

## TOWN BOARD MEETING

March 22, 1956

Town Clerk's Office

3:00 P.M.

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

Mr. Dillon called the meeting to order.

On motion made by Mr. Schmersahl, seconded by Mr. Welchman and carried, the minutes of the previous meeting were accepted.

Mr. Welchman moved that sealed proposals for the paving of Nelson Place, Nanuet, be opened.

Seconded by Mr. Schmersahl.

Carried.

Bids opened were as follows:

Cyler & Schuck, Inc. --- \$4,350.00

County Asphalt, Inc., --- \$5,600.00

Ward Pavements, Inc. --- \$4,356.00

Mr. Welchman moved the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown find and determine and it does hereby find and determine, that the proposal of Cyler & Schuck, Inc. for furnishing all materials, machinery and equipment and doing all work necessary for the performance according to specifications of a contract to be let by the Town of Clarkstown for the paving of Nelson Place, at Nanuet, by paving the entire length thereof, in the Town of Clarkstown, Rockland County, New York, is the lowest responsible proposal for the paving of said Nelson Place, at Nanuet, in said Town, by paving the entire length thereof; and be it further

RESOLVED, that the said proposal of said Cyler & Schuck, Inc., be and the same is hereby accepted; and be it further

RESOLVED, that this Board enter into a contract with the said Cyler & Schuck, Inc., for furnishing all materials, machinery and equipment and doing all work necessary for the performance according to specifications of a contract to be let by the Town of Clarkstown for the paving of Nelson Place, at Nanuet, by paving the entire length thereof, in the Town of Clarkstown, Rockland County, New York, at the price mentioned in said proposal of the said Cyler & Schuck, Inc., which said contract shall be in a form satisfactory to the Town Attorney and shall require the said Cyler & Schuck, Inc., to furnish proper security for the faithful performance of said contract; and be it further

RESOLVED, that said Nelson Place be accepted as a Town Highway, subject to the approval by the Town Attorney as to title and that the Town Attorney record the appropriate instruments.

Seconded by Mr. Schmersahl.

On roll call, the Board voted as follows:

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

NOES: None.

Mr. Schmersahl moved that the Board to into the Board of Health.

Seconded by Mr. Renken.

Carried.

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Mr. Kenken moved the following resolution:

RESOLVED that checks accompanying proposals for the paving of Nelson Place, Nanuet be returned to the Unsuccessful bidders.

Seconded by Mr. Jeffrey.

Carried.

Mr. William Yuda appeared before the Board on behalf of Whitewood Estates, New City, advising that the developer is willing to pave Johnson's Lane for a distance of 590 feet providing the Town will accept this road as a 33 foot right-of-way instead of the usual 50 foot right-of-way required by law. The Board advised that it would be necessary to obtain permission from the State Department of Public Works.

Mr. Schmersahl moved the following resolution:

RESOLVED that the New York State Department of Public Works consent to the taking over by the Town of Clarkstown of a street known as Johnson's Lane, New City, running easterly from State Highway 9005, otherwise known as Route 304, for a distance of approximately 590 feet, as a 33 foot wide right-of-way instead of the usual 50 feet, to be paved 24 feet thereof, according to Town specifications.

Seconded by Mr. Welchman.

Carried.

Marshall Rooney, Lsa. appeared before the Board in respect to Silver Birch Hills application, a portion of which development lies in the Town of Clarkstown. He advised that the Clarkstown Planning Board would not grant final approval until the Town Board clarified its stand in the matter.

The Board directed the Clerk to write to the Planning Board advising that Silver Birch Hills was discussed before the Town Board on March 22, 1956 and that as far as the Board is concerned, if the roads, at the time of proposed dedication, meet specifications and the proper papers are delivered to the Town Board, it would consider taking over the roads and in the event the Town Board takes over the roads, the Town will maintain them.

Everett Johns, Esq. appeared before the Board on behalf of Bardonia Land Corporation, asking if the Board had made a decision on their application for a change of zoning. The Board requested Mr. Johns to submit a map to enable them to study the matter in detail and advised him he would be notified of the outcome in about two weeks time.

Mr. Dillon read a letter from the Nanuet Union Free School District with respect to Grandview Acres, setting forth the fact that they were cognizant of the fact that the problem of supplying schools was strictly a School Board matter. The Clerk was instructed to write a letter of thanks.

Mr. Victor Smith appeared before the Board in connection with the rezoning of his property in Centenary. The Board advised Mr. Smith that the matter would be taken under consideration.

Mr. Smith also brought up the matter of keeping fire hydrants open during severe snow storms, inquiring as to whose duty it was to do so. He was advised that firemen in different locales usually clear away snow around the hydrants.

Mr. Dillon read a letter from the Assessor requesting the purchase of a typewriter for his office.

Mr. Schmersahl moved the following resolution:

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RESOLVED that a typewriter be purchased for the Assessor's office, not to exceed the purchase price of \$200.00.

Seconded by Mr. Renken.

Carried.

Mr. Dillon read a letter from Thomas E. Walsh, Esq., inquiring when assessment books would be closed and when Grievance Day would be. The Clerk was directed to advise Mr. Walsh that Grievance Day was the second Tuesday in July and that the assessment books would be closed on June 30th.

Mr. Dillon reported to the Board that 173 tax map sheets had been received from the J. L. Jacobs Company and asked the Clerk to report on same. The Clerk advised that arrangements had been made with the County Clerk to store the tax map sheets in his vault for safe-keeping. It was also reported that a binder had been put on insurance covering the maps, the premium not to exceed a cost of \$420.00.

Mr. Dillon advised the Board that the Assessor was composing a letter to be sent to taxpayers with respect to assessments.

Mr. Dillon read a letter from the J. L. Jacobs Company regarding additional work done since last September. The matter was referred to the Assessor.

A letter from Central School District No. 1, Clarkstown, was read to the Board, asking to rent or borrow two voting machines for the afternoon of May 1, 1956. Mr. Roepe advised that he would look into the matter and report to the Board at the next meeting.

Letters from Senator Desmond and Assemblyman Walmsley, acknowledging the Board's opposition to proposed legislation, were read to the Board. The Clerk was instructed to write another letter to Senator Desmond stating that the Board would like to have him indicate his feeling on this proposed legislation.

Mr. Dillon read copies of letters sent by Town Attorney Roepe to Lester D. Stickles, Esq., one thanking Mr. Stickles for his able handling of the Trap Rock case and the other setting forth the resolution adopted by the Board covering sale of the extra copies of the printed case on appeal in the Appellate Division, Second Department, in the Trap Rock case.

Mr. Dillon read a letter from Mr. Wilson P. Foss, III, of the New York Trap Rock Corporation, with respect to the sale of the extra printed copies of the printed case on appeal, enclosing article which appeared in the New York Times.

A letter from the Spring Valley Water Works & Supply Company with respect to request for installation of two hydrants on Simkin Drive, New City, was read to the Board.

Mr. Schmersahl moved the following resolution:

RESOLVED that two fire hydrants be installed on Simkin Drive, New City, at locations designated by the New City Fire Chief, and be it

FURTHER RESOLVED that the Spring Valley Water Works and Supply Company be authorized to install the said fire hydrants.

Seconded by Mr. Welchman.

Carried.

Mr. Renken brought up the matter of two fire hydrants on Briar Road, Nanuet, which were only 150 feet apart. Mr. Welchman offered to confer with Chief Frohling of Nanuet to see whether he recommended the moving of one of these hydrants

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so that it would be 500 feet distant from the other, so that a report could be given at the next meeting.

Mr. Dillon read a letter from the New York State Department of Health, Middletown, with respect to unsatisfactory covering at the Clarkstown Sanitary Fill and making recommendations. The matter was referred to the Sanitary Fill Committee. The Board directed the Clerk to write to the Dumpmaster requesting his presence at the next meeting.

Mr. Dillon read a letter from Mrs. M. G. Eaton in which she complained of the condition of Route 303 underpass at the intersection with Route 59. The Clerk was instructed to refer the matter to the Department of Public Works at Albany and so advise Mrs. Eaton.

Mr. Dillon read a letter from Mrs. Richard A. Koch of New City, complaining of dogs running at large and suggesting that a dog ordinance be adopted by the Board. The Clerk was instructed to insert a notice in the Journal-News publicizing the existence of a dog ordinance and that violations are subject to penalty.

Mr. Welchman moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by Resolution duly adopted on the 10th day of February, 1956, provided for a public hearing on the 8th day of March, 1956, at the office of the Town Clerk, Main Street, New City, New York, at 9:00 p.m., Eastern Standard Time, to consider the application of John Bassano and Rose Ann Bassano, to amend the Building Zone Ordinance for the said Town by redistricting the property of the said petitioners from RO to C-2, and

WHEREAS, notice of said public hearing was duly published as required by law and said public hearing was duly held at the time and place specified in said notice.

NOW, THEREFORE, be it resolved that the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting the following described property at Valley Cottage, in said Town, from RO to C-2:-

BEGINNING at the point of intersection of the northeasterly line of the premises herein described, which is also the southwesterly line of the lands hereinafter described, with the westerly line of Route 303 running from Valley Cottage to Congers, which point is designated by a cross cut in a rock in a stone wall that forms the boundary between the lands herein described and the lands hereinafter described; running thence along said stone wall and along the lands hereinafter described; North  $16^{\circ} 9'$  West 211.1 feet to an iron bar in said stone wall and lands of Ippolito; to an iron bar in the ground; running thence still along lands of said Ippolito, South  $2^{\circ} 46'$  West 228.3 feet to an iron bar in the ground, running thence still along lands of Ippolito, South  $6^{\circ} 17'$  East 118.5 feet to an iron bar in the ground; thence still along lands of Ippolito, South  $66^{\circ}$  East 104.6 feet to an iron bar in the ground, in the westerly line of said Route 303 which said point is 1336 feet measured along said westerly line of Route 303 from the intersection of the northerly line of Lake Road and the westerly line of Route 303; and running thence along the westerly line of Route 303, North  $23^{\circ} 45'$  East 180.1 feet to the point or place of beginning.

ALSO all that certain lot, piece or parcel of land situate, lying and being at Valley Cottage, in the Town of Clarkstown, County of Rockland and State of New York, and more particularly bounded and described as follows, viz;

BEGINNING at a point in the westerly line of Route 303 at the southeasterly corner of the premises herein described, and the northeasterly corner of the premises hereinbefore described; running thence along the northeasterly line of the premises hereinbefore described, North  $19^{\circ} 15'$  West about 199 feet to a stake standing in the center of a stone wall at the northwesterly corner of lands heretofore conveyed by Catherine Mead to Herman Albers and Marie Albers, his wife; running thence along the northerly line of said land conveyed aforesaid: South  $70^{\circ} 40'$  East 127 feet to the westerly line of Route 303; thence in a southwesterly direction along the westerly line of said Route 303, 161.9 feet to the point or place of beginning.

Seconded by Mr. Jeffrey.

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On roll call, the Board voted as follows:

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

NOES: None.

Mr. Dillon presented proposals for Sanitary Fill opened at the previous meeting. The Board directed the Clerk to write to Mr. William Wolf of 39 Collins Avenue, Spring Valley, requesting him to dump a load of fill at the Clarkstown Sanitary Fill to enable the proper committee to inspect same, after which he would be notified of the outcome.

Mr. Dillon read a letter from Mrs. Joseph M. Finkelstein, Nanuet, with regard to the hazardous condition where Route 59 and Old Nyack Turnpike connect, requesting a "Stop" sign.

Mr. Welchman moved the following resolution:

RESOLVED that a "Stop" sign be installed at the Thruway loop intersection with Old Nyack Turnpike in Nanuet, and be it

FURTHER RESOLVED that the Town Superintendent of Highways be authorized to install the said sign.

Seconded by Mr. Schmersahl.

Carried.

The Board decided to hold a special meeting on March 27, 1956 at 8:00 p.m., in the Supervisor's Office, for the purpose of taking up the matter of the J. L. Jacobs Company bill, the Civil Service eligible list for appointment of Assessor, the Town Hall matter, as well as applications of Bardonia Land Corporation and Grandview Acres.

The Highway Superintendent brought up the matter of drainage problems parallel to Route 304 in New City. The need for a Town Engineer on either a part time or full time basis was discussed. Mr. Roepe suggested that he meet with Mr. Klein and Mr. Schriever of the Planning Board for the purpose of looking into the matter of retaining an Engineer. The Board unanimously concurred with Mr. Roepe's suggestion.

Mr. Klein requested the Board's permission to procure bids on a two-ton and a four-ton truck for the Highway Department.

Mr. Welchman moved the following resolution:

RESOLVED that the Town Superintendent of Highways be permitted to secure bids on a two-ton truck and a four-ton truck for the Highway Department of the Town of Clarkstown.

Seconded by Mr. Schmersahl.

On roll call, the Board voted as follows:

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

NOES: None.

Mr. Welchman called the Highway Superintendent's attention to the fact that there was a pipe sticking up in the road on College Avenue, Nanuet. Mr. Klein was of the opinion it might be a gas pipe and was directed by the Board to check on same, with the Gas Company.

Mr. Renken asked whether the Tax Collector should be present at the March 27th meeting in connection with the I.B.M. contract. It was felt that this

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would be unnecessary in that the Tax Collector was now satisfied.

Mr. Welchman moved the following resolution:

RESOLVED that street lights be erected on Poles No. 4 and 6 on Grace Street, Nanuet, and be it

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

Seconded by Mr. Schmersahl.

Carried.

The condition of the Erie Railroad Crossing in Nanuet was brought to the attention of the Board. On recommendation of the Highway Superintendent, the Clerk was directed to write to the Erie Railroad suggesting that they repair the crossing and use a hot mix or some other lasting material so that holes will not appear again in a short time. The Clerk was further directed to forward a copy of the said letter to the Department of Public Works in Albany.

Report of Zoning Ordinance Violation No. 602, dated March 14, 1956, citing violation of sign on premises of Fireside Inn without permit, owned by Quaspeck Park Homes, Inc., Rockland Lake, presented to the Board.

There being no further business to come before the Board, Mr. Schmersahl moved that the meeting adjourn.

Seconded by Mr. Jeffrey.

Carried.

Respectfully submitted,

*Mildred F. Maggi*  
Town Clerk of Clarkstown

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