

SPECIAL MEETING

November 21, 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, explaining that it had been called for the purpose of discussing a petition which had been submitted by a group of Central Nyack residents in protest to the re-establishment of the Nyack Waste Paper & Salvage Co. business at Central Nyack. Mr. Dillon said that the warehouse had recently been destroyed by fire and was being rebuilt.

Mr. Arthur Dorn, spokesman for the group, came before the Board. Mr. Dorn said that the protest was being made because the warehouse had always constituted a serious fire and health hazard. He said that the Waste Paper Co. has continually violated the Labor and Health Laws and also the Town Ordinances. Mr. Dorn quoted a number of Sections of the Town Ordinances which had been violated by the Company. Mr. Dorn said that Mr. Daugherty, whose home had been completely destroyed by the fire which destroyed the warehouse, has had a continuous job to clean his property of the litter from the waste paper business. He said that the paper blows all over the neighborhood and many other residents have been forced repeatedly to clean up their properties. The paper also blows from the trucks while in transit and litters the streets. Mr. Dorn stated that the entire premises was a breeding place for rats which infested the entire neighborhood. Mr. Dorn said that on many occasions trucks belonging to the Company were parked on Mr. Daugherty's property and in front of his driveway and he has had to request time and again that they be moved.

Mr. Daugherty claimed that even though he had complained to the Police regarding the trucks, no summons had ever been issued nor was any attempt made to enforce the traffic laws.

Mr. Dorn said that all night parking on the highway has been a common occurrence and on many occasions the trailers were parked half on the highway at night and were not properly lighted with the result that at least four people were involved in accidents. He said that on one occasion an ambulance was blocked by a detached trailer and was unable to proceed. Although two specific complaints were registered and the police were petitioned on more than one occasion, the Clarkstown Police never took any action in the matter.

Mr. Daugherty stated that Besso had used a bull dozer to clear the property after the fire and had completely obliterated his property markers.

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Mr. Daugherty said that Besso had offered, through a real estate agent, to buy his property and had even made an offer after the fire, but he had refused to sell. He said that gasoline was stored in the buildings for use in a gas powered winch and that no inspection of the buildings was ever made by the Building Inspector or the Chief of Police.

Mr. Dorn informed the Board that on many occasions, employees of the Waste Paper Company had used profane language on the premises and have annoyed wives of the petitioners. He said that the trucks had repeatedly used the Daugherty property to gain access to Besso's when the building was being put up. Mr. Dorn stated that the building was a disgrace to the entire neighborhood and should never have been permitted. Mr. Dorn said that in his opinion of the Junk Ordinance of the Town, each truck was to be licensed by the owner and upon investigation it was learned that Besso had obtained only one license for the five trucks which he operates. Mr. Dorn asked if the Town did not have some control over construction of this type? He said that Dexter Press is putting up a modern, fire proof building at West Nyack and Besso plans to build a ware house in the immediate vicinity of the same type construction as the one which was destroyed in the fire.

Town Attorney Edward G. Roepe informed Mr. Dorn that the Town will have no control over commercial building until the State promulgates a Building Code for this type of building. He said that at the present time the only Code is one dealing exclusively with residences.

Joseph McDevitt of Central Nyack said that their complaints had been submitted to the Zoning Board of Appeals who had in turn referred them to the Town Board. He asked who had jurisdiction over matters of this sort?

Mr. Dorn said that Besso had replaced the roof on the old building without a permit and the Building Inspector had ordered him to stop work immediately and instead of complying, Mr. Besso had continued to work on the building for at least a week. He said that the building should not be rebuilt since the whole structure had been weakened by fire and was unsafe.

Mr. Daugherty informed the Board that his loss through the fire was in the neighborhood of \$30,000 and only \$5,000 was covered by insurance. He insisted that a thorough investigation be made of the entire matter and the residents informed of the results.

Mr. Dillon informed those present that the matter would be studied by the Board and a course of action determined. He said that the Building Inspector and Chief of Police would be called in to discuss the case with the Town Board.

Mr. Fibble moved that the meeting adjourn.

Seconded by Mr. Welchman.

Meeting adjourned.

Carried.

August W. Hansen
Town Clerk of Clarkstown