

TOWN BOARD MEETING

JAN. 9TH, 1948

Town Clerk's Office

8:00 P. M.

Present: Mr. Schmersahl
Mr. Fibble
Mr. Welchman
Mr. Eberling
Mr. Dillon

Mr. Dillon called the meeting to order.

Mr. Welchman moved that the reading of the minutes for the regular meeting held on Dec. 12th, 1947 and the Annual Meeting held on Dec. 29th, 1947 be dispensed with.

Seconded by Mr. Schmersahl

Carried

Mr. Dillon then told the Board that oaths for all elected officials have been properly filed.

In regard to the extension of Maple Rd. in Valley Cottage, Mr. Dillon reported that no recommendations have been received from the Planning Board. The Town Clerk was requested to write to the Planning Board and request them to please submit their report as soon as possible.

Mr. Dillon reported that deeds for Evergreen Road East and Evergreen Road West in New City have not been received from the New City Operating Co. and therefore action cannot be taken at this time.

Mr. Dillon reported that he has received no report of the proposed taxi ordinance.

Mr. Welchman moved adjournment 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. Eberling, seconded by Mr. Welchman and unanimously carried the Board reconvened into regular Town Board Meeting.

Mr. Dillon read a letter from Mrs. Pauline Zielich commending Mr. Klein, Supt. of Highways and the Highway Dept. for their fine work in plowing snow and keeping the roads open.

Mr. Dillon read a letter from the Association of Towns advising that the Annual Meeting will be held in Albany on Feb. 18th, 19th & 20th.

Mr. Eberling moved that any Town official who desires to attend the Annual Meeting of the Association of Towns be permitted to do so, the expense to be paid by the Town.

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Seconded by Mr. Welchman

On roll call, the vote of the Board was as follows:-

Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

The Board decided to hold up the designation of a delegate to the Annual Convention until the February Meeting, inasmuch as none of the Councilmen were certain they could attend.

Mr. Dillon read a letter from Edwin H. Bedford, Clerk to the Board of Supervisors, advising that a meeting will be held on Jan. 13th, 1948 at 8:00 P. M. in the Court House to make plans for the celebration of the 150th anniversary of the County.

Mr. Dillon presented the dockets and report of Stephen G. Doig, Jr. as Justice of the Peace for the period beginning Nov. 23, 1947 and ending Jan. 1st, 1948. The report is as follows:

R E P O R T
OF
STEPHEN G. DOIG, JR.
J U S T I C E O F T H E P E A C E
T O W N O F C L A R K S T O W N
F O R
T E R M O F O F F I C E
N O V E M B E R 2 3 , 1 9 4 7 - t o - J A N U A R Y 1 , 1 9 4 8

CASES DISPOSED OF:

CIVIL	3	
CRIMINAL	2	
SPECIAL PROCEEDING UNDER AGRICULTURE & MARKETS LAW	1	
MOTOR VEHICLE & TRAFFIC CASES	2	
	<hr/>	
TOTAL CASES DISPOSED OF		8

MONIES COLLECTED:

ONE CRIMINAL CASE (1/2 of fine to be remitted to complainant by state Comptroller)	\$50.00
TWO MOTOR VEHICLE & TRAFFIC CASES	10.00

CIVIL FEES

6.00

TOTAL FINES COLLECTED - 1947 -

\$66.00

s/STEPHEN G. DOIG, JR.
Justice of the Peace

Mr. Dillon told the Board that Mr. Doig was ill at the time the Annual Meeting was held and was not able at that time to submit his report.

Mr. Eberling moved the report and dockets be accepted.

Seconded by Mr. Welchman

Carried

Mr. Klein, Supt. of Highways, then submitted bids he had received for the trucks the Town is purchasing. They are as follows:-

John J. King - Monroe, N. Y. -

- 1. "HR" truck with Frink Model 25SB one-way plow with 10' wing full power hydraulic operation - \$8,675.00 each
- 2. "SU" truck with Frink Model 30SB one-way plow and Wing with full power hydraulic operation - \$12,082.15 each

Frank Buckley, Troy, N. Y. -

- 1. "FWD" 4 ton 125 H.P. Walter Four Point Positive Drive Chassis, with Model 230-SB One-Way Walter Frink Sno-Plow and 10 WRM Right Wing. \$10,495.00 each
- 2. "FZMD" 5 ton 125 H.P. Walter Four Point Positive Drive Chassis, with 230-SB One-Way Walter Frink Sno-Plow and 10-WRM Right Wing. \$10,945.00 each.

Mr. Klein told the Board that he would recommend the purchase of the 5 ton Walters truck.

Mr. Eberling moved the following resolution:-

WHEREAS, the Town Superintendent of Highways did on the 9th Day of January, 1948 duly recommend the purchase of certain machinery and equipment pursuant to the provisions of Section 142 of the Highway Law, and a Notice of such recommendation has been duly published as provided in such section,

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 142 of the Highway Law the Town Superintendent of Highways is hereby authorized to purchase from Frank Buckley, with the approval of the County Superintendent of Highways:

- Two (2) Model "FZMD" 5 ton 125 H.P. Walter Four Point Positive Drive Chassis, equipped with size 10:00x20 dual ear tires, 3-1/2 cu. yd. water level Dump Body with Hydraulic Hoist,

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Heater-Defroster, Roof-lite, Blinker-lite, Directional Signals, Flares, and all equipment listed per specification sheet.

Plow equipment to include:

Two (2) Model 230-SB One-Way Walter-Frink Sno-Flow and 10 WRM Right Wing. Plow and Wing are to be full power-hydraulic operated.

for a total price of Twenty-one Thousand Eight Hundred Ninety and 00/100 Dollars (\$21,890.00), delivered at New City, N. Y. and to be delivered within thirty to sixty days.

The terms of payment will be as follows:

Certificate of Indebtedness.

A contract of purchase for the items purchased shall be duly executed between the Town Superintendent of Highways and such vendor, and when duly approved by the County Superintendent of Highways, it shall become effective.

Seconded by Mr. Schmersahl

On roll call, the vote of the Board was as follows:-

Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

Mr. Dillon presented the reports of the following officials for the month of December:-

Town Clerk
Chief of Police
Supervisor's Report and Trial Balance for Nov.

Mr. Eberling moved the reports be accepted.

Seconded by Mr. Welchman Carried

Mr. Dillon then informed the Board that according to the report of the Town Clerk, some appointments would have to be made, and the first one was Town Attorney.

Mr. Eberling Nominated Jerome Trachtenberg for the position of Town Attorney for a term of two years, inasmuch as he has served the Town faithfully and well during the past two years.

Seconded by Mr. Dillon

Mr. Welchman nominated Edward G. Roope for the position of Town Attorney for a term of two years.

On roll call, the vote of the Board was as follows:-

Mr. Schmersahl	Danko, Simpson, Keyser
Mr. Fibble	Danko, Simpson, Keyser
Mr. Welchman	Danko, Simpson, Keyser
Mr. Eberling	Not Voting
Mr. Dillon	Not Voting

Mr. Schmersahl moved that Olaf T. Keyser be appointed Chairman of the Board of Assessors.

Seconded by Mr. Fibble

On roll call, the vote of the Board was as follows:-

Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Not Voting
Mr. Dillon	Not Voting

Mr. Eberling moved that Charles R. Adams, Jr. be appointed Deputy Town Clerk for a term of two years to perform the same duties prescribed for the Town Clerk during the latter's absence and to serve without compensation from the Town.

Seconded by Mr. Schmersahl

On roll call, the vote of the Board was as follows:-

Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

Mr. Eberling moved that Cora M. Martling be appointed Registrar of Vital Statistics for a term of two years.

Seconded by Mr. Schmersahl

On roll call, the vote of the Board was as follows:-

Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

Mr. Welchman moved that Charles R. Adams, Jr. be appointed Deputy Registrar for a term of two years.

* Seconded by Mr. Schmersahl

On roll call, the vote of the Board was as follows:-

Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

Mr. Dillon presented the payroll covering officials and employees of the Town.

Mr. Schmersahl moved that the salaries of all Town Officials and employees be fixed as follows:-

<u>ANNUAL SALARY</u>	<u>NAME</u>	<u>TITLE OF POSITION</u>
\$ 360.00	Letitia Johnson	Janitress
180.00	Dollie Stiles	"
2000.00	Irvin F. Dillon	Supervisor
2660.00	Florence Blauvelt	Supervisor's Clerk
1320.00	Frederick R. Engels	Justice of Peace
1320.00	Stephen G. Doig, Jr.	"
750.00	Charles Eberling	Councilman
750.00	Joseph Fibble	"
750.00	Fred Schmersahl	"
750.00	Joseph Welchman	"
3000.00	Cora M. Martling	Town Clerk
2500.00	Charles R. Adams	Sr. Acct. Clerk
1400.00	Claf T. Keyser	Assessor
1200.00	Stephen Danko	Assessor
1200.00	Thomas Simpson	Assessor
3500.00	C. Elsie Haerle	Rec. of Taxes
1500.00	Lola Krausser	Sr. Acct. Clerk
1500.00	Edward G. Roope	Attorney
4000.00	Walter Liebert	Police Chief
3200.00	Ernest Wiedicke	Sergeant
2600.00	Fred Brunjes	Town Patrolman
2900.00 P.T.	Carl Grando	Part Time Patrolman
2900.00	Frank H. Schreiter	Patrolman
2900.00	John Jackomin	Patrolman
2900.00	Raymond Lindermann	Patrolman
2600.00	William M. Rush	Patrolman
2900.00	William Zielich	Patrolman

PAYROLL (CONT.)

<u>ANNUAL SALARY</u>	<u>NAME</u>	<u>TITLE OF POSITION</u>
\$ 1500.00	Marjorie Hopper	Health Officer
1000.00	George R. Murdock	Building Inspector
2500.00	Frank Kemmer	Welfare Officer
660.00	John J. Harrison	Veterans' Wel. Off.
1870.00	Margaret Reilly	Account Clerk

HIGHWAY PAYROLL

<u>SALARY PER HOUR</u>	<u>NAME</u>	<u>TITLE OF POSITION</u>
\$ 1.15	Selden Stiles	Motor Equip. Operator
1.15	Vito J. Volino	"
1.20	Herbert Miller	"
1.25	Charles L. Campbell	"
1.20	Henry Pajen	Road Maintainer
1.10	Paul Stepbach	"
1.15	Frank Conklin	"
1.15	Thomas Marsico	"
.95	Fred Kirkman	"
.95	Russell Schaeffer	"
1.10	Jeff Bronte	"
1.00	George Scott	"
1.00	Michael Ireland	"
Per. Mo. 66.00	Florence Blauvelt	Clerk to Supt. H'ways
Per. Mo. 333.33	Emil Klein	Supt. of Highways

Seconded by Mr. Welchman

On roll call, the vote of the Board was as follows:-

Mr. Schmorsahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

Mr. Schmorsahl moved that mileage, not to exceed 6¢ per mile, be paid to the following Town Officers and employees for the use of their personal automobiles in the performance of their official duties :

Welfare Officer
 Veterans Welfare Officer
 Receiver of Taxes
 Building Inspector
 Assessors
 Dog Enumerator

Seconded by Mr. Welchman

On roll call, the vote of the Board was as follows:-

Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

Mr. Steele, Pres. of the Rockland Pistol Club appeared before the Board relative to a piece of property in Valley Cottage known as the Old Johnson Farm which they contemplate purchasing for the purpose of establishing a private shooting club. However, before purchasing the property they want to know if the property which is in a Residence A district, can be used for this purpose. If the present zoning ordinance does not permit a shooting club in a Res. A. district, Mr. Steele asked the Board to re-zone Residence A district to allow the shooting club or re-zone the area in which the property is located.

Mr. Dillon then advised Mr. Steele that his letter, regarding the proposed establishment of a shooting club would be referred to the Town Attorney for his opinion. He further advised him that the Board would contact him as soon as they receive advice in this matter.

The Town Clerk was then directed to refer the letter of the Rockland Pistol Club to the Attorney, and request him to please check the zoning ordinance and report back to the Board.

Mr. Dillon appointed Mr. Schmersahl and Mr. Eberling on the Insurance Committee.

Mr. Welchman moved that the Journal-News be named official newspaper for the Town.

Seconded by Mr. Schmersahl

On roll call, the vote of the Board was as follows:-

Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

Mr. Eberling moved that the Nanuet National Bank be named as depository for the funds of the Supervisor, Town Clerk, Receiver of Taxes, Justice of the Peace and Building Inspector.

Seconded by Mr. Schmersahl

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On roll call, the vote of the Board was as follows:-

Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

Mr. Dillon then told the Board that the Bank keeps a sufficient amount in escrow to cover the deposits of the Town, and that the amount last year was \$235,000.

Mr. Schmersahl moved that the Nanuet National Bank keep in escrow \$235,000. to cover the deposits of the Town.

Seconded by Mr. Welchman

On roll call, the vote of the Board was as follows:-

Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

Mr. Dillon then told the Board that according to the Town Clerk's report, the light contracts are for a period of 10 years. There are three contracts for water districts, one for Central Nyack, Nanuet and East Nanuet. Central Nyack is with the Village of Nyack and the Spring Valley Water Works and Supply Co. supplies the other two districts. The Contracts are continuous in force at the please of both parties.

Mr. Welchman moved that the Chairman of the Board of Assessors be authorized to get bids for the 1948 Field Books and Assessment Rolls.

Seconded by Mr. Schmersahl

Carried

Mr. Dillon read a letter from Evelyn Burgess of Nanuet, requesting a change in the zoning of her property located at the northeast corner of Route 59 and Middletown Rd. from Res. A to Business B. The property is the former Palmstock place.

The question of meetings then was brought up, and Mr. Fibble moved that the Board Meetings be held on the second Friday of each month at 8:00 P. M.

In the discussion that followed, Mr. Dillon told the Board that afternoon meetings have been held for a long time, and while he could make

arrangements to be present in the evenings, it did not seem fair to ask employees to come out at night and work after already putting in a day's work.

Mr. Fibble then told the Board that he works in New York and would have to take a day off to attend the afternoon meetings. He said that since this is a only a part time position, he did not think he should jeopardize his regular employment. He asked if any complaints had been received about night meetings, and Mr. Dillon replied that there had been none.

Mr. Welchman seconded the motion made by Mr. Fibble.

On roll call, the vote of the board was as follows:-

Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

Mr. Welchman moved the following resolution:-

WHEREAS, EVELYN E. BURGESS, has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said town be amended by redistricting property of the said petitioner and in said petition described from "Residence A" to "Business B".

BE IT RESOLVED, that a public hearing pursuant to Sections 265 and 264 of the Town Law be had at the Office of the Town Clerk, Main Street, New City, New York, on the 6th day of February, 1948 at 8:00 P.M. relative to such proposed amendment, and it is,

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be posted and shall be published in the Journal-News at Nyack, New York, in the manner provided by law, and it is,

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

Seconded by Mr. Fibble

On roll call, the vote of the Board was as follows:-

Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

Mr. Victor Smith then appeared and asked if a letter had been received from Mrs. Florence Jensen, Republican Chairman for Clarkstown,

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relative to committee recommendations.

Mr. Dillon told Mr. Smith that a letter had been received from Mrs. Jensen, and he showed it to him when requested to do so.

Mr. Edward Roepe then appeared and thanked the Board for appointing him Town Attorney. He told them that he would do everything in his power to warrant the confidence placed in him.

Mr. Dillon then read a letter from Willis Wells, Pres. for the Executive Committee of the Association of Towns regarding the 4-year term for all Town officials, who are elected to office. Mr. Dillon told the Board that there are two suggested resolutions: (1) that the Town Board is opposed to any change (2) that the Town Board is in favor of a four year term and that the change may be submitted to the voters at an election.

Mr. Dillon moved that all Town officials of the State of New York be elected for a 4-year term, and that the question of the 4-year term may be submitted to the qualified voters of the Town at a proper election.

Seconded by Mr. Schmersahl

On roll call, the vote of the Board was as follows:-

Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

Bills Nos. 1 to 85 on Warrant #1 were audited and paid, amounting to \$4,041.78.

There being no other business, Mr. Welchman moved the meeting be adjourned.

Seconded by Mr. Schmersahl

Carried

Meeting Adjourned.

Carroll M. Marthing

 Town Clerk of Clarkstown

PUBLIC HEARING

JAN. 9, 1948

Town Clerk's Office

8:00 P. M.

Present: Mr. Schmersahl
 Mr. Fibble
 Mr. Welchman
 Mr. Eberling
 Mr. Dillon

Mr. Dillon called the hearing to order, explaining that it was being held to consider the application of Harry Schek to change the zoning of his property in West Nyack from Residence A to Business B Dist.

Miss. Martling, Town Clerk, then read the Notice of the Hearing which was duly published in the Nyack-Journal, the official newspaper of the Town, pursuant to law.

Mr. Dillon then stated that the Board would listen to anyone desiring to speak either for or against the requested change.

Mr. Schek appeared in favor of his application.

The Board then held the hearing open for one hour, during which time no one appeared to protest the proposed change.

Mr. Eberling moved the following resolution:-

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 12th day of December 1947, provided for a public hearing on the 9th day of January, 1948 at the office of the Town Clerk, Main Street, New City, New York at 8:00 in the evening to consider an application of Harry Schek to amend the Building Zone Ordinance for the said town by redistricting the property hereinafter described from "Residence A" to "Business B", and,

WHEREAS, notice of said public hearing was duly published and posted as required by law and said public hearing was duly held at the time and place specified in said notice,

NOW THEREFORE, be it resolved that the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting the following described property from "Residence A" to "Business B".

All that certain lot, piece or parcel of land situate, lying and being at West Nyack, in the Town of Clarkstown, County of Rockland, State of New York, bounded and described as follows, viz:

BEGINNING at a point in the boundary line between the lands of Harry Schek on the east and the lands of Garret Miller on the west, in the northerly line of "Business B" zone, said point being 200 feet north, measuring at right angles from the north line of Route 59; thence northerly along the said boundary line between the lands of Schek and Miller

about 43 feet to other lands of Garret Miller; thence turning and running easterly along the southerly boundary of lands of Garret Miller about 210 feet to the lands of Harry Clark; thence turning and running southerly along the lands of Harry Clark about 65 feet to the northerly line of "Business B" zone; turning and running thence westerly along the northerly line of "Business B" zone to the point of beginning.

Seconded by Mr. Schmersahl

On roll call, the vote of the Board was as follows:-

Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

Mr. Eberling moved that the hearing be closed.

Seconded by Mr. Schmersahl

Carried

Hearing closed.

Corey J. Martling

 Town Clerk of Clarkstown