



Time and the Valleys **MUSEUM**

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HOW WOULD YOU FEEL?

"I remember an awful wave, a terrible sadness. That all of this will be gone, just gone." Marian Armstrong (Scudder) about the coming of the Pepacton Reservoir.

"It took their heart and soul." Gary Atkin.

"I alone will remember it. The little lost valley lying in ghostly silence, beneath the shining waters." Evelyn Hill Huntsberger

"What has New York City taken from Neversink? Much that money cannot pay for, such as the neighborhood, friends, social ties, the school and church." W. V. Denman

"The people are scattered to the four winds and most of them not at all satisfied with their new environment" W.V. Denman

"There is talk again of the dam coming here. It is very unsettling and must be borne, I suppose." Juliana George

"A lot of people in this valley couldn't be induced to leave this section. You'll see. They'll stay as close to home as they can." Mr. Shields, Lackawack

"If you don't like the settlement that's made on your property, the City'll reach right down through the chimney and take it anyway." Will Evans, Lackawack

"I have never known another home. I was born here and grew up here and have had my family here." Nellie Hornbeck

"It is going to be hard for a body who was courted and married here to go away and know you can never come back....." Nellie Hornbeck

"That will be the bitterest pill of all for the old timers. Their loved ones – to have to move them after all these years of peace." Dr. Urban Kemble

As early as 1893, New York City had influence over the owners of property adjoining their water supply system. New York City's Common Council required a 300 foot margin around reservoirs and streams. All of the homes, barns, pigsties' and privies inside this margin were moved or burned. From then on, New York City purchased property to expand the water system with or without the landowner's consent.

Eminent Domain - An action of the government to seize a citizen's private property with monetary compensation but without the owner's consent, for a purpose that the government perceives is for the greater public good.

Condemnation - The formal act of eminent domain to transfer title to the property from its private owner to the government.

Neversink Reservoir - Hamlets of Neversink and Bittersweet - "taken"

Rondout Reservoir - Hamlets of Eureka, Montala, and Lackawack - "taken"

Over 1,500 individual were forced to sell their land and give up their homes for the building of the Rondout and Neversink Reservoirs.

The Condemnation Process

New York City:

1. Received New York State approval
2. Received authorization from the New York Board of Estimate and Apportionment
3. Filed maps with county clerks showing the boundaries of the project and the tax parcels to be claimed
4. Published notices in city record, two city newspapers and two newspapers in each county.
5. Submitted notice of application to the Supreme Court for the appointment of Commissions of Appraisal
6. Searched titles of all real estate parcels
7. Posted handbills of notices in at least twenty locations near the parcels to be taken.
8. Approached property owners with compensation offers.
9. Paid the owners half the assessed value of the year prior
10. Took ownership

Rondout and Neversink Valleys

\$5,171 Granville and Glenly Quick 10 acres on the Ulster Sullivan Line

\$27,000 to Sam Lieberman 38 acres including a boarding house, casino, tennis courts and other facilities on Rt. 55

\$20,000 to William Vandermark for 71 acres with timber and several small lakes near Montala.

\$19,500 to Ezra and Marie Empt (contested by the city)

\$23,960 to William V. Denman 203 acre operation with 24 room boarding house 110 foot long barn, large orchard.

\$35,500 to Morris Begun for an inn
\$16,200 to Frank Vanderlyn for 150 acre farm
\$13,000 to Henie Rubenzahl for 44 acre resort
\$3,365 for the Lows Corners Baptist Church Less than half of what they claimed.
\$3,950 for the Upper Lackawack Methodist Episcopal Church less than half of what they claimed
\$1 to Mary Smith for 1/10 of an acre.
\$5,000 to Benjamin and Elvira Krumm for 86 acre farm

The Arguments

New York City

The almost 7 million residents of New York City BADLY need clean drinking water.
Local residents are trying to take advantage of the situation by inflating property values.
Hundreds of men are now working during bad economic times.
The construction is bringing money and prosperity into the local area.

Residents

We are losing our homes.
We are losing a connection to our ancestors.
We are leaving all we know and love.
We are losing friends and neighbors.
We are losing our job.
We are losing customers and our business because others are moving.
We are not getting enough payment for our land and homes.

Property owners had only two choices:

1. Take the amount offered by New York City because it is fair, or because you don't want to get into a lengthy hassle.
2. Don't take the offer, and have an attorney present your case to the Commission of Appraisal.

Commission of Appraisal – Heard damage claims from property owners

The Commission of Appraisal had a difficult job. Made up of a person from the affected county, a person from the city and a person from somewhere else in the state, they heard testimony on condemned property in a specific area. Attorneys for New York City and attorneys for the owners presented their cases. Faced with very different appraisals and property descriptions, the commission had great difficulty placing values. After weighing the evidence, the commission sent a payment recommendation to the Supreme Court. If the property owner or the city objected to the amount, they asked the court to reject it, sending the recommendation back to the commission. Years might pass before owners received payment for their property.

Compensation Rule: the market value of the property on the date the land is taken. Owners argued that the last date of fair market value should be the date used, not the date the property is taken.

1939 – A Court of Appeals ruling that depressed market conditions do not control in appraising the true value of land needed in the Lackawack area for the Rondout Dam.

The State Supreme Court ordered New York City to make three concessions to owners of condemned land for the Rondout Reservoir:

1. Hold condemnation hearings in Monticello instead of Kingston.
2. Determine claims before the City takes possession.
3. Provide owners with blueprints of their property to properly present their claims.

Reluctant to leave, residents considered the City ruthless in its condemnation of the valley. In the end they had to accept it. Some left with anger and bitterness, some with the excitement of making a new start, but they all left.

The Perini Company hired 400 men to remove the buildings and prepare the Lackawack area. Contractors demolished, moved or burned the buildings. When clearing the land for the Neversink Reservoir, some buildings were purchased and moved to “new” Neversink. Neversink is small community on State Route 55 between the Neversink Reservoir and Grahamsville.

Removal Process:

Condemn the land
Move people out
Demolish, burn or remove buildings
Fill in cellars
Disinfect outhouses
Remove any contaminants (such as barnyard manure)
Cut down trees
Remove stumps
Scrape up the grass, weeds and debris
Remove cemeteries

Cemetery Removal

From 1939 to 1940, New York City moved 1,622 bodies from seven cemeteries to build the Rondout Reservoir. The Board of Water Supply gave relatives \$40 per grave to hire undertakers to move the bodies, with a smaller amount to move headstones and fences. Small white pine boxes the size and shape of an apple crate held the reinterred remains.

505 of these bodies were unidentified. To reinter these unidentified remains, the Board of Water Supply purchased a plot in Fairview Cemetery at Stone Ridge. For future identification, they placed a small stone marker at each unknown grave.

How did they do it?

Create a plan of each cemetery

Number each grave

Prepare a list of: grave number, name of occupant, type, inscription, date of marker, name and relationship of known relatives, date of removal and place of reinternment.

Search for the relatives of the known graves

Search for relatives to identify the unknown or unmarked graves. For a radius of 50 miles workers went from house to house questioning residents.

Post large "Removal of Bodies" notices in all public places, buildings and on trees. Place similar notices in local newspapers and mail copies to individuals and organizations.

GARDNER LEROY
ATTORNEY AT LAW
LIBERTY, N. Y.

March 30, 1946

CLOSING STATEMENT.

Benjamin Bertholf - Parcel #1488.

Received from the City of New York \$2,349.40

Moneys to be paid out:

National Bank of Liberty	- . .	\$740.74
Gardner LeRoy, attorneys fees	. .	90.00
Gardner LeRoy, professional		
services taking an appeal and		
trip to Kingston	. . .	50.00
Gardner LeRoy, Professional		
services cleaning up title	. . .	25.00
Gardner LeRoy, drawing assignment		
to bank	. . .	5.00
Gross & Orseck, attorneys fees	. .	25.00
Fred Hendrix, witness fees	. . .	50.62
Charles Mauer, witness fees	. . .	71.14
Thomas McNamara, witness fees.	. .	71.14

\$1,128.64

\$1,128.64

Balance to Benjamin Bertholf \$1,220.76

Lands of Benjamin Bertholf: Taken for the building of the Neversink Reservoir

Attached is the closing statement from the sale of land by Benjamin Bertholf to New York City on March 30, 1946. His land was taken by eminent domain along with many others, for the building of the Neversink Reservoir.

Questions

1. How much money did New York City pay Mr. Bertholf for his land when they built the Neversink Reservoir?
2. The piece of land that the city bought from him was 34.7 acres of farmland and had no buildings. How much money per acre was he paid?
3. How much money did he actually receive?
4. How much money did the attorneys make?
5. Why do you think a bank and three witnesses received money also?
6. Describe how you would feel if you were forced to sell your home and move: