

SPECIAL MEETING

June 2, 1950

Town Clerk's Office

8:30 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Eberling

Mr. Dillon

Mr. Dillon called the meeting to order.

Mr. Dillon informed the Board that the meeting was being held to set a new date for a public hearing on the application of Garrett Miller for a change of zoning of his property.

Mr. Schmersahl moved the following resolution:-

RESOLVED, that the resolution setting June 2nd, 1950, as the date of Public Hearing on the application of Garrett Miller for a change of zoning, be rescinded, and the Town Board set a new date for this hearing.

Seconded by Mr. Eberling.

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

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

NOES: None

Mr. Schmersahl then moved the following resolution:-

WHEREAS, Garrett E. Miller, has petitioned the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting the property of the said petitioner and in said petition described from "Residence A" to "Business B".,

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the office of the Town Clerk, Main Street, New City, New York, on the 22 day of June, 1950, at 8:15 P.M. Daylight Saving Time relative to such proposed amendment, 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, and it is,

FURTHER RESOLVED, that the prior resolution of this Board of May 12, 1950, be rescinded.

Seconded by Mr. Eberling.

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

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

NOES: None

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Mr. Dillon informed the Board that the Building Inspector, John M. Jeffrey, had contacted him regarding a violation of the Zoning Ordinance on the Bloomfield property. Mr. Dillon stated that an injunction had been brought against Mr. Bloomfield by the Town for constructing a structure that had not been approved by the Building Inspector, and that the injunction had not been complied with.

After considerable discussion, the Board instructed the Town Attorney, Edward G. Roepe, to begin the necessary action concerning this matter.

Mr. Roepe presented to the Board a letter from the State Building Code commission. The commission invited the Board members to attend a conference to be held at White Plains concerning the new State Building Code Law.

Mr. Welchman moved the following resolution:-

RESOLVED, that the Town Board, Town Attorney, and the Building Inspector be granted permission to attend a conference at White Plains on Friday, June 9th, 1950, given by the State Building Code Commission, the expense to be paid by the Town.

Seconded by Mr. Schmersahl.

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

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

NOES: None

Mr. Roepe then presented to the Board the Ordinance permitting the operation of Theatre's on Sunday in the Town of Clarkstown, which he had been requested to draw up.

Mr. Welchman moved the following resolution:-

WHEREAS, it appears desirable and in the public interest that the following proposed ordinance with respect to The Exhibition of Motion Pictures Dramatic and Musical Productions and Performances on Sunday and renumbering of the Town Ordinances adopted December 18, 1945, and as amended, be adopted;

It shall be lawful within the unincorporated portions of the Town to exhibit Motion Pictures, Dramatic and Musical Productions and Performances on Sunday between the hours of 2:00 o'clock in the afternoon and 12:00 midnight. Nothing herein contained shall authorize the exhibition on Sunday of Dramatic and Musical Productions in violation of Section 161 of the Labor Law.

This ordinance shall become effective upon publishing and posting as required by law.

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,

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New York, on the 22nd day of June, 1950, at 9:00 P.M. Daylight Saving Time relative to such proposed amendment, and it is,

FURTHER RESOLVED, that the 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 and file proof thereof in the office of the said Clerk.

Seconded by Mr. Fibble.

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

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

NOES: None

Mr. Dillon informed the Board that a new date would have to be set for the public hearing on the Beckerle & Marsi application for a change of zoning.

Mr. Welchman moved the following resolution:-

WHEREAS, John P. Marsi and John P. Beckerle, ahve petitioned the Town of Clarkstown that the Buikding Zone Ordinance of the said Town be amended by re-districting pproperty of the said petitioners and in said petition described from "Business A" 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 22nd day of June, 1950, at 8:00 P.M. in the evening Daylight Saving Time relative to such proposed amendment, and it is,

FURTHER RESOLVED, that the Town Attorney prepare notices of such statutory hearing and that the Town Clerk shall cause the same to be published as afore-said and file proof thereof in the office of the said Clerk, and it is,

FURTHER RESOLVED, that the prior resolution of this Board of May 12, 1950, be rescinded.

Seconded by Mr. Fibble.

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

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

NOES: None

Mr. Roepe informed the Board that the deed for Park Terrace and Omley Place in New City Park had been returned by the State, and that the roads could now be officially taken over by the Town.

Mr. Schmersahl moved the following resolution:-

RESOLVED, that the deed of New City Park Corp. to the Town of Clarkstown dedicating Park Terrace and Omley Place as public highways, be and the same is hereby accepted, and the said roads be included in the Town Highway system.

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Seconded by Mr. Eberling.

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

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

NOES: None

The Town Clerk was requested to notify Mr. Emil Klein, Supt. of Highways that Park Terrace and Omley Place were Town Roads.

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

Seconded by Mr. Schmersahl.

Carried.

Meeting adjourned.

August H. Hansen
Town Clerk of Clarkstown