

TOWN BOARD MEETING

AUGUST 14, 1942

Town Clerk's Office

2:00 P.M.

Present: Dr. Gilcrest
Mr. Goebel
Mr. Dickenman
Mr. Blauvelt

Mr. Blauvelt called the meeting to order.

Mr. Mason, together with residents and property owners of Van Houten Fields in West Nyack appeared before the Board relative to a road in and out of this development which needs repairing. Mr. Mason, who acted as spokesman for the group, told the Board that in December of last year, representatives of Van Houten Fields had appeared before the Board relative to the road. In further conversations with the Highway Supt., Mr. Mason indicated they had been assured the Board would give some kind of aid. Because of this assurance, the people of Van Houten Field had not done anything towards fixing the road themselves. They had not made any effort to get oil prior to the clampdown, and now learn they cannot get it unless they apply through the town. They are willing to reimburse the town for the cost of the 3600 gallons they believe necessary to put the road back in good repair, and they would like the Board to keep the road in good maintenance, since the people in Van Houten Fields now pay considerable road taxes.

Mr. Mason then introduced Mr. Pilew, who told the Board that it was unfortunate the geography of the development made the road technically a private one, while it really was a public one. He pointed out that there are approximately 29 families living in Van Houten Field consisting of about 99 people, and that the road must be maintained, so these people can get to their places of business. He told the Board that they have taken an active part in West Nyack affairs, and that 80% of the people are engaged in some kind of social work, such as first aid, fire workers, etc. He asked the Board to kindly consider their request.

Mr. Mehrkens told the Board that the road had been put in at an approximate expenditure of \$14,000, and that it is the type of road that requires annual care. He said the Nyack Bank had gone along with the people in financing the development and were naturally interested in seeing the road properly maintained as a protection of their interest. He said he

was mostly interested in getting the oil at once to fix the road. He said the people are paying approximately \$360.00 a year in road taxes for which they are getting very little except the use of the other roads. He said he felt that something should be done to help them get the oil and also keep the road in repair, as unless this problem is solved, the development will be hurt. There is a great possibility, he pointed out, in adding \$100,000. more to the Tax Roll. He said he felt their record of developing Van Houten Fields compares favorably with other developments.

Mr. Glen Smith then said he felt the point should be stressed that what they really want is the Board to approve their request to the government for 3600 gallons of oil, in order that they may be able to fix the road now. If they cannot do this, there will be dissention because people cannot get out of the development.

In concluding, Mr. Mason told the Board that he had a letter from Mr. Bruce, which is the basis of their request to purchase oil. He said the road is really in bad condition, as one man has broken a spring, and there is danger of tires being ruined. He said he felt the district engineer's letter is good proof that the Board can give its approval to their request. He said he had taken the matter up with the Attorney General's office in New York and asked if any State law would be violated by the Board's giving their approval on such a request, and that he was advised that if the Federal Government was agreeable under war conditions, it would probably be all right with them.

Mr. Blauvelt then told Mr. Mason that as far as the highways are concerned, Mr. Klein is the Supt., and he asked Mr. Klein if he wanted to say anything regarding the matter.

Mr. Klein suggested that Mr. Wexler check up on the law, and if it is all right, the people of Van Houten Fields be given the oil for the road, as they are entitled to it, providing they are willing to reimburse the town for it.

Mr. Blauvelt said the Board would take up the matter with the Town Attorney, and if it is possible under the law, approve their request for oil, as they wanted to do all they could to relieve the situation.

Mr. Dickenman said he felt the people should be given all the help they need, in order to go to and from their homes, and that the Board should do everything possible to aid the Town to progress. He asked Mr. Klein if it would be possible to maintain this road, and Mr. Klein told him that this could be done out of their tax money.

Mr. Wexler then asked if he should look up the law and get in touch with Mr. Mason on the matter.

Mr. Blauvelt said he felt this would be the best thing to do.

Mr. Mason then expressed their thanks for the Board's consideration.

Mrs. Buchenau read the minutes of the Board meeting held July 10th, 1942.

Seconded by Mr. Goebel

Carried

The reading of the minutes of a meeting held July 17th, 1942 was dispensed with.

Mr. Wexler then reported that he had the Zukor deed, which is recorded, and the Certificate of Title which has a Continuation Certificate and Mr. Jenkins' bill for services rendered in this regard.

Mr. Goebel moved that the deed and Certificate of Title of Adolph Zukor and Wife to the Town of Clarkstown covering property for highway purposes be accepted as recommended by our attorney.

Seconded by Mr. Dickenman

Vote:	Dr. Gilchrest	Yes
	Mr. Goebel	Yes
	Mr. Dickenman	Yes
	Mr. Blauvelt	Yes

Mr. Wexler then reported on the Muller & Morson matter. He said he had examined the search of Mr. Jenkins covering Henry Court and a portion of Crescent Drive in Nanuet Homes, Nanuet, deeded to the Town by Jonathan W. Sherwood and Muller & Morson, Inc. He told the Board he had found a Mechanic's Lien in the amount of \$100.50 filed by Frank Ludwig and another Mechanic's Lien in the amount of \$701.95 filed by Ward Bros., Inc. On the Continuation Search there is a Mechanic's Lien in the amount of \$1000.15 filed by Bryant Heater Co. There are also three Judgements against Muller & Morson totalling about 7 or 8 hundred dollars. Mr. Wexler told the Board that the property involved in the road is property that was never conveyed to Muller & Morson by Mr. Sherwood. He pointed out that the property is being deeded to the Town by J. W. Sherwood, and that he cannot be held responsible for the Mechanic's Liens against Muller & Morson. All the property that Muller & Morson own is a small piece about 15' X 15'. He said the thought in his mind after checking with Mr. Jenkins is that none of the Mechanic's Liens can attach on the road itself. The only thing they could attach on would be the

ABB 953

*

small piece owned by Muller & Morson. Mr. Wexler concluded by saying in his opinion none of the Mechanic's Liens will affect the road.

Mr. Goebel moved that the matter of accepting Henry Court and a portion of Crescent Drive in Nanuet Homes be tabled for the present.

Seconded by Mr. Dickenman

Carried

Mr. Wexler said he had found plenty in the old law but nothing in the new Town Law regarding a bounty on woodchucks. He believes, however, that a bounty can be established.

Mr. Dickenman moved that the matter of a bounty on woodchucks be laid on the table.

Seconded by Mr. Goebel

Carried

Mr. Wexler told the Board he had investigated the Tolstoy Foundation and found it to be a membership corporation. He said that the Board would have to define just what a charitable organization is. He also pointed out that every organization has a right to sell things to assist itself. They have a right to raise money for salaries by selling things, but they cannot do so on a commercial basis.

Mr. Blauvelt read a letter from Irvin F. Dillon, attorney for Mrs. Florence J. Marshall, advising that Mrs. Marshall is claiming damages because of loss sustained by her when a tree fell on her barn.

Mr. Klein, Supt. of Highways, said that the wind blew the tree over in a recent storm.

Mr. Wexler told the Board that the matter had been referred to him, and that he had made a copy of the letter for his files and sent the original to Mr. Edsall, who carries the insurance.

Mr. Blauvelt read a letter from Stanis Zyms, requesting the installation of a street light on the North end of Grant Ave., Congers.

Mr. Goebel moved that a letter be written to the Rockland Light & Power Company to inquire if they will consider the installation of a street light in Congers.

Seconded by Mr. Dickenman

Carried

Mr. Nathan Metlitz appeared before the Board and told them he was in favor of the Spring Valley Water Works & Supply Co. having an additional supply of water if they need it, but asked that they stay

within the Zoning Ordinance. Mr. Metlitz also asked that the Board consider adding a clause to the Zoning Ordinance which would prevent unpleasant odors in Residential districts.

The Board suggested that Mr. Metlitz take up the matter of the zoning change with the Board of Appeals.

Mr. Blauvelt appointed Mr. Dickenman on the Insurance Committee in place of Mr. Eberling.

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

Seconded by Mr. Dickenman Carried

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

Mr. Blauvelt read a letter from Edwin Swartwout, advising that it is impossible for him to serve as Inspector of Elections, as his work take him away from Rockland County.

Mr. Dickenman moved that Josephine Kroenung be appointed as Inspector of Elections in Dist. #7, Congers, in place of Edwin Swartwout.

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

Mr. Blauvelt read a letter from Charles Eberling, in which he resigned his position as Councilman.

Mr. Blauvelt then read a letter from Mrs. Buchenau to the County Clerk, advising of the vacancy in the office of Councilman.

Dr. Gilchrest moved that the Supervisor draw up proper resolutions regarding Mr. Eberling, and that the Board sign them and spread them upon the minutes, and forward a copy to Mr. Eberling.

Seconded by Mr. Dickenman Carried

Mr. Blauvelt then read a letter from Mrs. Florence Jensen, Chairman, Clarkstown Republican Committee, asking that the Board consider the appointment of Frederick M. Schmersahl to fill the vacancy due to the resignation of Mr. Eberling.

ABB953

Mr. Goebel moved that Frederick M. Schmersahl be appointed Councilman for the unexpired term of Charles Eberling.

Seconded by Mr. Blauvelt

Mr. Dickenman moved that Raymond J. Hayes be appointed Councilman for the unexpired term of Charles Eberling.

Seconded by Dr. Gilchrest

Vote:	Dr. Gilchrest	Hayes
	Mr. Goebel	Schmersahl
	Mr. Dickenman	Hayes
	Mr. Blauvelt	Schmersahl

Mr. Blauvelt then said that since there was a tie vote, no appointment in the office of Councilman could be made.

Mr. Blauvelt reported that he had received from Kate Buchenau, Town Clerk \$100.65, which represented her fees for the month of July.

Mr. Blanche, Welfare Officer, reported \$796.04 as relief for July, \$204.10 non-settlement and \$161.10 state charges, or a total of \$1,161.24. There were 39 cases as of July 31st.

Mr. Dillon, Justice of the Peace, reported \$29.90 as total fees collected and \$59.00 for fines in the month of July.

Mr. Engels reported \$50.00 for fines for the months of June and July and \$17.45 for fees in June and July.

Mr. Blauvelt then reported the balance as of July 31st to be \$128,652.

Mr. Blauvelt asked for a transfer of \$250.00 from Current Surplus to Town Offices Equipment to take care of the Monroe Calculator.

Mr. Dickenman moved that \$250.00 be transferred from Current Surplus to Town Offices Equipment.

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

Mr. Blauvelt then announced that he had received the final bills in connection with the West Nyack Lighting Dist.

Mr. Blauvelt read a letter from Faber L. Carey, Building Inspector, requesting the Board to establish a fee for permits granted for cabins.

Mr. Goebel moved that Mr. Carey be written a letter that the fee for a cabin is the same as for a house, namely, \$5.00.

Seconded by Mr. Dickenman Carried

Mr. Dickenman moved that the reports of the Town Clerk, Welfare Officer and Justices of the Peace be accepted as presented.

Seconded by Dr. Gilchrest Carried

Bills Nos. 504 to 582 on Warrant #9 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>
504	The Journal-News	Advertising & Publishing Notices	Advertising & Publishing Notices	31.01
505	Roswell P. Blauvelt	Expense	Supervisor	8.00
506	John C. Fajen	Office Rent	"	30.00
507	Kate Buchenau	Expense	Town Clerk	14.00
508	Dennis & Co., Inc.	"	"	2.00
509	New York Telephone Co.	"	"	14.35
510	New City Hardware Store	"	"	2.75
511	Nanuet Fire Engine Co.	Rent of Courtroom	Justice	20.00
512	West Nyack Fire Engine Co.	"	"	20.00
513	Cora A. Martling	Clerks	Assessors	115.00
514	Estella Dawson	"	"	115.00
515	Mary A. Shortal	"	"	115.00
516	Florence Blauvelt	Expense	"	18.00
517	Cora M. Martling	"	"	18.00
518	Williamson Law Book Co.	"	Supv. \$2.00 Wel. Off. 2.00 Town Clk. 2.00 Police 2.00	8.00
519	Rockland Lt. & Power Co.	"	Rec. of Taxes	1.20
520	New York Telephone Co.	"	"	8.35
521	Harry M. Fisher, Jr.	Office Expense	"	250.72
522	Excelsior Press	Expense	"	30.00
523	Dudley & Pratt	"	"	49.40
524	Mrs. Rose M. Leo	Rent of Office	"	40.00
525	Joseph Leo	Janitor	"	10.00
526	J. J. Shortal	Compensation	Elections	17.00
527	I. W. Heath	"	"	12.00
528	Josephine Kroenung	"	"	12.00
529	William Woltjen	"	"	12.00
530	Louis Phillips	"	"	12.00

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
531	William Westerfield	Compensation	Elections	12.00
532	Fred J. Smith	"	"	17.00
533	Monroe Calculating Machine Co., Inc.	Furniture & Equip.	Town Offices	531.00
534	Philip J. Klein	"	"	42.00
535	John C. Fajen	Rent of Town Clerk's Office	"	40.00
536	New York Telephone Co.	Expense	"	6.50
537	Rockland Lt. & Power Co.	"	"	6.08
538	Philip J. Frohling, Jr.	"	"	24.00
539	Nyack Window Cleaning Co.	"	"	3.00
540	Mona G. Bronson	"	Zoning	13.25
541	Faber L. Carey	Exp. Fees	"	21.86
				\$5.85 <u>16.00</u>
542	Carl Grando	Salaries & Wages	Police	50.00
543	Eastman Kodak Stores, Inc.	Mats. & Supplies	"	6.24
544	C. R. Jones, Jr., Inc.	Mats. & Sup. Expense	"	82.17
				\$36.32 <u>45.85</u>
545	New York Telephone Co.	Expense	"	25.35
546	Rockland Lt. & Power Co.	"	"	8.96
547	Walter N. Liebert	"	"	16.20
548	Harry M. Fisher, Jr. Postmaster	"	"	16.92
549	New City Hardware Store	"	"	3.53
550	Wagschal's	"	"	1.00
551	Paul S. Ingrassia	"	"	5.00
552	Walter Bovee	"	"	7.35
553	Excelsior Press	"	"	14.50
554	Philip Rieber Co.	"	"	3.29
555	West Nyack Service Station	"	"	8.45
556	Nanuet National Bank	"	"	3.75
557	"	Rent of Police Headquarters	"	30.00
558	Rockland Lt. & Power Co.	Care & Maintenance	Traffic Lights	5.00
559	Gibson Hague	Medical Supplies	Board of Health	3.49
560	Samuel Alperwitz	"	"	2.23
561	Paul S. Ingrassia	"	"	14.00

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
562	Dr. E. W. Pitkin	Preschool Clinic	Board of Health	20.00
563	William Blanch	Expense	Welfare Officer	22.95
564	Philip J. Klein	"	"	7.95
565	George Overmeyer	"	"	5.00
566	Letitia Johnson	"	"	12.00
567	Philip J. Klein	"	"	17.10
568	Coyle & Coyle	Rent of Office	"	25.00
569	"	Rent of Commissary	"	15.00
570	Fink's Drug Store	Spec. & Med. (Not Reimbursable)	Outdoor Relief	2.50
571	Keyrouse Pharmacy	"	"	5.82
572	Gibson Hague	"	"	.40
573	E. J. Buscicchi, M.D.	Veterans Relief	Veterans Relief	5.00
574	Koblin's Pharmacy	"	"	2.78
575	John J. Harrison	Expense	"	5.88
576	New York Telephone Co.	"	"	5.60
577	John J. Harrison	Comp. including Clerical Asst.	"	50.00
578	Henry Zimmerman, Jr.	Compensation	Attendance Officer	100.00
579	Melvin Knapp	"	"	70.00
580	Fred Mutinsky, Jr.	Repairs	Parks	16.00
581	David Edwards	"	"	10.00
582	William H. Jenkins, Jr.	Expense	Town Board	<u>44.40</u>
			Total	\$ 2,453.28

Mr. Dickenman moved the meeting be adjourned.

Seconded by Mr. Goebel

Carried

Meeting adjourned.

Kate Buchanan

Town Clerk of Clarkstown