

TOWN BOARD MEETING

Town Hall

10/6/71

8:00 PM

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

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

(1971-757) Councilman Niehaus offered the following resolution:

RESOLVED, that time for receiving bids for General Contracting Phase II Town Hall Annex 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. D. MC LEOD, INC.	
84 Castle Heights Ave., Nyack N Y .....	\$32,984.00
D. H. & S. CONSTRUCTION CORP	
65 South Liberty Drive	
Stony Point, New York	
General.....	\$23,358.00
Heat & Air.....	\$14,850.00
Plumbing.....	\$ 4,290.00
Electrical.....	\$16,720.00

(1971-758) Councilman Frohling offered the following resolution:

RESOLVED, that decision on award of bid for General Contracting Phase II Town Hall Annex be reserved.

Seconded by Councilman D'Antoni.

All voted Aye.

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(1971-759) Councilman Bolander offered the following resolution:  
time for receiving  
RESOLVED, that/bids for HVAC Contract for Phase II of the Town  
Hall Annex be closed, and be it

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

Seconded by Councilman Niehaus. All voted Aye.

The following bids were received:

HAUSER BROS., INC. 33 Old Tappan Road, Tappan, New York.....	\$16,100.00
HARRY HOYLE CONTRACTING CO., INC. 29 N. Franklin St., Nyack N Y .....	\$25,190.00
ALL-COUNTY HEATING & AIR CONDITIONING CORP., INC. 26 West Washington Avenue Pearl River, New York .....	\$15,478.00

(1971-760) Councilman Frohling offered the following resolution:  
RESOLVED, that decision on award of bid for HVAC Contract  
for Phase II of the Town Hall Annex be reserved.

Seconded by Councilman Niehaus. All voted Aye.

(1971-761) Councilman D'Antoni offered the following resolution:  
RESOLVED, that time for receiving bids for Plumbing Phase II  
Town Hall Annex be closed, and be it

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

Seconded by Councilman Frohling. All voted Aye.

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The following bids were received:

HAUSER BROS., INC.  
33 Old Tappan Road,  
Tappan, New York ..... \$6,140.00

HARRY HOYLE CONTRACTING CO., INC.  
29 N. Franklin St.,  
Nyack N Y ..... \$5,773.00

(1971-762) Councilman Niehaus offered the following resolution:

RESOLVED, that decision on award of bid for Plumbing Phase II  
Town Hall Annex be reserved.

Seconded by Councilman Bolander. All voted Aye.

(1971-763) Councilman D'Antoni offered the following resolution:

RESOLVED, that time for receiving bids for Electrical Contract  
Phase II Town Hall Annex be closed, and be it

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

Seconded by Councilman Niehaus. All voted Aye.

The following bid was received:

TAPPAN ZEE ELECTRIC CO., INC.  
311 Main St. Nyack N Y..... \$19,300.00

(1971-764) Councilman Niehaus offered the following resolution:

RESOLVED, that decision on award of bid for Electrical Contract  
Phase II of the Town Hall Annex be reserved.

Seconded by Councilman D'Antoni. All voted Aye.

All bids to be forwarded to architect for recommendations.

Supervisor Vines proclaimed the following:

"WHEREAS, The Right Reverend Andrei, Bishop of Rockland, was born on March 28, 1893 in Romni, Russia, the son of wealthy parents; and

WHEREAS, on the 14th day of October, 1921, he abandoned his worldly career as an engineer-economist, and was ordained Father Adrian; and

WHEREAS, His Church was closed by communist persecution in 1926, and he was exiled from his native town, and later imprisoned; and

WHEREAS, following his release from prison, he was constantly under Soviet Secret Police supervision; and

WHEREAS, after the German invasion in 1940, Father Adrian, in charge of a convent with hospital, organized his flock to feed them, protect them, and save lives; and

WHEREAS, Father Adrian, and his congregation began a long and dangerous pilgrimage westward, and in April 1945, in Westerheim, with German and American tanks dueling in the streets, Father Adrian went forward with a Madonna-picture in hand, the shooting stopped, and the congregation went through; and

WHEREAS, in 1949, seeking a permanent resting place for his people where they could worship God in peace, freedom and security, Father Adrian brought his congregation to the United States of America, and in 1951 purchased property in Spring Valley, settled his community, and named it "Novo-Diveevo;" and

WHEREAS, in 1962 Father Adrian became a monk and was elevated to the Episcopacy as Bishop Andrei; and

WHEREAS, throughout these fifty years of exile, imprisonment and hardship, Bishop Andrei has devoted his every effort to the greater glory of God;

NOW THEREFORE, be it

RESOLVED, that I WILLIAM E. VINES, Supervisor of the Town of Clarkstown, do hereby proclaim that Thursday, October 14th, 1971, be declared "BISHOP ANDREI DAY" in the Town of Clarkstown, and ask God to shower His blessings on Bishop Andrei, and his flock, who have long devoted themselves to the Honor and Glory of God.

Signed: WILLIAM E. VINES, SUPERVISOR

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(1971-765) Councilman Frohling offered the following resolution:

RESOLVED, that the resignation of Josephine Impastato, 4 Birch Drive, Nanuet, New York, as Crossing Guard, is hereby accepted with regret, effective and retroactive to Sept. 24, 1971.

Seconded by Councilman D'Antoni.

All voted Aye.

(1971-766) Councilman Frohling offered the following resolution:

WHEREAS, the West Nyack Little League desires to enter into an agreement with the Town of Clarkstown for the use of a portion of the Traphagen parkland property; and

WHEREAS, the Director of Recreation recommends that the said parkland property be used by the West Nyack Little League,

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby directed to prepare the aforementioned agreement, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute said agreement on behalf of the Town of Clarkstown.

Seconded by Councilman D'Antoni.

All voted Aye.

(1971-767) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for Police Winter Uniforms said bids to be returnable October 20, 1971 at 8:05 P.M. and be it

FURTHER RESOLVED, that specifications can be obtained at the Police Department, 10 Maple Avenue, New City, New York.

Seconded by Councilman D'Antoni.

All voted Aye.

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(1971-768) Councilman D'Antoni offered the following resolution:

RESOLVED, that Edwin F. Murdock, Sr., Fire Inspector, is hereby authorized to attend the Fire Marshals & Inspectors Seminar, October 20 and 21, 1971, at the New York State Academy of Fire Science in Montour Falls, New York, expenses not to exceed \$75.00 to be made a proper town charge.

Seconded by Councilman Frohling.

All voted Aye.

(1971-769) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic Advisory Board, the Superintendent of Highways is hereby authorized to install two (2) STOP signs on the northwest and southeast corners of Dorchester at Concord Drive, New City, New York.

Seconded by Councilman Niehaus.

All voted Aye.

(1971-770) Councilman Frohling offered the following resolution:

RESOLVED, that the application of WARREN F. WARD for a change of zoning from an R-15, R-22 and R-7.5 District to an RG-1 District, on property located on north by Old Nyack Turnpike, on east by Laurel Road and immediately south, Central Nyack, be referred to the Town Planning Board for report pursuant to the provisions of Secs. 8.41, 8.42 and 8.421 of the Clarkstown Building Zone Ordinance and to the Rockland County Planning Board pursuant to Secs. 239-L and 239-M of the General Municipal Law.

Seconded by Councilman D'Antoni.

All voted Aye.

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(1971-771) Councilman D'Antoni offered the following resolution:

RESOLVED, that the application of M. SPIEGEL AND SONS OIL CORP. for a Special Permit for the erection of a gas filling station pursuant to requirements of Sec. 8.333 and 4.3 (G) (Table of General Use Regulations) of the Town of Clarkstown Building Zone Ordinance adopted April 4, 1939, and as amended, for property in an M District located on the westerly side of Route 303 in the Hamlet of West Nyack, New York, be referred to the Planning Board for report and also to the Rockland County Planning Board, pursuant to Sections 239 (L) and (M) of the General Municipal Law.

Seconded by Councilman Niehaus.

All voted Aye.

(1971-772) Councilman Niehaus offered the following resolution:

WHEREAS, Edwin C. Riley and Doris Riley, his wife, residing at 49 Germonds Road, New City N Y have executed an easement for a strip of land approximately 10 feet wide by 129 feet long and are offering it to the Town for Sewer District No. 39B in consideration of the sum of One Hundred Fifty (\$150.) Dollars, and a copy of the easement agreement, survey and description having been examined by the members of the Town Board present at the adoption of this resolution; and

WHEREAS, Joseph F. X. Nowicki, Counsel for Sewer and Improvement Districts, recommends that said easement be accepted by the Town of Clarkstown and said fee paid;

NOW THEREFORE, be it

RESOLVED,

1. That the Supervisor of the Town of Clarkstown is hereby authorized to accept said easement on behalf of the Town, and

2. That Sewer District No. 39B is hereby authorized to pay the sum of One Hundred Fifty (\$150.) Dollars for said easement.

Seconded by Councilman D'Antoni.

All voted Aye.

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(1971-773) Councilman Frohling offered the following resolution:

RESOLVED, that Barbara Chase of the Assessor's Office, residing at 57C Gail Drive, Nyack, New York, is hereby granted a meternity leave of absence, commencing November 15, 1971 through May 14, 1972, without compensation.

Seconded by Councilman D'Antoni.

All voted Aye.

(1971-774) Councilman Frohling offered the following resolution:

(INSERT BOND RESOLUTION AUTHORIZING CONSTRUCTION & INSTALLATION OF SURFACE DRAINAGE SEWER FACILITIES AND APPURTENANCES THERETO THE ESTIMATED MAXIMUM COST OF SAID CLASS OF OBJECTS OR PURPOSES IS \$250,000, APPROPRIATING SAID AMOUNT THEREFOR & AUTH. THE ISSUANCE OF \$250,000 SERIAL BONDS TO FINANCE SAID APPROPRIATION)

Seconded by Councilman D'Antoni.

All voted Aye.

(See following page.)

(1971-775) Councilman D'Antoni offered the following resolution:

WHEREAS, \$250,000 was recently appropriated by the Town Board to help alleviate and correct some of the drainage problems that exist in the township, and

WHEREAS, the list of projects and work to be completed by this appropriation was compiled by the Superintendent of Highways and the Town Engineer,

NOW THEREFORE, be it

RESOLVED, that a monthly report regarding the progress of this work be filed with the Town Clerk, with copies to each member of the Town Board with attachment thereto the location as completed, full cost of each project, and to whom it was paid, and be it

FURTHER RESOLVED, that any project cost in excess of \$2,500. be properly let to bid in accordance with town and Municipal Law, and be it

FURTHER RESOLVED, that this report be affirmed and attested to by the Superintendent of Highways and the Town Engineer respectively.

Seconded by Councilman Frohling.

All voted Aye.

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(1971-776) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Building Inspector is hereby authorized to issue a building permit to Vincenzo and Rosemarie Affrunti for property on the west side of proposed Rockland Avenue, Conger, New York, under provisions of Section 280-A; based upon compliance with road specifications under Sec. 280-A and agreement to participate in any future road improvement district.

Seconded by Councilman Niehaus.

All voted Aye.

(1971-777) Councilman Niehaus offered the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Second Provisional appointment, pending examination, of Vera McKeever, Helene Road, Valley Cottage N Y to the position of Account Clerk-Typist - Town Comptroller's Office, at a salary of \$6,474.00 per annum; effective immediately.

Seconded by Councilman Frohling.

All voted Aye.

(1971-778) Councilman D'Antoni offered the following resolution:

WHEREAS, the State Board has requested George K. Mellersten, Assessor, to attend training sessions in Albany from October 11-15, 1971 in accord with Chapter 957 of the Laws of 1970,

NOW THEREFORE, be it

RESOLVED, that George Mellersten, Assessor, is hereby authorized to attend the training sessions in Albany from October 11-15, 1971, and be it

FURTHER RESOLVED, that all lawful expenses incurred be made a proper town charge.

Seconded by Councilman Niehaus.

All voted Aye.

TM - 10/6/71  
 (Continued)  
 (1971 774)

Councilman Frohling offered the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,  
 NEW YORK, ADOPTED OCTOBER 6, 1971,  
 AUTHORIZING CONSTRUCTION AND INSTALLATION  
 OF SURFACE DRAINAGE SEWER FACILITIES  
 AND APPURTENANCES THERETO IN  
 SAID TOWN, STATING THE ESTIMATED MAXIMUM  
 COST OF SAID CLASS OF OBJECTS OR PURPOSES  
 IS \$250,000, APPROPRIATING SAID AMOUNT  
 THEREFOR AND AUTHORIZING THE ISSUANCE OF  
 \$250,000 SERIAL BONDS TO FINANCE SAID  
 APPROPRIATION.

RESOLVED BY THE TOWN BOARD OF THE TOWN OF  
 CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK (by the  
 favorable vote of not less than two-thirds of all the members of said Board)  
 AS FOLLOWS:

Section 1. The Town of Clarkstown (herein called "Town"),  
 in the County of Rockland, New York, is hereby authorized to construct  
 and install surface drainage sewer facilities (designated as Drainage  
 Project No. 7, consisting of mains, receivers, catch basins, manholes and  
 appurtenances thereto in public streets or portions therefor and easements  
 or other rights in land acquired or to be acquired therefor, in the Town,  
 including original equipment, machinery and apparatus required therefor,  
 all in accordance with plans and specifications to be prepared by the Town  
 Engineer, filed or to be filed in the Office of the Town Clerk and approved or  
 to be approved by the Town Board of the Town. The estimated maximum cost  
 of said class of objects or purposes, including preliminary costs and costs  
 incidental thereto and the financing thereof, is \$250,000 and the said  
 amount is hereby appropriated therefor. The plan of financing is the

GEB165

issuance of \$250,000 serial bonds to finance said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon.

Section 2. Serial bonds in the principal amount of \$250,000, of the Town, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the class of objects or purposes for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years, but the maturity of said bonds shall not exceed fifteen (15) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the making of expenditures from the proceeds of said bonds herein authorized or any bond anticipation notes in anticipation of the sale of said bonds or from a fund into which the proceeds of said bonds or such bond anticipation notes are paid, pursuant to the provisions of Section 107.00 d. 4 of the Law.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by §52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably

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(Continued)  
(1971 774)

pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budgets of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of §50.00 and §§56,00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

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GEB 66B165

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

AYES: Messrs. William E. Vines, Supervisor  
Councilman Philip J. Frohling, Jr.  
Councilman Frank Bolander, Jr.  
Councilman Anthony D'Antoni  
Councilman William R. Niehaus

NOES:  
None

The resolution was declared unanimously adopted.

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At a regular meeting of the Town Board of the Town of Clarkstown, in the County of Rockland, New York, held at the Town Hall, New City, New York, in said Town of Clarkstown, on the 6th day of October, 1971

PRESENT:	William E. Vines	Supervisor
	Philip J. Frohling	Councilman
	Anthony D'Antoni	Councilman
	Frank Bolander	Councilman
	William Niehaus	Councilman

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 In the Matter of :  
 Extension of Clarkstown Consolidated :  
 Water Supply District No. 1 to include: :  
 Area in the vicinity of Route 303 approx :  
 2,835 ft. north of center line of Birch- :  
 -----  
 WOOD DRIVE

ORDER  
EXTENDING  
DISTRICT

GEB165

WHEREAS, The Town Board of the Town of Clarkstown in the County of Rockland, State of New York, has heretofore duly caused a general map, plan and report relating the the proposed extension of the Clarkstown Consolidated Water Supply District No. 1 in said Town of Clarkstown, as hereafter described, and which map, plan and report have been duly filed in the Office of the Town Clerk of said Town for public inspection; and

WHEREAS, pursuant to resolution duly adopted on 8/25/71 said Town Board determined to proceed with the establishment of said proposed extension of the Clarkstown Consolidated Water Supply District No. 1 and adopted an order reciting a description of the boundaries of said proposed extension in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for the performance or supplying of services and the fact that a map, plan and report describing the same are on file in the Town Clerk's Office for public inspection and specifying 8/25/71 at 9:45 o'clock P.M. as the time when, and the Town Hall, 10 Maple Avenue, New City, in said Town, as the place where the said Town Board would meet to consider the proposed extension of said Clarkstown Consolidated Water Supply District No. 1 and the supplying of services therein, and to hear all persons interested in the subject thereof concerning

the same, and for such other action on the part of said Town Board in relation thereto as may be required by law; and

WHEREAS, copies of such order were duly published and posted pursuant to the provisions of Article 12-A of the Town Law; and

WHEREAS, a public hearing in the matter was duly held by said Town Board on the 25<sup>th</sup> day of August 1971 commencing at 2:45 o'clock P.M. at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the establishment of said proposed extension of the Clarkstown Consolidated Water Supply District No. 1 and the performance or supplying of services therein; and

WHEREAS, said Town Board by resolution adopted on 8/25/71 determined 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 extension of the Clarkstown Consolidated Water Supply District No. 1 hereinabove referred to are benefited thereby;

(c) all the property and property owners benefited are included within the limits of said proposed extension of the Clarkstown Consolidated Water Supply District No. 1; and

(d) it is in the public interest to establish said proposed extension of the Clarkstown Consolidated Water Supply District No. 1, and

WHEREAS, pursuant to said resolution, the Town Board approved the extension of the Clarkstown Consolidated Water Supply District No. 1 as described therein and the supplying of services as set forth in said order calling the public hearing, and

WHEREAS, the Town Board, pursuant to said resolution, provided that the maximum amount proposed to be expended for the performance or supplying of services in said extension is \$100.00 annually for each fire hydrant installed, which said amount shall be raised by taxation in the

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(Cont'd.)

proposed extension of said district pursuant to the Town Law, and

WHEREAS, the Town Board, pursuant to said resolution, provided that said resolution shall take effect thirty days after its adoption unless there shall be filed with the Town Clerk a petition signed and acknowledged by the owners of taxable real property situate in the proposed extension, as provided by law, and no such petition requesting that the matter be submitted to a referendum of the owners having been filed with the Town Clerk;

NOW THEREFORE, be it

ORDERED, that the Clarkstown Consolidated Water Supply District No. 1 is hereby extended, said extension being more particularly described in Schedule attached hereto and made a part hereof, and be it further

ORDERED that the cost of performing or supplying the services in said extension shall not exceed \$100.00 annually for each fire hydrant installed, which said amount shall be raised by taxation in the said extension of said district pursuant to the Town Law, and be it further

ORDERED that within ten days after the adoption of this Order, the Town Clerk shall record with the Clerk of the County of Rockland and file with the Department of Audit and Control in Albany, New York, copies of said Order certified by the Town Clerk.

Dated: October 6, 1971

TOWN BOARD OF THE TOWN OF CLARKSTOWN

*Wm. E. Davis*  
\_\_\_\_\_  
Supervisor

*John J. ...*  
\_\_\_\_\_  
Councilman

*W. R. ...*  
*Anthony A. ...*  
\_\_\_\_\_  
Councilman

*... Jr.*  
\_\_\_\_\_  
Councilman

Members of the Town Board of the  
Town of Clarkstown, New York

(SEAL)

GEB165

At a regular meeting of the Town Board of the Town of Clarkstown, in the County of Rockland, New York, held at the Town Hall, New City, New York, in said Town of Clarkstown, on the 6th day of October, 1971

PRESENT: William E. Vines	Supervisor
Philip J. Frohling	Councilman
Anthony D'Antoni	Councilman
Frank Bolander	Councilman
William Niehaus	Councilman

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In the Matter of	:
Extension of Clarkstown Consolidated Water Supply District No. 1 to include:	:
Area in vicinity of The new STRAWTOWN ELEMENTARY SCHOOL	:
-----	:
	ORDER
	EXTENDING
	DISTRICT

GE8165

WHEREAS, The Town Board of the Town of Clarkstown in the County of Rockland, State of New York, has heretofore duly caused a general map, plan and report relating the the proposed extension of the Clarkstown Consolidated Water Supply District No. 1 in said Town of Clarkstown, as hereafter described, and which map, plan and report have been duly filed in the Office of the Town Clerk of said Town for public inspection; and

WHEREAS, pursuant to resolution duly adopted on 8/25/71 said Town Board determined to proceed with the establishment of said proposed extension of the Clarkstown Consolidated Water Supply District No. 1 and adopted an order reciting a description of the boundaries of said proposed extension in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for the performance or supplying of services and the fact that a map, plan and report describing the same are on file in the Town Clerk's Office for public inspection and specifying 8/25/71 at 9:30 o'clock P.M. as the time when, and the Town Hall, 10 Maple Avenue, New City, in said Town, as the place where the said Town Board would meet to consider the proposed extension of said Clarkstown Consolidated Water Supply District No. 1 and the supplying of services therein, and to hear all persons interested in the subject thereof concerning

the same, and for such other action on the part of said Town Board in relation thereto as may be required by law; and

WHEREAS, copies of such order were duly published and posted pursuant to the provisions of Article 12-A of the Town Law; and

WHEREAS, a public hearing in the matter was duly held by said Town Board on the 25<sup>th</sup> day of August 1971, commencing at 9:30 o'clock P.M. at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the establishment of said proposed extension of the Clarkstown Consolidated Water Supply District No. 1 and the performance or supplying of services therein; and

WHEREAS, said Town Board by resolution adopted on 8/25/71 determined 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 extension of the Clarkstown Consolidated Water Supply District No. 1 hereinabove referred to are benefited thereby;

(c) all the property and property owners benefited are included within the limits of said proposed extension of the Clarkstown Consolidated Water Supply District No. 1; and

(d) it is in the public interest to establish said proposed extension of the Clarkstown Consolidated Water Supply District No. 1, and

WHEREAS, pursuant to said resolution, the Town Board approved the extension of the Clarkstown Consolidated Water Supply District No. 1 as described therein and the supplying of services as set forth in said order calling the public hearing, and

WHEREAS, the Town Board, pursuant to said resolution, provided that the maximum amount proposed to be expended for the performance or supplying of services in said extension is \$100.00 annually for each fire hydrant installed, which said amount shall be raised by taxation in the

proposed extension of said district pursuant to the Town Law, and

WHEREAS, the Town Board, pursuant to said resolution, provided that said resolution shall take effect thirty days after its adoption unless there shall be filed with the Town Clerk a petition signed and acknowledged by the owners of taxable real property situate in the proposed extension, as provided by law, and no such petition requesting that the matter be submitted to a referendum of the owners having been filed with the Town Clerk;

NOW THEREFORE, be it

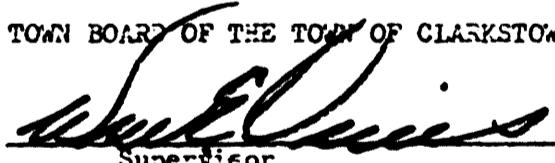
ORDERED, that the Clarkstown Consolidated Water Supply District No. 1 is hereby extended, said extension being more particularly described in Schedule attached hereto and made a part hereof, and be it further

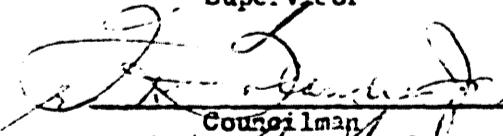
ORDERED that the cost of performing or supplying the services in said extension shall not exceed \$100.00 annually for each fire hydrant installed, which said amount shall be raised by taxation in the said extension of said district pursuant to the Town Law, and be it further

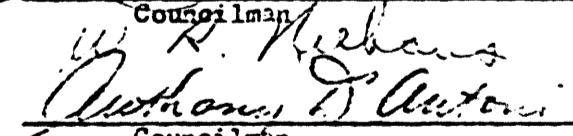
ORDERED that within ten days after the adoption of this Order, the Town Clerk shall record with the Clerk of the County of Rockland and file with the Department of Audit and Control in Albany, New York, copies of said Order certified by the Town Clerk.

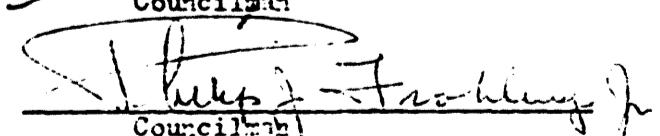
Dated: October 6, 1971

TOWN BOARD OF THE TOWN OF CLARKSTOWN

  
Supervisor

  
Councilman

  
Councilman

  
Councilman

Members of the Town Board of the  
Town of Clarkstown, New York

(SEAL)

GEB165

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Town Board signed ORDER extending Clarkstown Consolidated Water Supply District No. 1 to include area in the vicinity of Route 303, approximately 2835 ft. north of center line of Birchwood Drive. (INSERT ORDER)  
(See preceding page.)

Town Board signed ORDER extending Clarkstown Consolidated Water Supply District No. 1 to include area in vicinity of the new Strawtown Elementary School. (INSERT ORDER)  
(See preceding page.)

GEB165

(1971-779) Councilman D'Antoni offered the following resolution:

RESOLVED, that the application of G & S HOLDING CORP. for a change of zoning from an R-22 District to an R-15 District, on property located in New City, more particularly identified as Lots 26, Block A, Map 58; adjacent to the New City Elementary School property, be referred to the Town Planning Board for report pursuant to the provisions of Secs. 8.41, 8.42 and 8.421 of the Clarkstown Building Zone Ordinance and the Rockland County Planning Board, pursuant to Secs. 239-1 & m of the General Municipal Law.

Seconded by Councilman Niehaus.

All voted Aye.

(1971-780) Councilman Frohling offered the following resolution:

WHEREAS, final approval of a Subdivision of Property for Robert A. Ries was granted by the Planning Board of the Town of Clarkstown on May 26, 1971, and

WHEREAS, said subdivision plat was filed in the Rockland County Clerk's Office on May 27, 1971 as Map No. 4144 in Book 82 of Maps at Page 4, and

WHEREAS, said final subdivision plat indicates an 8.5 foot road widening strip of land along Ridge Road in Valley Cottage, New York, to be gratuitously conveyed to the town for highway purposes, and

(continued)

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(1971-780 - continued)

WHEREAS, the Superintendent of Highways and the Town Engineer recommend the acceptance of said road widening strip by the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that deed dated August 19, 1971 from Robert A. Ries conveying the before-mentioned road widening strip by the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that deed dated August 19, 1971 from Robert A. Ries conveying the before-mentioned road widening strip as shown in the Final Plat of Robert A. Ries filed in the Rockland County Clerk's Office on May 27, 1971 as Map No. 4144 in Book 82 of Maps at Page 4 is hereby accepted by the Town of Clarkstown and ordered filed in the Rockland County Clerk's Office.

Seconded by Councilman D'Antoni.

All voted Aye.

(1971-781) Councilman Frohling offered the following resolution:

WHEREAS, pursuant to Sec. 165.10 of the Local Finance Law, the sum of \$13,721.77 has been transferred from Money-in Lieu of Land Account to Sewer District No. 20 Account to pay for certain invoices, and

WHEREAS, bond anticipation notes have been issued and monies are available in Sewer District No. 20 Account;

NOW THEREFORE, be it

RESOLVED, that the sum of \$13,721.77 shall be reimbursed to Money in Lieu of Land Account from Sewer District No. 20 Account.

Seconded by Councilman Niehaus.

All voted Aye.

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68165

(1971-782) Councilman Niehaus offered the following resolution:

RESOLVED, that the application of HARRY ADLER for a Special Permit for the erection of a gas filling station pursuant to requirements of Sec. 8.333 and 4.3 (g) Table of General Use Regulations) of the Town of Clarkstown Building Zone Ordinance adopted April 4, 1939, and as amended for property in an RS District located on the southerly line of Route 59 in West Nyack, New York, be referred to the Planning Board for report and also to the Rockland County Planning Board pursuant to Secs. 239 (1) and (4) of the General Municipal Law.

Seconded by Councilman Frohling.

All voted Aye.

(1971-783) Councilman D'Antoni offered the following resolution:

(INSERT RESOLUTION REGARDING PROPOSED AMENDMENTS TO THE BUILDING AND ZONING ORDINANCE FOR SENIOR CITIZENS -- SETTING DATE OF PUBLIC HEARING RE SAME FOR 10/27/71 - 8:00 PM)

Seconded by Councilman Niehaus.

All voted Aye.

(See attached sheet.)

(1971-784) Councilman D'Antoni offered the following resolution:

WHEREAS, a contract was entered into on March 26, 1962 between the Towns of Orangetown and Clarkstown whereby the Town of Orangetown agreed to dispose of the effluent from Clarkstown Sewer District No. 4, Estension in the Hamlet of Nanuet and the Town of Clarkstown agreed to pay certain sums of money in payment of this service, and

WHEREAS, by letter dated October 20, 1969, Supervisor Paul F. Mundt requested that the said contract be terminated, and

WHEREAS, by letter dated November 20, 1969, Supervisor John B. Lovett replied to the aforesaid letter of Supervisor Mundt advising that the Town of Orangetown would interpose no objection to the abrogation of the aforementioned agreement, and

(continued)

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(1971-784 - continued)

WHEREAS, in reliance upon the letter agreement referred to herein, the Clarkstown Sewer Consulting Engineer in preparing the engineering plans and construction cost estimates in connection with the lateral sewer lines to be installed in District No. 33B in the Hamlet of Valley Cottage, provided for the transfer of the pumping station being used in Sewer District No. 4, Extension to Sewer District No. 33B, and

WHEREAS, all of the lateral sewer lines have been installed in Sewer District No. 33B and, in order to provide service for approximately one hundred homes in the Hamlet of Valley Cottage, it is necessary to utilize the pumping station presently in use in Sewer District No. 4, Extension, and

WHEREAS, the pumping station presently being used in Sewer District No. 4, Extension can be discontinued upon the installation of approximately 30 feet of concrete pipe which will connect Sewer District No. 4, Extension with an existing manhole in the Rockland County Sewer District Interceptor Line, and

WHEREAS, the Towns of Clarkstown and Orangetown have attempted to negotiate the terms of the abrogation of the aforesaid sewer contract dated March 26, 1962 and have been unable to reconcile the question of payment for the abrogation of the aforesaid contract, and

WHEREAS, the Rockland County Legislature has agreed to permit the Town of Clarkstown to connect to the existing manhole in the interceptor line adjacent to Sewer District No. 4, Extension, and

WHEREAS, this dispute between the Towns of Clarkstown and Orangetown does not involve the Rockland County Sewer District, and the Town of Clarkstown having agreed to hold the Rockland County Sewer District harmless from any and all liability arising out of the aforesaid dispute,

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown connect to the existing manhole in the Rockland County Sewer Line in the vicinity of East Allison Avenue, Nanuet, and that the Town of Clarkstown pay for the cost of providing such service in accordance with the formula agreed upon between the Town of Clarkstown and the Rockland County Sewer District, and be it

FURTHER RESOLVED, that the Supervisor sign an Agreement between the Town of Clarkstown and Rockland County Sewer Commission for the purpose of connecting said line.

Seconded by Councilman Frohling.

All voted Aye.

(1971-783) Councilman D'Antoni offered the following resolution:

)  
NOTICE OF PUBLIC HEARING ON PROPOSED  
AMENDMENTS TO THE BUILDING AND ZONING  
ORDINANCE OF THE TOWN OF CLARKSTOWN  
REGARDING SENIOR CITIZEN HOUSING

EEC900  
NOTICE IS HEREBY GIVEN THAT a public hearing will be held by the Town Board of the Town of Clarkstown, Rockland County, New York, at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the said Town of Clarkstown, on the 27th day of October, 1971, at 8:00 P.M., to consider proposed amendments to the Building and Zoning Ordinance of the Town of Clarkstown to provide senior citizen housing for the Senior Citizens of the Town of Clarkstown by amending Section 4.32 by adding the following section:

Sec. 4.32(0). SENIOR CITIZEN HOUSING - "State or Federal Aid Non-Profit or Limited Profit Housing for the Elderly."

Copy of said proposed amendments are on file in the Office of the Town Clerk of the Town of Clarkstown.

ALL parties in interest and citizens will be heard by the Town Board at the public hearing to be held as aforesaid.

Dated: October 6, 1971.

ANNE E. O'CONNOR  
TOWN CLERK  
TOWN OF CLARKSTOWN

FREDERICK P. ROLAND  
TOWN ATTORNEY  
TOWN OF CLARKSTOWN  
10 Maple Avenue  
New City, New York 10956

Seconded by Councilman Niehaus.

All voted Aye.

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(1971-785) Councilman Niehaus offered the following resolution:

RESOLVED, that the sum of \$300.00 be transferred from the Current Surplus-General Account to the Dog Warden Expense account for the purpose of maintaining stray dogs picked up in the town.

Seconded by Councilman D'Antoni

All voted Aye.

Mr. Richard Bialek appeared before the Town Board re payment to Nick Guttman of a \$5.00 fee for sewer processing in Sewer District 13, also stating no Performance Bond posted with second agreement. He was informed that town could not make decision re same; that he should retain counsel.

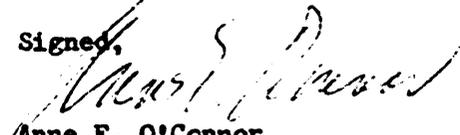
Mr. Bialek also requested answer on Dellwood property. Supervisor stated that we are under Court Order concerning Dells Property. We cannot spend any money until we find where we are going in that particular operation; also, we did not think it proper to dismiss committee at this time.

Mr. Eugene Zimbarg, 15 Woodthrush Drive, W. Nyack N Y appeared before the Town Board in his capacity of Chairman of the Health and Safety Comm. of the new Strawtown School PTA. He inquired as to status of sidewalk to Strawtown School. Town Engineer informed Mr. Zimbarg that it will be a raised sidewalk; this is a county road and county requests that drainage not be interfered with. There is problem with drainage on Strawtown. He stated that by end of this week he will have everything ready for the Highway Superintendent to proceed; Highway Superintendent stated he will proceed as quickly as possible;

Mr. Zimbarg also requested that the Town Board consider a check on School Crossing Guard at 8:15AM and 3:15 PM at this school location. Matter will be checked out by Police Department (patrol car suggested); and Town Board will discuss.

On resolution offered by Councilman Niehaus, seconded by Councilman Frohling and unanimously adopted, Town Board meeting was adjourned until Wednesday, October 13th, 1971 at 8:00 PM, at which time scheduled public hearings will be held at the Town Hall Meeting Room.

Signed,

  
Anne E. O'Connor  
Town Clerk

6EB165