

PUBLIC HEARING

May 9, 1952

Town Clerk's Office

8:30 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Burleigh

Mr. Dillon

Mr. Dillon called the hearing to order, explaining that it was being held to consider the application of John and Robert Maier of Nanuet for a change of zoning of their property from "Residence B" and "Business A" to "Business B".

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

Mr. Donald Partridge, Attorney for the Petitioners, came before the Board to speak in favor of the petition. Mr. Partridge stated that part of the property is being used for business purposes at the present time and that there are many other businesses in the area. He said that the Maiers would like to have the entire parcel rezoned to "Business B" so that in the event of the re-location of Route 59, they could move their business without suffering to great a loss and still have the most desirable location.

Mr. Fred Brenner of Nanuet came before the Board in opposition. Mr. Brenner stated that there was enough business property in the area now and he was opposed to any further extension of the district.

No one else appeared before the Board to speak for or against the petition.

Mr. Welchman moved that the hearing be closed.

Seconded by Mr. Schmersahl.

Carried.

Hearing closed.

Reginald W. Hansen
Town Clerk of Clarkstown

TOWN BOARD MEETING

May 9, 1952

Town Clerk's Office

8:00 P.M.

Present: Mr. Fibble

Mr. Schmersahl

Mr. Welchman

Mr. Burleigh

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. Schmersahl.

Carried.

Mr. Dillon informed the Board that a letter of resignation had been received from Fred Beach, Custodian of the Polls, Election District #14, Congers.

Mr. Fibble moved the following resolution:-

RESOLVED, that the resignation of Fred Beach be accepted and Albert Bronson of Congers be appointed as Custodian of the Polls, Election District #14, Congers.

Seconded by Mr. Welchman.

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

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

NOES: None.

Mr. Dillon presented a letter of resignation from Gustaf Olson, Inspector of Elections, District #14, Congers.

Mr. Fibble moved the following resolution:-

RESOLVED, that the resignation of Gustaf Olson be accepted and Roland Luther, Old Haverstraw Rd., Congers, be appointed as Inspector of Elections, District #14, Congers.

Seconded by Mr. Welchman.

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

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

NOES: None.

Mr. Fibble moved that the previous resolution of the Board to have a street light erected on Pole #304 on Old Haverstraw Rd., Congers, be amended, and the light be erected on Pole #303.

Seconded by Mr. Welchman.

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

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

NOES: None.

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Mr. Welchman requested that street lights be erected on Pole #52 on Hughes St., and Pole #7 on Westview A ve., at Congers.

Seconded by Mr. Fibble.

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

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

NOES: None.

Town Attorney Edward G. Roepe informed the Board that he had contacted the New City Park Church regarding the use of the Church as a Polling Place but that he had not received an answer and he did not think they were interested.

Mr. Welchman moved the following resolution:-

RESOLVED, that the New City Park Club be designated as the Polling Place for Election District #14, Chestnut Grove.

Seconded by Mr. Fibble.

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

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

NOES: None.

The Board then adjourned from a Town Board meeting and held a public hearing on the application of John and Robert Maier for a change of zoning of their property in Nanuet from "Residence B" and "Business A" to "Business B".

After hearing all persons interested in the application, the hearing was closed and the Board returned to a Town Board meeting.

Mr. Welchman moved that in view of the large parcel contained in the petition, the Board reserve decision on the matter and study it carefully.

Seconded by Mr. Schmersahl.

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

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

NOES: None.

Mr. Joseph Siegmund of Bardonia came before the Board in regard to the water condition on Route 304 which was affecting his property.

Mr. Dillon informed Mr. Siegmund that he would contact the District Engineer for the Dept. of Public Works again and ask to have the condition corrected.

Mr. Welchman informed the Board that the Rockland Light & Power Co. and the Rockland Gas Co. were contemplating a merger of their respective utilities and he requested the Board to go on record as being opposed to the merger. He stated that the merger would only result in higher Gas and Electric rates for the consumers in the County.

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Mr. Dillon said that the matter had been brought up at the County Board of Supervisors meeting and no action had been taken. He said that the Board should wait until the public hearing is held before the Public Service Comm. and then state their opposition.

Mr. Dillon presented an application for a change of zoning for property on Route 59 at Nanuet which is woned by Robert Parsells, Jr. Mr. Parsells requested a change from "Business A" to "Business B".

Mr. Schmersahl moved the following resolution:-

WHEREAS, Robert Parsells, Jr., has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner and in said petition described from "Business A" to "Business B",

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the office of the Town Clerk, Main Street, New City, New York on the 13th day of June, 1952 at 8:30 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. Welchman.

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

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

NOES: None.

Mr. Dillon informed the Board that inspections had been made of the Kolb property in Central Nyack and the Jones property in Nanuet, both of which had been the subject of complaints regarding water conditions.

Mr. Dillon read a letter from the State Traffic Commission in regard to the Board's request to establish a 30 MPH speed zone on Route 9W at Rockland Lake. The Commission stated that an investigation would be made and the Board would be informed of the decision.

Mr. Dillon read a letter from the State Traffic Commission in regard to the Board's request for a "No Parking" restriction on Route 59 at Nanuet alongside the Bowling Alley. The Commission stated that an investigation would be made and the Board would be informed of the decision.

Mr. Dillon informed the Board that the Town Clerk had requested a resolution for permission to destroy old records.

Mr. Burleigh moved the following resolution:-

RESOLVED, by the Town Board of Clarkstown that August H. Hansen, Town Clerk, be, and hereby is authorized to dispose of record items contained on Records Disposition Request Lists Numbers 2, 3, and 4, issued pursuant to Section 114 of

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the Regulations of the Commissioner of Education, and be it further,

RESOLVED, that the Clerk of this Board, be, and hereby is directed to furnish a certified copy of this resolution to August H. Hansen, Town Clerk, to be forwarded to the Commissioner of Education.

Seconded by Mr. Schmersahl.

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

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

NOES: None.

Mr. Dillon presented the application of Nunzio Battaglia of Nanuet for a change of zoning of his property from "Residence B" to "Business B".

Mr. Burleigh moved the following resolution:-

WHEREAS, Nunzio Battaglia, 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 "Business B",

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the office of the Town Clerk, Main Street, New City New York, on the 13th day of June, 1952, 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. Schmersahl.

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

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

NOES: None.

Mr. Dillon read a letter from George Ryan, of the Rockland County Volunteer Firemens Association requesting a donation for their yearbook. The cost of the add would be \$65.00 per page.

The Board discussed the matter and decided to subscribe to a one page add which would include all the members of the Board.

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

Supervisor	Building Inspector
Town Clerk	Police Department
Welfare Officer	

Mr. Welchman moved that the reports be accepted.

Seconded by Mr. Schmersahl.

Carried.

Mr. Dillon presented a letter from the Zoning Board of Appeals requesting the re-appointment of W. Reginald Herdman as Chairman, and also the re-appointment of John Koop as a member.

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Mr. Fibble moved the following resolution:-

RESOLVED, that W. Reginald Herdman be re-appointed as Chairman of the Zoning Board of Appeals of the Town of Clarkstown for a term of one year, beginning on June 19, 1952, and ending on June 19, 1953.

Seconded by Mr. Welchman.

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

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

NOES: None.

Mr. Burleigh moved the following resolution:-

RESOLVED, that John Koop be re-appointed as a member of the Zoning Board of Appeals of the Town of Clarkstown for a term of five (5) years, beginning on June 19, 1952 and ending on June 19, 1957.

Seconded by Mr. Fibble.

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

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

NOES: None.

Mr. Dillon read a letter of complaint from E. C. Getty of Congers in regard to a water condition on Old Haverstraw Road north of his home. Mr. Getty stated that the culvert which crosses the road north of his home is clogged and a great deal of water is backed up along the front of his property.

Supt. of Highways Emil Klein informed the Board that the culvert had been blocked by the property owner on the opposite side of the road to keep the water from flowing onto his property.

The Board instructed Mr. Klein to open the culvert as soon as possible.

A Street Opening Permit issued under Section 149 of the Highway to Harry Gerken of New City was approved and signed by the Board.

The Board discussed the number of complaints which had been received from residents of New Hempstead Road in regard to the speeding of vehicles. The Board decided to request the State Traffic Commission to extend the Area Speed Restriction west to the Clarkstown- Ramapo Town line.

The Town Clerk was instructed to write to the State Traffic Commission and request that the sign designating the speed zone be moved west on New Hempstead Road to the Town Line.

Mr. Dillon informed the Board that he had received a letter from the Building Code Commission in regard to the Multiple Dwelling Law. He said that he had also received the necessary forms for registering any new multiple dwellings.

Town Attorney Edward G. Roepe informed the Board that Section 300 provides for the registry of all owners of multiple dwellings.

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He also explained ~~that~~ the section concerning the duties of the Town Board. Mr. Roepe stated that it was the duty of the Board to appoint an Enforcement Officer and also a number of personell for inspection purposes. He suggested that the Chiefs of the Fire Departments in the Town could be appointed as Inspection Officers and the present Building Inspector be appointed as the Enforcement Officer. Mr. Roepe also said that the Town Board may charge a reasonable fee for the applications.

Mr. Roepe informed the Board that he had prepared the invitations for bids for the Tax Map.

Councilman Burleigh presented a list of 13 firms that were engaged in the preparation of Tax Maps and the Re-Assessment of properties.

Mr. Burleigh moved the following resolution:-

RESOLVED, that the Town Board of the Town of Clarkstown will on the 20th day of June, 1952, at 8:00 P.M. in the office of the Town Clerk, accept sealed bids for the preparation of a Tax Map and the Re-Assessment of all properties within the said Town of Clarkstown.

Seconded by Mr. Schmersahl.

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

AYES: Messrs. Schmersahl, Welchman, Burleigh, Dillon.

NOES: Messr. Fibble.

The Town Clerk was instructed to send an invitation to bid to each of the 13 firms contained on the list.

Mr. O. T. Keyser, Chairman of the Board of Assessors, presented the reports of the apportionment of the cost for Hughes St. at Congers and Strawberry Hill Lane at West Nyack.

Mr. Dillon stated that he would meet with Mr. Roepe at a later date to discuss the extension of the Tax Rolls for the Special Districts.

Mr. Roepe informed the Board that the application of New York Traprock Corp. had been returned to him by A. J. Bryant. He said that it still contained errors and should not be acted on until it was presented in a correct form.

The Board instructed Mr. Roepe to return the application to the Traprock Corp.

Bills Nos. 427 to 519 on Warrant #5 in the amount of \$4,359.82 were audited by the Board and ordered paid.

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

Seconded by Mr. Burleigh.

Carried.

Meeting adjourned.

August H. Hansen
Town Clerk of Clarkstown