

SPECIAL TOWN BOARD MEETING

July 17th, 1942

Town Clerk's Office

3:00 P. M.

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

Mr. Blauvelt called the meeting to order.

Mrs. Buchenau read the minutes of a Public Hearing held at the West Nyack Fire House on Tuesday evening, July 14, 1942 in connection with the dissolution of the West Nyack Lighting Dist.

The minutes were approved and accepted as read.

Dr. Gilchrest said he wanted to go on record that the Town Board make an effort to find out what the honest mistake was and who made it in the West Nyack Lighting Dist. He said that several people had asked him for this information, and that he would like to get it straightened out.

The suggestion was made that it may be when the valuation was taken in the district, property was included in the district which actually could or could not be included. This might account for the discrepancy in the figures.

Mr. Wexler presented a Certification of Public Hearing and Presence of Supervisor and Councilmen, in connection with the dissolution of the West Nyack Lighting Dist. This was read to the Board by Mr. Blauvelt, and then signed by those attending the Public Hearing.

Mr. Wexler, Town Attorney, told the Board that according to Section 202-C as amended of the Town Law, there must not be any indebtedness in the district when the district is dissolved. He said that the other part of the law which requires that no contract is in effect can be taken care of as per correspondence of Mr. Blauvelt with the Rockland Light & Power Company.

Mr. Eberling moved the following resolution:

WHEREAS, the Rockland Light & Power Company has agreed to cancel the Street Lighting Contract with the Town of Clarkstown for the West Nyack Lighting District, (which contract was to expire September

8, 1951) for the sum of \$510.78, and

WHEREAS, this amount represents only that portion of their investment made up of the labor cost to install and remove the system, and

WHEREAS, the Rockland Light & Power Company is willing to grant an extension of time for the payment of said \$510.78, be it hereby

RESOLVED, that the AGREEMENT FOR CANCELLATION OF STREET LIGHTING CONTRACT with the Town of Clarkstown and the Rockland Light and Power Company for the WEST NYACK LIGHTING DISTRICT be accepted and that the amount of \$510.78 be paid to them on or before June 1, 1943.

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

Dr. Gilchrest moved the following resolution:

WHEREAS, the Town Board has adopted a Resolution to terminate the Contract of Rockland Light & Power Company with the Town of Clarkstown for West Nyack Lighting District, be it hereby

RESOLVED, that the Rockland Light & Power Company be notified of this cancellation which is to become effective July 18, 1942 and rendering of service to cease on July 18, 1942 and that the final bill rendered for service be pro-rated at the contract rate of \$38.66 per month.

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

Dr. Gilchrest moved the following Resolution:

WHEREAS, the Supervisor and the Town Board have passed resolutions to terminate the contract with the Rockland Light & Power Company for the West Nyack Lighting District and to pay all indebtedness of same, pursuant to petition and expressions of opinion of resident taxpayers of the aforesaid district at a public hearing duly had in said district on July 14, 1942, and pursuant to the requirements of Section 202-0 as amended of the Town Law of the State of New York, be it hereby

RESOLVED, that (1) the Supervisor be authorized to borrow a sum of money up to \$450.00 to pay all indebtedness of said district. (2) To deliver to the Rockland Light & Power Company certified copies of two resolutions of this Board terminating the contract involved herein, pursuant to the terms of correspondence between the Supervisor and said company to effectuate the dissolution of the aforesaid lighting district, and be it further

RESOLVED, that the budget for 1943 include an amount sufficient to reimburse the Town for the \$450.00 described above, to be paid through the proper taxing channels by the residents of the aforesaid district.

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

Mr. Wexler told the Board he had looked into the matter of the town trucks being used to truck fill to the property of Philip Klein in Valley Cottage. He advised that according to Section 64, Subdivision 3 of the Town Law, the Board has full power and control over town property. He said the trucks cannot be used for the following reasons (1) May breach the fire insurance contract. (2) As soon as town property is used for private purposes, no matter how meritorious, the way may be opened for other private purposes.

Mr. Wexler said he had looked up the matter of a bounty on woodchucks, but has been unable to find anything about it. He said he would look further into the matter.

Mr. Eberling moved the meeting be adjourned.

Seconded by Dr. Gilchrest Carried

Meeting adjourned.



 Town Clerk of Clarkstown