

PUBLIC HEARING

July 11, 1952

Town Clerk's Office

9:00 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 Solomon Levinson for a change of zoning of his property at West Nyack from "Residence A" to "Business B".

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

John McKenna, Jr., Attorney for the Petitioner, came before the Board. Mr. McKenna said that the premises are presently being used for business purposes under a non-conforming use and the owner wishes to extend the use to include other buildings which are on the property. He stated that the area is comprised mostly of businesses and there are no homes in the vicinity. He also said that the present business has been in existence for many years.

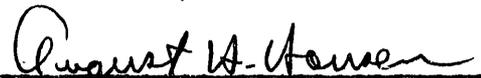
No one appeared before the Board in opposition.

Mr. Welchman moved that the hearing be closed.

Seconded by Mr. Schmersahl.

Carried.

Hearing closed.


Town Clerk of Clarkstown

PUBLIC HEARING

July 11, 1952

Town Clerk's Office

9:30 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 the New York Trap Rock Corporation for a change of zoning of their property at Centenary from "Residence A" to "Industrial".

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

Mr. A. J. Bryant, Attorney for the Petitioners, came before the Board. Mr. Bryant said that the change was being requested for a 47 acre parcel located at Centenary on the west side of Short Clove Road, and which had been purchased in 1927 by the Trap Rock as a reserve area for the quarrying of stone. Mr. Bryant also said that the Trap Rock had purchased the adjoining property in Haverstraw for the same purpose. He said that the stone was a necessary element for the manufacturing of concrete and as a material for the construction of roads, and that plans must be made to turn out larger quantities of stone for the building and maintenance of roads since the proposed Thruway, Parkway, and the re-location of Route 59 would increase the demand many times. He emphasized the fact that the property had been purchased many years before zoning and when the zoning ordinance had been adopted, only the present Quarry and plant area had been placed in an "Industrial" zone, while the property on the west side of the Short Clove Road had been placed in a "Residence A" zone. In doing this, he insisted that the Town had acted unfairly and illegally, the result being a law suit instituted against the Town by the Trap Rock Corporation to invalidate the zoning ordinance. He said that the matter is now ready for trial but that the Trap Rock would prefer not to press it. He urged the Board to grant the change and save the taxpayers and the Trap Rock the expense of a lengthy trial. He said that the Corporation Engineers had estimated that there were 19,142,000 cubic feet of stone in the 47 acre parcel. Mr. Bryant stated that he realized that the blasting and drilling operations were noisy and annoying to the residents of the area, but it was the only method by which the stone could be extracted from the ground.

AFA213

7/11/52

Rather than begin operations on the river side of the mountain, he said that the Trap Rock had decided to petition the Town Board for a change of zoning for the 47 acre parcel. Mr. Bryant insisted that the property was worthless for residence purposes since foundations would have to be blasted from solid rock and the ground was not suitable for the installation of sanitary systems. He said that operations on the river side of the mountain would destroy the scenery and that the residents of the area would have to put up with the annoyance as the price of progress.

Mr. Irving G. Kennedy, Attorney for the Hudson Valley Conservation Society, came before the Board in opposition. Mr. Kennedy presented a petition bearing the names of 50 residents of the Town protesting the change. He said that the zoning ordinance is not oppressive to the Trap Rock merely because the 47 Acre parcel is in a "Residence A" zone, when the change to Industrial would increase the annoyance and damage to the surrounding properties, and the people certainly must be considered in the use of their property. Mr. Kennedy said that Grant and Mass. Avenues at Congers were on the ledge of rock where the blasting operations take place and the damage to homes has been widespread in the entire area. He said that the complaints were not fantasies on the part of the residents since they came from the majority rather than a small minority. Almost every resident in the area had signed the petition of protest and they were entitled to the same rights as a large corporation. He stated that the Trap Rock is against zoning and they do not wish restrictions placed on their property. Mr. Kennedy explained that the High Tor and some 500 acres had been purchased by residents of the County by public subscription and had been turned over to the Interstate Park Commission as a public park and rezoning the 47 acres which adjoined the park to an Industrial area would destroy the use of the park and the scenic beauty. He said that the corporation's threat to begin operations on the river side of the mountain would never materialize since the impracticability of the operation has halted the project from the very beginning. Mr. Kennedy said that although the Trap Rock has attacked the zoning ordinance in its law suit as being illegal, they still seek to use the ordinance to acquire the change. He said that in the pending law suit involving the property for which the change had been requested, the Trap Rock made a motion to have the Town's defence of the Zoning Ordinance nullified, and the motion was denied by the Court of Appeals. He said that no move has been made by the Trap Rock to bring the matter to trial, and now they are seeking the same relief from the Town Board that they seek in their law suit. He said that the present Board is already on record as being opposed to any further changes on the grounds that the Quarry is a public nuisance, and he did not see how the Board could grant the petition wholly or in part.

7/11/52

Mr. Kennedy requested a show of hands of those opposed to the application and the response was unanimous.

Mr. Stephen G. Doig, Jr., Attorney for Everett Crosbie, came before the Board. Mr. Doig said that his client has disproved the Trap Rock statement that the property is not suitable for residence purposes since he himself lives on the adjoining property and has established a large Vineyard there. He said that there are a number of other residents in the immediate area and they have lived there for years. Mr. Doig stated that to permit the Trap Rock to begin Quarrying operations on the West side of the Short Clove Rd. would do irreparable damage to Mr. Crosbie's vineyard. He also said that the water resources in the area might be lost if there was any shifting in the underground strata due to blasting. Mr. Doig insisted that it was the duty of the Town Board to deny the petition and preserve the beauty of the Township.

Mr. Henry James, representative of the Interstate Park Commission, came before the Board, and presented a letter of protest from A. K. Morgan, Gen. Manager of the Park. The letter stated that the Park has always been a place of beauty and recreation for the public and to permit industrial development in or around its borders would depreciate its recreational and scenic value to the public.

Dr. Thomas Jukes of New City came before the Board in protest. Dr. Jukes said that the supply of stone at the present site of operations is more than sufficient to meet demands and the Town Board's decision should not be affected by any threat of litigation. He said that the issue extends far beyond the borders of the Town and he urged the Board to deny the application.

Mr. Fred Carnochan of New City came before the Board in opposition. Mr. Carnochan stated that he owns 50 acres of land adjacent to the Long Clove Rd. and the property has always been affected by the operations of the Trap Rock. He said that the Corporation has already closed the Long Clove Road and he asked if the Short Clove Road would be closed by them in order to facilitate their operations. He said that the Trap Rock property did not seem to be of much value when the assessment was compared with other assessments in the area.

Mr. William Will of Congers came before the Board in opposition. Mr. Will said that many homes in the North Conger area have been damaged by the blasting. He said that on many occasions during the blasting operations walls and foundations have cracked, mirrors and dishes have fallen, and tremors have been felt throughout the entire area.

The following residents came before the Board and voiced their objections to the change:-

Mrs. S. D. Dodge

Mr. Everett Burger

Mr. Norman Baker

W. Reginald Herdman

7/11/52

Mr. Harry Donn

Max Lipkin

Mr. W. Reginald Herdman stated that the Zoning Ordinance had been adopted for the protection of residents of the Town and it was the Town Board's duty to see that their interests were protected.

Mr. Bryant came before the Board in rebuttal. He said that Mr. Kennedy was mistaken as to some of the legal technicalities involved in the law suit. He said that no decision has ever been handed down on the matter and no action has been instituted for the past two years.

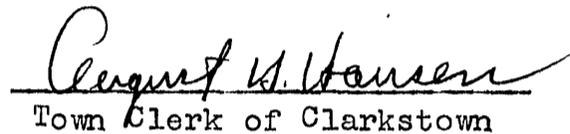
No one else appeared before the Board to speak for or against the change.

Mr. Welchman moved that the hearing be closed.

Seconded by Mr. Fibble.

Carried.

Hearing closed.


Town Clerk of Clarkstown

TOWN BOARD MEETING

July 11, 1952

Town Clerk's Office

8:00 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Burleigh

Mr. Dillon

Mr. Dillon called the meeting to order.

Mr. Schmersahl moved that the reading of the minutes of the last regular meeting be dispensed with.

Seconded by Mr. Fibble.

Carried.

Mr. Dillon informed the Board that he had received a request from the Central Nyack Fire Co. to close off West Broadway from Waldron Ave. to Willow St. from August 21st to the 23rd for their Bazaar.

Mr. Welchman moved that the request be granted.

Seconded by Mr. Fibble.

Carried.

Mr. Dillon also presented a request from the New City Fire Co. to close off Maple Ave. from Demarest Ave. to New City-Congers Rd. during the week of August 28th for their annual Carnival.

Mr. Burleigh moved that the request be granted.

Seconded by Mr. Schmersahl.

Carried.

The Town Clerk was instructed to forward the necessary forms to the County Engineer for his approval and to notify the Chief of Police.

Mr. George Stoll and Mr. Hervert Way of Central Nyack came before the Board as representatives of the Central Nyack Fire Co. Mr. Stoll informed the Board that the Central Nyack Fire District was in danger of being bisected by the passage of the Thruway at Central Nyack. He said that a portion of the district north of the Thruway route would be left virtually unprotected since the Thruway would dead end Mountain View Ave. from both the North and the South leaving the northern portion of the district with only one entrance and exit. He explained that the fire equipment would have to travel five miles by circuitous route in order to reach the 15 to 20 homes in this area. Mr. Stoll asked the Board to support them in their opposition to the dead ending of Mountain View Ave.

Mr. Fibble moved the following resolution:-

WHEREAS, Mountain View Ave. will be dead ended from both the north and south and the Central Nyack Fire District will be bisected by the passage of the Thruway through Central Nyack, and,

7/11/52

WHEREAS, that portion of the Fire District lying North of the Thruway will be left with only one entrance and exit, thereby greatly reducing effective Fire Protection for approximately 15 to 20 homes in that area, be it,

RESOLVED, that the Town Board of the Town of Clarkstown, by resolution duly adopted on the 11th day of July, 1952, is opposed to the dead ending of Mountain View Ave. and the bisecting of the Central Nyack Fire District by the passage of the New York State Thruway.

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. Everett Burger of South Mountain Rd., New City, came before the Board. Mr. Burger complained of the annoyance and noise caused by the night operations of the New York Trap Rock Corporation. He said that it had caused him much unrest and he asked the Board to take some action on the matter.

Town Attorney Edward G. Roepe informed Mr. Burger that his complaint should be directed to the District Attorney who would prosecute the matter if he determined that it was a public nuisance.

Mr. Harry Whalen, Jr. of Valley Cottage came before the Board. Mr. Whalen stated that he wished to extend his present business on Route 303 to include a refreshment stand but that the Zoning Board of Appeals had informed him that it would be necessary to apply for a Variance first. Mr. Whalen asked the Board if there was any possibility that Route 303 would be rezoned for business between Valley Cottage and Congers.

Mr. Dillon informed Mr. Whalen that the Town Board was considering the rezoning of Route 303 from Valley Cottage to Congers and the matter would be brought up in the near future.

Mr. Dillon read a letter from the Planning Board in regard to the Maier application for a change of zoning which had been forwarded to them for their recommendations. The letter stated that due to the possibility of the construction of three new roadways in the immediate area it might be well to withhold any move toward rezoning at the present time.

The Board took no further action on the matter.

Mr. Dillon read a letter from the Planning Board in regard to the Battaglia application for a change of zoning of property located at Nanuet. The letter stated that the use for which Mr. Battaglia had applied for the change would not be appropriate for good planning and would also be undesirable for the location.

Mr. Schmersahl moved that the application of Nunzio Battaglia for a change of zoning of his property at Nanuet be denied.

7/11/52

Seconded by Mr. Burleigh.

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 the Planning Board in regard to the Bond of John Mein for the construction of roads in a sub-division.

Mr. Roepe informed the Board that it might be adviseable for him to meet with the Planning Board to discuss the Bond situation for sub-divisions.

Mr. Burleigh moved the following resolution:-

RESOLVED, that Town Attorney Edward G. Roepe be instructed to meet with the Planning Board for the purpose of discussing Bonds for the construction of roads in sub-divisions.

Seconded by Mr. Schmersahl.

Carried.

Mr. Dillon presented a certified check in the amount of \$4,641 from John Koop of New City as Surety for the roads in his sub-division which had been given preliminary approval by the Planning Board.

Mr. Burleigh moved the following resolution:-

RESOLVED, that the Town Board of Clarkstown does hereby approve the Bond of John Koop and accept the sufficiency, form and cash collateral of the undertaking.

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 sealed bids for the construction of Parker Ave. The bids were as follows:-

| | |
|---------------------------------|------------|
| Cyler & Schuck, New City----- | \$7,312.50 |
| Ward Pavements, Haverstraw----- | 7,500.00 |
| Ralph Lombardi, New City----- | 7,835.00 |

Mr. Dillon informed the Board that the bid of Ward Pavements was the only one accompanied by a certified check for 5% of the estimated cost of construction.

Town Clerk August Hansen informed the Board that Mr. Cyler had called him earlier in the day and asked if it was necessary to include a check with the bid. He said that he had informed Mr. Cyler that he did not think it was necessary and therefore, it was his fault and not the bidder's that the check had not been included.

Mr. Charles R. Leo, Jr. of Ward Pavements informed the Board that his firm had almost overlooked the matter of the check and he did not feel that Cyler and Schuck should be penalized for their oversight.

AFA213

7/11/52

Mr. Leo Cyler informed the Board that if their bid was accepted, a certified check would be delivered to the Town Clerk on Monday morning.

Mr. Welchman moved the following resolution:-

RESOLVED, that the Town Board of the Town of Clarkstown find and determine and it does hereby find and determine, that the proposal of Leo Cyler and Joseph Schuck, Burda Ave., New City, New York, for furnishing all materials, machinery and equipment and doing all work necessary for the performance according to specifications of a contract to be let by the Town of Clarkstown for the paving of Parker Ave., at New City, between its intersection with Red Hill Rd. and Birch Lane, in the Town of Clarkstown, Rockland County, New York, is the lowest responsible proposal for the paving of said Parker Ave., at New City, in said Town, between its intersection with Red Hill Rd. and Birch Lane; and be it further,

RESOLVED, that the proposal of said Cyler and Schuck, be, and the same is hereby accepted, and be it further,

RESOLVED, that this Board enter into a contract with the said Cyler and Schuck, for furnishing all materials, machinery and equipment and doing all work necessary for the performance according to specifications of a contract to be let by the Town of Clarkstown for the paving of Parker Ave., at New City, between its intersection with Red Hill Rd. and Birch Lane, in the Town of Clarkstown, Rockland County, New York, at the price mentioned in said proposal of the said Cyler and Schuck, which said contract shall be in a form satisfactory to the Town Attorney and shall require the said Cyler and Schuck to furnish proper security for the faithful performance of said contract, and be it,

FURTHER RESOLVED, that said Parker Ave. be accepted as a Town Highway, and that the Town Attorney record the appropriate instruments.

Seconded by Mr. Schmersahl.

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

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

NOES: None.

Specifications for the Tax Map were presented to the Board by Councilman Burleigh:-

Mr. Burleigh moved the following resolution:-

RESOLVED, that Town Attorney Edward G. Roepe be instructed to prepare invitations to Bidders for a Tax Map and re-valuation project and cause the invitation to be published once in the Journal News as required by law, and,

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown accept sealed bids for a Tax Map and re-valuation project on September 5, 1952, at 8:00 P.M. at the office of the Town Clerk, New City, New York.

Seconded by Mr. Welchman.

7/11/52

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

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

NOES: Messr. Fibble.

Mr. Burleigh then brought up the matter of adopting the State Building Code for the Town.

The Board discussed the matter and decided to invite the Building Inspector to the next regular meeting to discuss it further.

The Town Clerk was instructed to notify the Building Inspector to attend the next meeting of the Town Board.

Mr. Dillon presented a request for the installation of three (3) street lights on Park Ave. at Nanuet.

Mr. Fibble moved the following resolution:-

RESOLVED, that street lights be erected on Poles 50, 53 and 56 on Park Ave. at Nanuet, and,

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

Seconded by Mr. Fibble.

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

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

NOES: None.

Mr. Dillon read a letter from the Spring Valley Water Co. in regard to the low water pressure on Grandview Ave. at Nanuet. The Water Co. explained that a water main was being laid from Route 59 south along Grandview Ave. to connect with the present line thereby creating a two way feeding system which they hoped would remedy the situation.

Mr. Dillon read a letter from the State Traffic Commission in regard to the Board's request for a 30 MPH speed zone on Route 9W at Rockland Lake from the Blue Urn Milk Bar to the Lakeland Hotel. The letter stated that there was not sufficient development along this section of the highway to warrant a restricted zone and therefore the request was denied.

Mr. Dillon read a letter from the State Traffic Commission in regard to the posting of signs for the Area Speed Restriction in the Town. The letter stated that the establishment and posting of the area was one of the most complete and satisfactory projects inspected in District 8 of the Dept. of Public Works. The letter did request that one additional Exit type sign be posted on Highland Ave. at the Orangetown line.

The Town Clerk was instructed to notify the Supt. of Highways to erect the necessary sign.

Mr. Dillon read a letter from the Dept. of Audit and Control acknowledging receipt of an Order of the Board to establish a Water Supply District at West Nyack.

AFA213

7/11/52

Mr. Dillon read a letter from Norman Baker, Clerk of the Central School District #1, expressing the School Board's regret that the Town Board had not seen fit to grant to the District a larger share of the moneys for their Youth Program, and informing the Board that the request would be renewed in 1953 with the hope that it would receive favorable consideration.

Mr. Dillon presented a copy of a resolution adopted by the Zoning Board of appeals granting a Variance to Catherine M. and John T. Miotk.

An application for a Street Opening Permit for Franklyn J. Haas was approved and signed by the Board.

The Town Clerk was instructed to forward the application to the County Engineer for his approval.

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

| | |
|-----------------|--------------------|
| Supervisor | Building Inspector |
| Town Clerk | Police Dept. |
| Welfare Officer | |

Mr. Welchman moved that the reports be accepted.

Seconded by Mr. Schmersahl.

Carried.

The application of Jack Kirsch for a change of zoning of his property at West Nyack from "Residence A" to "Business B" was presented to the Board.

Mr. Schmersahl moved the following resolution:-

WHEREAS, Jack Kirsch 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 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 8th day of August, 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.

Supt. of Highways Emil Klein reported that the Culvert on Old Haverstraw Rd. which had been blocked by Augustin Dombek had not been reopened.

The Board instructed the Town Clerk to write to Mr. Dombek and request that the Culvert be opened immediately.

7/11/52

The Board then held a public hearing on the application of Solomon Levinson for a change of zoning of his property at West Nyack from "Residence A" to "Business B".

After hearing all persons interested in the application, the Board returned to a Town Board Meeting.

Mr. Burleigh moved the following resolution:-

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 13th day of June, 1952, provided for a public hearing on the 11th day of July, 1952, 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 Solomon Levinson to amend the Building Zone Ordinance for the said Town by redistricting the property of the said petitioner from "Residence 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 be and it hereby is amended by redistricting the following described property at West Nyack in said Town from "Residence A" to "Business B",

BEGINNING at a point where the northerly side of Route 59 intersects the northerly side of the road running northwesterly from Route 59 to Old Greenbush Road; thence turning and running along the north side of Route 59 south 83 degrees 35 minutes east a distance of 458.6 feet; thence turning and running northerly parallel with the easterly side of Old Greenbush Road a distance of 200 feet; thence turning and running on a course of north 83 degrees 35 minutes west to the east side of Old Greenbush Road; thence turning and running southerly along the east side of Old Greenbush Road to a point where the northerly side of the road leading westerly from Route 59 intersects the east side of Old Greenbush Road; thence running southeasterly along the northerly side of the road running northwesterly from Route 59 to Old Greenbush Road to the point or place of beginning.

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 a petition signed by the residents of Palisade Ave. at Nanuet. The petition stated that in 1942 the Town of Clarkstown had paved Palisade Ave. and in doing so had raised the lower end of the road above the natural grade so that water collected at the low points and did not drain off. The petitioners requested that the road be lowered to its original level or drains be installed along the sides of the road to carry off the surface water.

Mr. Dillon submitted the Supt. of Highways report on the matter. Mr. Klein stated that the natural flow of water had been to the north under Palisade Ave. and when homes had been constructed on the north side of the street the natural drainage had been obstructed. Mr. Klein said that Mr. John Forni, who owns property at the west end of Palisade Ave. would be willing to grant an easement

7/11/52

if Lederle Laboratories would furnish and install drain pipe from the low spot on the street 500 feet west in order to carry off the water. He said that if this solution is not acceptable to the Board, then he should be authorized to open up the properties that are obstructing the drainage and let the water take its natural course to the north.

The Board discussed the matter at great length and finally decided that the Supervisor and the Supt. of Highways should contact Lederle to see if something could be done to have the necessary drainage installed.

Mr. Dillon informed the Board that he had received the Civil Service list containing only the name of John D. Martz, who was at present serving on the Police Dept. on a Provisional basis.

Mr. Welchman moved the following resolution:-

RESOLVED, that John D. Martz be permanently appointed to the Clarkstown Police Dept. at an annual salary of \$3,200, and,

FURTHER RESOLVED, that the appointment become effective on July 11, 1952.
Seconded by Mr. Fibble.

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

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

NOES: None.

Chief Wiebecke informed the Board that he had received an application for the position of Patrolman to the Police Dept. He said that the applicant, Norman Cawley, was at present residing at Orangeburg, but if appointed he would move to Clarkstown.

Mr. Schmersahl moved the following resolution:-

RESOLVED, that Norman Cawley be provisionally appointed as Patrolman to the Clarkstown Police Dept. at an annual salary of \$3,200, and,

FURTHER RESOLVED, that this appointment become effective on July 12, 1952.
Seconded by Mr. Burleigh.

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

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

NOES: None.

Mr. Roepe informed the Board that he had drawn up a resolution for a 40 hour week for the Police Dept.

Mr. Burleigh moved the following resolution:-

RESOLVED, that no member of the Police Dept. of the Town of Clarkstown shall serve, except in case of emergency, more than forty (40) hours in any calendar week; and it is further,

RESOLVED, that this resolution shall not affect the existing scale of pay of the members of said Police Dept.; and it is further,

RESOLVED, that this resolution shall become effective on the 1st day of January, 1953.

7/11/52

Seconded by Mr. Schmersahl.

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

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

NOES: None.

Chief Wiebecke requested permission to attend the Police Chiefs convention at Utica, New York, during the week of July 21st.

Mr. Schmersahl moved the following resolution:-

RESOLVED, that Chief of Police Ernest Wiebecke be granted permission to attend the Police Chiefs convention at Utica, New York, from July 21 to July 25, 1952, at the expense of the Town.

Seconded by Mr. Burleigh.

Carried.

Mr. Roepe informed the Board that it would be necessary to hold public hearings on the Assessment Rolls for Hughes St. and Strawberry Hill Lane.

Mr. Welchman moved the following resolution:-

WHEREAS, the assessment roll for the improvement by paving of Hughes St. at Congers, in said Town, was duly completed and filed in the office of the Town Clerk, pursuant to Section 239 of the Town Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board meet on the 8th day of August, 1952, at 9:15 o'clock in the evening, Eastern Daylight Saving Time to hear and consider any objections which may be made to said assessment roll and,

BE IT FURTHER RESOLVED, that the Town Clerk cause notice thereof to be published once in the Journal News, pursuant to Section 239 of the Town Law.

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. Schmersahl moved the following resolution:-

WHEREAS, the assessment roll for the improvement by paving of a portion of Strawberry Hill Lane, West Nyack, in said Town, was duly completed and filed in the office of the Town Clerk, pursuant to Section 239 of the Town Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board meet on the 8th day of August, 1952, at 9:30 o'clock in the evening, Eastern Daylight Saving Time, to hear and consider any objections which may be made to said assessment roll, and,

BE IT FURTHER RESOLVED, that the Town Clerk cause notice thereof to be published once in the Journal News, pursuant to Section 239 of the Town Law.

Seconded by Mr. Burleigh.

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

7/11/52

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

NOES: None.

The Board then held a public hearing on the application of the New York Trap Rock Corporation for a change of zoning of their property at Centenary from "Residence A" to "Industrial".

After hearing all persons interested in the application, the Board returned to a Town Board Meeting.

The Board discussed the matter at great length, taking into consideration the pending lawsuit between the Trap Rock and the Town and the considerable opposition to the application.

Mr. Burleigh moved that the application be denied without prejudice. 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. Harry Herrlein of New City came before the Board. Mr. Herrlein informed the Board that there was a terrific odor in the neighborhood of his home. He said that at times it was so unbearable that it was necessary to close all the doors and windows in his home. He asked why it was necessary for him to have to endure such terrible odors from a neighboring property and he requested prompt action by the Board. He said that he has over 100,000 animals on his property and he has never had complaints regarding odors.

Mr. Roepe informed Mr. Herrlein that the Town Board can take no action unless a health menace is proven.

Mr. Dillon asked Mr. Herrlein to submit the name or names of the offending property owners to the Town Clerk.

Mr. Herrlein said that he did not know definitely who was at fault since there were three Pig Farms in the area.

The Town Clerk was instructed to notify the Health Officer and the Building Inspector to inspect the Farms to determine which one the odor was coming from.

Mr. George Mittleman of New City came before the Board. Mr. Mittleman requested the Board to have the Highway Dept. paint a white line on the center of Goebel Road. He said that the road is very winding and the present white line stops at the curves and intersections.

The Board referred the matter to the Chief of Police.

Mr. 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.

7/11/52

Mr. Fibble moved the following resolution:-

RESOLVED, that O. T. Keyser, Chairman of the Board of Assessors, Town of Clarkstown, be granted permission to hire two (2) women for the purpose of totaling the Tax Roll, at a maximum cost of \$100.

Seconded by Mr. Burleigh.

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

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

NOES: None.

Bills Nos. 609 to 689 on Warrant #7 in the amount of \$28,269.49 were audited by the Board and ordered paid.

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

Seconded by Mr. Burleigh.

Carried.

Meeting adjourned.

August W. Hansen
Town Clerk of Clarkstown

AFA213