said Town, of the resolution entitled:

"Resolution of the Town of Clarkstown, New York, adopted
February 24, 1971, approving (1) dissolution of all the Sewer Districts,
wholly located, in said Town, and (2) a benefited sewerage improvement
area and providing that said resolution shall be subject to a permissive
referendum,"

cause to be published at least once in the "JOURNAL-NEWS," the official
newspaper of the Town, and to be posted on the sign board of the Town
maintained pursuant to subdivision 6 of Section 30 of the Town Law and in
at least five (5) public places in each District referred to in the above
entitled resolution, a notice which shall set forth the date of adoption of
said foregoing resolution and contain an abstract thereof concisely stating
its purpose and effect.

Section 2. Said Notice shall be in substantially the following
form:-

*Public
notice*

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on February 24, 1971, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a resolution entitled:

'Resolution of the Town of Clarkstown, New York, adopted February 24, 1971, approving (1) dissolution of all the sewer districts, wholly located, in said Town, and (2) a benefited sewerage improvement area and providing that said resolution shall be subject to a permissive referendum, "

A - an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: RECITING the Town Board of the Town of Clarkstown, has under consideration a proposal to dissolve all the sewer districts including extensions thereof (herein called the "Sewer Districts"), wholly located in the Town, pursuant to plan and report prepared by Goldman, Sachs & Co., financial consultants to the Town, dated February 2, 1971, which report is on file in the office of the Town Clerk for public inspection; STATING the numbers of such districts and extensions thereof; FURTHER RECITING the proposed basis of apportioning, levying and assessing all improvement costs and the cost of management, maintenance, operation and repair of such improvement or service provided or authorized to be provided by the Districts to be dissolved; FURTHER RECITING that the Town Board determined to proceed with such dissolution and adopted an Order on February 24, 1971, reciting a description of the proposed dissolution, including numbers of the Districts to be dissolved, a description of the boundaries of the proposed benefited area in a manner sufficient to identify the lands included therein as in a deed of conveyance, the proposed basis of apportioning, assessing, levying and collecting all improvement costs and specifically stated that the cost of the management, maintenance, operation and repair of such improvement or service provided or authorized to be provided by the district or districts proposed to be dissolved shall, upon the date the dissolution is effective, be a charge upon the area of the town outside of any villages and shall be levied and collected in the same manner and at the same time as other town charges and the fact that a plan and report describing the same are on file in the Town Clerk's Office for public inspection and specifying date and time when, and the place where, the Town Board would meet to consider the proposed dissolution, and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town in relation thereto, as may be required or authorized, by Section 209-r of the Town Law; that certified copies of such Order were duly published and posted pursuant to the provisions of said Section of the Town Law; and that a public hearing in the matter was duly held by said Town on the 24th day of February, 1971, commencing at 8:00 o'clock P.M. (E.S.T.), at the Auditorium of the Senior High School, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to dissolution;

130

SECOND: RESOLVING AND DETERMINING that (a) the notice of public hearing was published and posted as required by law, and is otherwise sufficient; and (b) all the property and property owners included within the proposed benefited area hereinabove referred to in the Recitals hereof are benefited thereby; and (c) all the property and property owners benefited are included within the limits of said proposed benefited area; and (d) it is in the public interest to manage, maintain, operate and repair as a Town function, pursuant to Article 12-C of the Town Law, any improvement or service provided or authorized to be provided by each of the Sewer Districts, referred to in the recitals hereof.

THIRD: DISSOLVING all the Sewer Districts referred to in the recitals hereof; APPROVING the dissolution of such districts which shall become effective as of the first day of January, 1972 provided, this resolution shall become effective prior to the first day of August, 1971 or as of such other later date provided by law.

FOURTH: DETERMINING AND PROVIDING that the maintenance, management, operation and repair of any improvement or service provided or authorized to be provided shall, after the date the dissolution of such Sewer Districts shall become effective, be a Town function, and the cost thereof, and the cost of the principal of and interest on the outstanding bonds of Sewer District B4 heretofore issued, shall be a charge upon the area of the Town outside of any Villages and shall be levied and collected in the same manner and at the same time as other Town charges and the property of all such Sewer Districts shall become the property of the Town.

FIFTH: DETERMINING AND PROVIDING that after the date the dissolution of the Sewer Districts shall become effective, the costs of any improvement provided or authorized to be provided by any of the Sewer Districts, including the principal of and interest on any bonds or other obligations authorized to be issued for the purpose of the Sewer Districts or which have been issued for the purpose of the Sewer Districts and are outstanding and unpaid as of the date of the dissolution, except for the serial bonds hereinabove referred to, shall be borne entirely by the lands within such benefited area, and shall be assessed, levied and collected from the several lots or parcels of land within such benefited area in just proportion to the amount of benefit which any such improvement shall confer upon such lots or parcels; APPROVING such benefited area as described in the Order Calling Public Hearing; DETERMINING such approval is in the public interest; DESCRIBING said benefited area, to be known as the Master Benefited Sewerage Improvement Area, in the Town, by metes and bounds;

SIXTH: FURTHER RESOLVING that the Town Clerk of the Town is hereby authorized and directed within ten (10) days after this resolution becomes effective to file certified copies thereof in the office of the Clerk of the County of Rockland and in the office of the State Department of Audit and Control;

SEVENTH: FURTHER RESOLVING that pursuant to Section 209-r of the Town Law, this resolution shall be subject to a permissive referendum held in the benefited area above described in the manner prescribed in Article 7 of the Town Law and other applicable law.

DATED: February 24, 1971

ANNE O'CONNOR

Town Clerk

Section 3. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by
Councilman Bolander and duly put to a vote on roll call,
which resulted as follows:

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

NOES: NONE

The resolution was declared unanimously adopted.

STBM - 2/24/71
Page 3

(1971-123-cont)

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of DAVID A. PURSE, Hyenga Lake, Spring Valley, New York to the position of Laborer - Town Engineer's Department at a salary of \$6,474.00 per annum; effective February 25, 1971.

Seconded by Councilman Bolander.

All voted Aye.

(1971-124)

Councilman D'Antoni offered the following resolution:

WHEREAS, an agreement was entered into pursuant to Resolution No. 62 of 1971 between the Town of Clarkstown and Roslyn Finkelstein, Executrix of the Estate of Joseph M. Finkelstein and Everett J. Johns, to determine the value of additional land for use as a sanitary landfill by arbitration, and

WHEREAS, said agreement provides in Paragraph 3 for the selection of an arbitrator by the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED that George K. Mellersten be and he hereby is appointed as the arbitrator, empowered to act on behalf of the Town of Clarkstown, pursuant to the agreement dated the 19th day of February, 1971, and be it

FURTHER RESOLVED, that the arbitrator be compensated in accordance with the terms and provisions of that agreement.

Seconded by Councilman Niehaus.

On roll call the vote was as follows:

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

Motion carried.

(1971-125) Councilman Niehaus offered the following resolution:

WHEREAS, the Town Planner has been requested to assist the Planning Board in preparing exhibits for revisions to the Clarkstown Master Plan adopted in 1966, and

WHEREAS, this puts an additional burden upon the staff of the Office of the Town Planner,

NOW THEREFORE, be it

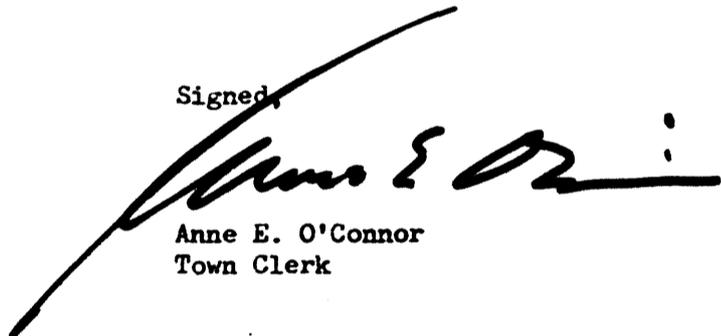
RESOLVED, that Hugh Doulin, 32 High Ridge Road, Stony Point, New York, be appointed as a Student Draftsman Aide on a temporary basis in the Office of the Town Planner at \$1.85 per hour, and that this authorization shall not exceed \$1,000.00/

Seconded by Councilman D'Antoni.

All voted Aye.

On resolution offered by Councilman Niehaus, seconded by Councilman Bolander, and unanimously adopted, Special Town Board meeting was adjourned until Wednesday, March 3rd, 1971 at 8:00 PM; at which time scheduled Town Board meeting will be held.

Signed,



Anne E. O'Connor
Town Clerk