

## PUBLIC HEARING

March 10, 1950

Town Clerk's Office

9:00 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Dillon

Absent: Mr. Eberling

Mr. Dillon called the meeting to order, explaining that it was being held to consider the application of the Infra Insulation Co. and the Highway Distributing Corp. of West Nyack for a change of zoning of their property in West Nyack from "Residence A" to "Business B."

Mr. Dillon stated that the Board would listen first to those in favor of the change, and then to those opposing it.

Mr. Jerome Trachtenberg appeared before the Board as the Attorney for the Petitioner's. Mr. Trachtenberg spoke at great length on the proposed change, explaining that both Infra Insulation and Highway Distributing Corp. had spent large sums of money to purchase and improve the property. He stated that both were zoned as "Residence A" since they had been in operation before the Zoning Regulations were adopted and had continued to operate as non-conforming businesses, when they should have been rezoned to "Business B". In view of these facts, Mr. Trachtenberg urged the Board to seriously consider granting the change in zoning.

Mr. Alexander Schwartz, the President of Infra Insulation Co., appeared before the Board and explained the various types of insulation that his company manufactures and their advantages over the old types. Mr. Schwartz told the Board that if the change were granted, he would expand the business and many people in Clarkstown would be given employment there.

Mr. Stanley Partridge of West Nyack, appeared before the Board as spokesman for the residents of West Nyack who were opposed to the change, and he stated the numerous objections which they had to the change. Mr. Partridge then called on the property owners to come before the Board and voice their objections. The following people came before the Board to speak against the change:-

Mr. Karl Raich	West Nyack
Mr. Benjamin Kish	" "
Mr. John Hughes	" "
Mr. Donald Partridge	" "
Mr. Emil Charoy	" "
Mrs. Grace Hinck	" "

3/10/50

Mr. John Hartman	West Nyack
Mr. Michael Franchine	" "
Mrs. Hazel Blake	" "
Mr. Arthur Conklin, Sr.	" "

The following property owners from Orangetown whose property borders that of Infra Insulation and the Highway Distributing Corp. appeared in protest to the proposed change:-

Mr. H. Gilchrist  
 Mr. Julius Hartman  
 Mr. Mitchell Soroc  
 Mr. John Norton  
 Mr. Wm. J. Keyhoe  
 Mrs. Geraldine Gheri

After hearing all those interested in the proposed change, Mr. Welchman moved that the hearing adjourn.

Seconded by Mr. Fibble.

Carried

Hearing adjourned.

*August H. Hansen*  
 \_\_\_\_\_  
 Town Clerk of Clarkstown

AFA213

## PUBLIC HEARING

March 10, 1950

Town Clerk's Office

9:30 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Dillon

Absent: Mr. Eberling

Mr. Dillon called the hearing to order, explaining that it was being held to consider the application of John F. Hopf of Nanuet, for a change of zoning of his property in Spring Valley from "Residence A", "Residence B" and "Business A" to "Business B".

Mr. Dillon stated that the Board would listen first to those in favor of the change, and then to those opposed to it.

Mr. Hopf appeared before the Board and gave his reasons for requesting the change. He stated that since the property was not suitable for residential purposes he would like to have it rezoned to business for future development.

Mr. William Bohlke, owner and operator of the County Airport, appeared before the Board and stated that he was in favor of the change as long as it did not interfere with the operation of his airport.

Mr. Sidney Barr then appeared before the Board to represent Mrs. Eva Barr. Mr. Barr stated that Mrs. Barr owned property adjoining that of Mr. Hopf and that she had planned to develop it as a residential project. In view of this, he stated that the change would decrease the value of Mrs. Barr's property.

After hearing all the persons for and against the application, Mr. Schmersahl moved the hearing adjourn.

Seconded by Mr. Welchman.

Carried

Hearing adjourned.

*August H. Hansen*  
Town Clerk of Clarkstown

## BOARD OF HEALTH

March 10, 1950

Town Clerk's Office

8:30 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Dillon

Absent: Mr. Eberling

Dr. Hopper, Health Officer

Mr. Dillon called the meeting to order.

Mr. Dillon read to the Board a petition from a group of property owners residing along West Clarkstown Road in New City. The petition stated that a family of nine were living in a small one room shack on West Clarkstown Road without water or toilet facilities. It went on to say that there were a number of children in this family and that they were living under conditions which were a menace to their health. The petition also stated that the living conditions were unbelievable in this day and age.

Since Dr. Hopper was not present, Mr. Dillon suggested that the Board refer this matter to her as soon as possible as it was definitely a problem for the Health Officer.

There being no further business to come before the meeting, Mr. Schmersahl moved that the Board adjourn to a regular Town Board meeting.

Seconded by Mr. Welchman.

Carried.

Meeting adjourned.

*August H. Hensen*  
Town Clerk of Clarkstown

## TOWN BOARD MEETING

March 10, 1950

Town Clerk's Office

8:00 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Dillon

Absent: Mr. Eberling

Mr. Dillon called the meeting to order.

Mr. Welchman moved that the reading of the minutes of the last regular meeting be dispensed with.

Seconded by Mr. Fibble.

Carried

Mr. Cyrus Law of New City, came before the Board and asked if the Town could not do something about the condition of Red Hill Road and Park Ave. in New City. He stated that both these roads were in very poor condition and that in bad weather they were almost impassable.

Mr. Dillon explained to Mr. Law that the Town could do nothing about these roads since neither of them had been taken over by the Town as yet. He also said that in the near future the Town would have to undertake a road building program to correct a condition which exists in many parts of Clarkstown.

Mr. Dillon then read a letter from the Port Authority of New York regarding the commutation rates for the George Washington Bridge. The letter stated that at the present time the Port Authority could not consider any change in the rates or extend the time limit on the commutation tickets.

Mr. Dillon then presented to the Board three applications for speed restrictions on the following Town roads:-

Old Haverstraw Road-----Congers

Lake Road-----Congers

West Clarkstown Road----New City

Mr. Dillon informed the Board that the County Superintendent of Highways had not approved the application for Old Haverstraw Road since he did not feel it was heavily travelled enough to warrant speed restriction.

The Board instructed the Town Clerk to return the original applications to the State Traffic Commission.

Edward G. Roepe, Town Attorney, brought the Board's attention to the matter of the Charlotte Liebert welfare case, which had been pending for quite a long time. He said that at the present time the outlook for a settlement was very good, and he requested the Board's permission to take the appropriate action on the matter.

3/10/50

Mr. Schmersahl moved the following resolution:-

WHEREAS, the Town of Clarkstown by its public welfare officer has a claim against Charlotte Liebert, an incompetent person and an inmate of Rockland State Hospital, and,

WHEREAS, an action is now pending in the Supreme Court, Rockland County, entitled, Frank W. Kemmer, as Public Welfare Officer of the Town of Clarkstown Rockland County, New York, Plaintiff, against Charlotte Liebert, and,

WHEREAS, H. Grant Warner has been appointed Committee of the person and property of Charlotte Liebert, an incompetent person, and,

WHEREAS, the only asset in the estate of the incompetent is the sum of \$1528.22, now in the possession of the Committee of the incompetent, and,

WHEREAS, it appears that the State of New York has a preferred claim for the care and maintenance of Charlotte Liebert,

NOW THEREFORE BE IT RESOLVED, that the said claim of the Town of Clarkstown be settled as follows:

That out of the monies of the said incompetent there be paid to the Rockland State Hospital the sum of \$450.00 for the care and maintenance of the patient from the 2nd day of September, 1949, and the sum of \$200.00 as a deposit for a burial fund and the sum of \$75.00 as and for a luxury fund for the benefit of the incompetent; that out of the balance of the funds there be paid the usual administration expenses of the committee including the judicial settlement of the final account and together with any fee allowed John F. Skahen, appointed to receive service on behalf of the defendant of the action above mentioned; that the balance remaining be paid to the Town of Clarkstown on account of its claim, and,

BE IT FURTHER RESOLVED, that the proper Town Officers be and they are hereby authorized and directed to negotiate and carry out the said proposed settlement and that the Town Attorney be authorized on behalf of the Town to execute stipulations and consents to affect said settlement and to discontinue the action now pending against Charlotte Liebert.

Seconded by Mr. Welchman.

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

AYES: Messrs. Schmersahl, Fibble, Welchman, Dillon.

NOES: None

Mr. Dillon informed the Board that Mr. Fred J. Smith of Upper Nyack, who had been serving as Inspector of Elections and Custodian of Election Booths, wished to resign his position.

The Board instructed the Town Clerk to write to Mr. Smith asking him to send his resignation in writing in order that the vacancy could be officially recognized.

3/10/50

Mr. Dillon then read a letter from the New City Business Men's Assn. requesting information on the repair of Old Clove Road.

Emil Klein, Supt. of Highways, informed the Board that he had been invited to attend the next regular meeting of the Business Men's Association, and that he would be glad to enlighten them as to what steps would be taken concerning this road.

The Town Clerk was requested to write to the New City Business Men's Association and inform them that Mr. Klein would be present at their next meeting.

Mr. Fibble then brought up the matter of the payment of taxes semi-annually.

Mr. Roepe informed the Board that Section 59-B of the Town Law states that the Board of Supervisors may provide for the semi-annual payment of taxes by a two thirds vote.

Mr. Fibble moved the following resolution:-

RESOLVED, that the Town Board of the Town of Clarkstown is in favor of the payment of taxes in semi-annual installments, and,

FURTHER RESOLVED, that a copy of this resolution be sent to the Board of Supervisors of Rockland County.

Seconded by Mr. Schmersahl.

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

AYES: Messrs. Schmersahl, Fibble, Welchman, Dillon.

NOES: None

The Board instructed the Town Clerk to send a copy of the resolution to the Board of Supervisors.

The Board also instructed the Town Clerk to write to the Receiver of Taxes advising her that all tax receipts should be returned to the tax payers even though return postage has not been included with the payment.

The next matter to come before the Board was the application of Infra Insulation Company and the Highway Distributing Corp. for a change of zoning of their property in West Nyack from "Residence A." to "Business B."

Mr. Jerome Trachtenberg, Attorney for the Petitioner's, came before the Board and spoke at great length in favor of the change.

Mr. Alexander Schwartz, President of the Infra Insulation Co., also appeared before the Board to speak in favor of the change.

Mr. Stanley Partridge, of West Nyack, came before the Board to speak against the change, and also to represent a group of property owners from West Nyack. Mr. Partridge also called on a large group of property owners from Clarkstown and Orangetown to come before the Board and voice their objections.

The Board discussed this matter at great length.

Mr. Welchman moved that the Board reserve decision on this application.

3/10/50

Seconded by Mr. Fibble.

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

AYES: Messrs. Schmersahl, Fibble, Welchman, Dillon.

NOES: None

The Board then considered the application of John F. Hopf of Nanuet, for a change of zoning of his property in Spring Valley from "Residence A", "Residence B." and "Business A." to "Business B."

Mr. Hopf appeared before the Board to speak in favor of the change.

Mr. William Bohlke, owner and operator of the County Airport which adjoins Mr. Hopf's property, appeared before the Board and said that he had no objections to the change as long as it did not interfere with the operation of his airport.

Mr. Sidney Barr appeared before the Board to speak for Mrs. Eva Barr who was opposed to the change.

Mr. Schmersahl moved that the Board reserve decision in this matter.

Seconded by Mr. Welchman.

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

AYES: Messrs. Schmersahl, Fibble, Welchman, Dillon.

NOES: None

Mr. Herbert Dahm, owner of the West Nyack Traprock Company, came before the Board and asked if it would be possible to reroute the road leading from the quarry to the highway so that his trucks would have easier access to the highway and not have to go under the railroad culvert.

The Board informed Mr. Dahm that they would take the matter into consideration.

Mr. Dillon then read a letter from the New City Business Men's Association stating that they would like to go on record as being opposed to the regulations drawn up by the Planning Board.

Mr. Dillon read a letter from Mrs. Mildred Goldstein of Bardonia, requesting information on how to apply for a change of zoning.

The Town Clerk was instructed to write to Mrs. Goldstein explaining the proper procedure to follow in this matter.

Mr. Dillon read letters from the Congers School and the Central School District No. 1. These letters requested that police be stationed at the School Crossings during the day for the protection of the children.

Chief Liebert informed the Board that he did not have enough men to guard all the school crossings, and that many times the men stationed at the crossings were called away on emergencies. Chief Liebert told the Board that some of the schools have the janitors at the crossings, and that they have done a very good job.

AFA213

3/10/50

Mr. Dillon suggested that the various schools be advised that they have the right to hire special police for this purpose.

Mr. Dillon read a letter from the West Nyack Civic Association requesting "Children at Play" signs.

The Board referred this matter to Mr. Klein.

The Board then discussed the matter of the Town taking over Park Terrace and Omley Place in New City Park. Mr. Roepe pointed out to the Town Board that the two roads had been omitted when the deed was turned over to the town on the New City Park roads, and that in view of the fact that the Town now had title to all the roads but these two, provisions should be made to include them.

Mr. Fibble moved the following resolution:-

WHEREAS, New City Park Corporation, New City, Town of Clarkstown, New York, desires to dedicate certain roads presently situated in New City Park, Town of Clarkstown, Rockland County, New York, to the Town of Clarkstown, and known and designated as Park Terrace and Omley Place, and,

WHEREAS, it is necessary for the Town Board of the Town of Clarkstown to apply to the Superintendent of Public Works pursuant to Section 171 of the Highway Law for a certificate approving said dedication, the said roads being less than three rods in width,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clarkstown apply to the Superintendent of Public Works for a certificate approving the dedication of the said roads situated in New City Park, New City, Town of Clarkstown, Rockland County, New York, from New City Park Corporation to the Town of Clarkstown, namely:

Park Terrace, having a length of 735.6 feet

Omley Place, having a length of 290 feet

AND BE IT FURTHER RESOLVED, that two copies of this resolution be forwarded to the Department of Public Works of the State of New York.

Seconded by Mr. Schmersahl.

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

AYES: Messrs. Schmersahl, Fibble, Welchman, Dillon.

NOES: None

Mr. Dillon then submitted an application for a permit to open a highway, the applicant being Mr. Michael Yonskie, Jr. of New City. The application had been approved by Mr. Klein and was presented to the Board for their approval.

After discussing the matter, the Board approved the application, and instructed the Town Clerk to send it to the County Superintendent of Highways for his approval.

3/10/50

Mr. Dillon read a letter from the Planning Board which stated that the Planning Board was studying the present requirements that had been submitted for a public hearing on Feb. 17, 1950, and which had met with a great deal of opposition. It also stated that the Planning Board was working on a Master Plan, which was a crystallization of 3 years work and that it would be presented to the Town Board when finished.

Mr. Roepe informed the Board that at the present time the Planning Board cannot approve any plans since the regulations have been suspended, and he suggested that the Town Board rescind the resolution giving them this power.

Mr. Fibble moved the following resolution:-

WHEREAS, the Planning Board of the Town of Clarkstown has recently held a public hearing to consider proposed regulations of said planning board with respect to subdivision control, and,

WHEREAS, the said planning board has indicated to the Town Board that revision of the proposed regulations is contemplated, and,

WHEREAS, it appears that the process of revising the proposed regulations will necessary entail delay, and,

WHEREAS, some confusion now exists by reason of the lack of appropriate regulations with respect to subdivision control,

NOW THEREFORE, be it resolved that the resolution heretofore adopted on the 14th day of February, 1947, authorizing and empowering the planning board of the Town of Clarkstown to approve plats showing new streets and highways within the town outside the limits of any incorporated village, be and the same is hereby rescinded, and it is,

FURTHER RESOLVED, that the Town Clerk be and is hereby directed to file a certified copy of this resolution in the office of the Clerk of Rockland County.

Seconded by Mr. Welchman.

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

AYES: Messrs. Schmersahl, Fibble, Welchman, Dillon.

NOES: None

Mr. Dillon presented to the Board the reports of the following Town Officers and Departments for the month of February:-

Supervisor	Building Inspector
Town Clerk	Town Highway Department
Welfare Officer	Police Department

Mr. Welchman moved that these reports be accepted.

Seconded by Mr. Schmersahl.

Carried

The Board then discussed the matter of having a street light erected on Pole #58 on Route 9W in Congers.

AFA213

3/10/50

Mr. Fibble moved the following resolution:-

RESOLVED, that a street light be erected on Pole #58, on Route 9W in Congers, and,

FURTHER RESOLVED, that the Rockland Light and Power Company be requested to make the necessary installation.

Seconded by Mr. Welchman.

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

AYES: Messrs. Schmersahl, Fibble, Welchman, Dillon.

NOES: None

Mr. Dillon then read a letter from the State Traffic Commission concerning a red light at the intersection of Lake Road and Route 9W in Congers. The letter stated that after a thorough investigation of the matter, the State Traffic Commission did not feel that a red light was necessary at this point.

The claims of Donald G. Partridge and Fred Wagner for the extension of the Nanuet Lighting District were referred to the Town Attorney.

Mr. Dillon presented to the Board the list of eligible names for the position of Town Welfare Officer. The only name on the list was that of Frank W. Kemmer of Nanuet.

Mr. Schmersahl moved the following resolution:-

RESOLVED, that Frank W. Kemmer, Kemmer Lane, Nanuet, be appointed to the position of Town Welfare Officer, Town of Clarkstown, at an annual salary of \$3500.00, said appointment to become effective as of March 10, 1950.

Seconded by Mr. Welchman.

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

AYES: Messrs. Schmersahl, Fibble, Welchman, Dillon.

NOES: None

The Board then discussed the new thruway that the State was constructing from New York City to Buffalo.

Mr. Dillon suggested that the Board go on record as being in favor of having part of this Thruway pass through Rockland County.

Mr. Welchman moved the following resolution:-

WHEREAS, the Governor of the State of New York has indicated the immediate need of the proposed new Thruway from New York City to Buffalo, and,

WHEREAS, such a Thruway, will of necessity have to cross the Hudson River, and,

WHEREAS, the County of Rockland is hemmed in and bottle necked by poor road facilities in either direction, particularly in Hudson River Crossings, making it necessary that residents of Rockland County desiring to travel to Westchester or Dutchess Counties, etc., have only the Bear Mountain or the George Washington Bridges at their disposal,

3/10/50

THEREFORE BE IT RESOLVED, by the Town Board of the Town of Clarkstown, of the County of Rockland, that the Governor of the State of New York, and the Superintendent of the Department of Public Works of the State of New York, be advised of our desire to have within the County of Rockland a portion of said Thruway and the Hudson River Bridge Crossing.

Seconded by Mr. Schmersahl.

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

AYES: Messrs. Schmersahl, Fibble, Welchman, Dillon.

NOES: None

The Town Clerk was instructed to send a certified copy of this resolution to Governor Thomas E. Dewey and Bertram Tallamy, Superintendent of Public Works.

Mr. Dillon then asked the Board to adopt a resolution authorizing him to transfer \$245.46 from the Current Surplus Account to the Insurance Account.

Mr. Fibble moved the following resolution:-

RESOLVED, that Irvin F. Dillon, Supervisor, Town of Clarkstown, be authorized to transfer \$245.46 from Current Surplus Account to the Insurance Account.

Seconded by Mr. Schmersahl.

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

AYES: Messrs. Schmersahl, Fibble, Welchman, Dillon.

NOES: None

The Board then discussed the possibility of increasing the salary of Dollie Stiles, Janitoress, from \$15.00 per month, to \$20.00 per month.

Mr. Schmersahl moved the following resolution:-

RESOLVED, that the salary of Dollie Stiles, Janitoress, Town of Clarkstown, be increased from \$15.00 per month, to \$20.00 per month, the increase to become effective on March 10, 1950.

Seconded by Mr. Welchman.

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

AYES: Messrs. Schmersahl, Fibble, Welchman, Dillon.

NOES: None

Bills Nos. 197 to 279, amounting to \$3041.03, were audited by the Board and ordered paid.

There being no further business to come before the Board, Mr. Fibble moved the meeting adjourn.

Seconded by Mr. Schmersahl.

Carried

Meeting adjourned.

*August H. Hansen*  
Town Clerk of Clarkstown