

TOWN BOARD MEETING

JAN. 6TH, 1950

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 the reading of the minutes of the last regular meeting be dispensed with.

Seconded by Mr. Schmersahl

Carried

The Board then considered the application of Wm. Weinberg for a change in zoning of his property in West Nyack from Res. A to Bus. B. Mr. Dorfman appeared for Mr. Weinberg and checked the property lines on a map with the Town Board.

Mr. Eberling then moved the following resolution:-

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 11th of March, 1949, provided for a public hearing on the 8th day of April, 1949 at the office of the Town Clerk, Main Street, New City, New York at 8:30 in the evening to consider the application of William Weinberg, to amend the Building Zone Ordinance for the said Town by redistricting the property of said petitioner from "Residence A" to "Business B",

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 is hereby amended by redistricting the following described property from "Residence A" to "Business B".

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

COMMENCING at a point, such point being the Northwesterly corner of property to be described and 148.46 feet southerly from the center line of Nyack Turnpike along the division line of Peller's property; thence in a southerly direction south 21 degrees 50 minutes 45 seconds West a distance of 1060.04 feet to a stake; thence running in an Easterly direction South 80 degrees 17 minutes East a distance of 300 feet to a stake; thence running in a northerly direction along the lands of Smith North 20 degrees 39 minutes East a distance of 442 feet to a stake; thence running in an easterly direction South 74 degrees 27 minutes East a distance of 80 feet to a stake thence running in a northly direction along Route 303 North 21 degrees 36 minutes East a distance of 100 feet to a stake; thence running still in a northerly direction along Route 303 North 11 degrees 39 minutes East a distance of 87.2 feet to a stake; thence running still along a northerly direction North 22 degrees 03 minutes West a distance of 501.6 feet to a stake and point and place of beginning containing 6.203 acres more or less.

AFA213

FURTHER RESOLVED, that notice of said amendment be given by publishing and posting as required by 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. Welchman moved that the resolution regarding rezoning of property of Infra Insulation Co. be rescinded.

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

The bonds of John A. Stefan, Justice of the Peace, and Emil Klein, Supt. of Highways, were presented to the Board and approved.

Mr. Dillon then informed the Board that according to the report of the Town Clerk to the Town Board, oaths of office for all Town Officials have been filed with the County Clerk.

The Board then considered the appointment of three(3) Assessors and a Town Attorney.

Mr. Schmersahl moved O.T. Keyser be appointed Assessor for the Town of Clarkstown.

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 Thomas Simpson be appointed Assessor for the Town of Clarkstown.

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. Fibble moved Roswell Blauvelt be appointed Assessor for the Town of Clarkstown.

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 left the chair and offered the following resolution:-

RESOLVED, that the Assessors for the Town of Clarkstown be appointed for a term of two(2) years beginning on January 1st, 1950, and expiring on December 31st, 1951.

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

Mr. Schmersahl moved Edward G. Roepe be appointed Town Attorney for the Town of Clarkstown.

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 August H. Hansen be appointed Registrar of Vital Statistics.

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

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Mr. Dillon then presented the payroll of the Town for the year 1950.

Mr. Eberling moved that the salaries of Town Officers and employees be fixed as follows for the year 1950:-

PAYROLL

<u>ANNUAL SALARY</u>	<u>NAME</u>	<u>TITLE OF POSITION</u>
240.00	Letitia Johnson	Janitress
180.00	Dollie Stiles	"
2000.00	Irvin F. Dillon	Supervisor
3300.00	Florence Blauvelt	Supv. Clerk
1500.00	John A. Stefan	Justice of 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	August H. Hansen	Town Clerk
3200.00	Charles R. Adams	Sr. Acct. Clerk
1680.00	O.T. Keyser	Assessor
1440.00	Thoma s Simpson	"
1440.00	Roswell Blauvelt	"
3500.00	C. Elsie Monneret	Rec. of Taxes
2000.00	Lola Krausser	Sr. Acct. Clerk
2000.00	Edward G. Roepe	Town Attorney
4500.00	Walter N. Liebert	Police Chief
3700.00	Ernest Wiebicke	Police Patrolman
2900.00	Fred Brunjes	"
2700.00	John Courtney	"
2700.00	Norman E. Gardner	"
3300.00	Frank Hochreiter	"
3300.00	John Jackomin	"
3300.00	Raymond Lindemann	"
2700.00	Lester Weser	"
3300.00	William Zielich	"
1500.00	Marjorie H. Sickles	Health Off.
3000.00	John M. Jeffrey	Bldg. Insp.
3500.00	Frank Kemmer	Welfare Off.
2057.00	Margaret Reilly	Acct. Clerk

HIGHWAY PAYROLL

<u>SALARY PER HOUR</u>	<u>NAME</u>	<u>TITLE OF POSITION</u>
1.25	Selden Stiles	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	"
1.25	John C. Blauvelt	"
1.20	Paul Stepback	"
1.20	Edward Klass	"
1.15	Fred Kirkman	"
1.05	Russell Schaffer	"
1.10	William Venezia	"
1.10	Richard Hopper	"
1.10	Bradley Moore	"
per Mo. 72.60	Florence Blauvelt	Clerk
Annual 4900.00	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. 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 appointed Mr. Eberling and Mr. Schmersahl on the Insurance Committee.

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

Seconded by Mr. Eberling.

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

The matter of renewing leases for the Town Offices situated in the Knapp Building was then presented to the Board by Mr. Dillon.

Mr. Eberling moved the following resolution:-

RESOLVED, that the Supervisor be authorized to renew the leases for a period of two(2) years at \$125.00 per month for the following Town Offices situated in the Knapp Building:-

Welfare Office  
Assessors Office  
Building Inspectors Office

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 then discussed the application for a change in zoning of N.A. and Emma C. McGill of Nanuet. After discussing the matter thoroughly Mr. Welchman moved that the application be denied.

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

Mr. Klein, Supt. of Highways, reported on Mr. Bremer's complaint of mail boxes being erected on his property. Mr. Klein stated that he had spoken to Mr. Bremer's neighbors about the situation but that no agreement had been reached. He also said that since the mail boxes were not obstructing the right of way, he saw no reason for them to be moved. No action was taken by the Board in this matter.

Mr. Klein also said that he had received a complaint from Mr. Grando of Oakbrook in Nanuet about a steel fence on the property adjoining his. Mr. Grando said the fence was obstructing the right of way. Mr. Klein informed the Board that he had investigated the matter and he felt there was no cause for action.

Supt. of Highways, Emil Klein, then brought a matter before the Board concerning Mr. Clement DeSimone of Central Ave. in Nyack. He said that Mr. DeSimone had constructed a roadway off Greenbush Rd. in West Nyack and that during rainy weather the water would wash a large quantity of dirt out of the roadway and onto the highway. When this happened, it required the services of a truck and two or three men to clear the highway. Mr. Klein told the Board that he had complained to Mr. DeSimone about this condition, but nothing had been done about it.

The Town Clerk was requested to write to Mr. DeSimone about this matter asking him to correct it as soon as possible.

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Mr. Dillon then informed the Board that as yet the Village of Nyack had taken no steps to repair Chapel Hill Rd. in Central Nyack.

The Board then took into consideration the matter of moving the Building Permit files from the Town Clerk's Office to the Building Inspector's Office. Mr. Roepe, Town Attorney, stated that the Board has the power to authorize the moving of these files.

Mr. Welchman moved that the files be moved from the Town Clerk's to the Building Inspector's Office

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

Mr. Dillon then read a letter from Mr. John Forni of Nanuet, requesting that the Town clear a ditch on his property on Prospect St. Mr. Klein, Supt. of Highways, informed the Board that he had been in contact with Mr. Forni and had informed him that nothing could be done about this matter, since the Town was not permitted to do any work on private property.

The Board requested the Town Clerk to write to Mr. Forni advising him that the Town had no jurisdiction over private property and also enclose the section of the Highway Law covering this matter.

Justices of Peace John A. Stefan and Stephen Doig, Jr. came before the Board to speak for Mr. Joseph B. Komonchak who was employed as a clerk in their Courts. They stated that Mr. Komonchak did not wish to continue as Court Clerk since he felt he was not being properly compensated in view of the time and work involved.

The Board discussed this matter thoroughly and Mr. Dillon then suggested that in view of the services performed by Mr. Komonchak a raise in salary to \$800.00 per year was in order. This suggestion was unanimously approved by the Board.

Mr. Roepe, Town Attorney of Clarkstown, came before the Board and requested their permission to attend the Conference of Town and County Attorneys at Albany, New York, at the expense of the Town.

Supervisor Dillon moved this request be granted.

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 presented the reports of the following Town Officers covering the month of December, 1949:-

Town Clerk's Report  
 Building Inspector's Report  
 Welfare Officer's Report  
 Police Dept. Report

Mr. Eberling moved these reports be accepted.

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 read a letter concerning the Annual Meeting of the Association of Towns to be held at the Commodore Hotel, New York City, beginning on Feb. 6th, 1950 and ending on Feb. 9th, 1950.

Mr. Eberling moved the following resolution:-

RESOLVED, 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. 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 that Edward G. Roepe, Town Attorney, be named as Alternate 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. Dillon presented the Building Inspector's yearly report for 1949, together with a letter from Mr. John M. Jeffrey, Building Inspector stating that permit #2662 was erroneously issued to Mr. Herbert Oliver of Nanuet, and that Mr. Oliver would appreciate the return of his fee of \$6.50.

Mr. Welchman moved the following resolution:-

RESOLVED, that Irvin F. Dillon, Supervisor, be authorized to pay to Herbert Oliver of Town Line Rd., in Nanuet, the sum of \$6.50 for a Building Permit erroneously issued in the Town of Orangetown.

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

Mr. Dillon read a letter from the Nanuet Civic Association, requesting the Board for a change in zoning in Nanuet. The Civic Association asked that the area in Nanuet, along Main St., from Rt. 59 to First St., be rezoned from "Bus. A" to "Bus. B".

Mr. Eberling moved the following resolution:-

WHEREAS, it appears desirable to the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said town be amended by redistricting the property at Nanuet in said town hereinafter described from "Business A" to "Business B".

Main St., Nanuet, from Route 59 southerly to  
First St., a uniform depth of 200 feet on both  
sides of said Main St.

BE IT RESOLVED, that a public hearing pursuant to Sections 265 and 264 of the Town Law be had at the office of Town Clerk, Main Street New City, New York, on the 10th day of February, 1950 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 notice 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. 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 read a second letter from the Nanuet Civic Association requesting a change in Bus Stops in Nanuet. Mr. John A. Stefan appeared before the Board to speak against this change. Mr. Stefan, who is employed by the Nanuet Bank, stated that the Bank is against the change since one of the proposed changes would put a Bus Stop directly in front of the Bank and since the patrons of the Bank use this space for parking, the business of the Bank would suffer by it.

Chief of Police, Walter Liebert, came before the Board and said that he would like to go on record as being against any change in Bus Stops in Nanuet.

After discussing this matter, the Board instructed the Town Clerk to write to the Nanuet Civic Association stating that they would not consider any change in Bus Stops, since there was no possible way the Town would benefit by it.

Mr. Eberling then brought to the attention of the Board that at a recent fire in the vicinity of the four corners in Nanuet at the intersection of Route 304 and Route 59 there was need of a fire hydrant.

Mr. Welchman offered the following resolution:-

RESOLVED, that a hydrant be installed on Main St., Nanuet, near Route 59 and that the Spring Valley Water Works & Supply Co. be requested to make the necessary installation.

Seconded by Mr. Eberling.

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

AFA213

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

Mr. Dillon brought before the Board the matter of the legality of licensing Pin Ball Machines in the Town. He stated that the report from the Dept. of Audit & Control does not give the Town any authority to license these machines.

Mr. Eberling moved the following resolution:-

WHEREAS, it appears desirable that a Town Ordinance of the Town of Clarkstown adopted March 13, 1939, and entitled "Ordinance Licensing Pin Ball Machines" be repealed.

NOW THEREFORE, be it resolved that a public hearing to consider the repeal of said Ordinance be held at the office of the Town Clerk, Main St., New City, New York, on the 10th of February, 1950, at 8:30 in the evening and that notice of such hearing be given by the Town Clerk by publication thereof as provided by law.

Mr. Dillon then read the bids on the new police car from the following dealers:-

Driscoll Chevrolet-----	\$580
C.R. Jones, Inc.-----	\$700
Sosna Sales & Service-----	\$550

Mr. Fibble moved the Board accept the lowest bid.

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

Mr. Dillon then brought the matter of a change in zoning of the Brega property in Valley Cottage before the Board.

The Board discussed the matter at length and decided to take no action on it until the next meeting on Feb. 10th, 1950.

Mr. Dillon read to the Board a letter from Mr. Everett Crosby Chairman of the West Nyack Civic Association.

Mr. Crosby requested that street signs be erected in West Nyack at the following intersections pointing to New City:-

At the intersections of Rt. 304 and Demarest Mill Rd.

At the intersections of Demarest Mill and Germonds Rds.

At the intersections of Bardonia and Germonds Rds.

At the intersection of Richards Corners pointing to both New City and Valley Cottage.

Mr. Welchman moved that the request for these signs be granted.

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. Klein then informed the Board that street signs had been erected at both ends of Blauvelt Road designating the road as Blauvelt Road.

Mr. Dillon then brought before the Board the matter of changing the fees on Taxicab and Taxicab Drivers Licenses.

Mr. Welchman moved the following resolution:-

WHEREAS, it appears desirable that a Town Ordinance of the Town of Clarkstown adopted August 4th, 1948, and entitled "Regulation and Licensing of Taxicabs and Taxicab Drivers" be amended.

NOW THEREFORE, be it resolved that a public hearing to consider the amendment of said Ordinance be held at the office of the Town Clerk, Main Street, New City, New York, on the 10th day of February, 1950, at 8:45 in the evening and that notice of such hearing be given by the Town Clerk by publication thereof as provided by law.

The proposed amendment is as follows:-

Section 9. - The fee for a taxicab license shall be Five Dollars for each taxicab and the fee for a taxicab drivers license shall be Two Dollars.

Section 9., proposed to be amended, is presently as follows:-

The fee for a taxicab license shall be Ten Dollars for each Taxicab and the fee for a taxicab drivers license shall be Five Dollars except that if such licenses are for a period less than a year's duration, the fee shall be one-tenth of the license fee for each month or fraction of a month from the date of the issuance of the said license to the 31st of December.

Seconded by Mr. Fibble.

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

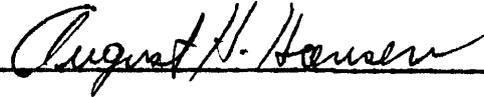
Mr. Schmersahl	Yes
Mr. Fibble	Yes
Mr. Welchman	Yes
Mr. Eberling	Yes
Mr. Dillon	Yes

Bills Nos. 1 to 73 on Warrant No. 1 were audited and ordered paid, amounting to \$3318.82.

Mr. Fibble moved that the meeting be adjourned.

Seconded by Mr. Welchman. Carried

Meeting adjourned.



Town Clerk of Clarkstown