

PUBLIC HEARING

May 26, 1955

Town Clerk's Office

8:00 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 an application for the establishment of a Lighting District at New City. Mr. Dillon said that the Board would listen first to those in favor of establishing the district and then to those in opposition.

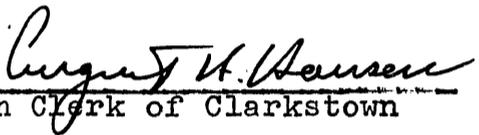
No one appeared before the Board to speak for or against the proposed district.

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

Seconded by Mr. Burleigh.

Carried.

Hearing closed.


Town Clerk of Clarkstown

PUBLIC HEARING

May 26, 1955

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 Isabella and Joseph Simons for a change of zoning of their property at West Nyack 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. Jerome Trachtenberg, Attorney for the Petitioners, came before the Board. Mr. Trachtenberg said that the petitioners were in the process of selling the property and the new owner intended to erect a modern shopping center on the site. Mr. Trachtenberg submitted a number of affidavits signed by surrounding property owners approving of the proposed change.

Mr. Stephen G. Doig, Jr., came before the Board. Mr. Doig said that he was representing a large group of residents of Rose Road who were opposed to the change. He said that the property along Rose Road is entirely residential at the present time and should remain so and any changes to business would be detrimental to property values. He said that the use of the property is also questionable since there is no guarantee that a shopping center will be erected on the site. Mr. Doig further submitted petitions in opposition bearing the signature of most of the residents of Rose Road.

Mr. Dillon read a letter from the Palisades Interstate Park Commission opposing the change since the parkway right of way was in the immediate area where the property was located.

Mrs. Andrew Colman of Rose Road came before the Board in opposition. She said that a rumor had circulated that the property would be used for a garage and factory site.

Mr. Trachtenberg stated that Mrs. Colman's statement was definitely a rumor and nothing more.

Mr. Fibble moved that the Board reserve decision and the hearing be closed.
 Seconded by Mr. Burleigh. Carried.

Hearing closed.

August H. Hansen
 Town Clerk of Clarkstown

TOWN BOARD MEETING

May 26, 1955

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. Schmersahl moved that the reading of the minutes of the last regular meeting be dispensed with.

A Deed and Certificate of Title for roads in the Nanuet Estates development was presented to the Board, with the request that the roads be accepted by the Town.

Mr. Roepe reminded the Board that a resolution had been adopted by them some time ago requiring that a maintenance bond be posted by the developer for a period of one year when roads were taken over by the Town.

Mr. Klein reported that the roads were acceptable and he suggested that the amount of the Bond be set at \$2,000.

Mr. Burleigh moved the following resolution:

RESOLVED, that a Maintenance Bond for roads in the Nanuet Estates development shall be set in the amount of \$2,000, to remain in effect for a period of one year from the date the said roads are accepted.

Seconded by Mr. Fibble.

Carried.

Mr. Welchman moved the following resolution:

RESOLVED, that the Deed of Nanuet Estates, Inc, dedicating James and Doris Drive to the Town of Clarkstown, be and it is hereby accepted and the said roads be included in the Town Highway System, subject, however, to the filing of a maintenance Bond in the amount of \$2,000, which shall remain in effect for a period of one year from the date of the acceptance of the roads.

Seconded by Mr. Fibble.

Carried.

Mr. Schmersahl moved the following resolution:

In The Matter of the Establishment of a Lighting District
 at New City, in the Town of Clarkstown, Rockland County,
 New York.

ORDER ESTABLISHING DISTRICT

A petition in this matter for the creation of a lighting district having been duly presented to the Town Board, together with the necessary map and plan attached thereto, and an order having been duly adopted by the Town Board on the 28th day of April, 1955, for the hearing of all persons interested in the matter on the 26th day of May, 1955, at 8:00 p.m., Eastern Daylight Saving 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 such 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 district were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the establishment of such district as proposed be

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approved, it is hereby

ORDERED, that a lighting district be established at New City, in the said Town of Clarkstown, Rockland County, New York, to be designated as NEW CITY LIGHTING DISTRICT No. 1 of the Town of Clarkstown and to be of the following description and boundaries, to wit:-

BEGINNING at a point in the center line of the New City-Congers Road, said point being distant the following courses and distances from the intersection of the center line of Cairnsmuir Lane and the center line of the New City-Congers Road:

(1) North $55^{\circ} 23'$ East along the center line of the New City-Congers Road a distance of 364.15 feet to a point; (2) North $52^{\circ} 21'$ East along the center line of the New City-Congers Road a distance of 534.85 feet to a point; (3) North $51^{\circ} 43'$ East along the center line of the New City-Congers Road a distance of 84.15 feet to the point of beginning.

Running thence the following courses and distances along the center line of the New City-Congers Road: (1) North $51^{\circ} 43'$ East a distance of 142.0 feet; thence (2) North $57^{\circ} 19'$ East a distance of 251.6 feet; thence (3) North $53^{\circ} 56'$ East a distance of 174.45 feet; thence (4) on a curve to the left having a radius of 405.13 feet a distance of 376.5 feet to a point; running thence (5) South $83^{\circ} 00'$ East a distance of 376.5 feet to a point; running thence (6) North $46^{\circ} 48' 30''$ East a distance of 20.23 feet to a point; running thence (7) North $89^{\circ} 11' 30''$ East a distance of 203.2 feet to a point; running thence (8) South $86^{\circ} 23' 30''$ East a distance of 352.6 feet to a point; running thence (9) South $10^{\circ} 14'$ West a distance of 399.3 feet to a point; running thence (10) South $14^{\circ} 28'$ West a distance of 393.4 feet to a point; running thence (11) South $9^{\circ} 53' 30''$ West a distance of 380.4 feet to a point in the center line of Cairnsmuir Lane; running thence (12) North $85^{\circ} 07' 30''$ West along the center line of Cairnsmuir Lane a distance of 1354.70 feet to a point; running thence (13) North $16^{\circ} 55'$ East a distance of 637.70 feet to a point; running thence (14) North $72^{\circ} 39'$ West a distance of 125 feet to the point of beginning.

Seconded by Mr. Fibble.

On roll call, the Board voted as follows:

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

NOES: None.

Assessor Doybe Brannon came before the Board and asked if any action would be taken to execute the contract with I.B.M. for making up the Tax Rolls.

Mr. Roepe informed the Board that he had examined the contract and found it to be in order.

Mr. Burleigh moved the following resolution:

RESOLVED, that Supervisor Irvin F. Dillon be authorized to execute a contract with the International Business Machine Corp. for the preparation of the new tax rolls.

Seconded by Mr. Burleigh.

Carried.

Mr. Roepe informed the Board that he had prepared all the necessary papers for the splitting of Election District #3, West Nyack, and the creation of a new district #15.

Mr. Burleigh moved the following resolution:

WHEREAS, it appears that it is in the public interest and desirable that Election District No. 3 of the Town of Clarkstown be divided into two districts such division to be made along the center line of Route 59, West Nyack, New York,

NOW THEREFORE, BE IT RESOLVED, that Election District No. 3, as now constituted, be divided to form two districts to be known as District No. 3 and District No. 15, and

BE IT FURTHER RESOLVED, that Election District No. 3 shall comprise and consist of all that part of the Town of Clarkstown lying and being with the following boundaries, viz: -

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BEGINNING at a point formed by the intersection of the north line of Route 59 and the westerly line of Route 304 and running thence northerly along the westerly line of Route 304 to the northerly line of Demarest Mill Road; thence running in a straight line in a northeasterly direction to the northerly line of Bardonia Road and the westerly line of the Germonds-West Nyack Road; thence running in a northerly direction along the westerly line of the Germonds-West Nyack Road to the southerly line of Parrot Road; thence in an easterly and northerly direction along the southerly line of Parrot Road to Brewery Road; thence in a southerly and easterly direction along the Brewery Road to the Strawtown Road; thence easterly along the southerly line of Strawtown Road to an angle in the same; thence in a straight line along the southerly line of District No. 1 to the westerly line of District No. 8; thence in a general southerly direction along the westerly line of District No. 8 to the northwest corner of District No. 6; thence in a southerly direction along the westerly lines of Route 303 and the Greenbush Road and the westerly line of District No. 6 to the northerly line of Route 59; thence along the northerly line of Route 59 to the intersection of the center line of Old Route 59; thence along the center line of Old Route 59 and through the West Shore Railroad to the westerly intersection of Old Route 59 with the northerly line of Route 59; thence along the northerly line of Route 59 to the point or place of beginning.

BE IT FURTHER RESOLVED, that Election District No. 15 shall comprise and consist of all that part of the Town of Clarkstown lying and being within the following boundaries, viz:

BEGINNING at a point in the northerly line of Route 59 and in the easterly line of District No. 12 and running thence along the northerly line of Route 59 to the intersection of the center line of Old Route 59; thence along the center line of Old Route

59 and through the West Shore Railroad to the easterly intersection of Old Route 59 with the northerly line of Route 59; thence along the northerly line of Route 59 to the westerly lines of Greenbush Road and District No. 6; thence along the westerly lines of Greenbush Road and District No. 6 to the division line between the Towns of Clarkstown and Orangetown; thence in a westerly direction along the division line between said Towns to the southeast corner of District No. 12 which is by estimation 1550 feet East of Ehrhardt Road; thence due north 2300 feet; thence due east 900 feet; thence due north 2700 feet; thence due east 900 feet; thence due north 2700 feet; thence due west to a point which is 200 feet from the easterly side of Smith Street; thence northerly and parallel with Smith Street and 200 feet distant ~~northerly and parallel with Smith Street and 200 feet distant~~ therefrom to the south side of Route 59; thence across Route 59 by extension of the previous course to the point or place of beginning.

Seconded by Mr. Fibble.

On roll call, the Board voted as follows:

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

NOES: None.

Mr. Dillon read a letter from Albert Engels of West Nyack offering the use of his Real Estate Office on Route 59 as a Polling Place for the New district, and requesting that he be advised of the dates it would be used by the election officials.

The Board accepted Mr. Engel's offer and instructed the Town Clerk to notify him of the dates.

Mr. Dillon read a letter from the Democratic and Republican Chairmen of Clarkstown requesting that additional Voting Machines be placed in District #1, New City, and District #8, Valley Cottage.

The Board referred the request to Charles Roth, Custodian of Voting Machines for the Town.

Mr. Burleigh moved the following resolution:

RESOLVED that a description of Election District #15, West Nyack, be posted by the Town Clerk at the following places in West Nyack:

McGraths Market	Bell Cleaners
Fire House	Post Office
Clarkstown Reform Church	Railroad Station.

Seconded by Mr. Welchman.

Carried.

The application of Lillie and Bernard Garnell for a change of zoning of their property at New City from "Res. B" to "Bus. B" was presented to the Board.

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Mr. Burleigh moved the following resolution:

WHEREAS, LILLIE GARNELL AND BERNARD GARNELL, have 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 petitioners 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 23rd day of June, 1955, at 8:00 p.m., Eastern Daylight Saving 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. Welchman.

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

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

NOES: None.

Attorney Jerome Trachtenberg presented a petition of the Kathy Land Co. for a change of zoning.

Mr. Burleigh moved the following resolution:

WHEREAS, KATHY LAND COMPANY, 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",

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 23rd day of June, 1955, at 8:30 p.m., Eastern Daylight Saving 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, Welchman, Fibble, Burleigh, Dillon.

NOES: None.

Mr. Trachtenberg presented the petition of Ned Besso and Paul Alfieri for a change of zoning.

Mr. Burleigh moved the following resolution:

WHEREAS, NED A BESSO AND PAUL ALFIERI, have 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 petitioners and in said petition described from "Residence A" 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 23rd day of June, 1955, at 8:45 p.m., Eastern Daylight Saving Time, relative to such proposed amendment, and it is,

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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 is as follows:

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

NOES: None.

Mr. Dillon read a letter from the Nanuet Fire Company thanking the Board for their rapid action in having new street lights erected in front of the Fire House on Prospect Ave.

Mr. Dillon read a letter from the County Treasurer advising the Board that their letter in reference to the estate of Raymond B. Jones had been referred to the Attorney for the estate.

Mr. Dillon read a letter of thanks from Elizabeth Cook of Rockland Lake for their expression of sympathy at the death of her husband, Frank Cook.

The Board approved the subdivision Bond of Whitewood Estates in the amount of \$40,000 and the Bond of Congers Gardens in the amount of \$8,000 and directed the Clerk to file them.

Mr. Welchman moved the following resolution:

In the matter of the petition of the owners of more than one-half of the real property fronting on Nelson Place, at Nanuet, in the Town of Clarkstown, for the improvement of said Street.

ORDER OF BOARD FOR MEETING TO CONSIDER PETITION FOR STREET IMPROVEMENT

WHEREAS, a written petition, dated April 28th, 1955, was on the 26th day of May, 1955 duly filed with this Board pursuant to Section 200 of the Town Law of the State of New York for the improvement of the highway in said Town known as Nelson Place, by paving the entire length thereof in accordance with the Town specifications as contained in Resolution of the Town Board of May 13, 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 Nelson Place; and whereas it duly appears that such petition was also duly signed by resident owners owning not less than one-half of the frontage owned by resident owners residing along said Nelson Place; and whereas such petition was duly acknowledged or proved by all the 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 \$3,250.00; 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 June, 1955, at 9:00 o'clock in the evening of that day, Eastern Daylight Saving Time, for the purpose of considering the said petition and hearing all persons interested in the subject therefor concerning the same; and it is

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

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Seconded by Mr. Burleigh.

On roll call, the Board voted as follows:

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

NOES: None

Mr. Dillon read a letter from the Zoning Board of Appeals requesting that a refund in the amount of \$20.00 for a Variance Fee be paid to Mr. & Mrs. Harry Dillon of Nanuet.

Mr. Fibble moved the following resolution:

RESOLVED, that Supervisor Irvin F. Dillon be authorized to refund the Variance Fee of \$20.00 to Mr. & Mrs. Harry Dillon of Nanuet.

Seconded by Mr. Welchman.

Carried.

Mr. Dillon read a letter from the Zoning Board of Appeals which authorized the Secretary to purchase a Tape Recorder for \$200.

The Board instructed the Clerk to write to the Chairman of the Board of Appeals and advise him that it would be necessary to obtain authorization of the Town Board before the Recorder could be purchased.

Mr. Dillon read a letter from George Schumacher, Engineer for the Quaspeck Park Homes development. In his letter Mr. Schumacher advised the Board that a stream which runs along the rear of properties on Lake Road carries off storm water from Lake Road and will also carry off surface water from the streets in the development. He suggested that the Town obtain an easement over the land containing the stream bed before the lots are conveyed to individuals.

Mr. Roepe advised the Board that if the easement were not accepted now, and then became a necessity at a later date, it would mean dealing with individual property owners instead of with the developer.

Mr. Welchman moved that the easement be accepted.

Seconded by Mr. Burleigh.

Carried.

Mr. Burleigh asked if there were any new developments on the Assessors examination.

Mr. Dillon said that his office had received nothing from the Civil Service Commission.

Mr. Burleigh asked if the Building Inspector could not maintain supervision over the houses that the Water Company was wrecking on the reservoir site. He said that some of the buildings were dangerous and one death had already resulted.

Mr. Roepe advised that the buildings were on private property and the Town had no jurisdiction.

Mr. Burleigh asked if there were any new developments on the Permanent Personal Registration Bill or on the proposed widening of Route 304.

Mr. Dillon said that he had heard nothing regarding either matter.

Mr. Burleigh moved the following resolution:

RESOLVED, that Supt. of Highways Emil Klein be authorized to attend the Highway Supts. School at Ithaca, N. Y., on June 20 to 22, at the expense of the Town.

Seconded by Mr. Schmersahl.

Carried.

There being no further business the meeting was adjourned.