

TOWN BOARD MEETING

Town Hall

4/21/71

8:00 PM

Present: Councilmen Niehaus, Bolander, Supervisor Vines
Town Clerk Anne E. O'Connor
Deputy Town Atty. Martin S. Friedman

Absent: Councilmen D'Antoni, Frohling.

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

(1971-259) Councilman Niehaus offered the following resolution:

RESOLVED that time for receiving bids for the construction of Sewer Dist. No. 33 - Contract D, is closed, and be it

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

Seconded by Councilman Bolander.

All voted Aye.

The following bids were received:

| | |
|---|--------------|
| A. CESTONE COMPANY 710 Bloomfield Avenue Glen Ridge, New Jersey | \$634,844.48 |
| MARVEC-ALLSTATE, INC. 251½ Grove Avenue Verona, New Jersey | 638,339.12 |
| EDWARD J. HUEGEL, INC. 110 Crooked Hill Road, Pearl River, N Y | 596,641.79 |
| CAMPOLI & SON, INC. 256 Livingston St., Northvale, N. J. | 649,453.36 |

(1971-259a) Councilman Bolander offered the following resolution:

RESOLVED, that decision on award of bid for construction of Sewer District No. 33 - Contract D, be reserved.

Seconded by Councilman Niehaus.

All voted Aye.

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(1971-260) Councilman Niehaus offered the following resolution:

RESOLVED, that all bids received for Police Cars for Clarkstown Police Department are rejected, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized to re-advertise for bids, said bids to be returnable on May 5th, at 8:10 PM, and be it

FURTHER RESOLVED, that specifications for said Police Cars be obtained in the Supervisor's Office.

Seconded by Supervisor Vines.

All voted Aye.

(1971-261) Councilman Niehaus offered the following resolution:

RESOLVED, that all bids received for the renovation of the Town Hall Annex are hereby rejected, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized to re-advertise, as per new specifications, said bids to be returnable 5/19/71 at 8:05 PM.

Seconded by Supervisor Vines.

All voted Aye.

(1971-262) Councilman Niehaus offered the following resolution:

RESOLVED, that bid for the Cleaning and Maintenance of the Highway Garage be awarded to the low bidder, K. P. Cleaning Co., 3 Pigeon Hill Road, Nanuet, N Y at cost to town of \$2,340.00 per annum.

Seconded by Councilman Bolander.

All voted Aye.

(1971-263) Councilman Niehaus offered the following resolution:

BASED UPON THE RECOMMENDATION OF THE BUILDING MAINTENANCE SUPT., be it

RESOLVED, that the bids received for the Cleaning and Maintenance of the Clarkstown Town Hall and Police Department are hereby rejected, and be it

FURTHER RESOLVED, that the Town Clerk is authorized to readvertise for bids for the Cleaning and Maintenance of the Clarkstown Town Hall and Police Department, said bids to be returnable on 5/5/71 - at 8:15 PM, and be it

(cont.)

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(1971-263 - continued)

FURTHER RESOLVED, that specifications for the Cleaning and Maintenance of the Clarkstown Town Hall and Police Department be picked up at the Supervisor's Office.

Seconded by Supervisor Vines.

All voted Aye.

(1971-264) Councilman Bolander offered the following resolution:

RESOLVED, based upon the recommendation of the Building Maintenance Superintendent, that Contract for the cleaning and maintenance of the Central Nyack Community Center, be and is hereby awarded to the lowest bidder, Accident Maintenance Corp., 127 Holland Drive, West Nyack N Y at cost to town of \$5,388.00 per annum.

Seconded by Supervisor Vines.

All voted Aye.

(1971-265) Councilman Bolander offered the following resolution:

RESOLVED, based upon the recommendation of the Chief of Police, that bid for Police Summer Uniforms be awarded to Best Uniform Co., Inc., 18 West 18th St., New York, N Y, lowest bidder, at total net cost to town of \$3,464.35.

Seconded by Councilman Niehaus.

All voted Aye.

(1971-266) Supervisor Vines offered the following Proclamation:

"DOWN TO EARTH WEEK
April 19th to April 24th, 1971

WHEREAS, it has become increasingly evident that we must move forward quickly and boldly to reclaim and guard our environment; and

WHEREAS, it is our responsibility as inhabitants of this earth to preserve and maintain our native habitat by changing our attitudes and habits toward our environment; and

(continued)

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(1971-266 - continued)

WHEREAS, Municipal Government can and must act to conquer air, water and land pollution; and

WHEREAS, Government, business, community groups and student associations are providing leadership, ideas and knowledge in an ever-increasing effort to preserve our environment;

NOW THEREFORE, be it

RESOLVED, that I, WILLIAM E. VINES, Supervisor of "Our Town of Clarkstown", hereby proclaim that the week of April 19th to April 24th as "Down to Earth Week" in the Town of Clarkstown, and entreat each individual citizen to band together in a crusade to preserve and enhance our environment.

Signed: William E. Vines, Supervisor
Town of Clarkstown

S E A L

Seconded by Councilman Niehaus.

All voted Aye.

(1971-267) Supervisor Vines offered the following Proclamation:

"HONOR VOLUNTEERS WEEK"
April 25th to May 1st, 1971

WHEREAS, we are fortunate in "Our Town of Clarkstown" and in the County of Rockland to have in our midst dedicated and outstanding volunteers who give freely of their time and service in the interest of the schools and the community; and

WHEREAS, it is fitting that we join with the citizens of the Ramapo Central School District No. 2, a portion of which lies in the Town of Clarkstown, in recognizing the outstanding services performed by these adult and student volunteers, and express our appreciation; and

WHEREAS, vital services are performed with dedication and competence as they work for the betterment and preservation of our community through the various school districts, volunteer ambulance Corps., and volunteer fire departments;

NOW THEREFORE, be it

RESOLVED, that I, WILLIAM E. VINES, Supervisor of the Town of Clarkstown, do hereby proclaim that the week of April 25th to May 1st be "HONOR VOLUNTEERS WEEK" in "Our Town of Clarkstown", and urge all residents to join in honoring all those who have served so well.

Signed: William E. Vines, Supervisor
Town of Clarkstown

S E A L

Seconded by Councilman Niehaus.

All voted Aye.

(1971-263) Councilman Niehaus offered the following resolution:

WHEREAS, it is in the best interest of the people of the Town of Clarkstown for merchants to maintain their place of business in a neat and clean fashion; and

WHEREAS, it is the wish of the Supervisor of the Town of Clarkstown that the Town be a clean and safe place in which to live,

NOW THEREFORE, be it

RESOLVED, that, in accordance with EARTH WEEK and in an ever-increasing effort to beautify our community, that the Supervisor be authorized to award citations of merit to merchants who maintain their place of business in the Town of Clarkstown in a manner which will enhance the appearance of our town, and be it

FURTHER RESOLVED, that such citations be awarded by the Supervisor monthly, at a Town Board meeting.

Seconded by Supervisor Vines

All voted Aye.

First of such awards given to Base-Lock Rubber Type Company, 1st Street, Nanuet N Y.

Mrs. Strauss appeared before the Town Board re collection and recycling of newspapers. Mrs. Sheridan informed public that all shopping areas in violation of litter law will be issued summonses.

(1971-268-a) Councilman Niehaus offered the following resolution:

WHEREAS, the following has applied to the Town of Clarkstown for a Certificate of Registration in compliance with Sec. 24-6 of the Code of the Town of Clarkstown:

Roy Thomas
184 So. Franklin St.,
South Nyack, New York

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 71-38 to Roy Thomas

Seconded by Councilman Bolander.

All voted Aye.

Proposed resolution granting Certificate of Registration to Edward J. Huegel tabled - Councilman Bolander requested that the Town Attorney check as to whether or not this would constitute a conflict of interest.

(1971-269) Councilman Bolander offered the following resolution:

RESOLVED, based upon the recommendation of Mr. George Suttie of Charles R. Volzy Associates, Consulting Engineers, that bid for the construction of lateral sewers and appurtenances for Sewer Dist. #55, Contract C, in the Hamlet of Valley Cottage, New York, be awarded to the low bidder, A. Costone Co., at bid amount of \$459,749.00

Seconded by Councilman Niehaus.

All voted Aye.

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(1971-270) Councilman Niehaus offered the following resolution:

RESOLVED that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 43 of the Code of the Town of Clarkstown to rectify violation on premises owned by

LINDA J. COSENZA

in the town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as

Map 42, Block A, Lot 1.01

Seconded by Councilman Bolander.

All voted Aye.

Proposed resolution re Local Law No. 8 - 1967 -- tabled.

(1971-271) Councilman Niehaus offered the following resolution:

WHEREAS, by resolution No. 644 of the Town Board of the Town of Clarkstown adopted October 14, 1970, the Supervisor of the Town of Clarkstown was authorized to enter into a lease agreement with Pyrofax Gas Corp. for the installation and maintenance of a carburation system and supply tanks for use on the auxiliary power plant of the Clarkstown Police Department, and

WHEREAS, it has been determined that the type of service to be rendered under that lease was not desired, and

WHEREAS, Pyrofax Gas Corporation has now offered to either rent or sell to the town, equipment to convert the town's present stand-by generator to propane carburation, and

WHEREAS, the difference in the cost of renting this equipment for a period of five (5) years purchasing it outright would be about \$15.00;

NOW THEREFORE, be it

RESOLVED, that resolution No. 644 adopted October 14, 1970, be, and the same hereby is rescinded, and be it

FURTHER RESOLVED, that the Supervisor be and he hereby is authorized to purchase said conversion equipment from Pyrofax Gas Corporation for the sum of \$225.00, said amount to be charged to Building & Service Maintenance.

Seconded by Councilman Bolander.

All voted Aye.

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(1971-272) Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install 19 7900 Lu Mercury Vapor Street Lights for Green Meadow Farms - Underground Development, at cost to town of \$1,037.40 per year.

Seconded by Councilman Bolander.

All voted Aye.

(1971-273) Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install 7 7900 Lu Mercury Vapor Street Lights for Starbridge Estates Underground Development at cost to town of \$382.20 per year.

Seconded by Councilman Bolander.

All voted Aye.

(1971-274) Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install 5 7900 Lu Mercury Vapor Street Lights for Foxwood Road, Harmon Place, Kruz Drive, Robin Place and Spruce Drive at cost to town of \$273.00 per year.

Seconded by Councilman Bolander.

All voted Aye.

(1971-275) Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install 20 7900 Lu Mercury Vapor Street Lights for Hempton Acres - Underground Development; at cost to town of \$1,092.00 per year.

Seconded by Councilman Bolander.

All voted Aye.

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Town Board signed ORDER setting date of hearing re Proposed Extension of Clarkstown Consolidated Water Supply District #1 to include HEMPTOR ACRES -- 5/12/71 - 8:30 PM (See Attached)

Monthly Reports, March 1971, from Building Inspector and Zoning Board of Appeals received and noted by Town Board.

Councilman Niehaus made the following statement:

"As Liaison to the Zoning Board of Appeals, I feel it is necessary for me to take exception, publicly, to the recent actions of the ZBA concerning New City Condominiums. By direction of the Town Board, building permits needed to complete the condominiums have been withheld, pending settlement of arrangements regarding recreational facilities. An appeal was brought before the ZBA to force issuance of these building permits without requiring payment of approximately \$66,000 to the Town of Clarkstown "money in lieu of land" fund for parks and recreational facilities.

'On April 5, at a workshop session following public hearings, the ZBA voted on the appeal of New City Condominiums. A motion to accept the appeal and to issue building permits failed to carry. The Chairman, Mr. Herdman, was absent and of the four members present two voted "No", and two voted "Yes". Since a motion needs more than 50% to pass, this motion failed and the April 5 vote was, in my opinion, a legal act of denial of the appeal.

'However, the Acting Chairman (Mr. Levitan T/C) of the April 5 ZBA meeting chose to interpret this vote as a "tie" and decided that another vote would be taken at the board's April 19th meeting. I feel that the April 5 vote should be legally binding on the ZBA and the appeal stands denied. I feel that it was improper to hold a second vote on the same question, since a decision had been legally and properly reached and there was no new appeal and no new evidence introduced to justify reconsideration of that decision. I therefore publicly state my objection to this action of the ZBA". (End of Statement - T/C)

Deputy Town Attorney Martin S. Friedman stated at this point, that he preferred not to render a legal opinion at this time.

(1971-276) Councilman Niehaus offered the following resolution:

(INSERT RESOLUTION AUTHORIZING TOWN CLERK TO FORWARD REQUEST MADE BY TRAFFIC ADVISORY BOARD FOR BLINKING RED TRAFFIC LIGHT AT RICHARD'S CORNER, WEST NYACK) TO COUNTY HIGHWAY DEPARTMENT)

Seconded by Councilman Bolander.

All voted Aye.

At a meeting of the Town Board of the Town of Clarkstown, Rockland County, New York, held at the Meeting Room of the Town Hall, at 10 Maple Ave., New City, in said Town of Clarkstown on the 21st day of April, 1971.

PRESENT:

| | | |
|--------------------------|------------|----------------|
| WILLIAM E. VINES, | SUPERVISOR | |
| WILLIAM NIEHAUS, | COUNCILMAN | |
| FRANK BOLANDER, | COUNCILMAN | ORDER CALLING |
| PHILIP J. FROHLING, JR., | COUNCILMAN | |
| ANTHONY D'ANTONI, | COUNCILMAN | PUBLIC HEARING |

IN THE MATTER OF:

PETITION for the Proposed Extension of the Clarkstown Consolidated Water Supply District #1 to include HEMPTOR ACRES in the Town of Clarkstown, Rockland County, New York.

WHEREAS, a written Petition dated April 7, 1971 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York, for the Proposed Extension of the Clarkstown Consolidated Water Supply District #1-HEMPTOR ACRES in the said Town, to be bounded and described as follows:

(ATTACH DESCRIPTION)

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 12th day of May 1971, at 8:30 P.M. DST time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Dated: April 21, 1971

William E. Vines
William E. Vines, Supervisor

Frank Bolander
Councilman
Councilman

W. A. Niehaus
Councilman

Councilman

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

I, ANNE E. O'CONNOR, Town Clerk of said Town of Clarkstown, County of Rockland, hereby certify that I have compared the foregoing copy of an ORDER setting hearing RE: Prop. Ext. Clarkstown Cons. Water Supply Dist. #1-HEMPTOR ACRES with the original now on file in said office, and find same to be a true and correct transcript therefrom and of the whole of such original. IN TESTIMONY WHEREOF, I have hereunto subscribed by name and affixed the seal of said Town of Clarkstown, this 21st day of April 1971.

A. E. Connor

Town Clerk

(SEAL)

DESCRIPTION OF HEMPTOR ACRES

SCHEDULE A

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

Beginning at a point on the northerly side of New Hempstead Road where the same is intersected by the westerly line of Map of Selah Acres filed in the Register's Office of Rockland County August 12, 1957 as Map No. 2519.

thence along said New Hempstead Road, North $80^{\circ} 51' 44''$ West 662.38 feet to a concrete monument, a stone wall and land now or formerly belonging to Norbitz;

thence along said land of Norbitz and along the center of said stone wall, North $9^{\circ} 59' 20''$ East 449.06 feet to a concrete monument;

thence continuing along said land of Norbitz and along the easterly boundary line of Map of Leslie Heights filed in the Register's Office of Rockland County February 15, 1965 as Map No. 3309 and along easterly boundary line of Map of Rolling Hedge Section 11 filed in the Register's Office of Rockland County November 20th, 1967 as Map No. 3649, part of the way along the center of a stone wall, North $9^{\circ} 51' 43''$ East 275.50 feet; North $10^{\circ} 11' 44''$ East 374.20 feet to a monument and North $9^{\circ} 38' 44''$ East 833.15 feet;

thence continuing along the southerly boundary line of said Map of Rolling Hedge, South $80^{\circ} 09' 56''$ East 255.53 feet to a concrete monument;

thence along the southerly boundary line of Map of Forest Acres, filed in the Register's Office of Rockland County August 11th, 1955 as Map No. 2367, South $79^{\circ} 44' 16''$ East 411.40 feet to a concrete monument and the westerly boundary line of the above mentioned map of Selah Acres;

thence along the westerly boundary of said map, part of the way along a stone wall, South $10^{\circ} 00' 00''$ West 1920.78 feet to the point and place of beginning.

RESOLUTION #276

RESOLUTION ADOPTED AT TOWN BOARD MEETING

April 21, 1971

RESOLVED, that the Town Clerk is hereby authorized to forward request made by Traffic Advisery Board for blinking red light at Richard's Corner, West Nyack to County Highway Department.

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(1971-277) Councilman Niehaus offered the following resolution:

WHEREAS, Helen Olsen, Typist in the Town Engineer's office has requested an extension of her leave of absence,

NOW THEREFORE, be it

RESOLVED, that Helen Olsen, 21 Haverstraw Road, Congers N Y is hereby granted an extension of her leave of absence to expire on 10/31/71, without compensation.

Seconded by Councilman Bolander.

All voted Aye.

(1971-278) Councilman Bolander offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to expend not more than \$2,200.00 for the landscaping of the Sanitary Landfill Area.

Seconded by Councilman Niehaus.

All voted Aye.

(1971-279) Councilman Niehaus offered the following resolution:

WHEREAS, the Town of Clarkstown is desirous of leasing premises known as the Clarkstown Sanitary Fill Area to the New York State Thruway Authority for the purpose of depositing garbage and/or refuse;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute a lease agreement with the New York State Thruway Authority for the purpose of depositing garbage and/or refuse in the Clarkstown Sanitary Fill Area for a term of three (3) years, commencing April 22, 1971 and terminating April 21, 1974, at a yearly rental of One Thousand Dollars (\$1000.00) to be paid no later than the 30th day of June of each year of said lease agreement.

Seconded by Councilman Bolander.

All voted Aye.

(1971-280) Councilman Niehaus offered the following resolution:

(INSERT RESOLUTION PERMANENTLY APPTG. JUDITH BROWN, 265 STRAWTOWN RD., NEW CITY N Y TO POS. OF TYPIST - BUILDING INSPECTOR'S OFFICE AT SALARY OF \$5,330.00 PER ANNUM, EFF. IMMEDIATELY)

Seconded by Councilman Bolander.

All voted Aye.

RESOLUTION #280 ADOPTED TOWN BOARD MEETING 4/21/71
TOWN BOARD MEETING OF April 21, 1971

RESOLUTION FOR APPOINTMENT

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Typist Cr-1 77-33 which contains the name of Judith Brown,

now, therefore, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the

- X Permanent appointment
- Temporary appointment
- Provisional appointment, pending examination
- Term of office ending _____

of Judith Brown
265 Strawtown Road, New City, New York

to the position of Typist - Building Inspector's Office
at a salary of \$ 5,330.00 (X) per annum; () per hour
effective immediately.

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Proposed resolution re permanent appointment - P/T secretaries to Boards and Commissions -- tabled.

(1971-281) Councilman Niehaus offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for Arts and Crafts Supplies for the Summer Playground Program, said bids to be returnable on May 5, 1971 at 8:29 PM, and be it

FURTHER RESOLVED, that specifications may be obtained at the office of the Recreation Commission, 151 South Main St., New City N Y.

Seconded by Councilman Bolander.

All voted Aye.

(1971-282) Councilman Niehaus offered the following resolution:

WHEREAS, Kaufman Liquor Store, Valley Cottage N Y has applied for exemption from the operation of the Interim Development Law, and

WHEREAS, the Planning Board of the Town of Clarkstown and the Town Planner both recommend approval of this application,

NOW THEREFORE, be it

RESOLVED, that the application of Kaufman Liquor Store, Valley Cottage for exemption from the application of the Interim Development Law be and the same is hereby granted.

Seconded by Councilman Bolander.

All voted Aye.

(1971-283) Councilman Niehaus offered the following resolution:

WHEREAS, Camp Jawanio, New City N Y has applied for exemption from the operation of the Interim Development Law, and

WHEREAS, the Planning Board of the Town of Clarkstown and the Town Planner both recommend approval of this application,

NOW THEREFORE, be it

RESOLVED, that the application of Camp Jawanio, New City N Y for exemption from the application of the Interim Development Law be, and the same is, hereby granted.

Seconded by Councilman Bolander.

All voted Aye.

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(1971-284) Councilman Niehaus offered the following resolution:

WHEREAS, it is necessary that a change be made in the widening of Forest Glen Road, a part of Phase I-Valley Cottage Mall, and

WHEREAS, the estimated cost of such change order is not to exceed the amount of \$5,800.00;

NOW THEREFORE, be it

RESOLVED, that the Town Planner be, and he hereby is, authorized to execute change Order No. 2 at a cost not to exceed an additional \$5,800.00 said amount to be paid out of Valley Cottage-Phase I Roadway Construction Account.

Seconded by Councilman Bolander.

All voted Aye.

Representative from the Nanuet Beauty Salon appeared before the Town Board re parking.

(1971-285) Councilman Niehaus offered the following resolution:

RESOLVED, that the Town Clerk notify the New York State Department of Transportation that the Town Board of the Town of Clarkstown requests that parking limit on Main St., Nanuet N Y be extended from one (1) hour to two (2) hours.

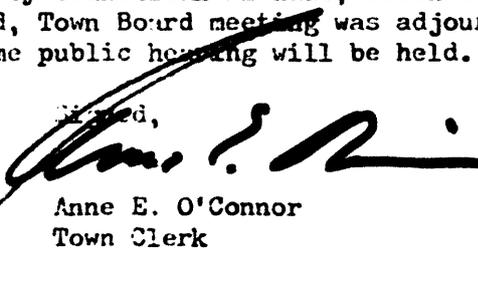
Seconded by Councilman Bolander.

All voted Aye.

Councilman Bolander requested that the possible violation of the litter law on premises owned by Hutton-Johnson should be investigated; also requesting report on same. Highway Superintendent mentioned that South Middletown Road, state road.

On resolution offered by Councilman Niehaus, seconded by Councilman Bolander and unanimously adopted, Town Board meeting was adjourned until Wednesday, 4/28/71 at 8:00 PM, at which time public hearing will be held.

Signed,


Anne E. O'Connor
Town Clerk