

TOWN BOARD MEETING

July 9, 1943

Town Clerk's Office

2:00 P.M.

- Present: Mr. Schmersahl
- Dr. Gilchrest
- Dr. Goebel
- Mr. Dickenman
- Mr. Blauvelt

Mr. Blauvelt called the meeting to order and requested the reading of the minutes for the last regular meeting.

Mrs. Buchenau, Town Clerk, then read the minutes of the meeting held June 11th, 1943 and a Public Hearing held in the Valley Cottage Fire House on July 1st, 1943.

Dr. Gilchrest moved the minutes be adopted as read.

Seconded by Dr. Goebel

Carried

Mr. Blauvelt read a letter from W. Reginald Herdman, Chairman of the Board of Appeals, in which he quotes a resolution of the Board of Appeals, recommending that the Building Inspector receive additional compensation for his necessary duties in inspecting unused billboards in the Town at least once each month.

Mr. Dickenman moved that John Elliott, Building Inspector, be paid \$5.00 for his services in inspecting unused billboards once each month.

Seconded by Dr. Gilchrest

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

Mr. Wexler, Town Attorney, reported on the application of Valley Cottage Coal Company, Inc. for a change in zoning from a residence to a building zone. He told the Board that in Residence A zone, he understands that a gasoline station is not permitted. After checking the ordinance carefully, he said that neither Business A, B or Industrial Districts speak of storage. Therefore, in any district in which this property is placed, the Zoning Ordinance excludes the right to keep oil tanks.

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Dr. Goebel moved the following resolutions, which were seconded by Mr. Dickerman.

WHEREAS, the following application was heretofore filed with the Town Clerk of the Town of Clarkstown, requesting that certain changes be made in the district in which the property of the applicant is located, and

WHEREAS, notice was duly given to the public by publication in the official newspaper for the Town as shown by the affidavit of Helen L. Phillips, dated the 21st day of June, 1943 and posting of said notice in seven (7) public places in the Township as shown by the affidavit of Raymond Lindemann, dated on the first day of July, 1943, and

WHEREAS, a hearing was duly had in the hall of the Valley Cottage Firehouse in the Hamlet of Valley Cottage, Town of Clarkstown, County of Rockland, New York on the first day of July, 1943 at 8:00 in the evening (Eastern War Time), and

WHEREAS, the Supervisor and the Town Board and the Town Clerk were present at said hearing, and duly heard the applicant herein for said application and duly heard various residents and citizens of the district and Township discuss the pros and cons of the merits of said application as shown by the minutes of said hearing, and ample opportunity was granted all persons at said hearing to be fully heard, and

WHEREAS, due consideration was given the said application, now, Therefore be it resolved that the real property hereinafter described, owned by the Valley Cottage Coal Co., Inc., and/or George F. Hamblin be, and the same hereby is, transferred from "Residence B District" to the "Business A District", and that the Building Zone map of the Town of Clarkstown, Rockland County, New York, be amended accordingly.

The real property herein above referred to is described as follows:

ALL that parcel of land situated at Valley Cottage, in the Town of Clarkstown, Rockland County, New York, bounded and described as follows:

COMMENCING at an old iron bar standing on the West line of the West Shore Railroad and at the Northeast corner of premises now or formerly of Aaron DeBaun, and running thence (1) along the Westerly line of said Railroad North $26^{\circ} 45'$ East 361.9 feet to the Southeast corner of premises formerly of James A Green; thence (2) along premises formerly of Green, North $73^{\circ} 55'$ West 84.4 feet; thence (3) still along premises formerly of Green, North $82^{\circ} 07'$ West 169 feet to an old iron pipe in the east line of the public highway leading to Congers; thence (4) along the east line of said highway South $8^{\circ} 01'$ West 163.5 feet to an iron bar; thence (5) still

along said highway South 0° 26' West 143.9 feet to an old iron bar and northwest corner of premises now or formerly of Aaron DeBaun; thence (6) along the northerly line of DeBaun's premises South 59° 41' East 126.5 feet to the place of beginning.

Be it further resolved, that the real property above described after this amendment to the Building Zone Ordinance of the Town of Clarkstown, County of Rockland, New York, shall take effect, shall be free from the restrictions imposed upon it by the provisions of said Ordinance governing "Residence B District" and shall thereafter be subject only to the provisions of said Ordinance governing "Business A District" uses.

Be it further resolved, that the Clerk of the Town of Clarkstown be and she hereby is ordered and directed to publish this amendment twice, once in each week for two successive weeks, in the Journal-News, a daily newspaper published in the Village of Nyack, Rockland County, New York, and having a circulation in said Town of Clarkstown, said newspaper having been heretofore designated as the official paper of said Town for said publication, and to post the same in seven public places within said Town.

Upon the filing of the proof of said publication and posting, this resolution shall take effect immediately.

The vote on the adoption of the foregoing resolution was as follows:

- AYES: FRED M. SCHMERSAHL
- J. T. GILCHIREST
- A. C. GOEBEL
- JOHN DICKENMAN
- ROSWELL P. BLAUVELT

NOES: None

Dr. Goebel moved that the Town Board recommend to the Board of Appeals that a variance be granted to the Valley Cottage Coal Co., Inc. granting them the privilege of putting in oil tanks, as there was no opposition to the installing of these tanks at the public hearing.

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

Mr. Blauvelt presented a petition signed by taxpayers and owners of real property at Congers, requesting the Board to take over a

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50 foot highway in Congers, as shown on maps made by Calvin T. Allison, County Engineer, filed in his office and a map of the Congers Home Corp., which latter map is filed in the Rockland County Clerk's Office.

Dr. Gilchrest moved the petition be accepted and placed on file.

Seconded by Mr. Dickenman

Carried

Mr. Blauvelt then offered the following reports, covering the month of June, 1943.

Trial Balance, showing the total balance of the Town as of June 30th, 1943 to be \$143,627.25.

Supervisor's Report, showing total receipts in the amount of \$124.50, and total disbursements in the amount of \$36,509.14.

Town Clerk's report, showing total receipts in the amount of \$243.40. The amount remitted to the Supervisor was \$36.40.

The report of Irvin F. Dillon, Justice of the Peace, showing total receipts in the amount of \$83.50.

Building Inspector's report, showing total receipts in the amount of \$39.00.

Welfare Officer's report, showing total expenditures in the amount of \$874.80, of which \$326.36 was for Clarkstown clients, \$373.45 for Non-Settlement, and \$174.99 for State Charges. The total case load was 20, and 64 individuals shared in relief.

Dr. Gilchrest moved the following Attendance Officers be appointed for a term of one year at the following salaries.

Dists. #1 & #2	Jacob Scherrer	\$140.00
Dist. #4	Ernest Griffin	70.00
Dist. #5	E. Staubach	70.00
Dist. #6 & #10	Dick Martin	70.00
Dist. #8	George Morgan	100.00

Seconded by Dr. Goebel

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

Mr. Handley, Welfare Officer, at the request of the Board appeared regarding relief.

Dr. Gilchrest assured Mr. Handley that the Board was not questioning his actions as Welfare Officer, but would appreciate an explanation as to the reasons why the cost of relief is higher in Clarkstown than any other township in the County, as outlined in a recent editorial in the Journal-News.

Mr. Handley told the Board that the method of arriving at the figures is not a fair one as in some families there are only two persons and in others there might be as many as eight or nine. Therefore the figures are only an average on costs of relief rather than per family. Mr. Handley told the Board that the State limits his office as to the amount of relief given each client. Mr. Handley said that there are no people on relief who are employable. Every client has been examined by a physician, and none are able to work. He also said there is no one on relief where it is possible to get supplemental aid. Mr. Handley said he personally investigated every case on his list together with the Investigator. He said that it is possible the 20% increase in food allowed in May of this year may be responsible for the increase. He said that families are more prolific apparently in Clarkstown than other townships and this would be another reason for the increase in cost. However, he added that the same system in use in the Town of Clarkstown is used throughout the County.

Mr. Blauvelt read a letter from George M. Edsall regarding the renewal of the War Damage Policy for the Town.

The Board decided that the policy be continued.

Mr. Blauvelt presented a deed from Emil Klein, Jr. to the Town of Clarkstown covering property in West Nyack for highway purposes.

Dr. Gilchrest moved that the deed of Emil Klein, Jr. to the Town of Clarkstown, covering property in West Nyack for highway purposes, be accepted retroactive as of the date the road was accepted by the Town, namely, June 12, 1942, providing the deed meets with the approval of the Town Attorney.

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

Mr. Wexler, Town Attorney, reported on the Tolstoy Foundation. He told the Board he had arranged with the attorney for this organization to go to their place and inspect their books and records. Their attorney was supposed to get in touch with him last week, but did not do so. Therefore, Mr. Wexler said he would have to report on this matter at a later date.

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Mr. Wexler told the Board he would like to report on the activities of the Zoning Board of Appeals. He said that he has personally attended many of the meetings recently held by the Board, and that the Building Inspector likewise attends and reports on his activities to the Board. He said the Zoning Board is working very hard at their work and doing an excellent job.

Mr. Blauvelt again brought up the extension of New Valley Road and Church Street in Nanuet.

Dr. Gilchrest then presented a petition from residents of West Clarkstown commending the Board for the action they have taken in this matter.

The Board members, who had met an hour earlier in order to personally inspect both of the above named roads, then discussed the roads with Highway Supt. Emil Klein, Jr. Mr. Klein said that he estimated the cost of New Valley Road would be approximately \$25,000, since considerable fill would be required. He said he estimated Church St. would cost approximately 1/3 less than New Valley Rd. He told the Board he felt both roads would be an improvement.

Dr. Gilchrest moved that New Valley Road and the extension of Church Street be submitted as post-war projects.

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

Mr. Blauvelt suggested that the draining of the Nanuet Swamp would be a good project to submit as a post-war project.

Dr. Gilchrest moved that the draining of the Nanuet Swamp be submitted as a post-war project.

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

Mr. Blauvelt read a letter from Henry L. Steinmann, President of the Board, School Dist. #5, Town of Clarkstown, recommending that the Supt. of Highways grade off about thirty feet South of the School, and a distance of the width of the School property. The purpose in requesting this grading is to give the smaller children more room in which to play.

Dr. Gilchrest moved that Emil Klein, Jr., Supt. of Highways, be authorized to grade off about thirty feet South of the School, Dist. #5, Town of Clarkstown, and a distance of the width of the School property, pursuant to a request of the School Board.

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

Mr. Blauvelt brought to the attention of the Board members the Court Action against the Town by the New York Trap Rock Company, Inc.

Mr. Wexler, Town Attorney, in reporting on this matter, told the Board that the Trap Rock Company were apparently not satisfied with the change granted to them by the Board of a portion of their property, and that they have now resorted to legal action. He then carefully discussed with the Board the Summons which has been served on the Board members and the Building Inspector. He said that among other thingsm the Trap Rock Company asks that the Zoning Ordinance be declared null and void; that the Ordinance be declared null and void as it affects their property; and that the Town be forever enjoined from enforcing the law as it affects their property. He told the Board that he was preparing his answer to this summons which would be filed within the time allowed by law.

Chief Liebert then appeared before the Board and asked if he could not have some additional help, as he is losing another man. He recommended John Kearney of Nanuet, who, he indicated, is on the Civil Service List.

Dr. Goebel moved that John Kearney be appointed Patrolman, in accordance with the recommendation of Chief Liebert.

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

Dr. Gilchrest suggested that a letter be written to the Gas Company asking for a further extension of gas mains in the Town of Clarkstown.

Dr. Gilchrest suggested that sidewalks and curbs be placed in the various villages in the business sections after the war is over.

Dr. Gilchrest then suggested that the Supervisor and Town Clerk close their office every Wednesday afternoon during July and August.

Both Mr. Blauvelt and Mrs. Buchenau said they felt that closing the office each afternoon at 4:00 P.M. was sufficient during July and August, although they thanked Dr. Gilchrest for his consideration.

Bills Nos. 392 to 444 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>
392	John C. Fajen	Rent	TOWN BOARD Town Hall & Offices	40.00
393	"	"	"	30.00
394	Mrs. Rose M. Leo	"	"	40.00
395	Nanuet National Bank	"	"	30.00
396	"	"	"	30.00
397	Nanuet Fire Engine Co.	"	"	20.00
398	Coyle & Coyle	"	"	35.00
399	Valley Cottage Fire Co.	"	"	12.00
400	Bardonia School Dist.	"	"	70.00
401	Nyack Window Cleaning Co.	Repairs	"	6.00
402	Rockland Lt. & Power Co.	Light	"	3.00
403	"	"	"	9.60
404	"	"	"	2.15
405	"	"	"	5.70
406	"	"	"	5.45
407	Rockland Gas Co.	Heat	"	8.04
408	"	"	"	4.76
409	New York Telephone Co.	Telephone	"	5.75
410	Heman M. Purdy Co. Clerk	Other Expense	"	1.20
411	J. Fred Geist	Zoning Inspector & Expense	Town Board	40.00
412	John Elliott	"	"	4.74
413	The Journal-News	Printing & Advertising	"	6.82
414	Fred H. Steinmann General Store	Office & other expense	Supervisor	27.26

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
415	Excelsior Press	Office & Other Exp.	Supervisor	33.50
416	Joseph B. Komonchak	"	Justice	5.00
417	Cunard Stationery & Printing Co., Inc.	Expense	Town Clerk	1.13
418	Charles Haerle	Office & Other Exp.	Rec. of Taxes	9.13
419	Harry M. Fisher, Jr.	"	"	298.40
420	Wagschals	Office Expense	Board of Appeals	2.45
421	Florence Blauvelt	Employee Compensation	"	12.00
422	Philip Rieber Co.	Other Expense	Police	6.60
423	C. R. Jones, Jr., Inc.	"	"	21.45
424	Nyack Carburetor Sales & Service	"	"	9.45
425	Wagschals	"	"	5.30
426	Town of Clarkstown, Highway Department	"	"	89.60
427	Walter Bovee	"	"	46.72
428	New York Telephone Co.	Central Nyack Defense War Emergency Center	Purposes	10.30
429	"	West Nyack Defense Center	"	7.40
430	"	Valley Cottage Defense Center	"	9.00
431	"	Rockland Lake Defense Center	"	11.70
432	"	Nanuet Defense Center	"	8.50
433	David Edwards	Comp. of Employees	Parks	14.40
434	R. D. Southward	"	"	5.70
435	William Garrison	Cemeteries	Cemeteries	27.00
436	Austin Gardner	"	"	27.00
437	Samuel H. Handley	Office & Other Exp.	Town Welfare Off.	4.76
438	John J. Harrison	Veterans Relief	"	5.40
439	Lederle Labs., Inc.	Other Health Exp.	Board of Health	56.08
440	Dr. E. W. Pitkin	"	"	20.00
441	Stanley Partridge	"	"	2.00
442	Donald Liebert	"	"	2.00
443	Richard Rinkle	"	"	2.00
			Total	\$ 1,191.44

Mr. Dickenman moved the meeting be adjourned to go into regular Board of Health Meeting.

Seconded by Dr. Gilchrest

Carried

Meeting adjourned.

Kate P. ...
Town Clerk of Clarkstown