

PUBLIC HEARING

Jan. 4, 1957

Town Clerk's Office

8:30 P.M.

Present: Messrs. Renken
 Jeffrey
 Welchman
 Dillon

Absent: Mr. Schmersahl

Supervisor Dillon opened Hearing.

The Clerk read notice of hearing to consider application of Posner & Schrank, Inc. for a Change of Zoning from RA-1(X) to C-2 or R-1 on Parcel I, and from SC and RA-1(X) to R-2 on Parcel II.

Jerome Trachtenberg, Esq. appeared before the Board on behalf of the applicant, explaining that there were two parcels of land involved in the application for a zoning change.

Mr. Trachtenberg stated that one parcel was west of Christian Herald Road and on the east of Route 303 and that the parcel was now in two zoning districts - the westerly portion in a C-2 district and the easterly portion in an RA-1(X) district. He added that the division line of the zoning cuts right through this property and that presently there are three buildings thereon. He explained that the applicant was forced to take over the property, as mortgagee, because of the former owner's disappearance, and that it was their desire to improve the property. Mr. Trachtenberg mentioned that about \$30,000.00 had already been spent in improvements.

Mr. Trachtenberg told the Board that engineers, architects and builders had been consulted to recommend the best use of the property, improvements and development that would be an asset to the community. A shopping area or garden apartments was suggested, but it was felt the area was too cramped for C-2 development under present zoning and that was why a zoning change was requested.

Attorney Trachtenberg explained that Parcel II was situated on the east side of Christian Herald Road and south of Lake Road and that that parcel of land was also zoned in two districts - south of Lake Road a distance of 325' was an SC zone and behind the SC zone going south a distance of 325' was an RA-1(X) zone. It is proposed to erect an apartment house or garden apartment on this parcel, which is permitted by the Zoning Ordinance but for proper development, would like parcel zoned uniformly or R-2.

Mr. Welchman inquired of Mr. Trachtenberg what was anticipated on Parcel I development. Mr. Trachtenberg stated Parcel I would be used for a shopping center or garden apartments if zoned C-2, if zoned R-1 the parcel would have to be broken down into lots.

Supervisor Dillon inquired whether anyone present was opposed to granting the zoning change.

Mr. Clark Smith of Lake Road, Valley Cottage, stated he lived directly across from Parcel II, that his westerly neighbor was Mr. Stone and that to the east of him land had recently been developed in an R-1 zone. He added that also directly across from Parcel II was located two lovely churches which have been there for years as well as

DAA 657

1/4/57

some wonderful residences east of the churches. It was Mr. Smith's contention that it was not consistent to allow apartments opposite these two fine churches. He further stated that the R-1 development to the east of him had caused him no end of trouble. He explained that a little brook ran through his property and that people in the development on the hill to the east of him were responsible for effluence running into the said brook and that it was a health hazard. Mr. Smith stated that under SC zoning people would be at location only two months each year. He added that the erection of apartments would put a burden on the school, which is now overcrowded, as well as create a health hazard unless disposal of waste was properly taken care of.

Mr. Trachtenberg stated that as far as waste or sewage is concerned, disposal had to meet certain basic requirements, set by the Department of Health.

Mr. Dillon advised that there is a Septic Tank Ordinance and a State Multiple Dwelling Law which would have to be complied with.

Mr. Trachtenberg stated that in apartments it had been found that there were fewer children than in private homes.

No one else wishing to be heard, on motion made by Mr. Welchman, seconded by Mr. Renken and carried, the hearing was closed and decision reserved.

Respectfully submitted,

William F. Maguire
Town Clerk of Clarksstown

TOWN BOARD MEETING

Jan. 4, 1957

Town Clerk's Office

8:00 P.M.

Present: Messrs. Renken
 Jeffrey
 Welchman
 Dillon

Absent: Mr. Schmersahl

Supervisor Dillon opened the meeting.

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

Mr. Dillon advised residents of Central Nyack who appeared at the Board Meeting in opposition to annexation of portion of Central Nyack that he would arrange a meeting with them in his office on Jan. 9, 1957 at 8:00 P.M., at which time file could be examined.

John Kennedy, Esq. appeared before the Board representing 9 residents from High Tor Road, New City. He contended that by usage for over a 20 year period prior to 12 years ago the road was a Town road and should be maintained by the Town. Mr. Kennedy presented to the Board a brief, 2 affidavits and a memorandum of law in support of his case. The matter was referred to the Superintendent of Highways and Town Attorney to make session and report on at the next meeting of the Board.

Mr. Welchman moved the following resolution:

RESOLVED, that decision on application of Poaner and Schrank, Inc. for Zoning Change be reserved.

Seconded by Mr. Renken.

On roll call, the Board voted as follows:

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

NAYES: None.

Jerome Trachtenberg, Esq. appeared before the Board and stated that in respect to the proposed Oakbrook Water Dist. he had taken the petition before people who would be in the district but had been unable to procure sufficient signatures. He made mention of the fact that there was a hydrant servicing the area in which people were opposed to signing the petition. Mr. Dillon stated that the Spring Valley Water Works had been directed to remove the hydrant referred to in that it was not in an established water district. Mr. Trachtenberg asked the Board to have the Clerk check with the Water Company to see if the water has been shut off.

In connection with petition to annex to the Village of Nyack certain territory now in the Town of Clarkstown, Mr. Dillon reported that he had set a hearing on the matter for January 23, 1957 at 8:00 P.M. at the Congregational Church in Central Nyack. The Clerk was asked to notify the Town Board and Town Attorney to be present and see that the Town Clerk's office was present at the said hearing.

Mr. Welchman moved the following resolution:

RESOLVED, that the Supervisor be authorized to hire a reporter to take a transcript of the testimony at hearing in connection with petition to annex to the Village of Nyack certain territory now in the Town of Clarkstown.

Seconded by Mr. Renken.

DAA 657

1/4/57

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

NAYES: None.

The Supervisor reported to the Board that all bonds have been filed as required by law.

The Supervisor reported to the Board that all oaths of office have been filed as required by law.

The Supervisor further reported that there was a vacancy of a cleaning woman for the Town Clerk's office.

RESOLVED, that Elizabeth Stiles be appointed Cleaner for the Town Clerk's office at an annual wage of \$288.00

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows.

AYES: Messrs. Renken, Welchman, Jeffrey , Dillon

NAYES: None.

Mr. Renken moved the following resolutions:

RESOLVED, that salaries for Town officers and employees be fixed as follows, for the year 1957:

<u>NAME AND TITLE</u>	<u>SALARY PER YEAR</u>
Letitia Johnson, Janitress	\$ 288.00
Dollie Stiles, Janitress	288.00
Elizabeth Stiles, Janitress	288.00
Sophie Chmielnik, Cleaner	288.00
Fred Ripking, Cleaner	288.00
Irvin F. Dillon, Supervisor	3500.00
Florence Blauvelt, Supv. Clerk	5700.00
Anita M. Hunt, Acct. Clerk Typist	3300.00
Charles Blauvelt, Justice of the Peace	3000.00
John Stefan, Justice of the Peace	3000.00
Joseph B. Komonchak, Clerk P.T. - \$125.00	1500.00
Clerk P.T. - \$125.00	1500.00
Alastair, Jeffrey, Councilman	2000.00
John Renken, Councilman	2000.00
Fred Schmersahl, Councilman	2000.00
Joseph Welchman, Councilman	2000.00
Mildred Magai, Town Clerk	6000.00
Charles R. Adams, Sr. Acct. Clerk	5500.00
Hazel B. Eiben, Typist - P.T.	1500.00
Harry J. Fair, Jr., Assessor	6000.00
Frank W. Foley, Assessor's Assistant	4200.00
Helen M. Westcott, Sr. Typist	3300.00
Virginia Kunz, Jr. Steno	2800.00
C. Elsie Monneret, Rec. of Taxes	6000.00
Lola Krausser, Sr. Acct. Clerk	3000.00

1/4/57

<u>NAME AND TITLE</u>	<u>SALARY PER YEAR</u>
Margaret Reilly, Account Clerk	\$ 3400.00
Emil Klein, Supt. of Highways	9100.00
	<u>Rate Per Hour</u>
John McNee, Motor Equip. Operator	\$ 2.20
Vito J. Volino, " " "	2.10
Frank Conklin, " " "	2.10
Thomas Marsico, " " "	2.10
Frank Zehner, " " "	2.10
Fred Seeger, " " "	2.10
Thomas Bierds, " " "	2.10
Arthur Johnston, " " "	2.10
Edward Lundgren, Skilled Rd. Maintainer	2.00
Fred Kirkman, " " "	2.00
Edward Gerke, Road Maintainer	1.85
Charles Lutz, " " "	1.85
William G.H. Gerke, Road Maintainer	1.85
Russell Schaeffer, " " "	1.85
Thomas Straut, Skilled Rd. Maintainer	2.00
John Cordeira, Road Maintainer	1.85
James Hoyt, " " "	1.85
George Schnackenberg, Road Maintainer	1.85
Henry Fajen, Deputy, Supt. Highways	Annual \$ 5400.00

Seconded by Mr. Jeffrey

On roll call, the vote was as follows:

AYES: Messrs. Renken, Jeffrey, Welchman, Dillon

NAYES: None

Mr. Welchman moved the following resolution:

RESOLVED, that mileage at the rate of 8¢ per mile be paid to the following Town officers and employees for the use of their automobiles in the performance of their official duties.

Welfare Officer
Receiver of Taxes
Building Inspector
Asst. Building Inspectors
Assessor
Asst. Assessor

Town Attorney
Chief of Police
Deputy Town Clerk
Dog Enumerators
Supt. of Highways
Members of Board of Appeals

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows

AYES: Messrs. Renken, Jeffrey, Welchman, Dillon

NAMES: None

The Following committees were appointed by the Supervisor for the year 1957:

Insurance Committee - Messrs. John H. Renken, Jr. and Fred Schmersahl
Board of Assessment Review - John H. Renken Jr.
Sanitary Fill Committee - Messrs. Joseph Welchman and Alastair Jeffrey

1/4/57

Mr. Welchman moved the following resolution:

RESOLVED, that in the year 1957 regular Town Board meetings be held on the second Thursday of the month at 8:00 P.M. and on the fourth Thursday of the month at 3:00 P.M., with the exception that the first meeting in the month of February be held on February 7th at 8:00 P.M.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Jeffrey, Welchman, Dillon

NAYES: None

Mr. Renken moved the following resolution:

RESOLVED, that the Journal-News be designated as the official newspaper for the Town of Clarkstown for the year 1957.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Jeffrey, Welchman, Dillon

NAYES: None

Mr. Welchman moved the following resolutions:

RESOLVED, that the following banks be designated as depositories for all Town funds deposited by the following Town officers:

Supervisor: Welfare) - Nanuet National Bank
(General)

Highway - Peoples Bank of Haverstraw (New City Branch)

Town Clerk: Peoples Bank of Haverstraw, New City, New York

Justices of Peace: Nanuet National Bank

Receiver of Taxes: Nanuet National Bank

Building Inspector: Peoples Bank of Haverstraw, New City, New York

Seconded by Mr. Renken.

On roll call, the vote was as follows:

AYES: Messrs. Renken, Jeffrey, Welchman, Dillon

NAYES: None

The Insurance Committee reported that present insurance policies are still in force.

The Clerk reported that the term for lighting contracts is five years, effective Oct. 19, 1955, and therefore still in force.

The Clerk reported that Water District contracts are all continuous in force at the pleasure of both parties.

The Clerk reported that the Town rents the following offices on a monthly basis:

Supervisor's Office
Town Clerk's Office

Receiver of Taxes Office
Court Rooms

Police Dept. Headquarters
Assessor's Office

Building Inspector's office
Welfare Officer's office

DAA 657

1/4/57

Mr. Jeffrey moved the following resolution:

RESOLVED, that permits be granted to the following scavengers to pick up and transport garbage in the Town of Clarkstown:

G. Graf	- - - - -	1 truck
John Capasso	- - - - -	3 trucks
Floyd Gage	- - - - -	3 trucks
Michael Franchino	- - - - -	1 truck
Nicholas LaFasciano	- - - - -	1 truck
Thomas Bautz	- - - - -	1 truck
Edward Dlouhy	- - - - -	1 truck
Nunzio Capasso	- - - - -	1 truck
J. Miele	- - - - -	1 truck
J. Martens	- - - - -	2 trucks
D. Marangi	- - - - -	1 truck
J. Culetto	- - - - -	1 truck
A. Capasso	- - - - -	1 truck

Seconded by Mr. Welchman

On roll call, the vote was as follows:

AYES: Messrs. Renken, Jeffrey, Welchman, Dillon

NAYES: None

Town Attorney Roepe reported that if the County Health Department functions as of January 1st, 1957, this would supercede the necessity for a Town Health Officer. Mr. Roepe advised he would look up law to see if County Health Board did supercede necessity for appointment of Town Health Officer.

The Town Attorney reported that bond anticipation notes were due on the 25th of January, 1957 on Oak Road, Adam Place and Birch Lane, New City and Nelson Place, Nanuet.

Mr. Welchman moved the following resolution:

RESOLVED, that sealed bids for the purchase of \$20,000.00, a principal amount Town of Clarkstown bonds issued pursuant to a bond resolution of June 14th, 1956, will be publicly received and considered by the Town Board, Town of Clarkstown on the 18th day of January, 1957, at 3:30 P.M., Eastern Standard Time, at the office of the Town Clerk of the Town of Clarkstown, Main Street, New City, New York, and it is further

RESOLVED, that the Town Attorney of the Town of Clarkstown prepare and cause to be circulated and/or published a notice of sale of said bonds pursuant to the provisions of the Local Finance Law and the Rule or Order of the Comptroller of the State of New York relating thereto, and it is further

RESOLVED, that said bonds shall be delivered to the successful bidder at the office of the said Supervisor, Main Street, New City, New York, on the 25th day of January, 1957, at 10:00 o'clock A.M., Eastern Standard Time, and it is further

RESOLVED, that the said notice of sale of said bonds shall provide that the rate or rates of interest to be bid shall be multiples of one-tenth of one per centum per annum, and shall also state that there is reserved the right to reject all bids and that any bid not complying with the terms of the notice shall be rejected.

Seconded by Mr. Jeffrey.

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

NAYES: None

Mr. Welchman moved the following resolutions:

1/4/57

RESOLVED, that sealed bids for the purchase of \$5,200.00, principal amount Town of Clarkstown bonds issued pursuant to a bond resolution of June 14th, 1956, will be publicly received and considered by the Town Board, Town of Clarkstown on the 18th day of January, 1957, at 3:45 P.M., Eastern Standard Time, at the office of the Town Clerk of the Town of Clarkstown, Main Street, New City, New York, and it is further

RESOLVED, that the Town Attorney of the Town of Clarkstown prepare and cause to be circulated and/or published a notice of sale of said bonds pursuant to the provisions of the Local Finance Law and the Rule or Order of the Comptroller of the State of New York relating thereto, and it is further

RESOLVED, that said bonds shall be delivered to the successful bidder at the office of the said Supervisor, Main Street, New City, New York, on the 25th day of January, 1957, at 10:00 o'clock A.M., Eastern Standard Time, and it is further

RESOLVED, that the said notice of sale of said bonds shall provide that the rate or rates of interest to be bid shall be multiples of one-tenth of one per centum per annum, and shall also state that there is reserved the right to reject all bids and that any bid not complying with the terms of the notice shall be rejected.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Dillon read a letter from the Association of Towns of the State of New York dated December 31, 1956.

Mr. Renken moved the following resolutions:

RESOLVED, that Supervisor Dillon be appointed Delegate and Councilman Joseph Welchman be appointed Alternate to represent the Town of Clarkstown at the Annual Meeting of the Association of Towns to be held at the Hotel Statler, Buffalo, New York on February 12th, 13th and 14th, 1957.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. John M. Beaulieu, President of Melba Realty Corp. appeared before the Board in connection with the dedication to the Town of Spruce Drive and Terrace Avenue in Melba Park - Sec. #1 and 2. Town Attorney Roepe stated he okehed all papers relative thereto but that the Superintendent of Highways would not accept the roads until a road condition had been corrected. Mr. Hall had reported finding drainage in the development in order. Mr. Klein reported water going over Ludvigh Road from Pigeon Hill Road and that this resulted from ditches having been filled up by the developer at this site and on Ludvigh Road at its intersection with development roads. Messrs. Renken and Jeffrey concurred with the Highway Superintendent to hold up acceptance of the roads until ditches had been restored to former condition.

The Highway Superintendent reported to the Board that he had spoken to Mr. Fuller about the 400' strip of old road from Maple Road in Valley Cottage being in need of maintenance, i.e. surfacing and oiling, and that he had agreed to repair same as

DAA 657

1/4/57

soon as weather permitted. The Board decided to hold up acceptance of Brookway Avenue until the required work on Fulle Drive had been completed.

The matter of dedication to the Town by Selsh Home Builders, Inc. of roads known as Lorraine Court, Leona Avenue and Winfield Avenue in the Selsh Homes-Sec. 3 development, New City was discussed. The Town Attorney reported that when the deed for these roads is submitted it must cover complete easements for drainage to wherever water would go. He further pointed out that he was unable to locate drainage easement over Lot No. 8.

The drawing up of proper regulations in connection with the operation of a private dump in the Town of Clarkstown by a municipality was referred to the Town Attorney and the Sanitary Fill Committee.

The Board approved as to form and sufficiency the following Performance Bonds covering construction of roads and drainage:

Colonial Acres -- East Section
New City, N. Y.

Mr. Dillon read a letter from the Valley Cottage Fire District quoting letter received from Rector of St. Theresa's Church, Valley Cottage, expressing gratitude for relief of congestion in church area and requesting widening of Lake Road. The matter was referred to the Town Highway Superintendent.

Monthly reports of the various Town Departments were presented to the Board.

Mr. Welchman moved the following resolution:

RESOLVED, that monthly reports of the Town Departments be accepted.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None

Mr. Roepe reported to the Board on the Federal Grant for Sewage Treatment Works, stating that a thorough investigation by him indicated that it does not apply to the Town of Clarkstown. It was his impression that it was primarily to aid municipalities in cleaning up streams which have been condemned. The grant would not pay for sewers, only sewage treatment plants and intercepting sewers.

Chief Wiebicke reported a vacancy of School Crossing Guard in Nanuet, recommending Mrs. Vera Banta for the post.

Mr. Welchman moved the following resolution:

RESOLVED, that Mrs. Vera Banta of Palisade Avenue, Nanuet be appointed School Crossing Guard at Church Street and Route 304, Nanuet, every school day at \$5.00 per day, effective as of Jan. 7th, 1957.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey moved the following resolution:

RESOLVED, that all Town Officers and Supervisor's Clerk be authorized to attend the Annual Meeting of the Association of Towns of the State of New York at the Hotel Statler

1/4/57

Buffalo, on the 12th, 13th and 14th of February, 1957, and be it

FURTHER RESOLVED, that they be reimbursed by the Town for all reasonable and necessary expenses in connection therewith.

Seconded by Mr. Renken.

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

NAYES: None

Chief Wiebicke advised the Board that there were several vacancies in the Police Department, recommending the name of Clarence Edward Aull.

Mr. Jeffrey moved the following resolution:

RESOLVED, that Clarence Edward Aull of Church Road, New City be appointed Police Patrolman in the Clarkstown Police Department on a provisional basis, subject to Civil Service examination, at an annual salary of \$4600.00, effective as of January 7, 1957.

Seconded by Mr. Welchman.

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

NAYES: None.

Mr. Klein reported that he had erected "no Parking" signs on Maple Avenue, New City and a "Stop" sign on Old Mill Road, Valley Cottage.

The Highway Superintendent reported that 2-way radios had been hooked up in Highway cars and that cars could pick one another up in minutes time when need arose.

Mr. Renken stated that the School District in Manuet had a bond issue coming up in two or three months and are desirous of using voting machines for the purpose.

Mr. Renken moved the following resolutions:

RESOLVED, that Manuet Union Free School District No. 8 of the Towns of Clarkstown and Orangetown be permitted the use of two voting machines for the purpose of voting on a bond issue, and be it

FURTHER RESOLVED, that the said school furnish transportation from and to the place of storage of the said voting machines.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Bills #1 thru #88 on Warrant No. 1 were presented to the Board, audited and ordered paid.

There being no further business to transact, on motion made by Mr. Welchman, seconded by Mr. Jeffrey and carried, the meeting was adjourned.

Respectfully submitted,

William F. Maguire
Town Clerk of Clarkstown

DAA 657