

PUBLIC HEARING

February 9, 1951

Town Clerk's Office

8:30 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 a petition for street improvement which had been submitted by the residents of Strawberry Hill Lane in West Nyack.

Mr. Dillon said that the Board would listen first to those in favor of the petition and then to those in opposition.

Mr. B.O. Jacobson of West Nyack came before the Board as the representative of the residents of Strawberry Hill Lane. After being sworn in by Supervisor Dillon, Mr. Jacobson examined the petition and testified that it was the original and that it had been signed by at least one-half of the ^{resident} owners of real property along Strawberry Hill Lane and at least one-half of the owners of property fronting or abutting on Strawberry Hill Lane.

Mr. John Scott of West Nyack and also a resident of Strawberry Hill Lane, came before the Board and was sworn in. Mr. Scott testified that Mr. Jacobson's testimony was correct to the best of his knowledge.

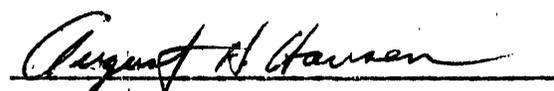
No one appeared before the Board in opposition to the petition.

Mr. Welchman moved that the hearing be closed.

Seconded by Mr. Eberling.

Carried.

Hearing closed.


Town Clerk of Clarkstown

TOWN BOARD MEETING

February 9, 1951

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

Seconded by Mr. Schmersahl.

Carried.

Mr. Louis Heydeman came before the Board as spokesman for the Nanuet Civic Association. Mr. Heydeman protested the construction of a reservoir in Clarkstown which had been proposed by the Spring Valley Water Company. Mr. Heydeman said that the construction of the reservoir could only mean that water would be taken from Rockland County and used for New Jersey. Mr. Heydeman asked the Board what the County water rights would be and also what benefits the Town of Clarkstown would realize from the proposed reservoir. He urged that the Supervisor and the Town Attorney attempt to learn more about the project by questioning officials of the Water Company.

Mr. Harry Coyle of New City came before the Board and spoke in agreement with Mr. Heydeman.

Mr. Norman Baker of New City, came before the Board as representative of the New City Fire Engine Company. Mr. Baker said that the Fire Company was opposed to the reservoir on the grounds that Clarkstown water would be supplied to New Jersey communities. Mr. Baker also said that in the event that the reservoir was constructed, Clarkstown should derive some benefit from it, such as the installation of hydrants throughout the Town. Mr. Baker said that the Fire Company had adopted a resolution requesting the Town Board to go on record as opposing the reservoir.

Mr. Victor Smith of New City came before the Board and said that the taxpayers should be enlightened as to what the Water Company proposes.

Supervisor Dillon said that he had met with two officials of the Water Company and had been advised as to what the Water Company proposed. He stated that he had been told exactly what appeared in the newspaper, and said that he was not in favor of the reservoir unless Clarkstown definitely benefited by it.

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Councilman Welchman said that he had called Mr. Gutteridge of the Water Company and asked how much Rockland County water was used in New Jersey, and that he had been told that there was no information available at the present time.

Mr. Welchman moved the following resolution:-

RESOLVED, that the Town Board of the Town of Clarkstown go on record at this time as opposing the application of the Hackensack Water Company, for a reservoir to be located in the Town of Clarkstown, until such time as this Board has had sufficient opportunity to study the complete proposal, and the objections to the proposal are as follows:-

Objection No. 1- First, on the grounds that this application may conflict with the proposed plans of the Central School District No. 1 of the Town of Clarkstown.

Objection No. 2- That this may adversely affect the future needs of water of the residents of Clarkstown.

Objection No. 3- That the property owners above the proposed reservoir may be seriously affected so far as their present water rights are concerned.

Objection No. 4- That the present assessed valuations may be reduced by reason of the removal of homes or buildings.

Objection No. 5- That this proposal involves replacement of roads now existing in the Town of Clarkstown, and,

BE IT FURTHER RESOLVED, that the members of this Town Board and the Town Attorney attend the hearing pertaining to this application, for the purpose of opposing same.

Seconded by Mr. Schmersahl.

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

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

NOES: None.

The Board instructed the Town Attorney to file the Board's objections with the Water Power and Control Commission in Albany.

Mr. Louis Heydeman again appeared before the Board in protest to the New York Telephone Company's raise in the telephone rates throughout the Namet area. Mr. Heydeman said that the rates would be raised without any increase in service. He asked the Board to file a formal protest against raising the telephone rates, and requested that the Town Attorney be instructed to attend the hearing and voice the Town Board's objections.

After discussing the matter thoroughly, the Board instructed Supervisor Dillon to bring it to the attention of the Rockland County Board of Supervisors.

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Mr. Welchman moved the following resolution:-

RESOLVED, that the Town Board of the Town of Clarkstown does hereby protest the increase in telephone rates imposed by the New York Telephone Company throughout the Town of Clarkstown, and,

FURTHER RESOLVED, that Irvin F. Dillon, Supervisor, bring the matter to the attention of the Rockland County Board of Supervisors, and a copy of this resolution be sent to the Public Service Commission.

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. Albert Engels, spokesman for the Rockland County Board of Realtors, came before the Board. Mr. Engels informed the Town Board that the County Board of Realtors was strongly in favor of a Tax Map for Clarkstown.

Mr. Dillon informed Mr. Engels that the Board was seriously considering the matter and was at the present time gathering information and estimates concerning a Tax Map for the Town.

The Board then adjourned from a Town Board meeting to a public hearing for the purpose of considering a petition for Street Improvement submitted by the residents of Strawberry Hill Lane in West Nyack.

After hearing all testimony in connection with the petition, the Board returned to a Town Board meeting.

Mr. Welchman moved the following resolution:-

WHEREAS, a written petition, dated December 7, 1950, was duly filed with this Board requesting the improvement of Strawberry Hill Lane at West Nyack in said Town, beginning from North Greenbush Road to premises of the Estate of Calvin Allison, deceased, by paving in accordance with the Town specifications as contained in Resolution of the Town Board of March 14, 1947, and whereas said petition was duly signed by owners of real estate owning real estate to the extent of at least one-half of the entire frontage or bounds on both sides of said portion of Strawberry Hill Lane and also by resident owners owning not less than one-half of the frontage owned by resident owners residing in or along Strawberry Hill Lane between the points aforesaid, and whereas the said petition was duly acknowledged or proved as to each signer in the same manner as required of a deed to be recorded, and whereas at a meeting of said Town Board duly called and held on January 12, 1951, an order was duly adopted by it and entered on its minutes, reciting the filing of such petition, the improvement proposed and the maximum amount proposed to be expended for the improvement as stated in such petition, to wit, the sum of \$2,900.00, and specifying that the said Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning

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the same, at the Town Clerk's Office at Main Street, New City, in the said Town of Clarkstown on the 9th day of February, 1951, at 8:30 o'clock in the evening; and whereas the said order, duly certified by the Town Clerk, was duly published and posted as required by law, to wit, a duly certified copy thereof was published in the "Journal News", the official paper of this Town, on January 27th, 1951, and the copies of such order posted on January 27th, 1951, conspicuously in five public places within the district, to wit, Telephone Poles Nos. 100, 104, 110, 118, 120 on Strawberry Hill Lane, West Nyack, Town of Clarkstown, New York, and whereas a hearing was duly held by this Town Board at the place and on the date and time hereinbefore mentioned, and at such place and time, the said Town Board did duly consider the said petition and hear all persons interested,

NOW, THEREFORE, after such hearing and upon the evidence given thereat and pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

RESOLVED, that this Board does hereby determine that it is in the public interest to make the improvement petitioned for, to wit, by paving in accordance with the Town specifications as contained in Resolution of the Town Board of March 14, 1947; and it is further

RESOLVED, that Nelson W. Hall, a civil engineer, who is hereby employed for that purpose, shall prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of Edward G. Roepe, Esq., the Town Attorney, shall prepare a proposed contract for the execution of the work; and that such plans and specifications, estimate and proposed contract shall be presented to this Board as soon as reasonably possible, and it is further

RESOLVED, that Nelson W. Hall, a civil engineer, who is hereby employed for that purpose, shall survey the portion of the said highway proposed to be improved, and establish the lines and grades thereof, marking out upon the ground the side lines of the lands owned or held by this Town for highway purposes; and that he shall place such survey and a profile of the grade of such highway upon blueprints; that there shall be at least three complete sets of blueprints prepared showing such survey and a profile of the grade, one of which shall be filed in the Town Clerk's Office, and the remaining two of which shall be delivered to this Board.

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. Dillon read a letter from the Receiver of Taxes in regard to the hours of her office.

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Mrs. Nonneret stated in her letter that anyone complaining about not being able to pay their taxes at her office after three o'clock in the afternoon was making a false statement and she asked for their names to verify it.

Mr. Dillon read a letter from the Department of Public Works in regard to the sanding of State highways during bad weather. Mr. Hasbrouck, Assistant Superintendent, stated in his letter that the State Road Department was handicapped by a lack of manpower throughout the County and therefore the roads had not been properly sanded during bad weather.

Mr. Dillon read a letter from the New York State Traffic Commission. Mr. R. C. Georger, Director, stated in his letter that a survey of speed conditions would be made in Clarkstown and the Town Board would be advised of the Commission's findings.

Mr. Dillon read a letter from John A. Stefan, Executive Vice-President of the Nanuet National Bank, thanking the Board for their consideration in designating the Bank as the official depository for Town Funds for 1951.

Mr. Dillon presented to the Board the sketches and hydrant orders from the Spring Valley Water Company for two hydrants on Blauvelt Road in Nanuet.

The Board approved the hydrant orders and sketches and instructed the Town Clerk to sign them and return them to the Water Company.

Mr. Eberling informed the Board that the hydrant on Palmer Ave. in Nanuet was equipped only with two inch outlets and that the Fire Company, in order to pump from the hydrant, required a six inch outlet.

Mr. Eberling moved the following resolution:-

WHEREAS, it has been brought to the attention of the Town Board of Clarkstown that the hydrant on Palmer Ave. in Nanuet is equipped only with two inch outlets, and,

WHEREAS, the Nanuet Fire Department, in order to operate efficiently, requires a six inch outlet on all hydrants, be it,

RESOLVED, that the hydrant on Palmer Ave. in Nanuet be change or replaced so that a six inch outlet will be included in its construction, and,

FURTHER RESOLVED, that the Spring Valley Water Works & Supply Company be requested to make the necessary change or replacement as soon as possible.

Seconded by Mr. Schmersahl.

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

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

NOES: None.

The Town Clerk was instructed to send a copy of this resolution to the Spring Valley Water Company.

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Mr. Dillon read letters from Assemblyman Walmsley and Senator Desmond acknowledging receipt of the Town Board's resolution of January 12, 1951, in regard to the issuing of Conservation Licenses by Sporting Goods Stores in the Town.

Mr. Dillon presented to the Board tax refund petitions from the following persons:-

Fred King	Michael Hoffman
Walter P. Nichols	Rockland Light & Power Co.

Since there was a difference of opinion as to whether or not Walter P. Nichols was in the Namet Water District, it was decided to hold Mr. Nichols' petition over until the next meeting so that the matter could be checked.

Mr. Schmersahl moved the following resolution:-

RESOLVED, that the Town of Clarkstown refund to Fred King, Michael Hoffman, and the Rockland Light and Power Company, taxes which were erroneously assessed against them.

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 presented to the Board the bond of Frank W. Kemmer, Welfare Officer, which was duly approved and signed by the members of the Board.

Mr. Dillon presented to the Board the monthly reports of the following Town Officers and Depts.:

Supervisor	Welfare Officer
Town Clerk	Police Department
Building Inspector	

Mr. Welchman moved the reports be accepted.

Seconded by Mr. Schmersahl.

Carried.

Mr. Dillon read a letter from John Elliott, Chairman of the Clarkstown Planning Board. Mr. Elliott asked in his letter that the Board appoint the group of men whose names he had included in the letter as an Advisory Group to the Planning Board.

The Town Clerk was instructed to write to the Planning Board and inform them that there was nothing in the law which gave the Town Board the power to make such appointments.

Mr. Dillon presented to the Board the list of eligibles from the Civil Service Commission for the position of Senior Stenographer. The only name on the list was that of Margaretann Jaeger of Congers.

Mr. Eberling moved the following resolution:-

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RESOLVED, that Margaretann Jaeger, Harrison Ave., Congers, be permanently appointed to the position of Senior Stenographer, Town of Clarkstown, at an annual salary of \$2,300.00, the appointment to become effective as of February 9, 1951.

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 presented to the Board the list of eligibles from the Civil Service Commission for the position of Chief of Police. The only name on the list was that of Ernest Wiebecke of New City.

Mr. Eberling moved the following resolution:-

RESOLVED, that Ernest Wiebecke, Germonds Road, New City, be permanently appointed to the position of Chief of Police, Town of Clarkstown, at an annual salary of \$4,500.00, the appointment to become effective as of February 9, 1951.

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 it was necessary to transfer \$32.25 from Current Surplus to the Litigation Account.

Mr. Fibble moved the following resolution:-

RESOLVED, that Irvin F. Dillon, Supervisor, be authorized to transfer \$32.25 from the Current Surplus Account to the Litigation Account.

Seconded by Mr. Welchman.

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

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

NOES: None.

Mr. Fibble informed the Board that he had received requests for additional Atreet lights in Congers.

Mr. Fibble moved the following resolution:-

RESOLVED, that street lightx be erected on Pole #9 on Friend St., Pole #7 on Butler Ave., Poles #102 and 106 on Wells Ave. in Congers, and on the First Pole on the North end of Sheridan Ave. in Congers, and, be it,

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 follows:-

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

NOES: None.

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Mr. Roepe, Town Attorney, presented to the Board the Deed, Survey and Certificate of Title for Park Lane in West Nyack. Mr. Roepe also presented to the Board a letter from Daniel Brucker, the Attorney who had prepared the Deed. In his letter Mr. Brucker asked the Board to inform him of their action concerning Park Lane.

The Board instructed the Town Clerk to write Mr. Brucker and inform him that the Town had an agreement with the residents of Park Lane whereby the street would be surface treated and then accepted by the Town subject to the approval of the Town Superintendent of Highways.

Chief of Police Ernest Wiebecke came before the Board and said that he had received applications from three Clarkstown residents for the two vacancies which existed due to the creation by the Board of two additional positions of Patrolman. The applications were received from the following men:-

John D. Martz-----Congers.

Richard J. Lyons-----Nanuet

James Hogencamp-----Nanuet

Chief Wiebecke recommended that John D. Martz and Richard J. Lyons be appointed to the two vacancies.

Mr. Welchman moved the following resolution:-

RESOLVED, that John D. Martz, Congers, New York be provisionally appointed as a Patrolman to the Clarkstown Police Department at an annual salary of \$2,700 the appointment to become effective as of March 1st, 1951.

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. Fibble moved the following resolution:-

RESOLVED, that Richard J. Lyons, Nanuet, New York, be provisionally appointed as a Patrolman to the Clarkstown Police Department at an annual salary of \$2,700, the appointment to become effective as of March 1st, 1951.

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 informed the Board that he had studied the Ordinance controlling Peddlers in the Town and that in his opinion it could not be revised to exclude residents of the Town without being discriminatory.

Mr. Fred Wagner of Nanuet, a civil engineer, then came before the Board. Mr. Wagner explained to the Board the advantages of a Tax Map and advised them of the ways in which the work could be done.

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Mr. Wagner estimated the cost of such a project at about \$60,000 and said that it would take from 8 to 10 years if the work were done by an individual such as himself. Mr. Wagner said that ^{if} the project were contracted out to a company that specialized in that type of work, it could probably be completed in about a year.

The Board decided to gather more information before making a definite decision on the matter.

Mr. Fibble informed the Board that the Congers Safety Committee had called him and requested a "Slow" sign at the intersection of Lake Road and Hemingway Ave. and a "Slow" sign at the intersection of Rieman's Corner and Lake Road in Congers.

Since Lake Road was a County highway, it was decided to refer the matter to the County Superintendent of Highways.

Bills Nos. 127 to 220 in the amount of \$6,426.77 were audited by the Board and ordered paid.

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

Seconded by Mr. Schmersahl.

Carried.

Meeting adjourned.

August H. Hansen

Town Clerk of Clarkstown

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