

TOWN BOARD MEETING

October 5, 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. A. J. Bryant, Attorney for Lederle Laboratories, came before the Board and presented an application for a change of zoning from "Res. B." to "Industrial" of property owned by Lederle in Nanuet. Mr. Bryant said that the change had been requested in order that a number of Pump Houses could be erected on the property.

Mr. Welchman moved the following resolution:-

WHEREAS S, Lederle Laboratories, 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 "Residence B" to "Industrial",

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 St., New City, New York, on the 8th day of November, 1951, at 8:30 P.M. in the evening, 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 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.

Mr. Andrew Lawrence of New City came before the Board as spokesman for a group of residents of Johnson Lane. Mr. Lawrence asked the Board if the Superintendent of Highways had reported on the condition of Johnson Lane.

Mr. Klein came before the Board and said that Johnson Lane did not meet Town Specifications. He said that the right of way leading in from Rt. 304 was 33 feet in width and the right of way on the remainder of the road was 50 feet. He stated that to bring the road up to Specifications, it would have to be scraped, a good base of stone put in, and would require oiling.

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Mr. Klein estimated that it would cost approximately \$4,000 to build the road.

Mr. Dillon informed Mr. Lawrence that an Improvement District could be set up and the Town would build the road and assess the property owners for the cost of construction.

Mr. Lawrence then asked the Board why Johnson Lane could not be taken over in its present condition when the Board had taken over the roads in the Knapp development which did not meet specifications.

Mr. Dillon explained that the Town had secured permission from the State Department of Public Works to take over the roads since the rights-of-way were only 33 feet instead of 50 feet.

The question of the ownership of the rights-of-way on Johnson Lane was raised by the Board and since the property owners did not know if they had purchased the right-of-way with their property, it was suggested that the Deeds be brought in to the Board so that it could be checked.

Mr. Welchman said that to his knowledge there were about 13 homes in the area and that some of them had been there as long as 20 years, and he felt that some consideration should be shown in view of this.

Mr. Dillon then announced that the Board would take up the matter of the Bus Stops in Nanuet. He said that the Board would listen first to those in favor of the change and then to those in opposition.

Mr. W. H. Ackroyd-Kelly, spokesman for the Nanuet Civic Association, came before the Board. Mr. Kelly said that the plan for the change of Bus Stops had been recommended by the Chief of Police and the Civic Association. He said that a public meeting had been held by the Civic Association and every one present had been in agreement with the plan. Mr. Kelly stated that Robert Meehan had been in favor of the plan and that Mr. Meehan had said that he would purchase property from Louis Heydeman in Nanuet for his Taxi stand. Then after the change had been made, Mr. Meehan had clashed with LeRoy Rhodes, owner of a rival Taxi business in Nanuet, and had stated that he was against the plan. Mr. Kelly said that the statement that too much parking space was taken up by the new Bus Stop was unfounded since he had personally checked the matter and had found that in both places cars had been parked for 6 to 8 hours and others had been left for 2 or 3 hours at a time. Mr. Kelly mentioned that the Nanuet Fire Company had prepared a parking lot on Fire Company property with a capacity of 70 cars, but that it was used very little. He said that individuals who allowed their cars to remain at parking spaces for hours at a time should be required to move their cars off the main street so that the space would be available.

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Mr. Harlow Bishop, President of the Nanuet Civic Association, said that the change had been motivated by the hazardous condition on Main Street, and now that only one Bus was parked on the street, the safety factor had been greatly improved.

Mr. Robert Meehan then came before the Board and said that only a few people had attended the meeting when the plan was approved by the Civic Association, and that he had only been in favor of the change if it was going to be permanent. He also said that if people were parking longer than the legal time limit, it was up to the Police Department to correct the situation. He said that many people had been inconvenienced by the change and submitted a petition signed by 200 people in opposition. Mr. Meehan said that the Civic Association had not given the plan a fair test at the meeting.

Mr. Boggianno, Proprietor of the Stationary Store which one of the Bus Stops was located in front of, said that the change was driving his business away since people could no longer park along side of his store. He said that instead of improving business in Nanuet, the change was driving people to the neighboring towns.

Mr. C. A. Svensson of Nanuet said that the new Bus Stop on Prospect St. had taken most of the parking space between Main Street and the Fire House.

Mr. Joseph Nagle, spokesman for the proprietor of the Colonial Beauty Parlor, said that the new Bus Stop on Main Street had taken all of the available parking area on the block, since there was a "No Parking" restriction in front of the Ambulance Building, and there was also a Fire Hydrant on the Block. Mr. Nagle said that the merchants were entitled to some parking space for their customers.

Mrs. Belle Simons of Nanuet said that all the Buss's should load and unload on the Prospect Ave. Bus Stop so that Main Street would be free of any congestion.

Mr. Welchman then suggested that the Town Board meet with the Civic Association and the businessmen and try to find a plan that would be agreeable to everyone.

Mr. Bishop said that the Civic Association would meet on October 18th at the Nanuet Fire House and he extended an invitation to the Town Board and any other interested people to attend.

Mr. C. A. Svensson of Nanuet also informed the Board that the signs along Main Street regulating parking to a maximum of one (1) hour, did not give the times of the day during which this restriction would be in effect.

The Town Clerk was instructed to write to the State Traffic Commission and ask to have the situation clarified.

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Mrs. Marguerite Pedersen of New City presented an application for a change of zoning of property in Nanuet owned by herself and Thomas Pedersen. The application requested a change from "Residence A" to "Residence B".

Mr. Welchman moved the following resolution:-

WHEREAS, Thomas and Marguerite Pedersen, 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 A" to "Residence B",

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 264 of the Town Law be had at the office of the Town Clerk, Main Street, New City, New York, on the 8th day of November, 1951, at 9:00 P.M. in the evening, 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 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.

Mrs. Ethel Harbuck of Congers came before the Board to register a complaint against the people across the street from her home. Mrs. Harbuck said the the people were contemplating building a one room shack on their property. She also informed the Board that Mr. Beulah of Congers was putting an addition on his home without a Building Permit.

Mrs. Harbuck was informed by the Board that the Town does not have a Building Code and the only restrictions on Construction were those contained in the Building Zone Ordinance.

The Town Clerk was instructed to notify the Building Inspector of the alleged violation on the Beulah property on Medway Ave.

Town Attorney informed the Board that he had received a copy of the proposed State Building Code which had to do with one and two family dwellings. He suggested that more copies of the Building Code be obtained so that the members of the Board could have an opportunity to study it.

The Town Clerk was instructed to write to the Building Code Commission and request additional copies of the Building Code.

Mr. N. A. McGill of Nanuet came before the Board and requested the Town to take over 400 feet of East Orchard Street in Nanuet.

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Superintendent of Highways Emil Klein came before the Board and said that the street did not meet specifications. Mr. Klein stated that the street was badly broken up and would have to be rebuilt before it would be acceptable.

Mr. Melvin Knapp of New City came before the Board and said that he had been contacted by the Girl Scouts in reference to renting the office now occupied by the Building Inspector. Mr. Knapp said that he had spoken to the Building Inspector and that he had been agreeable to moving to one of the new offices which Mr. Knapp had completed recently on Main Street. Mr. Knapp said that the Girl Scouts were attempting to break their lease in Nanuet and he asked if the Board would agree to break the present lease on the Building Inspector's office if the move were possible.

All members of the Board were in favor of the change and informed Mr. Knapp that they would go along with the idea if the Girl Scouts could break their lease.

Mr. Dillon read a letter from the State Traffic Commission informing the Board that a check would be made of their request for a "Stop" sign on the access road leading into Route 59 from Route 303.

Mr. Dillon informed the Board that a Bookkeeper had been appointed at the last meeting to work on the Tax Roll, but that no salary had been set for the position.

Mr. Eberling moved the following resolution:-

RESOLVED, that the salary of the Bookkeeper appointed to work on the Tax Roll, be set at \$1.50 per hour.

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 read a letter from the Zoning Board of Appeals concerning the Blumberg property in Spring Valley on which a violation had been placed for the illegal construction of a Car Port.

Mr. Roepe informed the Board that the violation no longer existed and there was no further cause for action by the Town.

The Town Clerk was instructed to inform the Zoning Board of Appeals that the matter was closed.

Mr. Dillon read letters from Felix Festa, Supervising Principal of the Central School District. Mr. Festa requested the appointments of Harry Oest, Custodian of the Chestnut Grove School and Adolph Gazan, Custodian of the New City School, as School Traffic Attendance Officers.

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Mr. Schmersahl moved the following resolution:-

RESOLVED, that Harry Oest, Custodian of the Chestnut Grove School and Adolph Gazan, Custodian of the New City School, be appointed as School Traffic Attendance Officers.

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 came before the Board and requested permission to lay out Highland Ave. in West Nyack.

Mr. Schmersahl moved the following resolution:-

RESOLVED, that Superintendent of Highways, Emil Klein, be authorized by the Town Board to Survey and lay out Highland Avenue in West Nyack.

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. Eberling informed the Board that he had received a request for a street light on Pole #198 in front of the Nanuet School on Highview Ave.

Mr. Eberling moved the following resolution:-

RESOLVED, that a street light be erected on Pole #198 on Highview Ave. Nanuet, and,

FURTHER RESOLVED, that the Rockland Light & Power Company be requested to make the necessary installation as soon as possible.

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 read a letter from Alexandra Tolstoy, President of the Tolstoy Foundation, Inc. of Valley Cottage. The letter informed the Board that the Foundation had requested the State Traffic Commission to install a traffic light at the intersection of Lake Road and Route 9W, and requested the support of the Town Board.

RESOLVED, that the New York State Traffic Commission be requested to install a traffic light at the intersection of Lake Road and Route 9W in Valley Cottage, and,

FURTHER RESOLVED, that the Town Clerk forward a copy of the resolution to the Traffic Commission for their consideration.

Seconded by Mr. Schmersahl.

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

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

NOES: None.

Mr. Dillon informed the Board that he had received the list of eligihles from the Civil Service Department for appointment as Motor Equipment Operators.

Mr. Eberling moved the following resolution:-

RESOLVED, that the following employees of the Clarkstown Highway Department be permanently appointed as Motor Equipment Operators, O.C. #4474:-

- | | |
|--------------------|-----------------|
| Herbert C. Klaiber | Frank Zehner |
| George J. Kucera | Andrew Lawrence |
| Garland A. Straud | |

FURTHER RESOLVED, that the salary be set at \$1.40 per hour, and the appointments are to become effective as of October 5, 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 informed the Board that he had received a notice of public hearing from the Public Service Commission on the application of the Spring Valley Water Company to establish a reservior in Clarkstown.

Mr. Roepe suggested that he be authorized to file the objections of the Town Board with the Public Service Commission.

Mr. Welchman moved the following resolution:-

RESOLVED, that Edward G. Roepe, Attorney for the Town of Clarkstown, be instructed to file the objections of the Town Board with the Public Service Commission, in the matter of the application of the Spring Valley Water Co. to establish a reservior in the Town of Clarkstown.

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 monthly reports for the following Town Officials were presented to the Board:-

- | | |
|-----------------|--------------------|
| Supervisor | Building Inspector |
| Town Clerk | Police Department |
| Welfare Officer | |

Mr. Welchman moved that the reports be accepted.

Seconded by Mr. Schmersahl.

Carried.

Superintendent of Highways Emil Klein came before the Board and requested permission to seek bids for the purchase of a new Sand Spreader.

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Mr. Eberling moved the following resolution:-

RESOLVED, that Superintendent of Highways Emil Klein be authorized to advertise for Bids for the purchase of a new Sand Spreader for the Clarkstown Highway Department.

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 presented to the Board the Budget Estimates of all Town Departments for the year 1952.

Mr. Eberling moved that a Special Meeting be held on October 8th, 1951, for the purpose of adopting the Preliminary Budget for the Town.

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. Eberling moved that the next regular meeting of the Board be held on November 8th, 1951, at which time the Public Hearing on the Preliminary Budget would be held.

Seconded by Mr. Schmersahl.

Carried.

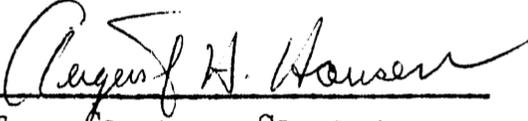
Bills Nos. 875 to 976 on Warrant #10 in the amount of \$10,650.47 were audited by the Board and ordered paid.

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

Seconded by Mr. Schmersahl.

Carried.

Meeting adjourned.


Town Clerk of Clarkstown