

PUBLIC HEARING

September 18, 1953

Town Clerk's Office

8:15 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Burleigh

Mr. Dillon

Mr. Dillon called the hearing to order, explaining that it had ^{been} called to consider the application of Charles B. and Sophie Marshall for a change of zoning of their property at Bardonia from "Res. B" to "Bus. B".

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

Mr. Jacob Pesner, Attorney for the Marshalls, came before the Board. Mr. Pesner stated that the Parkway will border the property on the South and also on the West and will serve as a barrier between the business and residential zones if the change is granted. He said that there are other business' in the area and the Marshalls wish to establish a small print shop on the property. Mr. Pesner said that since the Parkway serves as a natural barrier between the business and residential zones, the change is merely an extension of the present business zone.

Mr. O. T. Keyser of Bardonia came before the Board in opposition. Mr. Keyser based his opposition on the grounds that most of Bardonia is residential at the present time and the change could very well be the first of many if granted. He said that business at the present time is confined to a depth of 200' at the intersections of Route 304 and the Bardonia and Ludvigh Roads and any further extension into residence areas would affect property values. He also objected on the grounds that the Marshalls have neglected their property and it is very unsightly and the establishment of a print shop would probably result in the property being littered with paper.

Mr. Theodore Eiben came before the Board in opposition. Mr. Eiben said that his property borders on the Marshalls and he has no wish to have a business established so close to his home. He said that once the change is granted, there is no restriction on the use that the property may be put to.

Mr. Henry B. Fortmann came before the Board in opposition. Mr. Fortmann said that he agreed with Mr. Keyser and Mr. Eiben. He said that the property is in such a condition that it represents a fire hazard and any change to commercial would only increase the hazard.

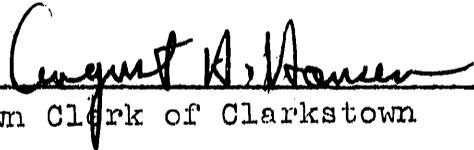
A letter in opposition from Clifton Ambrose of Bardonia was also read.

Mr. Pesner presented a petition bearing the names of a number of Bardonia residents in favor of the change. He stated that the condition of the property has no bearing on the application and the location is suitable for business purposes.

Mr. Welchman moved that the Board reserve decision and the hearing closed.
Seconded by Mr. Schmersahl.

Carried.

Hearing closed.


Town Clerk of Clarkstown

PUBLIC HEARING
September 18, 1953

Town Clerk's Office

8:30 P.M.

Present: Mr. Schmersahl
Mr. Fibble
Mr. Burleigh
Mr. Welchman
Mr. Dillon

Mr. Dillon called the hearing to order, explaining that it had been called to consider the application of Edward Gales for a change of zoning of his property at Spring Valley from "Res. A & B" to "Bus. B".

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

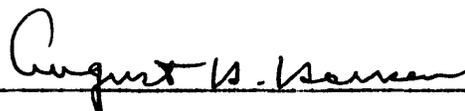
No one appeared to speak for or against the proposed change.

Mr. Welchman moved that the Board reserve decision and the hearing be closed.

Seconded by Mr. Schmersahl.

Carried.

Hearing closed.



Town Clerk of Clarkstown

PUBLIC HEARING

September 18, 1953

Town Clerk's Office

8:45 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Burleigh

Mr. Dillon

Mr. Dillon called the hearing to order, explaining that it had been called to consider the application of Irving Stark and Julius Meyer for a change of zoning of their property at Nanuet from "Res. B" to "Bus. A".

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

Mr. Jacob Pesner, Attorney for Mr. Stark and Mr. Meyer, came before the Board. Mr. Pesner said that the property lies along Route 59 and includes the old Erie right-of-way leading into Route 59. He said that the major portion of the property is about 180' from Route 59 and the nearest residence, and the purpose of the change was to enable the owners to build small hotel apartments on the property.

Mr. W. H. Ackroyd-Kelly of Nanuet came before the Board. Mr. Ackroyd-Kelly said that before a decision is made on the application, the Board should consider that they have already denied two applications in the immediate area. He stated that before any more applications for zoning changes are considered, the whole Township should be rezoned.

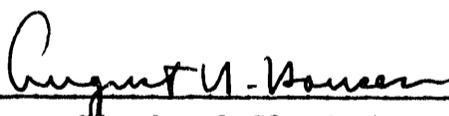
No one else appeared before the Board to speak for or against the proposed change.

Mr. Welchman moved that the Board reserve decision and the hearing be closed.

Seconded by Mr. Fibble.

Carried.

Hearing closed.


Town Clerk of Clarkstown

PUBLIC HEARING
September 18, 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 had been called to consider the application of Harry Hyde for a change of zoning of his property at Valley Cottage from "Res. A" to "Bus. B".

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

Mr. Harry Hyde, the Petitioner, came before the Board and said that he had requested the change so that he could build a warehouse and television studio on the property. Mr. Hyde said that the property was located along Route 303 and there were a number of other business establishments in the vicinity.

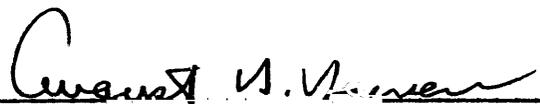
No one else appeared before the Board to speak for or against the proposed change.

Mr. Welchman moved that the Board reserve decision on the application and the hearing be closed.

Seconded by Mr. Schmersahl.

Carried.

Hearing closed.



Town Clerk of Clarkstown

TOWN BOARD MEETING

September 18, 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. Donald Partridge, Attorney for John and Robert Maier, came before the Board and asked if anything further had been done regarding the rezoning of the Maier property at Nanuet.

Mr. Dillon said that the Board had held a further hearing to give the adjoining property owners a chance to be heard and had then denied the application.

Mr. Partridge said that neither he nor the Maiers had been notified of the hearing and he urged the Board to reconsider the denial and grant the change.

Mr. Dillon said that the Board would reconsider the matter and consult with the Town Attorney. He said that in the event of a further hearing, all parties would be notified.

Mr. Paul Bernritter of Nanuet presented a petition bearing the names of a number of residents of Nanuet protesting the change of zoning granted to Stephen Tuzzolino along Route 59.

Mr. Dillon said that the Board would reconsider the matter.

Mr. Burleigh suggested that in view of the increasing number of applications for zoning changes, it might be a good policy to refer them to the Planning Board for recommendations before acting.

Mr. B. Edelman of West Clarkstown Road, Spring Valley came before the Board and presented a petition signed by a number of residents of West Clarkstown urging the appointment of George Murdock as Building Inspector.

Mr. Dillon said that there had been a great deal of controversy regarding this matter and he had contacted the Pension Board for an extension for the present Building Inspector, John Jeffrey. He said that the Civil Service Commission and the Pension Board had both agreed on an extension until December 31, 1953, and then the Civil Service Commission had rescinded their agreement and refused any further extension after August 31, 1953. Mr. Dillon said that he had opposed Mr. Murdock's appointment since the examination had been taken in 1949 and since that time the Town Board has adopted the State Building Code, a Septic Tank Ordinance, Subdivision Regulations and is also governed by the Multiple Dwelling Law. He stated that Mr. Murdock has not had any contact with any of these regulations and therefore is not qualified for the position.

Mr. Norman Baker of New City, came before the Board. Mr. Baker said that he is interested only in the qualifications of the man who will receive the appointment. He said that Mr. Murdock may be qualified to handle the Building Zone Ordinance, but now that the Town had adopted other regulations regarding Building and Zoning, another examination should be held based on these regulations

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so that the best qualified man will hold the position. He said that the appointment should be taken out of politics completely and an appointment made from the results of the new examination.

Mr. Joseph Fibble then stated that Mr. Murdock is qualified to hold the position.

Mr. W. H. Ackroyd-Kelly of Nanuet came before the Board and supported Mr. Baker's views and he insisted that an appointment should not be made until a new examination is held which would take in all the new regulations which the Board has adopted.

Mr. B. Edelman of West Clarkstown stated that Mr. Murdock is at present an Inspector for the State and he held the Building Inspector's position once before on a temporary appointment. He said that George Murdock is qualified for the position.

Mr. Welchman suggested that the matter be held over for a special meeting.

Mr. Fibble then read a copy of a letter from the Civil Service Commission stating that Mr. Jeffrey's extension expired on August 31, and that no further extension would be granted. Mr. Fibble also said that letters had been written by the Supervisor and Councilman Burleigh and directed to the Pension Board and the Civil Service Commission, and he asked why the Town Clerk had not been instructed to write the letters.

Mr. Dillon stated that the Board had adopted a resolution directing the Supervisor to write for the extension and before the first extension expired the Board adopted another resolution directing him to request a further extension for Mr. Jeffrey.

Councilman Burleigh stated that political pressure had been brought to bear with the Civil Service Commission regarding this matter. He said that Mr. Jeffrey is the more qualified man for the position and he has supported him for that reason. He said that Murdock is not qualified and should not be considered for the appointment. Mr. Burleigh said that his first duty is to the people of the Town and not to the political party to which he belongs, and the Civil Service Commission should be requested to abolish the list and hold a new examination based on the regulations which are now in effect in the Town.

Mr. Welchman again requested that a special meeting be held on the matter.

Mr. Dillon said that he saw no necessity for a special meeting. He stated that he had not changed his mind and would continue to vote against the appointment of George Murdock.

Mr. Burleigh's motion to retire the Civil Service list was not seconded.

Mr. Welchman moved that a Special Meeting of the Town Board be held on September 28, 1953, to discuss the matter further.

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 bid from Cyler and Schuk of New City for the construction of Dickinson Ave. at Central Nyack. The bid was in the amount of \$4,850. Mr. Dillon said that the bid could not be accepted since it was in excess of the amount contained in the petition.

Mr. Schmersahl moved that the bid of Cyler and Schuk in the amount of \$4,850 for the construction of Dickinson Ave. be rejected.

Seconded by Mr. Burleigh.

Carried.

The Town Clerk was instructed to return the certified check to Cyler and Schuk and notify the Attorney for the petitioners that a new petition would have to be submitted.

Mr. George Wohl of Congers came before the Board and stated that a traffic light should be installed at the intersection of Lake Road and Route 9W. He said that the intersection was very dangerous and a man had recently been killed there.

Mr. Dillon said that the Board had repeatedly requested the State Traffic Commission to install a light and each time the request had been denied. Mr. Dillon also presented a petition signed by 300 residents of Congers and Rockland Lake requesting the installation of a light. He read a letter from the Traffic Commission denying a request for a traffic light at the intersection of Lake Road and Route 303 in Valley Cottage.

Mr. Welchman moved that the Traffic Commission be requested to reconsider their decision regarding a traffic light at Lake Road and Route 9W.

Seconded by Mr. Fibble.

Carried.

Chief of Police Wiebecke informed the Board that he did not have enough men to cover the school crossings effectively and he suggested the appointment of special school crossing guards.

Mr. Welchman moved that the following individuals be appointed as School Traffic Attendance Officers at \$5.00 per day:

Joseph Nagle - Nanuet School

Charles Horn - Valley Cottage School

Robert Cooper - West Nyack School

Henry Speer - Bardonia School \$3.00 per day.

Seconded by Mr. Schmersahl.

Carried.

Chief Wiebecke was instructed to have the "Caution" light at the intersection of Lake Road and Kings Highway, Congers, repaired.

Mr. Wohl also informed the Board that the sidewalk in front of the Congers School is in very poor condition.

Mr. Dillon said that he would contact Nelson W. Hall, County Engineer, to determine if the sidewalk is on the County right-of way.

Mr. Eric Sundberg of Evergreen Ave., New City, came before the Board and asked to have Evergreen Ave. accepted as a Town road. He said that when the road was first offered to the Town, it met specifications, although the right-of-way was partly on his property.

Supt. of Highways Emil Klein informed the Board that when Robert Solomon presented the Deed, it was discovered that the right-of-way was on Mr. Sundberg's

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property, and the Deed was returned to Mr. Solomon until the condition was corrected. He said that the right-of-way had never been straightened out and now the road was in very bad condition and did not meet specifications and it would cost about \$1.50 a foot to repair the 1,200 feet of road before it could be accepted.

Mr. Dillon informed Mr. Sundberg that the road did not meet specifications and could not be accepted by the Town.

Mr. Klein informed the Board that he had received a request for a "Stop" sign at the intersection of Clinton Ave. and First St.

Chief Wiebecke was instructed to investigate the intersection to determine if a sign was needed.

Mr. Klein reported that the Scratch Up Road was now open.

Mr. Dillon read a letter from Howard Kling of West Nyack. Mr. Kling explained in his letter that his property was being used for commercial purposes even though it was in a residential zone by virtue of the fact that the business had been established before zoning.

Mr. Dillon said that the complaints stated that merchandise was being displayed and sold from the front yard. He suggested that the matter be held for a future meeting.

Mr. Dillon requested a resolution setting the fee for the Attorney for the NewCity-West Nyack Water Supply District.

Mr. Schmersahl moved the following resolution:-

RESOLVED, that the fee for the Attorney for the New City-West Nyack Water Supply District be set at \$500.00.

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 read a letter from Melvin Knapp informing the Board that the rent for the Welfare Office would be increased from \$45 to \$55 on January 1st.

A petition signed by the residents of Third St. and Briarwood Drive to extend the New City Lighting District was presented to the Board.

No action was taken on the matter since the petition was not in the legal form for the establishment of an improvement district.

Mr. Welshman moved the following resolution:-

RESOLVED that Supervisor Irvin F. Dillon be authorized to transfer \$1,381.00 from Current Surplus to the Insurance Account.

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 the Nanuet Board of Education requesting that the sidewalk in front of the Nanuet School be repaired.

Mr. Welchman moved that the Supt. of Highways be instructed to make the

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necessary repairs.

Seconded by Mr. Schmersahl.

Carried.

Mr. Dillon read a letter from Will Turnbladh requesting a 30MPH speed zone between NewCity and Bardonia on Route 304. Mr. Dillon informed the Board that he had also received a request for a 30MPH speed restriction on Route 304 north of New City.

The Town Clerk was instructed to write to the State Traffic Commission and request a 30 MPH speed restriction on Route 304 from the Town Line at Haverstraw to Route 59 at Nanuet.

Mr. Fibble moved the following resolution:-

RESOLVED, that a street light be installed on Pole #5 on Demarest Ave. at Nanuet, and

BURTHER RESOLVED, that the Rockland Light and Power Co. be requested to make the necessary installation as soon as possible.

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 the Nanuet Fire Company requesting that Police Headquarters be relocated at Nanuet in the event that it ^{is} necessary to find larger quarters.

The Board approved and signed six (6) Street Opening Permits and the Town Clerk was instructed to send them to the County Engineer for his approval.

The monthly reports of the following Town Officers were approved and accepted:

Supervisor
Town Clerk

Building Inspector
Welfare Officer

Mr. Dillon read a letter from Building Inspector John M. Jeffrey informing the Board that the violation on the property of John Blumfield at Spring Valley no longer exists.

Mr. Roepe presented the contract between the NewCity Free Library and the Town.

Mr. Schmersahl moved the following resolution:

RESOLVED, that Supervisor Irvin F. Dillon be authorized to execute the contract between the NewCity Free Library and the Town of Clarkstown.

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 presented a letter from the State Insurance Fund regarding Fire District Liability Insurance.

The Town Clerk was instructed to write to the State Insurance Fund and request a survey of the insurance to determine if the Town had sufficient coverage.

Mr. Burleigh moved the following resolution:-

RESOLVED, that Town Attorney Edward G. Roepe, be granted permission to attend the New York State Bar Association Convention to be held at Buffalo, New York on September 26, 1953, at the expense of the Town.

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Seconded by Mr. Fibble.

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

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

NOCES: None.

Mr. Schmersahl moved the following resolution:-

RESOLVED, that Supervisor Irvin F. Dillon be authorized to appoint a Bookkeeper to extend the Tax Roll, at a salary of \$2.00 per hour.

Seconded by Mr. Burleigh.

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

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

NOCES: None.

Mr. Burleigh brought up the matter of a Tax Map and Revaluation for the Town. It was moved by Mr. Burleigh that the bid of J. L. Jacobs Co. be accepted for the Tax Map and Revaluation.

There was no second to Mr. Burleigh's motion.

Mr. Welchman stated that he was in favor of a Tax Map but not the Revaluation. He said that there are a great many inequalities in assessments in the Town and they should be corrected.

Mr. Dillon said that the Board has done what they thought was right. He said that the wishes of the majority of the people in the Town must be considered before such a project could be undertaken.

Mr. Norman Baker of New City said that the Board should go ahead and get the Tax Map and the Revaluation could follow at a later date.

Councilman Fibble stated that public meetings had been held throughout the Town and public opinion had been against a Tax Map and Reassessment. Mr. Fibble said that what was good enough for his father was good enough for him.

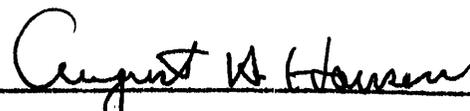
Mr. R. C. Dallow of Valley Cottage came before the Board and said that he did not agree with Mr. Fibble's views. He said that there are many people in the Township who are in favor of a Tax Map and Reassessment and it should be done as soon as possible.

Mr. Burleigh informed the Board that he had send the Town's specifications to the State Board of Equalization and requested an opinion to determine if they were sufficient. He said that he expected to receive a reply very soon.

It was decided after a great deal of discussion that the Board would advertise for bids for a Tax Map when the report from the Board of Equalization was received.

Bills Nos. 797 to 904 on Warrant #9 in the amount of \$13,420.57 were audited and ordered paid.

See * ~~There~~ being no further business to come before the Board, the meeting was adjourned.


Town Clerk of Clarkstown

Mr. Welchman moved that the rezoning application of Edward Gales be denied.

Seconded by Mr. Schmersahl.

Carried.