

## TOWN BOARD MEETING

November 17, 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. Burleigh informed the Board that nothing had been done to remove the unsafe building from the former Jones Estate at West Nyack.

Mr. Burleigh moved the following resolution:

RESOLVED, that pursuant to Article 10, Section 2 of the Town Ordinances relating to unsafe structures, the owner of the premises being the easterly structure on the former Jones Estate at West Nyack, be served with an Order requiring that the premises be made safe and secure or that the structure be removed from the premises within 15 days from the date of the Order, the particulars being that the structure has been certified as unsafe by the Chief of the West Nyack Fire Dept., the Chief of the Clarkstown Police Dept. and the Building Inspector, and constitutes a public hazard, and,

FURTHER RESOLVED, that the Town Clerk serve a certified copy of the Order on the owner of the said premises.

Seconded by Mr. Schmersahl.

Carried.

Mr. Roepe reported that the Building Inspector had signed a complaint on the Reyville matter and it was now in the hands of Justice of the Peace Charles Blauvelt.

Mr. Dillon presented the report of the Building Inspector regarding the inspection of Multiple Dwellings in the Valley Cottage area.

Mr. Dillon read a letter from E. Alfred Festa, Attorney for the residents of Birch Lane, Oak Road and Adam Place at New City. Mr. Festa stated in his letter that the streets were under contract to be paved and he requested the Board to accept the Deed so that Building Permits could be issued to the property owners.

Mr. Welchman moved the following resolution:

RESOLVED that the Deed of Anna Reisinger, dedicating Adam Place, Oak Road and Birch Lane as Town Highways, be and it is hereby accepted, and the said streets be included in the Town Highway System.

Seconded by Mr. Schmersahl.

Carried.

Mr. Dillon presented a Supplemental Agreement from I.B.M. for additional work on the Tax Rolls.

Mr. Welchman moved the following resolution:

RESOLVED, that Supervisor Irvin F. Dillon be authorized to execute the Supplemental Agreement between the Town and International Business Machines Corp. for additional work on the Tax Rolls.

Seconded by Mr. Schmersahl.

Carried.

Mr. Francis Gey and George J. Smith of Popular Street, Nanuet came before the Board in regard to a drainage problem. Mr. Gey informed the Board that he lived

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in the Nanuet Knolls development on Middletown Rd. and surface water was draining onto his property from the West side of Middletown Road. Mr. Gey said that during the recent heavy rains, the water came almost up to his back door and he felt that something should be done about the matter. He said that the developer had installed a 24" drain at the east end of Popular Street but it was insufficient to carry the water off.

Mr. Smith told the Board that the Town had recently installed another drain under Middletown Road and the surface water from the west side of the street was laying on his lawn. He said that the Highway Dept. had opened a ditch on his property to drain the water off and then had removed all the equipment and left the ditch open. He stated that he objected to an open ditch on his premises especially when it was draining water from the other side of the road onto his lawn and he demanded that it be closed up and the drain blocked off.

Mr. Klein said that the Developer was installing a 30" drain alongside of the 24" pipe to carry off the water and the purpose of the ditch was to carry the surface water from the west side of Middletown Road along the rear of the properties on Popular Street and into the 30" drain.

Mr. Klein was instructed to consult with the other property owners on Popular Street for the purpose of obtaining an easement for the drain from Middletown Road to the 30" drain.

Mr. Dillon presented a bid from the Automatic Voting Machine Corp. for two (2) new voting machines at \$1,366.00 each.

Mr. Fibble moved the following resolution:

RESOLVED that the bid of Automatic Voting Machines Corp. be accepted and the Town Clerk be authorized to purchase the following:

Two (2) voting machines to meet the following specifications: The machines shall contain nine (9) horizontal rows of voting levers for voting for nine (9) political parties with thirty (30) voting levers in each of the said nine (9) party rows. The machines shall be equipped with thirty (30) devices for voting for persons not nominated and one (1) horizontal row of voting devices for voting on fifteen (15) Constitutional Amendments, propositions, or questions at a total cost of \$2732.00.

Seconded by Mr. Schmersahl.

On roll call, the Board voted as follows:

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

NOES: None.

The Board approved the Bond for the Lillian Freedman subdivision at Nanuet in the amount of \$8,500.

Mr. Dillon read a letter from the Planning Board recommending that a Special Permit be granted for the Michael Scales subdivision consisting of 16 lots. The letter stated that a portion of the property was in an R-1-X zone.

Mr. Fibble moved the following resolution:

RESOLVED, that the recommendations of the Clarkstown Planning Board be approved and the Building Inspector be directed to issue Building Permits on the basis of R-1 requirements.

Seconded by Mr. Schmersahl.

Carried.

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Mr. Dillon read a letter from the Dept. of Public Works requesting that an overhanging street light be removed from the intersection of Route 9W and Lake Road at Rockland Lake so that a Red Flashing signal could be installed.

The Clerk was instructed to contact Rockland Light & Power and request the removal of the light.

Mr. Schmersahl moved that the light be removed from its present location and reinstalled at another location to be determined by Rockland Light & Power.

Seconded by Mr. Fibble.

Carried.

Mr. Dillon presented an application from the Scher Construction Corp. for a change of zoning of their property at New City from RA-1 and RA1-X to an R-1 zone.

Mr. Welchman moved the following resolution:

WHEREAS, SCHER CONSTRUCTION CORP. had 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 RA-1X and Ra-1 to R-1,

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 9th day of December, 1955, 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 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. Fibble.

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

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

NOES: None.

Mr. Welchman moved the following resolution:

RESOLVED, that street lights be erected on Pole #6, Rockland Ave., Nanuet and Pole #255, Route 59, Nanuet, and,

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

Seconded by Mr. Fibble.

Carried.

Mr. Melchman moved that the Assessor be authorized to order the installation of another telephone for his office.

Seconded by Mr. Schmersahl.

Carried.

Chief Wiebecke informed the Board that he had received a call from Katherine DePalma, the School Guard at Route 9W and Lake Road, Congers. He said that Mrs. DePalma had informed him that she had been on duty at the intersection for 3 days and no children had used the crossing. Chief Wiebecke said that he had taken Mrs. DePalma off duty until he could find another location for her.

Mr. Schmersahl reported that he had received complaints about speeding on Collyer Ave., New City.

Chief Wiebecke said that he would have his men check the street.

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Mr. Roepe informed the Board that during the past few weeks he had been subject to a great deal of criticism from a certain group in Clarkstown regarding his activities in representing developers. He said that he had received an open letter from the group inquiring into these activities and he did not feel that it was part of his duty as a public official to answer an open letter sent by any group in the Town. He said that any criticisms or questions should come from the Town Board to whom he was responsible. Mr. Roepe stated that there was no case in his office that involved any litigation between a builder and the Town of Clarkstown and he was becoming annoyed at the continual sniping of the group.

Chief Wiebecke came before the Board and asked if any definite action had been taken on the Dumps in the West Nyack area.

Mr. Dillon informed the Board that the Village of Nyack had agreed to use the Town Dump at a fee of \$50 per truck and the Village Dump would be closed on Dec. 1st. except for the dumping of leaves and stumps.

The Board informed the Chief that all Dumps, including the Besso Dump on Route 59, were to be closed effective December 1st, without fail.

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

*August A. Hansen*

Town Clerk of Town of Clarkstown