

TOWN BOARD MEETING

May 24, 1956

Town Clerk's Office

3:00 P.M.

Present: Messrs. Dillon
Renken
Jeffrey
Schmersahl

Absent: Mr. Welchman

Mr. Dillon opened the meeting.

On motion made, seconded and carried, the minutes of the previous meeting were accepted.

John Mirabile, Esq. appeared before the Board on behalf of Mr. Emil J. Pedersen, owner of Lots 21 and 22 in Block D and Mr. Daniel Chabra, owner of Lots 7 and 8 in Block E, Nanuet Homes, Inc., requesting building permits.

Mr. Schmersahl moved the following resolution:

RESOLVED, that the Building Inspector be authorized to issue Building Permits to Mr. Emil J. Pedersen for Lots 21 and 22 in Block D and to Mr. Daniel Chabra for Lots 7 and 8 in Block E, Nanuet Homes, Inc.

Seconded by Mr. Renken.

Carried.

Mr. John Mirabile appeared before the Board on behalf of Mrs. Samuel Soloway, owner of property on Second Avenue at the end of Rose Avenue, Spring Valley. The road in front of her property is only dirt and very bumpy. Mrs. Soloway is desirous of paving the road fronting her property provided the Town will take same over. The Board advised that they would have the Highway Superintendent look into the matter.

Edward G. Roepe, Town Attorney, read a letter asking for an adjournment on the meeting agenda to June 14, 1956, in the matter of application of Alice Zucker to extend Prospect Avenue across the railroad tracks and property of the N. J. and N. Y. Railroad Company in Nanuet.

In the matter of Johnson's Lane, New City, Town Attorney Edward G. Roepe advised that Kohl & Feld had submitted a guarantee to the Town.

Mr. Schmersahl moved the following resolution:

WHEREAS, the Town of Clarkstown has been requested to lay out as a Town Road, Johnson's Lane, at New City, New York, which said road runs easterly from Route 304 (State Highway No. 9005) for a distance of 631.12 feet measured along the center line thereof from the center line of said State Highway No. 9005 to its eastern terminus; and

WHEREAS, the said road has been in use by the public generally for a period in excess of fifty years; and

WHEREAS, the said existing road has a width of 33 feet, and

WHEREAS, Kohl & Feld, Inc. has guaranteed to the Town of Clarkstown that it will improve said road by paving to a width of 24 feet in accordance with specifications of the Town of Clarkstown,

NOW THEREFORE, be it resolved that it is in the public interest that the said Town of Clarkstown, through its proper officials, lay out said existing road known as Johnson's Lane, as a Town road,

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BE IT FURTHER RESOLVED, that it is the intention of the Town Board of the Town of Clarkstown to consent to the laying out of this road subject to certification by the State Superintendent of Public Works.

The description of the said road by center lines is as follows:

BEGINNING at the point of intersection of the center line of State Highway No. 9005 and the center line of said Johnson's Lane, which said point is Station 120.09; running thence South $74^{\circ} 06' 30''$ East 631.12 feet to the easterly terminus of said road.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NOES: None.

Contract between the Town of Clarkstown and the Nanuet Public Library was presented to the Board.

Mr. Schmersahl moved the following resolution:

RESOLVED, that Supervisor Irvin F. Dillon be authorized to execute the contract between the Town of Clarkstown and the Nanuet Public Library.

Seconded by Mr. Renken.

Carried.

Permit issued to George William Seidel on May 18, 1956 to open road for installation of water pipes on Waldron Avenue, Central Nyack was presented to the Board and approved.

Mr. Sol Kupperman appeared before the Board with deed covering a portion of Lexow Avenue, Nanuet. Mr. Klein, Highway Superintendent, informed the Board that the road had been built to Town specifications but that there was no turn around and that there was a bank about 10 feet high on the side of the road. He suggested that a fence be erected on top of the bank as a safety measure to prevent accidents inasmuch as there was a question of Town liability. The Board instructed Mr. Klein to discuss the matter with the owners and report to the Board. The Clerk was directed to check with Mr. Zwahlen as to coverage in the Town's insurance in circumstances of this sort and report to the Board.

On motion made by Mr. Schmersahl, seconded and carried, the Board moved into the Board of Health.

In connection with complaints about a tree obstructing the view of motorists at New Goebel Road and Congers Road, Attorney Roepe reported that the tree in question was not on a Town road, that the Water Company had been apprized of the complaint and the matter would be taken up at a meeting between him and the Water Company representative to resolve all road problems.

Mr. Dillon read a letter from the State Traffic Commission with respect to establishing a 30 M.P.H. speed zone on Little Tor Road between New Hempstead Road and Phillips Hill Road, New City, advising that conditions are being investigated and the Board would be advised of the decision reached.

Mr. Dillon read a letter from the Spring Valley Water Works and Supply Company stating arrangements had been made to have a representative of their company meet with the Town Attorney in respect to roads they are building in the Town of

Clarkstown.

Mr. Dillon read a letter from the State Traffic Commission with regard to request for direction sign to Bardonia at intersection of Smith Street and new Route 59, advising the matter had been referred to the State Department of Public Works.

Mr. Dillon read a letter from Mr. Heschels stating that the Rockland County Chapter of the New York State Society of Professional Engineers recommended appointment of a part-time Town Engineer, perhaps two days a week to begin with. A membership roster accompanied his letter.

A letter from Edmund I. Karp, Dykes Park, Nanuet, applying for appointment of Town Engineer, was read to the Board.

The Board decided to hold in abeyance the matter of appointing a Town Engineer.

Highway Superintendent Klein reported that he had inspected the water condition reported by Mr. Edgar Horn of 14 Van Nostrand Avenue, Nanuet and had found no water in the cellar. He further reported that water at Horn's location goes west to College Avenue and not east and he felt any water at this location was not the Town's fault.

Highway Superintendent Klein reported he had checked on Gerke Avenue, New City and that Mr. Gerke had extended the road another 635 feet. Mr. Klein was of the opinion the Board should request Mr. Gerke to pave the road to a width of 24 feet the entire length, including the strip originally built to a width of 20 feet which was built according to Town specifications at that time, so that the road will be uniform. The Board directed that Mr. Gerke be advised to build the road 24 feet wide its entire length and the Town will accept same provided he presents a survey, map, deed and certificate of title.

A letter from Nelson W. Hall, County Superintendent of Highways, was read in which he stated Cyler & Schuck, Inc. had completed the paving of Nelson Place, Nanuet according to Town specifications. The Board directed the Town Attorney to draw up the necessary papers in connection with payment for the work done.

Mr. Renken moved the following resolution:

RESOLVED, that check of Cyler & Schuck, Inc. deposited with bid for the paving of Nelson Place, Nanuet be returned to Cyler & Schuck, Inc.

Seconded by Mr. Schmersahl.

Carried.

Mr. Renken moved the following resolution:

RESOLVED, that street lights be erected on Poles No. 2 and 4 on Nelson Place, 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 Board inquired about the progress of paving of Adam Place, Birchland and Oak Road, New City. The Clerk was instructed to check on the matter.

A letter addressed to Emil Klein, Highway Superintendent, by Mr. Nelson W. Hall, County Highway Superintendent, regarding storm drainage in the Rochelle

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Homes subdivision in NewCity, was read to the Board. The Board decided to hold Mr. Hall's recommendation in abeyance until deed for dedication of Fanley Avenue, Hall Avenue and Simkin Drive is submitted to the Board by the developer.

Letter of transmittal from Town Attorney Roepe enclosing the following Decontrol Order was read to the Board:

DECONTROL ORDER NO. 43

ADOPTED May 22, 1956

OPERATIVE AUGUST 1, 1956

Decontrol Order No. 43, promulgated by the Temporary State Housing Rent Commission pursuant to paragraph 2 of Section 12 of the Emergency Housing Rent Control law, as last amended by Chapter 685, Laws of New York, 1955.

DECONTROL ORDER No. 43

WHEREAS, on March 5, 1956, the Temporary State Housing Rent Commission received a communication from the Town Attorney for the Town of Clarkstown, Rockland County, New York, dated March 1, 1956, advising the Commission that a public hearing will be held by the Town Board of the Town of Clarkstown, Rockland County, New York, at the Town Clerk's Office, Main Street, New City, New York, on the 12th day of April, 1956 at 8:15 P.M., Eastern Standard Time, to consider the decontrol of all housing accommodations in the Town of Clarkstown; and

WHEREAS, the Temporary State Housing Rent Commission received a certified copy of a resolution adopted by the Town Board of the Town of Clarkstown, Rockland County, New York, on the 2th day of April, 1956, requesting the Temporary State Housing Rent Commission "to decontrol all housing accommodations in the Town of Clarkstown,"

NOW, THEREFORE, in accordance with the provisions of the Emergency Housing Rent Control Law, it is

ORDERED, that the controls imposed upon rents by authority of the Emergency Housing Rent Control Law shall be abolished in the Town of Clarkstown, Rockland County, New York, effective August 1, 1956.

Mr. Dillon read a letter from the Zoning Board of Appeals advising that terms of office of Chairman of the Board of Appeals, W. Reginald Herdman, and Member of the Board, B. Otto Jacobsen, expire on June 19th, 1956.

Mr. Schmersahl moved the following resolution:

RESOLVED, that W. Reginald Herdman be re-appointed as Chairman of the Clarkstown Zoning Board of Appeals for a period of one year, from June 19th, 1956 to June 18th, 1957.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NOES: None.

Mr. Renken moved the following resolution:

RESOLVED, that B. Otto Jacobsen be re-appointed as Member of the Clarkstown Zoning Board of Appeals for a five year term, from June 19th, 1956 to June 18th, 1961.

Seconded by Mr. Jeffrey.

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On roll call, the vote was as follows:

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

NOES: None.

Mr. Dillon read a letter from the Nyack Public Schools Administrative Offices requesting some type of traffic control on Storms Road between Kings Highway and Route 303. The Board instructed Highway Superintendent Emil Klein to erect "Slow" and "Caution" signs on Storms Road, Valley Cottage, between Kings Highway and Route 303 and place a white center line on the said road.

Mr. Jeffrey moved the following resolution:

RESOLVED, that a "Stop" sign be erected on the east side of Kings Highway south of the intersection of Lake Road, Valley Cottage, to affect northbound traffic, and be it

FURTHER RESOLVED, that the Superintendent of Highways and the Chief of Police of the Town of Clarkstown be authorized to install the said sign.

Seconded by Mr. Renken.

Carried.

Mr. Dillon read a letter from Mr. William Furno, Custodian of Voting Booths in District No. 3, West Nyack, stating compensation for the work was inadequate.

Seconded Mr. Renken moved the following resolution:

RESOLVED, that Walter Kasura be appointed Custodian of Voting Booths in District No. 3, West Nyack.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

AYES. Messrs. Renken, Jeffrey, Schmersahl, Dillon

NOES: None

The Following Performance Bond was presented to the Board, approved as to form and sufficiency and filed in the office of the Clerk.

Celis Denis Property,
Nanuet, N. Y.

Report of Zoning Ordinance Violation No. 604 at property of Rubin Sterngass, Route 9-N, Rockland Lake, from Building Inspector Karl Schumacher, was submitted to the Board.

Letter from J. L. Jacobs & Company was read, which advised that the tag assessment notice form had been approved by the Clarkstown Assessor, notices had been printed and that they would be filled in and completed one week after parcel index numbers were received from the Assessor's office. The Board instructed the Clerk to request Mr. Bramon to see that the parcel index numbers were supplied to J. L. Jacobs & Company and that the notices be in the mail by June 10th at the latest. Mr. Dillon advised he would take care of the matter.

Order for the Extension of the New City-West Nyack Water Supply District (Croyden Estates) was presented to the Board for signatures.

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In the matter of	:	
	:	
The Petition for Extension of New City-	:	Order of Board for Meeting
West Nyack Water Supply District, in the	:	to Consider Petition for
Town of Clarkstown, County of Rockland,	:	Extension of Water Supply
State of New York	:	District
	:	
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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 in the sum of NONE DOLLARS, 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 14th day of June, 1956, at 9:30 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.

Mr. Dillon read a letter of thanks from Clarkstown Central School District No. 1 for use of the voting machines at the annual district election held May 1st, 1956.

Letter from the New York State Department of Civil Service enclosing certification of remaining eligibles on list for Police Patrolman who are residents of Clarkstown, Boris M. Melnick and Edward G. Stelling, New City, was read to the Board. No action was taken.

Mr. Dillon read a letter from J. Harry Gerken, Jr. & Sr., stating they were completely in accord with approval of the Planning Board based on certificates of occupancy being granted in 1957 with respect to application of Orchard Plains for Change of Zoning from RA-1(X) to R-1, except that one certificate of occupancy was desired for J. H. Gerken, Jr. for a home he wishes to construct for himself.

Mr. Schmersahl moved the following resolution:

RESOLVED, that a permit be granted to J. H. Gerken, Jr. & Sr., owners of Orchard Plains, to build under R-1 requirements, based on recommendation of the Planning Board and on the understanding of this Board that only one certificate of occupancy will be issued in 1956.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NOES: None.

Mr. Renken brought up the matter of the Town Hall and the Board decided to discuss same at the next meeting of the Board.

There being no further business to come before the Board, on motion made by Mr. Schmersahl, seconded and carried, the meeting was adjourned.

Respectfully submitted,

Richard J. Magari
Town Clerk of Clarkstown

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