

## TOWN BOARD MEETING

April 14th, 1944

Town Clerk's Office

2:00 P.M.

Present: Mr. Schmersahl

Mr. Dickenman

Mr. Blauvelt

Absent: Mr. Eberling

Mr. Blauvelt called the meeting to order and requested the reading of the minutes for the last regular meeting held March 10th, 1944 and a Special Meeting held March 17th, 1944.

Mrs. Buchenau then read the minutes for the regular and special meeting pursuant to Mr. Blauvelt's request.

Mr. Dickenman moved that the minutes be adopted as read.

Seconded by Mr. Schmersahl

Carried

Mr. Blauvelt read a letter from the Central Nyack Welfare Association regarding the dumping of garbage and refuse along the roads in Central Nyack, and suggesting that the Board consider the formation of a garbage collection district. By doing this, the association believes that the cost of collection to each taxpayer would be reduced, and dumping along the highways would be eliminated.

Chief Liebert, in commenting on this matter, told the Board that there are some signs of dumping along Route 59, and that on the Towt property there is a dump which has been used for sometime by the Clarkstown Country Club. When investigating this dump, Chief Liebert said evidence was found that garbage and small dead animals had been thrown there. He had communicated with Dr. Bernard, who was out of town, but his secretary informed Chief Liebert that the Club did dispose of garbage and refuse on this dump, but had never disposed of small animals there. She pointed out that possibly this was done by some residents of the community. Mr. Liebert told the Board that there are only two dumps permitted in Clarkstown, namely, Anges dump in Congers and the Miller dump in West Nyack.

Mr. Handley, Welfare Officer, appeared before the Board relative to welfare matters. He informed the Board that a mortgage had been placed on property where one of the members of the household is in the county home. The property is free and clear and will be sold. If the property is sold, Clarkstown will be reimbursed for everything they have expended

for this person. There is still another case where a man 47 years of age was paralyzed and unable to work. It is possible he may become able to work partially. They may move out of Clarkstown, which would mean selling their home, and if they do this, the Town will be reimbursed for the money expended for them.

Mr. Handley then asked the Board if they would give him permission to attend the State Welfare Conference, and also permit him to take with him the investigator in his office. Mr. Handley told the Board that many good ideas are obtained from these welfare conferences and that he would like to attend.

Mr. Dickenman moved that Mr. Samuel H. Handley, Welfare Officer, and Miss Anna Babcock, an investigator in his office, be granted permission to attend the State Welfare Conference at Kingston on May 2nd, 1944.

Seconded by Mr. Schmersahl	Vote: Mr. Schmersahl	Yes
	Mr. Dickenman	Yes
	Mr. Blauvelt	Yes

Mr. Blauvelt read a letter from Frederic G. Carnochan, Chairman, Local Board No. 763, Selective Service System, requesting that in future all requests for occupational deferments on town employees be made on Form 42-A and signed only by the Supervisor, and that a resolution of the Town Board authorizing the Supervisor to sign such requests accompany Form 42-A.

Mr. Dickenman moved the following resolution which was seconded by Mr. Schmersahl and unanimously adopted.

WHEREAS, certain Town employees are engaged in essential civilian work, and

WHEREAS, these town employees are now eligible for service with the United States armed forces, and

WHEREAS, in order to obtain occupational deferment for these Town employees, it is necessary that Form 42-A be signed by the Supervisor of the Town of Clarkstown, NOW THEREFORE BE IT

RESOLVED, that Roswell P. Blauvelt, Supervisor of the Town of Clarkstown, be authorized to sign Form 42-A in all cases where requests are made for occupational deferment for town employees.

ABB953

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Mr. Blauvelt submitted the following reports of Town officials covering the month of March, 1944.

Supervisor's report, showing total receipts in the amount of \$138.95, and total disbursements amounting to \$40,667.47. The Trial Balance as of March 31st showed a balance of \$187,247.53.

Town Clerk's report showing total receipts amounting to \$547.00, of which \$56.50 was remitted to the Supervisor.

Report of Irvin F. Dillon, Justice of the Peace, showing total receipts amounting to \$58.00. Mr. Dillon's report for Feb. in the amount of \$29.95 was also presented.

Report of Welfare Officer, showing total disbursements in the amount of \$720.35. The total case load was 15, and 35 individuals shared in the relief.

Report of Building Inspector, showing total receipts amounting to \$37.00.

Mr. Schmersahl moved that the reports as submitted be adopted as presented.

Seconded by Mr. Dickenman

Carried

Mr. Blauvelt read a letter from Robert Walmsley, Assemblyman, regarding his bill to reduce the dog license fees. Mr. Walmsley advised that his bill was state-wide, but that the Committee had refused to report out the bill for further action by the Legislature, due in part to the opposition by Committee members from the up-state rural counties.

Mr. Blauvelt then read another letter from Robert S. Bainbridge, State Senator, also advising that he had introduced a bill to reduce the dog license fee, but that because of opposition from up-state, the bill did not come out of committee. Since the Session has been concluded, no further action can be taken this year.

Mr. Blauvelt read a letter from the Automatic Voting Machine Company, urging the Town Board to consider the rental of a used voting machine this year, since it is generally believed that there will be an increase of approximately 5% in the voting strength that will be exercised at the polls this fall.

The Board then conferred with Mr. Klein, Supt. of Highways, regarding the roads in New City Park. Mr. Klein suggested that the Board request legal advice before taking any action inasmuch as there is a question regarding water mains involved. He further told the Board that in his opinion none of the roads in the park met the required qualifications as outlined in a resolution adopted by the Board.

Mr. Blauvelt told the Board that he had a request from people in Central Nyack that the Board take over 2nd St. between Central Ave. and Mountain View Ave. as a Town road. It appears from the records that Central Ave. was taken over in 1932, but that 2nd St. was not taken over at that time.

Mr. Klein suggested that a copy of the resolution regarding roads to be accepted as town roads be sent to the people making this request since no petition has been filed.

Mrs. Buchenau was then requested to mail a copy of this resolution to Charles W. Palmatier, and to advise him that if the road in question meets the necessary qualifications, then a petition should be filed with the Board.

Mr. Blauvelt then reported to the Board that the Assessors had told him the gentlemen's agreement with the Zukor Estate had been continued. This agreement between the town and the Zukor Estate was to the effect that their assessment would not be raised. Since it is impossible for any building to be done at the present time, the Zukor Estate has asked that the agreement be continued for the duration of the war, and this agreement, originally meant for two years, has been extended by the Assessors. Mr. Blauvelt told the Board that this was merely a report, since the Assessors wished to keep the Board advised in the matter.

Mr. Blauvelt then presented a petition from residents of Congers, petitioning the Board to accept 400 feet of Columbus Ave. in Congers as a town road, beginning south of Highway Ave. in Section R and running 450 feet in a southerly direction.

Mr. Dickenman told the Board that Mr. Fred Mutinsky informed him that for the past thirty years he has been filling in this road with stone and has also been a taxpayer for that period of time.

Mr. Dickenman then said he would like to offer a motion to accept 400 feet of Columbus Ave. in Congers as a town road.

Mr. Schmersahl said he felt that before any action was taken by the Board that an investigation should be made by Mr. Klein to see if the road meets the necessary qualifications.

Mr. Dickenman then said that he would rescind his motion, since there was no second to it, and he then moved that the petition to take over Columbus Ave. in Congers a distance of 400 feet be referred to Mr. Klein for his investigation and further report at the next meeting.

Seconded by Mr. Schmersahl

Carried

A letter from the Congers Democratic Club was then brought to the attention of the Board in which a resolution adopted by that club is quoted, recommending that the fire apparatus given by the U. S. government through lend lease be retained by the Congers Fire Dept.

Mr. Dickenman told the Board that he understood there was some question that the fire department might lose a skid pump obtained by them through lend lease, since regulations required that it be mounted on wheels. This had not been done at the time the inspection was made, but the fire company is now planning to do it. They, of course, do not want to lose this valuable equipment, and want the Town Board to do everything possible to help them keep it.

Mr. Dickenman moved that the Board adjourn to go into Board of Health Meeting.

Seconded by Mr. Schmersahl

Carried

After discussing matters pertaining to health in Board of Health Meeting, on motion of Mr. Dickenman, seconded by Mr. Schmersahl, the Board reconvened back into regular town board meeting at 3:17 P.M.

Mr. Blauvelt then read a letter from Lieut. Glenn C. Miller regarding his application for a building permit to erect bungalows on his property at Congers, and requesting a refund of \$5.00, which he claims is due him.

Mr. Blauvelt informed the Board that Mr. Miller had been to see him, and that he had told him he believed the matter had been settled as far as the Board is concerned. Mr. Miller, however, is not satisfied and wishes a review of his case. Mr. Blauvelt said that possibly Mr. Wexler could offer some advice regarding this.

Mr. Wexler then discussed with the Board the application form itself in detail. He then told the Board that at the Board of Appeals Meeting

he made a point that the original resolution setting fees was clear enough. Later the Board passed another resolution which was to clarify the first resolution, but Mr. Wexler said this was not necessary, because the original was clear enough.

Mr. Wexler told the Board that it could either notify Lieut. Miller that it must abide by its resolution and can make no exceptions, or the Board has the right to believe that he was led to believe it was an application for more than one building, telling him that an exception is being made in his case. Originally Mr. Miller received a variance from the Board of Appeals, and immediately built his bungalows without a zoning permit. Consequently his property was posted much to his indignation.

Mr. Klein then asked Mr. Blauvelt to advise the Board regarding the zoning ordinance as it applies to the property to be used for a county garage located on New Hempstead Rd. Mr. Klein said he understood that Mr. Henion, County Attorney, objected, and that Mr. Wexler does not.

Mr. Blauvelt then told the Board that Mr. Henion objects on the ground of Sec. 5 under Res. A. Dist. uses, Sub. 4 of the Zoning Ordinance. There is a question that if the garage were built whether it would be classed as a building for public purposes. Mr. Blauvelt said that Mr. Henion had cited several cases in Westchester County regarding similiar cases.

Mr. Wexler told the Board that he would take this matter up further with Mr. Henion.

The Board then went back to the question of Lieut Miller's zoning problem, and decided that Lieut Miller be written a letter stating that the Board is agreed their action was correct, and Mr. Wexler, Attorney, was requested to write this letter.

Mr. Wexler said that he had nothing to report on the New City Park water rights. He pointed out that possibly some new mains will have to be put in, since the present mains are not sufficient to carry the supply at the present time. He pointed out further that his opinion was that the Board should be relieved of responsibility should pipes be broken when repairs were made to the roads. Also, that unless a water district were created, the town would have no way to tax the people.

Mr. Klein then told the Board that he would not recommend taking over the roads until Mr. Wexler can find out more information regarding

the water rights.

Mr. Wexler said that he had not as yet received the model set-up from the Association of Towns on ordinances, and would like a little longer to work on the matter.

With reference to Forest Glen Rd., Mr. Wexler said that he had nothing as yet to report.

Also, Mr. Wexler advised the Board that he had nothing to report regarding the payment by the Town of retirement payments of town employees who are in the armed forces. He said he would check this further and report at the next meeting.

Bills Nos. 210 to 309 on Warrant #14 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>
			TOWN BOARD	
210	John C. Fajen	Rent	Town Hall & Offices	50.00
211	"	"	"	30.00
212	Nanuet National Bank	"	"	30.00
213	Coyle & Coyle	"	"	35.00
214	Mrs. Rose M. Leo	"	"	40.00
215	West Nyack Fire Engine Co. #1	"	"	20.00
216	Valley Cottage Engine Co. #1	"	"	15.00
217	Ida Titus	"	"	17.00
218	Nyack Window Cleaning Co.	Repairs	"	6.00
219	Rockland Lt. & Power Co.	Light	"	4.05
220	"	"	"	5.75
221	"	"	"	2.60
222	"	"	"	8.78
223	Rockland Gas Co., Inc.	Heat	"	12.76
224	Nanuet National Bank	Water Service	"	3.75
225	New York Telephone Co.	Telephone	"	6.65
226	"	"	"	5.60
227	"	"	"	24.40
228	"	"	"	5.35
229	"	"	"	8.65
230	"	"	"	15.75

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
231	James H. Kelly	Compensation	TOWN BOARD Elections	12.00
232	Amelia F. Kleckner	"	"	12.00
233	Cora A. Martling	"	"	12.00
234	Lewis Wootten	"	"	6.00
235	Olga M. Schmersahl	"	"	12.00
236	Clarence W. Brown	"	"	17.00
237	Raymond J. Hayes	"	"	12.00
238	George D. Fee, Jr.	"	"	12.00
239	Madeline Rose	"	"	12.00
240	James Joseph Shortal	"	"	17.00
241	William North	"	"	17.48
242	David Edwards	"	"	12.00
243	Leonard Pollaci	"	"	12.00
244	Michael J. McMahon	"	"	12.00
245	Gustav H. Knauth	"	"	17.00
246	Marie Steinbach	"	"	12.00
247	Marie Orgera	"	"	12.00
248	Harry Sergeant	"	"	12.00
249	Henry A. Speer	"	"	5.00
250	Lorraine Mericle	"	"	12.00
251	Elmer W. Brown	"	"	12.00
252	Walter A. Ryckman	"	"	17.00
253	Josephine M. Gaffney	"	"	12.00
254	Geo. M. Edsall	Fire	Insurance	95.00
255	"	"	"	5.10
256	"	Liability	"	36.27
257	John Elliott	Zoning Inspector & Expense	Zoning Inspector & Expense	11.30
258	Roswell P. Blauvelt	Office Expense	Supervisor	10.00
259	Excelsior Press	Office & Other Exp.	"	4.85
260	Joseph Komonchak	"	Justice	5.00
261	"	"	"	5.00
262	Dennis & Co.	Office Exp.	"	7.70
263	Kate Buchenau	"	Town Clerk	15.40
264	New City Hardware Store	Office & Other Exp.	Board of Appeals	10.00
265	Florence Blauvelt	Comp. of Employees	Board of Appeals	10.00
266	New City Hardware Store	Expense	Police	3.58
267	Walter Bovee	"	"	13.62

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
268	C. R. Jones, Jr., Inc.	Expense	Police	4.15
269	Nyack Carburetor Sales & Service	"	"	14.65
270	Philip Rieber Co.	"	"	7.40
271	New York Telephone Co.	Rockland Lake O.C.D.	War Emergency Pur.	11.00
272	"	"	"	11.20
273	"	Valley Cottage O.C.D.	"	10.35
274	"	"	"	11.50
275	"	Bardonia O.C.D.	"	8.50
276	"	"	"	8.50
277	"	Central Nyack O.C.D.	"	8.60
278	"	Nanuet O.C.D.	"	8.50
279	"	West Nyack O.C.D.	"	7.00
280	Samuel H. Handley	Office & Other Exp.	Town Welfare Officer	10.94
281	Excelsior Press	"	"	10.94
282	John Harrison	Expense	Veterans Relief	13.64
283	Johnson & Connell	Item No. 1	Highway	204.77
284	West Nyack Service Station	"	"	4.65
285	Behr's Gas Service Station	"	"	5.00
286	Fred's Lake Road Garage	"	"	3.20
287	Hutton-Johnson Co., Inc.	Item No. 3	"	1.05
288	C. R. Jones, Jr., Inc.	Item No. 1	"	2.33
289	Herbert Miller	Item No. 3	"	8.13
290	Quackenbush Tire Shop	"	"	149.75
291	Ray S. Johnson	"	"	280.43
292	Nyack Auto Parts, Inc.	"	"	19.44
293	Michael H. Lesser	"	"	204.66
294	John J. King	"	"	289.33
295	New City Hardware Store	"	"	51.62
296	Walter Bovee	"	"	248.50
297	Driscoll Chevrolet, Inc.	"	"	13.54
298	Nyack Carburetor Sales & Service	"	"	9.00
299	Charles E. DeBaun	"	"	1.60
300	Congers Paint & Hardware Store	Item No. 4	"	10.67
301	New York Telephone Co.	"	"	10.45
302	Excelsior Press	"	"	5.00

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
303	J. E. Vanderbilt & Co., Inc.	Item No. 4	Highway	71.17
304	Rockland Lt. & Power Co.	"	"	26.27
305	Emil Klein, Jr.	"	"	54.33
306	New York Telephone Co.	"	"	12.80
307	Dr. E. Winifred Pitkin	Expense	Board of Health	20.00
308	Edward Hopper	"	"	2.00
309	James Babcock	"	"	2.00
310	Gilbert H. Crawford, County Treas.	Payment to Conser- vation Comm.	Forest Fires	8.63

There being no further business, Mr. Dickenman moved the meeting be adjourned until May 12th.

Seconded by Mr. Schmersahl

Carried

Meeting adjourned.

*Kate Buchanan*

Town Clerk of Clarkstown