

PUBLIC HEARING

April 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 Public Hearing to order, explaining that it was being held by the Board on the application of Albert and Clara Lamborn to change the zoning of their property in Congers from Res. A to Bus. B.

The Town Clerk then read the Notice of Hearing and presented the Affidavit of Publication of the Meeting.

Mr. Dillon then stated that those in favor of the change would be permitted to speak first and afterwards those who opposed the change would be given the opportunity to speak.

Mr. Albert Lamborn appeared and told the Board that he was asking for the change in zoning because the surrounding property is business, and that he felt it would be a distinct benefit to the Town and to the area. He said that the entire frontage of the property he desires changed fronts on 9-W.

Mr. Kenneth Baker of Congers appeared and stated that he objected to the change because the property below it is to be sold for a roadhouse, and that is why he wishes the change. Mr. Baker further stated that he has a roadhouse business in the immediate vicinity, and that he felt the change wouldn't do his business any good.

Mr. Henry C. Frechen of Congers then asked if his property is included in the area which is to be changed to Business B. He is across the street from the property which Mr. Lamborn has asked be changed.

The Board then checked the description and found that Mr. Frechen's property is excluded from the change, as it was premises heretofore conveyed, and Mr. Lamborn said that the property was not included in his application.

Mrs. Madeline Frechen of Congers then asked the Board if they would have to file papers should they wish to enlarge their business.

Mr. Dillon suggested that she wait until the Board acts either

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favorably or otherwise on this application, and then make her application.

There being no others who wished to speak either for or against the proposed change, the Board decided to reserve decision in the matter.

Mr. Eberling moved the hearing be adjourned.

Seconded by Mr. Schmersahl

Carried

Hearing adjourned.

Cora M. Marling
Town Clerk of Clarkstown

PUBLIC HEARING

April 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 addition of a new section to the Zoning Ordinance known as Section 12-A. He further stated that this new section has been requested by the Zoning Board of Appeals.

The Town Clerk then read the Notice of the Hearing, and presented the Affidavit of Publication.

Mr. Dillon then stated that the Board would listen to all those who wished to speak either for or against the proposed new section.

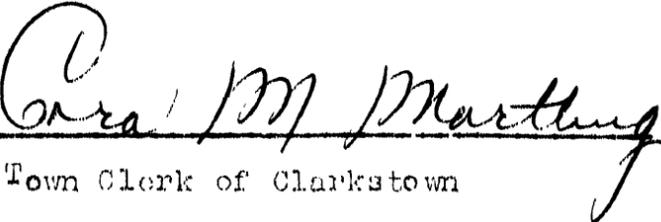
No one appeared to speak either for or against the proposed change.

Mr. Schmersahl moved the Hearing be adjourned.

Seconded by Mr. Eberling

Carried

Hearing adjourned.


Town Clerk of Clarkstown

TOWN BOARD MEETING

April 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. T. F. Odell, a representative of Rockland Light & Power Co., appeared regarding the installation of street lights on First St. in Nanuet. He told the Board that first of all, it will be necessary to find out if the street were dedicated to the Town, as the Town would have some jurisdiction in such a case.

Mr. Klein, Supt. of Highways, then told the Board that First St. is a town road, and that he believed it was dedicated about 20 years ago. He said it was about 33' wide with a 17' macadam road.

Mr. Odell then told the Board that many years ago a law was in effect that if poles were to be installed for public use, then the consent of the abutting property owners was not necessary.

The Town Clerk was requested to make a search and find out if the road was properly taken over by the Town.

Mr. Odell then told the Board that regarding street lights for Old Haverstraw Rd. and Rockland Ave. in Congers it would be possible to place four lights on Old Hav. Rd. instead of three and two lights on Rockland Ave. instead of one at no additional charge.

Mr. Dillon then advised Mr. Odell that the previous resolution adopted by the Board would be amended to show the additional lights.

Mr. Dillon presented an application of Joseph Sperling requesting that the zoning of his property on Route 59, West Nyack be changed from Res. A to Business A.

Mr. Eberling moved the following resolution:-

RESOLVED, that the application of JOSEPH SPERLING, for a change of the Building Zone Ordinance, by redistricting property of said applicant at West Nyack in the Town of Clarkstown from "Residence A" to "Business A",

be set down for public hearing as provided by law on the 14th day of May, 1948 at the office of the Town Clerk, Main Street, New City, New York at 8:00 P.M., and it is

FURTHER RESOLVED, that the Town Attorney prepare the statutory notice of hearing and that the same be published as required by law.

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. Victor Smith then appeared before the board and stated that in January, 1942 a gentleman was appointed by the Board as Veterans Welfare Officer and was later blanketed under Civil Service. He further told the Board that recently a question was raised in Haverstraw about the legality of the office of Veterans Welfare Officer, and that if an illegal appointment has been made in Clarkstown, it should be rectified. He also informed the board that for some time, Mr. Sherwood, County Commissioner of Welfare has not honored the Veterans Welfare Officer's reports, but insists that they come through the Welfare Officer.

The Board then requested Mr. Roope, Town Attorney, to check this matter and report back to the Board at the next meeting.

Mr. Roope, Town Attorney, then told the Board that Judge Young has ruled in favor of the Town on the Mantmann case, and that the temporary injunction is about to be made permanent.

In regard to the bag factory in Spring Valley, Mr. Roope told the Board that Judge Bailey did not grant a temporary injunction.

The Klein case, Mr. Roope told the Board, is being held over for the June term of court.

Mr. Roope reported that a certorari case is pending and will be called for April 23rd.

In regard to the proposed taxi cab ordinance, Mr. Roope reported progress in that he has conferred with the Chief of Police in several chats.

Mr. Roope reported that he has found nothing definite on the fee for a change in the Zoning Ordinance.

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In regard to the question of vouchers for the Welfare Officer, Mr. Reepe stated that the law was amended in 1947, and the Board can waive the verification of claims. He further added that it is felt that with the small claims, it works a hardship for the merchants to pay a 25¢ fee for Notary service.

Mr. Dillon then told the Board that a change in the voucher claim was requested both by the State and the Welfare Officer.

Mr. Schmersahl moved that Town Welfare claims need only be certified pursuant to the provisions of Section 103 of the Town Law.

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. Reepe reported that in regard to the Furno application, he was trying to ascertain the difference between a water dist. and a water supply dist. and that he was still checking the law.

In regard to penalties for dumping, Mr. Reepe told the Board that the Town Ordinances now call for a fine of \$100.00 and that he felt when he wrote them it was the maximum amount that could be charged.

In regard to the drain on Storms Rd., Valley Cottage, Mr. Klein informed the Board that he had opened it up.

Mr. Dillon then stated that he understood it had been closed again.

Mr. Welchman told the Board that Mr. Winstedt contends it is not a natural flow of water, as some twenty years ago in order to increase his supply of water, he dug the ditch to get water for washing dishes and also drinking water for his chickens. There was never any objection until neighbors put in a swimming pool. Mr. Welchman further stated that if the ditch were dug deeper, the water would run down without any trouble to anyone. He said that the ditch is along a Town road.

Mr. Klein then told the Board that he did not see how Mrs. Groeschel could have water in her cellar, as he was over there when she complained, and her cellar was dry.

Mr. Klein was requested to put up a dead end sign at Mass. Ave. and Lake Road, and he said he would take care of the matter at once.

Mr. Dillon then told the Board that he had a bid for painting the Supervisor's office for a sum of \$146.00.

Mr. Schmersahl moved that the Supervisor's office be painted, and that the bid for the painting work be awarded to Mr. Richard Cordwell for the sum of \$146.00.

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 read a letter from the State Insurance Fund regarding the rating "Parks N.O.C". It was ordered filed.

Mr. Welchman moved that David Edwards be appointed Rep. Inspector of Elections for Election Dist. #8, Valley Cottage, in place of Russell Hartwick.

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 the following resolutions:-

1. RESOLVED, that the resolution adopted on March 12th, 1948 relative to the installation of street lights on Old Haverstraw Road, Congers be amended to read 4 street lights instead of 3.
2. RESOLVED, that the resolution adopted March 12th, 1948 relative to the installation of a street light on Rockland Ave., Congers, be amended to read 2 street lights instead of 1.

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

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Mr. Schmersahl moved that the rent for the Town Clerk's office be set at \$55.00 per month and the rent for the Justices courtrooms be set at \$25.00 per month.

Seconded by Mr. Eberling

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

In regard to the lease for the police headquarters, Mr. Dillon reminded the Board that the lease has expired, as of March 31st, 1948.

In commenting on this matter, Chief Liebert told the Board that he has had considerable trouble with termites in the police headquarters, and that although somewhat improved now, the toilet facilities have also given him trouble.

After discussing the matter, the Board requested the Town Clerk to write the Manuet National Bank and speak to them about renewing the lease for the police headquarters and also to mention the difficulties with the sewerage and the termites.

Mr. Dillon then read a letter from the Valley Cottage Civic Association requesting that the road around the Valley Cottage Station Plaza be made a permanent macadam road, and that the portion of Kings Highway between the Station Plaza and the Business Section be widened and that Lake Road from Kings Highway to Route 303 also be widened.

Mr. Klein, Supt. of Hi hways, then told the Board that in the past the Town and the Railroad Company have worked together in fixing the station Plaza. The Railroad Company contributed the material, and the Town did the work. He said he felt that if the Board could get together with the railroad perhaps something could be done. In regard to widening Kings Highway from the Station Plaza to the Business Section, Mr. Klein said that he thought a piece of pipe could be changed, and that he would have a survey made. In regard to widening Lake Road from Kings Highway to Route 303, Mr. Klein said that it is a 21 foot right of way by the school now. However, he would have a survey made of this road also, and see what can be done.

Mr. Dillon then read another letter from the Valley Cottage Civic Cottage Civic Association addressed to Chief Liebert, requesting signs "Parking on One Side Only" be placed in Valley Cottage north of Valley Cottage Post Office to the corner of Lake Road, on the store side of the road. They also request "15 Mile Speed Limit" to curb excessive speeding.

Mr. Dillon then told the Board that he should be brought in if he refuses to pay.

Mr. Dillon then told the Board that a transfer of \$10.14 was needed in the account of Dog Enumerator.

Mr. Welchman moved that \$10.14 be transferred from Current Surplus to Dog Enumerator account.

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 read a letter from Autumn Van Den Heuvel requesting that he be permitted to dump rubbish on his property east of C. R. Jones on Route 59 in West Nyack.

Mr. Dillon then brought to the Board's attention the condition of the Miller dump in West Nyack. He told them that the West Nyack Fire Company is anxious about the matter, as they are afraid the dump will catch fire in its present condition.

The Board requested Mr. Dillon to see Mr. Miller and ask him to clean up the dump and also do something about turning on the water.

In regard to Mr. Van Den Heuvel's request, the Board directed the Town Clerk to notify him that under the Town Ordinance, they cannot grant him permission to dump on his property on Route 59, West Nyack.

Mr. Dillon then read a letter from George Murdock, Building Inspector, requesting that a load of stone dust be placed on the lane leading to his home. He also stated that besides the buses turning around in his land, a number of people go to his home for zoning permits and advice.

Mr. Dillon then read a letter from the Supt. of Highways, advising Mr. Murdock that the Attorney General has rendered an opinion that the practice of using town equipment and labor on private rights-of-way or developments which are not town roads is illegal and should not be continued, and further that with this ruling he could not comply with Mr. Murdock's request.

The Town Attorney was requested to draw a resolution setting the fee for a change in the zoning ordinance at \$25.00.

Chief Liebert then told the Board that there has been a little trouble with one of the garbage collectors, and that he has threatened Mr. Glen Wilcox.

After discussing the matter, it was decided to ask Mr. Wilcox to make a complaint.

Chief Liebert then told the Board that recently on a commitment to Orangeburg St. Hospital, he had to wait two hours for Dr. Hopper to sign the papers, and then she wrote it partly in pencil, and it took another two hours before the authorities at the hospital would take it. He told the Board he felt it was unfair to his department when they were held up in such a manner.

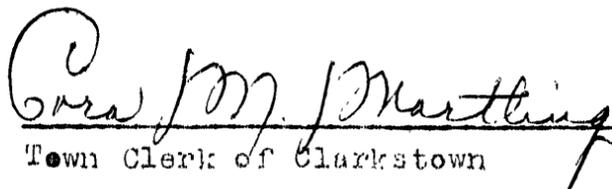
Bills Nos. 274 to 363 on Warrant #4, amounting to \$5,082.67 were audited and ordered paid.

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

Seconded by Mr. Eberling

Carried

Meeting adjourned.


Town Clerk of Clarkstown