

PUBLIC HEARING
February 13, 1953

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 a petition for the extension of the New City-West Nyack Water Supply District to include Rose Road.

Mr. Stephen G. Doig, Jr., Attorney for the Petitioners, came before the Board and requested approval of the petition for extension. Mr. Doig said that it was in the public interest to establish the extension and provide water service for the residents of Rose Road.

Mr. Doig called Mrs. Isabel Simons before the Board to testify in favor of the petition.

After being sworn-in by Supervisor Dillon, Mrs. Simons was questioned by Mr. Doig and testified as follows:-

Q. Do you own property within the proposed extension?

A. Yes.

Q. Are you familiar with the extension as proposed?

A. Yes. I obtained most of the signatures for the petition.

Q. Are all owners of property within the district benefited?

A. Yes.

Q. Are all owners of property so benefited included within the said district?

A. Yes.

Q. Is the extension of the water district in the public interest?

A. Yes. During the recent ice storm, none of the residents of Rose Road had any water and suffered great inconvenience. It would increase the value of the property and also lower insurance rates for the individual home owner.

After hearing all persons in favor of the petition, Mr. Dillon asked if anyone wished to speak in opposition.

No one appeared before the Board in opposition.

Mr. Welchman moved that the hearing be closed.

Seconded by Mr. Schmersahl.

Carried.

Hearing closed.

August W. Hansen
Town Clerk of Clarkstown

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TOWN BOARD MEETING

February 13, 1953

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. Fred Engels, Attorney at Law, came before the Board and requested the Board to accept a portion of Caparal Lane at New City as a Town road. He presented Deeds from Ralph Lombardi and Elsa Eberling to the Town of Clarkstown. Mr. Engels said that the original Survey had been forwarded to the State Dept. of Health and had not as yet been returned.

Supt. of Highways Emil Klein informed the Board that the road met with Town specifications with the exception of a turn around at the end.

Town Attorney Edward G. Roepe said that the road could be accepted on the conditions that a copy of the Survey be filed with the Town Clerk and the turn around completed to Mr. Klein's satisfaction.

Mr. Welchman moved the following resolution:-

RESOLVED, that the Deeds of Ralph Lombardi and Elsa Eberling, dedicating a portion of Caparal Lane at New City as a Town highway, be and the same are hereby accepted, and the said Caparal Lane be included in the Town highway system.

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. William Furno of West Nyack came before the Board and said that the following property owners had not been included in the West Nyack Water Supply District:

Mrs. Alice Freeman

Mr. John Cirelli

Mrs. Fred Brandenburg

Mr. John Marsico

Mr. Frank Broomfield

Mr. Furno requested that the names be added to the assessment roll and the property owners assessed accordingly.

O. T. Keyser, Chairman of the Board of Assessors, said that all the names had been taken from the petition and Thomas Simpson had given him some additional names when the Assessment Roll was made up. He said that he did not know how the five property owners happened to be excluded.

Mr. Dillon informed Mr. Furno that the names could not be included this year since the tax had already been levied. He said that they would be placed on the roll next year and assessed the same amount as the original petitioners.

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Mr. Birley Buchanan came before the Board in regard to the Group Insurance Plan for Town employees which the Board had been considering.

Town Attorney Edward G. Roepe said that he was not satisfied with the full time employee clause in the contract. He said that if one of the Councilmen had occasion to use the plan, the Insurance could refuse to pay the medical expenses on the grounds that the Councilmen were not full time employees.

Mr. Buchanan said that the Insurance Company would accept the Town's statement that all employees covered were full time.

The Board reviewed the plan and decided to defer action until a later date.

Mr. Dillon informed the Board that a resolution was necessary setting the time and date of Town Board meetings for 1953.

Mr. Fibble moved the following resolution:-

RESOLVED, that the Town Board of the Town of Clarkstown meet on the 2nd Friday of each month at 8:00 P.M. in the office of the Town Clerk at New City.

Seconded by Mr. Schmersahl.

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

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

NOT VOTING: Mr. Burleigh.

Mr. Dillon informed the Board that the application of John Rocco for a change of zoning of his property had been returned with a proper survey.

Mr. Roepe requested that the application and survey be referred to him so that it could be checked before a public hearing date is set.

The Board referred the application to Mr. Roepe.

Mr. Dillon presented the application of George Winstead for a change of zoning of his property at Valley Cottage.

The Board referred the application of Mr. Roepe to be checked before a public hearing date is set.

Mr. Burleigh informed the Board that he had received a request for street lights on Lexow Ave. at Nanuet.

Mr. Burleigh moved the following resolution:-

RESOLVED, that street lights be erected on Pole #2 on the corner of Lexow Ave. and Prospect Ave. and on Pole #3 and #7 on Lexow Ave. at Nanuet, and,

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

Seconded by Mr. Welchman.

Carried.

Mr. Fibble informed the Board that overhanging tree limbs have been interfering with the Flag at the Station Square at Congers.

Supt. of Highways Emil Klein said that he would have the trees trimmed.

Mr. Dillon said that he had received a request for the installation of a street light on Old Nyack Turnpike at West Nyack.

Mr. Fibble moved the following resolution:

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RESOLVED, that a street light be installed on the 2nd Pole on the south side of Old Nyack Turnpike at West Nyack, and,

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

Seconded by Mr. Schmersahl.

Carried.

The Board then held a public hearing on a petition for the extension of the New City-West Nyack Water Supply District to include Rose Road at West Nyack.

After hearing all persons interested in the petition the Board returned to a regular Town Board meeting.

The Board adopted the following Order:-

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In the Matter of the Petition for an Extension	x	ORDER
of the New City-West Nyack Water Supply		
District.	x	EXTENDING
		DISTRICT

- - - - -

A petition in this matter for the extension of the New City-West Nyack Water Supply District of the Town of Clarkstown having been duly presented to the Town Board, and an order having been duly adopted by the Town Board on the 9th day of January, 1953, for the hearing of all persons interested in the matter on the 13th day of February, 1953, at 9:00 P.M., Eastern Standard Time, at the office of the Town Clerk, Main Street, New City, New York, and a hearing by the said Board having been duly held at the time and place, and it having been duly resolved and determined following such hearing that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all the property and property owners within the proposed extension were benefited thereby, that all the property and property owners benefited were included within the limits of the proposed extension, and that it was in the public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved, it is hereby

ORDERED, that the New City-West Nyack Water Supply District of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town described as follows:-

BEGINNING at a point 500 feet east of the easterly line of Rose Road which point is also 500 feet south, measured at right angles, from the southerly line of Route 59; running thence in a southerly direction and parallel to said Rose Road and at all times 500 feet easterly from the easterly line thereof a distance of 4000 feet; thence turning and running westerly at right angles to the first course a distance of 1030 feet to a point which is 500 feet west of the west line of Rose Road; thence turning and running north at all times parallel to the westerly line of Rose Road a distance of 4050 feet to a point which is 225 feet south of the southerly line of Route 59; thence turning and running in a south easterly direction across Rose Road and nearly parallel to Route 59 to the point or place of beginning.

Mr. Abraham Metlitz of Nanuet came before the Board and requested the installation of a "Stop" sign at the intersection of Town Line and Blauvelt Roads, on the northwest corner of Blauvelt Road.

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Mr. Klein said that he would check the intersection and install the sign.

Mr. Louis Heydeman of Nanuet came before the Board and requested the relocation of a hydrant on Main Street. Mr. Heydeman said that he was building two stores on Main Street and the hydrant was blocking the entrance to a proposed parking lot adjoining the stores.

The Board approved the request and instructed the Town Clerk to forward the information to the Spring Valley Water Company.

Mr. Norman Baker, Clerk to the Central School District #1, came before the Board and renewed a request by the Board of Education to make more funds available to the school for their Youth Program. He said that the pupil enrollment had risen from 1403 last year to 1493 this year and the Board of Education wished to expand the program to include the 1st and 2nd year high school.

Mr. Burleigh said that the appropriations were based on Town wide population figures and he understood that more funds would be made available this year due to the increase in population.

Mr. Dillon said that he would contact Mr. Felix Festa and MacArthur Barr, principals of the Central School and the Nanuet School and try to work out an agreement on the distribution of the funds.

Mr. Dillon informed the Board that he had received a notice of hearing from the State Dept. of Health regarding the installation of faulty septic systems at the Lexow Ave. and Park Ave. developments at Nanuet. He said that the hearing would be held on February 26, 1953, at 2:00 P.M. at 270 Broadway, New York City.

Mr. Dillon read a letter from the State Traffic Commission regarding a request by the Board for the installation of a traffic light at the intersection of Lake Road and Route 9W at Congers. The letter stated that an investigation had been made of traffic conditions at this intersection and it was determined that a light was not necessary. The letter also stated that another investigation would be made during peak traffic periods this summer and the Board would be advised as to the findings.

Mr. Dillon read a letter from John A. Stefan of the Nanuet National Bank expressing his appreciation to the Board for designating the Bank as the official depository for all Town funds.

Mr. Dillon read a letter from the Rockland County Bar Association requesting the Board to act on the revision of the Petit Jury Lists so that as many qualified jurors as possible would be included. The Bar Association maintained that the present lists were entirely inadequate in that they contained too few names.

Town Clerk August H. Hansen requested permission from the Board to turn in an old typewriter and purchase a new one. He said that the old typewriter was almost 12 years old and was long over due for replacement.

Mr. Burleigh moved the following resolution:-

RESOLVED, that Town Clerk August Hansen be authorized to purchase one new typewriter for use in his office and to turn in an old typewriter to reduce the purchase price.

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Seconded by Mr. Schmersahl.

Carried.

Mr. Dillon informed the Board that a meeting would be held on February 27, 1953, at 8:00 P.M. in the Nanuet School Auditorium. He said that the purpose of the meeting was to discuss the Tax Map and Revaluation Program with the people of the Nanuet area and hear any opinions which they might have regarding the program.

Mr. Dillon read a letter which he had received from the Dept. of Public Works regarding property in Clarkstown which would be taken by the Thruway. The letter stated that the right-of-way maps for the Nyack-Suffern area had not been completed and anyone wishing to know if their property would be effected by the Thruway should write to Parson's, Brinckerhoff, and Hall and MacDonald at 51 Broadway, New York 6, NY, and any available information would be furnished.

Mr. Dillon presented a certified check and Bond in the amount of \$12,000 for the extension of the subdivision at Vanderbilt Heights at New City. The check and Bond had been forwarded by the Planning Board after being posted by the developers for the completion of roads in the development.

Mr. Dillon informed the Board that he had contacted the Chairmen of the Planning Board and the Zoning Board of Appeals. He said that they had suggested that it would be adviseable to take steps to prevent the establishment of Trailer Camps in the Town. Their recommendations were to rescind Section 27 of Article 15 of the Town Ordinances and to amend the Building Zone Ordinance to prohibit the placing of a House Trailer on a permanent foundation thereby creating a residence.

Mr. Roepe said that he did not believe it would be constitutional to deprive an individual of the right to own a house trailer, which they would be doing if they followed the Planning and Zoning Boards recommendations. He said that although trailer camps are not desireable in any Town, if the applications are in order and the requirements of the Ordinance are fulfilled, there is no recourse except to grant a license.

The Board then discussed the proposed Sanitary Code. The Town Clerk was instructed to notify William Yuda, the Engineer retained by the Town, to be present at a special meeting of the Board to be held on March 6, 1953, at 7:30 P.M. at the Town Clerk's Office.

Mr. Dillon informed the Board that Building Inspector John Jeffrey would be reaching retirement age on April 1st, 1953. He read letters from the Planning Board and the Zoning Board of Appeals urging the Town Board to request an extension of one (1) year for Mr. Jeffrey from the State Pension Board. The letters stated that Mr. Jeffrey's services to the Town were invaluable in view of his experience and knowledge and with the adoption of the State Building Code and the Multiple Residence Law the position required a man of Mr. Jeffrey's ability.

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Mr. Dillon said that the Town was very fortunate in having had someone of Mr. Jeffrey's experience as Building Inspector. He said that Mr. Jeffrey had had many years of experience in the construction business and is a licensed architect.

Mr. Fibble said that he was not in favor of an extension for Mr. Jeffrey. He said that when a man reaches the retirement age he should be prepared to step out and let a younger man take his place. He said that a new man coming into the position now would come in on the ground floor insofar as the Building Code and the Multiple Residence Law were concerned since neither had been in existence very long. Mr. Fibble said that the longer the appointment of a new man is held off, the more difficult it would be to obtain the services of some one qualified to handle the job.

Mr. Welchman stated that he was in favor of appointing George Murdock to the position. He said that Mr. Murdock was on the list and had held the position on a provisional basis once before and was well qualified.

Mr. Dillon said that the list contained the names of the following persons:

John Jeffrey
Joseph Mutinsky
Hamilton Fisher

Mr. Welchman and Mr. Fibble both stated that they could not understand why Mr. Murdock's name was not on the list since he had taken the examination and had passed.

Mr. Dillon said that he would contact the Civil Service Dept. to determine if Mr. Murdock is on the list.

Mr. Louis Heydeman of Nanuet came before the Board. He urged the Board to retain the services of Mr. Jeffrey in view of his efficiency and capability. He requested that the Board apply for a one year extension for Mr. Jeffrey in order that the people of the Town may receive the benefit of his knowledge and experience.

After discussing the matter further, the Board decided to defer action until a later meeting.

Bills Nos. 97 to 205 on Warrant #2 in the amount of \$14,235.92 were audited by the Board and ordered paid.

There being no further business to come before the meeting, Mr. Schmersahl moved adjournment.

Seconded by Mr. Fibble.

Carried.

Meeting adjourned.

August W. Hansen
Town Clerk of Clarkstown