

TOWN BOARD MEETING

9

January 26, 1956

Town Clerk's Office

3:00 P.M.

Present: Mr. Renken
Mr. Schmersahl
Mr. Welchman
Mr. Jeffrey
Mr. Dillon

Mr. Dillon called the meeting to order.

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

Seconded by Mr. Welchman.

Carried.

Mr. Nelson Hall appeared before the Board and left estimates, along with maps, on drainage problems in Nanuet. He promised to have the balance completed by the next regular meeting of the Board.

Mr. Frank Colarelli of the Board of Water Commissioners, Village of Nyack, and Mr. Edward Byrnes, representative of a group of residents in Central Nyack, appeared before the Board with respect to a water line in Central Nyack as well as hydrants on West and Chestnut Streets. The Board suggested that the residents get up a petition.

Mr. Colarelli also brought up the matter of a water hydrant being included in the Central Nyack Water Supply District on the north side of the Thruway at the end of Mountain View Avenue to protect people in that vicinity.

Mr. Welchman moved the following resolution:

RESOLVED, that the Board of Water Commissioners of the Village of Nyack, N. Y. be authorized to include the water hydrant on the north side of the Thruway at the end of Mountain View Avenue, Central Nyack and charge same against the Central Nyack Water Supply District.

Seconded by Mr. Renken.

On roll call, the Board voted as follows:

AYES: Messrs. Renken, Welchman, Schmersahl, Dillon

NOES: None.

Mr. George Writer, Esq. appeared before the Board on behalf of Mr. Cappo, owner of the Silver Birch Development, a portion of which is in the Town of Clarkstown. He cited the fact that an application for this development had been disapproved because of inaccessibility from Clarkstown. The Board suggested that a map be with them so they could study the matter further.

Daniel Brucker, Esq., attorney for Mrs. Florence Cumming, who sold a tract of land on Congers Road to Cedarwood Knolls, Morris Carnes, esq. and his client, Al Marcus, President of Cedarwood Knolls, appeared before the Board in connection with disapproval of application of Cedarwood Knolls because of lack of water, sewerage facilities and inadequate school facilities. The Board suggested that they determine particularly whether public water could be procured, as well as sewerage and adequate school facilities.

Mr. Hefti appeared before the Board with respect to Sherwood Drive, Nanuet. Mr. Welchman offered to look into the matter of this road.

Mrs. Mauro appeared before the Board with respect to denial of a building permit for property purchased from Mr. Kavanaugh, explaining her difficulties. The

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Board directed that the Clerk write to the Building Inspector requesting him to take the matter up with the Zoning Board of Appeals and notify Mrs. Mauro of the outcome.

Mr. Dillon presented a letter from Trachtenberg & Silberman with respect to judgment obtained against Willial Rogers, requesting compromise. Me. Roepe advised that he was of the opinion it could not, from a technical standpoint.

Mr. Trachtenberg appeared before the Board referring to a letter sent to the Town of Clarkstown with respect to forming a new Water District in West Nyack, to include Route 59, Greenbush Road, Sunset View Drive, Route 303, Virginia Avenue and Howard Street. The Board suggested that a petition for a Water District be prepared and specifications and drawings be submitted for consideration.

Mr. Rubin Sterngass appeared before the Board with regard to filing a petition for a Sewer District on Barmore Hill, Rockland Lake. The Board pointed out that it would be unable to accept the petition unless it was accompanied by a description as to meets and bounds and a survey map by an engineer.

Mr. Eric Binder appeared before the Board and advised that he would like to supply fill to the Town Dump. The Board recommended that he write a letter stating the terms of his proposal and the Board would give same consideration.

Mr. Renken brought up the matter of the traffic light at Four Corners, suggesting that it be moved, and mentioned lights on the New Route 59.

Mr. Welchman moved the following resolution:

RESOLVED, that the State Traffic Commission be requested to install caution lights at the intersection of Smith Street, College Avenue and Rose Road with the New Route 59, Nanuet, New York, and a direction sign to Route 304 and New City be placed at the intersection of Smith Street and the NewRoute 59.

Seconded by Mr. Schmersahl.

On roll call, the Board voted as follows:

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

NOES: None.

Mr. Dillon read a letter from the New City Business Men's Association with reference to parking on Demarest Avenue, New City, making recommendations therein.

Mr. Welchman moved the following resolution:

RESOLVED, that parking be prohibited on the north side of Demarest Avenue, New City, between Route 304 and Maple Avenue and for a distance of twenty feet from the corners of Route 304 and Maple Avenue on the south side of Demarest Avenue, New City, New York, and

FURTHER RESOLVED, that the Superintendent of Highways and Chief of Police be instructed to place said signs.

Seconded by Mr. Schmersahl.

Carried.

Mr. Schmersahl moved the following resolution:

RESOLVED, that 13 - 20,000 Lu. Mercury Vapor lights be installed on Main Street, New City, N. Y. from Third Street to New Hempstead Road, according to Rockland Light and Power Company Survey dated April 22, 1955, and

FURTHER RESOLVED' that the Rockland Light and Power Company be directed to install said lights.

Seconded by Mr. Renken.

Carried.

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Mr. Welchman moved the following resolution:

RESOLVED' that the Supervisor of the Town of Clarkstown be authorized to sign renewal agreement between the Town of Clarkstown and the County of Rockland for snow and ice removal for a term of two years.

Seconded by Mr. Schmersahl.

On roll call, the Board voted as follows:

AYES: Messrs. Schmersahl, Renken, Jeffrey, Welchman, Dillon.

NOLS: None.

Mr. Dillon read a letter from the New Jersey-New York Railroad Company relative to an automatic crossing bell and signs at Convent Road, Nanuet, advising the Board that the matter is being investigated.

Mr. Dillon read a letter from the Building Inspector with respect to request for building permit made by Thomas McLeod of Snedecker Avenue, Congers. The Board decided to hold the matter over until the next meeting for the recommendation of the Highway Superintendent.

The Building Inspector brought up the matter of a building permit requested by Joseph Hastings of Freemont Avenue, Nanuet. The Board decided to hold the matter over until the next meeting for the recommendation of the Highway Superintendent.

The following Performance Bonds were filed in the Town Clerk's Office and approved as to form and sufficiency:

Whitewood Estates - North section,
Germonds Road, NewCity, New York.

Quaspeck Park Homes, Inc.,
Section II and III.

Coyle & Coyle Subdivision,
New City, New York.

The following Maintenance Bond was filed in the Town Clerk's Office and approved as to form and sufficiency:

Birchwood Homes, Inc. -
Covering approximately 667 feet of road on Brookside Avenue
and approximately 433 feet of road for the continuation of
Birchwood Terrace as shown on profile map dated April 5,
1954, prepared by William A. Yuda, Engineer.

Mr. Roepe brought to the attention of the Board that Performance Bonds could not be returned once filed in the Town Clerk's Office, in cases where a Maintenance Bond was subsequently filed. It was suggested by him that upon the request of a developer, the Clerk notify the bonding company that on report of the Town Superintendent of Highways the Town has accepted dedication of the roads mentioned in the particular bond.

Mr. Dillon presented a Civil Service List on Police Patrolmen bearing the names of the following:

Boris M. Melnick
James H. Hoyt
Edward C. Stelling

Mr. Welchman moved the following resolution upon the recommendation of Chief Wiebicke:

RESOLVED, that James H. Hoyt of Bardonia, New York, be appointed to the position of Provisional Patrolman at an annual salary of \$4,300.00, to be effective as of the

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1st of February, 1956.

Seconded by Mr. Renken.

On roll call, the Board voted as follows:

AYES: Messrs. Renken, Jeffrey, Welchman, Schmersahl, Dillon.

NOES: None.

Mr. Welchman moved the following resolution:

WHEREAS, NELSON W. HALL, a Civil Engineer, was heretofore, by resolution duly adopted December 9th, 1955, directed to make and prepare definite plans and specifications, and a careful estimate of the expense and with the assistance of the Town Attorney, a proposed contract for the paving of Nelson Place at Nanuet, in said Town, as shown on "Map of Nanuet Homes" filed in the office of the Clerk of Rockland County by paving the entire length thereof.

WHEREAS, said definite plans and specifications, estimate of the expense and contract have been made and prepared, and filed with the Town Clerk of the Town of Clarkstown, as directed by statute, and have been examined by this Town Board, now therefore, be it

RESOLVED, that the said plans and specifications, estimate and contract be and each and every one of the same is hereby approved and adopted, and be it further

RESOLVED, that this Board invite sealed proposals to be submitted to it at 9:00 o'clock in the afternoon, Eastern Standard Time, on the 23rd Day of February, 1956, at the office of the Town Clerk at Main Street, in said Town, for the furnishing of materials, machinery and equipment and performance of the labor necessary or proper for the paving of Nelson Place, as described above, at Nanuet, in accordance with the aforesaid plans and specifications and under said contract and that said Town Clerk be, and he is hereby directed to prepare, with the assistance of the Town Attorney and Nelson W. Hall, a Civil Engineer employed by the Town, proper notices, calling for special proposals in detail, and cause the same to be published once in due form of law in the Journal-News, published at Nyack, New York, the official paper of this Town, in accordance with the provisions of Section 197 of the Town Law.

Seconded by Mr. Renken.

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

AYES: Messrs. Renken, Jeffrey, Welchman, Schmersahl, Dillon.

NOES: None.

Mr. Welchman moved the following resolution in view of the fact that the next regular Board meeting conflicted with the Annual Meeting of the Association of Towns of the State of New York:

RESOLVED, that the next meeting of the Town Board be set for the evening of February 10, 1956 at 8:00 P.M. o'clock.

Seconded by Mr. Renken.

Carried.

Mr. Dillon read a communication from the Board of Education of Nyack, N. Y., in respect to extension of School Zone and Lighting District in Central Nyack.

Mr. Welchman moved the following resolution:

RESOLVED, that a 15 mile per hour School Zone be established to include

to include that portion of Dickenson Avenue, Central Nyack, N. Y. within the bounds of the Town of Clarkstown, and

FURTHER RESOLVED, that the Superintendent of Highways be instructed to install a 15 mile per hour School Zone sign on Dickenson Avenue, Central Nyack, New York. Seconded by Mr. Renken. Carried.

Mr. Jeffrey moved the following resolutions:

WHEREAS the Village of Upper Nyack has adopted an Administrative Ordinance with reference to enforcing local and State Codes relating to business and housing, and

WHEREAS, said ordinance provides that the Building Inspector of the Town of Clarkstown may be designated as Building Code Examiner of the Village and that such Building Code Examiner shall be paid or be entitled to retain all fees as fixed in this ordinance to be paid over to the Town of Clarkstown.

NOW THEREFORE, BE AND HEREBY IS RESOLVED that the Building Inspector of the Town of Clarkstown is authorized and directed to accept said appointment from the Village of Upper Nyack and that all fees paid to him as Building Code Examiner shall be turned over or paid over to the Supervisor of the Town of Clarkstown, and that the Clerk be and she hereby is directed to notify the Board of Trustees of the Village of Upper Nyack, and the Building Inspector of the Town of Clarkstown, and the Village Attorney for the Village of Upper Nyack.

Seconded by Mr. Welchman.

On roll call, the Board voted as follows:

AYES: Messrs. Renken, Jeffrey, Welchman, Schmersahl, Dillon.

NOES: None.

Mr. Dillon read a letter from Doyle Brannon tendering his resignation as a member of the Clarkstown Planning Board.

Bill of Norman Williams, Jr., Legal Consultant, covering services in connection with the preparation of the new Zoning Ordinance was presented to the Board. The Board directed the Clerk to write to Mr. W. Reginald Herdman asking for an explanation of what this service involved and why he was retained a second time after he was paid in full for the original Zoning Ordinance draft.

Mr. Dillon brought up a matter of adjustment in assessed valuation totals.

Mr. Welchman moved the following resolution:

RESOLVED, that the Supervisor is hereby authorized to pay the County Treasurer the sum of \$689.66 in order to adjust the assessed valuation totals used in the equalization and apportionment of county charges as per the resolution of the Board of Supervisors dated Jan. 3, 1956.

Seconded by Mr. Renken.

On roll call, the Board voted as follows:

AYES: Messrs. Renken, Jeffrey, Welchman, Dillon.

NOES: None.

Mr. Dillon read a letter from Mayor John V. Kilby of Nyack, attaching a list of business places in Nyack transporting rubbish to the Clarkstown Dump. The Board directed the Clerk to invite Mr. Kilby to the next meeting of the Board for the purpose of discussing the matter.

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Mr. Dillon read a letter from the Central Clarkstown Residents Association with respect to afternoon meetings of the Town Board. The Clerk was instructed to write the association that the consensus of opinion was that the original schedule of meetings of the Town Board be continued and that any controversial matters and public hearings would be scheduled for evening meetings.

Mr. Dillon read a letter from the Central Clarkstown Residents Association suggesting that a new Town Hall Committee be appointed. It was decided to hold the matter over for the next meeting of the Board and full attendance of Board members.

Mr. Renken moved the following resolution:

RESOLVED that the sum of \$500.00 be allotted for added clerical expenses in the Office of the Town Attorney.

Seconded by Mr. Welchman.

On roll call, the Board voted as follows:

AYES: Messrs. Renken, Jeffrey, Welchman, Dillon.

NOES: None.

Mr. Dillon showed the Board a map of the proposed plan of the Garden State Parkway connection with the New York State Thruway.

The Clerk was instructed to remind the Highway Superintendent to install street signs on Beech Street, Poplar Street in the Nanuet Knolls development and on Alice Drive, Nanuet, New York.

Mr. Welchman moved the following resolution:

RESOLVED, that lights be placed on Poles No. 1 and 5 on Beech Street, on Pole No. 88 at the corner of Poplar Street and Middletown Road, and on Pole No. 6 on Sherwood Drive, Nanuet, New York, and a 20,000 Lu. Mercury Vapor light on Pole No. 72 on Route 304, Nanuet, New York, and

FURTHER RESOLVED, that the Rockland Light and Power Company be directed to install said lights.

Seconded by Mr. Jeffrey.

Carried.

Mr. Renken advised the Board that he would like to have the Board take steps to eliminate Rent Control in the Town of Clarkstown. The matter was referred to the Town Attorney to check and prepare the necessary resolution.

Mr. Renken suggested preparing an agenda of matters to come before Board to be submitted to the Board members about three days prior to meetings.

Chief Wiebicke brought up the matter of streets in new developments. The Clerk was instructed to write the Planning Board and ask them to procure an additional map from developers and forward same to the Clarkstown Police Department for their use.

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

Seconded by Mr. Renken.

Carried.

Dillard F. Magari
Town Clerk of Clarkstown