

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

03/05/13

8:00 PM

Present: Supervisor Alexander J. Gromack
Council Members Shirley Lasker, Frank Borelli,
George Hoehmann & Stephanie Hausner
Amy Mele, Town Attorney
Justin Sweet, Town Clerk

Supervisor declared the Town Board meeting opened. Assemblage saluted the flag. Town Clerk read the roll call.

SPECIAL PRESENTATION: Clarkstown Youth Court Graduation The following graduates of the Clarkstown Youth Court were congratulated and recognized for their achievements:

Danielle Adler	Ethan Jaynes	Jenna Ryu
Hannah Berg	Madison Kahn	Matthew Schonberg
Danielle Borelli	Sydney Kaye	Marren Smith
Adam Donlan	Madison Lewis	Emily Rose Staub
James Flynn	Samantha Lieber	Lindsey Wald
Ashley Haber	Shivani Parikh	

SPECIAL PRESENTATION: JT's Forty Something Softball League
The members of the league were recognized and congratulated for their achievements as the 2012 Champions.

On motion of Co. Lasker seconded by Co. Borelli, the Public Hearing Re: Proposed Local Law entitled: "Amendment to the Town Zoning Map and Chapter 290 (Zoning) of the Code with respect to Major Regional Shopping and Regional Shopping". was opened, time: 8:28 pm, closed 8:44 pm.

The Supervisor opened the meeting for public comments on agenda items.

Tom Nimick, New City
He feels Item #2h, creation of Police Sergeant position, should be voted on separately. Asked about the necessity of Item #18 technology improvements, given budget constraints.

Marge Hook, New City
Regarding Item #2h, why not promote someone as opposed to bringing someone in? She asked for explanations of Item #4a, Aquatic Vegetation Program and Item #17, Authorizing Changing of Street Names.

Amy Durbin, Congers
She asked for clarification of Item #s 16 and 19.

Steve Levine, Congers
He spoke about Item # 1, accepting Town Board minutes and a problem he had obtaining a copy of the recording of the last Town Board meeting.

Frank Grandel, Nanuet
Asked for more details on Item #4a - Aquatic Vegetation Program, Item # 4c - Trailer Mounted Generators, Item #4d - LED Lights, Item #12 - Default Performance Bond and Item #14 - Insurance for Mini Trans Bus Systems.

The Town Clerk explained that there were technical difficulties with the recording equipment at the last Town Board meeting but he was able to use his hand written notes for the minutes. Regarding Item #2h, Chief Sullivan explained that the department was down by four sergeant positions due to injury and retirement. This position was created not to fill it now but merely to have it in case it was necessary due to shortages; the cost to the Town is zero. Dennis Letson explained that Item #4a, is a resolution to replace an expired contract we have had for years to control vegetation that interferes with recreational activities at Congers Lake . Regarding Item #s 4c & 4d, the Supervisor explained that after Hurricane Sandy we found we needed additional generation and lighting and were able to get a grant for these items at no expense to the Town. The Town Attorney explained that Item #12 was for Hemlock Drive in Congers, a road that was built a long time ago but never dedicated. After maintaining this road for years and accumulating the bills against the performance bond, we have decided to take it for dedication. The Purchasing Agent explained that Item #14 was for 12 buses and it was a competitive bid, down about 20% this year. The Town Attorney explained that Item #16 is an authorization to file for grant funding to help with consolidating the Receiver's Office into the Town Clerk's Office and Item #17 was for private roads at The Shops at Nanuet. The Supervisor explained that Item #18 was authorizing funds for previously approved security, cameras and some police technology. He explained that Item #19 was transferring money received from RocklandCounty and Orange & Rockland to the proper accounts.

RESOLUTION NO. (80-2013)
Co. Borelli offered and Co. Hausner seconded

WHEREAS, a proposed local law entitled,

"AMENDMENT TO THE TOWN ZONING MAP AND CHAPTER 290 (ZONING) OF THE CODE OF THE TOWN OF CLARKSTOWN WITH RESPECT TO MAJOR REGIONAL SHOPPING AND REGIONAL SHOPPING"

was introduced by Councilperson Lasker, at a Town Board meeting held on January 15, 2013, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on January 15, 2013, directed that a public hearing be held on March 5, 2013, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on March 5, 2013, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on February 20, 2013, and

WHEREAS, by resolution adopted January 15, 2013, the Town Board referred the proposed local law to the Clarkstown Planning Board for their comment, pursuant to §290-33 of the Zoning Local Law of the Town of Clarkstown, and to the Rockland County Commissioner of Planning, pursuant to General Municipal Law §§239-l & m, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on February 20, 2013, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the Environmental Assessment Form and proposed Negative Declaration, prepared by Jose Simoes, Principal Planner for the Town of Clarkstown, as agent for the Town Board, pursuant to SEQRA, which the Board has discussed and considered in making its decision herein, and

WHEREAS, the Rockland County Planning Department provided their written report on February 14, 2013 recommending that a minimum buffer width be provided for parcels that require buffer areas when the parcel abuts a residential district, and

WHEREAS, said Rockland County Planning Department recommendation has already been included in the bulk table to require a minimum buffer width with enhanced buffers between commercial and residential zones, and

WHEREAS, Jose Simoes, Town Planner, by memo dated February 25, 2013, found that the proposed local law, in concept, is consistent with the aims and principles of the Zoning Code

RESOLUTION NO. (80-2013) continued

and the Town’s Comprehensive Plan in that it encourages economic development along State Routes 303 and 59, while safeguarding adjacent residential uses and encouraging Stormwater management to a higher extent than currently applicable, and

WHEREAS, by resolution dated February 6, 2013, the Town of Clarkstown Planning Board recommended in favor of the proposed local law;

NOW, THEREFORE, be it

RESOLVED, that based upon the EAF prepared by Jose Simoes, Principal Planner, acting as agent to the Town Board as lead agency, it is hereby determined that (1) the proposed action is an unlisted action under SEQRA, and (2) the proposed action shall not have any significant impact on the environment, and be it

FURTHER RESOLVED, that the Town Board has reviewed and hereby accepts the attached Negative Declaration, and directs that same be filed, distributed and published pursuant to 6 NYCRR Part 617.7(b), and be it

FURTHER RESOLVED, that Local Law No. – 2013 entitled:

"AMENDMENT TO THE TOWN ZONING MAP AND CHAPTER 290 (ZONING) OF THE CODE OF THE TOWN OF CLARKSTOWN WITH RESPECT TO MAJOR REGIONAL SHOPPING AND REGIONAL SHOPPING"

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

RESOLUTION NO. (81-2013)

Co. Hausner offered and Co. Borelli seconded

RESOLVED, that the Special Town Board Minutes of January 15, 2013 and the Town Board Meeting of February 5, 2013 are hereby accepted, as submitted by the Town Clerk.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (82-2013)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that the resignation (by retirement) of Eric Eisele, 1813 Whispering Hills Drive, Chester, New York – Police Sergeant – Clarkstown Police Department is hereby accepted – effective and retroactive to February 11, 2013.

RESOLUTION NO. (82-2013) continued

On roll call the vote was as follows:

Co. Lasker Yes
 Co. Borelli Yes
 Co. Hoehmann Yes
 Co. Hausner. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (83-2013)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that the resignation (by retirement) of George Malecot, 61 Kleitz Avenue, Highland Falls, New York – Municipal Bus Driver and Clerk – Municipal Transportation is hereby accepted – effective and retroactive to February 23, 2013.

On roll call the vote was as follows:

Co. Lasker Yes
 Co. Borelli Yes
 Co. Hoehmann Yes
 Co. Hausner. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (84-2013)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that Rockland County Personnel Office has furnished Certification of Eligibles #12013 – Administrative Secretary – which contains the name of Catherine T. Cirrone,

NOW, THEREFORE BE IT RESOLVED, that Catherine T. Cirrone, 157 So. Little Tor Road, New City, New York – is hereby appointed to the position of (Contingent-Permanent) Administrative Secretary – Planning Department, at the current 2013 annual salary of \$53, 413. - effective and retroactive to March 4, 2013.

On roll call the vote was as follows:

Co. Lasker Yes
 Co. Borelli Yes
 Co. Hoehmann Yes
 Co. Hausner. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (85-2013)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that Kathleen Goodyear, 19 Strawtown Road, West Nyack, New York – is hereby appointed (promotional) (provisional) to the position of Assessing Clerk II – Office of the Town Assessor – at the current 2013 annual salary of \$67,690 – effective and retroactive to March 4, 2013.

On roll call the vote was as follows:

Co. Lasker Yes
 Co. Borelli Yes
 Co. Hoehmann Yes
 Co. Hausner. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (86-2013)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that Elizabeth McDonald, 187 Old Route 304, New City, New York – is hereby appointed (promotional) (temporary) to the position of Assessing Clerk I – Office of the Town Assessor – at the current 2013 annual salary of \$49, 933 – effective and retroactive to March 4, 2013.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (87-2013)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that Erika A. Moschetti, 23 Kenwood Lane, New City, New York – Public Information Specialist – Office of the Town Supervisor – is hereby granted, as per her request, a leave pursuant to the Family and Medical Leave Act – effective and retroactive to February 11, 2013.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (88-2013)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that Jason Goldsmith, 33 Whitewood Drive, New City, New York – is hereby reappointed to the position of – Member Fire Board of Appeals – at the 2013 annual salary of \$1,100., - term effective and retroactive to February 28, 2013 and to expire on February 27, 2016.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (89-2013)

Co. Lasker offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has Certified on February 13, 2013 that the position of Police Sergeant, can be created,

NOW, THEREFORE, BE IT RESOLVED, that the position of Police Sergeant – Clarkstown Police Department – is hereby created – effective March 5, 2013.

RESOLUTION NO. (89-2013) continued

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (90-2013)

Co. Lasker offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #08200 Police Officer which contains the name of Matthew E. Usefop,

NOW, THEREFORE BE IT RESOLVED, that Matthew E. Usefop, 666 Sierra Vista Lane, Valley Cottage, New York, is hereby appointed to the position of (Permanent) Police Officer – Clarkstown Police Department – at the current 2013 annual salary \$59,398., - effective and retroactive to February 15, 2013.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (91-2013)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Michael De Maio, 40 Pittsford Way, Nanuet, New York, - Senior Groundsworker Building Maintenance Department is hereby granted a Sick Leave of Absence at one-half pay effective March 13, 2013 thru April 13, 2013.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (92-2013)

Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:

BID#13-2013 – CAVALRY DRIVE AND NORTH MAIN STREET, NEW CITY –
AUDIBLE PEDESTRIAN SIGNALS AND DETECTORS WITH TACTILE ARROWS AND
LOCATOR TONES

RESOLUTION NO. (92-2013) continued

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at _____ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Purchasing Department.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (93-2013)

Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:

BID#14-2013 – TREE STUMP REMOVAL & DISPOSAL AT VARIOUS LOCATIONS, CLARKSTOWN, NY

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at _____ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Purchasing Department.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (94-2013)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Director of the Department of Environmental Control that

BID # 33-2012 – AQUATIC VEGETATION MANAGEMENT PROGRAM

is hereby awarded to: DeANGELO BROTHERS, INC.
100 NORTH CONAHAN DRIVE
HAZLETON, PA 18201

PRINCIPAL: DBI HOLDING CORP.

as per their proposed total project cost of \$39,995.00 per year and be it

RESOLUTION NO. (94-2013) continued

FURTHER RESOLVED, that said award is subject to the receipt by the Purchasing Department of the following:

- a) Signed Contract Documents – four sets
- b) Performance Bond - 100% of project cost
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of Contractor's Liability and Property Damage Coverage, including a Save Harmless Agreement
- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker's Compensation insurance coverage
- g) Certificate of Worker’s Disability Insurance coverage

The Town of Clarkstown must be named as additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (95-2013)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Director of the Department of Environmental Control that

BID # 45-2012 – KLEIN AVENUE PUMP STATION REPLACEMENT

is hereby awarded to: RAPID PUMP & METER SERVICE CO., INC.
 285 STRAIGHT STREET
 PATERSON, NJ 07509

PRINCIPAL: RICHARD G. TAYLOR, PRESIDENT

as per their proposed total project cost not to exceed \$74,390.00 plus 10% contingency and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Purchasing Department of the following:

- a) Signed Contract Documents – four sets
- b) Performance Bond - 100% of project cost
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of Contractor's Liability and Property Damage Coverage, including a Save Harmless Agreement
- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker's Compensation insurance coverage
- g) Certificate of Worker’s Disability Insurance coverage

The Town of Clarkstown must be named as additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8764-400-409-0-87-1, and be it

RESOLUTION NO. (95-2013) continued

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with FEMA reimbursement money.

On roll call the vote was as follows:

Co. Lasker Yes
 Co. Borelli Yes
 Co. Hoehmann Yes
 Co. Hausner. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (96-2013)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Director of Environmental Control that

BID #11-2013 – PURCHASE OF TRAILER MOUNTED GENERATORS

is hereby awarded to: TRANSPORTATION TECHNOLOGY, INC.
 d/b/a POWER PERFORMANCE INDUSTRIES
 940 NEPPERHAN AVENUE
 YONKERS, NY 10703
 PRINCIPAL: JOHN SANTACROCE

For two (2) PRAMAC 161 KILOWATT PRIME POWER RATED (@161kw) MOBILE GENERATOR SET MODEL GSW200 as per their proposed of \$72,820.00 each

And One (1) PRAMAC 254 KILOWATT PRIME POWER RATED (@254KW) MOBILE GENERATOR SET MODEL PSW255M as per their proposed of \$104,225.00 each and be it

FURTHER RESOLVED, that this purchase shall constitute a proper charge to account number H-8760-400-409-0-84-9, and be it

FURTHER RESOLVED, that this project shall be funded through proceeds from an inter-municipal agreement with the Rockland County Sewer District #1

On roll call the vote was as follows:

Co. Lasker Yes
 Co. Borelli Yes
 Co. Hoehmann Yes
 Co. Hausner. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (97-2013)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Director of Environmental Control that

BID #12-2013 – PURCHASE OF TWO (2) TRAILER MOUNTED LED LIGHT TOWERS

RESOLUTION NO. (97-2013) continued

is hereby awarded to: HERTZ EQUIPMENT RENTAL CORPORATION
49 WESLEY STREET
SOUTH HACKENSACK, NJ 07606
PRINCIPAL: KYLE SCOTT

For two (2) 1080 WATT LED LIGHTS (4) x 270 WATTS, 100 LEDs PER PANEL, HAND WINCH OPERATED 30FT GALVANIZED TOWERS as per their proposed of \$24,199.00 each, and be it

FURTHER RESOLVED, that this purchase shall constitute a proper charge to account number H-8760-400-409-0-84-9, and be it

FURTHER RESOLVED, that this project shall be funded through proceeds from an inter-municipal agreement with the Rockland County Sewer District #1.

On roll call the vote was as follows:

Co. Lasker Yes
Co. Borelli Yes
Co. Hoehmann Yes
Co. Hausner. Yes
Supervisor Gromack Yes

RESOLUTION NO. (98-2013)

Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control, United Water New York is hereby authorized to install the following hydrant in conjunction with Hydrant Investigation No. 12886,

Hydrant #11443 – located 426’ east of Germonds Road on Yellowstone Drive, West Nyack, NY

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Vincent Narciso, Chief Fire Safety Inspector.

On roll call the vote was as follows:

Co. Lasker Yes
Co. Borelli Yes
Co. Hoehmann Yes
Co. Hausner. Yes
Supervisor Gromack Yes

RESOLUTION NO. (99-2013)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, the County of Rockland has tendered a contract award to the Town of Clarkstown Police Department for reimbursement for overtime for instructors for counter-terrorism training and backfill at the Rockland County Police Academy in the amount of \$30,603.82, in accordance with the State Homeland Security Program;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to obtain instructor overtime reimbursement in the amount of \$30,603.82 for training courses at the Police Academy.

RESOLUTION NO. (99-2013) continued

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (100-2013)

Co. Lasker offered and Co Borelli seconded

WHEREAS, Max Rosenthal has requested a refund of Building Permit Fee No. 12-1436 paid in the amount of \$174.00 for property located at 16 Scott Drive, New City, New York, more particularly described as Tax Map No. 43.20-2-35, because he was unable to get a generator, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$90.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund in the amount of \$84.00 of the total Building Permit fee paid in the amount of \$174.00, to Max Rosenthal, 16 Scott Drive, New City, New York, to be charged to Account No. B-02-6-2555-0.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (101-2013)

Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that permission is hereby granted for a fireworks display to be conducted by the Clarkstown Parks Board and Recreation Commission at the Nanuet Senior High School at approximately 9:30PM on Wednesday, July 3, 2013 with a rain date of Wednesday, July 10, 2013 pursuant to Section 405 of the Penal Law.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (102-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as Elazar Cohen (63.12-2-12 & 13), the Planning Board of the Town of Clarkstown requested a conservation easement and general municipal easement, and

RESOLUTION NO. (102-2013) continued

WHEREAS, the First Deputy Director of the Department of Environmental Control has recommended acceptance of the conveyances; and the Town Attorney has advised that all documents are in proper legal form;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the First Deputy Director of the Department of Environmental Control of the Town of Clarkstown, a conservation easement and a general municipal easement, both dated January 18, 2012, from Rimzco, LLC to the Town of Clarkstown with regard to the Elazar Cohen subdivision are hereby accepted and ordered recorded in the Rockland County Clerk’s Office at the expense of the grantor.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes
- *****

RESOLUTION NO. (103-2013)

Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, Councilperson _____, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled,

“A LOCAL LAW AMENDING CHAPTER 93 (ALCOHOLIC BEVERAGES), AMENDING CHAPTER 109 (BUILDING CONSTRUCTION ADMINISTRATION), AMENDING CHAPTER 112 (GRAFFITI), CHAPTER 125 (DOGS AND OTHER ANIMALS), AMENDING CHAPTER 126 (MASSAGE ESTABLISHMENTS), AMENDING CHAPTER 136 (EXPLOSIVES), AMENDING CHAPTER 149 (GARBAGE, RUBBISH AND REFUSE), AMENDING CHAPTER 173 (LITTERING AND POSTING), AMENDING CHAPTER 180 (MEMORIAL DAY ACTIVITIES), AMENDING CHAPTER 200 (PARKING), AMENDING CHAPTER 202 (PARKS & RECREATION FACILITIES), AMENDING CHAPTER 205 (NOISE), AMENDING CHAPTER 208 (PEDDLING, HAWKING AND SOLICITING), AMENDING CHAPTER 216 (PROPERTY MAINTENANCE), AMENDING CHAPTER 220 (QUARRYING AND BLASTING), AMENDING CHAPTER 226 (RECYCLING), AMENDING CHAPTER 231 (SANITARY LANDFILLS), AMENDING CHAPTER 236 (SEWERS), AMENDING CHAPTER 239 (SHOPPING CARTS), AMENDING CHAPTER 244 (SIGN CONTRACTORS, LICENSING OF), AMENDING CHAPTER 248 (SOLID WASTE TRANSPORTATION AND DISPOSAL), AMENDING CHAPTER 250 (STREETS AND SIDEWALKS), AMENDING CHAPTER 258 (SWIMMING POOLS), AMENDING CHAPTER 270 (TREE PRESERVATION), AMENDING CHAPTER 278 (VEHICLES AND TRAFFIC)AND AMENDING CHAPTER 290 (ZONING) OF THE CODE OF THE TOWN OF CLARKSTOWN”

and

WHEREAS, this proposed local law is intended to amend various chapters of the Code of the Town of Clarkstown by updating and adjusting the penalty and fine structure for violations of these chapters and to add language to Chapter 250 to include the mandatory removal of double utility poles from Town rights-of-way or Town owned property by the utility companies and to set a penalty and fine structure for noncompliance;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on April 9, 2013 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

RESOLUTION NO. (103-2013) continued

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (104-2013)

Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, the following have applied for a Certificate of Registration pursuant to Section 236-48 of the Town Code of the Town of Clarkstown:

McGANNON EXCAVATING, LLC
 85A North Central Highway
 Garnerville, New York 10923
 Robert McGannon, President

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the issuance of a Certificate of Registration to:

13-26 McGANNON EXCAVATING, LLC

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (105-2013)

Co. Hoehmann offered and Co. Lasker seconded

RESOLUTION DEFAULTING PERFORMANCE BOND FOR PUBLIC IMPROVEMENTS ON THE GOLDKIRCH PARTNERS I, LP SUBDIVISION, CONGERS

WHEREAS, Goldkirch Partners obtained approval for the subdivision known as “Goldkirch Partners I, LP” and as a condition of subdivision approval, Goldkirch Partners, as developer and obligor, provided the Town of Clarkstown with a Letter of Credit in the principal amount of \$636,525.00, together with its Owner’s Performance Bond, to secure completion of the public and other required improvements, and

WHEREAS, based upon the recommendation of the Deputy Director of the Department of Environmental Control, said Letter of Credit was subsequently reduced by resolution over the years to \$77,000.00, and

WHEREAS, the First Deputy Director of the Department of Environmental Control has advised that the developer has failed to faithfully complete its obligations and has recommended that the developer be declared in default of its Performance Bond and that all reasonable steps be taken to secure completion of the improvements by drawing against Letter of Credit No. SB-906301-2000 issued by M & T Bank (formerly Letter of Credit No. 8123) the full amount of \$77,000.00 to be held pending calculation by the Department of Environmental Control of the amount deemed necessary to complete the remaining items;

RESOLUTION NO. (105-2013) continued

NOW, THEREFORE, be it

RESOLVED, that Goldkirch Partners I, LP, as owner and obligor, is hereby declared in default of its Performance Bond to complete the public and other required improvements in the Goldkirch Partners I, LP Subdivision and the Town Attorney is hereby authorized and directed to take all necessary steps to obtain funds deemed necessary to complete the required public improvements by drawing against Letter of Credit No. SB-906301-2000 the full principal amount of \$77,000.00, and be it

FURTHER RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to prepare plans and specifications for completion of the required work and, if necessary, to obtain a contractor or contractors in accordance with all requirements of law to complete the required improvements.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (106-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, the County of Rockland has appropriated funds for the STOP-DWI Program to be shared by all Police Departments in the County of Rockland, and

WHEREAS, the Town of Clarkstown has been notified by letter dated January 25, 2013 that the Town of Clarkstown's share for the STOP-DWI Program for the calendar year 2013 is \$9,922.90;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor and the Chief of Police to execute the letter of agreement dated January 25, 2013, with the County of Rockland, for the STOP-DWI Program, to accept funds in the amount of \$9,922.90 for the year 2013, subject to the use of all those funds as provided in said agreement.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (107-2013)

Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that at the recommendation of Robert S. Berdy, Insurance and Claims Manager, the Supervisor is hereby authorized to purchase through CLG Insurance, insurance coverage for the Mini-Trans bus system of the Town of Clarkstown, including Automobile Liability, Automobile Physical Damage Coverage, and Automobile Excess Liability Coverage, for a period of one year, commencing March 14, 2013 and expiring March 14, 2014, and be it

FURTHER RESOLVED, that the cost of insurance policies shall not exceed \$100,000.00 to be charged to Account No. CS 1910-420.

RESOLUTION NO. (107-2013) continued

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (108-2013)

Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into “Adopt a Municipal Park, Shoreline or Roadway Programs” with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to adopt a specified Town location for a two year period beginning March 15, 2013 to March 15, 2015, as follows:

Sponsor: John Mini Distinctive Landscapes
 250 Brenner Drive
 Congers, NY 10920

Location: Brenner Drive and Route 303
 Congers, NY

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying this location, and by removing trash from this location, which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement with the entity referred to herein, for a period of two (2) years beginning March 15, 2013 to March 15, 2015, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above location, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the location.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (109-2013)

Co. Lasker offered and Co Borelli seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into “Adopt a Municipal Park, Shoreline or Roadway Programs” with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

RESOLUTION NO. (109-2013) continued

WHEREAS, the following group wishes to adopt a specified Town location for a two year period beginning March 15, 2013 to March 15, 2015, as follows:

Sponsor: Curti’s Landscaping
91 West Nyack Road
Nanuet, NY 10954

Location: Route 303 and Route 9W
In front of Rockland Masonry
Congers, NY 10920

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying this location, and by removing trash from this location, which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement with the entity referred to herein, for a period of two (2) years beginning March 15, 2013 to March 15, 2015, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above location, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the location.

On roll call the vote was as follows:

Co. Lasker Yes
Co. Borelli Yes
Co. Hoehmann Abstain
Co. Hausner. Yes
Supervisor Gromack Yes

RESOLUTION NO. (110-2013)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into “Adopt a Municipal Park, Shoreline or Roadway Programs” with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to adopt a specified Town location for a two year period beginning March 15, 2013 to March 15, 2015 as follows:

Sponsor: Belleville Landscaping, Inc.
84 N. Rte. 9W, Suite D
Congers, NY 10920

Location: Northwest corner of Route 9W and Lake Road
Valley Cottage, NY

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying this location, and by removing trash from this location, which would otherwise require Town employees to perform such work;

RESOLUTION NO. (110-2013) continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement with the entity referred to herein, for a period of two (2) years beginning March 15, 2013 to March 15, 2015, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above location, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the locations.

On roll call the vote was as follows:

- Co. Lasker Yes
 - Co. Borelli Yes
 - Co. Hoehmann Yes
 - Co. Hausner. Yes
 - Supervisor Gromack Yes
- *****

RESOLUTION NO. (111-2013)

Co. Borelli offered and Co. Lasker seconded

RESOLVED: That Alexander Gromack, as Supervisor of the Town of Clarkstown, is hereby authorized and directed to file an application for funds from the New York State Department of State 2012-2013 Local Government Efficiency Grant Program for funds to implement the abolishment of the Office of the Receiver of Taxes and consolidate the duties with the Office of the Town Clerk of the Town of Clarkstown, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this municipality for the project in an amount not to exceed \$150,000. The Town of Clarkstown will commit at least \$15,000 in matching funds.

I, Justin Sweet, Clerk of the Town of Clarkstown, New York, do hereby certify that the above resolution was adopted at regular meeting of the Town Council held on March 5, 2013 and is on file and that said resolution has not been altered, amended or revoked and is in full force and effect.

Dated: _____
New City, New York Justin Sweet, Town Clerk

On roll call the vote was as follows:

- Co. Lasker Yes
 - Co. Borelli Yes
 - Co. Hoehmann Yes
 - Co. Hausner. Yes
 - Supervisor Gromack Yes
- *****

RESOLUTION NO. (112-2013)

Co. Borelli offered and Co. Lasker seconded

WHEREAS, Simon Properties, Inc. has proposed that the private roads within the Shops at Nanuet be named "Market Street" and "Fashion Drive" as set forth on the attached map;

NOW, THEREFORE, be it

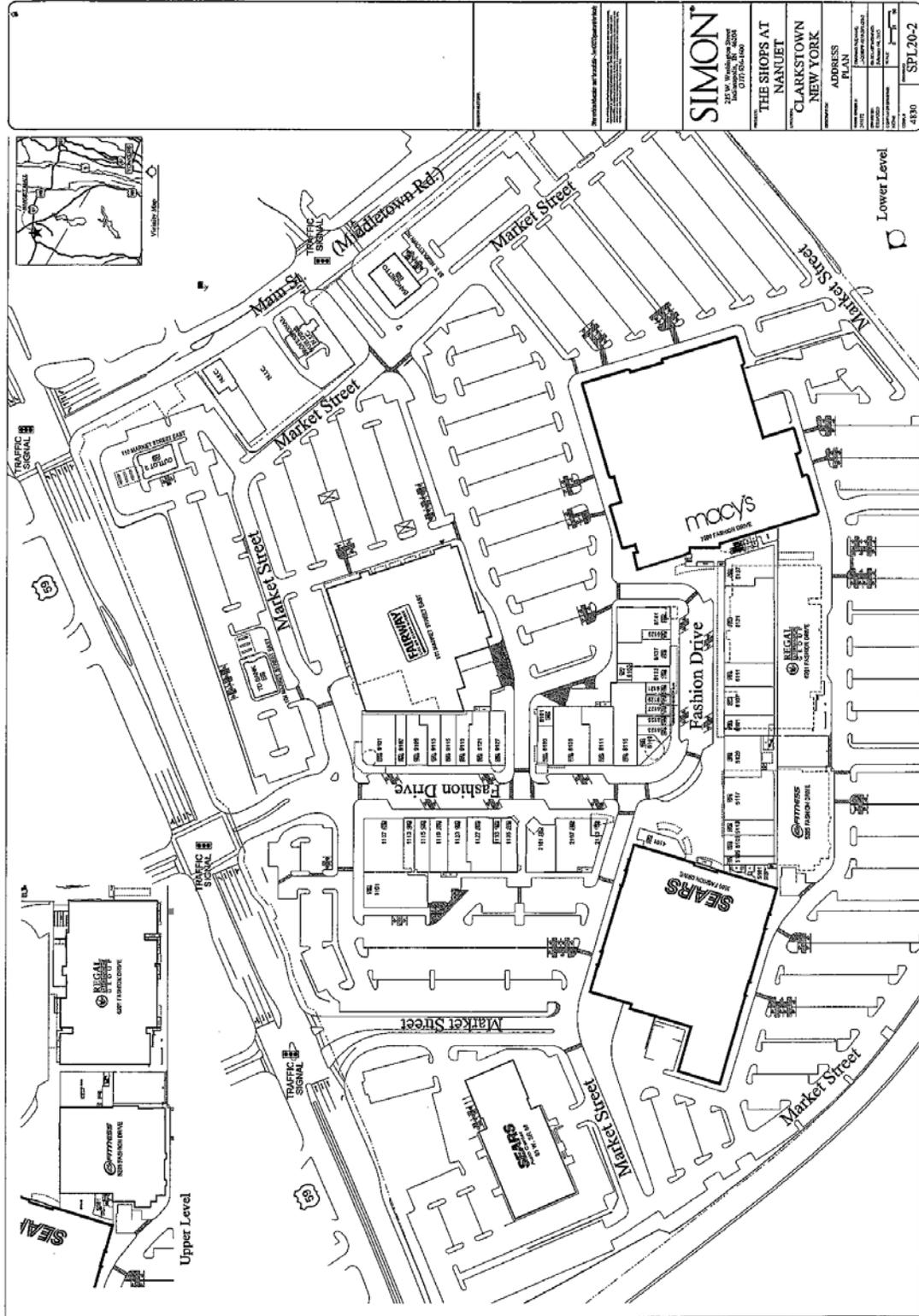
RESOLVED, that the Town has no objection to the street names proposed on the attached map, and be it

FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to notify the Superintendent of Highways to make appropriate changes in the street signs as may be necessary, and the Town Clerk, pursuant to Town Law S64(9), shall within ten days from the date hereof cause a copy of this resolution to be forwarded to the Planning Board of the Town of Clarkstown, the Nanuet School District, post office, fire department, ambulance corps, and the

RESOLUTION NO. (112-2013) continued

Clarkstown Police Department, and that a certified copy of this resolution be filed with the Rockland County Clerk, the Rockland County Engineer, and the Rockland County Director of Fire and Emergency Services, and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.



On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (113-2013)

Co. Hoehmann offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MARCH 5, 2013, AUTHORIZING THE ACQUISITION AND INSTALLATION OF TOWN HALL AND POLICE DEPARTMENT TECHNOLOGY IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$180,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$180,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to acquire and install Town Hall and Police Department technology improvements. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$180,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$180,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$180,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance a part of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 32 of the Law, is five (5) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said

RESOLUTION NO. (113-2013) continued

bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

* * *

On roll call the vote was as follows:

Co. Lasker Yes
 Co. Borelli Yes
 Co. Hoehmann Yes
 Co. Hausner. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (114-2013)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Town has received \$412,459.01 from the Rockland County Sewer District #1 and \$60,579.45 from Orange & Rockland

NOW THEREFORE BE IT,

RESOLVED, to increase Revenue Account H-15-9-2770-0 (Capital-Misc Local Revenue) and Expense Account H-8760-409-0-84-9 (Capital-Sewer Pump Station & Collection System Upgrade) by \$412,459.01 and be it

FURTHER RESOLVED, to increase Revenue Account H-15-9-2770-0 (Capital-Misc Local Revenue) and Expense Account H-8754-409-0-78-41 (Emergency Communication Tower) by \$60,579.45 and

WHEREAS, it is necessary to amend certain accounts,

NOW THEREFORE BE IT,

RESOLVED, to decrease Expense Account A-1640-312-0 (Town Garage-Auto Maintenance Supplies) and Increase Account A-1640-209-0 (Town Garage-Other Equipment) by \$20,000.

RESOLUTION NO. (114-2013) continued

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes
- *****

RESOLUTION NO. (115-2013)

Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, The Nanuet Community Ambulance Corps sold their former headquarters at 202 Main Street, Nanuet (64.9-1-60) in 2011 to a private concern, and

WHEREAS, the building was adapted for a mixed use consisting of retail and office pursuant to Building Permit # 2011-0084, and

WHEREAS, part of the project entailed the removal of the original garage bays and the drop curb apron for access and turning by the ambulances formerly housed there, and

WHEREAS, the ‘No Parking’ signage in this area is now superfluous since the curb reveal was restored as part of the project and there is no longer the former wide driveway approach and street parking in downtown Nanuet is at a premium and important to the Town’s overall revitalization program,

NOW THEREFORE be it RESOLVED, that the Superintendent of Highways is hereby authorized to remove the No Parking signs on the east side of Main Street, Nanuet on each end of 202 Main Street and that a copy of this resolution be forwarded by the Town Clerk to the Traffic & Traffic Fire Safety Advisory Board and the Chief of the Clarkstown Police Department for information.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes
- *****

RESOLUTION NO. (116-2013)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Town Board of the Town of Clarkstown adopted Resolution No. 598-2009 on December 15, 2009 to reconstitute the composition of the Special Board to carry out the objectives of the Comprehensive Plan, as amended by Resolution Nos. 273-2010 and 316-2012, adopted on May 18, 2010 and July 10, 2012, respectively, and

WHEREAS, the Town Board wishes to change three associate non-voting members to voting members of the Comprehensive Plan Implementation Special Board;

NOW, THEREFORE, be it

RESOLVED, that James Creighton, Jr., Rudy Damonti and William Withington, who are currently associates and non-voting members of the Comprehensive Plan Implementation Special Board, are hereby appointed to the position of voting members of said Board.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes
- *****

RESOLUTION NO. (117-2013)

Co. Hoehmann offered and Co. Hausner seconded

Whereas, by Resolution No. 26B-2013, the Town Board of the Town of Clarkstown adopted a determination of findings in connection with an eminent domain proceeding to acquire a sewer easement on land owned by Hauser Bros. Holdings, LLC, commonly known as 160 N. Route 303, West Nyack, New York designated on the Clarkstown tax map as 59.18-1-22, and

Whereas, the Town Attorney’s Office has pursued negotiations with the property owner to obtain the aforesaid easement, and

Whereas, the owner of subject parcel has offered to sell the easement to the Town for \$90,000;

NOW THEREFORE, BE IT RESOLVED, that Town Board hereby directs the Supervisor to enter in a contract, in a form approved by the Town Attorney, to obtain the permanent easement for the construction of a new sewer pump station within the easement, for a price not exceed \$90,000 plus reimbursement of seller’s attorney fee, not to exceed \$10,000, and the usual and customary closing costs, provided that all legal requirements regarding the acquisition of subject property are complied with, and be it

FURTHER RESOLVED, that all expenses pursuant to this resolution shall be a proper charge to Account No. H 8760-409-0-84-9.

On roll call the vote was as follows:

- Co. Lasker Yes
 - Co. Borelli Yes
 - Co. Hoehmann Yes
 - Co. Hausner. Yes
 - Supervisor Gromack Yes
- *****

The Supervisor opened the meeting for general public comments.

Michael Hull, Bardonia

Read from a newspaper article concerning police overtime and proposed that external audits be done on police overtime and police staffing needs.

Marge Hook, New City

She asked whether there would be a report from the Fleet Manager at the March 19th meeting.

Tom Nimick, New City

He feels the Town Board has failed in their primary responsibility to oversee the budget and cited high compensation for the part time bingo inspector as an example of that.

Steve Levine, Congers

He inquired as to when Town Board meetings will be televised. He complained about how questions were addressed at a previous Town Board meeting and asked for an update on the Goldberg property remediation.

Regarding the police overtime, Co. Borelli responded that we have already asked for external audits. Regarding the Fleet Manager, the Supervisor stated he would be presenting a report; he had no further comment on Mr. Nimick’s statement; regarding the TV studio, he stated we are trying for this year. He defended the Board’s response to questions raised at Town Board meetings. Regarding the Goldberg property, the Town Attorney preferred not to discuss it at a public meeting but invited Mr. Levine to call her about this.

There being no one further wishing to be heard, on motion of Co. Hausner seconded by Co. Hoehmann the Town Board meeting was closed, 9:20 pm.

Respectfully submitted,

Justin Sweet
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

03/05/13

8:28 PM

Present:

Supervisor Alexander J. Gromack
Council Members Shirley Lasker, Frank Borelli,
George Hoehmann & Stephanie Hausner
Amy Mele, Town Attorney
Justin Sweet, Town Clerk

“Amendment to the Town Zoning Map and Chapter 290 (Zoning) of the Code with respect to
Major Regional Shopping and Regional Shopping

The Town Clerk read the notice of public hearing. On motion of Co. Lasker seconded by Co. Borelli, the public hearing was declared open.

Town Planner, Jose Simoes, gave an explanation of the proposed law and the reasons for it. He explained that it will encourage economic development in areas along State Routes 303 and 59 which are best served by the Town’s existing infrastructure, while safeguarding adjacent residential uses and encouraging storm water management, all of which further the goals and objectives of the Town’s Comprehensive Plan.

The Supervisor asked if there was anyone present wishing to speak.

Steve Levine, Congers

He expressed concerns about these changes enabling the mall to expand.

Mr. Simoes stated that by his understanding, they do not.

Joe Barbagallo

Represents a property owner on Route 59 and asked if currently existing uses will be treated as pre-existing non conforming use.

Mr. Simoes stated he believed it would.

There being no one further wishing to be heard, on motion of Co. Borelli seconded by Co. Hausner, the public hearing was closed, time: 8:44 pm.

Respectfully submitted,

Justin Sweet
Town Clerk

RESOLUTION NO. (80-2013) ADOPTED