

TOWN OF CLARKSTOWN  
SPECIAL TOWN BOARD MEETING

Town Hall

11/8/12

7:00 PM

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

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

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On motion of the entire Town Board Public Hearing #1 re: "Local Law to Override the Tax Levy Limit established by General Municipal Law § 3-C" was opened, time: 7:02 pm, closed, 7:21 pm.

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On motion of the entire Town Board Public Hearing #2 re: "2013 Budget" was opened, time: 7:23 pm, closed 9:13 pm.

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The Supervisor opened the meeting for comments on the Town Board agenda. No one appeared.

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RESOLUTION NO. (490-2012)  
Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, a proposed local law entitled,

"A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY  
GENERAL MUNICIPAL LAW § 3-C"

was introduced by the Town Board at a Town Board meeting held on October 2, 2012, and  
WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on  
October 2, 2012, directed that a public hearing be held on November 8, 2012 at 7:00 p.m., or as  
soon thereafter as possible, relative to such proposed local law, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News  
on October 29, 2012, and

WHEREAS, a copy of the proposed local law 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 October 26, 2012;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 5 – 2012 entitled:

"A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY  
GENERAL MUNICIPAL LAW § 3-C"

is hereby ADOPTED and passed by a sixty percent (60%) 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

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RESOLUTION NO. (491-2012)  
Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, a public hearing pursuant to Town Law Section 108, to consider the Town of Clarkstown Preliminary Budget for the year 2013, was duly scheduled and noticed for November 8, 2012 at 7:00 p.m., in the Auditorium of the Clarkstown Town Hall, and

WHEREAS, the Town Board met at the time and place specified in the Notice of the Public Hearing and heard all persons desiring to be heard;

NOW, THEREFORE, be it

RESOLVED, that such Preliminary Budget, as adjusted, a copy of which is attached hereto, be and is hereby adopted as the Annual Budget of the Town of Clarkstown for the fiscal year beginning the 1<sup>st</sup> day of January, 2013, and that such Budget, as so adopted, be entered in detail in the proceedings of the Town Board, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown shall prepare and certify, in duplicate, copies of such Annual Budget as adopted by this Town Board, together with Assessment Rolls for benefit improvements, if any, adopted pursuant to Section 202-a, Subd. 2, and Section 231, Subd. 2 of the Town Law, and deliver two copies thereof to the Supervisor of this Town to be presented by him to the Legislature of Rockland County, pursuant to Section 115 of the Town Law and other applicable sections of the Town Law.

On roll call the vote was as follows:

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

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RESOLUTION NO. (492-2012)  
Co. Borelli offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of October 2, 2012 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

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RESOLUTION NO. (493-2012)  
Co. Hausner offered and Co. Hoehmann seconded

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

**BID#39-2012 – HIGH DEFINITION USE-OF FORCE MARKSMANSHIP TRAINING SIMULATOR**

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.

RESOLUTION NO. (493-2012) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (494-2012)

Co. Hausner offered and Co. Hoehmann seconded

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

BID#40-2012 –DRAINAGE SYSTEM MODIFICATION  
 VIRGINIA STREET, NEW CITY

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

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RESOLUTION NO. (495-2012)

Co. Hausner offered and Co. Hoehmann seconded

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

BID#41-2012 – FEDERAL AID DOWNTOWN REVITALIZATION  
 SOUTH MAIN STREET - PHASE III A

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

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RESOLUTION NO. (496-2012)  
Co. Hausner offered and Co. Hoehmann seconded

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

BID#1-2013 – ATHLETIC AND RECREATION SUPPLIES

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

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RESOLUTION NO. (497-2012)  
Co. Hausner offered and Co. Hoehmann seconded

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

BID#2-2013 – FIREWORKS DISPLAY

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

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RESOLUTION NO. (498-2012)  
Co. Hausner offered and Co. Hoehmann seconded

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

BID#3-2013 – POOLS CHEMICALS

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

RESOLUTION NO. (498-2012) continued

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

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RESOLUTION NO. (499-2012)

Co. Hausner offered and Co. Hoehmann seconded

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

BID#4-2013 – ATHLETIC FIELD AND TURF MAINTENANCE

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

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RESOLUTION NO. (500-2012)

Co. Hausner offered and Co. Hoehmann seconded

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

BID#5-2013 – GROUNDSKEEPING/LANDSCAPE SUPPLIES

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

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RESOLUTION NO. (501-2012)  
Co. Hausner offered and Co. Hoehmann seconded

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

BID#6-2013 – FIRST AID SUPPLIES

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

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RESOLUTION NO. (502-2012)  
Co. Hausner offered and Co. Hoehmann seconded

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

RFP#7-2013 – OPERATION OF FOOD& REFRESHMENT CONCESSION STANDS AT TOWN PARKS

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

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RESOLUTION NO. (503-2012)  
Co. Lasker offered and Co. Hausner seconded

WHEREAS, pursuant to Section 115 of the Town Law, the Comptroller is hereby authorized to amend the 2012 budget for the purpose of transferring unexpended balances of appropriation accounts among various accounts, and by increasing and decreasing revenue accounts for the purpose of balancing all funds,

NOW THEREFORE, BE IT RESOLVED, that the 2012 budget is hereby amended.

RESOLUTION NO. (503-2012) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (504-2012)

Co. Borelli offered and Co. Hoehmann seconded

WHEREAS, Chief of Police Michael Sullivan has advised that the Governor’s Traffic Safety Committee, Department of Motor Vehicles, State of New York, has awarded \$9,720.00 to the Town of Clarkstown Police Department to participate in the statewide “Buckle Up New York” program, for the period October 1, 2012 through September 30, 2013;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the State of New York, Governor’s Traffic Safety Committee, Department of Motor Vehicles, in a form approved by the Town Attorney, to accept a grant award of \$9,720.00 for the purpose of participating in the statewide “Buckle Up New York” program for the period October 1, 2012 through September 30, 2013, by the Town of Clarkstown Police Department.

On roll call the vote was as follows:

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

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RESOLUTION NO. (505-2012)

Co. Borelli offered and Co. Hoehmann seconded

WHEREAS, the Education Law makes provision for local School Districts to provide Universal Pre-Kindergarten Programs, and

WHEREAS, the Town of Clarkstown desires to be one of the sites designated by the North Rockland School District to provide the Universal Pre-Kindergarten Program;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the North Rockland School District, in a form approved by the Town Attorney, to provide the Universal Pre-Kindergarten Program at the Town of Clarkstown Street Community Center, New City, New York, during the 2012-2013 school year, and be it

FURTHER RESOLVED, that the North Rockland School District shall pay \$2,300 for each child duly enrolled in the Universal Pre-Kindergarten Program.

On roll call the vote was as follows:

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

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RESOLUTION NO. (506-2012)  
Co. Hausner 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

WHEREAS, the following group wishes to continue to adopt the below segment of town road for an additional period of two (2) years, continuing from October 17, 2012 to October 17, 2014, as follows:

Sponsor: Woodmont Day Camp  
420 Phillips Hill Road  
New City, NY 10956

Road: 0.48 mile segment of Overlook Boulevard from  
Smith Road to Clarkstown Road; New City, NY

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program in that said Woodmont Day Camp will continue to perform a public service in removing trash from above roadway that 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 a renewal agreement, for a period of two (2) years continuing from October 17, 2012 to October 17, 2014, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segment, and to provide and coordinate services by Woodmont Day Camp to remove trash from the roadway.

On roll call the vote was as follows:

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

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RESOLUTION NO. (507-2012)  
Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Director of Environmental Control retained the services of Leonard Jackson and Leonard Jackson Associates to perform work on the municipal project known as the Elks Drive Drainage Project under the authority of Resolution 534-2003. and

WHEREAS, Leonard Jackson and Leonard Jackson Associates have performed the work on the contract,

NOW, THEREFORE, be it

RESOLVED that the Supervisor of the Town of Clarkstown is hereby authorized to execute a Limited Release, in a form approved by the Town Attorney, in favor of Leonard Jackson and Leonard Jackson Associates subject to the following:

That Leonard Jackson and Leonard Jackson Associates must apply for and obtain a Letter of Map Revision (LOMR) in accordance with the agreement between Releasee and Releasor for the Elks Drive Drainage Project.

RESOLUTION NO. (507-2012) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (508-2012)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Board of Fire Commissioners of the Nanuet Fire District has requested that the Town Board of the Town of Clarkstown approve the final map of the boundary lines of the Nanuet Fire District, and

WHEREAS, said map was created by the Rockland County Geographical Information Systems and accepted and approved by the Board of Fire Commissioners of the Nanuet Fire District;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on November 20, 2012 at 8:00 P.M., or as soon thereafter as possible, pursuant to Town Law, to consider approving the proposed final map of the boundary lines of the Nanuet Fire District, and be it

FURTHER RESOLVED, that the Town Attorney prepare said notice of public 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.

On roll call the vote was as follows:

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

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RESOLUTION NO. (509-2012)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, Minesh Patel has requested a refund of Building Permit Fee No. 12-905 paid in the amount of \$293.00 for property located at 19 Newport Drive, Nanuet, New York, more particularly described as Tax Map No. 63.15-1-2, because the job was postponed indefinitely, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$80.00;

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 \$213.00, which is the \$293.00 Building Permit fee that was paid, minus the processing fee, to Minesh Patel, 19 Newport Drive, Nanuet, New, 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

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RESOLUTION NO. (510-2012)  
Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that the Town Board meetings and the Town Board Workshop meetings, for the year 2013, shall be held at the Clarkstown Town Hall on Tuesday nights, except where noted, on the following days:

\*WORKSHOP MEETINGS  
7:30 P.M. - Room 301

TOWN BOARD MEETINGS  
8:00 P.M. – Auditorium  
(Except where noted)

January - 15	January - 3 (Reorganization)(Thurs)
February - 12	February - 5
March - 19	March - 5
April - 23	April - 9
May - 21	May - 7
June - 18	June - 4
July - 23	July - 2
August - 6	August - 20
Sept. - 24	September - 10
October - 22	October - 8
**November - 7 (Thurs @ 7:30 pm)	**November - 7 (Thurs @ 7 pm)
December - 3	December - 19 (Thurs @ 12 Noon)

\* Police Department matters will be discussed at the Workshop Meetings.

\*\* The November 7, 2013 Meeting will be a combination of Town Board Meeting and Workshop.

On roll call the vote was as follows:

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

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RESOLUTION NO. (511-2012)  
Co. Hausner offered and Co. Lasker seconded

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

BID#42-2012 – HIGHWAY SIGNING AND ROAD MAINTENANCE SUPPLIES

RESOLUTION NO. (511-2012) 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

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RESOLUTION NO. (512-2012)

Co. Lasker offered and Co. Hausner seconded

WHEREAS, the Rockland County Sewer District #1 (RCSD#1) has authorized and funded a major sanitary sewer infrastructure update which is taking place over a four year period, and

WHEREAS, this project authorizes the Town of Clarkstown to contract for the engineering and construction of twelve new sewer pump stations, force mains and associated work in order to rehabilitate and rebuild vital infrastructure, and

WHEREAS, recorded easements are required by RCSD#1 since many of the original 1960's era stations that are being rebuilt are on property by verbal agreements and are easements by prescription, and

WHEREAS, the property owner at 160 N. Route 303, West Nyack (59.18-1-22) has refused to grant said easement after substantial diligence and negotiation by the Town of Clarkstown;

NOW, THEREFORE be it

RESOLVED, that the Town Board hereby authorizes the Town Attorney to initiate a proceeding under New York State Eminent Domain Procedure Law to acquire the easement at 160 N. Route 303, West Nyack via condemnation, and be it

FURTHER RESOLVED, that the Town Board additionally authorizes the Town Attorney to arrange for the appropriate report and submission for determination under the State Environmental Quality Review Act.

On roll call the vote was as follows:

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

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RESOLUTION NO. (513-2012)

Co. Borelli offered and Co. Lasker 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 conjunctions with Hydrant Investigation No. 12980, Congers.

Hydrant #11599h – 215' south of intersection of Vermont Ave & Colton St.

RESOLUTION NO. (513-2012) continued

Hydrant #11600h – west side of Massachusetts Ave, 10’ north of intersection of Butler St. & Massachusetts Ave

Hydrant #11601h – 262’ south of intersection of Colton St. & Massachusetts Ave.

Hydrant #11634h – 360’ south of intersection of Lenox Ave. & Lake Rd.

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
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RESOLUTION NO. (514-2012)

Co. Borelli offered and Co. Hoehmann seconded

WHEREAS, C&M 345 NORTH MAIN STREET LLC., has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Tax Map 34.19-1-6, and more commonly known as 345 N. Main Street, New City, New York, for the year(s) 2008/09, 2009/10 and 2010/11, and

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, BE IT RESOLVED, that an appraiser, Steve Sherwood of Valuation Plus, Inc., be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,750; and such fee shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann. . . . . Yes
Co. Hausner. . . . . Yes
Supervisor Gromack . . . . . Yes
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RESOLUTION NO. (515-2012)

Co. Lasker 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 specified Town locations for a two year period beginning November 9, 2012 to November 9, 2014, as follows:

Sponsor: Steve Weiss Landscaping, Inc. & Snow Plowing
P. O. Box 77
Valley Cottage, NY 10989
Location: Kings Highway (south of rail road crossing),
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. (515-2012) 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 November 9, 2012 to November 9, 2014, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above locations, 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  
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RESOLUTION NO. (516-2012)

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

and

WHEREAS, this proposed local law is to add a new zone, "Neighborhood Shopping," to certain areas within the Town which further the goals and objectives of the Town's Comprehensive Plan by allowing for areas of small commercial and mixed-use development;

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 December 11, 2012 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.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
Co. Borelli . . . . . Yes  
Co. Hoehmann. . . . . Yes  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . Yes  
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RESOLUTION NO. (517-2012)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Sunshine Associates LLC v. The Town of Clarkstown, its Assessor and Board of Assessment Review of the Town of Clarkstown, Index No(s). 6493/08, 6373/09, 6712/10, 4978/11 and 33542/12, affecting parcel designated as Tax Map 43.15-1-16 and more commonly known as 151 North Main Street, New City, New York for the year(s) 2008/09, 2009/10, 2010/11, 2011/12 and 2012/13, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice pursuant to Section 727 of Real Property Tax Law of the State of New York and without costs on the terms and conditions set forth herein, and

RESOLUTION NO. (517-2012) continued

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Clarkstown Central School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

- 1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.15-1-16 be reduced for the year(s) 2008/09 and 2009/10 from \$1,130,500 to \$1,107,900 at a total cost to the Town of \$964.16;
- 2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.15-1-16 be reduced for the year(s) 2010/11 from \$1,130,500 to \$1,040,100 at a cost to the Town of \$2,132.17;
- 3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.15-1-16 be reduced for the year(s) 2011/12 and 2012/13 from \$1,130,500 to \$1,085,300 at a total cost to the Town of \$1,112.11;
- 4. Reimbursement for the year(s) 2008/09, 2009/10, 2010/11, 2011/12 and 2012/13 on the parcel described as Tax Map 43.15-1-16, as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;
- 5. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and Tax Certiorari Counsel for the Town of Clarkstown is authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
 Co. Borelli . . . . . Yes  
 Co. Hoehmann. . . . . Yes  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (518-2012)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, the Town has solicited Requests for Proposals from qualified contractors to fund and install solar panels at the Clarkstown landfill, and

WHEREAS, after careful consideration, the Town Board has selected On Force Solar as the most competitive proposal;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a power purchase agreement with On Force Solar, pursuant to the terms of On Force Solar's October 19, 2012 proposal.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
 Co. Borelli . . . . . Yes  
 Co. Hoehmann. . . . . Yes  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (519-2012)  
Co. Hoehmann 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., Joseph Berry, 82 Massachusetts Avenue, Congers, New York – Motor Equipment Operator II – Highway Department – is hereby granted a Sick Leave of Absence – at one-half pay – effective November 8, 2012 thru December 8, 2012

On roll call the vote was as follows:

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

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RESOLUTION NO. (520-2012)  
Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that Adam C. Szkodzinsky, 25 Briarwood Avenue, Monroe, New York – is hereby appointed to the position of (promotional) (permanent) Automotive Mechanic I & Body Repairer -Town Garage – at the current 2012 annual salary of \$78,091., effective and retroactive to November 5, 2012.

On roll call the vote was as follows:

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

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RESOLUTION NO. (521-2012)  
Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, the Rockland County Personnel Office has furnished Certification of Eligibles #12069 (promotional)Senior Clerk Typist – which contains the name of Janet A. Brace,

NOW, therefore, be it

RESOLVED, the Janet A. Brace, 91 Kings Highway Congers, New York – is hereby appointed to the (promotional) (permanent) position of Senior Clerk Typist – Office of the Town Attorney – at the 2012 current annual salary of \$46,877., - effective November 8, 2012.

On roll call the vote was as follows:

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

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RESOLUTION NO. (522-2012)

Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, the Rockland County Personnel Office has furnished Certification of Eligibles #12069 (promotional)Senior Clerk Typist – which contains the name of Valerie A. Cassidy,

NOW, THEREFORE BE IT RESOLVED, the Valerie A. Cassidy, 11 Fourth Avenue, Nyack, New York – is hereby appointed to the (promotional) (permanent) position of Senior Clerk Typist – Department of Environmental Control – at the 2012 current annual salary of \$53,423., - effective November 8, 2012.

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. (523-2012)

Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, the Rockland County Personnel Office has furnished Certification of Eligibles #12069 (promotional)Senior Clerk Typist – which contains the name of Elizabeth R. Noonan,

NOW, THEREFORE BE IT RESOLVED, the Elizabeth R. Noonan, 1 Kings Court, Nanuet, New York – is hereby appointed to the (promotional) (permanent) position of Senior Clerk Typist – Police Department – at the 2012 current annual salary of \$46,877., - effective November 8, 2012.

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. (524-2012)

Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that the resignation (by disability retirement)of Lee V. De Forest, 93 Church Street, Nanuet, New York – Laborer – Highway Department – is hereby accepted effective and retroactive to March 31, 2012.

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. (525-2012)

Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that the resignation of Colleen Martens, 35 Rockland Drive, West Nyack, New York – (part time) Clerk Typist - Building Department – is hereby accepted – effective and retroactive to October 12, 2012.

RESOLUTION NO. (525-2012) 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. (526-2012)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, the Town has received \$74,900 from Rockland County Sewer District #1, \$60,579.45 from Orange & Rockland and \$11,608.50 from Seized Property,

NOW THEREFORE BE IT, RESOLVED, to increase Revenue Account H-15-9-2770-0 (Capital-Misc Local Revenue) by \$135,479.45 and Expense Accounts H-8760-409-0-84-9 (Capital-Sewer Pump Station & Collection System Upgrade) by \$74,900 and H-8754-409-0-78-41 (Capital-Emergency Communication Tower) by \$60,579.45 and be it

FURTHER RESOLVED, to increase Revenue Account A-01-11-4320-0 (General-Seized Property) by \$11,608.50 and Expense Accounts A-3120-409-0 (Police-Fees for Services) by \$7,326.50 and A-3120-230-0 by \$4,282 and

WHEREAS, various accounts need additional funding,

NOW THEREFORE, BE IT RESOLVED, to decrease Account A-1990-905-0 (Contingency-Other Costs) and increase Account A-3120-293-0 (Police-Law Enforcement Equipment) by \$5,675.59 and be it

FURTHER RESOLVED, to decrease Accounts A-3120-326-0 (Police-Law Enforcement Supplies) and increase A-3120-438-0 (Police-Maintenance Agreements) by \$8,000 and be it

FURTHER RESOLVED, to decrease Account A-3510-307-0 (Control of Animals-Uniforms) and increase Account A-3510-111-0 (Control of Animals-Overtime) by \$200 and be it

FURTHER RESOLVED, to decrease Account A-3510-326-0 (Control of Animals-Law Enforcement Supplies) and increase Account A-3510-199-0 (Control of Animals-Vacation Buybacks) by \$173.06 and be it

FURTHER RESOLVED, to decrease Account A-7210-219 (Refreshment Stands-Misc Equipment) and increase Account A-7210-306-0 (Refreshment Stands-Maintenance Supplies) by \$239.24 and be it

FURTHER RESOLVED, to decrease Account A-7180-219-0 (Swimming Facilities-Misc Equipment) and increase Account A-7180-323-0 (Swimming Facilities-Chemicals) by \$3,339 and be it.

FURTHER RESOLVED, to decrease Account DB-5110-230-0 (Highway-Communication Equipment) and increase Account DB-5110-402-0 (Highway Equipment Rental) by \$1,500.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
 Co. Borelli . . . . . Yes  
 Co. Hoehmann. . . . . Yes  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (527-2012)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, the County of Rockland wishes to enter into a Memorandum of Understanding with the Town of Clarkstown for the operation of a Regional Investigative Resource Center (“RIRC”), pursuant to Article 5-G of General Municipal Law, and

RESOLUTION NO. (527-2012) continued

WHEREAS, the Town of Clarkstown wishes to participate in this shared services environment with the County of Rockland to effectively and efficiently utilize all available resources and avoid duplication of effort and expense by the Police Department for crime fighting activities;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a Memorandum of Understanding Agreement with the County of Rockland, in a form approved by the Town Attorney, to participate in the Regional Investigative Resource Center for the period August 1, 2012 through July 31, 2014.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
Co. Borelli . . . . . Yes  
Co. Hoehmann. . . . . Yes  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (528-2012)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, Lorencin Contracting, Inc. performed certain services in connection with the lead abatement project at 10 and 20 Maple Avenue, and

WHEREAS, the funds for said services were previously authorized by the Town Board and bonded for, as per Resolution No. 340-2011;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, with Lorencin Contracting, Inc. to perform certain construction in connection with the lead abatement project, and be it

FURTHER RESOLVED, that the fee for said services shall not exceed \$289,680.00 and shall be a proper charge to Account No. H 8761-409-85-15.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
Co. Borelli . . . . . Yes  
Co. Hoehmann. . . . . Yes  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (529-2012)

Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, the existing Woodhaven Drive, Lakewood Drive and Rt. 303 / Landfill sanitary sewer pump stations are currently being replaced, and

WHEREAS, in the course of performing the work, it was determined that additional unforeseen work was required, and

WHEREAS, the Contractor for the Town has submitted the proposals for the miscellaneous additional work, and

WHEREAS, the Town’s Consultant for the project, H2M Engineers, has reviewed the proposals for the additional work and found them to be acceptable, and

WHEREAS, the cost for Change Orders #13 is as follows:

- 1. Installation of temporary transformer at the Woodhaven Drive Pump Station.
- 2. Installation of modified electrical rack at the Woodhaven Drive Pump Station.
- 3. Installation of bollards for the new transformer pad at the Woodhaven Drive Pump Station.

RESOLUTION NO. (529-2012) continued

- 4. Disconnect and remove temporary transformer at the Woodhaven Drive Pump Station.
- 5. Replace street light wiring at the Woodhaven Drive Pump Station.
- 6. Install phase monitor at the Woodhaven Drive Pump Station.
- 7. Install site fencing at the Woodhaven Drive Pump Station.
- 8. Install landscaping restoration at the Woodhaven Drive Pump Station.
- 9. Install a 30 Amp disconnect plug at the Sewer Dept. Bldg. for the Woodhaven Drive Emergency Generator trailer.
- 10. Install a methane detector at the Rt. 303 / Landfill Pump Station;

NOW, THEREFORE, BE IT RESOLVED, that Change Order #13, Contract "E", Electrical Construction, for Project CLKT910 are approved for the total additional cost of \$50,505.00, and BE IT FURTHER RESOLVED, that the total cost for Contract "E", Electrical Construction shall not exceed \$674,819.20, and

BE IT FURTHER RESOLVED that the cost for the project is being reimbursed by the Rockland County Sewer District No. 1.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
 Co. Borelli . . . . . Yes  
 Co. Hoehmann. . . . . Yes  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (530-2012)

Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, based upon the recommendation of the Department of Environmental Control and as a condition to the approval of the final map by the Planning Board with regard to the SMK-Massachusetts Ave Subdivision (52.08-3-48.2), Sean Keenan has provided a conservation easement to the Town, and

WHEREAS, the Town Attorney has advised that the document is in proper legal form;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the conservation easement from Sean Keenan in connection with the SMK-Massachusetts Ave Subdivision, subject to the review and approval of the First Deputy Director of the Department of Environmental Control, and orders it then recorded in the Rockland County Clerk's Office, subject to the receipt of the recording fee.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
 Co. Borelli . . . . . Yes  
 Co. Hoehmann. . . . . Yes  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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There being no one further wishing to be heard, on motion of Co. Hausner seconded by Co. Lasker, the Town Board meeting was closed, time: 9:16 pm.

Respectfully submitted,

Justin Sweet  
 Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING #1

Town Hall

11/08/12

7:02 PM

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

Proposed Local Entitled: "A Local Law to Override the Tax Levy Limit established by General  
Municipal Law § 3-C"

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The Town Clerk read the notice of public hearing. On motion of the entire Town Board, the public hearing was declared open. The Supervisor opened the meeting for public comments.

Tom Nimick, New City

He asked what measures the Board considered to remain within the Tax levy limits. He asked if there were public discussions prior to posting this law and stated that citizens should be able to observe deliberations in a properly convened open meeting. He stated that voting on this without public deliberations is a violation of the Open Meetings Law.

Jim Flynn, Nanuet

He asked for clarification about the amount of the tax levy, is it a 6.2% or 7.5% increase? He stated that we have bonded millions of dollars and we still have millions outstanding on the pensions. He asked if we planned on borrowing more for this and if this was reflected in the budget?

Frank Grandel, New City

He stated that the proposed tax increase is a result of uncontrolled spending. He suggested we follow the Governor's lead in dealing with police and civil service unions. He stated that Orangetown used police layoffs to control costs and that they had numerous discussions with the public on their budget, whereas Clarkstown has done nothing in this regard. He stated there was nothing done to reduce expenses with the PBA or the CSEA. He criticized Hamlet revitalizations and Town projects that never come in under the projected costs. He spoke about tax certioraris, increases in the Town car fleet, and large amounts of money being borrowed. He feels the Town needs prudent management, cost control, layoffs, concessions and more public discussion prior to budget adoptions.

Supervisor Gromack stated that the budget increase is 6.2%. There are many meetings held with the Comptroller and department heads in crafting the budget so it can be made public and we can get input from the public. Bonding is included in this budget. As far as cuts made by other municipalities, they are taking those actions because they haven't taken them in the last 5 years, whereas we have been doing this for years. We have reduced the total work force by about 73 people, including 10 police officers. Many other municipalities are only making those decisions now. We have consolidated a number of departments over the last few years and we will be consolidating the Receiver of Taxes and the Town Clerk's Offices in 2014. All towns are experiencing an impact due to the shifting costs from the County. He cited examples of those additional costs. He stated the State is trying to turn things around but it should be noted that the 2% levy does not seem to apply to them, especially with regard to the cost of pensions and healthcare benefits that we get from the State.

There being no one further wishing to speak on motion of Co. Hausner seconded by Co. Hoehmann, the public hearing was closed, time: 7:21 pm.

RESOLUTION NO. 490-2012 ADOPTED

Respectfully submitted,

Justin Sweet  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING #2

Town Hall

11/08/12

7:23PM

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

TOWN OF CLARKSTOWN PRELIMINARY BUDGET FOR 2013

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The Town Clerk read the notice of public hearing. On motion of the entire Town Board, the public hearing was declared open.

The Supervisor opened the meeting for public comments.

Jim Flynn, Nanuet

He gave a synopsis of pension contribution rates for previous years and stated that when the Town was being billed less for the pension plans, that money that should have been reserved but was spent instead. He spoke about the Town having to borrow millions of dollars to make pension payments and feels this is due to a mismanagement of funds. These should have been funded as the checks were written to people.

Tom Nimick, New City

He asked what measures the Board considered as a result of the increased expenses from the County. He handed out copies of an extended list of questions regarding the budget and read them to the Town Board. (on file in Town Clerk's office). The Comptroller, Assistant Comptroller, Town Attorney, Supervisor and Town Board members answered each of the questions and, where more specifics were necessary, invited Mr. Nimick to call for further details.

Michael Hull, Bardonia

He addressed Co. Borelli and Co. Hoehmann about the 2.5% increase to the police every year for the next 5 years. He asked how is this justified when senior citizens are only getting a 1.8% increase in their Social Security. Co. Borelli said this was an agreed settlement with the PBA and based on the arbitration process which was 3.4%, the settlement with the PBA in our eyes was a fair agreement. Co. Hoehmann added we were fortunate that we were able to get a number that was significantly lower.

Joe Ciardullo, New City

Given the projected tax increases, what percentage were the department heads asked to cutback in their budget?

Supervisor Gromack stated that every department head has been asked, and most have fulfilled, a 5% cut in their budget. Obviously they cannot control the pension system. All five 5 towns are in a heated debate with the County as we continue to try to rid ourselves of the costs that have been inflicted on the Towns by the County. If we can get these costs reversed that will help us going forward.

Joan Kay

She asked if the Town has any chance of getting FEMA money.

The Supervisor stated that all the municipal work that is being done by our employees for the cleanup from Hurricane Sandy will be reimbursable by Federal authorities. Based on a new directive from the Governor's office even some of the work we are doing during the day will be reimbursable. There will be some public assistance to some of the homeowners and NYSDOT will help with Town's pickup.

Joe Ciardullo, New City

He asked if there had been any talk of getting rid of the mini golf since it has lost money every year. He feels there should be more opportunity to let the public voice their opinion about what we should keep and what we should get rid of. We can't keep providing everything that the Town provides. We are at a point now the taxes are so high its impacting home sales.

Supervisor Gromack stated that over the last few years, department heads have come in with cuts of 5%. Some of the bigger decisions that you speak of, closing a pool or community center, for example, may be something you'd like but we have heard from individuals that do not want the pools closed and not every program is a money maker. There are certain services we provide that have no fees such as senior citizen programming. If we cancel all the senior clubs we would save money but seniors do not want their programs cancelled. Not every program is revenue neutral, those are part of your taxes. Others residents have said they do not want the pools closed. There are many people that don't come to these meetings on a regular basis and we are in contact with them about the services they want. While it is expensive to live in Rockland County, our schools are expensive, people are here because they want certain things. It's very easy for one individual to say they want things cut because they don't use a service and then we hear from other individuals that want that service. That is the balancing act that we play.

Diane Holland, West Nyack

She had a question about the status of the downtown revitalization of West Nyack.

Supervisor Gromack answered that this is the last hamlet to get this and West Nyack has waited 10 years for this. There may be some people that don't want it but there are people in West Nyack that say it's their turn now. If it starts in 2013 or 2014 the costs will be spread out over 3 or 4 years.

Marge Hook, New City

She asked if there was any way of reducing the number of crossing guards. With regard to Hurricane Sandy, she asked why the auxiliary police were not used instead of regular police at the closed roads and intersections.

Regarding the number of crossing guards, Chief Sullivan stated that we try to keep this to a minimum and use them only where we feel it is unsafe for the children to cross the street. Our feeling is it is better off to have a crossing guard there at \$20 an hour than to have an accident where someone is injured. As far as using the auxiliary police at those intersections, they are civilians that volunteer their time, they are not trained for that, it is a dangerous situation and they are not covered if they are injured.

Kevin Hobbs, New City

He complained about the heating system in Town Hall. He often notices windows opened in the middle of winter and suggested we get thermostats in the building. He asked about the \$30,000 budget line for credit card fees; why should taxpayers have to subsidize other taxpayers?

The Comptroller clarified that this was a revenue item.

He spoke of the deficit in the Town, and the practice of dipping into the reserves and his concerns about what happens when this money runs out. To go forward with a budget like this where 81% of the municipalities in the State of NY have stayed within the 2% tax cap is unconscionable. He suggested the user fees for parks and recreation should be higher. He feels the Board should put a referendum out on what services the Town should continue and what should be eliminated. He suggested using artificial flowers on Main Street as a way to save money. He commended the police handling of the traffic problems created by the hurricane.

Tom Nimick, New City

He continued with his questions from the above referenced list. (on file in Town Clerk's office.)

John Hanchar, President of the Clarkstown PBA, Congers resident

He stated there would be strong parental objection to a reduction in crossing guards and that auxiliary police can't be expected to be at a scene for long hours or be exposed to dangerous conditions, such as wires down, etc. He spoke of damage to his home during the storm. He thanked all the men and women who helped during the hurricane and the Town for getting FEMA in.

Tom Leonard, Congers

After reviewing the budget, he suggested that outsourcing certain jobs such as groundskeepers and custodian would be cost effective.

There being no one further wishing to be heard, on motion of Co. Hoehmann seconded by Co. Hausner, the Special Town Board meeting was adjourned, time: 9:18 pm.

Respectfully submitted,

Justin Sweet  
Town Clerk