

TOWN BOARD MEETING

April 18, 1956

Town Clerk's Office

8:15 P.M.

Present: Mr. Welchman

Mr. Schmersahl

Mr. Dillon

Mr. Dillon opened the Hearing.

The Clerk read Notice of Hearing for the purpose of considering the decontrol of all housing accommodations in the Town of Clarkstown.

Mr. Dillon inquired of those present if anyone desired to speak in favor or disfavor of the said decontrol.

Mr. John Koop of New City addressed the Board, advising that he favored decontrol.

Letters to the Town Board favoring decontrol of housing were submitted by the following persons: Giobatta Boggiano, Karl Kirchner, Secretary of the Rockland County Board of Realtors, Edith Haerle, Frederick R. Horn, Jr., Israel H. Hirsch, Mrs. Ella Hirsch, Samuel L. Gunn, Esq., Frank R. Zwahlen, Harry Long, Whitney D. Sherman, Winston C. Perry, E. C. McGill, Mrs. Nelson A. McGill and J. V. Keyrouse, Junior.

All persons present at the meeting having had a chance to be heard, Mr. Welchman moved that the hearing be closed.

Seconded by Mr. Schmersahl.

On roll call, the vote was as follows:

AYES: Messrs. Welchman, Schmersahl, Dillon.

NOES: None.

Respectfully submitted,

Mildred F. Maguire
Town Clerk of Clarkstown

DAA 657

TOWN BOARD MEETING

April 26, 1936

Town Clerk's Office

3:00 P.M.

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

Mr. Dillon opened the meeting.

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

Frederick Frey, esa. appeared before the Board on behalf of Patrick L. and Marian Grando in respect to drain on Park Avenue, Nanuet, used for surface water which floods Mr. Grando's property. He advised that no easement was ever obtained for installation and maintenance by the Town of said drain. Mr. Grando has been forced to close off the drain to preserve his property. Mr. Frey advised that if the drain is opened Mr. Grando will be forced to collect for damages. The Highway Superintendent explained that he was familiar with the condition and that he and Mr. Hall would meet the next day to see what could be done to alleviate the condition. Mr. Klein advised that an attempt is being made by Mr. Hall to procure an easement over adjoining property to a brook about 250 feet distant.

Donald Partridge, Esa. appeared before the Board with respect to improvement of First Street, Nanuet. Mr. Dillon read a letter from the Department of Public Works, refusing permission to connect First Street with the new Route 59. Mr. Partridge thought the Department of Public Works should have granted the request in that the road had been used for twenty-five or thirty years before the Thruway came into being and on an official State map it appeared as a street. It was suggested that Mr. Bixby be petitioned and then the Superintendent of Public Works himself. The Highway Superintendent was of the opinion that relief could be gotten and that a 24 feet right-of-way might be obtained as a filed street inasmuch as the State had granted such approval to Cherry Lane, West Nyack. Mr. Renken was of the opinion that if First Street had access to Route 59 it would alleviate the traffic congestion at Four Corners, Nanuet, resulting from the Lederle plant. The Board directed Mr. Roepe to prepare a form of order to be ready to be set down at the next meeting of the Board. Mr. Dillon advised that he would contact Mr. Bixby on the matter.

Mr. George Walker appeared before the Board on behalf of the Nanuet Business Men's Association with respect to the Erie Railroad Crossing in Nanuet at Main Street.

Mr. Renken moved the following resolution:

RESOLVED that the Town Board of the Town of Clarkstown go on record as appealing to the State Department of Public Works to inspect the Erie Railroad crossing at Main Street, Nanuet, New York and take action to make repairs of a permanent nature.

Seconded by Mr. Schmersahl.

Carried.

Mr. Irving Werner of Nanuet appeared before the Board in respect to converting the Erie Railroad crossing on Prospect Street from a private to a public crossing. Mr. Roepe advised that several steps would have to be taken before this

could be accomplished and give an example of the procedure. The Board requested Mr. Roepe to look into the matter. Mr. Werner was asked to submit a petition to the Highway Superintendent to lay out a new highway, as the first step.

Mr. Samuel Gunn appeared before the Board with respect to an error in transposing aerial survey to the new Zoning Map. Mr. Dillon read a letter from Richard May, Jr., Rockland County Planning Board Director, referring to Willow Tree Manor and clarifying the matter.

Mr. Jeffrey moved the following resolution:

Based on report of Richard May, Jr., Rockland County Planning Board Director, dated April 23, 1956, be it

RESOLVED that the said Richard May, Jr. be authorized and directed to correct drafting error made with reference to Willow Tree Manor, in compiling or making of the Zoning Map.

Seconded by Mr. Schmersahl.

On roll call the vote was as follows:

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

NOLS: None.

Mr. Leonard Schwall of New City appeared before the Board advising that he understood there had been a meeting of the Board on April 17th but that no minutes of the meeting were available at the Clerk's office. Supervisor Dillon informed him that there was no regular or special meeting on this date, merely an informal discussion with members of the Town Hall Committee, without any decisions being made.

Mr. Dillon read a letter addressed to the Board by the Town Attorney, having reference to the qualifications and residence of the Assessor, in connection with letter addressed to the Board by Leonard Schwall. The Town Attorney suggested that the Assessor, Mr. Doyle Brennan, be requested to appear before the Board, be put under oath and examined, particularly as to residence.

Mrs. Rossi of College Avenue, Nanuet appeared before the Board with respect to drainage affecting her property. Mr. Schumacher, Building Inspector, was requested to check on the Weinberg property opposite the Rossi home and report whether a permit had been granted for installation on septic tank. The Board advised Mrs. Rossi that Mr. Hall, County Engineer, was working on the drainage matter.

Mr. Charles A. Heschels, President of the Rockland County Chapter of the New York State Society of Professional Engineers, appeared at the invitation of the Board to discuss the advisability of appointing a part time Town Engineer for the Planning Board for the purpose of straightening out drainage problems. Mr. Heschels reviewed various phases of drainage problems and the merits of appointing a Town Engineer, who would work with the Planning Board, the Highway Superintendent, the Building Inspector and Town Attorney. Mr. Heschels advised he would discuss the matter with his Chapter at its next meeting on May 10th and obtain its recommendation and a list of available Engineers for submission to the Town Board. Mr. Roepe pointed out that the names submitted should be elective residents of the Town.

Mr. Nicholas Hlipala appeared before the Board on behalf of Mr. Leonard Anish of Nanuet in respect to effluent flowing over Mr. Anish's property from Dew

1/20/56

Drop Inn, which is owned by Mr. Harold Orland. The Board advised him that Dr. Hopper had sent Mr. Orland a notice to remedy the condition on April 4, 1956 and that if the notice was not complied with in thirty days the Town Attorney would be advised by Dr. Hopper to bring action.

Mr. Dillon read a letter from the Department of Public Works re Johnson's Lane, New City, making additional requests. The Board directed the Clerk to send a copy of the letter to Mr. William Yuda, Engineer.

Mr. Dillon referred to a copy of a letter sent by the Town Attorney to the Department of Audit and Control with respect to the propriety of appointment of a present Planning Board Member as Assistant to the Building Inspector. Mr. Roepe advised he had received an acknowledgment but no answer to the question as yet.

Mr. Dillon also brought to the attention of the Board copy of a letter sent by the Town Attorney to Mr. Stone of the New York Telephone Company regarding certiorari.

The Building Inspector reported to the Board that there was sewage flowing over the property of Mr. Anish from the Dew Drop Inn. He further reported that a permit had been granted to Mr. Orland and copy of the Town Ordinance given to him at that time. The Board requested Mr. Schumacher to inspect the premises in a day or two to see if he had corrected the condition and report to the Board.

A letter from the Planning Board acknowledging Board's resolution of March 12th with respect to subdividers furnishing street signs in the future and suggesting it be a feature in acceptance of new roads, was read to the Board by Mr. Dillon.

Mr. Dillon read a letter from the Building Department requesting permission to engage a charwoman on a once a week basis. Mr. Schumacher advised there was a Mrs. Chmielnik available.

Mr. Welchman moved the following resolution:

RESOLVED that Mrs. Chmielnik of New City be appointed to do custodial work in the Building Inspector's office to be effective as of May 1, 1956 at a monthly salary of \$24.00.

Seconded by Mr. Schmersahl.

Carried.

Mr. Dillon read copy of a letter addressed to Mr. Stephen Boross of Nanuet by Mr. Richard May, Jr., County Planning Board Director, with respect to Fisher Avenue, Nanuet.

Mr. Dillon presented to the Board, Report of Examination from the Department of Audit and Control, on the Town of Clarkstown, for the period January 1, 1953 through December 31, 1954.

The following Performance Bonds were approved by the Board as to form and sufficiency and filed with the Clerk:

Germonds Heights
Germonds, N. Y.
(Overlook Road and Clearview Road)

Red Hill Acres Subdivision,
New City, N. Y.
(Grand St., Badger St. and Carrie Drive)

Mr. Dillon read a letter from SGH Development Corporation suggesting that Hillside Avenue in its development be changed to Faley Avenue inasmuch as there is another Hillside Avenue in New City.

Mr. Schmersahl moved the following resolution:

RESOLVED that from and after date of this resolution, street known as Hillside Avenue leading southerly from Cellyer Avenue, New City, through development known as Empire Park Homes, be closed to Fanley Avenue and that the proper local, State and Federal authorities be notified.

Seconded by Mr. Welchman.

Carried.

Mr. Dillon read a letter from Bouton's, Inc. quoting prices on fireproof files for the Assessor's office.

Mr. Renken moved the following resolution:

RESOLVED that the Assessor be authorized to purchase two legal size fireproof files at a cost of \$279.50 each.

Seconded by Mr. Welchman

On roll call the vote was as follows:

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

NOES: None.

Mr. Dillon read copy of a letter sent by the County Highway Superintendent to Mr. H. B. Tucker of the New York Central Railroad, Weehawken, N. J., with respect to railroad crossing on Lake Road, Congers and recommending rebuilding.

Mr. Dillon read a letter from the State Traffic Commission advising that "Stop" signs at Ludvigh Road and Route 304 were being installed.

A letter from the Central Clarkstown Residents Association dated April 16, 1956 recommending procedure in making appointments was read to the Board. The Clerk was instructed to write advising that the Board would consider the contents of their letter.

Mr. Klein requested permission to install a "Stop" sign at new Goebel Road. Mr. Roepe suggested to the Board that they direct the Clerk to write to Mr. Jules Von Scheidt, Assistant to the President of the Spring Valey Water Works and Supply Company, to make arrangements to meet with Mr. Klein and him for the purpose of discussing roads being constructed by the Water Company.

Mr. Schmersahl moved the following resolution:

WHEREAS, written petition, in due form and containing the required signatures has been presented to and filed with the Bown Board of the Town of Clarkstown, Rockland County, New York, for the extension of the New City-West Nyack Water Supply District, in the said Town, to be bounded and described as follows:-

BEGINNING at a point on the westerly line of Route 304 where it is intersected by the present northerly line of New City-West Nyack Water Supply District, thence (1) northerly along the westerly line of Route 304, 750 feet; thence (2) easterly and parallel with the present northerly line of the New City-West Nyack Water Supply District and distant northerly 500 feet at right angles therefrom 900 feet more or less; thence (3) northerly and parallel with Elmwood Drive and distant 500 feet westerly from the westerly line thereof 900 feet; thence (4) easterly and at right angles to the third course 1450 feet more or less; thence (5) southerly and parallel with Crestwood Drive and distant easterly 500 feet from the easterly line thereof to a point which is 500 feet northerly from the northerly line of Sunrise Avenue; thence (6) easterly and parallel with Sunrise Avenue and its prolongation easterly a distance of 1000 feet; thence (7) southeasterly and crossing New City-Congers Road at a point 100 feet west of the center line of Brewery Road to a point 500 feet southeasterly of the southeasterly line of said New City-Congers Road; thence (8) westerly and parallel with the New City-Congers Road and distant southerly 500 feet from the southerly line thereof to the easterly line of the present New City-West Nyack Water Supply district; thence (9) northerly and westerly along the easterly and northerly line of the present New City-West Nyack Water Supply District to the place of beginning.

1/24/56

WHEREAS, the improvements proposed consist of the extension of a water supply district and installation of mains and hydrants to serve the said proposed district, and

WHEREAS, the maximum amount to be expended for the performance or supplying of services annually as stated in the said petition is the sum of \$1,422.00, it is hereby

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Town Clerk's office at Main Street, New City, New York, on the 10th day of May, 1956, at 8:30 p.m., Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof, concerning the same, and for such other action on the part of said Town Board with relation to the said petition as may be required by law or proper in the premises.

Seconded by Mr. Welchman.

On roll call, the Board voted as follows:

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

NOES: None.

Mr. Welchman reported on check of the Clarkstown Sanitary Fill, stating he would like the Board to have an idea as to what is taken in fees and the cost of maintenance. As to maintenance, he advised that about \$800.00 per month was expended for fill for coverage, \$30.00 per month for fuel oil and about \$6.00 for motor oil for the bulldozer, Dumpmaster's salary about \$380.00 per month and general maintenance about \$100.00 per month. Explaining general maintenance, Mr. Welchman spoke of the new arch pipe installed at a cost of \$960.00 and needed new tracks for the bulldozer which costs in the neighborhood of \$1000.00 and so forth. He estimated the approximate cost of operating and maintaining the Sanitary Fill was \$1316.00 per month. As to revenue from scavengers fees, he advised that there had been collected \$806.00 in January, \$797.00 in February and \$741.00 in March, showing a definite loss in operation. Mr. Welchman felt that scavenger fees should be raised to offset the loss. He also stated that the parcel of 29 acres purchased was filling up very fast, that about 4 acres had been filled in about two years. The present fill may be dumped another five feet and about one year but in a matter of ten years the property will not be able to be used for this purpose. Mr. Welchman was of the opinion that there should be no reason for operating at a loss, more particularly when the property was purchased for the use of the residents of Clarkstown. Referring to the Dumpmaster's report, he pointed out that some scavengers have more than one truck but only pay one fee of \$50.00. It was suggested that the fee be raised to \$100.00 per month and \$50.00 be charged for each additional truck. Mr. Welchman stated he felt only Clarkstown scavengers should be permitted to dump in view of the constant increase in dumping. He asked that the Board consider the data set before them and decide on the fee and whether outside areas be permitted to dump. Mr. Welchman further reported that in January \$156.00, in February \$97.00 and in March \$141.00 had been collected in individual dump fees.

Mr. Welchman advised he had tried to contact Mr. William Wolf with respect to equipment service and supply of fill on hand but had been unsuccessful. Mr. Klein reported that the sample load of fill furnished by Mr. Wolf was fair, although it contained some red clay.

Mr. Welchman advised that he had received a request for a sign directing traffic to Bardonia at New Route 59.

Mr. Schmersahl moved the following resolution:

RESOLVED that the State Traffic Commission be requested to install a direction sign to Bardonia at Smith Street and New Route 59 intersection.

Seconded by Mr. Welchman.

Carried.

Mr. Welchman reported that Chief Frohling of the Nanuet Fire Company had made a request for a hydrant at the intersection of Scotland Hill Road and Pascack Road, Nanuet.

Mr. Welchman called attention to the condition of the dump at the Besso property in West Nyack, stating that Mr. Besso was not living up to his promise to keep material dumped properly covered and that the place was in an unsightly condition. The Board directed the Clerk to write to Mr. Besso advising that if the dump were not properly covered his privileges would be rescinded.

Supervisor Dillon requested Mr. Doyle M. Brannon to appear before the Board for questioning, as Assessor, relative to residency. After being put under oath, Town Attorney Roepe asked the following questions, which, in turn, were answered by Mr. Brannon:

- Q. Mr. Brannon, for the purposes of examining into these charges about your qualifications, will you, considering yourself under oath, tell the Members of this Board where you actually reside?
- A. Germonds Road, West Nyack, New York.
- Q. For further clarification, that is your domicile?
- A. That is correct.
- Q. That is in the Town of Clarkstown, is it not, and you, being the Assessor, have personal knowledge of the location of your residence within the Town limits?
- A. That is correct.
- Q. Do you intend to vote in the forthcoming Fall elections?
- A. If I am alive I anticipate voting in the Fall election. Yes.
- Q. You are, are you not, an enrolled voter in the Town of Clarkstown?
- A. I am and I have been for a number of years.
- Q. Do you intend to vote in Clarkstown this Fall at the general election?
- A. Yes. I do.

Mr. Roepe then asked the Board if there were any further questions to be answered by Mr. Brannon and there were none.

Mr. Renken brought up the matter of assessment and reassessment cards, stating that he had noticed publicity on the matter in the newspaper and from individuals. It was pointed out that there was a misunderstanding on the part of some people. The appraisals were completed but not the reassessment cards. The Clerk was instructed to write to the J. L. Jacobs Company advising that the Board would like the work contracted for completed, calling attention to "General" provisions on page nine of specifications accompanying the contract and requesting them to call upon Mr. Brannon to have a form of notice approved by him and sent by them to individual taxpayers as soon as possible and in no event later than May 15th, 1956.

Mr. Schmersahl moved the following resolution:

...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 "R-1" District to a "C-2" District.

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 10th day of April, 1956, at 6:15 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 was as follows:

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

NOLLS: None.

Mr. Klein reported, in connection with Mr. Stack's appearance before the Board, that he had contacted Mr. Puleggi of Lady Theresa Homes and had been told by him that a contract had been given to Ward Brothers to build the road in front of the new homes in this development according to Town specifications. He further stated that he had been given to understand that the people on the street were going to contribute to the cost.

Mr. Jeffrey advised that he had been approached by businessmen in Valley Cottage about getting around five lights in the business section. Mr. Welchman stated consideration for lights in the Valley Cottage business district had been brought up sometime ago, reviewing what had transpired in respect thereto. Mr. Jeffrey was advised to determine whether the proposed lighting district should take in only the business district or the whole Hamlet of Valley Cottage and then get up a petition if the lights are wanted.

Mr. Jeffrey brought up the matter of widening Lake Road on the south side from the Firehouse to Route 303. Mr. Klein advised that a retaining wall would be needed, that some houses along the road would then have a high bank in front of them and the cost would run about \$6000.00 or \$7000.00. No action was taken on the matter.

Bills Nos. 482 and 483 on Warrant 4A, totalling \$2774.36, were presented to the Board, audited and ordered paid.

All business to come before the Board having been consummated, on motion made by Mr. Schmersahl, seconded by Mr. Welchman and carried, the meeting was adjourned.

Respectfully submitted,

William F. Maggi
Town Clerk of Clarkstown