

TOWN BOARD MEETING

Town Hall

12/29/71

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.

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

Republic Insurance Company Bond #906742
MALAN DEV. CORP., Princ. (WOODBROOK ESTATES)
Amount: \$4,420.00
Pd. Covered: One (1) Year - 12/29/71 - 12/28/72
Covers: Roads

Republic Insurance Company Bond #906743
MALAN DEV. CORP., Princ. (WOODBROOK ESTATES)
Amount: \$1,480.00
Pd. Covered: One (1) Year - 12/29/71 - 12/28/72
Covers: Sanitary Sewers

(1971-953) Councilman Bolander offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 25th day of August 1971, provided for a public hearing on the 23rd day of September 1971 at 7:30 PM, to consider the application of INTERNATIONAL AUTO EXCHANGE, LTD. to amend the Zoning Ordinance of the said petitioner from a CS district to an RS district; and

WHEREAS, notice of said public hearing was duly published as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an CS district to an RS district, the following described property in the Hamlet of Bardonia, New York in said Town and is described as follows: (INSERT SCHEDULE A)

(See Attached sheet for Schedule A).

Seconded by Councilman Niehaus.

All voted Aye

GEB179

SCHEDULE

A

BEGINNING at a point in the westerly line of Route 304 (S.H. 90) which point is the following two courses and distances from its intersection with the northerly line of Dustman Lane right-of-way.

- (a) North 22° 32' 08" East to a Rockland State monument a distance of 44.01 feet, and
- (b) North 21° 49' 56" East, 155.99 feet to the point or place of beginning and running thence:

- (1) North 21° 49' 56" East along the westerly line of Route 304 a distance of 118.22 feet to a New York State monument at the southeasterly corner of lands now or formerly of Hobesil; thence,
- (2) North 55° 50' 05" West along land of said Hobesil 211.66 feet to an iron pipe; thence,
- (3) South 36° 43' 25" West along lands now or formerly of Cahow 136 feet to a point; thence,
- (4) South 60° 37' 34" East along lands now or formerly of grantor a distance of 243.84 feet to the point or place of beginning; said lands being further described as lots 4 & 5 on the survey of the "Subdivision of Property for Philomena R. Hudson, Bardonia, Town of Clarkstown, Rockland County, New York, dated September 22, 1970, made by Jack D. Roswell & Assoc."

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(1971-954) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 34d day of November 1971, provided for a public hearing on the 8th day of December 1971 at 8:00 PM to consider the application of WARREN F. WARD to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an R-15, R-22 and R-7.5 district to an RG-1 district; and

WHEREAS, notice of said public hearing was duly published as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the application be DENIED.

Seconded by Councilman Niehaus.

On roll call the vote was as follows:

AYES: Councilmen Niehaus, Frohling, Supervisor Vines
NOES: Councilman Bolander

Motion carried.

(1971-955) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 3rd day of November 1971, provided for a public hearing on the 8th day of December 1971 at 8:10 PM to consider the application of THOMAS AQUILINO to amend the Zoning Ordinance of the said petitioner from an R-7.5 district to an M district; and

WHEREAS, notice of said public hearing was duly published as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW THEREFORE, be it

RESOLVED that for reasons of public health, safety and welfare, the application be DENIED.

Seconded by Councilman Niehaus.

All voted Aye.

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Resolution re decision on Special Permit application made by
Spring Valley Water Company, Inc. for erection of a water tower - deferred.

(1971-956) Councilman Niehaus offered the following resolution:

(INSERT RESOLUTION ADOPTING A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE
OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC
PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP
OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE
TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE
OF NEW YORK) (LL #9-1971)

Seconded by Councilman Frohling.

On roll call the votewas as follows:

AYES: Councilmen Niehaus, Frohling, Supervisor Vines
NOES: Councilman Bolander.

Motion carried.

(See Attached Sheet.)

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(1971-956)

Councilman Niehaus offered the following resolution:

RESOLUTION #956 ADOPTED TOWN BOARD MEETING 12/29/71

RESOLUTION ADOPTING A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)

WHEREAS, a proposed Local Law entitled "LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)" was introduced by Councilman D'Antoni, a member of the Town Board of the Town of Clarkstown, at a Town Board meeting held on July 28, 1971, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution, duly adopted on July 28, 1971, directed that a public hearing be held on the 25th day of August, 1971, at 9:15 P.M. in the evening, to consider the adoption of said local law, and

WHEREAS, a notice of said public hearing was duly prepared and published in the Journal News on August 14, 1971, and posted on the sign board of the Town of Clarkstown on the 14th day of August, 1971, and

WHEREAS, a public hearing was held by the Town Board on the 25th day of August, 1971, at 9:15 P.M. in the evening, and

WHEREAS, copies of the proposed local law in final form were mailed to the members of the Town Board on the 3rd day of December, 1971;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown

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hereby adopts Local Law No. 9 -1971 entitled "LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)", and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown is directed to file said Local Law pursuant to Section 27 of the Municipal Home Rule Law.

Dated: December 29, 1971

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilman Niehaus, Frohling, Supervisor Vines
NOES: Councilman Bolander.

Motion carried.

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(1971-957) Councilman Niehaus offered the following resolution:

RESOLVED, that the minutes of the Town Board meeting of December 8th, 1971, are hereby accepted.

Seconded by Councilman Bolander.

All voted Aye.

(1971-958) Councilman Niehaus offered the following resolution:

WHEREAS, E. J. K. REALTY NEW YORK CORP. made application for a Special Permit for a gasoline filling station to be located in the Korvette Shopping Center on the southerly side of Route 59 in the Hamlet of Nanuet, New York pursuant to the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board on the 13th day of October 1971 at 8:30 PM in the Town Hall, New City N Y to consider such application, and

WHEREAS, a decision on this application had not been reached due to a vote by a divided board, and

WHEREAS, the applicant commenced an article 78 proceeding against the Town of Clarkstown seeking the issuance of said Special Permit, and

WHEREAS, by Order and Judgment signed by the Hon. John P. Donchue and entered on the 16th day of December 1971, the Town of Clarkstown was directed to issue said Special Permit for a gasoline filling station to the petitioner;

NOW THEREFORE, be it

RESOLVED, that pursuant to the Court Order dated December 16, 1971, a Special Permit for a gasoline filling station be and hereby is GRANTED to E.J.K. REALTY NEW YORK CORP.

Seconded by Councilman Frohling.

All voted Aye.

(1971- 959) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board believes it is in the best interest of the Town of Clarkstown to encourage the Town Policemen to minimize the use of authorized sick days, and

(continued)

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(1971-959 - continued)

WHEREAS, the Clarkstown Police Department has agreed to an amendment to the present labor agreement which amendment is intended to accomplish this objective;

NOW THEREFORE, be it

RESOLVED, that the Supervisor is authorized to execute the attached Rider amending the labor agreement as aforesaid.

RIDER: (T/C)

'It is understood and agreed by and between the parties hereto that in consideration of the mutual benefits to be derived herein, the within Agreement is hereby amended by adding the following provisions:

G. x. At the time of the resignation or retirement of an employee, he shall, in addition to all other benefits, be paid for any unused sick leave at the following rates:

After 10 years of service - 50%
After 15 years of service - 75%
After 20 years of service and/or retirement - 100%

Any sums paid pursuant to this provision shall not be used in computing any retirement income payments. .
All other terms and conditions of the within Agreement remain unchanged and in full force and effect.
The within amendment shall take effect immediately upon its approval by the Town Board of the Town of Clarkstown and of its approval by the Rockland County Patrolmens' Benevolent Assoc., Incorp.'

Seconded by Councilman Niehaus.

All voted Aye.

(1971-960) Councilman Niehaus offered the following resolution:

RESOLVED, that the Supt. of Highways be and is hereby authorized to do the necessary grading and seeding for the town park, pursuant to lease agreement located at the intersection of Main St. and Congers Rd., New City N Y cost not to exceed \$500.00, and be it

FURTHER RESOLVED, that said charges are to be charged against the Parkland Improvement Account.

Seconded by Councilman Frohling.

All voted Aye.

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(1971-961) Councilman Frohling offered the following resolution:

RESOLVED that Lucille Whalen, 64 Ridge Road, Valley Cottage N Y is hereby granted a Leave of Absence from the Planning Board from February 7, 1972 through March 3, 1972, without compensation.

Seconded by Councilman Niehaus.

All voted Aye.

(1971-962) Councilman Niehaus offered the following resolution:

RESOLVED, that based upon the recommendation of the Town Engineer, a second provisional appointment is hereby granted to Harry Crowe, 11 Brookside Avenue, New City N Y as Foreman (Sewers), at the annual salary for 1972 of \$11,050.00 effective immediately.

Seconded by Councilman Frohling.

All voted Aye.

Councilman D'Antoni appeared and took his place at Board table.

(1971-963) Councilman Niehaus offered the following resolution:

(INSERT RESOLUTION SETTING DATE OF PUBLIC HEARING RE "THE DELLS" - 1/26/72 - 8:15 PM)

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

Motion carried.

(See attached sheet.)

(1971-964) Councilman Niehaus offered the following resolution:

(INSERT RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO DEFEND PROCEEDING BROUGHT BY VINCENT ZEBROWSKI & EUGENIA ZEBROWSKI, PETITIONERS AGAINST THE ZONING BOARD OF APPEALS OF THE TOWN OF CLARKSTOWN)

Seconded by Councilman D'Antoni.

All voted Aye.

(See attached pages).

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(1971- 965) Councilman Niehaus offered the following resolution:

WHEREAS, an action has been brought against the Town of Clarkstown entitled: REGENT LEASING CORP., Plaintiff, against THE TOWN OF CLARKSTOWN, Defendant;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take whatever steps are necessary to defend said action.

Seconded by Councilman D'Antoni.

All voted Aye.

(1971- 966) Councilman Niehaus offered the following resolution:

(INSERT RESOLUTION AUTHORIZING TOWN CLERK TO DISPOSE OF RECORDS PURS. TO SEC. 114 OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION)

Seconded by Councilman D'Antoni.

All voted Aye.

(See following pages.)

(1971-967) Councilman Frohling offered the following resolution:

RESOLVED, that Michele Buonaiuto, 19 Moris Drive New City N Y is hereby appointed as an Office Worker-Student in the Town Justice (Doig's) office January 3, 1972 through January 7, 1972, at the hourly wage of \$2.05.

Seconded by Councilman D'Antoni.

All voted Aye.

(1971-968) Councilman D'Antoni offered the following resolution:

WHEREAS, the following have applied to the Town of Clarkstown for Certificate of Registration in compliance with Sec 34-6 of the Code of the Town of Clarkstown:

(continued)

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(1971-963) Councilman Niehaus offered the following resolution:

WHEREAS, The Dells, Inc. and Bernard G. Nemeroff and others own various properties zoned for Office-Laboratory use in the Town of Clarkstown, which properties are shown as Sections 1, 2, and 3 on a survey annexed hereto, which is marked Exhibit "A", and

WHEREAS, said owners have heretofore filed various applications and petitions for changes of zone for said premises, and

WHEREAS, the Planning Board of the Town of Clarkstown, on the 19th day of June, 1968, by a majority vote, approved a change of zone for said premises from the existing Laboratory-Office zone to a residential zone, providing for approximately 3500 residential units, and a commercial zone of 55 acres thereof, and

WHEREAS, public hearings were held by the Town Board of the Town of Clarkstown, which did not grant any change of said LO zoning, whereupon an action was commenced and tried in the Supreme Court of the State of New York, Rockland County, by said owners of said premises against the Town of Clarkstown, wherein The Hon. Robert E. Dempsey, Justice of the Supreme Court, made a decision on which an interlocutory judgment was entered, finding that the Laboratory-Office zoning of 241.795 acres of said premises was confiscatory, unconstitutional and void, not supported by a comprehensive plan, and adjudging that the defendant Town

of Clarkstown rezone said premises within 90 days, and

WHEREAS, by said interlocutory judgment the court retained jurisdiction over said action, and provided for the entry of such further orders or judgments as it might find necessary, upon appropriate application by any party to said action, and

WHEREAS, both the defendant Town of Clarkstown and the plaintiff owners have appealed from said judgment, and

WHEREAS, §68 of the Town Law authorizes towns to settle pending actions against them, but only with the approval of the court in which such actions are pending, and

WHEREAS, all parties to said action desire to dispose of the pending litigation wherein the said interlocutory judgment was entered, with and subject to the approval of the Supreme Court of the State of New York, and

WHEREAS, plaintiffs have presented a plan and have suggested proposed changes of zoning for the premises affected by which said premises shall, at this time, be rezoned into two RG-2 zones containing, respectively, 126.929 acres and 88.517 acres, and a CS zone containing 13.910 acres, (all three of which zones are specifically described by metes and bounds in Exhibits 1, 2, and 3 annexed hereto, and

WHEREAS, the proposal of plaintiffs was submitted to the Town Planning Board for an advisory report which was made, dated December 15, 1971, and

WHEREAS, the Town Board recognizes that the said premises set forth in Exhibit "A" and described by metes and bounds in Exhibits 1-3 must be properly re-zoned as directed by said interlocutory judgment, and developed for the good and welfare of the residents of the Town of Clarkstown, and plaintiffs have caused to be submitted:

1. A conceptual development plan, submitted by Marvin A. Flam, Architect. (Exhibit "B"), for residential units consisting of approximately 2350 garden apartments located in two RG2 zones, as provided by the present zoning ordinance, and approximately 13 acres of shopping area in a CS zone.

2. A report, submitted by Charles Velzy Associates, Inc., discussing the drainage treatment proposed for this entire area (Exhibit "C").

3. A report of the assessor of the Town of Clarkstown (Exhibit "D") discussing the amount of Town, County, and School taxes that can reasonably be expected to be paid by the owners of the rezoned properties shown on Exhibit "A", after development

NOW, it is hereby

RESOLVED, that a public hearing be held at the ^{Auditorium} ~~Town~~
of the ~~Clarkstown High School~~ ^{North-Carrismuir Lane}
~~Hall, Town of Clarkstown, 10 Maple Avenue, New City, New York,~~

on January 26, 1972, upon the application of Bernard G. Nemeroff, et al, (plaintiffs in the aforesaid action), for a change of zoning for the premises involved in the said litigation to comply with the interlocutory judgment entered therein, by amending the Clarkstown Zoning Ordinance and Zoning map, so as to place those portions of said premises affected by said interlocutory judgment, consisting of 129.929 and 68.517 acres respectively, described by metes and bounds in Exhibits 1 and 2 hereto, in two RG-2 zones under said ordinance, and by placing that portion of said premises described in Exhibit 3 hereto, and consisting of 13.910 acres, in a CS zone, and that said proposed rezoning provide for the following provisions and covenants from the plaintiffs-owners of the premises to be rezoned:

1. That there shall be no more than a total of 2350 residential units permitted to be built on the premises to be rezoned into RG2 zones, totally 215.496 acres, as shown on Exhibit "A", and more specifically, described by metes and bounds on Exhibits 2 and 3.

2. That construction of no more than 350 of such residential units shall be commenced or completed in any calendar year, and that no building permits for more than such number shall be issued in any one calendar year.

3. That no building permits for construction of any structures on the rezoned premises shall be issued

until such time as the owners-plaintiffs or applicants comply with the requirements of all town agencies of the Town of Clarkstown, presently existing or hereafter adopted, including (but not by way of limitation) site approval, subdivision review, and architectural review.

4. That by reason of the inability of the plaintiff land owners at this time to provide detailed plans for the location siting or construction of the structures on the premises to be rezoned, said land owners, for themselves, their assigns and distributees, shall and hereby do consent and covenant that the conceptual plan (Exhibit "B") as prepared by Marvin Flam, be used as a guideline by them and their assigns, and the Planning Board of the Town of Clarkstown, and Town Board, in the long-term development of the premises to be rezoned, and the plaintiff owners, for themselves, their assigns and distributees, covenant that such conceptual plan, shall furnish the principles and guidelines for such development.

5. The owners of said land (plaintiffs in said action) to be rezoned (Sections 1, 2, and 3 hereinbefore described) for themselves, their assigns and distributees, represent, covenant and agree that in order to carry into effect said conceptual plan, (Exhibit "B" hereto) it will become necessary for the Town to adopt an ordinance providing for planned unit development or for open area development, for the premises herein provided to be rezoned, without increasing the density of residential units per acre herein provided.

6. Plaintiff, The Dells, Inc., and plaintiff Bernard G. Homeroff, are the owners of the fee of an interior parcel of land, located between the two new proposed R2 zones, which parcel consists of approximately 217 acres, and is presently under lease dated November 12, 1962, for a period of 21 years, with three separate successive automatic renewal terms of 21 years each, and a fourth such term of 15 years, or a total of 78 years of such renewal terms. Said leased premises are presently occupied by and used as a golf club and golf course, and are not affected by the interlocutory judgment heretofore entered in said litigation. During the first 15 years of the term of said lease and until November 12, 1977, said lease restricts the use of the leased premises to use as a private membership golf and country club. Thereafter, the use of said premises is unrestricted by said lease. The lessor under said lease and all of the lessor's assignees, and the owners of the fee of said leased premises, shall execute and deliver to the Town of Clarkstown, in form satisfactory to counsel, an instrument suitable for recording, wherein and whereby said lessor, assignees and owner or owners, for themselves, their assigns and distributees, covenant and agree that commencing on the date of any termination of said lease, (whether voluntary or involuntary, by operation of law or otherwise) and

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(1971-963 Cont'd.)

during a period of 30 years following such date, they and each of them, will not use, or attempt to use any of said premises, now so leased, for any purpose or use other than, or in addition to the purpose of and use as a golf and country club, as the same is presently used. This covenant shall run with the land now under said lease, and shall inure to the benefit of the present and future owners of the premises to be rezoned; and it is further

RESOLVED, that the Town Clerk publish, according to law, the appropriate public notice of the hearing fixed by this resolution.

Dated: 12/29/71

Seconded by Councilman Frohling.

On roll call the vote was as follows:

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

Motion carried.

Councilman Niehaus offered the following resolution:

RESOLUTION #964 ADOPTED TOWN BOARD MEETING 12/29/71

**RESOLUTION AUTHORIZING THE TOWN
ATTORNEY TO DEFEND PROCEEDING
AGAINST THE TOWN OF CLARKSTOWN**

WHEREAS, a proceeding has been instituted against the
Town of Clarkstown entitled:

In the Matter of the Application of
VINCENT ZEBROWSKI & EUGENJA ZEBROWSKI,
Petitioners,

For a judgment under Article 78 of the Civil
Practic Law and Rules of the State of New York
annuling the decision of the Zoning Board of
Appeals of the Town of Clarkstown, County of
Rockland and the State of New York with respect
to the Application No. 71-963 of said VINCENT
and EUGENJA ZEBROWSKI, for a Special Permit
pursuant to the provision of the Zoning Ordinance
of the Town of Clarkstown, to permit the
conversion of a single family detached residence
into not more than two dwelling units housed
under one roof and directing the granting of the
Special Permit and variance requested and
mandating ROBERT H. BOWMAN, Building and Zoning
Inspector of the Town of Clarkstown, County of
Rockland and the State of New York to issue a
building permit to Petitioners with respect to
the premises located on the east side of Fay
Road, Hamlet of New City, Town of Clarkstown,
Rockland County, New York,

-against-

W. REGINALD HERDMAN, as Chairman of the ZONING
BOARD OF APPEALS OF THE TOWN OF CLARKSTOWN,
COUNTY OF ROCKLAND AND THE STATE OF NEW YORK,
and the entire ZONING BOARD OF APPEALS of said
Town of Clarkstown consisting of W. REGINALD
HERDMAN, THOMAS COLLINS, ROBERT LEVITAN, THOMAS
MORAHAN and RICHARD GARDNER, both individually
and as members of said ZONING BOARD OF APPEALS,
and ROBERT H. BOWMAN, as BUILDING AND ZONING
INSPECTOR OF THE TOWN OF CLARKSTOWN, COUNTY OF
ROCKLAND, AND STATE OF NEW YORK,

Respondents

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized
to take whatever steps are necessary to defend said proceedings.

Dated: December 29, 1971

Seconded by Councilman D'Antoni.

All voted aye.

(1971-966 Cont'd.) Councilman Niehaus offered the following resolution:

RESOLUTION #966 ADOPTED TOWN BOARD MEETING 12/29/71

RESOLVED, By the Town Board of the Town of Clarkstown that Anne E. O'Connor, Town Clerk, be and is hereby authorized to dispose of record item numbers 1, 3, 4, 8, 12, 20, 22, 23, 26, 27, 28, 29, 30, 37, 43, 44, 47, 48, 49, 50, 51, 54, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 78, 79, 80, 86, 87, 88, 90, 91, 93, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 108, 109, 113, 119, 120, 123, 124, 139, 140, 141, 142, 143, 144, 145, 146, 147, 149, 150, 151, 152, 153, 157, 158, 167, 173, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 199, 200, 208, 212, 213, 215, 232 on Records Disposition Request List Number 206-TC-12 issued pursuant to section 114 of the Regulations of the Commissioner of Education, and be it further

RESOLVED, That the Clerk of this Board, be, and hereby is, directed to furnish a certified copy of this Resolution to the Town Clerk to be forwarded to the Commissioner of Education.

I certify that the above is a true copy of the Resolution passed by the Board at a meeting on December 29, 1971.

DATED: December 29, 1971

Seconded by Councilman D'Antoni.

All voted Aye.

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(1971-968) continued)

Ralph Newmeyer Plumbing & Heating, Inc.
(Sole Owner)
67 Parker Avenue
New City N Y

Jacob Van Cura, Sole Owner
3 Old Ox Road
C. Nyack N Y

P.T.E., INC. (Michael Fox)
42 Sherwood Drive
Nanuet N Y

At-Will Plumbing & Heating Serv., Inc.
18 Shetland Drive
New City N Y

NOW THEREFORE, be it

RESOLVED, that the following Certificates of Registration
be issued:

No. 72-21 to Ralph Newmeyer Plumbing & Heating, Inc.
No. 72-22 to Jacob Van Cura
No. 72-23 to P.T.E., Inc. (Michael Fox)
No. 72-24 to At-Will Plumbing & Heating Serv., Inc.

Seconded by Councilman Frohling.

All voted Aye.

(1971 -969) Councilman Frohling offered the following resolution:

WHEREAS, an application has been received on behalf of Uranus Construction Corp. for the diversion of a numbered stream in the Town of Clarkstown on premises located on the w/s of Strawtown Road in a subdivision known as Northerly Acres, and,

WHEREAS, plans indicating the proposed diversion of said watercourse have been reviewed by the Town Engineer and the Planning Board pursuant to the requirements of Sec. 5 of Local Law No. 2-1965 entitled "Local Law Regulating the Use, Obstruction and Diversion of Streams or Water Courses in the Town of Clarkstown, County of Rockland, State of New York" and

WHEREAS, the Town Engineer and the Clarkstown Planning Board approve the diversion of said water course as indicated on the plans submitted in connection with the subdivision known as Northerly Acres:

(continued)

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(1971-969 - continued)

N OW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves the application of Uranus Construction Corp. for the diversion of said stream, bearing a map number NJ1-12-1B, on the premises located on the west side of Strawtown Road in the subdivision known as Northerly Acres, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown and she hereby is authorized to issue the permit required by Local Law No. 2-1965 entitled "Local Law Regulating the Use, Obstruction and Diversion of Streams or Water Courses in the Town of Clarkstown, County of Rockland, State of New York"

Seconded by Councilman Bolander.

All voted Aye.

(1971-970) Councilman Niehaus offered the following resolution:

RESOLVED, that the resignation of Lawrence Rudden, Clarkstown Dog Warden, is hereby accepted with regret, effective January 1, 1972.

Seconded by Councilman D'Antoni.

All voted Aye.

(1971-971) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Town Clerk be and is hereby authorized to advertise for bids for two (2) Traffic Control Signals, specifications to be picked up at the Office of the Supt. of Highways, and be it

FURTHER RESOLVED. that said bids be returnable at the Town Board meeting of January 19, 1972 at 8:10 PM.

Seconded by Councilman Bolander.

All voted Aye.

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(1971 -972) Councilman D'Antoni offered the following resolution:

WHEREAS, the Supt. of Highways has recommended that three (3) Sand and Salt Spreaders be declared surplus and sold on public bid rather than traded in on new equipment,

NOW THEREFORE, be it

RESOLVED, that the Town Board declares three (3) Sand and Salt Spreaders surplus and be it

FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to advertise for bids for the sale of the aforementioned equipment, said bids to be returnable at the Town Board Meeting of 1/19/72 at 8:15 PM, and be it

FURTHER RESOLVED, that said equipment be available for inspection between the hours of 9:00 AM and 4:00 PM.

Seconded by Councilman Frohling.

All voted Aye.

(1971 -973) Councilman D'Antoni offered the following resolution:

RESOLVED, that upon recommendation of the Highway Supt. and the Town Engineer, two (2) deeds from RALEIGH ESTATES, INC. dated 11/1/71 conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of RALEIGH ESTATES filed in the Rockland County Clerk's Office in Map Book 76 at Page 15 as Map #3771 as follows:

Raleigh Drive, Glen Haven Drive, Auburn Drive,
Clifton Court and York Drive,

are hereby accepted by the Town of Clarkstown and ordered filed in the Rockland County Clerk's Office; and be it

FURTHER RESOLVED, that Performance Bonds Nos 902549 and 902550 dated the 8th day August 1968, Raleigh Est., Inc. Alex Weisfeld and Bernard Fisher as Principal; and Republic Insurance Co. as Surety, for the benefit of the Town of Clarkstown, are hereby released.

Seconded by Councilman Bolander.

All voted Aye.

GEB165

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

Republic Insurance Co. Bond #907878 (superseded by #902550)
RALEIGH ESTATES, INC., Principal
Amount: \$8,530.00
Period: One (1) Year - 12/29/71 - 12/28/72
Covers: Roads

Republic Insurance Co. Bond #907877 (supersedes 902549)
RALEIGH ESTATES, INC., Principal
Amount: \$2,160.00
Period: One (1) Year - 12/29/71 - 12/28/72
Covers: Sewers

The Study Committee for Parks and Recreation Facilities submitted
an Interim Minority Report signed by William M. Rau and Florence Langan
requesting an extension of time for submitting further report on location
of swimming pool, etc. in connection with Traphagen Property.

(1971-974) Councilman Frohling offered the following resolution:

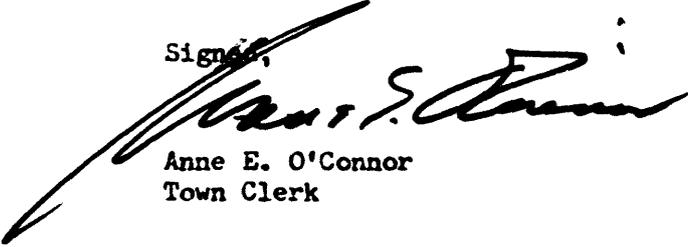
(INSERT RESOLUTION GRANTING a 30-DAY EXTENSION, FROM 1/18/72 to 2/18/72,
FOR REPORT FROM THE STUDY COMMITTEE FOR PARKS AND RECREATION FACILITIES
IN CONNECTION WITH LOCATION OF SWIMMING POOL ON TRAPHAGEN PROPERTY)

Seconded by Councilman D'Antoni.
(See attached sheet.)

All voted Aye.

Councilmen Frohling and Bolander addressed the Town Board
and members of the public present at the meeting, this being their
last Town Board meeting as Councilmen. After receiving the best wishes
of all present, the Supervisor terminated the Town Board meeting. The
next Town Board meeting will be held at the Town Hall on Wednesday,
January 5th, 1972 at 8:00 PM, at which time organization matters will
be handled by the new Town Board.

Signed,


Anne E. O'Connor
Town Clerk

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(1971-974)

Councilman Frohling offered the following resolution:

RESOLUTION #974 ADOPTED TOWN BOARD MEETING
12/29/71

RESOLVED, based upon request made by Mr. Garrison et al,
that the Parks and Recreation Commission be granted a 30-day
extension for submission of Interim Report in connection with
Traphagen Complex, from January 18th, 1972 to February 18, 1972.

Seconded by Councilman D'Antoni.

All voted Aye.