

PUBLIC HEARING

April 25, 1957

Town Clerk's Office

3:30 P.M.

Present: Messrs. Dillon
Renken
Jeffrey
Welchman
Schmersahl

Supervisor Dillon opened the hearing.

The Clerk read Notice of Hearing to consider an amendment to the Town Ordinance of the Town of Clarkstown by amending Section 3, Article IV.

Mr. Dillon inquired whether anyone present was opposed to the proposed amendment.

No one appeared in opposition.

On motion made by Mr. Jeffrey, seconded by Mr. Renken, that the hearing be closed, on roll call the vote was as follows:

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

NAYES: None.

Respectfully submitted,

Mildred F. Maguire
Town Clerk of Clarkstown

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TOWN BOARD MEETING

April 25, 1957

Town Clerk's Office

3:00 P.M.

Present: Messrs. Dillon
 Renken
 Jeffrey
 Welchman
 Schmersahl

Supervisor Dillon opened the meeting.

Reading of the minutes of the previous meeting was dispensed with to be held over for the next meeting.

Jerome Trachtenberg, Esq. submitted to the Board an application for a zoning change from an R0 to a C-2 made by Ashley Motor Court, Inc.

Mrs. Louis Rossi of 83 College Avenue, Nanuet, appeared before the Board in connection with a sewage condition in a ditch running parallel with her property a distance of about 200 feet. She stated that the condition had been called to the Board's attention on other occasions over a two year period but nothing had been done to date. Mrs. Rossi stated a new development has made the condition worse. Mr. Dillon advised Mrs. Rossi that the Board would look at the ditch in a day or so and see what could be done.

Town Attorney Roepe advised that he would report whether mortgage releases on East Orchard Street had been recorded at the next meeting of the Board.

In connection with deed from Silver Birch Homes, Inc. to the Town of Clarkstown conveying easement for drainage, the Town Attorney requested the Highway Superintendent to furnish him with survey to enable him to check same.

Mr. Welchman moved the following resolution:

RESOLVED, that the name of that portion of Birch Street, in the Silver Birch Homes development, which is in the Town of Clarkstown be changed to Silver Birch Lane. Seconded by Mr. Schmersahl.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Roepe suggested that the Town Highway Superintendent meet with him and discuss Ludvigh Road problems in connection with legal action to be taken against Melba Homes, Inc.

Town Attorney Roepe advised the Board he would draw up all necessary instruments, i.e., easements, mortgage releases and run out title, in connection with Nanuet Knolls drainage, and submit the papers to Mr. Harry Edelstein for signatures of Mr. George Smith, Mr. Mitchell LaFontaine, Mr. Francis Gey and Mr. Fred Rustman. Mr. Roepe called the Board's attention to the fact when anyone wants anything from the Town, such persons should be required to draw up the necessary papers and submit them to the Board.

The Town Attorney reported on his appearance in Court on the case of Saia Sterngass vs. the Town of Clarkstown. He stated that the plaintiff did not appear, the case was dismissed and he had asked for costs.

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Highway Superintendent Klein was requested by Mr. Roepe to furnish him with two copies of storm drainage study made by Engineer Nelson W. Hall showing proposed easements for drainage over property of Mr. Vacarro and Mr. Loeffler to a brook, in regard to the Grando drainage problem. Mr. Roepe advised that he would first have to see if the people would give easements. He would then need actual physical descriptions from Mr. Vacarro's attorney, Samuel Gunn, Esq., and Mr. Loeffler's attorney, whom he believed was Morton Lexow, Esquire. Mr. Roepe stated he would draw up the necessary instruments and submit them with copies of the surveys to Messrs. Gunn and Lexow to have executed.

The Board requested the Clerk to write to Mr. Kurt G. Rauer, Acting District of the Department of Public Works at Poughkeepsie, requesting him to do everything possible to procure the State's consent for the Town to connect First Street, Nanuet, with Route 59.

Highway Superintendent Klein reported that Mr. Kringel of the New York Grap Rock Corporation had returned from vacation and that he was meeting with him on the 26th of April with respect to the proposed new access road to Snake Hill Road. Mr. Roepe advised he had ordered a search on the parcels to be acquired from Hale and Bray. The Clerk was requested to contact Mr. Frank Zwahlen asking that he submit appraisal on the Hale and Bray properties for the next Board meeting.

Survey of Nanuet Lighting District made by Mr. Fred Wagner revealed that the lights requested for Birch and Poplar Streets, Nanuet, were not in the present lighting district. The Clerk was requested to so advise Mrs. Walter P. Guenther and suggest to her that residents in the area have an attorney draw up a formal petition to extend the lighting district and submit same to the Board.

Copy of a letter from the Rockland Light and Power Company to the Veterans Memorial Association of Congers enclosing survey of proposed improvement of street lighting for Lake Road from Old Haverstraw Road to Route 9-W, Congers, as per their request, was read to the Board. The Clerk was requested to advise Mr. Al Goodman of the V.M.A. that there was not enough money in the budget this year but that the improvement is proposed for next year.

Mr. Dillon reported that he had received a letter from Mr. Bradford Bohr requesting a light on Pole 178 on Lake Road, Congers. He advised he would notify Mr. Bohr that a survey had been made and if he could hold off it is proposed for the coming year.

The Board scheduled a special meeting in the Supervisor's office for the evening of April 30, 1957 at 8:00 P.M., E.S.D.T. The Clerk was asked to notify the Town Attorney, Mr. William J. Richards, Mr. Harry Fair, Jr., and Mr. Karl Schumacher to attend.

The Board scheduled a joint meeting of the Town Board and Planning Board for May 15, 1957 at 8:00 P.M., E.D.S.T. in the Town Clerk's office, for the purpose of discussing primary and secondary roads and road requirements and considering an amendment to regulations, if convenient for Planning Board members.

Mr. Renken moved the following resolution:

RESOLVED, that the Supervisor be authorized to open bids on two truck chassis for the Highway Department.

Seconded by Mr. Schmersahl.

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On roll call, the vote was as follows:

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

NAYES: None.

Bids on truck chassis were submitted by the following:

| | | |
|---|--------------------|------------------|
| Burnweit Motors, Inc., Nyack, N. Y. | | |
| 1957 A-172 International Harvester | - - - - - each | \$3938.00 |
| Allowance for trade-in | - - - - - " | 814.00 |
| | Net - - - each | <u>\$3124.00</u> |
| Farmers' Auto & Equipment Exchange, Ramsey, N. J. | | |
| 1957 Model 452 GMC | - - - - - per unit | \$4774.00 |
| Allowance for trade-in | - - - - - " | 600.00 |
| | Net " " | <u>\$4174.00</u> |
| Faulkner Motor Co., Inc., Nyack, N. Y. | | |
| 2 Ford F-800 with trade ins | - - - - - Net | \$9194.00 |
| Central Motor Co., Spring Valley, N. Y. | | |
| 2 Ford F-800 with trade-ins | - - - - - Net | \$9140.00 |
| Monsey Garage, Monsey, N. Y. | | |
| 1957 G M C Model 452 | - - - - - per unit | \$4747.25 |
| Allowance for trade-in | - - - - - " | 1032.50 |
| | net per unit | <u>\$3714.75</u> |
| Additional for each V-8 Engine | - - - - - | 110.00 |

Mr. Schmersahl moved the following resolution:

RESOLVED, that the Highway Superintendent be authorized to purchase from

Burnweit Motors, Inc., of Nyack, New York, the following:

2 - 1957 A-172 International Harvester 141" W.B. Chassis & Cab 113" Long Frame with a BD-282 6 cylinder overhead valve engine, heavy duty four speed foward single reverse transmission with a 1 1/4" shaft power takeoff with single foward and single reverse, 12" clutch, two speed rear axle, heavy duty springs with helpers, 9:00X20 10 ply tubeless tires and spare wheel, hydrovac brakes, 12 volt electrical system, electric wipers, Class A directionals, dual stop and tail lights, 6" diameter x 6" high cab flasher, heater and defroster, outside extension mirror, oil filter, two front two hooks, painted in DuPont Gray #93-661 for the sum of - - - - - \$3,938.00 ea.

Allowance for each truck - - - - - 814.00
Cash difference for each truck - - - - - \$3,124.00

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Dillon read Progress Report submitted by Mr. William J. Richards on April 25, 1957, in which he stated that to date an estimated \$4,200,000.00 had been added to the assessment roll over last year.

A letter from Joseph B. Roberts of the Roberts Building, New City, was read to the Board stating he had two offices for rent in his building.

The Supervisor read a letter from the State Traffic Commission advising that signs prohibiting parking on the west side of Route 304 from St. Paul's Lutheran Church southerly a distance of 75 feet were being erected. The Clerk was requested to send copies of the letter to the Chief of Police and the two Justices of Peace.

Mr. Dillon read letter from the New City Business Men's Association forwarded by the County Board of Supervisors requesting widening of the sidewalk on the west side of Route 304 from Congers Road to New Hempstead Road. The Board instructed the Clerk to ask the Department of Public Works to comply with this request.

The Supervisor advised the Board that Mr. William J. Richards had filed with the Town Clerk his Certificate of Insurance, dated Apr. 3, 1957.

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Mr. Dillon read a copy of a letter he had received from the Town Attorney with reference to letter which he had forwarded to Mr. Roepe, from Frank Krulish. It advised that private cemeteries were not an obligation of the Town and that the cemetery referred to was not a public cemetery.

A letter from the Chestnut Grove P.T.A. requesting a sidewalk on North Middletown Road was read to the Board. Mr. Dillon stated that the matter would be referred to the County Highway Superintendent in that this was a county road.

Mr. Dillon read a letter from the Bardonia P.T.A. with respect to traffic on Ludvigh Road. He advised that the matter had been reviewed at the last meeting, that the Highway Superintendent would remedy the condition in the Fall and they would be so advised.

Mr. Welchman moved the following resolution:

WHEREAS, the Serial Bonds of 1953 for the Parker Avenue Improvement District have been paid in full and there is a balance in the account of \$3.10, be it hereby

RESOLVED, that the sum of \$3.10 be transferred from the Parker Avenue Improvement District Account to the General Fund - Current Surplus Account.

Seconded by Mr. Schmersahl.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Dillon read to the Board a letter addressed by Mrs. George Smith of 1 Poplar St., Nanuet, to the Rockland County Department of Health, with respect to drainage. The observation was made that this condition would be corrected shortly, upon receipt of easements and mortgage releases.

Mr. Renken made reference to the proposed change in the Zoning Ordinance, after Mr. Dillon had read a letter from the Central Clarkstown Residents Association opposing the deletion from Clause 8, Column 2 of the Table of General Use Regulations "except trade schools and other schools of special instruction". Mr. Roepe stated he and the Building Inspector were trying to establish the difference between Summer Camps, Summer Day Schools and schools. He added that the problem could be solved simply by only adopting that portion which referred to the definition and leave the Table of General Use Regulations as it is.

Highway Superintendent Klein submitted a survey of a proposed new road to be built at the expense of the New York Trap Rock Corporation. He stated that he was in favor of the abandonment of Scratchup Road and a portion of old Long Clove Road and the building of the proposed road. Mr. Roepe suggested to Mr. Klein that they discuss the matter. He advised that mortgage releases would have to be procured from property owners on both sides to abandon the road, i.e. Davies and Trap Rock.

Mr. Welchman called the Highway Superintendent's attention to a complaint about a water condition made by Mrs. Leuthold of 1 Jerry's Avenue, Nanuet, and asked that he investigate the matter.

Mr. Welchman moved the following resolution:

RESOLVED, that a street light be installed off Pole No. 60 on Route 303,

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Congers, and be it

FURTHER RESOLVED, that the Rockland Light & Power Company be authorized to make the installation.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey advised the Highway Superintendent that Mr. Kenny Doersch was happy with the job done on the highway but when there is a heavy rain he gets a cellar full of water because there is no berm. Mr. Klein was requested to do something to correct the condition, perhaps run the ditch down with a backhoe.

Mr. Welchman moved the following resolution:

RESOLVED, that Edward Locke of Valley Cottage be appointed Custodian of Station Plaza, Valley Cottage, at a wage of \$1.50 per hour.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Agreement for the Expenditure of Highway Moneys made by and between the Town Highway Superintendent and the members of the Town Board was executed by the Board.

Mr. Jeffrey moved the following resolution:

WHEREAS, by Resolution of this Board dated March 28th, 1957, a public hearing upon a proposed amendment to the Town of Clarkstown by amending Section 3 of Article IV of said Town Ordinance was held on the 25th day of April, 1957, after due publication thereof,

NOW, THEREFORE, be it resolved that the said proposed amendment to the Town Ordinance be and the same is hereby adopted and enacted effective upon publication and posting as required by law, as follows:

ARTICLE IV, NUISANCES

"Sec. 3. Anything to the contrary in this Article contained notwithstanding, any municipal corporation in the County of Rockland shall be and hereby is permitted to operate and maintain a dump within the limits of the Town of Clarkstown outside the limits of any incorporated village in such town. Such dump shall be operated and maintained in a neat and orderly condition and any refuse or other material shall be fully covered at the end of each day, protective measures shall be taken to prevent windblown paper or other refuse, fire or vermin, and such dump or dumps shall only be in operation between the hours of 8:00 A.M. and 4:30 P.M."

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

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

Bills No. 425 thru 427 on Warrant 4-A were presented to the Board, audited and ordered paid.

There being no further business to transact, on motion made by Mr. Renken,

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seconded by Mr. Jeffrey and unanimously carried, the meeting was adjourned.

Respectfully submitted,

William F. Maguire
Town Clerk of Claykstown