

PUBLIC HEARING

July 6, 1951

Town Clerk's Office

8:00 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 the improvement of Strawberry Hill Lane in West Nyack.

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

Mr. John Scott, a resident of Strawberry Hill Lane, came before the Board and spoke in favor of the improvement.

Mr. B. O. Jacobson, an adjoining property owner, came before the Board and stated that he had no objection to the proposed improvement.

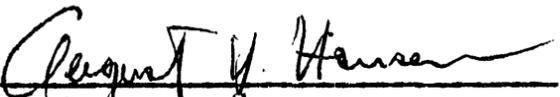
No one appeared in opposition.

Mr. Schmersahl moved that the hearing be closed.

Seconded by Mr. Eberling.

Carried.

Hearing closed.


 Town Clerk of Clarkstown

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PUBLIC HEARING
July 6, 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 the application of Michael Cooke of Nanuet for a change of zoning of his property from "Residence A." to "Residence B."

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

Donald Partridge, Attorney for the Petitioner, came before the Board and explained that the property was adjoined by business property and that the change would not decrease the value of any surrounding properties.

No one appeared before the Board in opposition.

Mr. Welchman moved that the hearing be closed.

Seconded by Mr. Eberling.

Carried.

Hearing closed.

Town Clerk of Clarkstown

TOWN BOARD MEETING

July 6, 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. Fibble.

Carried.

The Board held a public hearing for the purpose of hearing all interested persons in the matter of a petition for street improvement for Strawberry Hill Lane in West Nyack.

Mr. John Scott and Mr. B. O. Jacobson of West Nyack came before the Board and spoke in favor of the improvement.

No one appeared in opposition.

Mr. Schmersahl moved the following resolution:-

WHEREAS, a written petition dated April 12, 1951, was duly filed with this board requesting the improvement of Strawberry Hill Lane at West Nyack, in said Town, beginning from North Greenbush Rd. 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, or specifications to be prepared by an engineer to be retained by the Town of Clarkstown, and whereas said petition was duly signed by the 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 a deed to be recorded, and whereas at a meeting of said Town Board duly called and held on June 8, 1951, an order was duly adopted by it and entered in 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 \$4,250.00, and specifying that the said Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Clerk's Office at Main Street, New City, in the said Town of Clarkstown on the 6th day of July, 1951, at 8:00 o'clock in the evening, Eastern Daylight Saving Time;

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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 newspaper of this Town, on June 23rd, 1951, and copies of such order posted on June 21st, 1951, conspicuously in five public places along the said portion of Strawberry Hill Lane proposed to be improved, to wit, and whereas a hearing was duly held by this Town Board at the place and 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, or, specifications to be prepared by an engineer to be retained by the Town of Clarkstown; 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 a 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. Samuel Gunn, of Nanuet, came before the Board and requested the Town to take over Loran Court, a new street in Nanuet. Mr. Gunn said that the street had been inspected by the Superintendent of Highways and found to be satisfactory.

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Mr. Klein came before the Board and said that the road had been built in accordance with the new Town specifications for Town roads, and that with a minor change in one shoulder of the road, it would be acceptable.

Mr. Eberling moved the following resolution:-

RESOLVED, that the deed of Mid-Rockland Home Builders, Inc., to the Town of Clarkstown dedicating Loran Court in Nanuet as a public highway, be and the same is hereby accepted, and the said road be included in the Town highway system.

Seconded by Mr. Welchman.

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

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

NOES: None.

Town Attorney Edward G. Roepe was instructed to record the deed with the County Clerk.

Mr. W. Reginald Herdman of Congers came before the Board. Mr. Herdman said that he was appearing in connection with a number of recommendations which had been adopted by the Congers Businessmen for the relief of traffic congestion in the business section of Congers. These recommendations were as follows:-

1. No parking on the north side of Lake Rd. between Burnside and Sheridan Avenues.
2. Signs to be placed to indicate "No Parking" areas.
3. Curb parking on the south side of Lake Rd. in the vicinity of the brick row.
4. Highway marking to designate parking areas.

Mr. Herdman said that a discussion had been had with Mr. Relyea, Supt. of the West Shore Division of the New York Central Railroad concerning the establishing of a parking area on the easterly portion of the station square, a space of about 325' in length and 25' in width. The Railroad had been agreeable to this arrangement and offered to furnish the black top if the Town Highway Department would spread and roll it.

Mr. Klein said that the arrangement would be satisfactory to him if the Board approved the recommendations.

Mr. Fibble moved the following resolution:-

RESOLVED, that the recommendations of the Congers Businessmen in regard to parking in the Congers business section be approved, and the Town Superintendent of Highways be instructed to lay and roll the black top parking area in the Station square.

Seconded by Mr. Welchman.

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

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

NOES: None.

Since Lake Road was a County highway, Mr. Dillon said that he would contact the County Superintendent of Highways concerning the "No Parking" area on the North side of Lake Road.

The Board then held a public hearing on the application of Michael Cooke of Nanuet for a change of zoning of his property from "Residence A" to "Residence B."

Mr. Donald Partridge, Attorney for the Petitioner, came before the Board and spoke in favor of the change.

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

No one appeared in opposition.

Mr. Welchman moved the following resolution:-

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 8th day of June, 1951, provided for a public hearing on the 6th day of July, 1951, at the Office of the Town Clerk, Main Street, New City, New York, at 8:30 P.M., (Eastern Daylight Saving Time), to consider the application of Michael Cooke and others, to amend the Building Zone Ordinance of the said Town by redistricting the property of the said petitioner from "Residence A" to "Residence B", and,

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 hereby is amended by redistricting the following described property at Nanuet in said Town from "Residence A" to "Residence B".

BEGINNING at a point on the westerly side of Rose Road, in the southerly line of area designated as Business A and running thence along the westerly side of Rose Road a distance of 269.97 feet to an iron pin; thence north 85 degrees 16 minutes west 149.35 feet to a stake; thence north 4 degrees 58 minutes 30 seconds east 314.69 feet to an iron pin; thence north 15 degrees 07 minutes 30 seconds east 32.76 feet to the southerly line of Business A area; thence along the southerly line of Business A area 230.32 feet more or less to the point or place of beginning.

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. Albert Lamborn of Congers came before the Board and asked if the Town Board could do anything to have the traffic light replaced at the intersection of Route 9W and Lake Road.

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Mr. Lamborn said that a total of seven cars had been damaged at this intersection in the last week. He explained that anyone coming out of Lake Road had a very restricted view north and south along 9W and that the light should be replaced to regulate traffic.

Mr. Dillon informed Mr. Lamborn that only last year the Town Board had petitioned the State Traffic Commission to have the traffic light replaced and that their request had been refused. Mr. Dillon said, however, that the Board would make another attempt to have the light replaced.

Mr. Welchman moved the following resolution:-

WHEREAS, an increasing number of accidents have occurred at the intersection of Route 9W and Lake Road, Congers, and,

WHEREAS, motorists approaching Route 9W from Lake Road have a very restricted view north and south along Route 9W,

THEREFORE, BE IT RESOLVED, that the Town Board of Clarkstown requests the State Traffic Commission to seriously consider the replacement of the traffic light at the intersection of Route 9W and Lake Road.

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. Lamborn presented to the Board a petition signed by a number of Congers residents to change the name of Hemingway Ave. in Congers to Lake-wood Drive.

Town Attorney Edward G. Roepe was instructed to check on the proper procedure to follow in this matter and report to the Board at the next meeting.

Mr. Lamborn also presented a petition to have approximately 35 street lights installed along Routes 9W and 303 in Congers.

Mr. Eberling moved that Councilman Fibble be appointed as a committee of one to study the lighting situation in Congers.

Seconded by Mr. Schmersahl.

Carried.

Mr. Dillon presented to the Board the application of Ann Schutzel, Albert Tapp and William Schreyer for a change of zoning along Fenner Lane in Nanuet from "Residence A." to "Residence B."

Mr. Schmersahl moved the following resolution:-

WHEREAS, Ann Schutzel, Albert Tapp, and William Schreyer 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 described from "Residence A" to "Residence B",

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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 3rd day of August, 1951, at 8:30 PM., (Eastern Daylight Saving Time), relative to such proposed amendment, 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. Eberling.

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

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

NOES: None.

Mr. Emil Mueller of Congers came before the Board and presented a petition to moved the polling place in Election District #7 from the Congers Fire House to St. Paul's Parish Hall. Mr. Mueller said that the Election Inspectors of both parties in Congers had been contacted and they were all agreeable to the change.

The Board discussed the matter and decided to take it up at the next meeting.

Mr. Roepe reported that Section 3 of the present Dog Ordinance was no longer necessary in view of the recent amendment to the Agriculture and Markets Law making it a misdemeanor for anyone allowing their Dog to run at large. He said that he drawn up a resolution repealing Section 3 of the Ordinance but that it would have to come up at a public hearing.

Mr. Welchman moved the following resolution:-

WHEREAS, it appears desireable and in the public interest that Section 3 of Article XIX, Dogs, of the Town Ordinances adopted December 8, 1945, and as amended, as follows:- "Section 3,- Any person violating this Article shall be subject to a penalty of ten dollars for each such violation to be recovered in a civil action in the name of the Town", be repealed.

BE IT RESOLVED, that a public hearing pursuant to Section 130 of the Town Law be had at the Office of the Town Clerk, Main Street, New City, New York, on the 14th day September, 1951, at 8:30 o'clock P.M., (Eastern Daylight Saving Time), relative to such proposed repeal, 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.

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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 also informed the Board that he and Chief Wiebecke had conferred on the matter of an Ordinance regulating Carnivals in the Town, and that it would be possible to adopt such an Ordinance. He stated, however, that there were laws in effect covering most situation which might arise in connection with these affairs.

No action was taken on this matter.

Chief Wiebecke asked the Board if any action would be taken regarding the Rules and Regulations for the Police Department.

Mr. Eberling moved the following resolution:-

RESOLVED, that the following Rules and Regulations be approved and adopted for the Clarkstown Police Department:-

DEFINITIONS

1. For the purpose of these Rules and Regulations, the term "Police Department" shall mean all Police officers, Patrolmen and employees of said department.
2. A complaint is the allegation of an improper or unlawful act or any omission which relates to the business of the department, or to any member of it; or of an improper or unlawful condition which exists on account of, or is, or may be occasioned by, such act or omission.

ADMINISTRATION

3. The order of rank in the Department shall be as follows:-
Chief, Lieutenants, Sergeants, Patrolmen.
4. During the unavailability or disability of the Police Chief, the ranking senior officer shall possess all the powers and perform all the duties of the Police Chief.
5. Absence. All members of the department shall be considered always on duty, and no member of the department shall leave the County or be absent from duty without permission from the Chief of Police.

RESPONSIBILITY OF COMMAND

6. The Chief of Police is responsible for the enforcement of all laws and ordinances within the jurisdiction of his command; and for the good order, efficiency and discipline of the department under his command. He will require each member to be provided with a copy of these Rules and Regulations, so that each member is properly instructed in his duties and will perform them in a manner as to render effective police service.
7. During the temporary absence of a commanding officer, when no special designation is made by competent authority, the command automatically devolves upon the senior member of the command. Seniority is determined (1st) by rank; (2nd) by continuous service in the rank.

DESK OFFICER

8. A desk officer shall not permit anyone behind the desk, except:
 - a. Persons having permission from the commanding officer.
 - b. Judicial officers.

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8. c. Chief Medical Examiner or Coroners or their assistants.
d. District Attorney or his assistants, when necessary in the performance of their official duties.
9. A desk officer shall not leave his post during his tour of duty, except for:
 - a. Personal necessity.
 - b. Urgent police duty.
 - c. upon having received permission from the commanding officer.
10. A desk officer shall transmit all orders or instructions from competent authority, affecting any member of the department attached to or residing within the boundaries of the command to which he is assigned.
11. During his tour of duty, a desk officer is responsible for the receipt of all telephone messages, their proper entry on the blotter and necessary action taken.
12. A desk officer shall call the attention of the commanding officer to all matters of importance, such as unusual occurrences and important messages or conditions requiring his attention.
13. Desk officers and/or Sergeants in charge shall immediately notify the Chief of the department in the event of any unusual occurrences, Disorder, Fire, Accident, riot, death, homicide, serious felonious assault, explosion, robbery, or emergency.
14. A desk officer shall properly enter on the authorized books and forms a record of all police business affecting the command of the department, occurring or reported during his tour of duty. He shall take proper action thereon, and shall be responsible for the preparation of all reports in connection therewith.

GENERAL

15. It is the duty of the Police Department at all times of the day or night to protect life and property, prevent crime, detect and arrest offenders, preserve the public peace, and enforce all laws and ordinances over which the Police Department has jurisdiction.
16. Members of this Department shall present themselves in full uniform with equipment before the Desk Sergeant in Headquarters, five (5) minutes before their tour of duty.
17. Desk Sergeants shall inspect all men five (5) minutes before their tour of duty and shall be held strictly accountable for the appearance of the men. Desk Sergeants at this time shall give any special instructions on the Day Book, any alarms received in the last twenty four (24) hours or any other information or special instructions available or needed.
18. A member of the Department shall operate a department vehicle to which he is assigned in such a manner as to avoid injury to persons or damage to property.
19. In directing traffic, at no time will requests be made for anyone to assist in directing traffic other than a police officer, except in extreme emergency.
20. Members of this department shall not become a party to any argument, no matter in what degree of guilt he may regard a person who he thinks has violated the law. In all cases of Motor Vehicle violation, whether for the purpose of issuing a warning or summons, the Registration or Owner's card and the Operator's, Chauffeur's, or Driver's License shall be asked for and obtained by the Officer before any conversation takes place, providing that the vehicle in question comes from a state requiring drivers to be licensed and vehicles to be registered. In accepting driver's license and registration, no form or card, case or pocketbook shall be taken in hand by the Officer.
21. Members of this department shall not smoke while on Post, or while in uniform in view of the public. Smoking will be permitted in the Station House.
22. A member of this department is responsible for the good care, proper maintenance and serviceable condition of any department property issued for or assigned to, his use.
23. A member of the department shall promptly report to his commanding officer the loss of, damage to, or unserviceable condition of any department property issued for or assigned to his use.

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24. A member of the department shall not alter police equipment by changing it in any way, except in cases of emergency, unless so directed by his superior.
25. The desk officer shall record all calls at Headquarters and then they will be given to the officers as the Chief's orders. All telephone calls asking for the Chief must be noted and only where it is absolutely necessary must he be called by phone or radio.
26. Members of the department shall promptly pay his just debts and shall not incur liabilities which he is unable or unwilling to discharge.
27. Members of the department shall comply with all civil laws and local ordinances while on or off duty, except as exempted by law while in the performance of duty.
28. A member of the department shall promptly obey all lawful orders of his superiors.
29. Members of the department shall not at any time be insubordinate or uncivil to any superior officer or member.
30. Members of this department, after repeated warnings by a superior, will be subject to suspension.
31. No member of this department may exceed his lunch period except upon permission of his commanding officer.
32. All members shall be required to attain proficiency in the use of their revolvers to the degree stipulated by the Chief.
33. When a member of the department is specially assigned to guard property against robbery, he shall, while performing such duty, be constantly alert and prepared to meet an attack. He shall, if riding in an automobile, or when practicable if he is inside of premises, carry his revolver in his hand and shall not wear gloves. When on the street or in a public place under circumstances where the carrying of his revolver in his hand would not be practicable he shall release his revolver from the safety catch of his holster and have it in a position to draw and use it instantly.
34. Except in the line of duty, members of this department shall refrain from firing their revolvers while on duty.
35. A member of this department is responsible for the neatness and cleanliness of his person.
36. Members of this department shall at all times conduct themselves in a gentlemanly manner, especially in their dealings with the public. Being rude, boisterous, or discourteous or the use of loud or profane language to any persons or person, whether such person or persons are under arrest or not, is forbidden. In the event that force is necessary to make an arrest, only such force as is necessary shall be used.
37. No member of the department shall leave the jurisdiction of the Township to investigate any case without receiving permission to do so.
38. No member of this department shall investigate any case for any other department without permission from his superior.
39. No member will leave the Township to assist another Department except when so requested by such other Department and with the permission of his superior.
40. There must be at no time any criticism made to anyone, outside the police department as to the management thereof.
41. A member of this department must at no time go to the Town Council regarding the police matters except when such member wishes to make a complaint on the manner in which he is being treated by his superiors, in which case permission will readily be given.
42. Any member having suggestions to offer may do so, by putting them in writing for the Chief's attention.
43. Nothing must be charged to the department without first obtaining permission to do so.

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44. No personal toll calls shall be made on police telephones without permission from the superior officer, who shall make record of such calls.
45. Any member conducting an investigation on any case, must keep his superior informed of any progress that is made.
46. Members of the department shall not conduct personal business or make social calls while on duty.
47. Members of this department shall not hold unnecessary conversation with any person or detain any person for the purpose of having a companion to talk with.
48. Members investigating a complaint or on a detail shall notify the desk on completion of such assignment and promptly return to headquarters by the most direct route unless otherwise instructed.
49. A member of the department shall report to his commanding officers, delinquency, dereliction of duty, violation of the Rules and Regulations, and conduct, disorder and neglect to the prejudice of good order, efficiency and discipline, which he observes or of which he has knowledge.
50. Daily reports must be finished at end of tour of duty.
51. Members of this department shall, in making out arrest, accident, patrol and other departmental records, take special care to state the full name and address and other necessary information of all persons entered thereon, and not merely the initials.
52. All monthly reports must be made out promptly at the end of the month.
53. All officers will sign in and out, upon entering and leaving the headquarters.
54. Warning cards must be issued on all parking violations, except where a summons is absolutely necessary.
55. All officers when off to dinner or for any other purpose not pertaining to police work, must report the time of going off duty and the time when reporting back on duty.
56. When leaving patrol car for any reason, headquarters must be notified of either the phone number or the location and the cause of leaving shall be noted on the daily report card.
57. Officers will not make any patrols what so ever, except when ordered to do so by his superior.
58. All officers shall enter an account of their daily activity on their daily report cards.
59. A member of the department shall not indulge in intoxicants while in uniform. A member of the department not required to wear a uniform and a uniformed member while out of uniform shall not indulge in intoxicants to an extent unfitting him for duty. Unless in the immediate performance of police duty or with the permission of the Chief, a member of the department in uniform shall not enter any premises which is used for the manufacture, storage, or shipping of intoxicants or any premises where an intoxicant is sold, except for the purpose of eating a meal in a duly licensed restaurant or hotel.
60. No motor vehicles are to be ordered towed off the highway without first notifying the desk. Desk officers will call the tow car.
61. A member of the force shall be fit for, available for, and subject to, duty at all times, except when on sick report. He shall devote his time and attention to the service of the department and shall not engage in any other business or calling to the extent that such business or calling interferes with his efficiency, fitness for duty or the purposes and well being of the department as determined by the Chief of Police.
62. No member of the department shall receive any lawful moneys.
63. Members of this department absent without leave shall be subject to suspension.
64. Except when necessary in the performance of police duty, members of the department shall not carry packages, bundles, umbrellas, canes or like impediment while in uniform.

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- 65. A member of the department shall be respectful in his contact with others, and shall give his name and shield number to any person who requests it.
- 66. A member of the department shall treat as confidential the official business of the department except:
 - a. As directed by, or with permission of his superior.
 - b. A representative of the press, upon establishing his identity: may be advised of the current news if the ends of justice are not thereby defeated.
 - c. Under due process of law.
- 67. Instructions printed upon authorization forms have the force and effect of Rules and Regulations.

DISMISSALS

- 68. Any member of the Police Department may be dismissed from office, in addition to any other punishment he may be subject to by law, against whom any of the following charges shall be substantiated.
 - a. Intoxication.
 - b. Wilful disobedience of orders.
 - c. Violent, coarse, or insolent language, or behavior to a superior or other person.
 - d. Receiving money, or other valuable things contrary to the Rules and Regulations.
 - e. Wilful non-compliance with the Rules and Regulations.
 - f. Inefficiency or gross neglect of duty.
 - g. Wilfully mistreating or using unnecessary violence towards a prisoner or citizen.

BLOTTER

- 69. The blotter is the official record of a command. Entries will be made in chronological order.

DEPARTMENT BUILDING

- 70. Department building will be used exclusively for police business.
 - a. No person shall be permitted to remain in an office or station house without the express permission of the officer in charge, excepting members of the department and persons on official business.
 - b. The offices of the station house will be occupied and used only by members of the Police Department for police purposes, and not for the transaction of any business other than that pertaining to the Police Department.
 - c. Civility and attention will be shown to every person applying at station or office on business.
- 71. All offices of the station house will be kept clean and in order at all times.
- 72. The officers on duty in the station house must at no time sit upon any desk or cabinets, or at any time when sitting in the chairs put their feet on the cabinets or desks.

UNIFORM AND EQUIPMENT

- 73. Members of the department shall provide at their own expense and maintain in a clean and serviceable condition such articles of uniform and equipment as are prescribed for their rank, or position and duty to which they are assigned.
- 74. The uniform will be worn securely buttoned.
- 75. Caps shall be worn straight on the head at all times.
- 76. Uniforms must be neat and at all times shoes and leather goods polished.
- 77. No other but black tie permitted.
- 78. While on traffic post white cotton gloves will be worn with uniforms in summer and white wool gloves in winter.
- 79. Black shoes, either low cut or high cut, of type suitable for police duty and black socks shall be worn at all times with uniform.

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80. Members of this department shall not be out of uniform at any time while on duty. Sweaters shall not be worn except underneath uniform equipment, so as not to be visible.
81. Distinguishable police uniform shall not be worn on the street in conjunction with civilian clothing.
82. Members of this department while off duty shall not wear any part of their uniform, except in the act of going to and from their homes by the most direct route.
83. A member of this department shall at all times carry his shield and when in civilian clothes at the scene of a police emergency or disturbance, a member of the department shall display his shield on his outermost garment over the left breast and similarly if at any other time it is necessary for him to establish his identity.
84. Revolvers shall be kept clean at all times.
85. Members of the department on patrol shall be equipped with the following regulation equipment:-
 - a. Memorandum book
 - b. Indelible pencil or fountain pen.
 - c. Baton or billy
 - d. Revolver, fully loaded
 - e. Six or more extra cartridges
 - f. Police or traffic whistle
 - g. Traffic summons book
 - h. Holster with belt
86. Members of the department shall be issued memorandum book which shall remain the property of the department.
87. Pages shall not be removed from memorandum books and will be used for the purpose of making notations of activities and such other memorandum as the member may deem necessary for future references.
88. Members of the department shall preserve their memorandum books for future reference and shall produce them as may be required by the Police Chief.
89. Only regulation equipment as prescribed by the Commanding Officer shall be carried or worn unless special permission is given.
90. Members of the department are personally responsible for the proper and authorized use of their uniform and equipment.

CHARGES AND TRIALS

91. Charges in writing shall be preferred against a member of the department alleged to be guilty of infractions of these Rules and Regulations or of department orders and instructions, or of conduct to the prejudice and good order, efficiency, or discipline.
92. Such charges against any member of the department shall be made in writing to the Town Board who shall conduct a hearing and determine the guilt or innocence of the accused and prescribe the punishment or penalties.
93. Any officer preferring any other charges shall prepare same under supervision of his commanding officer, and after signature by him, same shall be forwarded through official channels to the Police Chief.
94. Charges made against any member of the department alleged to be guilty of an infraction of these Rules and Regulations or of department orders and instructions, or of conduct to the prejudice of good order, efficiency, or discipline, must be made within sixty days of the alleged violation.
95. Before charges are forwarded, the fact of their having been preferred and the substance of them, in brief, shall be entered in the blotter by the desk officer or clerk.
96. When any member of the Town Council files a complaint against a member of the department, the said complainant must be disqualified from sitting in judgment at the trial of the accused.
97. When the complaint is made by a civilian at a command against a member of the department the desk officer or clerk shall promptly enter the complaint in the blotter exactly as recited by the complainant, being particular to obtain the names and addresses of all witnesses. He shall promptly forward a transcript of the complaint to the Chief of the Department.

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98. Every member of the department against whom charges have been preferred shall be entitled to a copy of said charges and at least five days notice and an opportunity to be heard in his defense for neglect or dereliction of duty, or for the violation of any of the Rules and Regulations of said department, or for disobedience or incompetency in the performance of official duty or of any act or delinquency seriously affecting his general character or fitness for office; and upon the same being substantiated, may be punished by the Town Council by reprimand, forfeiture, or withholding of salary or compensation for a period not exceeding twenty days, by extra tours or hours or duty during a specified period not exceeding twenty days, by suspension of duty for a specified time not exceeding twenty days and by the withholding of salary or compensation during such suspension, or by dismissal from the department.
99. The Chief of the department shall have the power to suspend without pay any member of the department pending the trial of charges.
100. If any member so suspended shall not be convicted of the charges so preferred he shall be entitled to full pay from the date of his suspension.

COMPLAINTS

101. A complaint shall be thoroughly investigated by the officer to whom it is referred, and if the condition complained of actually exists, it shall be corrected, and its recurrence prevented. If there are reasonable grounds for believing that the condition complained of exists a vigorous effort shall be made to ascertain the facts, and appropriate action taken as indicated.

PATROL CARS

102. Operators of patrol cars shall keep the patrol cars and equipment clean, neat and in proper serviceable condition.
103. Patrol cars will be used for police work only, and must not be taken out of the Township, over which the department has no charge except on police business and permission of a superior officer.
104. The man in charge of the car on the day patrol must see that the car is full of gasoline and oil for the night man.
105. Upon taking over patrol for duty, each officer will look the car over thoroughly for any damaged parts and made note immediately. Any defect in the motor or running of the car must be reported and the front of the daily reports card.
106. At no time must patrol cars be taken off concrete or tarvia roads except in an emergency, in which case a report will be made thereof.
107. When repairs are to be made to a patrol car, headquarters and a superior officer shall be notified as soon as possible.
108. No one is to accompany an officer in a patrol car unless on official business or with his superiors permission.

COURTS

109. Officers attending court, must note the time upon their arrival and leaving and shall promptly at the termination of their court attendance, report to the desk officer the status or disposition of the case.

AIDED AND ACCIDENT CASES

110. The following are aided cases: (a) A person sick or injured (b) An insane person (c) A dead human body (d) A lost person (e) A foundling.
111. A member of the department shall render reasonable assistance to a sick or injured person and summon an ambulance, if necessary: If possible wait in full view of the arriving ambulance and take necessary action to direct the responding surgeon to the patient without delay. He shall obtain the name, age and residence, or, if unknown, a full description of the person injured, and a statement of the attendant circumstances. He shall enter all the facts of the case on his report card and promptly transmit the information to the desk officer at headquarters.

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112. An insane person brought to the attention of a member of the department shall be taken to the station house by the officer to whom the case was reported. The desk officer shall summon an ambulance, with nurse, for delivery of the patient to a hospital. If a nurse is not obtainable, the desk officer shall direct the delivery of the patient to a hospital under necessary police escort. If the patient is too violent, he or she should be taken directly to the hospital.
113. If a dead human body is found in a public place, or under suspicious circumstances, or when requiring attention of other officials, the member of the department handling the case shall immediately notify the desk officer of all particulars he has been able to obtain. He shall record on his report the pedigree, if obtainable, and if not, an accurate description of the body and wearing apparel. He shall see that no one, except a member of the department, or the Chief Medical Examiner, or the Coroner, District Attorney, or their properly authorized representatives, disturb the body or anything near it which might constitute evidence as to the cause of death, except that he may permit an ambulance surgeon to examine the body, after cautioning him not to destroy any evidence of crime.

Before the body is moved to home or morgue, and if such action has not already been taken by competent authority, the desk officer shall direct that the body be searched under supervision of a superior officer present and before witnesses.

All property taken from a dead body shall be delivered to the desk officer at headquarters, and an itemized list thereof entered in the blotter, and reference made to such entry in the case history.

The desk officer is responsible that all such property be delivered without unnecessary delay to the clerk.

RADIO

114. There will be no stations tuned in except police alarms. At no time must the police receiving sets in the station house or the booth, or the two-way sets in the police cars be tampered with and if the sets become out of order, it will be noted on the front of the daily report card.
115. A card must be made out on all radio alarms, lookouts and cancellations.
116. Radio messages must be direct, brief and confined to police business with no profanity or jocular remarks used.

ARRESTS

117. A person shall not be arrested nor detained except as provided by law.
118. All persons who are arrested for any felony or indictable misdemeanor by any member of this department must be brought into headquarters and a superior officer notified. The arrested person must be booked and fingerprinted. If the arrest is made for another department, no member of this department is to call the other department until ordered to do so by a superior officer who is in charge.

POLICE SURGEON AND SICKNESS OR INJURIES

119. When a member of the department reports sick as a result of injuries received in the performance of duty, the commanding officer shall notify the police surgeon who shall immediately visit such member and make a careful investigation of the circumstances of the illness, and shall forward a report to the office of the Chief within twenty-four hours, and endorse thereon whether the illness was due to the injuries described. A record of the report must be made on the blotter.
120. When a member of the department reports sick and sickness was not caused while in the performance of duty, the commanding officer shall notify the police surgeon, who shall visit such member and report his findings. A record must be made on the blotter, and said report and findings shall be made by the police surgeon to the Chief within twenty-four hours.
121. Upon certification of the police surgeon, any member so reporting sick shall be entitled to a thirty day sick leave with pay in any one calendar year.

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122. When a member of the department receives an injury to himself while in the performance of his duty, he must make a report immediately and it must be noted on the daily report and blotter.

VACATIONS, LEAVES, AND DAYS OF REST

123. Every member of the department after having served one year in the said department, shall be allowed an annual vacation of not less than fourteen consecutive days and after two years, twenty-one days, without diminution of salary or compensation as fixed by or pursuant to law. During an emergency, the annual vacation period provided for herein may be withheld, and the length of a days work, and the nature of the duty whether patrol, reserve or emergency duty shall be determined by the local authorities. During such an emergency, a member of the department on vacation may be recalled.
124. Every member of the department, except in a case of an emergency, shall be allowed at least twenty-four consecutive hours of rest in any calendar week, without diminution of his salary or compensation.
125. The term "emergency" within the meaning of Sections 122, and 123, of these Rules and Regulations, shall be deemed to mean and include, a national war a strike or riot, a conflagration, and other like public emergencies requiring extra attendance by the Police Department.
126. Preference as to the time of vacation will be given first to rank and then to seniority. No two members of the uniformed force shall be granted vacations at the same time.

Seconded by Mr. Fibble.

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

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

NOES: None

Chief Wiebecke also requested that a Police Surgeon be appointed in accordance with the Rules and Regulations.

Mr. Eberling moved the following resolution:-

RESOLVED, that Dr. Leo G. Weishaar, Jr., 87 S. Middletown Rd., Nanuet, New York, be appointed as Police Surgeon to the Clarkstown Police Department, the appointment to become effective as of July 6th, 1951.

Seconded by Mr. Welchman.

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

A YES: Messrs. Schmersahl, Fibble, Welchman, Eberling, Dillon.

NOES: None

Mr. Dillon read a letter from R. C. Georger, Director of the State Traffic Commission. Mr. Georger stated in his letter that an investigation of the Town's request for a 30 MPH speed restriction through Nanuet to the Orangetown-Clarkstown line had been made and the Commission did not feel that the restriction was necessary. Mr. Georger also stated in his letter that an investigation of the Town's request for a restricted speed zone from the Nanuet Four Corners to Scottie's Italian Garden in West Nyack was being conducted and the Board would be notified of the results in the near future.

Mr. Dillon read a letter from Mr. L. W. Marshall of Congers. In his letter Mr. Marshall complained of the Airplane which had been crop-dusting in Congers.

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Mr. Marshall said that the plane was operating at extremely low altitudes and he asked if the Town was responsible if it crashed into someone's house. He also asked that the Board adopt an ordinance to halt this practice.

The Board discussed the matter and agreed that there was little if any action that could be taken since the pilot of the plane was the holder of a Federal License which gave him permission to operate at low altitudes for the purpose of dusting fields.

The Town Clerk was instructed to write to Mr. Marshall and inform him that the Town Board could do nothing about the matter.

Mr. Eberling moved that the following Democratic Inspectors of Elections be appointed for a period of One (1) year beginning on July 15, 1951:-

Dist. No. 1 New City	Cara A. Baker Anna Lynch
Dist. No. 2 Rockland Lake	Gertrude Gozza Marie Hanchar
Dist. No. 3 West Nyack	Gilbert Germond Marion Miller
Dist. No. 4 Upper Nyack	Ada McGrath Elizabeth Kastner
Dist. No. 5 Nanuet	George Fee Marie Bannon
Dist. No. 6 Central Nyack	Gustav Winko Charles T. Heinig
Dist. No. 7 Congers	James Shortal Julia Brennan
Dist. No. 8 Valley Cottage	Francis Piliere Albert Williams, Sr.
Dist. No. 9 Centenary	Nellie Hallam Mabel Clochessy
Dist. No. 10 Spring Valley	Helen Blauvelt Minnie Stern
Dist. No. 11 Bardonia	Madeline Gustafson William Orange Sr.
Dist. No. 12 Nanuet	Kathryn Muller Helen Fee
Dist. No. 13 New City	Helen Hoag James A. Kelly
Dist. No. 14 Congers	Madeline Rose James Eldredge

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 moved the following resolution:-

RESOLVED, that Frances Hague be appointed Republican Inspector of Elections for District #7, Congers, to replace Robert Southward.

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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 moved the following resolution:-

RESOLVED, that Sol Bernabo be appointed Custodian of Polls in District #7, Congers, in place of Fred Bradley.

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. Dillon read a letter from John F. Hopf, Rockland County Supt. of Schools, in which Mr. Hopf gave the estimated State Aid figures for Clarkstown for the 1951-52 school year.

The Town Clerk was instructed to send a copy of the letter from the Receiver of Taxes.

Mr. Welchman moved the following resolution:-

RESOLVED, that Fred Rohloff be permanently appointed as Patrolman to the Clarkstown Police Department, the appointment to become effective July 6, 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. Dillon read a letter from Richard J. Lyons of Nanuet, notifying the Board of his resignation from the Clarkstown Police Department as of June 20th, 1951.

Mr. Welchman moved that the resignation be accepted.

Seconded by Mr. Eberling.

Carried.

Mr. Dillon read a letter from a group of residents of Valley Cottage protesting any consideration which might be given to the extension of the "Business B." zone in Valley Cottage in the vicinity of the Peter Brega property south on Kings Highway to Park Ave. The residents also protested the use of the Brega premises for the storing of School Busses.

Mr. Dillon said that a copy of the letter had been sent to the Zoning Board on Appeals since it was within their jurisdiction.

Mr. Dillon read a letter from Geraldine Wald of Congers complaining of the restricted view which was caused by a seven foot hedge and a small building on the corner of Lake Road and Highway Avenue. Mrs. Wald stated in her letter that the Town Ordinances gave the Chief of Police the power to order the removal of any Shrubs etc. which might obstruct the view at any intersection.

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The Town Clerk was instructed to refer the letter to Mr. Klein, Supt. of Highways.

Mr. Dillon read a letter from Milton Karel, proprietor of Lily Lodge in Valley Cottage. Mr. Karel informed the Board in his letter that Lily Lodge catered to family trade and that many children were present during the summer months. He requested that signs be erected on Christian Herald Road to caution motorists to slow down and watch out for children and pedestrians.

No action was taken by the Board on this matter.

The monthly reports for the following Town Officers were presented to the

Board:-	Supervisor	Police Department
	Town Clerk	Building Inspector
	Welfare Officer	

Mr. Welchman moved the reports be accepted.

Seconded by Mr. Schmersahl.

Carried.

Mr. Eberling informed the Board that a fire hydrant on Grandview Ave. in Nanuet was obstructing the driveway on the Bohonos property.

Town Clerk August Hansen was instructed to contact the Water Company and request that the hydrant be moved.

Chief Wiebecke informed the Board that a summons had been issued to Hugo Cobb of Central Nyack, the owner of the property on which a Junkyard had been established, and that the violation had been removed.

Mr. Dillon read a letter from Chris Olsen of West Nyack. Mr. Olsen informed the Board that he had constructed a road from Maple Ave. to the site of his present home, a distance of 170 feet with a width of 25 feet. Mr. Olsen explained that during rain storms, the top dressing of the road washed down into Maple Ave. and he requested the Town to have the road black topped in order to prevent this from happening.

The Town Clerk was instructed to refer the letter to Mr. Klein.

Mr. Dillon read a letter from Robert Maier of Nanuet requesting the installation of street lights on Route 304 and Demarest Mill Rd., both of which he believed to be within the Nanuet Lighting District.

The matter was held over until the next meeting so that it could be determined if the streets were within the lighting district.

Mr. Dillon informed the Board that it was necessary to transfer funds from Current Surplus to the Justice of the Peace and Expense of Litigation Accounts.

Mr. Welchman moved the following resolution:-

RESOLVED, that Irvin F. Dillon be authorized to transfer \$100 from Current Surplus to the Justice of the Peace Account.

Seconded by Mr. Fibble.

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

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

NOES: None.

Mr. Schmersahl moved the following resolution:-

RESOLVED, that Supervisor Irvin F. Dillon be authorized to transfer \$10.00 from Current Surplus to the Expense of Litigation Account.

Seconded by Mr. Fibble.

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

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

NOES: None.

Town Attorney Edward G. Roepe was asked to check the possibility of paying the Special Patrolmen by the day instead of on an annual salary basis.

Mr. Roepe read a letter from the Workmen's Compensation Board informing the Board that Civilian Defense Personnel appointed by the Town should be covered by Workmen's Compensation.

Since none of the Defense Personnel were appointed by the Town, no action was taken on the matter.

Chief Wiebecke informed the Board that he had received an application for the position of Patrolman from Andrew Thompson of Nanuet, and he recommended that the appointment be made.

Mr. Eberling moved the following resolution:-

RESOLVED, that Andrew Thompson of Nanuet be provisionally appointed as Patrolman to the Clarkstown Police Department at an annual salary of \$2,700, the appointment to become effective as of July 6, 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.

Chief Wiebecke requested permission to attend the Annual Convention of Police Chiefs to be held at New York City on July 23rd to the 27th.

Mr. Eberling moved the following resolution:-

RESOLVED, that Chief of Police Ernest Wiebecke be granted permission to attend the Annual Convention of Police Chiefs to be held at New York City on July 23rd thru July 27th, 1951.

Seconded by Mr. Welchman.

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

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

NOES: None.

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Bills Nos. 605 to 690 on Warrant #7 in the amount of \$24,437.37 were audited by the Board and ordered paid.

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

Seconded by Mr. Schmersahl.

Carried.

Meeting adjourned.

August H. Hansen

Town Clerk of Clarkstown