

TOWN BOARD MEETING

Oct. 19, 1945

Town Clerk's Office

3:30 P.M.

Present: Mr. Schmersahl

Mr. McIntyre

Mr. Eberling

Mr. Dickenman

Mr. Blauvelt

Mr. Blauvelt called the meeting to order.

Mr. Walter Parshall, a representative of the Rockland Light & Power Company, appeared before the Board regarding the street lighting contracts the Town now has with his company. He offered two proposals to the Board whereby a savings in the cost of the street lighting could be realized. One proposal would be to add a rider to the present contract, expiring in 1951, which would save the Town \$435.50 annually. The other proposal is to cancel the present contracts and draw new ones for the six lighting districts for a period of 10 years, which will save the Town \$579.00 annually. There will be no change in the service rendered, but the longer term contracts make it possible for the Rockland Light & Power Company to offer better prices.

The Board discussed the matter at length and were of the opinion that the drawing of new contracts was the better of the two plans.

Mr. Dickenman moved the following resolution:

RESOLVED, that the present street lighting contracts between the Town of Clarkstown and Rockland Light & Power Company which expire in 1951 be cancelled, and

FURTHER RESOLVED, that new street lighting contracts for a period of 10 years which will save the Township \$579.00 annually be approved.

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

Mr. Blauvelt read a letter from Mrs. Olive P. Goetschius in which she once again complained about a condition which she claims is both unhealthy and a nuisance now existing on the property of Mr. Ernest Miller, where a

large number of chickens and turkeys have been kept on a 50 foot lot. She asked the Board to amend the Zoning Ordinance so that it would be Loophole proof in future.

Mrs. Goetschius, who was present at the meeting, told the Board that she had heard rumors circulating to the effect that the letters written to the Board in her name had been written by Judge Dillon. She branded this as an untruth, as she informed the Board that she was perfectly capable of writing her letters. She said she knew where the rumors started, and that she wanted the Board to know they were false. She then asked the Board members what they were going to do about the matter of which she had complained.

Mr. Blauvelt told Mrs. Goetschius that he understood Mr. Miller had sold his home and was getting rid of his chickens and turkeys.

Mrs. Goetschius replied that he still owned the place, and that although some of the fowls had been sold, there is still a large number being kept there.

Mr. Dickenman said he felt it was a Board of Health matter, since the fowls are kept within 35 feet from Mrs. Goetschius' residence.

Mr. Eberling offered the suggestion that if the place is not being kept in a sanitary condition, the Board of Health doctor could revoke the permit.

Mr. McIntyre informed the Board that he had voiced his opinion before, and he still feels that if the sanitary condition is bad, the Board of Health doctor should revoke the permit.

Mr. Blauvelt then asked Mrs. Goetschius to please wait until Dr. Hopper, the Health Officer, arrived, in order that she pass on the health question.

Mrs. Pedersen appeared together with Mr. Roald Hall regarding the roads in New City Park. She asked what the Board planned to do on Nansen Court, Roosevelt Place and Hansen Ave. She said that they had been rough-graded but never finished.

Mr. Blauvelt told Mrs. Pedersen that he felt the Board should go ahead and finish the streets, so that they will be passable.

When asked to report on the matter, Mr. Roepe, Town Attorney, informed the Board that at the last meeting the Board members agreed that he should get the file copies from Mr. Wexler, former Town Attorney, and that he would assume the title was good. He said that he had asked Mr. Wexler for the file copies, and that Mr. Wexler wrote him a letter advising that he was still looking for the deeds among his files. Mr. Roepe told the Board that he had written again to Mr. Wexler, but that as yet he has not received the deeds. He asked the Board

if they would take some action to get the file copies from the former Town Attorney. Mr. Roepe told the Board that it was his opinion, after checking the contract with the New City Park group very carefully, that the Town would have to complete the three roads, since deeds were furnished by the New City Park group, and they were accepted by Mr. Wexler for the Town.

Mrs. Pedersen then told the Board that she had a file copy of the deeds which she would be glad to furnish in order that new deeds may be prepared, and that she would be willing to assist in procuring addresses, etc. for the new deeds.

Mr. Dickenman then said he felt that in view of Mr. Roepe's opinion, the Town should go ahead with the finishing of the three roads in the park, and he offered the following resolution which was seconded by Mr. Eberling.

RESOLVED, that the three roads in New City Park, namely, Nansen Court, Roosevelt Place and Hansen Ave., which have been rough-surfaced by the Town, be finished, and that the Supt. of Highways proceed with the work as soon as possible.

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

Mrs. Pedersen told the Board that there is some thought regarding the filing of a new map of the roads in the Park.

Mrs. Pedersen then inquired when the surface coating would be put on the roads.

Mr. Klein, Supt. of Highways, informed Mrs. Pedersen that he believed he could take care of the work in about two weeks.

Mrs. Pedersen then inquired regarding Lindbergh Lane. She told the Board that she understood deeds for property along this road had been turned over to the Town Board by Mr. Hall at the last meeting, and that the deeds were referred to Mr. Roepe, Town Attorney.

In reporting on the matter, Mr. Roepe said there were four blocks in which the Town is interested and that he has dictated deeds on two blocks.

Mr. Hall then asked what was wrong with the first deeds submitted for Lindbergh Lane.

In reply to Mr. Hall's question, Mr. Roepe informed him that the County Clerk will not accept for filing deeds where several owners to property have joined on one deed. Therefore, it was necessary to redraw the deeds.

Mrs. Pedersen told the Board that she had worked on a great many of the deeds and that she worked very closely with Mr. Wexler. She further told the Board that at the time the deeds were prepared, the County Attorney rendered an opinion to the effect that the deeds were all right and could be filed, providing the descriptions were given and the signature were correct.

Mr. Roepe told the group that he had checked the matter very closely, and that he spoke to the County Clerk, and they refused to accept the deeds. He said that apparently the County Clerk does not know of the opinion given by the County Attorney. He also said that he would be willing to give an opinion by the County Attorney great respect. However, in his opinion the deeds in their present form are not correct, and he is therefore drawing new deeds for Lindbergh Lane.

Mr. Hall then asked approximately when the deeds would be ready for signatures, as the park group were very anxious to have the work start on this road.

Mr. Roepe told the group he felt that two sections would be ready by next Saturday, and that he could have the other two sections ready two weeks thereafter. He said it was not a difficult job, but that he could not give definite dates since he only has one girl in his office.

Mrs. Pedersen then inquired what could be done regarding Amundsen Lane in the park, where one owner to property along the road is now in Sweden, and it is impossible to get the proper signature. This is holding up matters.

Mr. Roepe told the group that the Town would have to file condemnation proceedings on this piece, and this would be just as costly for one piece as it would be for the entire road.

The New City Park group then thanked the Board for their consideration of the park roads.

Mr. Blauvelt then asked for a motion to adjourn into Board of Health Meeting.

Mr. McIntyre moved the Board adjourn into Board of Health Meeting.

Seconded by Mr. Eberling

Carried

required by the provisions of the Town Law.

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

Mr. Blauvelt reported on a road complaint in West Nyack. He said that the road in question will be rebuilt.

Mr. Blauvelt read a letter from the Spring Valley Water Works & Supply Co., advising that a field survey will be made in connection with the installation of a water main and fire hydrant on Palisade Ave., between Middletown Road (Main Street) and Highview Ave., Nanuet, and that they will communicate with the Town authorities further as soon as the report is completed.

Mr. Blauvelt read a legal opinion of the Town Attorney, Edward G. Roepe, in which he advised that the Town Board may appropriate a sum up to \$200.00 for the purpose of assisting in paying the rental of meeting rooms for the Marine Corps League in the township.

Mr. Blauvelt read a letter from the Rockland Light & Power Company, advising that there will be an additional charge for the installation of the street light on Hemingway Ave., Congers, of \$61.25 because five additional sections are required.

Mr. Blauvelt reported to the Board that funds for extra installation costs had not been included in the budget for Congers Lighting Dist., and that therefore there was not sufficient money to pay for the installation of the light.

Mr. Dickenman moved that the Town Clerk be instructed to communicate with the Rockland Light & Power Co. and see if they will install the light and wait for the installation cost until such time as the Town Board can appropriate the funds in the next budget, since no provision has been made in this year's budget.

Seconded by Mr. Eberling Carried

It was then pointed out that there would probably be a balance in the Congers Lighting Dist. by reason of the new 10 year contract now being drawn with the Rockland Light & Power Company, and that possibly there will be sufficient funds to meet the installation costs.

Mr. Blauvelt read a letter from M. A. Dal Lago, Secretary, New City Business Mens Association, recommending the purchase of a portion of the Irion property in New City now under consideration for the proposed Town Hall.

Mr. Blauvelt read a letter from Mrs. Rose M. Leo, in which she advised that she wished to rent her store in Nanuet now occupied by the Receiver of Taxes to her daughters for the operation of their beauty parlor, and that she would like to have the store by Nov. 1st. She offered to fix the store which her daughters will vacate for Mr. Haerle's use at her own expense.

Mr. Blauvelt told the Board members that he had spoken to Mr. Haerle about the matter and requested him to be at the meeting, but that Mr. Haerle had said it was his busy time, and he couldn't come. Mr. Haerle also had told him that he was busy collecting school taxes, and he didn't see why he should have to move at this time. Mr. Blauvelt further told the Board members that Mr. Haerle had informed him the other store was smaller, and it would be very cramped for his business. Mr. Haerle feels they should hold off for another month until he is finished collecting school taxes.

When asked regarding the rent, Mr. Blauvelt said he understood there would no change in the rent for the other store.

Mr. Eberling moved that a letter be written to Mrs. Leo, requesting her to grant an extension in the time from Nov. 1st to Dec. 1st in view of the fact that Mr. Haerle is very busy at the present time collecting school taxes, and it would be extremely difficult for him to move into new quarters at this time.

Seconded by Mr. Dickenman

Carried

Mr. Blauvelt read a letter from the Board of Water Commissioners of the Village of Nyack in which they advise that prices may be reduced on material and labor costs in connection with the South Greenbush Rd. extension, but that it is still too early to estimate what the reduction will be. They also advise that at present materials are very scarce and labor is even scarcer.

Mr. Blauvelt then presented a petition for a street light to be installed on pole #4 at the foot of Rockland Ave. in Nanuet.

Mr. Eberling moved the following resolution:

RESOLVED, that a street light be installed on pole #4 at the foot of Rockland Ave. in Nanuet, and that the Rockland Light & Power Co. be

authorized to make the necessary installation.

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

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

Supervisor's report and Trial Balance

Town Clerk's report

Building Inspector's report

Welfare Officer's report

Mr. Eberling moved the reports be accepted as presented.

Seconded by Mr. Dickenman	Carried
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Mr. Blauvelt then read a letter from the Dept. of Audit and Control in which they advise that \$134.50 is due the Town of Clarkstown by reason of an examination of the Justices reports for the three months ending Sept. 30, 1945.

Mr. Roepe, Town Attorney, reported that he had invited Mr. Trachtenberg over to his office to give the legal description of the property now owned by Garrett Miller in West Nyack, which he has requested the Board to change from Residence zone to Business zone. He said that he worked out with Mr. Trachtenberg the description on the properties on the north side of the highway. He is now waiting for the description of the property on the south side of the Highway (Besso property). Mr. Roepe told the Board that as soon as he receives this description, he will prepare the necessary papers.

Mr. Roepe reported to the Board that a writ of certiorari has been served by the attorney for the Tolstoy Foundation, Inc. He reported that he had filed the answer as required by law. He also reported that he had been in court together with Mr. Stickles on the Trap Rock case.

Mr. Blauvelt then explained that the Tolstoy Foundation, Inc. had been exempt from taxes by a Court Order of Judge Patterson. However, the assessors have this year placed them again on the rolls, and Tolstoy Foundation Inc. has filed an order protesting this action by the assessors.

Mr. McIntyre told the Board that he had been approached by people in West Nyack regarding the proper procedure to have a water district.

Mr. Eberling said that possibly the Spring Valley Water Works & Supply Co. would be willing to work on such a venture.

Mr. Dicken then told the Board that he had been talking with a resident of New City, who recommended the appointment of a Planning Board for the township. He said he felt this was an excellent idea, since it would help greatly in the work of planning for the future of the Town.

Mr. Blauvelt then said he felt the idea of a Planning Board was an excellent one.

Mr. Klein, Supt. of Highways, then asked the Board if they were considering the purchase of a piece of road equipment for snow removal. He then recommended the purchase of a combination snow loader.

Mr. Eberling moved the following resolution:-

WHEREAS, the Town Superintendent of Highways has recommended the purchase of a combination 2 yard snow loader, equipped with 3/4 yard all purpose bucket for dirt excavating, mounted on pneumatic tires at a cost in excess of \$500.00, be it hereby

RESOLVED, that the Town Board will meet on Nov. 9th, 1945 at the Town Clerk's office, New City, New York, to consider the purchase, and that five days' public notice be given of this recommendation, and be it

FURTHER RESOLVED, that the Attorney for the town prepare the necessary papers.

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

Bills Nos. 591 to 661 on Warrant #10, amounting to \$ 12,037.99 were audited and ordered paid.

Mr. Eberling moved the meeting be adjourned.

Seconded by Mr. Dickenman Carried

Meeting adjourned.

KATE BUCHENAU,
Town Clerk of Clarkstown

By Cary M. Martling
Dep. Town Clerk