

ANNUAL MEETING

December 28, 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. E. Alfred Festa came before the Board in regard to the petition for street improvement for Parker Ave. in New City. Mr. Festa informed the Board that Mr. John Mehalik of Parker Ave. was present at the meeting to testify in favor of the petition.

Mr. Mehalik, upon being questioned by Town Attorney Edward G. Roepe, testified as follows:-

Q. Are you familiar with the petition and the signatures on the Petition?

A. Yes, I am.

Q. Has the petition been signed by more than 50% of the resident and non-resident property owners?

A. Yes, it has.

Q. Will you examine the petition and establish whether it is the original?

A. Yes, this petition is the original as submitted to the Town Board.

Mr. Schmersahl moved the following Order:-

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 In the matter of :
 the petition of the owners of more than one-half : ORDER OF BOARD FOR
 of the real property fronting on Parker Ave. at : MEETING TO CONSIDER
 New City, in the Town of Clarkstown, for the im- : PETITION FOR STREET
 provement of said street. : IMPROVEMENT.
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WHEREAS, a written petition, dated November 8th, 1951, was on the 28th day of December, 1951, duly filed with this Board pursuant to Section 200 of the Town Law of the State of New York for the improvement of the highway in said Town known as Parker Ave. between its intersection with Red Hill Rd. and Birch Lane, by paving the entire length thereof in accordance with the Town specifications as contained in Resolution of the Town Board of May 13, 1951, and whereas, it duly appears that such petition has been duly signed by the owners of real estate owning at least one -half of the entire frontage or bounds on both sides

AFA213

12/28/51

of said Parker Ave., between the points aforesaid, and whereas, it duly appears that such petition was also duly signed by resident owners woning not less than one-half of the frontage owned by resident owners residing along said Parker Ave. between the points aforesaid; and whereas, such petition was duly acknowledged or proved by all signers thereof in the same manner as a deed to be recorded; and whereas, the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of \$8,000.00; it is, pursuant to the provisions of said Section 200 of the Town Law of the State of New York, hereby ORDERED that the Town Board of the Town of Clarkstown, Rockland County, New York, shall meet at the Town Clerk's Office at Main Street, New City, in the said Town of Clarkstown on the 15th day of February, 1952, at 9:30 o'clock in the evening of that day, Eastern Standard Time, for the purpose of considering said petition and hearing all persons interested in the subject thereof concerning the same; and it is,

FURTHER ORDERED, that the Town Clerk of the Town of Clarkstown cause duly certified copies of this order to be published and posted in the manner required by Section 200 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. Harold Katenkamp of Nanuet came before the Board and asked if any action had been taken to have street lights erected on Park Ave.

Mr. Dillon informed Mr. Katenkamp that the Pole Numbers had not been taken and presented to the Board. He suggested that Mr. Katenkamp take the Pole Numbers and call them in to the Town Clerk so that the Board could act on the Matter.

Mr. Welchman then moved the following resolution:-

RESOLVED, that the Deed of Upper Nyack Realty Co. dedicating Strawberry Hill Lane in West Nyack as a Town Highway, be and the same is hereby accepted, and the said street be included in the Town Highway System.

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 the Bonds of all Town Officials.

Mr. Schmersahl moved that the Bonds be approved as to form and sufficiency.

Seconded by Mr. Fibble.

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

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

NOES: None.

12/28/51

Mr. Dillon presented bids for a new turck for the Highway Dept. from the following:-
 John H. Jensen Jr. -----GMC
 Highway Truck Exchange----Reo
 Burnweit Motors, Inc.-----International

Mr. Dillon informed the Board that all the bids were in excess of \$4,500 which was the amount set by the Board to be expended for the truck.

Mr. Eberling moved the following resolution:-

RESOLVED, that the bids be rejected and the amount to be expended by raised to \$7,000, and,

FURTHER RESOLVED, that the Supt. of Highways be instructed to re-advertise for new bids.

Seconded by Mr. Welchman.

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

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

NOES: None.

Supt. of Highways Emil Klein came before the Board and said that he had never shown any favoritism to any dealer when asking for bids for equipment. He stated that the matter had come up before and he wished the Board to know how he stood.

Mr. Dillon presented the Yearly Reports of the following Town Officials and Departments:-

Chief of Police	Zoning Board of Appeals
Supt. of Highways	Health Officer
Welfare Officer	Town Clerk
Justices of the Peace	Receiver of Taxes
Building Inspector	Assessors

Mr. Welchman moved that the reports be accepted.

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 members of the Board examined the Dockets of the Justices of the Peace.

Mr. Eberling moved that the Dockets be accepted.

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 Board then discussed the application of Sidney Popik of New City for a change of zoning.

12/28/51

Mr. Dillon said that a decision on the matter had been reserved at the last meeting since no one had appeared to speak for or against the change.

Mr. Schmersahl moved that the request for a change of zoning be denied without prejudice.

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. Welchman then moved that the application of Thomas and Marguerite Pedersen for a change of zoning of their property in Nanuet be denied.

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. Eberling moved the following resolution:-

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 13th day of April, 1951, provided for a public hearing on the 11th day of May, 1951, at the office of the Town Clerk, Main Street, New City New York, at 9:00 P.M. (Eastern Daylight Saving Time), to consider the application of Annie Weinberg, to amend the Building Zone Ordinance of the said Town by redistricting the property of the said petitioner from "Business A" to "Business 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 Spring Valley in the said Town from "Business A". to "Business B".

BEGINNING at a point on the west side of First Avenue, being the southeasterly corner of the within described premises and which point is distant 510 feet from the north line of Clinton Street, measured along the westerly side of First Avenue; thence running north 3 degrees 30 minutes west, 190 feet along the westerly side of First Avenue; thence north 85 degrees 00 minutes west, a distance of 253.40 feet; thence south 0 degrees 30 minutes west, a distance of 99.23 feet and south 5 degrees 30 minutes east, a distance of 90.88 feet; thence south 85 degrees 00 minutes east, a distance of 254.42 feet to the westerly side of First Avenue and the point or place of beginning. Said premises are known and designated as lots numbers 11 and 12 on Map of the Spring Valley Land Association No. 3, filed in the office of the Clerk of Rockland County.

Seconded by Mr. Schmersahl.

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

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

NOES: None.

12/29/51

Mr. Klein came before the Board and said that he had erected "No Heavy Trucking" signs on Strawberry Hill Lane, which had recently been completed. He said that a Logging company had been hauling logs over the road and there was a possibility of the road breaking up because it had not had a chance to settle yet.

Mr. Klein also said that a number of new roads are under construction in the Township and at the present time there are no controls in effect governing the construction and the type of materials used. He suggested that the Board seriously consider restoring the Subdivision Controls to the Planning Board.

Mr. Fibble moved the following resolution:-

RESOLVED, that the Town Board of the Town of Clarkstown unanimously commend the services of Stephen G. Doig Jr. as Justice of the Peace for the Town of Clarkstown.

HIS knowledge of law and willingness to lend of his time and counsels on matters of the public weal, and be it,

FURTHER RESOLVED, that this resolution be spread upon the minutes of the Town Board of the Town of Clarkstown and that a copy be sent to Stephen G. Doig, Jr. 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. Welchman moved the following resolution:-

WHEREAS, John Elliott, Chairman of the Planning Board and former Building Inspector, died after a lingering illness; and,

WHEREAS, John Elliott served the people of the Township with the same degree of cordiality and courtesy,

BE IT RESOLVED, that the Town Board of the Town of Clarkstown express its deepest and most sincere regrets that John Elliott is no longer with us; and,

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of the Town Board of Clarkstown and that a copy be sent to the family of John Elliott. 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. Schmersahl moved the following resolution:-

WHEREAS, it has been the good fortune of the Town Board of the Town of Clarkstown to have had for the past twenty-five years the services of Charles Eberling, and,

12/29/51

WHEREAS, during those years Charles Eberling has distinguished himself by unfailing devotion to his duty, untiring diligence in furthering the best interests of the township, and by his sincere desire to serve all the people at all times, and,

WHEREAS, it has been a distinct privilege and pleasure during the years of Charles Eberling's term of office to have been associated with him on the Town Board,

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkstown convey to Charles Eberling its most sincere regrets that he will retire from public office after December 31st, 1951, and,

BE IT FURTHER RESOLVED, that despite Charles Eberling's retirement from the office of Councilman that the Town Board of the Town of Clarkstown invite his presence at meetings and his suggestions for the Township's betterment in the years to come; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of the Town Board and that another copy be sent to Charles Everling signed by the members of the Town Board.

Seconded by Mr. Fibble.

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

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

NOES: None.

Supervisor then turned the chair over to Councilman Schmersahl. Mr. Dillon spoke briefly about Mr. Eberling's long service for the Town and his fine work during the years that he had served. Mr. Dillon said that Mr. Eberling's presence would be missed at future Board meetings and he wished him success in any ventures he might undertake in the years to come.

Mr. Dillon presented two gifts to Mr. Eberling from the Town Board in recognition for his long service.

Mr. Dillon then moved that the meeting be adjourned in honor of Mr. Eberling.

Seconded by Mr. Fibble.

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

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

NOES: None.

Meeting adjourned.

August H. Hansen
Town Clerk of Clarkstown