

TOWN BOARD MEETING

July 8th, 1940

Present: Mr. Eberling
 Dr. Gilchrest
 Mr. Goebel
 Mr. Jacobsen
 Mr. Blauvelt

Mr. Blauvelt called the meeting to order.

Mr. Cox of Central Nyack appeared before the Board and requested that some action be taken to correct a condition of water in his cellar, which is caused, he believes, by the ditch in front of his property.

After discussing the matter with Supt. of Highways, Emil Klein, Jr. the Board authorized Mr. Klein to fix the ditch, but the matter of the pipe was held in abeyance until Dr. Hopper, Health Officer, has made a report on the situation.

Mrs. Buchenau read the minutes of the previous meeting held June 10th, a Special Meeting held June 18th, and two Public Hearings held June 26th.

Mr. Eberling moved the minutes be adopted as read.

Seconded by Mr. Goebel

Carried

Mr. Eberling moved that the East Nanuet Water District be established as submitted, and that the Supervisor be authorized to contract with the Spring Valley Water Works & Supply Co. for the required installation and service for the new district.

Seconded by Dr. Gilchrest

Vote:	Mr. Eberling	Yes
	Dr. Gilchrest	Yes
	Mr. Goebel	Yes
	Mr. Jacobsen	Yes
	Mr. Blauvelt	Yes

Councilman Charles Eberling moved and Councilman J. T. Gilchrest seconded the adoption of the following preambles and resolutions, viz.:

WHEREAS, a petition, dated June 3rd, 1940, and duly signed and acknowledged as required by law, was heretofore, on the 10th day of June, 1940, filed in the office of the Town Clerk of the Town of Clarkstown, praying for the establishment of a water district at Nanuet, Rockland County, New York, to be known as the "EAST NANUET WATER DISTRICT"; and

WHEREAS, on the 10th day of June, 1940, the Town Board of the Town of Clarkstown adopted an order and entered the same in the minutes of its proceedings on that day, fixing the 26th day of June, 1940, at 7:30 o'clock P. M. (Daylight Saving Time), in the Town Clerk's Office at New City, New York, as the time and place where the TownBoard would meet for the purpose of considering said petition and hearing all persons interested therein, and

WHEREAS, said order further provided that a certified copy thereof be published once in the Journal-News and that five certified copies thereof be posted in five public places within the Town not less than ten nor more than twenty days before the date set for said hearing, and that certified copies thereof be mailed on or before the day of the first publication to all public service corporations the names of which appear on the latest completed assessment roll of the Town; and

WHEREAS, a certified copy of said order was duly published in the Journal-News on June 15th, 1940, as appears by the affidavit of Helen L. Phillips, verified June 17th, 1940, and five certified copies thereof were duly posted on June 15th, 1940, in five public places in the Town of Clarkstown, as appears by the affidavit of Walter Liebert, verified June 15th, 1940, and a certified copy of said order was duly mailed on June 15th, 1940, to all public service corporations the names of which appear on the latest completed assessment roll of the Town of Clarkstown, as appears by the affidavit of Cora M. Martling, verified June 15th, 1940; and

WHEREAS, a hearing on said petition was duly held on the 26th day of June, 1940, and upon the evidence given at said hearing and the facts set forth in the said petition; and further consideration of the matter having been adjourned to this day, the Town Board hereby determines by resolution as follows, viz.:

RESOLVED:

- (a) That the said petition is signed and acknowledged or proved as required by law and is otherwise sufficient and in compliance with Article 12 of the Town Law.

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(b) That all of the property and property owners within the proposed water district are benefitted thereby.

(c) That all of the property and property owners benefitted by said proposed water district are included within the limits of the proposed district.

(d) That it is in the public interest to grant in whole the relief sought in said petition.

FURTHER RESOLVED, that the prayer of said petition be and the same hereby is granted in whole and the establishment of the proposed water district is hereby approved, and a water district to be known as "EAST NANUET WATER DISTRICT" be and the same hereby is approved, created and established with the following boundaries, viz.:

ALL that tract of land, situate, lying and being in the Nanuet area, in the Town of Clarkstown, Rockland County, New York, bounded and described as follows, viz.:-

COMMENCING at a point in the center line of the Nyack Turnpike opposite the Northeast corner of premises of Agnes Kohler, and running thence (1) crossing said Nyack Turnpike and along the Easterly line of premises of Kohler South $22^{\circ} 45'$ West 235 feet to premises of Frank Russel; thence (2) along the Northerly line of Russel South $67^{\circ} 30'$ East 450 feet to a corner; thence (3) still along premises of Russel and premises of Alvena Tonjes South $0^{\circ} 35'$ West 520 feet; thence (4) along premises of Tonjes North 85° West 190 feet to premises of Ezio Dal Lago; thence (5) along the Easterly line of Dal Lago and premises of Edith Belmont South $5^{\circ} 10'$ West 540 feet; thence (6) along premises of Belmont North 88° West 595 feet to premises of Hugo Nagle; thence (7) along the Easterly line of Nagle's premises South $5^{\circ} 20'$ East 340 feet to premises of Henry Helmcke; thence (8) along the Easterly line of said Helmcke's premises South $2^{\circ} 50'$ West 155 feet to premises of Meyer Blacker; thence (9) along premises of Blacker South $86^{\circ} 40'$ East 655 feet to a point; thence (10) still along said Blacker's premises South $21^{\circ} 35'$ West 600 feet to a corner; thence (11) still along Blacker's lands North 87° West 943 feet to a point; thence (12) South $2^{\circ} 38'$ West 1189 feet; thence (13) part of the way along premises of Kadushin North 89° West 546 feet; thence (14) still along said Kadushin's premises North $16^{\circ} 10'$ East 600 feet; thence (15) still along said Kadushin's lands South $88^{\circ} 30'$ West to the brook; thence (16) North $86^{\circ} 10'$ West 530 feet to the Easterly line of the Water District of Nanuet, New York; thence (17) along the line of said Water District of Nanuet, New York, the following courses to the place of beginning, viz.: (18) North 21° East 180 feet; (19) North $6^{\circ} 30'$ East crossing St. Anthony Avenue 530 feet to the center of Church Street; (20) crossing Church Street North $9^{\circ} 30'$ East 1225 feet to the Southwest corner of premises of John and Lizzie Miller; thence (21) in an Easterly direction along the division line between premises of John and Lizzie Miller and Kiel-Teitenberg Corporation 785 feet, more or less, to the Southwest corner of premises of Abraham Landau; thence (22) in a Northerly direction along the division line between premises of Miller and Landau 975 feet, more or less, to the Southerly line of premises of Francis Pilat; thence (23) in an Easterly direction along the division line between premises of Pilat and Landau 725 feet, more or less, to the westerly line of premises of August Rehm; thence (24) in a Northerly direction along the division line between premises of Rehm and Pilat 550 feet, more or less, to the center of the Nyack Turnpike; thence (25) in an Easterly direction along the center line of the Nyack Turnpike, 875 feet, more or less, to the place of beginning.

The vote on the adoption of the foregoing preambles and resolutions was as follows:

AYES: Charles Eberling
 J. T. Gilchrest
 Arthur C. Goebel
 B. Otto Jacobsen
 Roswell P. Blauvelt

NOES: None

Mr. Jacobsen moved that the West Nyack Lighting District be established as submitted, and that the Supervisor be authorized to contract with the Rockland Light & Power Company for the required installation and service for the new district.

Seconded by Dr. Gilchrest

Vote:	Mr. Eberling	Yes
	Dr. Gilchrest	Yes
	Mr. Goebel	Yes
	Mr. Jacobsen	Yes
	Mr. Blauvelt	Yes

Councilman B. Otto Jacobsen moved and Councilman J. T. Gilchrest seconded the adoption of the following preambles and resolutions, viz.:

WHEREAS, a petition, dated May 14th, 1940, and duly signed and acknowledged as required by law, was heretofore, on the 10th day of June, 1940, filed in the office of the Town Clerk of the Town of Clarkstown, praying for the establishment of a lighting district at West Nyack, Rockland County, New York, to be known as the "WEST NYACK LIGHTING DISTRICT"; and

WHEREAS, on the 10th day of June, 1940, the Town Board of the Town of Clarkstown adopted an order and entered the same in the minutes of its proceedings on that day, fixing the 26th day of June, 1940, at 7:00^{o'clock}/P. M. (Daylight Saving Time), in the Town Clerk's office at New City, New York, as the time and place where the Town Board would meet for the purpose of considering said petition and hearing all persons interested therein; and

WHEREAS, said order further provided that a certified copy thereof be published once in the Journal-News and that five certified copies thereof be posted in five public places within the Town not less than ten nor more than twenty days before the date set for said hearing, and that certified copies thereof be mailed on or before the day of the first publication to all public service corporations the names of which appear on the latest completed assessment roll of the Town, and

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WHEREAS, a certified copy of said order was duly published in the Journal-News on June 15th, 1940, as appears by the affidavit of Helen L. Phillips, verified June 17th, 1940, and five certified copies thereof were duly posted on June 15th, 1940, in five public places in the Town of Clarkstown, as appears by the affidavit of Walter Liebert, verified June 15th, 1940, and a certified copy of said order was duly mailed on June 15th, 1940, to all public service corporations the names of which appear on the latest completed assessment roll of the Town of Clarkstown, as appears by the affidavit of Cora M. Martling, verified June 15th, 1940; and

WHEREAS, a hearing on said petition was duly held on the 26th day of June, 1940, and upon the evidence given at said hearing and the facts set forth in the said petition; and further consideration of the matter having been adjourned to this day, the Town Board hereby determines by resolution as follows, viz.:

RESOLVED:

(a) That the said petition is signed and acknowledged or proved as required by law and is otherwise sufficient and in compliance with Article 12 of the Town Law.

(b) That all of the property and property owners within the proposed lighting district are benefitted thereby.

(c) That all of the property and property owners benefitted by said proposed lighting district are included within the limits of the proposed district.

(d) That it is in the public interest to grant in whole the relief sought in said petition.

FURTHER RESOLVED, that the prayer of said petition be and the same hereby is granted in whole and the establishment of the proposed lighting district is hereby approved, and a lighting district to be known as "WEST NYACK LIGHTING DISTRICT" be and the same hereby is approved, created and established with the following boundaries, viz.:

ALL that tract of land, situate, lying and being in the West Nyack area, in the Town of Clarkstown, Rockland County, New York, bounded and described as follows, viz.:

BEGINNING at the southwest corner of property belonging to Gertrude Krumrei on the northerly line of the Nyack Turnpike; running from thence along property of said Krumrei (1) North $4^{\circ} 30'$ east 100 feet; (2) south $85^{\circ} 30'$ east still along said property of said Krumrei, crossing the Strawtown Road to the easterly line thereof 190 feet; (3) north $6^{\circ} 30'$ east 6 feet to the northwest corner of Cyrus R. Jones; (4) thence south 85° east along property of Cyrus R. Jones, Norma Jones and Engine Company #1, a distance of 265 feet; (5) thence along

property of the Mont Moor Realty Company south 85° east 192 feet to property of Louis Wolansky; (6) thence along property of Louis Wolansky north $3^{\circ} 30'$ east 15 feet; (7) thence along the rear of property of Louis Wolansky, Hazel Komonchak, crossing property formerly of Dawson, now of the H. O. L. C. along the rear of property of Otto Leber, John Natale, and crossing Klein Avenue to the easterly side thereof south 80° east 930 feet; (8) thence along the easterly line of Klein Avenue north 3° east 60 feet to the northwest corner of property of O. N. and Emma Philips; (9) thence along the rear of property of O. N. and Emma Philips and Edith J. Foley south $82^{\circ} 30'$ east 220 feet; (10) thence still along property of Edith J. Foley south 6° east 60 feet; (11) thence along property of the Fred Becker Corp. north 89° east 25 feet; (12) still along said land of the Fred Becker Corp. south 5° west 50 feet; (13) thence along property of William and Mary Furno and crossing Benson Avenue to the easterly line thereof south $86^{\circ} 30'$ east 100 feet; (14) thence along the easterly line of Benson Avenue north 5° east 100 feet; (15) thence along the rear of property of E. C. Haring south 84° east 130 feet; (16) thence still along property of E. C. Haring south $4^{\circ} 30'$ west 60 feet; (17) thence along the rear of property of Estella Marsh, Margaret Smith, and crossing Fulton Avenue to the easterly line thereof south $88^{\circ} 30'$ east 175 feet; thence along the easterly line of Fulton Avenue (18) north 5° east 65 feet; (19) thence crossing other property of Margaret Smith and along the rear of the Becker Hotel property to the west line of the West Shore Railroad Company south 83° east 250 feet; (20) thence along the westerly line of the West Shore Railroad Company property south $8^{\circ} 30'$ west 175 feet to the northerly line of the Nyack Turnpike; (21) thence along the northerly line of the Nyack Turnpike north $70^{\circ} 30'$ west 20 feet; (22) thence still along the northerly line of the Nyack Turnpike north $88^{\circ} 30'$ west 70 feet; (23) thence crossing the Nyack Turnpike, along the easterly line of Philip Batt, across the easterly end of Centre Street and to a point on the easterly line of property belonging to the estate of Ann Maria Smith south 4° west 305 feet; (24) thence along property of Ann Maria Smith Estate south 3° west 45 feet; (25) thence south 80° west 25 feet; (26) thence south 2° west 10 feet; (27) thence south 82° west 80 feet; (28) thence north 5° east 80 feet to the southerly line of Centre Street; (29) thence along the southerly line of Centre Street to its intersection with the northerly line of the West Nyack grade crossing elimination road south 88° west 550 feet; (30) thence along the northerly line of said West Nyack grade crossing elimination road north 50° west 80 feet; (31) thence crossing said road to the southerly line thereof north $81^{\circ} 30'$ west 145 feet; (32) thence crossing property of the estate of Ann Maria Smith and along the rear of property of the estate of Frank Comesky north $79^{\circ} 30'$ west 810 feet; (33) thence along property belonging to Carrie Smith south 11° west 50 feet; (34) north 79° west 125 feet; (35) north 11° east 130 feet; (36) thence along the rear of property belonging to C. R. and Norma Jones north $79^{\circ} 30'$ west 350 feet to the easterly line of the Strawtown Road; (37) thence along the easterly line of said road south 6° west 40 feet; (38) thence crossing the Strawtown Road and passing along the rear of property of Elsie Bonsall north 76° west 175 feet; (39) thence continuing along property of Elsie Bonsall and crossing the Nyack Turnpike north 2° east 180 feet to the point or place of beginning, be the same courses and distances more or less.

The vote on the adoption of the foregoing preambles and resolutions was as follows:

AYES: Charles Eberling
 J. T. Gilchrest
 Arthur C. Goebel
 B. Otto Jacobsen
 Roswell P. Blauvelt

NONES: Nones

Mr. Blauvelt read a letter from Mr. Lexow, attorney, regarding a zoning change request of Jacob Sittinger.

The Board decided to hold up the publishing of this request until the Board of Appeals has a meeting, in order that all requests for changes may be grouped in one notice.

Mr. Blauvelt read a letter from Kennedy, Teal & Kennedy regarding the legal procedure thus far in the case of former Justice of the Peace, Stephen Flamik and Vincent Kischel.

Mr. Blauvelt read a letter from Mrs. Mary Stucki regarding a claim for injuries sustained in Congers.

Dr. Gilchrest moved the letter of Mrs. Stucki be referred to Mr. Lexow, attorney.

Seconded by Mr. Goebel Carried

Mr. Jacobsen moved that Mrs. Buchenau write a letter to the Republican and Democratic Committeemen in the Central Nyack District, and request their recommendations for a Polling Place, inasmuch as the Central Nyack Fire House will not be completed in time for Fall Primary.

Seconded by Mr. Goebel Carried

Mr. Jacobsen moved that Chief Liebert be granted permission to attend the Police Convention at New York City on July 23rd and 24th.

Seconded by Dr. Gilchrest	Vote:	Mr. Eberling	Yes
		Dr. Gilchrest	Yes
		Mr. Goebel	Yes
		Mr. Jacobsen	Yes
		Mr. Blauvelt	Yes

Mr. Sittinger appeared relative to his zoning change request.

He was advised by the Board that this matter would be taken up at a later date.

Bills Nos. 678 to 765 on Warrant #7 were audited and ordered paid as follows:

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
678	Consolidated Stamp Mfg. Co.	Expense	Town Board	3.03
679	The Journal-News	Advertising & Publishing Notices	Advertising & Publishing Notices	14.98
680	" "	"	"	12.18
681	" "	"	"	2.24
682	Roswell P. Blauvelt	Expense	Supervisor	12.00
683	Nanuet Fire Engine Co., Inc.	Rent of Courtroom	Justice	20.00
684	"	"	"	20.00
685	Rockland Lt. & Power Co.	Expense	Receiver of Taxes	2.50
686	Thomas S. Simpson	Compensation	Elections	5.00
687	Edwin A. Rogers	"	"	5.00
688	Baron's	Expense	Police	82.33
689	John C. Fajen	Rent of Town Clerk's office	Town Offices	40.00
690	Paul E. Killion, Inc.	Expense	"	96.00
691	Rockland Lt. & Power Co.	"	"	6.12
692	Cunard Stationery & Printing Co.	"	"	1.25
693	Nyack Window Cleaning Co.	"	"	3.00
694	New City Hardware Store	"	"	3.00
695	Geo. M. Edsall	Fire, Theft	Insurance	21.75
696	John Jackomin	Services	Police	50.00
697	Town of Clarkstown, Highway Dept.	Expense	"	82.89
698	Philip J. Frohling	"	"	60.00
699	West Nyack Garage, Inc.	"	"	48.60
700	Everett Peterson	"	"	3.00
701	New City Hardware Store	"	"	6.00
702	Harry M. Fisher, Jr., Postmaster	"	"	16.92
703	George Perino	"	"	15.00
704	Federal Laboratories, Inc.	Expense	"	22.94
705	Rockland Lt. & Power Co.	"	"	4.10
706	Laura Hard Meyer	Dog Warden	Animals Killed or Injured	75.00
707	Koblin's Pharmacy	Expense	Health Officer	1.42
708	Joseph Kemmer	Nuisances	Board of Health	2.00
709	Arthur Cushman	"	"	2.00
710	Lederle Laboratories, Inc.	Medical Supplies	"	5.00
711	George M. Kleckner	Expense	Welfare Officer	41.29
712	Christy Eberling	"	"	1.33

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<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
713	Excelsior Press	Expense	Welfare Officer	5.50
714	Letitia Johnson	"	"	12.00
715	Philip J. Klein	"	"	8.70
716	Nyack Typewriter Exchange	"	"	1.25
717	Coyle & Coyle	Rent of Office	"	25.00
718	"	Rent of Commissary	"	15.00
719	Gibson Hague	Spec. & Med. (Not Reimbursable)	Outdoor Relief	1.90
720	D. J. Shea	"	"	1.80
721	Dr. Henry J. Kaplan	"	"	9.00
722	William J. Schoenfelder	"	"	2.69
723	Koblin's Pharmacy	"	"	.85
724	Mrs. L. Krieger	Veterans Relief	Veterans Relief	15.00
725	Thomas Yacapino	"	"	20.00
726	Anthony Polomine	"	"	20.00
727	Frank Faulkner	"	"	25.00
728	Rita Meehan	"	"	16.00
729	Mrs. Samuel Handley	"	"	8.00
730	Theodore Kronke, owner, Kronke's Market	"	"	32.00
731	Endicott-Johnson Store	"	"	9.65
732	Carl Scherrer	"	"	20.00
733	Rockland Lt. & Power Co.	"	"	2.00
734	Coyle & Coyle	"	"	25.00
735	William Young	"	"	18.00
736	A. Niemeyer	"	"	4.50
737	Wm. Furno	"	"	34.00
738	E. C. Haring	"	"	7.20
739	Frank Banas	"	"	15.00
740	Julia Wolanski, owner Wolanski Market	"	"	12.00
741	Arthur B. Osborn	"	"	7.20
742	Frank Perino	"	"	20.00
743	Thomas A. Goebel	"	"	21.60
744	Richard Gerhardt	"	"	7.50
745	Christy Eberling	"	"	20.00
746	Phillip Batt	"	"	22.00
747	Lorenz Waltl	"	"	65.90
748	First National Bank & Trust Co. of Pearl River	"	"	18.00
749	New City Fuel Oil Co.	"	"	5.60
750	Rose Walser	"	"	10.00

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<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
751	Koblin's Pharmacy	Veterans Relief	Veterans Relief	2.25
752	Shea's Drug Store	"	"	.75
753	K. G. Theis, M.D.	"	"	2.00
754	H. H. Abrams, M.D.	"	"	2.00
755	S. R. Monteith, M.D.	"	"	2.00
756	Franklyn B. Theis	"	"	8.00
757	George Bialkin, M.D.	"	"	12.00
758	John J. Rooney, M.D.	"	"	8.00
759	Veterans Relief, Town of Haverstraw	"	"	9.30
760	J. J. Harrison	Expense	"	3.00
761	J. J. Harrison	Comp. including Clerical Asst.	"	50.00
762	Fred Mutinsky	Maintenance	Parks	18.00
763	Lt. Raymond B. Jauss, Post #2607, V.F.W.	Memorial Day Observance	Memorial Day	47.00
764	John M. Jeffrey	Fees & Exp. of Zoning Building Inspector	Zoning	40.32
765	Rose M. Leo	Rent of Receiver's office	Town Offices	40.00
			Total	\$ 1,595.33

Mr. Jacobsen moved the meeting adjourn.

Seconded by Dr. Gilchrest

Carried

Meeting adjourned.

Kate Buschman
Town Clerk of Clarkstown