

## PUBLIC HEARING

Jan. 7, 1949

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 two applications of Albert G. Lamborn to change the zoning of his property in Congers, one application being for a change from Res. A to Res. B and the other for a change from Res. A to Bus. B.

Mr. Dillon then requested the Town Clerk to read the Notice of the Hearing.

Miss Martling, Town Clerk, then read the Notices of the Hearing, one for each application, and presented the Affidavit of Publications.

Mr. Dillon then stated that those in favor would be given the opportunity to speak first, and those opposed would be heard next.

Mr. Lamborn, appearing on behalf of his applications, told the Board that the piece he is asking them to change to Bus. B district is property that is bounded by 9W and that 9W has been proved unsatisfactory for residential property. He further told them that four or five present businesses on 9W are operating on variances or non-conforming uses. He said that he did not believe there was anyone present tonight to speak against the change.

No one appeared to protest this application.

Mr. Lamborn then told the Board that the piece of property he is asking them to change from Res. A to Res. B district is situated on Route 303 in Congers. He told the Board that this property is undeveloped and quite a tract of land, and that his main purpose is to have the property conform with adjoining property which is in Res. B district.

No one appeared to protest this application.

Mr. Eberling moved the hearing be closed.

Seconded by Mr. Schmersahl

Carried

Hearing closed.

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Town Clerk of Clarkstown

## TOWN BOARD MEETING

Jan. 7, 1949

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.

The Board then discussed the applications of Albert G. Lamborn and others for changes of zoning of property situate in Congers.

Mr. Fibble moved the following resolution:-

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 10th day of December, 1948, provided for a public hearing on the 7th day of January, 1949, at the Office of the Town Clerk, Main Street, New City, New York, at 8:00 in the evening to consider the application of Albert G. Lamborn and others 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 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 and premises situate, lying and being at Congers, in the Town of Clarkstown, County of Rockland and State of New York, more particularly bounded and described as follows, viz:-

BEGINNING at a point in the Westerly side of Route 9-W, said point being 100 feet North of the Northerly point of lands of B. N. Carney; thence crossing Route 9-W in a straight line and running thence at right angles to Route 9-W, a distance of 250 feet to a point; thence turning and running in a Southerly direction 250 feet from and parallel to Route 9-W to land of Davies; thence continuing Southerly along lands of Davies to the Northwesterly point of lands of Keidel; thence running in an Easterly direction 30 feet more or less along the Northerly line of lands of Keidel to a point; thence turning and continuing in a Southerly direction 250 feet distant from and parallel to Route 9-W through lands of Keidel to a point in the northerly line of lands of Murphy; thence turning and running Westerly along the Northerly line of lands of Murphy 280 feet more or less to the Easterly side of Route 9-W; thence crossing Route 9-W to the Westerly side; thence running Southerly along the Westerly side of Route 9-W to the intersection of Old Lake Road; thence running Southwesterly along the Northerly side of Old Lake Road 149.5 feet; thence turning and running in a Westerly direction 300 feet more or less along the Southerly line of lands of Miller and through lands of Pirrung to a point; thence turning and running in a Northerly direction 400 feet distant and parallel to Route 9-W 1,400 feet to a point; thence turning and running in a Northeasterly direction 370 feet more or less to a point, said point being 250 feet distant and at right angles to Route 9-W; thence turning and running in a Northerly direction 250 feet distant from and parallel to Route 9-W, 2,450 feet more or less to a point and thence turning and running in an Easterly direction at right angles to Route 9-W, 250 feet to the point or place of beginning.

EXCLUDING, therefrom, lands of Anna Albright described as follows:-

BEGINNING at a point in the Easterly boundary of State Highway No. 8196, said point being 30 feet distant at right angles from Station 599-06 of the survey baseline of State Highway No. 8196; thence South 76 degrees no minutes east 150 feet; thence South 22 degrees 10 minutes West 352.08 feet; thence North 76 degrees no minutes West 100 feet and thence North 11 degrees 55 minutes East 348.5 feet to the point or place of beginning.

FURTHER RESOLVED, that notice of said amendment be given by publishing and posting as required by law.

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. Fibble moved the following resolution:-

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 10th day of December, 1948, provided for a public hearing on the 7th day of January, 1949, at the Office of the Town Clerk, Main Street, New City, New York, at 8:00 in the evening to consider the application of Albert G. Lamborn and others to amend the Building Zone Ordinance for the said town by redistricting the property hereinafter described from "Residence A" to "Residence B", and,

WHEREAS, notice of said public hearing was duly published 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 "Residence B".

ALL that certain lot, piece or parcel of land and premises, situate, lying and being at Congers, in the Town of Clarkstown, County of Rockland and State of New York, more particularly bounded and described as follows, viz:-

BEGINNING at a point on the East side of the West Shore Right of way, at the intersection of the said right of way and the North line of the present "Residence B" area; thence running Easterly and Southerly along the present Northerly and Easterly lines of the present "Residence B" area, crossing over Route 303 and running to the shore of Swartwout Lake; thence running Northerly and Easterly along the shore of Swartwout Lake to the line of the present "Residence B" area; running thence along the Northerly line of the present "Residence B" area to the Westerly side of Route 9-W; running thence Northerly and Westerly along the Westerly and the Southerly side of Route 9-W to the West Shore Railroad right of way; thence turning and running Southerly along the Easterly side of the West Shore Railroad right of way to the point or place of beginning.

EXCEPTING, from the above described premises, so much thereof that is presently in "Business B" district.

ALSO, EXCEPTING so much thereof of the premises of McCles, described as follows, viz:-

BEGINNING at a point in the Southerly boundary of State Highway No. 8196, said point being 575 feet more or less Easterly from the Northeasterly point of the present "Business B" area at the Junction of Route 303 and Route 9-W; thence Southerly 42 degrees 22 minutes East 229.3 feet to a point; thence South 33 degrees 31 minutes East 39.6 feet to a point; thence turning and running South 35 degrees 12 minutes West 150.5 feet to a point; thence turning and running North 77 degrees 50 minutes West 156.3 feet to a point; thence turning and running North 12 degrees 10 minutes East 298.9 feet to the point or place of beginning.

FURTHER RESOLVED, that notice of said amendment be given by publishing and posting as required by law.

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. Arthur Connolly of West Nyack appeared with a group of men regarding Highland Ave. in West Nyack and requested that it be taken over as a Town road. He told the Board that he had been over before difference Town Boards at least seven or eight times, and although promises were made that the road would be taken over, nothing has ever been done. He further told the Board that in the winter the ice and snow collects on the road, and that last winter his wife fell because of just such a condition, and that if something isn't done, the Town will be faced with lawsuits. He further told the Board that last week there were at least two or three times when people couldn't get out.

Mr. Dillon then told the group that this Board would take over the road if a deed were filed. He reminded them that he had prepared such a deed and given it to Mr. Smith. He told them that he understood that the deed was signed by everyone but Mr. Robbins, and that he did not sign it. He told them that if the Board can take over the road without the two people signing it, then he is agreeable to it.

Mr. Roepe, Town Attorney, then informed the group that the Town must have title to the road before it can be taken over as a Town road.

The group then told the Board that they did not see why these people could hold up the taking over of the road.

Mr. Dillon then suggested to the group that they go to the Robbins and ask them to sign the deed, and that the Board is willing to take it over.

Mr. Connolly then told Mr. Dillon that the Robbins want him to call on them and explain the whole matter to them.

Mr. Dillon then stated that he would be glad to go see the Robbins and explain the whole matter and see if they would be willing to sign the deed.

Mr. George Murdock, Building Inspector, then appeared and reported regarding the alleged zoning violation which Mr. John Hasbrouck claims exists on the property of Richard Cook on New Hempstead Road.

Mr. Murdock, reading from a lengthy report, told the Board that he had investigated the matter, and that he found Mr. Cook had more than conformed with the requirements regarding front, rear, side and backyards, and that in his opinion no zoning violation existed on the Cook property. He also told

the Board that the Board of Appeals had also investigated the complaint, and that they do not believe a zoning violation exists.

Mr. Murdock then questioned Mr. Hasbrouck, who was present, regarding the so-called vending machine business which he is conducting on his property. Mr. Hasbrouck denied that he has or conducts a business on his property.

Mr. Dillon then told Mr. Murdock that the Board is only interested in the alleged complaint on the Cook property.

Mr. Hasbrouck then appeared and told the Board that if buildings are scattered around, it is hard to fight fires, and that uniformity is necessary for public utilities, such as water, sewerage, etc. He then called attention to Sec. 13 of the Ordinance regarding building alignment and Sec. 4, Par. E regarding unobstructed easement of access or right-of-way. Mr. Hasbrouck then told the Board that the Cook matter has not been given any consideration. He told the Board that there is a right of way entering into the Cook premises now, and that provision was made in the old Loveland property to the effect that 15' would have to be surrendered should a public road ever go through. Mr. Hasbrouck informed the Board that there is a road that goes into the property of the Cooks where there are three shacks which have been built by the Cooks. He then told the Board that there are four lengths of pipe over a waterway and nothing over the pipe not even gravel. He said that this is not an easement or a right of way, and he then presented photographs taken from the air. Mr. Hasbrouck told the Board that he had always felt zoning was meant to be a protection, but that since the Cooks have built he can not get within \$10,000. of what it cost him to build his home. Mr. Hasbrouck told the Board that originally Dr. Goebel owned the property, and that fireworks were manufactured there. The right-of-way was access to the buildings.

The Board then discussed the matter at length, after which Mr. Welchman moved that the matter of the alleged zoning violation on the property of Richard Cook be turned over to the Town Attorney for investigation and further report.

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. Roepe, Town Attorney, then told the Board that he would be glad to sit down with the Board of Appeals on this matter, and further that he felt the zoning law was up to the Zoning Board of Appeals, as they give variances and they rule on the interpretation of the Building Inspector's actions.

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Mr. Dillon then told Mr. Roepe that he felt the Board should investigate this matter further and that the Town Attorney submit his opinion as to whether the Zoning Ordinance is being violated.

Mr. William Furno of West Nyack presented a description for a proposed water district in West Nyack.

The Board discussed the matter and referred the description to the Town Attorney for investigation and further report.

Mr. Furno then asked the Board if they would consider giving him the compensation insurance which is now held by the State Insurance Fund.

The Board decided to refer this matter to the Insurance Committee.

Mr. Furno then told the Board that he wished to protest the parking signs recently installed in West Nyack.

Chief Liebert then told the Board that he attended the meeting of the Civic Association together with Mr. Dillon at which time the parking signs were discussed, and that at that time he gave his recommendations, which the Civic Association did not take. He said that he has received some ten calls protesting the parking signs.

Mr. Stanley Partridge then told the Board that none of the taxpayers of West Nyack were contacted about the signs before they were installed. He further told the Board that the Civic organization in West Nyack is new, and that the people are not behind it, and that he didn't see how the Board could go on their word alone.

Mr. Dillon then told both Mr. Furno and Mr. Partridge that the Board understood that the people in West Nyack had been contacted regarding the signs, and that the signs were wanted.

Mr. Furno then suggested a 15 mile speed limit in West Nyack to cut down the speeding, but Mr. Dillon told him that the Board is not permitted to do this, as the State law will not allow it.

The Board then discussed the matter of the parking signs at length and decided to consider them again at the next regular Board meeting in February.

Mr. Schmersahl moved the following resolution:-

RESOLVED, that the West Nyack Civic Association be notified that there has been a number of complaints about the parking signs in West Nyack, and that it has been suggested the Board reconsider the adviseability of having the parking signs at its next meeting on February 11th, and further

RESOLVED, that the Town Clerk advise the Civic Association thereof,

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 Town Clerk was then requested to notify the Civic Association regarding the signs, so that they may appear on behalf of the parking signs if they so desire.

Mr. Klein, Supt. of Highways, then reported that it will cost approximately \$450.00 to fix Hughes St. in Congers.

Mr. Roepe, Town Attorney, then reported to the Board regarding the control of mosquitoes and flies in West Nyack. He reported that there are two ways the Board can help out in this matter, both of which are expensive to the taxpayers. First, if they find a situation where mosquitoes are breeding, under the Public Health Law, they can compel the property owners to clear up their property. The second way is where the control consists of drainage, the Board can establish a drainage district, in which case the taxpayers would bear the brunt of the cost. If a district is established, a commission must be established, and this would be a costly procedure. If, the Board believes that a public health menace exists, they have the power, after the taking of testimony in the case, to order that the nuisance be terminated.

In this connection, Mr. Klein, Supt. of Highways, reported that some twelve years ago a project was set up to drain the Nanuet and West Nyack swamps, and it was refused by the Federal Government.

The Town Clerk was requested to write a letter to the Civic Association and advise them of the Town Attorney's report in this matter.

Mr. Roepe then reported on the offer of Mr. Robinson to permit his property at the West Nyack station to be used as a parking place by the commuters. Mr. Roepe told the Board that he did not believe the Town would have the right to enter into any contract to guarantee Mr. Robinson for claims arising out of the use of his property as a parking place. He told them that they can establish public parking places under Section 220 of the Town Law, and that this would be a matter purely of town expenses. He said that possibly Mr. Robinson would give the Town a lease, but would the Town be willing to improve the property with the possibility of the lease being cancelled. He further told the Board that they can establish a Public Parking District under Section 190 of the Town Law, which again would be costly to the taxpayers. Mr. Roepe stated that in his opinion he did not see how the Town could guarantee Mr. Robinson against indemnity, as he felt that if the Town leased the property, Mr. Robinson would not be responsible.

The Town Board directed the Town Clerk to write the Civic Association and advise them that the Town Attorney reported on the matter, and that the Town Board determined that it was not adviseable to accept the offer of Mr. Robinson at this time.

Mr. Roepe then reported on the veterans relief matter. He told the Board that the Ostertag bill gives the various posts of the Town authority to request how veterans relief shall be administered, and both the Wm. E. DeBevoise, Jr.

Post of the American Legion and the Charles G. Muller Post of the Military Order of the Purple Heart have done this. He stated that veterans relief is in the hands of the veterans organizations themselves if they elect to avail themselves of the statutory scheme of things. Where veterans organizations request the veterans relief be administered separately, the Town Board has the right by resolution to so order. In that case if the Town Welfare Officer is not a veteran, then the veteran organizations in the town make a recommendation of someone they want appointed Deputy Welfare Officer or assistant. If the Welfare Officer is a veteran, then he administers the relief himself. Our welfare officer is a veteran, and there is no question her, only a difference between welfare and veterans relief. He told the Board that in his opinion a resolution should be adopted, authorizing the Welfare Officer to administer veterans relief in accordance with Section 174B of the Social Welfare Law.

Mr. Eberling moved the following resolution:-

RESOLVED, that the Town Welfare Officer be authorized and directed to furnish veterans assistance to local charges residing or found within the Town, pursuant to Section 174B of the Social Welfare Law.

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. Eberling moved that Bond #582486 covering Irvin F. Dillon, Supervisor, for highway moneys in the amount of \$100,000.00 be approved and accepted.

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. Roepe, Town Attorney, reported to the Board that he had checked the deed of Dr. A. C. Goebel, covering Crestwood and Elmwood Drive in New City, and that the deed contains certain trust conditions which are not satisfactory and should not be included in the deed. He told the Board that he objected to the language in the deed which seeks to impose a trust on the Town.

\* The Town Clerk was requested to return the deed to Dr. Goebel and advise him of Mr. Roepe's report.

Mr. Eberling moved the following resolution:-

RESOLVED, this 7th day of January, 1949, by the Town Board of the Town of Clarkstown, Rockland County, New York, as follows:

Section 1. The purchase by the Town of Clarkstown of a dump truck for highway maintenance inclusive of snow removal, consisting of: "One Model FZMD, 5 Ton 125 H.P. Walter Truck Chassis equipped with 10:00 x 20 Dual Rear Tires, 3½ cu. yd. Heil Dump Body, Heater-DeFroster, Roof Lite, Blinker-Lite, Directional Signals, Flares, and full power Hydraulic Controls for Sno-Plow and Wing. Also a One-Way Plow and Right Leveling Wing," is hereby authorized. For the purpose of providing funds to pay the cost thereof, capital notes of the said Town of Clarkstown in the amount of \$10,950.00 to be of the terms, form and contents hereinafter specified shall be issued by the Town of Clarkstown, pursuant to the provisions of the Local Finance Law of the State of New York.

Section 2. The maximum cost of a dump truck for highway maintenance inclusive of snow removal to provide funds for which the said capital notes shall be issued is estimated to be the said sum of \$10,950.00; and the plan for financing such cost consists of the issuance and the sale of the said notes in the amount of \$10,950.00.

Section 3. It is hereby determined that the purpose for which such notes are to be issued, to wit, the purchase of a dump truck for highway maintenance inclusive of snow removal, falls within sub-paragraphs 28 and 29 of subdivision a of Section 11.00 of the said Local Finance Law, and that the period of probable usefulness of such purpose is five years.

Section 4. The proposed maturity of the capital notes hereby authorized will not be in excess of five years.

Section 5. The said notes shall bear a date not earlier than January 10th, 1949, to be fixed by the Supervisor of the Town of Clarkstown, and shall each be designated and known as "Capital Note of 1949 of the Town of Clarkstown, Rockland County, New York". The said notes shall bear interest at a rate not exceeding five per centum per annum, and the principal and interest thereof shall be payable in lawful money of the United States of America, as follows: One of said notes to be in the amount of \$5,475.00 and designated as No. 1 shall mature and be payable March 20th, 1950 with interest from date, and the other of such notes to be in the amount of \$5,475.00 and designated as No. 2 shall mature and be payable March 20th, 1951 with interest from date.

Section 6. Except as herein expressly provided, the said notes shall be of the terms, form and contents as the Supervisor of the Town of Clarkstown shall determine and execute, consistent, however, with the provisions of the Local Finance Law.

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Section 7. Each of said notes shall be executed in the name of the Town of Clarkstown by the Supervisor of said town, and sealed with the corporate seal of the Town of Clarkstown and attested by the Town Clerk.

Section 8. The notes shall be sold at private sale by the Supervisor of the Town of Clarkstown, within one month after date of said note at a price of not less than the par value of, and accrued interest if any, and the proceeds of sale shall be applied solely from the purpose aforesaid.

Section 9. Upon due execution and sale of said notes, the same shall be delivered to the purchaser upon the payment by him of the purchase price in cash to the Supervisor of the Town of Clarkstown; and the receipt of such Supervisor shall be a full acquittance to said purchaser who shall not be obliged to see to the application of the purchase money.

Section 10. The full faith and credit of the Town of Clarkstown, Rockland County, New York are hereby pledged to the punctual payment of the principal of and interest on said notes. An amount sufficient to pay the principal of and interest on such capital notes shall be included in the annual budget and levied as a part of the taxes for the fiscal year to pay the principal and interest of said notes becoming due and payable in such fiscal year.

Section 11. This resolution shall take effect immediately.

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 then told the Board that the Health Officer has presented a bill for mileage, and that according to the last report of the State Auditors mileage cannot be paid to the Health Officer. He then read the portion of the report regarding this matter which states that mileage is not allowable but actual expenses are. In other words, Mr. Dillon told the Board the Health Officer cannot charge for mileage, but can be paid for gasoline and oil used in the performance of her duties.

The Town Clerk was requested to advise Dr. Hopper regarding her mileage claim and request her to submit a new bill at the next meeting.

Mr. Dillon then informed the Board that according to the report of the Town Clerk to the Town Board, bonds have been filed by all Town officials with the exception of the Supervisor's Highway Bond and that oaths of office for all Town Officials have also been filed with the County Clerk.

Mr. Dillon then informed the Board that a vacancy exists in the position of Custodian of the Polls in West Nyack, Dist. #3.

There was no appointment made for the position.

Mr. Dillon then presented the payroll of the Town for the year 1949.

Mr. Schmersahl moved that the salaries of Town Officers and employees be fixed as follows for the year 1949:-

PAYROLL

<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
3000.00	Florence Blauvelt	Supv. Clerk
1500.00	Frederick R. Engels	Justice of the Peace
1500.00	Stephen G. Doig, Jr.	"
960.00	Charles Eberling	Councilman
960.00	Joseph Fibble	"
960.00	Fred Schmersahl	"
960.00	Joseph Welchman	"
3500.00	Cora M. Martling	Town Clerk
3000.00	Charles R. Adams, Jr.	Sr. Acct. Clerk
1680.00	Olaf T. Keyser	Chairman of Assessors
1440.00	Stephen Danko	Assessor
1440.00	Thomas S. Simpson	"
3500.00	C. Elsie Haerle	Rec. of Taxes
1800.00	Lola M. Krausser	Sr. Acct. Clerk
2000.00	Edward G. Roepe	Attorney
4320.00	Walter N. Liebert	Police Chief
3520.00	Ernest Wiebicke	Sergeant
2860.00	Fred Brunjes	Town Patrolman
2500.00	Norman E. Gardner	"
3190.00	Frank Hochreiter	"
3190.00	John Jackomin	"
3190.00	Raymond Lindemann	"
2500.00	Lester Weser	"
3190.00	William Zielich	"
1500.00	Marjorie R. Hopper	Health Officer
2500.00	George R. Murdock	Bldg. Inspector
3000.00	Frank Kemmer	Welfare Officer
2057.00	Margaret Reilly	Account Clerk

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HIGHWAY PAYROLL

<u>SALARY PER HOUR</u>	<u>NAME</u>	<u>TITLE OF POSITION</u>
1.25	Selden Stiles, Sr.	Motor Equip. Operator
1.25	Vito J. Volino	"
1.30	Herbert Miller	"
1.30	Henry Fajen	Road Maintainer
1.25	Frank Conklin	"
1.25	Thomas Marsico	"
1.20	Paul Stepbach	"
1.20	Jeff Bronte	"
1.20	John C. Blauvelt	"
1.10	Fred Kirkman	"
1.05	Russell Schaeffer	"
1.10	Charles Meyn	"
1.10	Richard Hopper	"
1.20	Harry Eldridge	"
1.10	William Daniels	"
1.10	Frank Lauderia	"
1.20	George Scott	"
1.10	William Venezia	"
1.10	Joseph Skvasik	"
1.20	Joseph Eberling	"
1.10	Christy Eberling	"
1.10	Kenneth Ward	"
5.00	George Overmeyer	Truck & 2 men
per Mo. 72.60	Florence Blauvelt	Clerk
Annual 4900.	Emil Klein	Supt. of Highways

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. Welchman 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  
Receiver of Taxes  
Building Inspector  
Assessors  
Dog Enumerator  
Supt. of Highways

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 then appointed Mr. Charles Eberling and Mr. Fred Schmersahl on the Insurance Committee.

Mr. Fibble moved that the regular Town Board meetings be held on the second Friday of each month at 8:00 P.M.

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

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. Welchman moved the Nanuet National Bank be named depository for Town funds deposited by the Supervisor, Town Clerk, Rec. of Taxes, Justices of the Peace and Building Inspector.

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

Seconded by Mr. Welchman

Carried

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

Mr. Dillon then presented the lease which he had been authorized to negotiate with Hutton-Johnson Co. for the office which the Rec. of Taxes will occupy, beginning March 1st, 1949.

The Town Clerk was requested to file one copy in her office and return a copy to Mr. Johnson for his files.

Mr. Dillon read a letter from Spring Valley Water Works & Supply Co. in which they advise that in excavating for the hydrant ordered on the south side of Old Nyack Turnpike, they encountered a 12' steel drain pipe so close to their water main that it was impossible to install the hydrant where requested. They, therefore, ask that the original order be amended to read 145 feet west of Judith Street instead of 25 feet.

Mr. Eberling moved the following resolution:-

RESOLVED, that a hydrant be installed on the south side of Old Nyack Turnpike, approximately 145 feet west of the west curb line of Judith Street instead of 25 feet as previously ordered.

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

The Town Clerk was requested to sign the revised sketch and return it to the Water Company.

Mr. Dillon then read the annual report of the Zoning Board of Appeals as follows:-

ANNUAL REPORT ZONING BOARD OF APPEALS TOWN OF CLARKSTOWN

The ZONING BOARD OF APPEALS has met regular once a month in the Town Clerk's Office, New City, New York, in addition to these twelve Regular Meetings a joint meeting with the Town Board and the Planning Board was held and also several Special Meetings. There were twenty-two Public Hearings during the year 1948 and the following Variances were granted:

Variances granted to Sophie Solomon, Dykes Park, Nanuet, N.Y. To permit the alteration of the garage to a dwelling.

Variance granted to Albert E. Olori, 100 Broadway, Central Nyack, New York. To permit him to continue the use of his two car garage for a pickup for dry cleaning conducted on the premises. Variance to be effective only during the time these premises are occupied by present operator.

- Variance granted to Harry Mindlin, Route 304, New City, N.Y. To permit the erection of a one car garage for private use 29.6" from Route 304, New City, N.Y.
- Variance granted to Edison D. Bassett and Nellie E. Bassett, New City, N.Y. To permit the conversion of an accessory building to house his son, who operates a greenhouse on said property.
- Variance granted to Joseph T. Nagle, Church Street, Nanuet, New York. To permit the alteration of the second floor of a two car garage to living quarters.
- Variance granted to John Koop, New City, New York. To permit the erection of a temporary metal structure on existing foundation 30' x 36' to be used for storage of building materials and equipment for shop work.
- Variance granted to Nathaniel Uslan, Smith Road, Nanuet, N.Y. To permit the erection of a building 30' x 40' for the assembly of baboo fishing rods and sales of same on the premises.
- Variance granted to Arthur Dorn, Chestnut Street, Central Nyack, New York. To permit the alteration of a barn and attached building to a dwelling to be used personally by Mr. and Mrs. Arthur L. Dorn.
- Variance granted to Louis Appel, Valley Cottage, New York. To permit the erection of a filling station and garage for the repairs and lubrication of automobiles.
- Variance granted to Richard DeBang and Oluf DeBang, New City Park, New York. To permit the addition of a bathroom and two bedrooms to existing dwelling to be personally used by Richard Oluf DeBang.
- Variance granted to Rockingham Park Corporation, Van Orden Lane, New City, New York. To permit the erection of a pre-fabricated house to be used as a temporary construction and sales office.
- Variance granted to Morris Donn, Ridge Road, New City, N.Y. To permit the alteration of an accessory building to be used as a two family house and to add a porch to existing building. Variance effective only during the time premises are occupied by Morris Donn and/or his family.
- Variance granted to Kenneth Muller, Klein Avenue, West Nyack, New York. To permit the erection of a dwelling - 5 rooms and bath.
- Variance granted to Wilburt R. Snyder and Jennette Snyder, Church Street, Nanuet, New York. To permit the erection of a dwelling and three car garage - garage to be used to house commercial trucks. Variance granted subject to inspection from time to time by the Building Inspector.
- Variance granted to Louis Bader, Spring Valley, New York. To permit relocation of an existing bungalow and to permit the building of a new bungalow.
- Variance granted to John Dlouhy, Grandview Avenue, Nanuet, New York. To permit the erection of a breezeway and garage attached to main dwelling.

#### VARIANCES DENIED

- Variance denied to Harry George Knapp and Vivian Knapp, Cottage Avenue, Nanuet, New York. To erect a once story frame dwelling, - Variation of Section 15, Article 2, Residence "B".
- Variance denied to Francis M. Korn, Executrix Estate Ernst A. Korn, New City, New York. To permit the maintenance of a Dog Kennel for about 20 St. Bernard dogs - Use district regulations.
- Variance denied Martin Henry, West Nyack, New York. To permit the erection of a vegetable and fruit stand and to maintain a pony ring on Route 59, West Nyack, N.Y.

#### VARIANCES PENDING

- Variance held pending for Alfonse J. Angelino awaiting Plot Plan.
- Variance pending for Charles Tompkins, Depew Avenue, Central Nyack, New York.
- Variance pending for the J. & A. Construction Company, Nanuet, New York.

(Signed)

Respectfully submitted  
 W. REGINALD HERDMAN  
 W. Reginald Herdman, Chairman  
 Zoning Board of Appeals  
 Town of Clarkstown

December 22, 1948

Mr. Welchman moved the report be accepted.

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. Dillon then read a letter from the Association of Towns, advising that the Annual Meeting of the Association of Towns will be held in New York City at the Hotel Commodore on Feb. 16th, 17th and 18th.

Mr. Dillon then told the Board that a resolution would have to be adopted authorizing any Town Officer to attend the Annual Meeting at the expense of the Town.

Mr. Eberling moved that any Town Officer who desires to attend the Annual Meeting of the Association of Towns be authorized to do so, his expense to be paid by 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. Eberling moved that Irvin F. Dillon, Supervisor, be authorized to represent the Town at the Annual Meeting of the Association of Towns.

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 Eberling, Councilman, be named as Alternate to represent the Town at the Annual Meeting of the Association of Towns.

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



and that there is not sufficient money in this account to take care of them, and further that they should be presented next September before the Budget is prepared, and if they are approved, the Board can include an amount to cover them in the budget.

Mr. Dillon then presented a deed of A. Burnweit conveying property to the Town for an extension of a road which was taken over about a year ago.

Mr. Klein, Supt. of Highways, suggested the deed be referred to the Town Attorney for checking.

The Town Attorney was requested to check the deed and report back at the next meeting.

Mr. Dillon then reported that a new man has been up on the Addressograph machine, and he suggested the Board meet with him to discuss the matter. Mr. Dillon told the Board that he understood it will take about sixteen weeks to set the system up.

The Board then discussed the matter and decided to meet with the representative for the Addressograph machine on Jan. 21st, 1949 at 8:00 P.M.

Mr. Eberling then told the Board that he would like to have Mr. Klein, Supt. of Highways, or someone else contact the Erie Railroad and see if they will not do the same at the Nanuet Station that they have done at Valley Cottage, Congers and West Nyack.

The Board discussed the matter, and it was decided that Mr. Klein and Mr. Eberling contact the railroad and see if they will not fix the Nanuet Station road, which needs repair very bad.

Bills Nos. 1 to 71 on Warrant No. 1 were audited and ordered paid, amounting to \$6,206.46.

Mr. Eberling moved that the meeting be adjourned.

Seconded by Mr. Schmersahl

Carried

Meeting adjourned.

*Corra / M / Marthing*  
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 Town Clerk of Clarkstown