

TOWN BOARD MEETING

April 13, 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. Schmersahl moved that the reading of the minutes of the last regular meeting be dispensed with.

Seconded by Mr. Welchman.

Carried.

Edward G. Roepe, Town Attorney, reported to the Board on Strawberry Hill Lane. Mr. Roepe said that the Attorney for the petitioners was drawing up a new petition and that it would be submitted to the Board as soon as it was completed.

Mr. Dillon informed the Board that he had spoken to the Superintendent of Highways concerning Hughes St. He said that Mr. Klein had advertised for bids and of the two received, both were much higher than the original estimate.

Mr. Klein informed the Board that the work on Hughes St. could not be done within the amount of the estimate.

The Board instructed the Town Clerk to write to Mr. E. Alfred Festa, who was the Attorney for the Petitioners, and inform him that a new petition would have to be drawn up and submitted to the Board.

Mr. Dillon presented to the Board the application of Helen and Philip Frohling of Nanuet for a change of zoning from "Res. B" to "Bus. B."

Mr. Schmersahl moved the following resolution:-

WHEREAS, Helen and Philip Frohling have petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioners and in said petition described from "Residence B" 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 11th day of May, 1951, at 8:30 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,

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FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published as afore said and file proof thereof in the Office of the said Clerk.

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 presented to the Board the application of Annie Weinberg for a change of zoning of her property from "Business A" to "Business B."

Mr. Welchman moved the following resolution:-

WHEREAS, Annie Weinberg has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner 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 11th day of May, 1951, at 9:00 P.M. in the evening, 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:-

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

NOES: None.

Mr. Charles Draudt, Dog Enumerator for Clarkstown, came before the Board. Mr. Draudt suggested to the Board that two or three additional Enumerators be appointed in order that the enumeration of Dogs could be completed within the time limit set by law. He said that due to the large area which must be covered in the Town it was very difficult for one man to complete the enumeration in time and it worked a hardship on the Town Clerk to have the list of owners turned in late.

The Board informed Mr. Draudt that his suggestion would be given serious consideration.

Mr. Irving Smith of Upper Nyack came before the Board and said that he believed that he was being erroneously assessed in the Village of Upper Nyack. Mr. Smith said that many years ago the Village was supposed to have annexed a part

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of Clarkstown which included a portion of his property, but that he could find no record of this transaction. Mr. Smith said that he had paid taxes to the Village for many years on 1½ acres of his property and that now he understands that the Village wishes to move the line to include 400 feet more of his property so that he would be taxed for six acres. Mr. Smith asked the Board if it would be possible to have the line moved so that all his property would be in the unincorporated portion of the Town of Clarkstown.

Mr. Smith was informed by the Board that his problem would have to be taken up with the Village of Upper Nyack since it was obviously within their jurisdiction.

Mr. Dillon read a letter from the State Traffic Commission which stated that a survey of traffic conditions had been made on Route 303 between the Christian Herald Road and the intersection of Routes 303 and 9W, and that no basis for speed restrictions was found.

Mr. Dillon read a letter from the Board of Trustees of the Village of Upper Nyack requesting the transfer of Patrolman John Jackomin to the Upper Nyack Police Department.

Since the Board had already approved the transfer of Patrolman Jackomin, no further action was necessary.

Mr. Dillon read a letter from the Spring Valley Water Company informing the Board that a hydrant would be installed on the corner of Grandview Ave. and Nelson Place as soon as possible.

Mr. Dillon read a letter from the State Traffic Commission informing the Board that the 40 Mile speed limit on Route 304 between Pearl River had been amended to 30 Miles Per Hour.

Mr. Dillon read a letter from the State Traffic Commission informing the Board that a "Stop" sign at the intersection of Old Nyack Turnpike and Route 59 was being removed since it was no longer necessary.

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

Building Inspector

Police Department

Town Clerk

Welfare Officer

Supervisor

The application by Walter Dahm for a Street Opening Permit was duly approved by the Board and the Town Clerk was instructed to send it to the County Supt. of Highways for his approval.

Mr. Dillon informed the Board that it was necessary to pay \$12, 142.16 to the County Treasurer in order to reduce the 1950-51 Tax Rate.

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Mr. Schmersahl moved the following resolution:-

RESOLVED, that Irvin F. Dillon, Supervisor, Town of Clarkstown, be authorized to pay to the County Treasurer the amount of \$12,142.16 in order that the 1950-51 Tax Rate be reduced.

Secomded 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 he had received a request from Mr. Angelo Pantol of Congers for the Town to build a road from Howard and Morton Sts. to the Haverstraw State Rd.

The Town Clerk was instructed to write to Mr. Pantol and send him a copy of the road specifications which must be adhered to before the Town will accept a road or street as a public highway.

A group of residents from Centenary appeared before the Board and asked if any further information was available on the proposed reservior.

The Board informed them that the situation was still unchanged and that the Town was still opposed to the construction of the reservior.

Mr. Dillon presented to the Board a letter from the State Traffic Commission and also a map and application for a blanket speed restriction in the Town. It was estimated in the letter that approximately 58 signs would be needed to post the roads properly.

Chief of Police Ernest Wiebecke was informed by the Board that any suggestions he might have should be brought to the attention of the Board at the next meeting so that they could be forwarded to the Traffic Commission.

Mr. Dillon said that he had received a letter from the Civil Service Commission in regard to the appointment of Fred Rohloff of Haverstraw as a Patrolman to the Clarkstown Police Department. The Civil Service Commission wished to know if the Town was waiving the right of residence in this particular instance only or if the right of residence within the Town was being waived permanently.

Mr. Dillon said that he had called the Commission twice and informed them that the right of residence was only being waived in this instance, and since there was still some doubt if this was understood by the Commission, it might be better to hold the appointment over until the next meeting until this question could be cleared up.

Chief of Police Wiebecke then appeared before the Board in regard to the Bus Stops in Nanuet. The Chief said that he had made an investigation at the request of the Nanuet Civic Association and he recommended that the local Busses be moved to the South side of Prospect Ave. at the corner of Main St.

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Chief Wiebecke also suggested that the North bound Bus Stop be moved to the corner of Orchard and Main Sts. in order to relieve the congestion in front of the Nanuet Bank. Chief Wiebecke said that if the Bus Stops were moved the Taxi stands could also be moved and it would correct the crowded condition which exists in the center of Nanuet.

The Board informed the Chief that his recommendations would be studied before a decision was made.

Chief Wiebecke informed the Board that there was a great deal of difficulty in the school areas with traffic, especially in the restricted speed zones. He asked if it would not be possible for the Town to purchase signs to be placed in the center of the streets in the school zones designating the restricted speed zone and the speed limit in that zone.

The Town Attorney was asked to check this matter and report back to the Board at the next meeting.

Mr. Dillon informed the Board that the Prospect Ave railroad crossing in Nanuet was again in very bad condition and he had received numerous complaints about it. Since the Erie Railroad refused to repair this crossing, Mr. Dillon suggested that the Board instruct Mr. Klein, Superintendent of Highways, to have the road scraped and the holes filled in.

Mr. Eberling moved the following resolution:-

RESOLVED, that Superintendent of Highways Emil Klein, be instructed by the Town Board of Clarkstown to repair the railroad crossing on Prospect Ave. in Nanuet by scraping the road level and filling in the holes.

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. Klein informed the Board that the new specifications for Town roads which he had submitted, if adopted, would govern sub-divisions in which new roads were built.

Mr. Klein reported to the Board that many street signs were missing throughout the Town and he asked that the Police Department be alerted for anyone tampering with the signs.

Mr. Dillon read a letter from Mrs. Olive Goetschius of West Nyack in regard to the Dog Ordinance. Mrs. Goetschius said that the Dog Ordinance was not being enforced and asked that the power to enforce it be taken from the Police Department and given to the Justices of the Peace. Mrs. Goetschius also asked that the Ordinance be published in the Journal News and posted throughout the Town.

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No action was taken on this matter.

Town Clerk August Hansen asked the Board for permission to purchase an Exhaust Fan for his office in order that the meeting room could be properly ventilated during Board meetings and public hearings.

Mr. Eberling moved the following resolution:-

RESOLVED, that Town Clerk August H. Hansen be authorized to purchase an Exhaust Fan for use in his office.

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. Dillon read a letter from the Nanuet Civic Association requesting the Town Board to appoint a competent and disinterested person as Police Commissioner to investigate the dissension in the Police Department.

The Town Clerk was instructed to write to the Civic Association and inform them that the Town Board has complete confidence in the ability of Chief Wiebecke to cope with any problem which may arise in the Police Department and that the Board was of the opinion that the Chief was fully capable of running the Department properly.

Mr. Dillon informed the Board that he had received a letter from Mr. Louis Heydeman, Temporary Secretary of the Anti-Reservior Association, requesting the Town Board to engage the services of special counsel and a qualified Water Engineer to represent the Town at any further hearings held on the reservior.

Mr. Dillon said that the group would like to meet with the Town Board to discuss the situation.

The Board decided to hold a special meeting on April 18, 1951, in the Supervisors Office and invite the group to attend.

Bills Nos. 329 to 422 on Warrant #4 in the amount of \$4,350.05 were audited by the Board and ordered paid.

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

Seconded by Mr. Fibble.

Carried.

Meeting adjourned.

August H. Hansen
Town Clerk of Clarkstown