

## PUBLIC HEARING

July 13, 1945

Town Clerk's Office

7:00 P.M.

Present: Mr. McIntyre

Mr. Eberling

Mr. Dickenman

Mr. Blauvelt

Absent: Mr. Schmersahl

Mr. Blauvelt called the hearing to order and explained that it was being held in order to hear all those in favor or against the proposed ordinances for the Town. Mr. Blauvelt then asked that the notice of the meeting be read, and Miss Martling, Deputy Town Clerk, complied with his request.

Mr. W. Reginald Herdman then told the Board he would like to speak in connection with the proposed ordinances, in which there is an item designated as Article 15, House Trailers, Trailer Camps and Tourist Camps. He pointed out that in 1937 or 38 the people in Clarkstown were mindful of the fact that these camps were being established, and as a result quite a number of property owners took exception to these buildings and the type of element that would come into the community. Immediately it was recognized that something would have to be done to stop them. Therefore, a petition was presented to design a zoning ordinance, which was adopted in May, 1939. As a member of the Board of Appeals, Mr. Herdman pointed out that the Board of Appeals has adhered to the rule regarding such construction regarding cabins, tourist homes, etc. The result is that with the consideration of the adoption of the ordinances, especially Article 15, it would seem that the ordinance provides that which is denied in the Zoning Ordinance. Therefore, it seems that something is conflicting.

Mr. Herdman further pointed out that under Section 17 of Article 15, it specifies that each trailer and tourist camp must be provided with approved connections to a public sewerage, water and hydrant system. Since there is no sewerage system and only a few water systems in Clarkstown, it would be denied on that fact. As a property owner, Mr. Herdman asked that Article 15 be withdrawn and Trailer Camps and Tourist Camps not be permitted in Clarkstown. He told the Board that if an emergency exists, some provision might be made, but only under the supervision of the Chief of Police. He said that in any community that is looking for a desirable element, they certainly are not looking for the type of "fly-by-night" people that usually

frequent trailer and tourist camps.

Mr. Herdman pointed out to the Board that the Zoning Ordinance which was adopted in May, 1939 does not provide for the establishment of a camp or camping area in Clarkstown. He said the conditions are quite rigid, so that if anyone were interested in establishing a camp like the Boy Scouts, no one would be against it.

Mr. Blauvelt told Mr. Herdman that when the ordinances were proposed, there were some trailers in the Town near Barmore Hill, and it isn't expected there will be any more.

Mr. Norman Baker appeared before the Board and said he agreed with Mr. Herdman in that the whole reference to Trailer Camps be deleted, as there is no need for it. He said he had come in regard to the Article relating to Curfew. He said he has a group of boy scouts, and he feels that he is encouraging the boys to stay out after nine o'clock. He said he felt the Curfew Law was very wise, and it was necessary when the ordinance was inaugurated. However, he thinks the need for it has now disappeared. He said he feels that organizations that are trying to help out in giving youngsters what they should have are in a somewhat peculiar position when they encourage the children to stay out after nine o'clock at night. He said he feels it should be deleted from the ordinance, as the Curfew Law has served its purpose. If it is ever needed again, why of course it should be put back into force.

Mr. Baker offered the suggestion that the zoning ordinance be revised and reviewed and brought up to date as a matter of general practice in keeping things the way they should be. He pointed out that the Appeal Board has done well in all it ran into, and would probably welcome a revision of the ordinance. He said he would also like to suggest a Planning Board for the township.

Mr. Blauvelt pointed out that the Curfew Law had served well, and that until now the police department have had no authority whatever in asking the children to get home and off the streets.

Mr. Herdman then inquired regarding Article 6, Parking, asking if there is a State regulation that forbids the parking of automobiles on the highway over night. He said he felt that something might be added to the ordinance preventing the parking on the streets of automobiles over night.

In connection with Article 2, Sidewalks, Mr. Herdman asked if this applied to areas where there is a sidewalk district, or where people

have sidewalks in front of their homes.

Mr. Blauvelt said that it was put in mostly for the business districts, as the police department ran into trouble where people refused to remove the snow and defied the police authorities.

Mr. Angelo Pantol appeared regarding Veterans peddling without a license. He said he made no objection on their peddling without a license, but did object to Veterans parking in front of his own place of business, thus taking his business away. He said he felt they should be asked to move along. He told the Board that this particular person parks 150 feet away from his place right in front of the school and takes away his business. He asked the Board to give this careful consideration.

Mr. Elliott appeared regarding Trailer and Tourist Camps. He said he understood from the proposed ordinances that no trailer camp or tourist camp could be established until it could hook up to a public sewerage and water system. Said he felt this provision would let the matter out completely.

Mr. Klein, Supt. of Highways, said he wished to speak regarding Article 5, Section 3, Streets and Roads. In the ordinance, Mr. Klein pointed out, it provides for a fee of \$100. for street opening permits. He said he felt this amount was too high. The present fee is only \$10.00, and the applicant is responsible for all damage done. He also said he felt the \$5.00 fee for supervision by the Highway Supt. could be eliminated.

Mr. Blauvelt then read a letter from the Board of Appeals opposing the establishment of Trailer and Tourist Camps.

Mr. Zebrowski said he was opposed to the trailer and tourist camps, as he felt that the transients wouldn't do Clarkstown any good. He said he felt that small overnight cabins would not be a good thing for the Town.

Mr. DeFlaun told the Board that he likewise objected to the trailer and tourist camps, and seconded all of Mr. Herdman's remarks.

Mr. Philip Klein appeared and told the Board that he wished to object to the establishment of trailer and tourist camps in Clarkstown.

Since there were no other persons present who wished to be heard, Mr. Dickerman moved the hearing be closed.

Seconded by Mr. McIntyre

Carried

Mr. Blauvelt then thanked all those present for coming to the meeting and expressing their views on the proposed ordinances, and he said the Board would take the matter into consideration before any action was taken on the proposed ordinances. Mr. Blauvelt then declared the public hearing closed.

KATE BUCHENAU, TOWN CLERK

By *Cora M. Marth*  
Deputy Town Clerk

ABD 673

## TOWN BOARD MEETING

July 13, 1945

Town Clerk's Office

8:00 P.M.

Present: Mr. Schmersahl

Mr. McIntyre

Mr. Eberling

Mr. Dickenman

Mr. Blauvelt

Mr. Blauvelt called the meeting to order.

Mr. Blauvelt informed the Board that he had received a letter from the Postwar Public Works Planning Commission, advising that the date for the submission of plans for the proposed Town Hall has been changed to October 15th, 1945.

In connection with the proposed Town Hall, Mr. Blauvelt told the Board that he has four sites in view in the vicinity of New City. One is a lot on Main St. with a building, which will cost \$4500. Two other sites are lots, one at \$3,000. and the other at \$2000. with no buildings. The fourth site is a lot that has been offered to the Town free.

After discussing the matter, the Board decided to look over the property before any further action is considered or taken.

Mr. Blauvelt then informed the Board that Mrs. Pedersen had called on him regarding the deeds for Lindbergh Lane in New City, which the Park authorities now are anxious that the Town take over and maintain.

Mr. Roepe, Town Attorney, in commenting on the matter of the deeds, told the Board that he had looked at them, and that some deeds were in satisfactory condition, but that a couple of the deeds were not. Mr. Roepe told the Board that he was under the impression Mrs. Pedersen and the New City Park Club were of the opinion any searching of titles was something the Town Attorney would do. He said he had gone through the minutes of the Town Board and found a contract between the Town and the New City Park Club, in which the cost of filing deeds, etc. would be borne by the Club itself. He told the Board that he was not in any position to search thirty titles at the present time. He said he felt the Board should not accept title unless a search was made. He said he would have the work done at their expense.

Mr. McIntyre moved the matter of the deeds for Lindbergh Lane in New City Park be referred to Mr. Roepe, and that he communicate with

Mrs. Pedersen and advise her the Park Club is to assume the expense of the preparation of the deeds and the search of the titles.

Seconded by Mr. Dickenman

Carried

Mr. Blauvelt then brought to the attention of the Board a request of Mr. Robert Knapp that the Town take over and maintain Shady Brook Lane, Evergreen Lane and Pine Lane in Centenary. Mr. Blauvelt said that Mr. Knapp had advised that a map is on file in the County Clerk's office showing the roads to be 33 feet in width. He feels the Board should accept and maintain the roads.

Mr. Blauvelt then advised the Board that the State Law now requires roads to be 50 feet in width, and that there is a resolution on the minutes of the Town regarding the qualifications necessary for town roads in which a 50 foot right-of-way is required.

The Board after discussing the matter were of the opinion there was nothing they could do unless the roads were 50 feet in width, and they requested Mr. Blauvelt to so advise Mr. Knapp.

Mr. Blauvelt then read a letter from Mr. Ronan in which he advised that the State intends to purchase a piece of property of approximately four acres in Congers now owned by A. David Davies and Niles M. Davies. The property is on the west side of 9-W. He asked that the zoning of the property be changed to "Business B" zone to enable the State to use it as an office and storehouse.

After discussing the matter, the Board was of the opinion that the State would have to furnish a survey and map of the property to establish the boundary lines before any action could be taken, and Mr. Blauvelt was requested to contact Mr. Ronan regarding the matter.

Mr. Blauvelt read a letter from the Nanuet Civic Association, Inc. regarding a two hour parking limitation in Nanuet along Main St. from the Fire House and Flamik's to the Four Corners, between the hours of 9:00 A.M. and 6:00 P.M. on all days except Sundays. A request was also made for information relative to the sidewalk district in Nanuet.

Chief Liebert when consulted about the parking limitation, informed the Board that he believed it would be taken care of by Mr. Ronan, as this was a State Highway.

The Board members then referred the matter to Mr. Blauvelt and

Chief Liebert, with the request they consult with Mr. Ronan to see what can be done to establish the parking limit of two hours.

Mr. Eberling then said that he understood a Sidewalk District had been created in Nanuet at the time the curb and gutter was put in, and that there is a balance of approximately \$298.00 now in the Nanuet Sidewalk District account. He said he understood the committee would like a little information regarding the district, as they want to extend the present existing district a little further.

Mr. Blauvelt told the Board that he would check up the Nanuet Sidewalk District and would take up the matter with the Nanuet Civic Association, Inc.

Mr. Blauvelt then read a letter from the Board of Appeals, requesting the Town Board to approve by resolution that every zoning permit shall expire by limitation at the end of eighteen months, and that if construction is not completed within that time, new or extended permits may be granted, the fees to be at the rate of \$2.00 per month.

Mr. McIntyre moved the following resolution:-

RESOLVED, that every building permit shall expire by limitation at the end of eighteen (18) months, and

FURTHER RESOLVED, that if construction is not completed within said period of eighteen months, new or extended permits may be granted, and

FURTHER RESOLVED, that payment of fees shall be charged at the rate of Two Dollars (\$2.00) per month.

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

Mr. Blauvelt then read a letter from Mr. and Mrs. Hyle of Congers, complaining of conditions on the Anger property, where at present Mr. Anger is storing old lumber, bathroom fixtures, etc., which is most unsightly. They asked that the Board take some action to stop this violation of the Zoning Ordinance.

Mr. Elliott, Building Inspector, who was present at the meeting when consulted about this matter, told the Board that he was familiar with the situation. He said that apparently Mrs. Hyle doesn't realize that Mr. Anges is in a Business B district. He further added that Mr. Anges is planning on building three garages, in which he intends to put the building material. Just as soon as he possibly can do so, the place will be cleaned up. However, a man who is in a business district cannot be persecuted for what the zoning ordinance permits him to do. He told the Board that in his opinion he didn't believe there was anything the Board could do, as Mr. Anges is in a business zone.

Mr. Eberling moved that the Town Clerk write a letter to Mr. and Mrs. Hyle advising that John Anges is in a business district, and therefore the Town Board can take no action to stop him from doing what he is permitted to do under the Zoning Ordinance.

Seconded by Mr. Dickenman

Carried

Mr. Blauvelt read a letter from John Muller again protesting against the nuisance caused by the operation of a speedboat in Rockland Lake, and asking that the Board take immediate action to stop it.

Mr. Blauvelt brought to the attention of the Board members the fact that Mr. Muller complained of the nuisance once before, and that Mrs. Buchenau, at the request of the Board, had written him a letter, advising that the Board could take no action, since there is no ordinance in the Town regarding speedboats. He said that there is no action, that the Board can legally take to stop the use of the speedboat, as it has no control of such boats on the lakes within the township.

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

Seconded by Mr. McIntyre

Carried

After discussing matters pertaining to health in Board of Health Meeting, on motion of Mr. Eberling, seconded by Mr. Schmersahl and unanimously carried, the Board reconvened into regular Town Board session.

Mr. Blauvelt reported to the Board that he had received a report of the Justices fees from the State Dept. of Audit and Control for the month of March, April and May, 1945 showing a total amount due the Town of \$145.00, this amount representing the fines and fees of both Mr. Dillon and Mr. Engels.

Mr. Blauvelt then told the Board that the returns on pin ball licenses and junk licenses were less than last year, which meant less revenue than anticipated.

Mr. Blauvelt presented the reports of the following Town officials for the month of June, 1945.

Supervisor's report and Trial Balance

Town Clerk's report

Building Inspector's report

Welfare Officer's report

Veterans Welfare Officer's report

Mr. Schmersahl moved the reports of the various town officials be accepted as presented.

Seconded by Mr. McIntyre

Carried

Mr. Blauvelt then told the Board that Chapt. 128 of the Laws of 1945 amends the Social Welfare Law, making cash grants mandatory, effective Sept. 1, 1945 for Home Relief with certain minor exceptions. He then presented a resolution which the welfare authorities have asked the Board to adopt.

The Board then discussed the matter at length, but took no action, as they felt the matter should be thoroughly checked by Mr. Roepe before they approved the system of cash payments to relief clients.

Mr. Eberling moved that the matter of cash payments for Home Relief be referred to Mr. Roepe, Town Attorney, and that he investigate it and report back to the Board at the next meeting.

Seconded by Mr. Schmersahl

Carried

Mr. Eberling moved that the following Attendance Officers be appointed to serve in Clarkstown for a period of one year at the same salary as last year.

<u>DISTRICT</u>	<u>NAME</u>	<u>AMOUNT</u>
1 & 2	George Hamblin	\$140.00
4	Ernest Griffin	70.00
5	E. Staubach	70.00
6 and 10	Dick Martin	70.00
8	George Morgan	100.00

Seconded by Mr. Schmersahl	Vote: Mr. Schmersahl	Yes
	Mr. McIntyre	Yes
	Mr. Eberling	Yes
	Mr. Dickman	Yes
	Mr. Blauvelt	Yes

Mr. Blauvelt then presented to the Board a digest of 1945 amendments to the Workmen's Compensation Law and also a financial statement of the State Insurance Fund as of December 31, 1944.

Mr. Blauvelt informed the Board that a request had been made to have the Zoning Ordinance amended to eliminate the provisions in Section 9, (3), limiting the use of electric motive power to an aggregate of not more than 10 H.P. and limiting the number of workers to not more than 10.

Mr. Eberling moved the following resolution:-

WHEREAS, it appears desirable and in the public interest to amend the Building Zone Ordinance of the Town of Clarkstown by eliminating the provisions in Section 9, (3), limiting the use of electric motive power to an aggregate of not more than 10 H. P. and limiting the number of workers to not more than 10.

RESOLVED, that a public hearing pursuant to Section 265 of the Town Law be had at the office of the Town Clerk, Main Street, New City, on the 10th day of August, 1945 at 2:30 P.M. Eastern War Time, in relation to such proposed amendment, and it is

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal-News, published at Nyack, N. Y. at least ten days prior to the date of such hearing, and it is

FURTHER RESOLVED, that the Town Attorney, prepare the notice of such statutory hearing and that the Town Clerk cause the same to be published as aforesaid and file proof of such publication in the office of said Clerk.

Seconded by Mr. Schmersahl	Vote: Mr. Schmersahl	Yes
	Mr. McIntyre	Yes
	Mr. Eberling	Yes
	Mr. Dickman	Yes
	Mr. Blauvelt	Yes

Mr. Eberling moved that the Town Board approve the appointment by the Assessors of Alice Hepper, Emily Blauvelt and Mildred Magai to write the 1945 Tax Books, the salary of each to be \$125.00

Seconded by Mr. Schmersahl	Vote: Mr. Schmersahl	Yes
	Mr. McIntyre	Yes
	Mr. Eberling	Yes
	Mr. Dickerman	Yes
	Mr. Blauvelt	Yes

The Town Board approved the application of Theo. K. Omley for a permit to excavate for water pipe under section 149 of the Highway Law.

Mr. Schmersahl moved that Ferdinand R. Horn be reappointed a member of the Zoning Board of Appeals for a period of five years retroactive to July 19th, 1945, pursuant to a recommendation of the Board of Appeals.

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

Bills Nos. 383 to 454 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>
			TOWN BOARD	
383	John C. Fajen	Rent	Town Hall & Offices	50.00
384	"	"	"	30.00
385	Nanuet National Bank	"	"	30.00
386	Coyle & Coyle	"	"	35.00
387	Mrs. Rose M. Leo	"	"	40.00
388	West Nyack Fire Engine Co.	"	"	20.00
388A	"	"	"	20.00
389	John Elliott	"	"	15.00
390	Nyack Window Cleaning Co.	Repairs	"	6.00
391	Rockland Lt. & Power Co.	Light	"	8.70
* 392	"	"	"	7.96

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
			TOWN BOARD	
393	Rockland Lt. & Power Co.	Light	Town Hall & Offices	1.60
394	"	"	"	2.00
395	"	"	"	8.06
396	"	"	"	8.95
397	Rockland Gas Co., Inc.	Heat	"	5.57
398	New York Telephone Co.	Telephone	"	5.45
399	"	"	"	6.30
400	"	"	"	5.60
401	"	"	"	5.60
402	"	"	"	5.50
403	"	"	"	5.65
404	"	"	"	15.90
405	"	"	"	17.05
406	"	"	"	8.75
407	"	"	"	5.50
408	"	"	"	6.75
409	"	"	"	8.55
410	"	"	"	23.30
411	Nanuet National Bank	Water Rent	"	3.75
412	The Journal-News	Advertising & Publishing Notices	Advertising & Publishing Notices	148.61
413	Excelsior Press	Printing 2 Field Books	"	375.00
414	John Elliott	Bldg. Insp. Exp.	Zoning	18.60
415	Roswell P. Blauvelt	Expense	Supervisor	5.00
416	New City Hardware Store	Office Expense	Town Clerk	1.55
417	Chas. E. Houghtaling	"	"	2.36
418	Osward Stationery & Printing Co.	"	"	19.40
419	Edward Thompson Co.	"	"	12.00
420	Irvin F. Dillon	"	Justice	3.00
421	Chas. E. Houghtaling	"	"	19.75
422	Baker, Voorhis & Co., Inc.	"	"	15.00
423	Emily Blauvelt	Compensation	Assessors	125.00
424	Mildred Magai	"	"	125.00
425	Alice Hopper	"	"	125.00
426	Hutton-Johnson Co., Inc.	Office Expense	Rec. of Taxes	3.98
427	Florence Blauvelt	Emp. Comp.	Board of Appeals	5.00

ABD 673

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
428	New City Hardware Store	Expense	Police	2.14
429	West Nyack Service Station	"	"	62.91
430	Philip Rieber Co.	"	"	8.30
431	Town of Clarkstown, Highway Fund	"	"	106.27
432	Nyack Carburetor Sales & Service	"	"	17.00
433	Fred J. Smith	Comp.	School Director	15.00
434	Dick Martin	"	Attendance Officer	70.00
435	Ernest Griffin	"	"	70.00
436	R.D. Southward	Maintenance	Parks	22.75
437	Frank Hopper, Sr.	"	Cemeteries	109.90
438	Samuel H. Handley	Expense	Welfare Officer	9.00
439	Nyack Typewriter Exchange	"	W	1.50
440	Aletha Browne	Veterans Relief	Veterans Relief	25.00
441	The Johnson Co.	Item #1	Highway	156.60
442	West Nyack Trap Rock Co.	"	"	110.12
443	Highway Distributing Corp.	"	"	6,854.10
444	O.R.B. Road Materials, Inc.	"	"	1,488.58
445	New York Trap Rock Corp.	"	"	209.00
446	J. E. Vanderbilt & Co., Inc.	Item #3	"	27.86
447	Driscoll Chevrolet, Inc.	"	"	20.19
448	C. R. Jones, Jr., Inc.	"	"	4.60
449	General Electric Equipment Co.	"	"	5.77
450	Joseph Schack	"	"	12.00
451	New York Telephone Co.	Item #4	"	10.15
452	Rockland Light & Power Co.	"	"	9.50
453	Michael Kelleher	"	"	19.00
454	Donald Liebert	Expense	Board of Health	2.00

There being no further business, Mr. Eberling moved the meeting be adjourned.

Seconded by Mr. Schmersahl

Carried

Meeting adjourned.

KATE BUCHENAU, Town Clerk

*Car. Mr. Martling*

By

Deputy Town Clerk