

PUBLIC HEARING

August 3, 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 Ann Schultzel, Albert Tapp and William Schreyer for a change of zoning of their property along Fenner Lane in Nanuet 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.

Mr. Donald Parteidge, Attorney for the Petitioners, came before the Board and explained that the lots along Fenner Lane were only 75 feet in width and did not have sufficient frontage for building under "Residence A" requirements of the Zoning Ordinance. He stated that the change had been requested so that the property could be used for the construction of homes.

No one appeared before the Board in opposition.

Mr. Eberling moved that the hearing be closed.

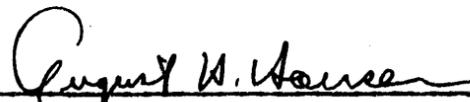
Seconded by Mr. Schmersahl.

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

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

NOES: None.

Hearing closed.


 Town Clerk of Clarkstown

TOWN BOARD MEETING

August 3rd, 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. Eberling moved that the reading of the minutes of the last regular meeting be dispensed with.

Seconded by Mr. Schmersahl.

Carried.

A petition was presented to the Board by a group of residents of Grandview Ave., Nanuet. The petitioners requested that a 25 MPH speed restriction be imposed on Grandview Ave. from Route 59 to Convent Road, and a "Stop" sign be erected at the intersection of Grandview Ave. and Prospect Ave. The spokesman explained to the Board that many people, including many Lederle employees have been traveling at excessive speeds on Grandview Ave. and endangering their property and the lives of their children.

Mr. Walter Nichols, a resident of Grandview Ave., informed the Board that the condition had been growing steadily worse during the past few months and he requested that some action be taken by the Board.

The Board discussed the matter at length and decided that something should be done about the situation, since this was only one of the many complaints which had been received about speeding in the Nanuet area.

The Board informed the group that the Superintendent of Highways would be instructed to erect a "Stop" sign at the intersection of Grandview Ave. and Prospect Ave.

Mr. Dillon said that in order to establish a 25 MPH speed zone it would be necessary to have the approval of the State Traffic Commission.

Mr. Fibble moved that the Town Clerk be instructed to write to the Traffic Commission regarding the establishment of the speed zone.

Seconded by Mr. Schmersahl.

Carried.

The Town Clerk was also instructed to write to Lederle Laboratories and ask that an appeal be made to their employees to drive more carefully while traveling to and from work.

Mr. John Stefan of Nanuet suggested that the section of Convent Rd. which merges with Route 304 in Nanuet might be made One Way going South and in this way a good part of the Lederle traffic could be directed away from Grandview Ave.

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Chief of Police Ernest Wiebecke said that this had been under consideration for some time and it might be a partial solution to the Grandview Ave. traffic problem.

The Board then held a public hearing on the application of Ann Schultzel Albert Tapp and William Schreyer for a change of zoning of their property along Fenner Lane in Nanuet from "Residence A." to "Residence B."

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

No one appeared in opposition.

Mr. Eberling moved that the Board reserve decision.

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 Lamborn of Congers came before the Board and presented an application for a change of zoning of his property in Congers from "Residence B" to "Business B."

Mr. Eberling moved the following resolution:-

WHEREAS, Albert Lamborn 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 "Res. 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 7th day of September, 1951, at 9:30 P.M. (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. Fibble.

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

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

NOES: None.

The application of Henrietta Stefan for a change of zoning of her property in Nanuet from "Residence B." to "Business B." was presented to the Board.

Mr. Welchman moved the following resolution:-

WHEREAS, Henrietta Stefan 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 from "Residence B." to "Business 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 7th day of September, 1951, at 9:00 P.M. (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. Schmersahl.

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

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

NOES: None.

Mr. Andrew Lawrence of New City came before the Board as spokesman for a group of residents of Johnson Lane. Mr. Johnson requested the Town to take over Johnson Lane in New City. He said that the road was about 1400 feet in length and varying in widths of right of way from 33 feet to 50 feet.

The Board informed the group that the matter would be referred to the Superintendent of Highways and he would report on it at the next meeting.

Mr. Donald Partidge, Attorney, came before the Board and requested that Highland Ave. in West Nyack be taken over as a Town road.

Mr. Dillon said that the Board had received a similiar request a few years ago but that the road had not been taken over because one of the property owners on Highland Ave. had refused to sign off the right of way to the Town.

The Board informed Mr. Partidge that the matter would be referred to Mr. Klein, Superintendent of Highways, and Mr. Roepe, Town Attorney.

Mr. Thomas Jordan of Rose Rd. in West Nyack, came before the Board and said that he had a complaint about the odor which came from the Mink Farm next door to him. Mr. Jordan said that the odor was so bad that it was necessary to close all the doors and windows in his home. He said that the Health Officer had inspected the farm at one time, but that nothing had ever been done about it.

The Board informed Mr. Jordan that the matter would be referred to the Health Officer and the Zoning Inspector.

Mr. Murray Rotwein, President of Lexow Ave. Home Builders, Inc., came before the Board and presented a Deed and Survey for Lexow Ave. and requested that the street be taken over by the Town.

Mr. Roepe inspected the papers and discovered that Mr. Rotwein had neglected to have a Certificate of Title drawn up for the street and he informed the Board that the street could not be taken over without it.

The Board returned the papers to Mr. Rotwein and suggested that he have his Attorney prepare the Certificate of Title and have him contact Mr. Roepe.

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Mr. Charles Rheinlander of New City came before the Board and said that he had a complaint regarding a Dog Kennel on West Clarkstown Road. Mr. Rheinlander said that the owners of the Kennel are raising and boarding Dogs for commercial purposes in a "Residence A" zone. He produced an add taken from a New York City Directory which advertised the Kennel as a commercial business. Mr. Rheinlander also complained about the incessant barking of the Dogs which had disturbed his neighbors and himself on numerous occasions. He stated that the Police had been called a number of times, and that each time an investigation had been made, the Dogs were quiet and there was no sign of a disturbance.

The Board informed Mr. Rheinlander that the Zoning Board of Appeals was holding a public hearing on the application of the owners for a variance, but that in the meantime, the Zoning Inspector would be contacted and asked to determine if a violation of the Zoning Ordinance existed.

Mr. Burel Jackson of Strawberry Hill Lane in West Nyack came before the Board and asked if any further progress had been made in the matter of the improvement of that street.

Mr. Dillon informed Mr. Jackson that the Engineer for the project had drawn up a new estimate and specifications and that they would be presented to the Board at this meeting.

The plans and specifications for Strawberry Hill Lane were examined by the Board and found to be satisfactory.

Mr. Eberling moved the following resolution:-

WHEREAS, Nelson W. Hall, a Civil Engineer, was heretofore, by resolution duly adopted July 6, 1951, directed to make and prepare definite plans and specifications, and a careful estimate of the expense and, with the assistance of the Town Attorney, a proposed contract for the paving of a portion of Strawberry Hill Lane at West Nyack in said Town from North Greenbush Rd. to premises of the Estate of Calvin Allison, deceased, and,

WHEREAS, said definite plans and specifications, estimate of the expense and contract have been made and prepared, and filed with the Town Clerk of the Town of Clarkstown, as directed by statute, and have been examined by this Town Board, now, therefore, be it,

RESOLVED, that the said plans and specifications, estimate and contract be and each and everyone of the same is hereby approved and adopted, and be it,

FURTHER RESOLVED, that this Board invite sealed proposals to be submitted to it at 8:00 o'clock in the evening (Eastern Daylight Saving Time) on the 31st day of August, 1951, at the office of the Town Clerk at Main Street in said Town, for the furnishing of materials, machinery and equipment and performance of the labor necessary or proper for the paving of said

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portion of Strawberry Hill Lane at West Nyack in accordance with the aforesaid plans and specifications and under said contract and that said Town Clerk be and he is hereby directed to prepare, with the assistance of the Town Attorney and Nelson W. Hall, a Civil Engineer employed by the Town, proper notices, calling for special proposals in detail, and cause the same to be published once in due form of law, in the Journal News, published at Nyack, New York, the official newspaper of this Town, in accordance with the provisions of Section 197 of the Town Law.

Seconded by Mr. Fibble.

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

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

NOES: None.

Mr. Roepe informed the Board that he would prepare Serial Bond and Bond Anticipation Note resolutions for the September meeting.

Mr. Roepe also informed the Board that the Town Clerk had written to the State Department of Labor to have a Prevailing Rate Case Number established for the project and he had also requested the Prevailing Rates for the Labor Grades.

Mr. Dillon read a letter from E. Harold Kimbark, Commander of the Congers American Legion Post. In his letter Mr. Kimbark stated that the Post had formed an Honor Roll Committee for the purpose of erecting a permanent Honor Roll in memory of those men and women who had served their country during the wars.

Mr. Kimbark came before the Board and explained that the grass plot at the Station Square in Congers had been chosen as the ideal location for the monument. He said that it was his belief that the property was partly owned by the Town and he asked if this strip of land could be deeded to the Post for a nominal fee. In this way, he explained, the monument would be guaranteed perpetual maintenance under the Soldiers and Sailors Act of the State of New York.

Mr. Dillon informed Mr. Kimbark that there was a question of whether the Town actually owned the land, and if so, whether it could legally be turned over to the Memorial Association. He said that the Town Supt. of Highways would be instructed to consult the County Engineer to determine if the land was owned by the Town, and Town Attorney Roepe would be instructed to check on the matter of deeding the property over to the Post.

Mr. Klein reported that Hillside Ave. in West Nyack would require 200 Gallons of RT-5 Tar, 8 Ton of 3/8 Gravel and a turn-around at the end since it was a Dead-End street, before it would meet Town Specifications.

The Town Clerk was instructed to inform Mr. Chris Olsen of the Town Highway Supt. report.

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Mr. Klein also reported that many Town street signs had been damaged or torn down in recent months by unknown persons, and he asked if a reward could ~~not~~ be offered for any information leading to the arrest and conviction of of the persons responsible.

Town Attorney Edward G. Roepe was instructed to check on the matter.

Mr. Klein requested permission to secure bids for a new Pick-Up truck, since the present truck was getting old and was in very poor condition.

Mr. Welchman moved the following resolution:-

RESOLVED, that Superintendent of Highways Emil Klein be authorized to advertise for bids for the purchase of a new Pick-Up truck for use by the Highway Department.

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 presented to the Board a report on the Congers Lighting District. The report recommended the installation of approximately 38 street lights.

Town Clerk August Hansen was instructed to forward the report to the Rockland Light & Power Company and ask for an estimate of the cost of installing the lights.

Mr. Dillon read a request from Felix Festa, Principal of the Central School District #1, for the installation of a street light on Pole #103 on the street leading into the New City School.

The Town Clerk was instructed to check the map and petition to determine if the street was within the New City Lighting District.

Town Clerk August Hansen was also instructed to check the original petition of the Nanuet Lighting District since a request had been received from John Maier of Nanuet for the installation of street lights on Demarest Mill Rd. and on Route 304 between Route 59 and Demarest Mill Rd.

Mr. Dillon read a letter from the Zoning Board of Appeals informing the Board that a Court Order issued by Judge Patterson in 1949 in relation to a violation on the Blumfield property in Spring Valley had not been conformed with.

Mr. Eberling moved that the Town Attorney be instructed to take the necessary action in this matter.

Seconded by Mr. Schmersahl.

Carried.

Mr. Welchman moved the following resolution:-

WHEREAS, the Town Board of the Town of Clarkstown has received a duly signed petition from the residents of Hemingway Ave in Congers requesting that the name of Hemingway Ave. be changed to Lakewood Drive,

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BE IT RESOLVED, that the name of the street in Congers known as Hemingway Ave. be changed to Lakewood Drive.

Seconded by Mr. Fibble.

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 notify the following of the change:-

| | |
|---------------------|------------------------------|
| Board of Assessors | County Engineer |
| Town Planning Board | U. S. Post Office Department |
| County Clerk | |

Mr. Klein was instructed to erect a new sign on the street.

Mr. Eberling moved the following resolution:-

WHEREAS, a signed petition has been received from the Inspectors of Elections of both parties in Congers, Election District #7, requesting the change in Polling Place in that District,

BE IT RESOLVED, that the Polling Place in Election District #7 be changed from the Congers Fire House to St. Paul's Parish Hall.

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 notify the Inspectors of Election in District #7 of the change.

Mr. Roepe reported to the Board that the salaries of the Special Patrolmen employed by the Town could be paid by the Day.

Mr. Fibble moved the following resolution:-

RESOLVED, that the compensation of the Special Patrolmen employed by the Town be set at the rate of \$12 per day.

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 reported progress in the matter of DuPlantier vs the Town of Clarkstown and Mildred and Russell Golde vs the Town.

Mr. Dillon read a letter from the State Traffic Commission advising the Board that the replacement of the traffic Light at the intersection of Route 9W and Lake Rd. in Congers was being taken into consideration.

Mr. Dillon presented the monthly reports of the following Town Officers:-

| | |
|--------------------|-------------------|
| Building Inspector | Police Department |
| Health Officer | Welfare Officer |

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Mr. Dillon read a letter from the Thursday Reading Class of Nyack asking the Board to take steps to safeguard the welfare and beauty of Rockland County in view of the increase of population which would likely occur as a result of the construction of the State Parkway and the Thruway.

Mr. Dillon read a letter from William Will, Secretary of the Congers Honor Roll Committee in regard to the erection of a monument at the Station Square in Congers.

The Town Clerk was instructed to write to Mr. Will and advise him that the matter had been referred to the Town Attorney and the Supt. of Highways.

A letter was read from the Nanuet Fire Engine Company informing the Board that Chief Wiebecke had given them permission to use his swimming pool as a source of water. The letter asked if it would be possible for the Supt. of Highways to spread a few loads of screenings on the road leading to the pool from Germonds Rd., since the Fire Company would use this roadway as a Fire road.

The request was referred to Mr. Klein.

Mr. Dillon informed the Board that the Village of Spring Valley was still dumping raw sewerage into the Pascack Creek from its Disposal Plant, and that the condition which had been in existence for over a year, was growing steadily worse. He said that he had written to Mayor Milewski and to the State Department of Health but that nothing had been done about it.

The Board was unanimous in their agreement that something should be done about the matter.

Mr. Roepe was instructed to check on the appropriate action to take, since the case involved a municipality.

Mr. Eberling moved the following resolution:-

RESOLVED, that Town Attorney Edward G. Roepe be authorized to travel to Albany if necessary, to secure information or begin proceedings in the matter of the pollution of the Pascack Creek by the Village of Spring Valley.

Seconded by Mr. Fibble.

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

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

NOES: None.

O. T. Keyser, Chairman of the Board of Assessors, came before the Board and requested permission to hire two (2) women to total the Tax Roll.

Mr. Eberling moved the following resolution:-

RESOLVED, that Hazel Eiben and Edith Kumpf be hired by the Town to total the Tax Roll, each of whom will be paid at the rate of \$40.00 per week.

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Seconded by Mr. Fibble.

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

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

NOES: None.

Bills Nos. 691 to 771 on Warrant No. 8 in the amount of \$7,485.51 were audited by the Board and ordered paid.

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

Seconded by Mr. Fibble.

Carried.

Meeting adjourned.

August H. Hansen
Town Clerk of Clarkstown