

PUBLIC HEARING

July 14, 1942

A Public Hearing on the dissolution of the West Nyack Lighting District was held at the new Fire House, West Nyack on Wednesday, July 14th, 1942 at 7:00 P. M.

Mr. Blauvelt, Mr. Eberling, and Dr. Gilchrest were present.

Mr. Goebel and Mr. Dickenman were absent.

Mr. Blauvelt called the hearing to order, and told those present that it had been called pursuant to a resolution filed with the Board by the people within the West Nyack Lighting Dist. He said that a notice of the meeting had been published in the Nyack Journal, as the law requires that a public hearing be held before any action is taken by the Board. He said the Board was ready to listen to all persons in favor or against the dissolution of the West Nyack Lighting Dist.

Mrs. Buchenau then read the Notice of the Meeting which was published in the Nyack Journal.

Mrs. Victor Bonsall asked if when the district is dissolved that part of the district which has no lights will make any petition to have lights, in order to lower the amount of the tax.

Mr. Blauvelt advised Mrs. Bonsall that the dissolution would be of the whole West Nyack Lighting Dist. and that he knew nothing about lights being requested in that part of the district where there are no lights.

Mrs. Bonsall then said that the extended part of the district has not paid any tax. She asked if those who have paid a tax will have a refund on the amount paid as of the dissolution of the district to Dec. 1942.

Mr. Blauvelt told her that there would be an equalization, and that it will be done in a legal way.

Mrs. Bonsall then asked if they would have to pay for something they will not receive.

Mr. Blauvelt told her that the district will be dissolved when the Board passes the necessary resolution, and that the balance due in the district will be applied to the cost of removing the lights.

Mrs. Bonsall then asked what she termed the \$64.00 question, which was, what was the honest mistake and who made it.

Mr. Blauvelt told her that the only thing he knew from what he heard was that it was misrepresented by someone, but he didn't know who.

Mrs. Bonsall then asked who was responsible for the excessive rate and if this had ever been made public.

Mr. Blauvelt then told Mrs. Bonsall that Mr. Jacobsen did not tell the Board where he got his figures.

Mr. Brandenburg then said that the newspaper reported that Mr. Jacobsen admitted an honest mistake was made. He said Mrs. Bonsall is trying to find out who made the mistake. He does not take the blame for the mistake, but will take the full responsibility. The question is did you find out from Mr. Jacobsen what the mistake was and who made it?

Mr. Blauvelt said Mr. Jacobsen did not say that he gave any special rate. The Town Board didn't give any rate at all.

Mr. Van Dorn then spoke and said that the fact is a mistake is made. He pointed out that he could see no sense in quarrelling about who made the mistake and what it was as long as the Board was willing to go along with the people to get rid of the district. He said he didn't believe that politics should be brought into the matter, as we all make mistakes.

Mr. Scatteriggio then said he felt it was an honest mistake and it wasn't made for any reason. He pointed out that he had the chance to look into the lighting district to see how much it would cost him, but he didn't, and was himself partly to blame. He said he felt Mr. Jacobsen made a mistake, but that he didn't think he meant to. He said he was in favor of abolishing the district and to stop trying to find out who made the mistake.

Mr. Brandenburg then said that all those present wanted to abolish the district.

Mr. Wexler, Town Attorney, then suggested that every person present be polled to express his opinion either for or against abolishing the district.

A poll was then conducted which resulted in the following vote:

<u>NAME</u>	<u>FOR ABOLISHING THE DIST.</u>	<u>AGAINST ABOLISHING THE DIST.</u>
Vincent Scatterigio	Yes	
Mr. Jaeger	Yes	
Mrs. Victor Bonsall	Yes	
W. G. A. Van Dorn	Yes	
Mr. O. N. Phillips	Yes	
Mr. John Koster	Yes	
Mr. Thomas Storms, Sr.	Yes	
Mr. Domenick Sorrentino	Yes	
Pearl Brandenburg	Yes	
George Thomson	Yes	
Mr. Frank Van Houten	Yes	
Garrett Miller	Yes	
Mr. Joseph Murnick	Yes	
Mr. David Duryea	Yes	
Mr. William Furno	Yes	
Mr. Emil Klein, Jr.	Yes	
Mr. Joseph Perino	Yes	

Mr. Brandenburg then asked if the Board would have a meeting soon to pass on the resolution to abolish the district.

Mr. Blauvelt told him that the Board expected to meet on Friday of this week.

Dr. Gilchrest then asked that the Town Attorney explain to the people Section 202-C of the Town Law relative to the dissolution of a district and disposition of contracts, etc.

Mr. Wexler then said that this section of the law provides that a lighting district may be dissolved on condition that all contracts are terminated and that there is no indebtedness, funded or otherwise against the district. He said that Mr. Parshall and he agreed that after the meeting tonight, assuming the Board takes the steps anticipated, they will get together and terminate the contracts. Furthermore, there is the charge of \$510.78 for removing the lights, plus a service charge of about \$38.00 for June and about \$19.00 for July, making a total of about \$560.00. According to the wording of Section 202-C, this should be paid before the termination of the dist. He said he believed that Mr. Parshall, the Board and himself could terminate the contract and provide for the payment of

the indebtedness. He said he had the resolutions to dissolve the district with him, but felt it best to wait until the meeting on Friday. He told the people he understood the electric service would end tonight.

Mr. Blauvelt said he expected to call a meeting of the Board for Friday afternoon to take action on the matter of dissolving the district.

The Board held the hearing open until 8 P. M. and there were no other persons who appeared either for or against the abolishment of the district.

Mr. Eberling moved the hearing be closed.

Seconded by Dr. Gilchrest

Carried

Meeting was declared closed by Mr. Blauvelt at 8:00 P. M.



Town Clerk of Clarkstown

ABB 953