

TOWN BOARD MEETING

September 30, 1959

309

Town Clerk's Office

8:00 P. M.

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

Absent: Mr. Jeffrey.

Mr. Coyle called the meeting to order.

Mr. Welchman moved the following resolution:

RESOLVED, that the time for receiving bids for the construction of Blacktop Sidewalks be closed and that the Supervisor be authorized to open bids submitted.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Bids were then opened as follows:

Cyler & Schuck, Inc., 130 Red Hill Rd., New City, N. Y.	\$ 2825.00
Victor Smith, New City, N. Y.	2568.20
Ward Pavements, Inc., Riverside Ave., Haverstraw, N. Y.	2987.00
County Asphalt, Inc., 129 Main St., Tarrytown, N. Y.	2825.00

Mr. Renken moved the following resolution:

RESOLVED, that upon recommendation of the Town Engineer, contract for the construction of a blacktop sidewalk on the south side of Route 59-A from Sickletown Road to the easterly driveway of the West Nyack School be awarded to Victor Smith of Third Street, New City, N. Y., at a net cost of \$2,568.20, in accordance with proposal dated Sept. 28, 1959.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Danko moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 10th day of August, 1959 provided for a public hearing on the 14th day of September, 1959, at 8:30 P. M. Eastern Daylight Saving Time, to consider the application of McCafferty & Heck Inc., to amend the Building Zone Ordinance of the said Town by re-districting the property of the said petitioner from an R1-X district to an R-1 district; and

WHEREAS, notice of said public hearing was duly published as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW THEREFORE, be it

RESOLVED, that the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting the following described property in the hamlet of Nanuet, New York, in said Town and is described as follows:

BBC442

318 208
9/30/59

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

BEGINNING at a point in the northerly line of Town Line Road, said point being the boundary line between the premises herein described and lands now or formerly of Tasman; running thence along said boundary line North $19^{\circ} 43'$ East, a distance of 149.50 feet; thence along the westerly line of lands now or formerly of Jones and now or formerly of Haslett North $18^{\circ} 10' 40''$ East a distance of 344.25 feet; thence along the westerly line of lands now or formerly of Schields North $14^{\circ} 37' 40''$ East, a distance of 246.35 feet to a post; thence along the southerly line of lands of the Erie Railroad South $34^{\circ} 32'$ East, a distance of 258 feet; thence still along the same on a curve to the right having a radius of 2,477.85 feet, a distance of 81.10 feet to a post; thence along other lands of Venturini South $23^{\circ} 29'$ West, a distance of 553.76 feet to the northerly line of Town Line Road; thence along the Northerly line of Town Line Road on a curve to the right having a radius of 312.26 feet, a distance of 90 feet; thence still along the same North $53^{\circ} 32' 40''$ West, a distance of 206.97 feet to the point or place of beginning.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. William L. Nest of Hillside Drive, New City, appeared before the Board and stated he and his neighbors had a drainage problem caused by a drainage ditch installed when Vanderbilt Heights was developed. He stated that High Tor Estates had procured an easement which would permit them to connect with the ditch and add to their problem. The matter was referred to the Town Engineer and Town Attorney to check on with the Planning Board. Supervisor Coyle read a letter addressed to him under date of September 22, 1959 by Bernard G. Nemeroff listing several questions. Noting Mr. Nemeroff's presence at the meeting, Mr. Coyle answered questions set forth in the letter.

Mr. Renken then read a letter he had received from Bernard G. Nemeroff with reference to statements he had made at the September 14th Board meeting. He addressed Mr. Nemeroff, read a newspaper item and explained his statements.

Mr. Renken moved the following resolution:

RESOLVED, that the portion of the petition of The Dells, Inc. requesting a Zoning Change from an RA-1 to an R-1 district be denied, on the basis it does not lend itself to the overall zoning and planning of the Town of Clarkstown as it now stands.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

9/30/59

309

RESOLVED, that that portion of the petition of The Dells, Inc. requesting a Zoning Change from an RA-1 to an RO district be denied, on the basis it does not lend itself to the overall zoning and planning of the Town of Clarkstown as it now stands.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

RESOLVED, that Performance Bond #742332 from Frank W. Foley to the Town of Clarkstown, covering construction of Third Street and Harrison Avenue, Congers, as shown on map of property of Frank W. Foley dated September 11, 1959, be approved by the Town Board, and be it

FURTHER RESOLVED, that deed from Adolphe Salaun and Yvonne Salaun, Helen Gilchrest, Frank W. Foley and Jane V. Foley, and Edward J. Fitzgerald and Joan P. Fitzgerald to the Town of Clarkstown be held in escrow until the improvement of Third Street and Harrison Avenue is completed in accordance with the road specifications of the Town of Clarkstown. Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Edward G. Roepe, Esq. appeared in connection with application of the Rockland Broadcasting Corporation for a Zoning Change from an R-1 to a C-1 district on a little less than 9-1/2 acres on the east side of Pascack Road and south side of Old Nyack Turnpike, Nanuet. He stated it was proposed to use the land for radio transmission towers and offices upon proper license by the Federal Communications Commission and that he hoped the Board would look favorably on the application in view of the fact that there has been considerable change in the physical aspects of the location due to the impact of the Thruway and access roads coming off the Thruway.

Mr. Renken moved the following resolution:

RESOLVED, that application of Rockland Broadcasting Corporation for a Change of Zone from an R-1 to a C 1 district, covering property located on the east side of Pascack Road, Nanuet, New York, be referred to the Planning Board for report pursuant to the provisions of Sections 8.51, 8.52 and 8.522 of the Zoning Ordinance.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

The Town Attorney reported that all papers were in order for the dedication to the Town of Red Rock Road in Red Rock Acres and the Highway Superintendent recommended acceptance.

Mr. Welchman moved the following resolution:

RESOLVED, that deed dated June 26, 1959 from Stony Wall Acres, Inc. to the Town of Clarkstown, conveying Red Rock Road and a portion of Buena Vista Road as shown on map entitled "Red Rock Acres, formerly Ravenswood Manor near New City, made November 27, 1956, Rev. Apr. 3, 1957", together with easement contained therein, as well as Quit Claim Deeds

BBC442

9/30/59

from James E. Boddorf and Gretchen A. Boddorf to the Town of Clarkstown and from Frank Garisto, Jr. and Virginia P. Garisto to the Town of Clarkstown, dated May 20, 1959, 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 deeds.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

The Board approved as to form and sufficiency the following:

Maintenance Bond #213718
Little Tor Estates, Inc.
(Red Rock Acres - Red Rock Rd.)
New City, N. Y.

The Town Attorney reported all papers in connection with proposed dedication of Twin Elms Lane and Irion Drive in the Little Tor Estates subdivision were in order and the Highway Superintendent recommended acceptance.

Mr. Welchman moved the following resolution:

RESOLVED, that deed dated the 4th of August, 1959 from MAK Development Corp. to the Town of Clarkstown, conveying a portion of Twin Elms Way (now known as Twin Elms Lane) and Irion Drive, as shown on subdivision plan entitled "Little Tor Estates, New City, N. Y." dated April 6, 1956, 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 deed.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

The Board approved as to form and sufficiency the following:

Maintenance Bond #2200012
MAK Development Corp.
(Twin Elms Way and Irion Drive)

The Supervisor read a letter dated Sept. 18, 1959 from the County Highway Superintendent advising that damage to gutter and shoulder of New City-Congers Road done by construction work of Windmill Estates in New City had been repaired and that bill for work had been submitted to Windmill Estates.

Mr. Albert Wein of the P. T. A. Safety Council advised the Board that Chestnut Grove, Congers and West Nyack schools were procuring easements for sidewalks and suggested that an additional appropriation of \$20,000.00 for construction of sidewalks be included in the 1960 budget.

Mr. Renken moved the following resolution.

WHEREAS, RUBIN JOSEPHS has petitioned the Town Board of the Town of Clarkstown for a SPECIAL PERMIT, pursuant to Section 3.11 Table of General Use Regulations, and Sections 3.31 and 4.32 F to permit the erection of residences in an RA-1(X) district under the requirements of an R-1 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 26th day of October, 1959 at 8:30 P. M. Eastern Daylight Saving Time, relative to such proposed SPECIAL PERMIT, 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.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

WHEREAS, HARRY L, HALBERG has petitioned the Town Board of the Town of Clarkstown for a SPECIAL PERMIT, pursuant to Section 3.11 Table of General Use Regulations, and Sections 4.31 and 4.32F to permit the erection of residences in an BA-1(X) district under the requirements of an R-1 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 26th day of October, 1959 at 9:00 P.M., Eastern Daylight Saving Time, relative to such proposed SPECIAL PERMIT, 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.

Seconded by Mr. Danko

On roll call, the vote was as follows:

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

NAYES: None.

The Supervisor read a letter dated September 24, 1959 from the Zoning Board of Appeals requesting copies of budgets and changes in the current Zoning Ordinance. The matter was referred to the Clerk.

Supervisor Coyle read a letter dated September 28, 1959 from the Planning Board in which they advised they would favor the collection of a sum agreed upon on a per lot basis from subdivisions as they are finally approved. The Clerk was asked to convey their appreciation for what had already been done and recommend that a further study be conducted with a view to determining what would be proper.

The Supervisor read a letter dated Sept. 2, 1959 from the President of the Valley Cottage Civic Association asking that sidewalks be constructed as soon as possible. The Town Engineer stated he had spoken to Mr. DeStaso who told him he would contact the school on the matter.

A letter from the Building Inspector dated Sept. 30, 1959 advising of application made by Louis Ferretti for a building permit pursuant to Section 280-A for Fremont Ave., Nanuet, was read to the Board. The matter was held in abeyance for the Oct. 13, 1959 Board meeting and the Clerk was instructed to contact Stephen G. Doig, Esq. and inquire about the status of the improvement of Fremont Avenue and Jerrys Avenue and that he report to the Board at the October 13th meeting why the matter is not proceeding.

The Town Attorney reported on an application for the creation of a Sewer District on the south side of Route 59, Nanuet, to be known as Travel Motel, Inc., covering the Howard Johnson property.

The Town Board signed the following Order:

312

At a Meeting of the Town Board of the Town of Clarkstown, Rockland County, New York held at the Office of the Town Clerk at Main Street, New City, in said Town of Clarkstown on the 30th day of May, 1959.

P R E S E N T :

John W. Coyle, Supervisor,
Joseph Welchman, Councilman
Stephen Danko, Councilman
John H. Renken, Councilman

Members of the Town Board

In the Matter of :

The Petition for the Establishment of a Sewer District at or near Nanuet, in the Town of Clarkstown, Rockland County, New York. :

ORDER

WHEREAS, a written petition, dated September 6, 1959, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York, for the establishment of a sewer district at or near Nanuet, in the said Town, to be bounded and described as follows:

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

BEGINNING at a State Highway concrete monument situated in the southerly side of New York State Highway Route 59, and running thence along the Southerly line of New York State Highway Route 59 South 47 degrees 49 minutes 03 seconds East 68.04 feet; thence South 50 degrees 13 minutes East 8 feet; thence South 57 degrees 30 minutes 35 seconds East 94.57 feet to an iron pipe in the Southerly line of Route 59 aforesaid; thence South 0 degrees 48 minutes 47 seconds East 190.97 feet to an iron pipe; thence South 85 degrees 10 minutes West 153.96 feet to an iron pin; thence South 84 degrees 44 minutes 20 seconds West 16.68 feet; thence along lands now or formerly of Shukat South 82 degrees 41 minutes 20 seconds West 452.57 feet to a point in lands now or formerly of Weiner; thence along a stone wall and lands of Weiner North 0 degrees 18 minutes 30 seconds East 147.15 feet; thence North 63 degrees 09 minutes 20 seconds East 30.61 feet to a State Highway concrete monument; thence North 65 degrees 34 minutes 50 seconds East 38.80 feet to a State highway concrete monument in the southerly line of the New York State Thruway taking line; thence along same North 65 degrees 44 minutes 54 seconds East 421.67 feet to a state highway concrete monument; thence North 65 degrees 43 minutes 30 seconds East 35.07 feet to a state highway concrete monument and the point or place of Beginning.

WHEREAS, the improvements proposed consist of the erection, construction and maintenance of a sewerage system, to serve the said district, including main and lateral sewers, and all incidental equipment, including the acquisition of the necessary lands and rights of way therefor, in accordance with certain plans made a part of such petition now on file in the office of the Town Clerk of the said Town; and

WHEREAS, the maximum amount proposed to be expended for the improvement as stated in the said petition is none, it is hereby

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown, shall be held at the office of the Town Clerk in New City, New York, on the 26th day of October, 1959, at 9:30 P.M. Eastern Daylight saving Time, to consider the said petition and to hear all persons interested in the subject thereof, concerning the same, and for such other action on the part of said Town Board with relation to the said petition as may be required by law or proper in the premises.

Dated: September 30, 1959 S/ John W. Coyle, Supervisor S/ Stephen Danko, Councilman
S/ John H. Renken, Jr., Councilman
S/ Joseph Welchman, Councilman

The Highway Superintendent asked the Board to request the Clerk to write to the County Engineer and recommend that the New City-Congers Road be closed between its easterly and westerly intersection with Old School House Road, New City, for approximately one hour in the morning and one hour at the time of closing of school.

Mr. Danko stated he had received a request for a sign at Route 303 and Lake Road, Congers, showing the direction to Congers. The Clerk was asked to write to the State Traffic Commission requesting a sign with an arrow indicating the way to Congers at the intersection of Route 303 and Lake Road, Congers.

Mr. Renken reported he had contacted Orangetown on the matter of leasing additional land for fill purposes and that their Board would take the matter up at a Board meeting. He further reported he would check on assessments on the land under consideration.

The Town Attorney was asked to write to the owner with reference to the Sewer District west of Goebel Road, New City.

Mr. Renken moved the following resolution:

RESOLVED, that the next two meetings of the Town Board be scheduled for October 5th, and October 13th, 1959 at 8:00 P. M.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Certification of Eligibles for Police Patrolman dated September 1, 1959 was presented to the Board and the Chief of Police was asked for a recommendation.

Mr. Danko moved the following resolution:

RESOLVED, that, upon recommendation of Chief Ernest Wiebicke, Joseph A. Mercurio of West Pond Road, Upper Nyack, be appointed Police Patrolman in the Clarkstown Police Department on a provisional basis, at an annual salary of \$4,900.00, effective as of October 16, 1959.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

The Supervisor read a letter dated September 24, 1959 from Automotive Brake Co., Nanuet, thanking the Clarkstown Police for their efforts in solving a series of petty thefts at their plant.

The Chief of Police suggested petitioning the County for the elimination of left turns from the shopping area on the New City-Congers Road and left turns from the New City-Congers Road into the shopping area in New City. The Clerk was asked to write to the County Highway Superintendent.

Upon recommendation of the Chief, the Clerk was directed to write to the State Traffic Commission requesting that a study be made of the need for a traffic light at the intersection of Route 304 and the New City-Congers Road in New City.

Chief Wiebicke suggested that the Highway Superintendent put in a cross-walk with yellow lines to warn people at the Grandway. He was requested to contact the owner on control of traffic, at the Grandway exit, since the Grandway people told him it was not their problem.

9/30/59

The Highway Superintendent spoke of the traffic congestion on Little Tor Road, New City, in the vicinity of Dr. Scharf's house. The Chief was requested to contact Dr. Scharf on the matter.

Mr. Renken asked Chief Wiebicke if he had looked into the matter of having a traffic officer at Prospect Street and Main Street, Nanuet, when traffic is heavy. The Chief stated they had been short handed but when a man was available they would do it.

Mr. Welchman moved the following resolution:

RESOLVED, that the Supervisor be authorized to execute contract between Nussbaumer, Clarke & Velzy and the Town of Clarkstown for the Clarkstown Sewerage Study.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

RESOLVED, that Pauline Lam of 27 Brewery Road, New City, be appointed part-time secretary to the Town Attorney at an annual salary of \$1,500.00, effective as of October 1st, 1959.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Letters dated Sept. 29, 1959 forwarding Performance Bonds on The Plains and Gregory Heights were read to the Board.

The Board approved, as to form and sufficiency, the following:

Performance Bond #2200544
The Plains,
New City, N. Y.

Performance Bond #2200400
Gregory Heights,
New City, N. Y.

Budget Estimates for the year 1960 from the various Town Departments were submitted to the Board.

Supervisor Coyle reported to the Board that he had received an answer to his letter of Sept. 16, 1959 with respect to State Lands assessments from Dean B. Seifried of the Central Clarkstown School Board.

The Town Attorney stated he would prepare the required papers under a new provision of law to set hearing on the proposed extension of the East Spring Valley Fire District.

Monthly trial balance of the Supervisor and monthly report of the Dog Warden, for the month of August, was submitted and placed on file.

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