

TOWN BOARD MEETING

March 27, 1958

3:00 P.M.

Town Clerk's Office

Present: Messrs. Renken,
Jeffrey,
Welchman,
Coyle.

Absent: Mr. Danko.

Supervisor Coyle called the meeting to order.

Action on the minutes of the March 13, 1958 meeting of the Board was deferred.

On motion made by Mr. Renken, seconded by Mr. Jeffrey and carried, the time for receiving bids on voting machines was closed and bids were opened as follows, only one being received.

Automatic Voting Machine Corporation,
Jamestown, N.Y.

Furnishing of 2 Automatic Voting Machines of the 9 party row, 30 office column size, New York State type, manually operated, at a price of \$1461.00 each, F.O.B. Jamestown, New York, to be delivered on or before July 1st, 1958.

Mr. Renken moved the following resolution:

RESOLVED, that bid of Automatic Voting Machine Corporation of Jamestown, New York, in the amount of \$2922.00, for the furnishing of two automatic voting machines, F.O.B. Jamestown, N.Y., be accepted, and be it

FURTHER RESOLVED, that the Supervisor be authorized to sign contract for the purchase of same.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

The Building Inspector reported to the Board in detail on his re-inspection of The Elms violation and upon questioning by the Supervisor and Town Attorney advised that the building was still unsafe.

Mr. Renken moved the following resolution:

RESOLVED, that the Town Board request the Police Department, the Building Inspector and Fire Department to make a re-survey of The Elms, New City, and that with reports of the aforesaid departments in hand the Town Attorney be authorized to proceed on behalf of the Town of Clarkstown under Article X of the Town Ordinance.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

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Stephen G. Doig, Jr., Esq. appeared before the Board in connection with dedication of West Palmer Avenue, Nanuet. A letter dated March 25, 1958 from Richard Narducci, Esq. stating residents on the said road had no objections to acceptance was read as well as a letter from the Highway Superintendent approving same.

The Board approved as to form and sufficiency the following maintenance bond; Thomas Pedersen, Marguerite Pedersen, Thomas Moore-Smith, Charity Moore-Smith, Leland K. Shafer, Chester A. Mellen to the Town of Clarkstown, dated March 18, 1958, covering West Palmer Avenue, Nanuet.

Mr. Jeffrey moved the following resolution:

WHEREAS, the Superintendent of Highways has reported that West Palmer Avenue, Nanuet, now meets Town road specifications,

BE IT RESOLVED, that upon recommendation of the Highway Superintendent, deed from Thomas Pedersen and Marguerite Pedersen, his wife, to the Town of Clarkstown, conveying approximately 845' of West Palmer Avenue, be accepted, and be it

FURTHER RESOLVED, that the said road be included in the Town Highway System and that the Town Attorney be directed to record the deed.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

Assessor's Assistant Frank Foley, upon being questioned, reported to the Board on the progress in the Assessor's office, stating that the Assessment Roll would be completed by June 1st, 1958.

Councilman Welchman reported that he and the Highway Superintendent had investigated the water problem on South Harrison Avenue, Congers, complained of by Mr. Don Schatz. It was found that nothing could be done inasmuch as it is not a Town Road. The Clerk was requested to so advise Mr. Schatz.

The Town Attorney reported that the Dickenson Avenue drainage matter would be investigated upon the Consulting Engineer's return from vacation.

Supervisor Coyle read a letter from Quaspeck Park Homes, Inc. dated March 26th, 1958 with reference to request for zoning correction.

Mr. Jeffrey moved the following resolution:

RESOLVED, that the Rockland County Planning Director be authorized to correct the Zoning Map of the Town of Clarkstown to comply with the Zoning Advisory Committee approval of April 21, 1955 and filed map of Quaspeck Park Homes, Section I showing Proposed Shopping Area, dated Sept. 21, 1954, which was approved by the Clarkstown Planning Board under date of Dec. 28, 1954.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

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NAYES: None.

Councilman Jeffrey reported that written bids for the repair of the Clarkstown Sanitary Fill bulldozer were expected to be received and would be submitted shortly.

Supervisor Coyle reported that he had contacted Mr. Von Scheidt of the Spring Valley Water Company in connection with proposals for installation of hydrants in Blue Spruce Estates and Cherry Hill and that proposals will be revised. The matter was held in abeyance.

Chief Wiebicke told the Board he had warned mail truck drivers to reduce their speed and that he had used electric timers to slow down some of the traffic in Congers and Valley Cottage.

The Board approved as to form and sufficiency the following maintenance bond: Adolph Milich to the Town of Clarkstown, covering Milich's Lane, a portion of Leona Avenue and a portion of Carolina Drive, New City.

Mr. Renken moved the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent, deed from Davies Lake Homes, Inc. to the Town of Clarkstown, conveying Milich's Lane; Leona Avenue, excepting that portion of Leona Avenue lying to the south of the point of intersection of the southerly line of Milich's Lane with the westerly line of Leona Avenue; and that portion of Carolina Drive from its point of intersection with Leona Avenue to points in the northerly line of Lots 29 and 40 at the point where the northerly lines of those lots intersect Carolina Drive, as shown on map entitled "Property of Davies Farm, Inc. at New City, dated May 1955, be accepted, and be it

FURTHER RESOLVED, that the said roads be included in the Town Highway System and that the Town Attorney be directed to record the said deed.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

AYES: Messrs. Renken,
Jeffrey,
Welchman,
Coyle

NAYES: None.

Supervisor Coyle read a copy of a letter addressed by Nelson W. Hall, County Superintendent of Highways to Lederle Laboratories, with respect to drainage in Meadow Brook Estates, Nanuet.

Councilman Welchman reported that money had been budgeted for proposed lighting in Congers. The matter was held in abeyance until the next Board meeting.

The Supervisor reported that a request had been made to re-name Old Ridge Road in New City "Old School House Road" to conform with street numbering map used for postal delivery.

Mr. Welchman moved the following resolution:

RESOLVED: that that portion of Old Ridge Road intersecting the Congers-New City Road, in New City, be named "Old Schoolhouse Road, and be it

FURTHER RESOLVED, that the Highway Superintendent be directed to erect the necessary signs.

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Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Coyle read a letter from the Post Office Department enclosing a report on mis-directed mail caused by the similarity of the names of New City and New York City as well as similar street names. The letter was ordered filed.

The Annual Report of the Supervisor for the Fiscal Year Ended Dec. 31, 1957 was submitted to the Board.

Mr. Welchman moved the following resolution:

RESOLVED, that the Town Clerk be directed to publish the Annual Report of the Supervisor of the Town of Clarkstown for the Fiscal Year Ended December 31, 1957 and the Annual Report of Highway Moneys for the Fiscal Year Ended December 31, 1957.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey moved the following resolution:

WHEREAS, a Proceeding has been brought by THE DELLS, INC. against the members of the Town Board of the Town of Clarkstown and the Assessor of said Town to enjoin the collection of taxes by the Town and County of Rockland and to compel refunds of Town taxes collected in 1958, and

WHEREAS, the Town Board has determined that the best interests of the Town of Clarkstown will be served by authorizing the Town Attorney to appear and defend said Proceeding, and

WHEREAS, this Board deems it necessary that special counsel be retained to assist the Town Attorney to defend the Town Respondents in such Proceeding,

NOW THEREFORE, be it

RESOLVED, that DAVID B. TOLINS, ATTORNEY OF NEW CITY, NEW YORK, be and he hereby is retained as special counsel to assist the Town Attorney in the said Proceeding of THE DELLS, INC., Petitioner, against EDWIN K. OSSMAN and others, Respondents, in the Supreme Court, Rockland County.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

The Supervisor read a letter dated March 7, 1958 from Bernard G. Nemeroff, President of THE DELLS, Inc. with respect to the Clarkstown Zoning Ordinance. The Clerk was directed to file same.

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Mr. Coyle read a letter from Bernard G. Nemeroff, President of The Dells, Inc. dated March 19, 1958 with respect to the Town Board's decision on petition for rezoning, asking under what section or provision of the zoning ordinance he might seek relief. The Town Attorney was requested to answer the letter.

Town Attorney Johns filed with the Town Clerk Assessor's Special Assessment Roll in connection with the Improvement of First Street, Nanuet.

Mr. Welchman moved the following resolution:

WHEREAS, the assessment roll with respect to street improvement of First Street at Nanuet, in said Town of Clarkstown, having been completed and filed in the office of the Town Clerk on March 27, 1958.

BE IT RESOLVED that a meeting be had at the office of the Town Clerk, 16 South Main Street, New City, New York on the 10th day of April, 1958 at 9:00 P.M. Eastern Daylight Saving Time, to hear and consider any objections which may be made to said assessment roll; and it is

FURTHER RESOLVED that the Town Attorney prepare notice of filing of said assessment roll and notice of meeting and cause the same to be published and file proof thereof in the office of the said Clerk.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Welchman moved the following resolution:

WHEREAS, John Holden and wife, Map 20, Block B, Lot 23, have petitioned this Board for a refund of interest on the 1958 installment of Special Assessment for the Improvement of Adam Place, Oak Road and Birch Lane, New City.

BE IT RESOLVED, that the Supervisor be authorized to refund to the petitioners the sum of \$4.19.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Welchman moved the following resolution:

WHEREAS, Andrian Kikkert, Map 20, Block B, Lot 34, has petitioned this Board for a refund of interest on the 1958 installment of Special Assessment for the Improvement of Adam Place, Oak Road and Birch Lane, New City,

BE IT RESOLVED, that the Supervisor be authorized to refund to the petitioner the sum of \$5.25.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Welchman moved the following resolution:

WHEREAS, Michael Donahue, Map 20, Block B, Lot 30, has petitioned this Board for a refund of interest on the 1958 installment of Special Assessment for the Improvement of Adam Place, Oak Road and Birch Lane, New City.

BE IT RESOLVED, that the Supervisor be authorized to refund to the petitioner the sum of \$10.49.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Welchman moved the following resolution:

WHEREAS, John Maholick and wife, Map 20, Block B, Lot 14, have petitioned this Board for a refund of interest on the 1958 installment of Special Assessment for the Improvement of Adam Place, Oak Road and Birch Lane, New City,

BE IT RESOLVED, that the Supervisor be authorized to refund to the petitioners the sum of \$3.14.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Welchman moved the following resolution:

RESOLVED, that the Supervisor be authorized to execute 5-Year Service Contract and Guarantee with The Todd Company, Inc. for the servicing of the check writing machine, at an annual service fee of \$14.50.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Supervisor Coyle read a letter from the Building Department forwarding request of Mr. Paul Waldron for permit to build on a non-town-accepted road called Tupper Lane in West Nyack. The matter was referred to Councilman Welchman, the Building Inspector and Highway Superintendent to check on and report.

Mr. Coyle read a letter from the Planning Board setting forth resolution with respect to reduction of Town road specifications to 24' in connection with Gloria Court in Rochelle Homes, East Section.

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Mr. Jeffrey moved the following resolution:

RESOLVED, that upon recommendation of the Clarkstown Planning Board, Town road specifications for the building of road shown on map entitled Rochelle Homes-East Section, dated July 20, 1956, revised August 31, 1956, as Gloria Court, be reduced from the required 30' width to a 24' width. ~~Seconded by Mr. Welchman. On roll call,~~
~~the vote was as follows:~~

Seconded by Mr. Welchman.

On roll call the vote was as follows:

AYES: Messrs. Renken,
 Jeffrey,
 Welchman,
 Coyle

NAYES: None.

The Deputy Town Clerk reported to the Board that the Supervisor of Clarkstown Central School District No. 1 had given permission to use the new Bardonia School and new West Nyack School as polling places for Election Districts 10 and 15 respectively. The matter of posting of the new polling places was referred to the Town Attorney.

Mr. Renken moved the following resolution:

RESOLVED, that the new school in Bardonia be designated as polling place for Election District No. 10 and the new school in West Nyack be designated as polling place for Election District No. 15 on Primary Day, Registration Day and Election Day.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Supervisor Coyle read a letter from Samuel L. Gunn, Esq., dated March 25, 1958 with respect to condition of retaining wall on Pigeon Hill Road, Nanuet, asking that some action be taken. The Town Attorney then reported he had been in contact with the attorney for the developer, who requested that the Town Attorney, Town Highway Superintendent and he meet to see what could be done. The Highway Superintendent advised that he had procured two bids from Mr. John Forni on building a retaining wall, one to be 5 feet in from the shoulder of the road and one to be 10 feet in from the shoulder of the road, which would be 2 feet higher, for the sums of \$4920.00 and \$6934.00 respectively. Highway Superintendent Klein stated he would approve a wall 5 feet in from the shoulder.

Mr. Welchman moved the following resolution:

RESOLVED, that the matter of Pigeon Hill Road be referred to the Town Attorney and that he be empowered to take appropriate action and that the specifications for the repairs to the Pigeon Hill Road shall be certified by an engineer.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

The Supervisor read a letter from the Rockland County Council Veterans of Foreign Wars dated March 17, 1958 extending an invitation to the Town Board to participate in their "Loyalty Day Parade" to be held at Spring Valley, N.Y. on May 4, 1958. The Clerk was requested to acknowledge the invitation and advise that if Board Members were free

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they would be present.

Supervisor Coyle reported to the Board that he was still trying to get deeds from the Water Company for Goebel Road and Old Mill Road.

Mr. Coyle reported that he had been in touch with Herbert Cocks in connection with dedication of Rosewood Drive, New City, and that Mr. Cocks advised he is waiting for a certificate of title from Inter-County Title Company.

The Supervisor made mention of the fact that parks and recreation had been discussed at the Town Frums but that nothing had been done as to consideration of whether the Planning Board should try to get parcels for such purpose as developments are presented to them for approval. After some discussion, the Town Attorney was requested to make a study of the matter and report to the Board in a month's time.

Supervisor Coyle brought up the matter of sewer district regulations and asked Mr. Johns if he had formulated an opinion on the matter. Mr. Johns stated he had studied regulations of another Township but they had mostly to do with opening and connections and supervision over sewerage itself and that there was nothing in connection with septic tanks. He was of the opinion that there should be a further study of the matter.

Councilman Welchman stated he had received a complaint about a drainage problem from Mr. Clyde Robinson of Old Nyack Turnpike, West Nyack. The Highway Superintendent discussed the matter with the Board and the Clerk was requested to write to Mr. Robinson advising that if he will furnish the pipe/^{and an easement}the Highway Superintendent will install same along Old Nyack Tpk. east to the railroad track, then northerly parallel to the railroad track into an open ditch.

Town Attorney Everett J. Johns told the Board he had received a letter from the Peoples Bank of Haverstraw stating they had deposited \$150,000.00 in bonds and added that he is working out escrow arrangements with them.

Councilman Jeffrey reported that the Committee to study zoning have had meetings but no immediate solution has been found and that a great deal more study is required.

Councilman Welchman reported that he would have a report on insurance coverage for the next meeting of the Board.

On motion made by Mr. Jeffrey, seconded by Mr. Renken and carried, the meeting was adjourned.

Signed,

Mildred P. Magai,
Town Clerk.

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