

TOWN BOARD MEETING

June 16th, 1944

Town Clerk's Office

2:00 P.M.

Present: Mr. Schmersahl
Mr. Eberling
Mr. Dickenman

Absent: Mr. Blauvelt

The meeting was called to order by Mr. Dickenman, who acted as Chairman of the meeting in the absence of Supervisor Blauvelt.

Mr. Dickenman called for the reading of the minutes for the last regular meeting.

Mrs. Buchenau then read the minutes for the regular meeting held May 12th.

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

Seconded by Mr. Eberling

Carried

Mrs. Peterson, acting as spokesman for a group of people from New City Park appearing relative to the roads in the park, told the Board that a delegation of about 40 people had appeared at the meeting scheduled for June 9th, and were disappointed when the meeting was postponed due to Mr. Blauvelt's illness. She told the Board that 17 years ago, a farm was on the site where New City Park now is, and the valuation at that time was \$1200. At the present time the assessment in the park is approximately \$100,000.00. She said that there are approximately 120 homes in the park, 60 of which are occupied by year-round people. She said that nothing has been done on the roads that were originally cut through the park in spite of the fact that people have come into the township and built homes, thus increasing the tax rolls. She further added that the people of the park felt that something should be done by the Town to accept and maintain the roads. She asked that action be taken today to take over the roads, even if it were only possible to repair one or two at a time.

Mr. Dickenman told the group that he was sorry that it had been necessary to postpone the regular meeting due to illness. He further told them that the Board had inspected the roads on March 17th, and that at that time he was of the opinion that there were beautiful homes in the

park, and also that the roads are in bad condition. He said he felt that the roads should be taken over, and that the Board should accept them all. However, he pointed out that before the Board could accept and maintain the roads, the people in the park would have to deed to the Town a fifty foot right of way, and an agreement would have to be entered into, whereby the Town is not responsible for the water mains.

Mr. Wexler then told the Board that he understood the Public Service Commission is not interested in any water works valued at less than \$10,000. Therefore, he felt there was no reason why the roads could not be accepted, providing the 50 foot right of way was granted to the Town, a proper map was filed showing the water mains, and an agreement was entered into, relieving the Town of all responsibility for the water mains.

Mr. Eberling then reminded the Board that a contract was drawn up when the roads were taken over in Oakbrook, relieving the Town of responsibility for the water mains.

Mrs. Peterson told the Board that the park maintains the water mains under a cooperative group plan, that is, when a person buys property, he automatically becomes a member of this group. She also told the Board that the people were willing to deed the 50 foot right of way.

Mr. Schmersahl then inquired relative to the resolution at present on the minutes, requiring among other things a sub-base of stone on all roads to be accepted by the Town.

Mr. Klein, Supt. of Highways, told the Board that when this resolution was adopted by a previous Town Board, it was done because at that time there were so many developments being started. Developers were cutting roads through their property and requesting the Board to take them over in their newly developed condition, without any sub-base of stone, and then maintain them. The resolution, he pointed out, had been passed to protect the town against such occurrences.

Mr. Dickenman then said he felt that in this case the Board should not be governed by a resolution adopted by a previous Board, especially in view of the large assessment in the park.

The other Board members were unanimous in their opinion that something should be done about the roads in the Park.

Mr. Schmersahl then moved the following resolution which was seconded by Mr. Eberling and on roll call unanimously adopted.

RESOLVED, that the resolution adopted by the Town Board of Clarkstown on May 24th, 1937, as follows, be rescinded.

RESOLVED, that all private property to be turned over to the Town of Clarkstown for highway purposes should convey a right of way of 50 feet and a 21 foot road bed containing a 5 inch subbase of stone. All property owners along said right of way must present clear deed for properties adjoining right of way.

Mr. Klein told the Board that any repair to the roads in the park might be considered as new construction by the O.P.A. who has limited new construction to \$1000. He said he estimated the cost to construct 1 1/4 miles of roads would be about \$10,000.

The Board in discussing this matter felt that this should not be construed as new construction, and were of the opinion that a ruling should be requested from the O.P.A. and Mr. Klein was requested to look into this matter.

It is regularly moved by Councilman Eberling and duly seconded by Councilman Schmersahl that the Town of Clarkstown accept a deed granting and assume the maintenance of certain roads in what is commonly known as New City Park neighborhood, owned and maintained by the New City Park Club and more specifically described or to be described and enumerated by the Highway Superintendent, Mr. Emil Klein, consisting of roads the total length of which shall not be more than 1 1/4 miles upon the following conditions:

1. Said Club shall prepare and submit to the Town Board a good and sufficient map of the present location of all water mains, hydrants and/or valves if any on said roads and the exact depth of same, said map to be certified by an engineer and surveyor.
2. The Town shall not assume any responsibility regarding the care, maintenance and repair of any of said water mains, valves, hydrants, etc. on the roads herein to be granted to the Town. Whenever the said Club finds it necessary to repair, alter or make any changes regarding said water mains and in doing so perform any excavation or digging on any of said roads, the Club agrees to repair said roads at its own expense and/

or pay for same if the Town should perform said repair on said road.

3. Each and every part of the roads herein to be granted to the Town shall have a width of its right of way of no less than 50 feet throughout its entire length.

The foregoing resolution was adopted by the following vote:

AYES: Fred Schmersahl, Councilman
Charles Eberling, Councilman
John Dickenman, Councilman

NOES: None

Mrs. Pedersen and the New City Park delegation then thanked the Board for their consideration.

A letter was read from Jacob K. Wexler, Town Attorney, to Lt. Glenn C. Miller regarding his zoning application for buildings in Congers.

The letter was ordered placed on file.

Mr. Wexler told the Board that he had been able to get some ordinances lined up, but so far had been unable to meet with Chief Liebert. He said he would try to make an appointment with the Chief to go into this matter as soon as possible. He said that he could report meager progress on this matter.

With reference to Forest Glen Rd., Mr. Wexler informed the Board that he had been unable to do anything on it.

Mr. Wexler said that he had written to the Association of Towns regarding the Military Law as it refers to payments made by servicemen into the Retirement Fund, but as yet has received no reply.

Mr. Wexler said that he had also written on the matter of unexpended balances but has had no reply as yet.

Mr. Wexler said that he was still trying to see Mr. Henion relative to the property in the rear of the Town Barn, but so far they have been unable to get together.

A letter was read from Alphonse J. Schroeder, Chairman of the Board of Assessors, in which he advised the Board that in accordance with authority given to the Board of Assessors and in view of the fact that

the work had to be started at once, Mary Shortal, Wilma Baker, and Alice Hopper were appointed to write the 1944 Town Tax Rolls. He asked that the Town Board confirm this appointment.

Mr. Eberling moved that Mary Shortal, Wilma Baker and Alice Hopper be appointed to write the 1944 Town Tax Rolls at a salary of \$125.00 each.

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

A letter was read from the New York State Postwar Public Works Commission regarding plans for New Valley Rd.

It was decided that a map be filed with the State, and that the matter be referred to Mr. Wexler for his attention.

A letter was read from the Zoning Board of Appeals recommending the appointment of Reginald Herdman as a member of the Board of Appeals for a 5-year term. Another resolution was read recommending the appointment of Reginald Herdman as Chairman of the Board of Appeals for a term of one year.

Mr. Eberling moved that Reginald Herdman be appointed a member of the Zoning Board of Appeals for a period of five years, commencing June 19th, 1944, in accordance with a recommendation of the Board of Appeals.

Seconded by Mr. Schmersahl	Carried
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Mr. Eberling moved that Reginald Herdman be appointed Chairman of the Board of Appeals for a period of one year, commencing June 19th, 1944, in accordance with a recommendation of the Board of Appeals.

Seconded by Mr. Schmersahl	Carried
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A letter was read from the Board of Appeals, recommending that the Town Board provide funds to take pictures on both sides of the road along Route 59 between Swiss Trudy's, Nanuet, and the bridge on Route 59 east of the Village of Spring Valley, in order that a permanent record may be available to the Building Inspector and the Board of Appeals of those signs now on said road and the areas on said road without any signs.

Mr. Schmersahl moved that Fred Geist be authorized to take pictures *on both sides of Route 59 between Swiss Trudy's, Nanuet, and the bridge on Route 59 south of the Village of Spring Valley, so that a permanent record

will be available to the Building Inspector and the Board of Appeals of those signs now on said road, and the areas on said road without any signs.

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

A letter was read from Trevelyan Smith and others requesting that Main Drive in Brooklands, Nanuet, be regraded and covered with some form of cut stone or gravel, as it is badly in need of repair.

The letter was referred to Mr. Klein, Supt. of Highways, who told the Board that he had already investigated the matter and taken care of it.

Reports were received from the following Town Officers for the month of May.

Supervisor's report, showing total receipts in the amount of \$117.17, and total disbursements amounting to \$11,481.15. The Trial Balance showed the balance as of May 31st to be \$166,496.98.

Town Clerk's report showing total receipts and disbursements in the amount of \$926.65.

Irvin F. Dillon's report as Justice of the Peace in the amount of \$54.50.

Building Inspector's report amounting to \$38.00.

Report of Welfare Officer, showing total disbursements amounting to \$622.93. The case load was 13, and 29 individuals shared in the relief.

Mr. Dickenman then told the Board that no report had been received from Mr. Engels for four months. Although Mr. Wexler told the Board that stenographic assistance was difficult to obtain at this time in view of increased demand for legal services, the Board felt that one report a month was not too much to ask of a town official.

Mr. Schmersahl moved that the Town Clerk write a letter to Mr. Engels and request him to submit a full report covering the past four months at the next regular meeting.

Seconded by Mr. Eberling Carried

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A letter was read from the Central Nyack Welfare Association complaining of the dumping of refuse and garbage along the roads in Central Nyack.

Chief Liebert told the Board that about 500 feet east of the Chapel in Central Nyack he found upon investigation that rubbish and paper bags had been dumped at this point, and that among the rubbish he found papers belonging to a couple of prominent people in Central Nyack. Mr. Liebert said that he had warned the people not to dump there, and that he had put up no dumping signs, which had been torn down.

Chief Liebert also told the Board that he had noted violations of the curfew law by under-age boys hanging around the Central Nyack Fire House, and that in each case he had ordered them to go home.

In connection with dumping, Chief Liebert told the Board that the Miller Dump in West Nyack was a disgrace, and that nothing has been done to keep it covered and levelled off as outlined in the agreement entered into with Mr. Miller when the Board granted him permission to keep the dump.

The Board was of the opinion that Mr. Miller should take immediate steps to live up to his agreement, and if he did not comply, then the Board would have to cancel said agreement. They decided to talk the matter over further with Dr. Hopper in Board of Health Meeting.

A letter was read from the Central Nyack Welfare Association complaining of dogs running at large in Central Nyack and the fact that the police took no action when advised of this fact.

Chief Liebert told the Board that he felt the letter from the Central Nyack Welfare Association was uncalled for an unwarranted. He said that this year approximately 194 dogs have been taken out of the township. In the month of May 32 dogs were picked up, and already in June 21 dogs have been picked up by his department. He said that there isn't a day that the S.P.C.A. man doesn't stop at his headquarters in Nanuet, and he works with him on the matter of stray dogs. Mr. Liebert said that there was not a dog case reported that hasn't been taken care of. Furthermore, he pointed out that his department had been instrumental in securing approximately 336 dog licenses out of a delinquent list of 572 without the necessity of issuing summons.

Mr. Schmersahl moved that a letter be written to the Central Nyack

Welfare Association by the Town Clerk advising them that Chief Liebert has reported that there was not a dog case reported that wasn't answered and looked into.

Seconded by Mr. Eberling Carried

Mr. Eberling moved the following resolution which was seconded by Mr. Schmersahl and unanimously carried.

RESOLVED, that all private property to be turned over to the Town of Clarkstown for highway purposes should convey a right of way of 50 feet and a 21 foot road bed containing a 5 inch subbase of stone. All property owners along said right of way must present clear deed for properties adjoining right of way.

Mr. Eberling moved that Peter Brega be appointed in place of David Edwards to maintain the Valley Cottage Station Square.

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

Bills Nos. 389 to 459 on Warrant #6 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	
389	John C. Fajen	Rent	Town Hall & Offices	50.00
390	"	"	"	30.00
391	Bardonia School Dist. #10, A. Schnakenberg, Dist. Clerk	"	"	70.00
392	Mrs. Rose M. Leo	"	"	40.00
393	Coyle & Coyle	"	"	35.00
394	West Nyack Fire Engine Co.	"	"	20.00
395	Nanuet National Bank	"	"	30.00
396	Nanuet Fire Engine Co.	"	"	20.00
397	"	"	"	20.00
398	Nyack Window Cleaning Co.	Repairs	"	6.00
399	Rockland Lt. & Power Co.	Light	"	8.50
400	"	"	"	1.50
401	"	"	"	5.10
* 402	"	"	"	3.65

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
403	Rockland Gas Co., Inc.	Heat	TOWN BOARD Town Hall & Offices	6.92
404	New York Telephone Co.	Telephone	"	6.50
405	"	"	"	7.61
406	"	"	"	5.50
407	"	"	"	9.15
408	"	"	"	16.55
409	"	"	"	26.35
410	Excelsior Press	Printing & Advertising	Printing & Advertising	210.00
411	"	"	"	360.00
412	John Elliott	Zoning Inspector & Expense	Zoning Inspector & Expense	11.30
413	Roswell P. Blauvelt	Office Expense	Supervisor	10.00
414	New City Hardware Store	"	"	2.25
415	Joseph B. Komonchak	"	Justice	5.00
416	A. J. Laux & Co.	"	Town Clerk Justice	8.00 <u>1.70</u> 9.70
417	Kate Buchenau	"	Town Clerk	18.69
418	Excelsior Press	"	Assessors	4.25
419	Florence Blauvelt	Comp. of Employees	Board of Appeals	20.50
420	Walter Bovee	Expense	Police	14.18
421	Philip Rieber Co.	"	"	9.89
422	G. R. Jones, Jr., Inc.	"	"	35.85
423	Nyack Carburetor Sales & Service	"	"	5.90
424	Federal Laboratories, Inc.	Purchase of equipment	"	7.73
425	New York Telephone Co.	Bardonia O.C.D.	War Emergency Pur.	8.50
426	"	"	"	8.50
427	"	"	"	8.50
428	"	Nanuet O.C.D.	"	8.50
429	"	Central Nyack O.C.D.	"	8.50
430	"	Congers O.C.D.	"	17.50
431	"	West Nyack O.C.D.	"	6.80
432	William Martin, Quartermaster, Lt. Raymond B. Jauss, Post #2607	Patriotic Observation	Recreation	50.00
433	Rockland Co. Chapter 120 Military Order of Purple Heart	"	"	50.00
434	Henry Helmoke, Treas. Naurashank Post #794, American Legion	"	"	50.00

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
435	Samuel H. Handley	Office & Other Exp.	Welfare Officer	18.04
436	William Brown & Son	Office Exp.	"	9.95
437	John J. Harrison	Expense	Veterans Relief	5.76
438	Highway Distributing Co.	Item No. 1	Highway	6,292.85
439	"	"	"	5,049.90
440	Johnson & Connell	"	"	117.40
441	J. E. Vanderbilt & Co., Inc.	"	"	9.15
442	New York Trap Rock Corp.	"	"	3.00
443	West Nyack Trap Rock Co., Inc.	"	"	284.15
444	O.R.B. Road Materials, Inc.	"	"	1,625.87
445	Quackenbush Tire Shop	Item No. 3	"	24.95
446	John H. Jensen, Jr.	"	"	2.50
447	Floyd V. Howell	"	"	100.85
448	Floyd Stage	"	"	6.00
449	New City Hardware Store	"	"	42.87
450	Nyack Auto Parts, Inc.	"	"	14.75
451	United States Air Compressor Co.	"	"	3.21
452	New York Telephone Co.	Item No. 4	"	12.85
453	Mrs. M. Dorst	"	"	12.60
454	L. Smith	"	"	4.00
455	Rockland Lt. & Power Co.	"	"	1.96
456	E. Winifred Pitkin	Other Health Exp.	Board of Health	20.00
457	"	"	"	20.00
458	Harold Pitt	"	"	2.00
459	William Maag	"	"	2.00

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

Seconded by Mr. Schmersahl

Carried

Meeting adjourned.


 Town Clerk of Clarkstown