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After discussion he was told that the matter was a civil one not under the jurisdiction of the Town Board.

Mr. Raymond E. Dillon of West Nyack appeared and questioned the Building Inspector's designing buildings in the Town inasmuch as he must later inspect same. He stated he was interested in the standpoint of legality as a man could not serve two masters. Supervisor Coyle stated that as to legality he just wanted to say that Mr. Schumacher was no longer designing buildings in the Town, and as to legality the Board hadn't checked.

Mr. Metlitz of Town Line Road, Nanuet, asked the Board's cooperation in procuring directional signs reading "To Nanuet" at Parkway exits. The matter was referred to the Highway Superintendent.

Mr. Raymond Dillon asked if the Town Attorney would make a ruling on that part of the Ordinance regarding outside activities of the Building Inspector, that he did not know if it was legal really and thought a ruling should be made. The Supervisor stated that the Board was satisfied, whether legal or not, that it wasn't ethically good and therefore it had been discontinued.

Mr. D'Antoni asked when the question was resolved and whether it was last year. He was told it was since the matter was first brought up.

Mr. Renken moved the following resolution:

RESOLVED that the Superintendent of Highways be authorized to advertise for bids for 1 gasoline driven, rubber-tired, hydraulic, sicklebar mower.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

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

Signed,

Mildred F. Magai

Mildred F. Magai,
Town Clerk.

PUBLIC HEARING

March 9th, 1959

Town Clerk's Office

8:30 P.M.

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

Absent: Mr. Coyle.

Councilman Welchman called the hearing to order.

The Clerk read notice of hearing to consider the application of Great Oaks Homes, Inc. for a Change of Zoning from an RA-1X to an R-1 district for property on the north side of West Clarkstown Road, New City.

Stephen G. Doig, Esq., attorney for the petitioner, appeared and stated the petition had originally been made in the name of New City Park Estates, Inc. but had been changed to Great Oaks Homes, Inc. at the request of officers of New City Park who stated this area was not in New City Park.

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Mr. Doig described the property and its location. He stated it was not in the Town of Clarkstown School District and that it was in an area not highly residential because it was in the vicinity of summer colony development both in Clarkstown and Ramapo. Mr. Doig stated the building of homes in this area would bring value to the neighborhood and Town of Clarkstown. He added that the corporation was forming a sewer district in connection with the entire development so that all the property would be sewered and all facilities would be available in the neighborhood.

Upon questioning by Town Attorney Johns, Mr. Doig stated that the Water Company would bring in water upon the signing of proper papers. Mr. Johns then asked the category of adjoining property and Mr. Doig stated it was all RA-1X.

Councilman Welchman asked if anyone wished to speak in favor of or in opposition to granting the change.

Mr. Eugene LaVoie stated he had no objections to residences.

Mr. Ira Wallach, petitioner's President, and Edmond Karp, Engineer on the project, pointed out on the survey location of the sewage disposal plant as being on the west of the marginal road and that there would be no odor or objectionable sight, that the plant would look like another house.

Messrs. James P. Dunn and Vincent Kischel stated they would not be opposed to the zoning change but were opposed to the location of the sewage disposal plant.

The Town Attorney stated the sewage plant would have to be approved by the Department of Audit and Control.

Attorney Doig advised that he had furnished the Planning Board with a map showing the area in the Ramapo 2 School District.

Mr. Welchman asked if anyone else wished to register protest or approval of the proposed change. No one appeared.

Town Attorney Johns read a letter dated February 2, 1959 from the Planning Board setting forth findings and recommending approval of the application.

On motion made by Mr. Jeffrey, seconded by Mr. Renken and unanimously carried, the hearing was closed.

Signed,

Mildred F. Magai
Mildred F. Magai,
Town Clerk.

TOWN BOARD MEETING

Town Clerk's Office

March 9, 1959

8:00 P.M.

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

Absent: Mr. Coyle.

In the absence of Supervisor Coyle, Councilman Welchman presided and opened the meeting.

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Action on the minutes of the meeting and three public hearings held on Feb. 24, 1959 was held in abeyance.

Mr. G. Herbert Scott appeared and asked the Board's permission to dispose of brush at the Clarkstown Sanitary Fill. He stated the Dumpmaster had pointed out a spot where brush could be dumped and burned on wet days without any fire hazard. Mr. Scott said there would be no additional work for the Dumpmaster as the dumping and burning would be supervised. The Board advised that the matter would be studied and that he would be advised of the Board's decision.

E. Alfred Festa, Esq. appeared before the Board as attorney for Mr. & Mrs. Walter Dietze of Radcliff Drive, New City, with respect to a drainage problem and an easement conveyed to the Town around November 1958, by Radcliff New City Corp. The matter was referred to the Town Engineer for investigation.

Mr. James Moody appeared before the Board stating he had seen a newspaper item which stated that Mr. William Vines reported to the Board that he had procured two building permits, as an agent, for property in an R-1 zone though the lots were smaller than required in that zone. Mr. Moody told the Board he had obtained the permits under Section 5.21 of the Building Zone Ordinance, adding that the lots were existent as such prior to the Zoning Ordinance and permitted at that time. He stated he was sorry Mr. Vines had taken the Board's time on such a matter because he could have obtained the necessary information from the Building Inspector's office.

Mr. Moody then stated he had done some checking on his own and had discovered that Mr. Vines had obtained a permit in 1957 to construct a one family dwelling and breezeway as per filed plans. He added that Mr. Vines had built a house and omitted the breezeway and garage and late in 1958 had added a breezeway, two-car garage and space for living quarters without making application for a building permit. Mr. Moody stated that this bore out the fact that Mr. Vines was in violation.

Mr. Moody stated he felt there were more implications involved than just a couple of building permits, complained of by Mr. Vines. He stated that no interest was shown until January or February, when there was a sudden flurry of activity in the Building Inspector's office at which time permits were examined and even photographed. Mr. Moody stated that at the same time in January he was making an investigation of his own as to assessments and inequities in assessments, particularly that of the property of Mr. Everett Crosby, comprised of 78 acres, a farm house, guest cottage, winery and \$5000.00 swimming pool. He then compared the evaluation placed on the property by Mr. Crosby and the assessment shown in the Assessor's office.

Mr. Schwall then advised that the swimming pool on Mr. Crosby's property was built after the closing of the assessment roll last year and that the assessment roll for the coming year was not yet closed. He stated further that the pool was not yet assessed. He added that any question of assessment was made to intimidate a member of another political party and that any responsible citizen of the community would repudiate it.

Mr. Moody stated he had visited the Assessor's office "today" and was told the card was not in the file.

Stephen G. Doig, Esq. stated he was Mr. Crosby's legal representative and that

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Mr. Crosby should be allowed to explain that he had bought the property from Gus Weltie when no one else would buy it, that it was an old house and not on a town road.

Councilman Welchman interrupted and stated any questions on assessments should be taken up on Grievance Day with the Grievance Board and that the discussion had gone far enough. He told Mr. Doig that Mr. Crosby would be given an opportunity to be heard at that time. Both Mr. Moody and Mr. Schwall were requested to refrain from further discussion of the matter.

On motion made by Mr. Renken, seconded by Mr. Danko and unanimously carried, the Board moved to hearing on application of Great Oaks Homes, Inc. for a Change of Zoning from an RA-1X to an R-1 district.

On motion made by Mr. Jeffrey, seconded by Mr. Renken and unanimously carried, the Board returned to the regular meeting.

Mr. Jeffrey moved the following resolution:

RESOLVED that decision on the application of Great Oaks Homes, Inc. for a Change of Zoning from an RA-1X to an R-1 district be reserved.

Mr. Renken seconded the motion.

On roll call, the vote was as follows:

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

NAYES: None.

A letter dated March 5, 1959 forwarding Order from the State Comptroller granting permission to establish Silver Birch Sewer District was read to the Board.

The Board signed the following order:

In the Matter of the Establishment of a Sewer District at or near Nanuet, in the Town of Clarkstown, Rockland County, New York, known as SILVER BIRCH SEWER DISTRICT:

A petition in this matter for the establishment of a Sewer District at or near Nanuet, in the Town of Clarkstown, Rockland County, New York, known as SILVER BIRCH SEWER DISTRICT having been duly presented to the Town Board, and an order having been duly adopted by the Town Board on the 8th day of May, 1958 for the hearing of all persons interested in the matter on the 13th day of June, 1958, at 8:00 P.M., Eastern Daylight Saving Time, at the office of the Town Clerk, 16 South Main Street, New City, New York, and a hearing by the said Board having been duly held at such time and place, and it having been duly resolved and determined following such hearing that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all the property and property owners within the proposed district were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in public interest of the proposed district, and that it was in public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such district as proposed be approved; it is hereby

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ORDERED, that the Sewer District at or near Nanuet, in the Town of Clarkstown, Rockland County, New York, known as SILVER BIRCH SEWER DISTRICT be established in the said Town of Clarkstown, to include lands in the said Town described as follows:

ALL that certain lot, piece or parcel of land situate, lying and being at Nanuet, Town of Clarkstown, County of Rockland and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point where the Westerly line of Silver Birch Street intersects the Orangetown-Clarkstown line; thence (1) North $73^{\circ} 17' 10''$ West a distance of 171.28 feet to a point; thence (2) North $11^{\circ} 41' 20''$ East a distance of 148.57 feet to a point; thence (3) North $12^{\circ} 14' 30''$ East a distance of 100.00 feet to a point; thence (4) South $89^{\circ} 23'$ East a distance of 427.48 feet to a point; thence (5) South $89^{\circ} 24'$ East a distance of 267.04 feet to a point; thence (6) South $87^{\circ} 51'$ East a distance of 258.50 feet to a point; thence (7) South $89^{\circ} 04' 10''$ East a distance of 177.83 feet to a point; thence (8) South $4^{\circ} 49' 50''$ West 560.57 feet to a point; thence (9) South $5^{\circ} 42' 40''$ West a distance of 4.02 feet to a point in the Orangetown-Clarkstown line; thence along said Orangetown-Clarkstown line (10) North $73^{\circ} 32' 20''$ West 203 feet to a point; thence (11) North $73^{\circ} 20' 10''$ West 287.71 feet to a point; thence (12) North $73^{\circ} 17' 10''$ West 522.13 feet to the point or place of beginning.

BEING that portion of Silver Birch Hills in the Towns of Orangetown and Clarkstown New York, shown on Map of Silver Birch Hills made by Rockland-Bergen Surveyors dated July 20, 1955 and filed in the office of the Clerk of Rockland County on April 2, 1956 in Book No. 56 of Maps, page 53, as Map No. 2411, lying within the Town of Clarkstown. Dated: March 9, 1959.

(s) John W. Coyle, Supervisor
 (s) Joseph Welchman, Councilman
 (s) Stephen Danko, Councilman
 (s) John H. Renken, Jr., Councilman
 (s) Alastair Jeffrey, Councilman

Mr. Renken moved the following resolution:

RESOLVED that Edward G. Roepe be appointed Special Counsel for the Establishment of Silver Birch Sewer District in the Town of Clarkstown, and be it

FURTHER RESOLVED that any fees of Special Counsel be a charge against the said Sewer District.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Town Attorney Johns reported that bills were being introduced in the Senate and Assembly that would reduce all State-Owned lands assessments to nothing.

Mr. Jeffrey moved the following resolution:

RESOLVED that the Town Board of the Town of Clarkstown urge Senator D. Clinton Dominick and Assemblyman Robert Walmsley to take all effective means at their disposal to cause defeat of bills entitled "Sen. Int. 3225 Pr. 3419" and "Ass. Int. 4047 Pr. 4217" presently before the Senate Finance Committee and Assembly Ways and Means Committee, which were proposed by the Joint Legislative Committee on State Lands, for the reason that the effect of these bills would completely nullify all the State-Owned lands

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assessed in the Town of Clarkstown.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Harry McKane of West Nyack addressed the Board and stated he wondered how the State would take the assessment on the State-Owned lands if it were compared with assessments on privately owned industrial lands in the Town. He added that there was about 100 acres of land zoned industrial on Route 303 and a check with the broker revealed it was being sold on the market at \$6,000.00 per acre. Some of it was in very small segments and he left with the Board a breakdown on four parcels.

Mr. D'Antoni stated he had seen in the newspaper a statement by Mr. Coyle with respect to the Building Inspector which he thought was a misstatement, in that no one questioned the Building Inspector's integrity. He told the Board there was only a question as to the legality of the Building Inspector acting in this capacity and designing buildings in the Town. He stated there was laxity in the office of the Building Inspector. Councilman Welchman advised that if any problems arose it was only fair to take them up with the official concerned. Mr. D'Antoni filed a statement.

Mr. Paul Cooper, a resident of the Birchwood Homes development called attention to a sign on North Middletown Road advertising "Briehwood Homes", stating all homes had been sold and asking removal of the sign. The Building Inspector was directed to remove the sign.

Mr. Raymond Calhoun of Brookside Drive, Nanuet, asked when a street sign would be installed. The Highway Superintendent advised it had been ordered about three months ago but had not yet been received. Mr. Calhoun also complained about septic tanks in the area contaminating the creek. The Clerk was requested to write to the County Health Department asking that an investigation be made as soon as possible.

Mr. Monroe Hovey of Leona Avenue, New City, appeared and complained of cars speeding through Leona Avenue and trucks using it as an access to and from Route 304 and North Middletown Road, thus creating a hazard to children playing in the area. Chief Wiebicke was requested to use an electric speed timer in the area.

Mr. Renken moved the following resolution:

RESOLVED that, upon recommendation of Chief Ernest Wiebicke, Mrs. Anna Gesner of 328 North Middletown Road, Nanuet, be appointed School Crossing Guard at Chestnut Grove School, at \$6.00 per day, effective March 16, 1959.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mrs. Janet Breda of the Chestnut Grove School P.T.A. asked when the blacktop sidewalks would be constructed on Middletown Road. The Town Engineer reported that the County Highway Department was going to widen Middletown Road

March 9th, 1959.

Attached list of properties filed with Town Board by Mr.
Harry McKane, West Nyack, New York, at Board meeting on above date,
during discussion on State - owned lands assessments.

VALLEY COTTAGE RENTY CORP.

Mr. McKane
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<u>M/A =</u>	<u>BLOCK</u>	<u>LOT</u>	<u>ACRES</u>	<u>ASSESSED VALUATION</u>	<u>ASS. VALUE PER ACRE</u>
124	C	27.02	5.87	\$1050	\$179
124	C	23.03	4.56	\$600	\$131
125	B	12.01	14.5	\$3550	\$245
125	B	12.02	5.97	\$1650	\$276

and when that was done the sidewalk would be constructed, but he did not know when the road would be widened. Mrs. Breda then stated the signs recently installed directing traffic on Old Middletown Road were poorly located. The Clerk was requested to write to the County Highway Superintendent asking that the signs be relocated.

Mr. Nicholas Hlipala of Nanuet inquired of the Board whether it knew whether the traffic hazards caused by the Thruway interchanges were going to be removed and how. He was directed to talk to Chief Wiebicke about the matter, particularly in the area of Route 59 and Grandview Avenue, and have the Chief relay information to the Clerk so the Clerk could write to proper authorities. Councilman Welchman stated a traffic light had already been requested at this location.

The Board signed the following order:

In the Matter of the Petition of WEST NYACK CONSTRUCTION CORP., and TUDOR GATE DEVELOPMENT CORPORATION for an Extension of the New City-West Nyack Water Supply District at West Nyack, in the Town of Clarkstown, Rockland County, New York.

ORDER EXTENDING DISTRICT:

A petition in this matter for the extension of the New City-West Nyack Water Supply District of the Town of Clarkstown having been duly presented to the Town Board, and an order having been duly adopted by the Town Board on the 26th day of January, 1959, for the hearing of all persons interested in the matter on the 24th day of February, 1959, at 8:30 P.M., Eastern Standard Time, at the office of the Town Clerk, Main Street, New City, New York, and a hearing by the said Board having been duly held at such time and place, and it having been duly resolved and determined following such hearing that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all the property and property owners within the proposed extension were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved; it is hereby

ORDERED, that the New City-West Nyack Water Supply District of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town described as follows:

BEGINNING at a point marked by a monument in the northerly line of Sickletown Road, said point being distant westerly about 130 feet measured along the northerly line of Sickletown Road from the center line of Wheeler Place and running thence (1) along the easterly line of lands shown on a map entitled "Tudor Gate, Subdivision of Property of Fred L. Holt, West Nyack, New York, Scale: 1" - 60', Date: October 8, 1957, made by Rockland-Bergen Surveyors, New City, New York, by Edward Barbour License #11161 and filed on October 21, 1957 in the Rockland County Clerk's Office as Map No. 2528 in Book 58 of Maps, Page 38", North $53^{\circ} 15' 47''$ West about 57 feet; thence (2) running along the easterly line of lands shown on the aforementioned map North $4^{\circ} 06' 24''$ East 850.64 feet; thence (3) running along the northerly line of lands shown on the aforementioned map North $88^{\circ} 49' 10''$ West 1,148.81 feet; thence (4) running along the westerly line of lands shown on the aforementioned map South $0^{\circ} 46' 30''$ West 274.80 feet; thence (5) running along the northerly line of lands shown on the afore-

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mentioned map North $84^{\circ} 18' 35''$ West 650.28 feet; thence (6) running along the westerly line of lands shown on the aforementioned map South $5^{\circ} 46' 20''$ West 358.67 feet; thence (7) running along the northerly line of lands shown on the aforementioned map North $88^{\circ} 15' 35''$ West 241.72 feet; thence (8) running along the westerly line of lands shown on the aforementioned map South $0^{\circ} 34' 40''$ West 345.16 feet; thence (9) running along the southerly line of lands shown on the aforementioned map South $88^{\circ} 49' 17''$ East 2,028.09 feet to a point on a curve in the northwesterly line of Sickletown Road; thence (10) running northeasterly along a curve bearing to the right and along the northwesterly line of Sickletown Road about 90 feet to the point or place of beginning.

Dated: March 9th, 1959

S/ Stephen Lanko, Councilman
 S/ Joseph Welchman, Councilman
 S/ Alastair D. Jeffrey, Councilman
 S/ John H. Benken, Jr., Councilman

Members of the Town Board

The Board signed the following order:

In the Matter of the Petition for an Extension of the New City-West Nyack Water Supply District at SICKLETOWN ROAD, WEST NYACK, in the Town of Clarkstown, Rockland County, New York.

ORDER EXTENDING DISTRICT:

A petition in this matter for the extension of the New City-West Nyack Water Supply District of the Town of Clarkstown having been duly presented to the Town Board, and an order having been duly adopted by the Town Board on the 26th day of January, 1959, for the hearing of all persons interested in the matter on the 24th day of February, 1959, at 9:00 P.M., Eastern Standard Time, at the office of the Town Clerk, Main Street, New City, New York, and a hearing by the said Board having been duly held at such time and place, and it having been duly resolved and determined following such hearing that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all the property and property owners within the proposed extension were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved; it is hereby

ORDERED, that the New City-West Nyack Water Supply District of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town described as follows:

BEGINNING at a point in the northerly line of Green Road, said point being distant easterly 584 feet measured along the northerly line of Green Road from the easterly line of Sickletown Road; said point of beginning being the southeasterly corner of the present New City-West Nyack Water Supply District and running thence (1) westerly along the northerly line of Green Road and along the southerly line of the present New-City-West Nyack Water Supply

District to the point of intersection of the southerly line of Foxwood Road and westerly line of Sickletown Road; thence (3) running westerly along the southerly line of the present New City-West Nyack Water Supply District and partially along the southerly line of Foxwood Road to a point distant westerly 600 feet measured at right angles from the center line of Sickletown Road; thence (4) running southerly along a course distant westerly 600 feet measured at right angles from the center line of Sickletown Road to a point distant northerly 900 feet measured at right angles from the center line of Sickletown Road where said road runs east and west; thence (5) running westerly along a course distant northerly 900 feet measured at right angles from the center line of Sickletown Road to the northeasterly corner of proposed Tudor Gate Water Supply District; thence (6) running southerly along the easterly line of the proposed Tudor Gate Water Supply District 850.64 feet; thence (7) running southeasterly along the easterly line of the proposed Tudor Gate Water Supply District 67 feet to a monument in the northerly line of Sickletown Road; thence (8) running southwestwardly along the northwesterly line of Sickletown Road on an arc bearing to the left and along the southeasterly line of the proposed Tudor Gate Water Supply District 90 feet to a point in the southerly line of the proposed Tudor Gate Water Supply District; thence (9) returning to the place of beginning and running southerly and westerly along a course parallel to and distant easterly and southerly 600 feet measured at right angles from the center line of Sickletown Road to the point of intersection with the easterly line of Sickletown Road where the same runs north and south; thence (10) running westerly along a course parallel to and distant southerly 600 feet measured at right angles from the prolongation westerly of the center line of Sickletown Road where the same runs east and west to a point distant westerly 400 feet measured at right angles from the center line of Sickletown Road where the same runs north and south; thence (11) running northerly at right angles to the 10th course in this description to a point in the southerly line of the proposed Tudor Gate Water Supply District; thence (12) running easterly along the southerly line of the proposed Tudor Gate Water Supply District to a point in the westerly line of Sickletown Road and the ending point of the 8th course in this description.

Dated: March 9th, 1959

S/ Stephen Danko, Councilman
 S/ Joseph Welchman, Councilman
 S/ Alastair D. Jeffrey, Councilman
 S/ John H. Renken, Jr., Councilman

Members of the Town Board

Mr. Jeffrey moved the following resolution:

WHEREAS, by Resolution of this Board dated January 26, 1959, a Public Hearing upon a proposed ordinance of the Town Ordinances adding a new Article XXVII entitled, "ORDINANCE REGULATING COMMERCIAL AND BUSINESS ACTIVITIES ON MEMORIAL DAY", in the Town of Clarkstown was held on the 24th day of February, 1959, at 9:30 P.M., Eastern Standard Time, after due publication thereof,

NOW THEREFORE, be it

RESOLVED, that the said proposed ordinance be and the same is hereby adopted and enacted effective upon publication and posting as required by Law, as follows:

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A new Article XXVII is hereby enacted to said Ordinances as follows:

ARTICLE XXVII
ORDINANCE REGULATING
COMMERCIAL AND BUSINESS
ACTIVITIES ON
MEMORIAL DAY

Article I - Title. This ordinance shall be known as the ordinance regulating Commercial and Business Activities on Memorial Day in the Town of Clarkstown.

Article II - Trade Restricted. All trades, manufacturers and mechanical employments upon the 30th day of May, known as Memorial Day, are hereby prohibited, except that when the same are works of necessity, they may be performed on that day in their usual and orderly manner, so as not to interfere with the observances of said day.

Article III - Business Restricted. All manner of public selling or offering for sale of any property upon the 30th day of May, known as Memorial Day, is prohibited, except as follows:

- (a) Articles of food may be sold, served, supplied and delivered at any time before ten o'clock in the morning.
- (b) Meals may be sold to be eaten on the premises where sold at any time of the day.
- (c) Caterers may serve meals to their patrons at any time of the day.
- (d) Prepared tobacco, bread, milk, eggs, ice, soda water, fruit, flowers, confectionery, souvenirs, newspapers, magazines, gasoline, oil, tires, drugs, medicines and surgical instruments may be sold and may be delivered at any time of the day.
- (e) Grocers, delicatessen dealers, and bakeries may sell, supply, serve and deliver cooked and prepared foods, and farmers' markets or roadside stands selling fresh vegetables and other farm produce, and fishing tackle and bait stores may sell, supply, serve and deliver merchandise usually sold by them at any time of the day.
- (f) Persons, firms or corporations holding licenses or permits issued under the provisions of the Alcoholic Beverage Control Law permitting the sale of alcoholic beverages at retail, may sell such beverages.

Article IV - Penalties. Violations of this ordinance shall be punishable by a fine of not more than \$50.00 Dollars or by imprisonment for not more than thirty days, or both such fine and imprisonment, and a person violating this ordinance shall be guilty of an offense against this ordinance.

Article V - Effective Date. This ordinance shall take effect on the date of its publication and posting as required by the Town Law.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

The Highway Superintendent reported he had contacted the State in connection with coordinating traffic lights on Route 303 near the Thruway exits

in West Nyack and they reported there had been trouble with the relays and hoped the condition was now corrected.

The Highway Superintendent reported he had contacted the State in respect to directional signs "To Nanuet" and had assurance signs would be installed at three intersections.

Mr. Danko moved the following resolution:

RESOLVED that permission be granted to the Village of Upper Nyack to use the voting machine, property of the Town of Clarkstown, stored in the Upper Nyack Fire House, on March 17, 1959, for Village Election purposes, all expense in connection with use of the machine to be borne by the Village of Upper Nyack.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Danko moved the following resolution:

RESOLVED that permission be granted to Central School District No. 1, to use two voting machines, property of the Town of Clarkstown, stored at Clarkstown Central High School, on March 14, 1959, for School Bond vote, all expenses in connection with use of the machines to be borne by Central School District No. 1.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

Monthly reports of the Police Department and Welfare Officer for the month of February were submitted and placed on file.

Mr. Welchman read a letter dated March 9, 1959 from the Building & Zoning Inspector asking the establishment of another position of Building Inspector, Grade 3, in accordance with Civil Service requirements, because of the increased work. The matter was referred to the Town Attorney.

At the suggestion of the Town Attorney the Clerk was requested to write to the attorney representing Sidney Popik asking that Mr. Popik's application for a Zoning Change be withdrawn in the event a Variance is granted by the Zoning Board of Appeals.

Mr. Danko moved the following resolution:

WHEREAS, LEONORA CHRISTIE, and BERNICE MANDELL have 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 petitioners and in said petition described, from an R-1 district to a C-2 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the office of the Town Clerk, 16 South Main Street, New City, New York, on the 13th day of April, 1959, at 8:30 P. M., Eastern Standard 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.

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Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

RESOLVED that the Supervisor be authorized to enter into contract and exercise "Full Maintenance Agreement" with the Addressograph Multigraph Corporation at a cost of \$179.50.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

RESOLVED that the Supervisor be authorized to transfer the sum of \$500.00 from the "Contingent Fund" to "Dog Warden - Other Expenses" account.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey moved the following resolution:

RESOLVED that Harry Crowe, Sewerage Treatment Plant Operator, Grade 3, Valley Cottage Sewer District No. 1, be authorized to attend Grade 2, Sewerage Treatment Operation course at New York University from April 6th to April 18th, 1959, given by the Bureau of Environmental Sanitation Training Section, and be it

FURTHER RESOLVED THAT he be reimbursed for all necessary expenses incurred in taking the course.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

Councilman Welchman read a letter dated February 25, 1959 from the Palisades Interstate Park Commission with respect to signs in areas less than 500 feet from borders of state parks or parkways, which was filed.

The Clerk was requested to write to the State Lottery Commission asking for an acknowledgement of receipt of the Bingo Ordinance and advice as to whether or not it met with approval so it could be considered for a special election.

Mr. Harry Edelstein told the Board there was another accident at the Prospect Street railroad crossing in Nanuet. A suggestion was made that a sign be erected approaching the railroad "Proceed at your own risk". The Town Attorney was requested to contact the insurance carrier to see what can be done.

A letter dated February 27, 1959 from the Town Engineer, approving fill proposed to be furnished by successful bidder, Eric Binder, was read. The Clerk was asked to so advise Mr. Binder.

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

Signed,

Mildred F. Magai
Mildred F. Magai, Town Clerk.

PUBLIC HEARING
March 11, 1959.

Rossi Building,
Route 59, E. of Spring Valley, N. Y.

8:00 P.M.

Present: Joseph Welchman, Councilman
Alastair Jeffrey "
Stephen Danko "
John H. Renken, Jr. "
Everett J. Johns, Esq., Town Attorney

Absent: John W. Coyle, Supervisor.

Present and representing the Village of Spring Valley and petitioners was Moe Mendelsohn, Esquire.

Present and representing objectors was Jerome Tobias, Esquire.

Councilman Welchman called the hearing to order explaining that Supervisor Coyle would not be able to attend because of illness in his family.

Notice of Hearing to consider petition for the Annexation to Spring Valley of Territory in Clarkstown adjoining the Village of Spring Valley was made pursuant to Section 348 of Village Law was read.

Town Attorney Johns placed on file as Exhibit I, filed affidavit Phillip Graziano as to posting of notices in five public places within the area proposed to be annexed, as required by Section 348 of Village Law.

Attorney Jerome Tobias stated for the record that he objected to the time and place of filing.

The Town Attorney showed Attorney Mendelsohn a petition and asked if it was the original petition filed with the Supervisor of the Town of Clarkstown. Mr. Mendelsohn stated "That is correct".

Town Attorney Johns asked "Would you introduce that as Exhibit II at this meeting?" Mr. Mendelsohn replied "I do".

Upon examination of the survey accompanying the petition, Mr. Mendelsohn advised that a boundary line that ran diagonally across Route 59 had been straightened out at the request of the Supervisor and Town Attorney of the Town of Clarkstown.

Jerome Tobias, Esq. stated that he represented as objectors, Joseph Judge, Zenith Construction Company, John Bach, George Armston, Eagle Council - a fraternal organization, and Antonio Bianco.

Mr. Tobias stated that with reference to the notices that were posted one that was posted in Judge's establishment was unsigned and he understood that none were signed and by form alone were not proper.

The Town Attorney stated that the original notice was signed by John W. Coyle and that the affidavit of publication was attached thereto. Mr. Johns added that all of the people he represented were present and any objections to the notice were waived

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