

## SPECIAL MEETING

March 6, 1953

Town Clerk's Office

7:30 P.M.

Present; Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Burleigh

Mr. Dillon

Mr. Dillon called the meeting to order.

Mr. William Yuda, an Engineer retained by the Town, came before the Board. Mr. Yuda reported that he had completed all work on the proposed Septic Tank Ordinance and he presented it to the Board for review. The Board decided to have copies of the Ordinance made up for the Board members so that it could be thoroughly reviewed before a public hearing date is set.

Mr. Lincoln Waldron of West Nyack came before the Board and urged that an extension be granted to present Building Inspector John M. Jeffrey. Mr. Waldron said that Mr. Jeffrey's services to the Town have been invaluable and that he has experience that would be very hard to duplicate.

Mr. Dillon informed Mr. Waldron that his request would be placed on the record.

Mr. Dillon reported that he had attended a hearing held by the State Dept. of Health at New York City in regard to the installation of faulty septic systems on Lexow and Park Avenues at Nanuet. He said that many residents of both streets had attended the hearing and preliminary proceedings had been completed. The next hearing was to be held at New City on March 11, 1953, at 10:00 A.M.

Mr. Frank W. Kemmer, Welfare Officer, came before the Board. Mr. Kemmer stated that he had conferred with the Town Attorney regarding the selling of the second mortgage which the Town holds on the Sharman property at New City. Mr. Kemmer said that under the law an auction could be held and the mortgage sold to the highest bidder.

Mr. Dillon said that the County had received a ruling from the State that only bids equalling the amount of the mortgage could be accepted. He said that he would check on the matter and notify both the Town Attorney and the Welfare Officer.

Town Attorney Edward G. Roepe said that Section 106 of the Welfare Law provides that the mortgage may be sold to the highest responsible bidder.

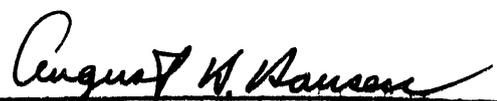
Mr. Dillon said that he would speak to the County Attorney in order to clarify the matter.

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

Seconded by Mr. Burleigh.

Carried.

Meeting adjourned.

  
Town Clerk of Clarkstown

## TOWN BOARD MEETING

March 13, 1953

Town Clerk's Office

8:00 P.M.

Present : Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Burleigh

Mr. Dillon

Mr. Dillom called the meeting to order.

Mr. William Stack of Nanuet came before the Board as the representative for the Equitable Life Insurance Company. Mr. Stack presented a proposal to the Board to include all Town employees in a group insurance plan.

Mr. Dillon informed Mr. Stack that the Board had been considering such a plan for the employees. He suggested that the proposal be left with the Board and the entire matter would be reviewed at a special meeting to be held at a later date.

Mr. Samuel Goloven of Nanuet came before the Board and renewed a request for the installation of signs restricting speed to 30 MPH on N. Middletown Rd. at Oakbrook. Mr. Goloven said that vehicles traveling at excessive speeds have become a serious problem and the people of that area would like some action on the matter.

The Town Clerk was instructed to write to the State Traffic Commission and request permission to install the signs.

Mr. John Feick of West Nyack came before the Board. Mr. Feick informed the Board that he had posted a Bond and a certified check in the amount of \$1,200 for the completion of Cardinal Court at his development at West Nyack.

Mr. Dillon read a letter from the Planning Board approving the Bond and amount of Surety which Mr. Feick had posted.

Mr. Feick said that the Planning Board had given him final approval for the extension of his subdivision and the only further requirement was approval from the State Dept. of Health. He requested that the Town accept the roads.

Mr. Roepe said that in view of the Bond posted by Mr. Feick, the Town could accept the roads conditionally. He said that the Deed and Certificate of Title for Pheasant Drive was in the possession of the Town Clerk and the only further requirement was for Mr. Feick to file a map with the Town Clerk and present a Deed and Certificate of Title for Cardinal Court.

Robert Knapp and Charles Dittrich came before the Board as representatives of the New City Businessmens Association. Mr. Knapp said that a map had been filed with the Town Clerk showing a new road which was proposed by the New York Trap Rock Company to take the place of the Scratch Up Road, which had been closed to the public. Mr. Knapp said that there had been strenuous objection when Scratch Up Road was closed especially since the new road had not yet been started. Mr. Knapp said that there was particular objection to the location of the intersection of the new road and Route 9W

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He said that the intersection was very dangerous and if it was necessary to relocate Scratch Up Road, at least the intersection with Route 9W should remain the same.

Mr. Welchman suggested that the Businessmen, the Supt. of Highways, the Town Board and representatives of the Trap Rock meet and discuss the matter.

The members of the Board voiced their approval of this suggestion and it was decided that a meeting would be arranged as soon as possible.

Dr. John Hopf of Spring Valley came before the Board. Dr. Hopf stated that his application to establish a Trailer Court had been denied by the Zoning Board of Appeals and according to the Town Ordinances he had the right of appeal to the Town Board. He requested that the Town Board act favorably since he had met each requirement in the Article dealing with Trailer Camps.

Mr. Dillon read a letter from the Zoning Board of Appeals denying Dr. Hopf's application.

Mr. Roepe informed Dr. Hopf that it would be necessary for the Town Health Officer to approve all sanitary installations for the Trailer Camp before the Town Board could act. He suggested that Dr. Hopf contact the Health Officer and submit his plans and specifications.

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

Mr. Welchman moved the following resolution:-

WHEREAS, Joseph L. Rocco, has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of 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 Section 265 and 264 of the Town Law be had at the office of the Town Clerk, Main Street, New City, New York, on the 10th day of April, 1953, at 8:00 P.M., Eastern Standard 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 presented the application of George Winstedt for a change of zoning of his property at Valley Cottage from "Residence A" to "Business B".

Mr. Burleigh moved the following resolution:-

WHEREAS, George H. Winstedt, 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",

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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 10th day of April, 1953, at 8:15 P.M., Eastern Standard Time, relative to such proposed amendment, and it is,

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory amendment 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 presented the application of the Sun Oil Company for a change of zoning of their property at Nanuet from "Residence A" to "Business B".

Mr. Burleigh moved the following resolution:-

WHEREAS, Sun Oil Company, has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of 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 265 and 264 of the Town Law be had at the office of the Town Clerk, Main Street, New City, New York, on the 10th day of April, 1953, at 8:30 P.M., Eastern Standard Time, relative to such proposed amendment, and it is,

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and 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 read a letter from the Dept. of Audit & Control acknowledging receipt of the Order extending the New City-West Nyack Water Supply District to include the Rose Road area.

Mr. Dillon read a letter from Rockland Light & Power Company regarding a street light which the Board had recently ordered on Old Nyack Turnpike at Central Nyack. The letter stated that in order to install the light it would be necessary to extend the lighting circuit 10 sections, 8 of which would have to be paid by the Town at an estimated cost of \$200 to \$250.

The Town Clerk was instructed to write to the Rockland Light & Power Company and request that the installation be held in abeyance for the time being, since there were no funds in the Budget of the Central Nyack Lighting District to cover such an expenditure.

Mr. Dillon read a letter from the Police Benevolent Association expressing their appreciation to the Board for establishing a 40 hour week for the Police.

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Mr. Dillon read a letter from the Spring Valley Water Co. informing the Board that an investigation would be made to relocate the hydrant on Main Street, Nanuet.

Mr. Dillon suggested that the Board adopt a resolution authorizing the County Planning Board to amend the Zoning Map for the Town whenever it is necessary to do so instead of granting an authorization each time the Zoning Ordinance is amended.

Mr. Schmersahl moved the following resolution:-

RESOLVED, that the Rockland County Planning Board be and hereby is authorized by the Town Board of the Town of Clarkstown to make future changes on the Building Zone Map for the Town whenever any amendments to the Building Zone Ordinance are adopted by the Town Board.

Seconded by Mr. Burleigh.

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

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

NOES: None.

The Town Board prepared the Special Assessment Roll apportioning the Taxes due for the improvement of Parker Ave. at New City.

Mr. Dillon read a letter from the Zoning Board of Appeals in regard to the issuance of Building Permits for Schools in the Town. The letter stated that Permits should be issued for Schools so that a record would be on file in the Building Inspector's office.

Mr. Roepe informed the Board that he had made an exhaustive study of the matter last year with the final conclusion being that any construction involving the State Education Department was outside the Town's jurisdiction and no Building Permits were required. He suggested that the letter be referred to him and he would advise the Zoning Board of Appeals accordingly.

The Board approved and signed three applications for Street Opening Permits and instructed the Town Clerk to forward them to the County Engineer for his approval.

Mr. Dillon presented the monthly reports for the following Town Officers:-

Town Clerk	Police Dept.
Supervisor	Building Inspector
Welfare Officer	Rec. of Taxes

Mr. Schmersahl moved that the reports be accepted.

Seconded by Mr. Burleigh.

Carried.

Mr. Dillon informed the Board that there were a number of bills due for payment in connection with the West Nyack Water Supply District and he requested authorization to pay them.

Mr. Burleigh moved the following resolution:-

RESOLVED, that Supervisor be authorized to pay the following claims in regard to the establishment of the West Nyack Water Supply District:

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William Furno, West Nyack	\$103.00
William Furno, West Nyack	44.00
William Yuda, Palisades	35.00
Stephen G. Doig, Jr., West Nyack	100.00
	<hr/>
	\$282.00

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 the resignation of Reeve J. Terwilliger as a member of the Clarkstown Planning Board.

Mr. Burleigh moved the following resolution :-

RESOLVED, that Harry Schek, West Nyack, New York, be appointed as a member of the Clarkstown Planning Board, and,

FURTHER RESOLVED, that the term of office begin on March 13, 1953, and end on July 12, 1956.

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 resignation of F. F. Rockwell as a member of the Clarkstown Zoning Board of Appeals.

Mr. Burleigh moved the following resolution:-

RESOLVED, that B. O. Jacobsen, West Nyack, New York, be appointed as a member of the Clarkstown Zoning Board of Appeals, and,

FURTHER RESOLVED, that the term of office begin on March 13, 1953, and end on June 19, 1956.

Seconded by Mr. Schmersahl.

Before voting on the appointment, Councilmen Welchman and Fibble informed the other members of the Town Board that they had had no previous knowledge of the resignations of the two men and they felt that it would be no more than right that all members of the Board be notified of these matters before any recommendations were made.

Mr. Dillon said that when the Planning Board and the Zoning Board of Appeals were first established it was agreed that all appointments would be non-political and each Councilman would be given an opportunity to appoint someone from his own district. He said that actually, in accordance with the Town Law, he as Supervisor, could make all appointments personally, with the approval of the Town Board, but he had never exercised the prerogative. Mr. Dillon said that Mr. Burleigh was within his rights in recommending men for both positions since the men resigning were from his district.

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

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

NOES: None.

The Town Clerk was instructed to notify all Board members of any future resignations well in advance of the Board meetings.

Mr. Dillon informed the Board that he had received a letter from Charles A. Crockett of the Civil Service Dept. in regard to the Civil Service List of Eligibles for the position of Building Inspector. Mr. Dillon said that the list at present, according to the letter, contains three names in the following order:

Joseph Mutinsky- Congers

Hamilton Fisher- Bardonia

George Murdock- Spring Valley

Mr. Dillon said that the only list available to the Board at present was the original list from which John M. Jeffrey was appointed, and it did not include the name of George Murdock.

Mr. Dillon read a letter from the New York State Retirement System advising the Board that Mr. Jeffrey would reach retirement age on May 1st, 1953.

Mr. Dillon then read letters from Albert Engels, Real Estate and Insurance Broker, the Nanuet Civic Association, and M. Duval, Secretary of the Rockland Home Builders, Inc., requesting that Mr. Jeffrey's term of office be extended in view of the excellent service that he has rendered to the Town and his outstanding qualifications for the position. Mr. Dillon said that if the Board wished to retain Mr. Jeffrey's services after May 1st, it would be necessary to petition the State Board of Pensions for an extension.

Mr. Burleigh moved to request an extension for Mr. Jeffrey.

Mr. Fibble then stated that he wished to read a number of letters and resolutions regarding George Murdock. Mr. Fibble read a letter from Edmund I. Karp of Nanuet recommending the appointment of Murdock and he read resolutions from the Zoning Board of Appeals and the Planning Board commending Mr. Murdock when his term had expired in 1949.

Mr. Fibble moved that George Murdock be appointed Building Inspector on Mr. Jeffrey's retirement.

Mr. Dillon stated that Mr. Fibble's motion was out of order, since Mr. Burleigh had already offered a motion which had not been voted upon, and, further, that a new appointment could not be made until a vacancy existed.

Mr. Fibble appealed to Mr. Roepe, Town Attorney, to ascertain if Mr. Dillon's statement was correct, and Mr. Roepe said that it was. He said that Mr. Dillon's ruling was in order since an appointment cannot be made unless a vacancy exists.

Mr. Dillon said that the Board owed Mr. Jeffrey the courtesy of requesting an extension even if the possibility of getting it was remote.

Mr. Burleigh then offered the following resolution :-

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WHEREAS, John M. Jeffrey has been employed as Building and Zoning Inspector for a number of years by the Town of Clarkstown and has performed his duties in a highly satisfactory manner, and,

WHEREAS, this Town Board feels that Mr. Jeffrey's long experience with building and zoning details both legal and practical make him especially qualified, and that it would be to the best interests of the Town of Clarkstown to retain him in service for a period while the Board is considering a successor after his retirement, therefore, be it,

RESOLVED, that the Supervisor be and he is hereby authorized and directed to communicate with the State Commission of Pensions and request a six months extension of Mr. Jeffrey's services pending a decision on his successor. Seconded by Mr. Schmersahl.

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

AYES: Messrs. Schmersahl, Burleigh, Dillon.

NOES: Messrs. Fibble, Welchman.

Mr. Schmersahl then asked Councilmen Fibble and Welchman what they had against Mr. Jeffrey.

Both Mr. Fibble and Mr. Welchman said that they had nothing against Mr. Jeffrey. Mr. Welchman said that an appointment should be made from the eligible list since the list contains the names of three men who are well qualified. He asked Mr. Schmersahl what he had against Mr. Murdock.

Mr. Schmersahl said that he had nothing against Mr. Murdock. It was his opinion that Mr. Jeffrey was much better qualified to handle the position.

Mr. Roepe informed the Board that an appeal was in progress regarding the decision of the Water Power & Control Comm. to grant the Spring Valley Water Co. the right to establish a reservoir in the Town. He said that the County wished to share with the Town the cost of having a short record of the proceedings printed and it would probably cost the Town about \$300, but it would not be in excess of that amount.

Mr. Welchman moved the following resolution:-

RESOLVED, THAT THE Town share with the County of Rockland the cost of having a short record of the proceedings of the Water Power & Control Comm. printed with regard to the establishment of a reservoir in the Town of Clarkstown by the Spring Valley Water Co., such cost not to be in excess of \$300.

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. Roepe informed the Board that he had gone further into the matter of repealing Section 27 of Article 15 of the Town Ordinances, which the Zoning Board of Appeals had recently requested. Mr. Roepe recommended that the Section be left in the Ordinance since it would be arbitrary to repeal it.

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Bills Nos. 206 to 303 on Warrant #3 in the amount of \$4,946.61 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 W. Hansen*  
Town Clerk of Clarkstown