

October 9, 1953

Town Clerk's Office

8:15 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 presented a letter requesting the Board to grant the application of the Maiers for a change of zoning of their property at Nanuet.

Mr. Dillon said that the Board would take the matter into consideration.

Councilman Burleigh informed the Board that he had received complaints regarding the Junkyard at Central Nyack. He said that the Tenant and Operator, Ernest Vogel, had been granted the use of the premises by the Zoning Board of Appeals, on the condition that a fence would be erected and there would be no burning on the premises. Mr. Burleigh said that the conditions had been violated by Mr. Vogel, who was burning material on the property. Mr. Burleigh also said that no mention was made of burning materials on the Certificate of Occupancy.

Mr. Burleigh moved that the matter be referred to the Town Attorney.

Seconded by Mr. Welchman.

Carried.

Mr. Dillon presented a letter from the Rockland County V. F. W. regarding a forum to be held at the Spring Valley High School for the purpose of discussing a County Police Force.

Mr. Dillon informed the Board that neither the salary or effective date of appointment had been set for the Building Inspector's position.

Mr. Burleigh moved that the salary be set at \$3,500 per year.

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

Councilman Fibble insisted that the salary remain at \$5,000.

Councilman Welchman asked Councilman Burleigh if the salary of \$3,500 would apply if anyone other than Mr. Murdock were to receive the appointment.

Mr. Burleigh replied that it would apply if no new examination were held for the position.

Councilman Fibble stated that if he had known that an attempt would be made to reduce the salary when George Murdock was appointed, he would have included the \$5,000 in his motion when the appointment was made.

Mr. Fibble then moved that the salary be set at \$5,000.

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

Mr. Welchman then submitted a letter from George Murdock, in which Mr. Murdock informed the Board that he was resigning from the position of Building Inspector in the best interests of all concerned.

Mr. Dillon then declared the office of Building Inspector vacant and open for provisional appointment.

Mr. Welchman then moved the following resolution:-

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RESOLVED, that John M. Jeffrey, Valley Cottage, be provisionally appointed as Building Inspector for the Town of Clarkstown at an annual salary of \$5,000, and,

FURTHER RESOLVED, that the appointment continue until such time as a new examination can be held and a permanent appointment made.

Seconded by Mr. Schmersahl.

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

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

Mr. Fibble declared that he would not vote on the issue.

Mr. Schmersahl then moved the following resolution:-

RESOLVED, that Supervisor Irvin F. Dillon be authorized to request the Civil Service Commission to hold a new examination for the position of Building Inspector based on all the regulations now in effect in the Town of Clarkstown, and

FURTHER RESOLVED, that the salary range be set from \$4,500 to \$6,000.

Seconded by Mr. Burleigh.

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

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

Mr. Fibble again declared that he would not vote on the matter.

Mr. Dillon read letters from the State Traffic Commission informing the Board that their requests for a 30 MPH speed zone on Route 304 from the Haverstraw Town Line to Route 59 and for a traffic light on Rt. 9W at Congers would be taken under consideration.

Mr. Dillon read a letter from the Nanuet Civic Association urging the Board to consider adopting an Ordinance regulating the removal of Top Soil and also to take some definite action in regard to the rezoning of Clarkstown.

Mr. Dillon informed the Board that the matter of Zoning violations on the Howard Kling property at West Nyack was still pending.

The Town Clerk was instructed to refer the matter to the Building Inspector.

Mr. Dillon informed the Board that the hearing which was to be held on October 16th, on the petition for the improvement of Dickinson Ave. would have to be postponed until October 23, due to a faulty publication.

Mr. Burleigh moved the following order:-

In the matter of	:	ORDER OF BOARD FOR MEETING
the petition of the owners of more than one-half of the	:	TO CONSIDER PETITION FOR A
real property fronting on Dickinson Avenue at Central	:	STREET IMPROVEMENT.
Nyack, in the Town of Clarkstown for the improvement	:	
of said street.	:	

WHEREAS, a written petition dated September 22, 1953, was on the 9th day of October, 1953, duly filed with this Board pursuant to Section 200 of the Town Law of the State of NewYork for the improvement of the highway in said Town known as Dickinson Avenue from its intersection with Towt Street, also known as Waldron Avenue, to the boundary line between the Town of Clarkstown and Orangetown, by paving the entire length thereof in accordance with Town specifications as contained in Resolution of the Town Board of May 31, 1951, and whereas it duly appears that such petition has been duly signed by the owners of real estate owning at least one-half of the entire frontage or bounds on both sides of said Dickinson Avenue, between the points afore-said and whereas it duly appears that such petition was also duly signed by resident

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owners residing along said Dickinson Avenue between the points aforesaid; and whereas such petition was duly acknowledged or proved by all signers thereof in the same manner as a deed to be recorded; and whereas the maximum amount proposed to be expended for the improvement of said highway as stated in the petition is the sum of \$5,500.00; it is, pursuant to the provisions of said Section 200 of the Town Law of the State of New York, hereby ORDERED, that the Town Board of the Town of Clarkstown, Rockland County, New York, shall meet at the Town Clerk's Office at Main Street, New City, in the said Town of Clarkstown on the 23rd day of October, 1953, at 8:30 o'clock in the evening of that day, Eastern Standard Time, for the purpose of considering the said petition and hearing all persons interested in the subject thereof concerning the same; and it is

FURTHER ORDERED, that the Town Clerk of the Town of Clarkstown cause a duly certified copy of this order to be published and copies posted in the manner required by Section 200 of the Town Law.

Seconded by Mr. Welchman.

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

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

NOES: None.

Mr. Dillon informed the Board that he wished to purchase a new adding machine for use in his office. He said that the present machine is over 17 years old and is no longer reliable. The cost of the new machine was \$314.00, less \$75.00 trade-in for the old machine, leaving a total price of \$239.00. Mr. Dillon also said that the Supt. of Highways had contemplated buying a new adding machine, but he had agreed to purchase the old one at a substantial saving to the Town.

Mr. Schmersahl moved the following resolution:-

RESOLVED, that Supervisor Irvin F. Dillon be authorized to purchase a new R. C. Allen Adding Machine at a cost of \$239.00.

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 Board approved and signed five (5) Street Opening Permits and instructed the Town Clerk to forward them to the County Engineer for his approval.

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

Supervisor
Town Clerk

Welfare Officer
Police Dept.

Mr. Dillon said that he had received a request to have a sidewalk constructed along Lake Road in front of the Valley Cottage School.

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

Seconded by Mr. Schmersahl.

Carried.

Supt. of Highways Emil Klein informed the Board that he had been requested to furnish 2 lengths of pipe for a fire street off Ridge Road at Valley Cottage.

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Mr. Fibble moved that the Supt. of Highways be authorized to furnish the pipe.

Seconded by Mr. Welchman.

Carried.

Mr. Fibble moved the following resolution:-

RESOLVED, that street lights be erected at Congers at the following locations:-

Route 9W - Pole #177, 239, 241
Grant Ave. - Pole #199

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

Seconded by Mr. Schmersahl.

Carried.

The Board then discussed the Budget Estimates of the various departments as compiled in the following resolution:-

Mr. Schmersahl moved the following resolution:-

RESOLVED, that this Town Board does hereby prepare and approve as the Preliminary Budget for this Town for the fiscal year beginning on the 1st day of January 1954, the itemized statement of estimated revenues and expenditures hereto itemized and made a part of this resolution, and be it

FURTHER RESOLVED, that such Preliminary Budget shall be filed in the office of the Town Clerk where it shall be available for inspection by any interested person at all reasonable hours, and be it

FURTHER RESOLVED, that this Board shall meet at 9:00 o'clock P.M. on the 5th day of November, 1953, for the purpose of holding a public hearing upon such Preliminary Budget, and be it

FURTHER RESOLVED, that the Town Clerk give notice of such public hearing in the manner provided in Section 113 of the Town Law, and that such notice be published in substantially the following form:

NOTICE OF HEARING UPON PRELIMINARY BUDGET

Notice is hereby given that the Preliminary Budget of the Town of Clarkstown for the fiscal year beginning January 1, 1954, has been completed and filed in the office of the Town Clerk, at New City, New York, where it is available for inspection by any and all interested persons at all available hours.

Further notice is hereby given that the Town Board of the Town of Clarkstown will meet and review said Preliminary Budget and hold a public hearing thereon, at the Town Clerk's office at 9:00 P.M. on the 5th day of November, 1954, and that at such hearing any person may be heard in favor or against the Preliminary Budget as compiled or for or against any item or items therein contained.

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PRELIMINARY BUDGET

1954

TOWN OF CLARKSTOWN

GENERAL GOVERNMENT

Town Board			
Town Hall & Offices			
Rentals	\$8,320.00		
Compensation of Employees	1,056.00		
Purchase of Furniture & Equipment	2,500.00		
Repairs, Light, heat & Telephone	2,620.00		
Dues, Assn. Towns	<u>50.00</u>		\$14,546.00
Elections			
Compensation of election officials	\$4,000.00		
Compensation of custodian of machines	300.00		
Voting machines, purchase and repairs	2,800.00		
Other expense	<u>200.00</u>		\$7,300.00
Insurance			
Compensation insurance	\$4,000.00		
Official bonds & undertakings	800.00		
Fire & Liability	6,000.00		
Group Insurance	<u>1,600.00</u>		\$12,400.00
Printing & Advertising (all Depts.)	\$1,500.00		
Services of Attorney and Expense of litigation	750.00		
Consulting Services for Rezoning operations of Town of Clarkstown	3,500.00		
Employee's Retirement System (Town Share)	31,100.00		
Purchase of Property: Bond	\$2000.00		
Note	1000.00		
Interest	<u>75.00</u>		
	3,075.00		\$39,925.00
	Total		\$74,171.00
Supervisor			
Salary	\$2,500.00		
Office and other expense	600.00		
Compensation of Employees	<u>4,300.00</u>		\$ 7,400.00
Justices of the Peace			
Salaries (2 @ \$2,500.00)	\$5,000.00		
Office and other expense	500.00		
Compensation of employees	<u>2,000.00</u>		\$ 7,500.00
Councilmen			
Salaries (4 @ \$1,200.00)	\$4,800.00		
Office and other expense	<u>500.00</u>		\$ 5,300.00
Town Clerk			
Salary	\$5,200.00		
Office and other expense	394.00		
Compensation of employees	<u>4,400.00</u>		\$ 9,994.00
Assessors			
Salary	\$4,500.00		
Office and other expense	850.00		
Compensation of employee	<u>2,500.00</u>		\$ 7,850.00
Receiver of Taxes			
Salary	\$4,500.00		
Office & other expense	1,200.00		
Compensation of employees (1 @ \$2,500.00; 1 @ \$600.00)	<u>3,100.00</u>		\$ 8,800.00
Town Attorney			
Salary	\$3,500.00		
Office & other expense	<u>425.00</u>		\$ 3,925.00
Building Inspector			
Salary	\$5,000.00		
Office & other expense	950.00		
Compensation of employees	3,000.00		
Salary of Deputy Inspector	<u>3,000.00</u>		\$11,950.00
Board of Appeals			
Office & other expense inc. Public Hearings	\$ 500.00		
Compensation of employee	<u>500.00</u>		\$ 1,000.00

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Planning Board		
Consultant Services	\$ 500.00	
Office & other expense	225.00	
Compensation of employee	600.00	\$ 1,325.00
Total General Government		\$139,215.00

PROTECTION OF PERSONS AND PROPERTY

Police		
Compensation	\$75,590.00	
Mileage & other expense	5,500.00	
Purchase of equipment	5,225.00	\$86,315.00
Traffic		
Signs, signals & highway lighting		\$ 1,000.00
Dog Enumerator		
Mileage		\$ 75.00
War Emergency Purposes		
Expenses		\$ 1,000.00
Total Protection of Persons & Property		\$88,390.00

EDUCATION

School Directors		\$ 10.00
Payment to other libraries		\$ 500.00
Total Education		\$ 510.00

RECREATION

Parks & Playgrounds		
Compensation of Employees	\$ 250.00	\$ 250.00
Patriotic Observances (8 @ \$50.00)		400.00
Total Recreation		\$ 650.00

PUBLIC UTILITIES

Cemeteries		\$ 200.00
Total Public Utilities		\$ 200.00

MISCELLANEOUS

Veterans Organizations for Rooms (8 @ \$180)		\$ 1,440.00
Total Miscellaneous		\$1,440.00

CONTINGENT PURPOSES

Section 112 of the Town Law		\$ 2,500.00
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GENERAL FUND-ESTIMATED REVENUES

Fines Justices of the Peace	\$ 700.00
Subdivisions	500.00
Mortgage Taxes	8,000.00
Building Inspector's Fees	2,300.00
Dog License Fees (from County)	3,700.00
Fees of Town Clerk	2,797.00
Fees of the Justices of the Peace	6,000.00
Fees of Receiver of Taxes	840.00
Fees of the Assessors	50.00
Per capita assistance for the support of local government	55,642.70
Total Estimated Revenues General Fund	\$80,529.70

SUMMARY

Appropriations	
General Government	\$139,215.00
Protection of Persons and Property	88,390.00
Education	510.00
Recreation	650.00
Public Utilities	200.00
Miscellaneous	1,440.00
Contingent Purposes	2,500.00
Total Appropriations	\$232,905.00
Total Estimated Revenues	80,529.70
Amount of Taxes to be raised for General Government	\$152,375.30

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WELFARE FUND

APPROPRIATIONS

Town Welfare Offices		
Salary	\$4,800.00	
Office & Expense	425.00	
Compensation of Employees	<u>2,800.00</u>	
	Total	\$ 8,025.00
Home Relief		8,000.00
Burials		1,000.00
Hospitalization		13,000.00
Doctor & Medical Fees		2,000.00
Veterans Relief		1,200.00
Aid to Dependent Children		<u>15,000.00</u>
	Total Appropriations	\$ 48,225.00

ESTIMATED REVENUES

Reimbursement of Aid to Dependent Children	\$ 7,500.00
Reimbursement of home relief, from State	4,550.00
Unexpended Balance Sec. 115 Town Law	3,649.00
Reimbursement of Burials	500.00
Reimbursement of Hospitalization	<u>1,000.00</u>
	Total Revenues
	\$ 17,199.00
Amount to be raised by tax for Welfare Fund	\$ 31,026.00

HIGHWAY FUND

APPROPRIATIONS

HIGHWAY ITEM 1		
General Repairs		\$123,000.00
	Total Appropriations	\$123,000.00
Estimated Revenues	\$3,000.00	
	Total Revenues	\$ <u>3,000.00</u>
Amount to be raised by Tax for Highway Item #1		\$120,000.00

HIGHWAY ITEM 2 BRIDGE FUND

Appropriations

Labor and Teamwork	\$1,500.00
Materials & Repair & Maintenance	<u>1,500.00</u>
	Total Appropriations
	\$ 3,000.00
Estimated Revenues	-----
Amount to be raised by Tax for Highway Item #2	\$ 3,000.00

HIGHWAY ITEM 3 MACHINERY FUND

Appropriations

Purchase of Machinery, tools, etc.	\$15,000.00
Repair of Machinery, tools, etc.	<u>7,000.00</u>
	Total Appropriations
	\$ 22,000.00
Estimated Revenues	-----
Amount to be raised by Tax for Highway Item #3	\$ 22,000.00

HIGHWAY ITEM 4. SNOW & MISCELLANEOUS FUND

Appropriations

Salary of Town Superintendent (\$6,400.00 use of car \$500.00)	\$ 6,900.00
Expenses of Town Superintendent	350.00
Salary & Expense of Deputy Supt.	4,300.00
Removing obstructions caused by snow	7,000.00
Cutting & Removing Weeds & Brush	3,000.00
Other miscellaneous purposes (Light, heat, paint, etc.)	<u>3,500.00</u>
	Total Appropriations
	\$ 25,050.00

Estimated Revenues

Amount to be raised by Tax for Highway Fund Item #4		\$ 25,050.00
Amount to be raised by Tax for Highway Fund Items 2, 3, 4		\$ 50,050.00
<u>TOWN HEALTH FUND</u>		
Board of Health		
Salary of Health Officer	\$1,800.00	
Other health expenses	<u>1,250.00</u>	
Total Board of Health		\$ 3,050.00
Registrar of Vital Statistics		
Compensation	\$ 100.00	
Other expense	<u>50.00</u>	
Total Registrar of Vital Statistics		\$ 150.00
Total Appropriations for Town Health Fund		\$ 3,200.00
Unexpended Balance		564.82
Amount to be raised for Town Health Fund		<u>\$ 2,635.18</u>

SPECIAL DISTRICTSFIRE

Central Nyack	\$3,900.00	
Congers	7,000.00	
East Spring Valley (R7)	1,402.65	
Moleston	748.98	
Nanuet	9,600.00	
New City	3,600.00	
Rockland Lake	5,100.00	
Valley Cottage	5,000.00	
West Nyack	<u>5,150.00</u>	\$ 41,501.63

WATER

Central Nyack	\$ 618.84	
East Nanuet	274.50	
Nanuet	3,578.92	
West Nyack Water Supply	218.85	
New City-West Nyack	<u>14,638.26</u>	\$19,329.37

LIGHTING

Central Nyack	\$1,088.73	
Congers	4,647.66	
East Spring Valley	854.40	
Nanuet	5,916.33	
New City	935.65	
Rockland Lake	<u>879.40</u>	\$14,322.17

SPECIAL IMPROVEMENT DISTRICTSBONDS

Serial Bonds of 1952 (Hughes St. Imp.)	\$ 207.65	
Serial Bonds of 1952 (Strawberry Hill La.)	934.32	
Serial Bonds of 1953 (Parker Ave.)	<u>1,798.58</u>	\$ 2,940.55

INTEREST ON BONDS

Serial Bonds of 1952 (Hughes St. Imp.)	\$ 5.45	
Serial Bonds of 1952 (Strawberry Hill La.)	24.55	
Serial Bonds of 1953 (Parker Ave.)	<u>35.97</u>	\$ 65.97

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Seconded by Mr. Burleigh

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

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

NOES: None.

Chief of Police Wiebecke informed the Board that the present quarters occupied by the Department are much too small and he would have to seek larger quarters in the near future. He said that a local contractor had spoken to him about building a structure to house the department if the Town would agree to lease the building. The Chief asked the Board how long a lease they would accept for the building.

Mr. Dillon stated that he did not know how long a lease the Town could enter into, and he referred the question to Town Attorney Edward G. Roepe and asked him to check on it.

Mr. Louis Heydeman, President of the Nanuet Civic Association, came before the Board and said that he had communicated with the NY & NJ Railroad for the purpose of obtaining the present railroad station and the surrounding property at Nanuet for a new Police Headquarters. Mr. Heydeman said that the Railroad was very receptive to the plan and would grant the Town a 40 year lease for one dollar per year, and would permit the Town to make any necessary improvements.

The Board discussed the matter and decided to make an inspection of the building on Thursday, October 15, at 2:00 P.M.

Mr. Roepe informed the Board that a recent amendment of the legislature had increased the maximum amount that a Town could borrow on Bonds to be sold at private sale in any fiscal year to \$20,000.

Mr. Welchman then moved the following resolution:-

BE IT RESOLVED this 9th day of October, 1953, by the Town Board of the Town of Clarkstown, that a prior resolution of this Board dated June 26, 1953, authorizing the issuance and sale of serial bonds of the Town of Clarkstown, Rockland County, in the amount of \$10,000.00 for the acquisition of certain lands in the Town of Clarkstown for Town purposes, be and the same is hereby rescinded.

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. Schmersahl moved the following resolution:-

BE IT RESOLVED this 9th day of October, 1953, by the Town Board of the Town of Clarkstown, Rockland County, New York, as follows:

FIRST: For the object or purpose of acquiring certain lands at West Nyack of approximately twenty-six acres, Town of Clarkstown, Rockland County, New York, for Town purposes, to wit, the establishment of a public dump or dumping ground, and to provide funds to defray the cost thereof, \$10,000 of general obligation serial bonds of the Town of Clarkstown, Rockland County, New York, to be of the terms, form and contents hereinafter provided for, shall be issued pursuant to the provisions of the Local Finance Law of the State of New York.

SECOND: \$11,000 is estimated as the maximum cost of the object or purpose for which such serial bonds are to be issued, to wit, the acquisition of certain lands at West Nyack of approximately twenty-six acres, Town of Clarkstown, Rockland County, New York, for Town purposes, to wit, the establishment of a public dump or dumping ground.

THIRD: The plan for the financing of such object or purpose consists of the issuance of the serial bonds of the said Town of Clarkstown in the principal sum of \$10,000, thereby providing such sum toward the maximum estimated cost of such object or purpose, and the balance of such cost, to wit, \$1,000, shall be provided by the issuance and sale of capital notes in said sum.

FOURTH: It is hereby determined that the object or purpose for which such serial bonds are to be issued falls within sub-paragraph 21 of Subdivision (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such object or purpose is five years.

FIFTH: The proposed maturity of the serial bonds hereby authorized will not be in excess of five years.

SIXTH: There will be provided prior to the issuance of such bonds the sum of \$1,000 toward such object or purpose by the issuance and sale of capital notes in said sum.

SEVENTH: The said \$10,000 in serial bonds shall be of the denomination of \$2,000 each, numbered from 1 to 5 inclusive, maturing in numerical order, 1, 2, 3, 4 and 5 years respectively from their date of issuance and shall bear interest at a rate not exceeding five per centum per annum payable annually. Said bonds shall be executed in the name of the Town of Clarkstown by the Supervisor of said Town and sealed with the corporate seal of the Town of Clarkstown and attested by the Town Clerk of the Town of Clarkstown; and both principal of and interest on said bonds shall be payable in lawful money of the United States of America at the office of the Supervisor of the Town of Clarkstown, Main Street, New City, Rockland County, New York.

EIGHTH: Except as herein expressly provided, the said bonds shall be of the terms, form and contents as the Supervisor of the Town of Clarkstown shall determine and execute, consistent, however, with the provisions of the Local Finance Law.

NINTH: The bonds shall be sold at public or private sale by the Supervisor of the Town of Clarkstown at a price not less than the par value of, and accrued interest, if any, and the proceeds of sale shall be applied solely for the purpose aforesaid.

TENTH: When said bonds shall have been duly sold, the same shall be delivered by the Town Supervisor to the purchaser upon payment to him of the purchase price including accrued interest, and the receipt of the Supervisor shall be a full acquittance to said purchaser who shall not be obliged to see to the application of the purchase money.

ELEVENTH: The full faith and credit of said Town of Clarkstown are hereby pledged to the payment of the principal of said bonds and interest thereon when due. An amount sufficient to pay the principal and interest on said bonds as the same

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becomes
/due each year shall be included in the annual budget of such Town for such year,
and the said bonds shall not be renewed.

TWELFTH: This resolution shall take effect immediately.

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. 938 to 973 on Warrant #10 in the amount of \$6,505.80 were
audited and ordered paid.

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



Town Clerk of Clarkstown