

TOWN BOARD MEETING

December 8, 1941

Town Clerk's Office

3:00 P. M.

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

Mr. Blauvelt called the meeting to order.

Mr. Harry Knapp of Nanuet appeared before the Board in regard to a violation of zoning on the Springsteen property in Nanuet. He told the Board that the business had been started as a gasoline filling station, but that it is now being extended to include a repair shop. He further added that he had gotten in touch with Mr. Jeffrey, Building Inspector, who visited the place, but that no action was ever taken concerning it. Mr. Knapp said that this property is in Residence B District, and is now an unsightly mess, and that some action should be taken to straighten it out once and for all.

Dr. Gilchrest moved that the matter be referred to Mr. Jeffrey, Building Inspector, with the request that he kindly make an investigation and report back to the Board.

Seconded by Mr. Goebel

Carried

Mr. Blauvelt requested the reading of the minutes.

Mrs. Buchenau read the minutes of a Special Town Board Meeting held Nov. 6, 1941, the regular Town Board Meeting held Nov. 10, 1941 and Adjourned Town Board Meeting held Nov. 12th, 1941.

Dr. Gilchrest moved the minutes be adopted as read.

Seconded by Mr. Goebel

Carried

Dr. Gilchrest moved the Board adjourn and go into Board of Health Meeting.

Seconded by Mr. Goebel

Carried

After discussing matters pertaining to health, the Board reconvened into regular Town Board meeting.

Mr. Blauvelt read a letter from John J. Harrison, Veterans Welfare Officer, requesting permission to put a case history reference file in the Welfare Office.

Mr. Harrison appeared in person and told the Board that it would make for greater efficiency, as it would obviate the necessity of creating a separate office.

Dr. Gilchrest moved that the Veterans Welfare Officer be granted permission to put a file in the Welfare Office.

Seconded by Mr. Goebel

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

Mr. Blauvelt read a letter from the Spring Valley Water Works & Supply Co. regarding a fire hydrant on Nyack Turnpike east from College Ave., in Nanuet. The Water Company advised that it would require 528 feet of pipe to reach the point designated, and that there is not sufficient buildings along the line of the proposed extension to warrant its installation.

Mr. Blauvelt reported to the Board that he and Mr. Eberling had called on Mr. Mosier of the Water Company. Mr. Mosier had taken the matter up with Mr. Fricker, Vice-President, and that this letter was the result of their conversations. He said he was perfectly willing to meet again with the water company to see if anything could be done.

Mr. Eberling suggested that Mr. Theodore Warner be advised relative to the letter received from the Water Company.

Mr. Blauvelt presented a map of the Junkyard now operated by Perry Bros. in Congers.

Mr. Blauvelt presented a tax refund petition of Vera Emma Barrere.

Mr. Eberling moved that a tax refund be granted to Vera Emma Barrere amounting to \$4.93

Seconded by Dr. Gilchrest

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

Mr. Blauvelt read a letter from our Town Attorney, Mr. Lexow, relative to a change of zoning of the property of Eva Baar and enclosing resolutions setting the date for a Public Hearing on the same.

On motion of Councilman Charles Eberling, seconded by Councilman J. T. Gilchrest, it was

RESOLVED, that the resolution adopted by the Town Board on October 15th, 1941, directing that a public hearing be held in the Town Clerk's office on November 10th, 1941, at 3:00 P. M., on an application for a change of zoning from Residence B to Business B of approximately 200 feet on either side of Route 59 in Nanuet, be and the same hereby is rescinded.

FURTHER RESOLVED, that a public hearing, as hereinafter set forth, be held on the petition of Eva Baar, Max Wiener, Everett Goetschius and Olive P. Goetschius, filed in the office of the Town Clerk on October 15th, 1941, to change the real property hereinafter described from the Residence B District to the Business B District, as laid out on the Building Zone Map of the Town of Clarkstown as amended.

That the real property referred to in said petition is described as follows:

FURTHER RESOLVED, that a public hearing, as hereinafter set forth, be held on the petition of Eva Baar, Max Wiener, Everett Goetschius and Olive P. Goetschius, filed in the office of the Town Clerk on October 15th, 1941, to change the real property hereinafter described from the Residence B District to the Business B District, as laid out on the Building Zone Map of the Town of Clarkstown as amended.

That the real property referred to in said petition is described as follows:

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

COMMENCING at the point of intersection of the easterly line of Pascack Road with the northerly line of State Highway No. 689, and running thence (1) in a northerly direction along the easterly line of Pascack Road 220 feet, more or less, to a point; thence (2) in a southeasterly direction and about parallel to and distant approximately 200 feet northerly from the northerly line of State Highway No. 689, 2070 feet, more or less, to a point, which point is the northwesterly corner of lands now or formerly of Pesner and the northeasterly corner of lands now or formerly of Max Wiener, said point being also in the southerly

line of lands of Eva Baar; thence (3) in a southerly direction along the division line between lands of Pesner and Wiener crossing said State Highway No. 689 and along the division line between lands of Wiener and Ferretti Bros. 630 feet, more or less, to a point; said point being distant southerly measured along said division line between lands of Wiener and Ferretti Bros. 280 feet, more or less, from the south side of said State Highway No. 689; thence (4) in a northwesterly direction and parallel to the southerly line of said State Highway No. 689 and distant southerly approximately 200 feet therefrom 2230 feet, more or less, to a point in the easterly line of said Pascack Road distant 225 feet, more or less, southerly measured along the easterly line of said Pascack Road from the southerly side of said State Highway No. 689; thence (5) in a northerly direction along the easterly line of said Pascack Road 340 feet, more or less, to the point and place of beginning.

The above description is intended to cover two strips of land 200 feet in width on the northerly and southerly sides of said State Highway No. 689 running southeasterly from the easterly side of Pascack Road to the easterly line of lands of Max Wiener.

FURTHER RESOLVED, that said public hearing on said petition be held at the office of the Town Clerk of the Town of Clarkstown in New City, Rockland County, New York, at 3:00 o'clock P. M., Eastern Standard Time, on the 29th day of December, 1941, and that the Town Clerk be and she hereby is directed to cause a notice of said public hearing to be published once in the Journal-News, which is hereby designated as the official paper of the Town for said publication, at least fifteen days prior thereto.

FURTHER RESOLVED, that said notice shall be in substantially the following form:

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Clarkstown at the office of the Town Clerk of said Town at New City, Rockland County, New York, on the 29th day of December, 1941, at 3:00 o'clock P. M., Eastern Standard Time, for the purpose of acting upon the petition of Eva Baar, Max Wiener, Everett Goetschius and Olive P. Goetschius, filed in the office of the Town Clerk of the Town of Clarkstown on October 15th, 1941, to transfer the promises hereinafter described from the Residence B District to the Business B District as laid out on the Building Zone Map of the Town of Clarkstown as amended.

The real property affected by said change is described as follows:

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

COMMENCING at the point of intersection of the easterly line of Pascack Road with the northerly line of State Highway No. 689, and running thence (1) in a northerly direction along the easterly line of Pascack Road 220 feet, more or less, to a point; thence (2) in a southeasterly direction and about parallel to and distant approximately 200 feet northerly from the northerly line of State Highway No. 689, 2070 feet, more or less, to a point, which point is the northwesterly corner of lands now or formerly of Pesner and the northeasterly corner of lands now or formerly of Max Wiener, said point being also in the southerly line of lands of Eva Baar; thence (3) in a southerly direction along the division line between lands of Pesner and Wiener crossing said State Highway No. 689 and along the division line between lands of Wiener and Ferretti Bros. 630 feet, more or less, to a point, said point being distant southerly measured along said division line between

lands of Wiener and Ferretti Bros. 280 feet, more or less, from the south side of said State Highway No. 689; thence (4) in a northwesterly direction and parallel to the southerly line of said State Highway No. 689 and distant southerly approximately 200 feet therefrom 2230, more or less, to a point in the easterly line of said Pascack Road distant 225 feet, more or less, southerly measured along the easterly line of said Pascack Road from the southerly side of said State Highway No. 689; thence (5) in a northerly direction along the easterly line of said Pascack Road 340 feet, more or less, to the point and place of beginning.

The above description is intended to cover two strips of land 200 feet in width on the northerly and southerly sides of said State Highway No. 689 running southeasterly from the easterly side of Pascack Road to the easterly line of lands of Max Wiener.

Dated, December 8th, 1941

TOWN BOARD OF THE TOWN OF CLARKSTOWN

By ROSWELL P. BLAUVELT
Supervisor

KATE BUCHENAU

Town Clerk

The foregoing resolutions were adopted by the following vote:

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

NOES: None

Mr. Blauvelt told the Board that he had received a letter from the Association of Towns on the matter of State Aid Highway Money.

Mr. Goebel offered the following resolution and moved its adoption:-

RESOLVED, that George R. Fearon, of the law firm of Costello, Cooney & Fearon, of Syracuse, New York, be and he hereby is employed for professional services in preparing, filing and prosecuting the claim of this Town against the State of New York, for the difference between the full amount of state aid payable to this Town for the current fiscal year pursuant to Section 279 of the Highway Law and the amount actually received by this Town heretofore, and

FURTHER RESOLVED, that the Supervisor of this Town be and he hereby is authorized and directed to pay to Mr. Fearon immediately the sum of Ten Dollars (\$10.00) which shall be full compensation for all services rendered or to be rendered and full payment of all expenses

incurred or to be incurred in the preparation, filing and prosecution of such claim, if such claim is not upheld, and

FURTHER RESOLVED, that this Town will pay to Mr. Fearon five per cent (5%) of the amount recovered by this Town in the event that such claim is upheld either as a result of the preparation, filing, and prosecution of such claim or of a similar claim of the County or some other town or county, and

FURTHER RESOLVED, that the Supervisor of this Town shall forward to Mr. Fearon immediately, at 930 University Building, Syracuse, New York, a certified copy of this resolution, the sum of Ten Dollars (\$10.00) hereinbefore referred to, and such information as shall be required for the preparation, filing and prosecution of the claim of this Town, and

FURTHER RESOLVED, that the Supervisor be and hereby is authorized and directed to execute, on behalf of this Town, the claim and such other papers, instruments, and proceedings as may be necessary for the preparation, filing and prosecution of the claim.

Seconded by Mr. Eberling and duly put to a vote which resulted as follows:

Charles Eberling	voting	Yes
J. T. Gilchrest	voting	Yes
A. C. Goebel	voting	Yes
B. Otto Jacobsen	voting	Yes
Roswell P. Blauvelt	voting	Yes

Dr. Gilchrest moved the following resolution:

WHEREAS, there is an accrued surplus in the Welfare Account and

WHEREAS, it is lawful to expend this accrued surplus for any lawful purpose, be it

RESOLVED, that the Supervisor is hereby authorized to transfer from the Welfare Account to Current Surplus in the General Account the sum of \$14,000. and thence to Miscellaneous; the same to be paid by the Supervisor to the County Treasurer in order to reduce the tax rate from \$2.59 to \$2.48, thereby establishing the rate at \$2.48 per one hundred dollars.

Seconded by Mr. Eberling

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

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Mr. Jacobsen reported on the extension of water to Vine St. in Central Nyack. He informed the Board that it will cost the Village of Nyack \$2500. to put in the Vine St. Extension, and they will have to have some financial relief if they proceed with the work. He further added that there has been a request for hydrants on North Greenbush Road in the Central Nyack Water Dist. Mr. Jacobsen told the Board that the Water Commissioners would like to have them study the assessed valuation of their water mains and their plant in Clarkstown. According to the State's appraisal, they are over-assessed. They do not want any legal proceedings to straighten this out, but would appreciate it if the Board would recommend to the Assessors that this be straightened out.

Mr. Jacobsen then presented a petition of property owners in the Central Nyack Water Dist. for three new fire Hydrants on Greenbush Road.

Mr. Eberling moved that the petition be turned over to our attorney for further advice.

Seconded by Dr. Gilchrest Carried

Mr. Jacobsen suggested that the Assessors be advised relative to the hydrants owned by the Village of Nyack in Central Nyack and the recent appraisal made by the State showing they are over-assessed, and ask if something can not be done about these assessments.

Mr. Jacobsen moved that the Existing Water Contract between the Village of Nyack and the Town of Clarkstown be approved and signed.

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

Mr. Jacobsen suggested that the Supervisor acknowledge the letters of the Water Commissioners, Village of Nyack, and tell them we are trying to adjust the matter.

Mr. Klein, Supt. of Highways, reported that he and Dr. Gilchrest were on a Committee for a pipe line in Congers, and that the matter was brought up at the last Congers Fire Meeting. They do not want the pipe

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line, as only one section of Congers would benefit, and all the people would have to pay for it. Mr. Klein reported that he had advised them that if they wanted any further assistance from the Town Board that they get in touch with them.

Bills Nos. 1014 to 1103 on Warrant No. 13 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>
1014	George M. Edsall	Exp. of Litigation	Town Board	595.85
1015	Morton Lexow	Service of Attorney & Exp. of Litigation	"	95.54
1016	Calvin T. Allison	Exp. of Litigation	"	300.00
1017	George R. Fearon	"	"	10.00
1018	Walter A. Ryckman	Clerk	Supervisor	86.25
1019	"	"	"	42.00
1020	Philip J. Klein	Expense	"	8.00
1021	Roswell P. Blauvelt	"	"	10.00
1022	Kate Buchenau	"	Town Clerk	4.00
1023	Nanuet Fire Engine Co., Inc.	Rent of Courtroom	Justice	20.00
1024	"	"	"	20.00
1025	Joseph B. Komonchak	Expense	"	5.00
1026	Lucille Martling	"	"	5.00
1027	Wm. Klos	Clerks	Rec. of Taxes	100.00
1028	New York Telephone Co.	Expense	"	5.95
1029	Rockland Lt. & Power Co.	"	"	2.30
1030	Joseph Leo	"	"	10.00
1031	The Consolidated Stamp Mfg. Co.	"	"	.53
1032	Charles E. Horn	Compensation	Elections	20.00
1033	Clara Lewis	"	"	12.00
1034	Walter Schreyer	"	"	43.00
1035	Robert C. Foster	"	"	43.00
1036	Daniel W. Rogers	"	"	31.00
1037	Francis D. Saier	"	"	48.96
1038	Albert D. Kip	"	"	15.00
1039	Nanuet Fire Engine Co.	Rent of Polling Place Storage 2 machines	"	80.00
1040	John C. Fajen	Rent of Town Clerk's office	Town Offices	40.00

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
1041	Rose M. Leo	Rent of Receiver's office	Town Offices	40.00
1042	Nanuet National Bank	Rent of Police Headquarters	"	15.00
1043	Rockland Lt. & Power Co.	Expense	"	7.18
1044	Nyack Window Cleaning Co.	"	"	3.00
1045	New York Telephone Co.	"	"	9.27
1046	Philip J. Klein	"	"	18.84
1047	New City Hardware Store	"	"	8.13
1048	New York Telephone Co.	"	"	17.10
1049	George M. Edsall	Fire, etc.	Insurance	17.33
1050	John M. Jeffrey	Fees Exp. \$40.25 13.76	Zoning	54.01
1051	Fred J. Seeger	Expense	"	9.00
1052	Philip J. Klein	"	"	4.55
1053	J. Fred Geist	"	"	40.00
1054	E. C. Getty	"	"	92.00
1055	Excelsior Press	"	Police	10.50
1056	Town of Clarkstown, Highway Fund	"	"	95.40
1057	New City Hardware Store	"	"	9.11
1058	Philip J. Klein	"	"	7.50
1059	New York Telephone Co.	"	"	15.65
1060	West Nyack Service Station	"	"	15.35
1061	Rockland Lt. & Power Co.	"	"	9.44
1062	Rockland Gas Co., Inc.	"	"	5.88
1063	George M. Edsall	"	"	10.00
1064	Davis Emergency Equipment Co.	"	"	5.61
1065	C. R. Jones, Jr., Inc.	"	"	1.80
1066	New York Telephone Co.	"	"	16.35
1067	Nyack Carburetor Sales & Service	"	"	14.10
1068	John DiTore	"	"	7.50
1069	Rockland Lt. & Power Co.	Care & Maintenance	Traffic Lights	5.00
1070	"	"	"	5.00

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
1071	Vincent Ricciardi	Nuisance Exp.	Board of Health	2.00
1072	Kenneth Wanamaker	"	"	2.00
1073	Vincent Ricciardi	"	"	2.00
1074	Paul Ingrassia	Rabies Control	"	45.00
1075	E. M. Pitkin	Preschool Clinic	"	50.00
1076	George M. Kleckner	Expense	Welfare Officer	42.68
1077	Philip J. Klein	"	"	1.00
1078	Mrs. Letitia Johnson	"	"	12.00
1079	North Jersey Paper Co., Inc.	"	"	2.10
1080	Coyle & Coyle	Rent of Office	"	25.00
1081	"	Rent of Commissary	"	15.00
1082	Frank C. Haslach	Home Rel.(Not Reim- bursable)	Outdoor Relief	7.50
1083	Nyack Hospital	Spec. Med(Not Reimbursable)	"	357.00
1084	Edwin F. Wanamaker	"	"	75.00
1085	D. J. Shea	"	"	.30
1086	David Koblin	"	"	2.67
1087	Gibson Hague	"	"	.40
1088	J. V. Keyrouse	"	"	2.14
1089	Valley Cottage Coal Co.	Veterans Relief	Veterans Relief	6.50
1090	McDermott Bros.	"	"	8.70
1091	Anthony Polimeni	"	"	20.00
1092	Henry Helmcke	"	"	4.00
1093	Walter Hicks	"	"	6.50
1094	Coyle & Coyle	"	"	25.00
1095	Edward B. Shuart	"	"	4.25
1096	Myron Dulmer	"	"	17.40
1097	S. R. Monteith, M.D.	"	"	6.00
1098	J. Gerald Gilchrest	"	"	4.00
1099	Gibson Hague	"	"	.75
1100	Franklyn B. Theis, M.D.	"	"	5.00
1101	John J. Harrison	Comp. including Clerical Asst.	"	50.00
1102	"	Expense	"	8.64
1103	Alfred L. Biltz	Compensation	School Director	<u>5.00</u>
			Total	\$ 3,038.51

Mr. Eberling moved the meeting be adjourned.

Seconded by Mr. Jacobsen

Carried

Meeting adjourned.