

TOWN BOARD MEETING

Sept. 3rd, 1948

Town Clerk's Office

8:00 P.M.

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

Absent: Mr. Schmersahl

Mr. Dillon called the meeting to order.

Mr. Eberling moved the reading of the minutes for the last regular meeting held on August 4th, 1948 be dispensed with.

Seconded by Mr. Welchman

Carried

Mr. Victor Smith appeared before the Board regarding the requirements for the approval of subdivisions by the Planning Board. He told the Board that he felt the requirements rather strict, especially since they asked for a topographic map showing contour lines every five feet, and also a preliminary lay-out. He told the Board that he felt these restrictions would retard the development of the Town, and he asked the Board to do something about them.

Mr. Dillon then stated that the Board is making a study of the matter, and that he was going to ask the Board to meet with the Planning Board on Sept. 27th to discuss the matter further. He told Mr. Smith that he felt - and he believed the majority of the Board felt likewise - that the requirements were a little harsh.

Mr. Henry Fulle of Valley Cottage appeared before the Board regarding the road which he asked the Board to take over a couple of months ago. He said that he had submitted a deed which was approved by the Planning Board. He said that Mr. DeBaun has the deed, and he asked if he could send it in to the Board.

Mr. Dillon then told Mr. Fulle that he understood from Mr. Klein, Supt. of Highways, that the road was now in acceptable condition. He further added that if Mr. Fulle would forward the deed, the Board would consider it at the next meeting.

Mr. Stephen Doig appeared as attorney for Jacob Myers, requesting that his property in Nanuet be changed from Res. B. to Business B, and with his letter was enclosed a check for \$25.00.

Mr. Fibble moved the following resolution:-

WHEREAS, JACOB MYERS, has petitioned the Town Board of the Town of Clarkston 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 B" 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 8th day of October, 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 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 published as aforesaid and file proof thereof in the Office of the said Clerk.

Seconded by Mr. Eberling

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

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

Mr. Raymond Smith appeared to request that Highland Ave. in West Nyack be taken over and maintained by the Town. He asked what they must do to put the road in an acceptable condition to the Town.

Mr. Klein, Supt. of Highways, then told the Board that according to his recollection this matter came up before the Board about two years ago, and that there was a question of some five feet on each side of the road to make it a fifty foot right-of-way. He told the Board that as he recalled it Mr. Trachtenberg, the then Town Attorney, was to check it, and when the proper right-of-way was granted, the Board was willing to take it over.

Mr. Ernest O. Schafer of West Nyack then stated that there are seven families living on this road, and that last winter they had great difficulty getting in and out of their properties because the road was not plowed by the Town. He said that up to three years ago, the road was plowed, but that they discontinued plowing the road.

Mr. Dillon then explained that the Town Board adopted the resolution that all future roads to be taken over by the Town be in such a condition that the Town would only have to maintain them. The reason for this was that the tax rate would be increased too much if the Town were to take over all the roads which they have been requested to accept, if they had to construct them. Mr. Dillon also advised the group that the State has advised the Town they cannot plow any roads except Town roads, and that is why they discontinued plowing this road.

Mr. Dillon then advised the group to get the deeds in order and present them at the next meeting, and then the Board will be in a position

to take action.

In regard to the odor emanating from Lederle Laboratories, Mr. Dillon told the Board that he and Mr. Roepe met with the Committee in Nanuet last week, and that Mr. Roepe advised them that the Town Board has no jurisdiction in the matter, and further that if they desire to take action, the Dist. Attorney would have to bring criminal action.

There was no report on the Nanuet Sidewalk District.

Mr. Dillon read a letter from the Rockland Light & Power Co. advising that there will be no additional circuits necessary to install the street lights at the corner of Lake Rd. and Sheridan Ave. in Congers, and therefore there would be no additional cost.

Mr. Fibble moved the following resolution:-

RESOLVED, that a street light be installed at the corner of Lake Rd. and Sheridan Ave. in Congers on Pole #13, and that the Rockland Light & Power Co. be requested to make the installation as soon as possible.

Seconded by Mr. Welchman

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

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

Miss Martling, Town Clerk, was requested to write Mr. Parshall of the Rockland Light & Power Co. and ask when the four street lights on Old Haverstraw Rd. and the two street lights on Rockland Ave. in Congers will be installed.

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

Seconded by Mr. Welchman

Carried

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

In regard to Evergreen East and Evergreen West - both roads in New City Operating Co. in New City, Mr. Klein, Supt. of Highways, reported that he contacted Mr. Solomon and told him what he should do to put the roads in an acceptable condition. Mr. Klein told the Board that he felt that something was wrong with the deeds, as Mrs. Sandhage claims her property line goes into the tarred road. Mr. Klein told the Board that he felt the deed for the roads should be checked before action is taken. Also, Mr. Klein told the Board there are some drainage problems that must be taken care of. He told the Board that he had asked Mr. Solomon to meet him, but that as yet he has not done so.

Mr. Klein reported that Mr. Jenkins was correcting the deed for Edsall & Prospect Sts. in Nanuet.

The Town Clerk was requested to write Mr. Selomon and advise that in view of the fact that there is a question of the right-of-way being on some one else's property, that the Town Board cannot take action on the roads until this is cleared up.

In regard to the road in West Nyack which Mr. Olsen requested the Board to take over, Mr. Klein told the Board that he had investigated it and found that they have a sub-base in now, and that they will put in a turn-around.

Mr. Dillon presented a letter from Mabel Serhus, resigning as Republican Inspector of Elections in Dist. #13, New City.

Mr. Fibble moved that Mrs. Dorothy Baker be appointed Republican Inspector of Elections for Election Dist. #13, New City, in place of Mabel Serhus.

Seconded by Mr. Welchman

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

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

Mr. Dillon presented a letter from Remington Rand, Inc. and a contract for the maintenance of typewriters in the Town Clerk's office. Mr. Dillon pointed out that the service includes quarterly calls at which time the machines are completely cleaned and parts needed replaced, the cost amounting to \$9.95 for each machine per year.

Mr. Fibble moved that the Town Clerk be authorized to execute the contract with the Remington Rand, Inc. for the maintenance of the typewriters in the Town Clerk's office.

Seconded by Mr. Eberling

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

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

Mr. Eberling moved that Mrs. Vietta Biltz and Mrs. Thelma Shaw be appointed Democratic Inspectors of Election in Dist. #3, West Nyack

Seconded by Mr. Welchman

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

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

Mr. Welchman moved that Rudolph Kihn be appointed Custodian of Elections in Dist. #13, New City, in place of George Snyder, who resigned.

Seconded by Mr. Fibble

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

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

Mr. Dillon read a letter from Frank W. Kemmer, President Nanuet Fire Engine Co. thanking the Board for the trophy they gave for the 36th Annual Convention Parade of the Rockland Co. Volunteer Firemen's Association at Nanuet.

Mr. Dillon then fixed Sept. 20th as the date the Board would meet with the Zoning Board of Appeals and Sept. 27th as the date they would meet with the Planning Board. Both meetings will be Executive Sessions to discuss zoning and planning.

Mr. Dillon read a letter from residents of Mountain View Ave. in Valley Cottage, regarding the dangerous condition of the road, which is narrow and quite hilly with several blind curves, when car speeds exceed fifteen or twenty miles per hour. They ask that speed limit signs be erected and that the Supt. of Highways be requested to fill several of the deep holes in the road.

The Board requested Mr. Klein to investigate the request and if found to be necessary fill the holes in the road.

In regard to the speed signs, the Board decided to see if they have authority to place such signs on this road.

Mr. Dillon read a letter from Mr. Fred C. Rodewald, in which he advised the Board, that it would seem that the present operation of the Miller airport at West Nyack for commercial purposes constitutes a violation of the Zoning Ordinance. He enclosed a map traced in part from the map of the Miller Airport Traffic Pattern filed with the civil Aeronautics Administration in New York.

The Town Clerk was directed to forward the letter and map to the Zoning Board of Appeals, with the request that they investigate and report back to the Board.

The Town Clerk was also requested to advise Mr. Rodewald that the matter has been turned over to the Zoning Board of Appeals.

Mr. Dillon presented the reports of the following Town Officers covering the month of August, 1948:-

- Supervisor's Report and Trial Balance for July
- Town Clerk's Report
- Police Report
- Welfare Officer's Report
- Building Inspector's Report

Mr. Eberling moved the reports be approved and accepted.

Seconded by Mr. Welchman

Carried

Mr. Dillon read a letter from Glen D. Smith, Corresponding Secretary of the West Nyack Civic Association, in which they request a parking limit on Old Nyack Turnpike from Klein Ave. to Western Highway from 7 to 8 A.M. and from 5:30 to 6:30 P.M.

Mr. Dillon then told the Board that he and the Chief were invited to a meeting of the Civic Association in July, at which time this matter was discussed. Mr. Dillon stated that actually the parking situation is bad, as sometimes cars park on both sides of the road, and there is only one way driving, and this is especially bad at commuting time.

Chief Liebert told the Board that he had talked with the people in West Nyack about it, and there seems to be some dissension over it. They feel that if parking limits are desired at certain hours for certain people, then there shouldn't be any parking limitation at all.

The Town Clerk was requested to advise the Civic Association that the Town Board feels instead of limiting the parking on the South side of Old Nyack Turnpike from 7 to 8 A.M. and 5:30 to 6:30 P.M., the parking should be restricted both day and night, which would keep the parking restrictions uniform throughout the Township. The Town Clerk was directed to ask them if this would be satisfactory to them.

A permit was approved for Ralph J. Warner to open the highway under Section 119 of the Highway Law.

Mr. Dillon read a letter from George R. Murdock, Building Inspector, advising that he had investigated the Hantman property together with Chief Liebert and found the 10 unit building being occupied by only one family.

Mr. Dillon then read another letter from Mr. Murdock in which he advised that there would be a conference of the Building Officials at the Hotel New Yorker from Sept. 13th to 16th. Mr. Murdock advised the Board that he unfortunately would not be able to attend the Conference.

Mr. Klein, Supt. of Highways, then told the Board that he would like to attend the Supt. of Highways Convention the middle of September, and he asked for permission to go.

Mr. Eberling moved that the Supt. of Highways be authorized to attend the Supt. of Highways Convention at Rochester on Sept. 16th, 17th and 18th.

Seconded by Mr. Fibble

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

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

Mr. Dillon read a letter from Mr. Jack Pesner requesting the co-operation of the Police Chief and Supt. of Highways in placing signs to indicate the division line between the Town of Clarkstown and the Village of Spring Valley.

Mr. Roepe was requested to reply to the letter and advise that Mr. Klein and Chief Liebert would take care of the matter.

Mr. Fibble then told the Board that the people living at the top of Cavanagh's hill in Congers would like to have a sign marked "9W" with an arrow to indicate the direction of 9W erected at the foot of the hill, as cars go to the top and then inquire the way to 9W.

Mr. Fibble moved the following resolution:-

RESOLVED, that the County be requested to install a sign marked "9W" with an arrow indicating the direction of State Highway 9W at the intersection of Colton St. and Lake Rd. in Congers.

Seconded by Mr. Welchman

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

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

Mr. Fibble then told the Board that people living on Railroad Ave. in Congers want a "STOP" sign going into Railroad Ave. and they would like to have a white line put about 100 feet up from Neimeyer's Store with the word STOP.

Mr. Fibble moved the following resolution:-

RESOLVED, that the County be requested to install a STOP sign at the intersection of Railroad Ave. and Lake Rd. in Congers.

Seconded by Mr. Welchman

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

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

Mr. Fibble brought to the attention of the Board a complaint he received about a bad traffic condition on Old Hav. Rd. where it intersects with 9W near the Celery Farm.

Chief Liebert told the Board that he would investigate it.

Mr. Fibble then told the Board that when the State resurfaced Route 303 from Congers traffic light to the five corners at Valley Cottage, the white dividing lines were covered. The people would like to have them replaced.

Mr. Fibble moved the following resolution:-

RESOLVED, that the State be requested to replace the white dividing lines on State Highway 303 from the traffic light at Lake Rd. in Congers to the five corners in Valley Cottage.

Seconded by Mr. Welchman

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

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

Mr. Fibble reported to the Board that he had a conference with Mr. Wilson of the New York Central Railroad regarding the fixing of the Congers Station, and that in conversation he advised him that he gave the gentlemen all they asked for. Mr. Fibble further told the Board that the people of Congers feel they were insulted because they received only 10 ton and West Nyack and Valley Cottage received 80 ton of material. He asked why Congers didn't receive the same consideration, since Mr. Wilson told him the railroad gave the Town all that they asked for.

Mr. Dillon told Mr. Fibble that if Mr. Wilson said a thing like that he wanted him up here at the next meeting, as it was untrue. Mr. Dillon further stated that he and Mr. Klein asked that all three stations be taken care of, and Mr. Wilson told them what the railroad would do. They were willing to furnish the material for Valley Cottage and West Nyack, with the understanding the Town lay the material, but they wanted to fix Congers themselves.

Mr. Klein then told Mr. Fibble that he told Mr. Wilson that it was ridiculous to put only 10 ton of material on Congers Station, as it was not enough.

Mr. Fibble then again stated that he was told the railroad gave the Town's representative all they asked for at the Congers Station.

Mr. Dillon then told Mr. Fibble that if Mr. Wilson said that he gave them all they wanted, he was a liar, as he told both Mr. Klein and him what the railroad would do. He said that he would get Mr. Wilson up at the next meeting and straighten this matter out.

October 1st, 1948 was set as the date when the Town Clerk will present the budget estimates for 1949 to the Town Board.

Chief Liebert then told the Board that he would like to purchase 2 car radios and one receiver for police headquarters, and that he had enough money in his budget to cover the cost.

Mr. Eberling moved that the Chief of Police be authorized to purchase 2 car radio sets and 1 receiver for the police headquarters.

Seconded by Mr. Welchman

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

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

Bills Nos. 656 to 733 on Warrant #9, amounting to \$8,319.35 were audited and ordered paid.

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

Seconded by Mr. Eberling Carried

Meeting adjourned.

Carla J. Martin

 Town Clerk of Clarkstown

ABH 103