

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

4/17/2007

8:00 P.M.

Present: Supervisor Alexander J. Gromack
Council Members Ralph Mandia, Shirley Lasker, & Catherine Nowicki
Amy Mele, Town Attorney
David Carlucci, Town Clerk

Absent: John Maloney

Supervisor declared Town Board meeting opened. Assemblage saluted the flag.

Supervisor Alexander J. Gromack announced a proclamation making May 2007 Older Americans Month in the Town of Clarkstown and congratulated our Senior Citizens

Supervisor and Town Board congratulated Jo Anne Pederson for being promoted to the position of Superintendent of Recreation & Parks.

Public Hearing #1 re: Continued from 3/20/07–Proposed local law to amend Local Law No 2-1974 as amended, to create AAR (Active Adult Residential) Zoning District. On motion of Co. Mandia, seconded by Co. Nowicki, hearing opened 8:10 P.M. On motion of Co. Mandia, seconded by Co. Nowicki, closed 12:00P.M. RESOLUTION NO. (225-2007) unanimously adopted

Public Hearing #2 re: Continued from 3/20/07 – Request of Cambridge Press to amend Zoning Local Law dealing with uses in the LO Zoning District. On motion of Co. Lasker, seconded by Co. Mandia, hearing opened 12:00 A.M. On motion of Co. Nowicki, seconded by Co. Lasker, closed 12:01 A.M. RESOLUTION NO. (226-2007) unanimously adopted.

Public Hearing #3 re: Proposed local law amending Local Law No. 1-2007 to extend temporary moratorium on wireless communications facilities for additional 45 days. On motion of Co. Lasker, seconded by Co. Mandia, hearing opened 12:01 A.M. On motion of Co. Nowicki, seconded by Co. Lasker, hearing closed 12:02 A.M. RESOLUTION NO. (227-2007) unanimously adopted.

Public Hearing #4 re: Continued from 2/13/07 – Proposed local law to amend Town Code Chapter 251: Wireless Communication Facilities. On motion of Co. Lasker, seconded by Co. Nowicki, hearing opened 12:02 A.M. On motion of Co. Lasker, seconded by Co. Nowicki hearing continued to May 15, 2007. RESOLUTION NO. (228-2007) unanimously adopted.

Public Hearing #5 re: Proposal to amend §290-8 of the Zoning Local Law to designate the updated zoning map prepared by R.C. Planning Department as the Official Zoning Map. On motion of Co. Lasker, seconded by Co. Nowicki, hearing opened 12:04 A.M. On motion of Co. Nowicki, seconded by Co. Lasker, hearing closed 12:04 A.M. RESOLUTION NO. (229-2007) unanimously adopted.

Supervisor opened the meeting to public comments regarding agenda items, with no one wishing to be heard.

RESOLUTION NO. (225-2007)
Co. Mandia offered and Co. Nowicki seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 3 – 2007

WHEREAS, a proposed local law entitled,
“A LOCAL LAW AMENDING LOCAL LAW NO. 2-1974 AS AMENDED CREATION OF THE AAR
(ACTIVE ADULT RESIDENTIAL) ZONING DISTRICT
was introduced by Councilman Ralph Mandia, at a Town Board meeting held on December 5, 2006, and
WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on December 5, 2006 directed that a public hearing be held on February 13, 2007, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law and, subsequently, the Town Board continued said public hearing on March 20, 2007 and April 17, 2007, and
WHEREAS, notices of said hearings were duly prepared and published in the Journal News for all three hearing dates, 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 April 6, 2007, and
WHEREAS, on August 22, 2006, the Town Board declared itself lead agency pursuant to the State Environmental Quality Review Act (“SEQRA”), and
WHEREAS, on October 26, 2006, the Town Board retained Tim Miller Associates to act as its agent with respect to SEQRA, and
WHEREAS, during September and October 2006, the Town informally referred the draft Local Law to the Rockland County department of Planning for their review and comment, which resulted in several changes to the draft Local Law, and
WHEREAS, on December 5, 2006, the Town Board scheduled a public hearing on the revised Local Law and directed that the Law be referred to the Rockland County Department of Planning pursuant to GML §239 m and l, and
WHEREAS, by letter dated December 13, 2006, the Rockland County Department of Planning recommended approval of the Local Law with certain minor suggested modifications, all of which were incorporated into the final version of the Local Law, and
WHEREAS, on February 13, 2007 the Town Board held a public hearing on the proposed Local Law at which it accepted the Draft Generic Environmental Impact Statement (DGEIS) prepared by Tim Miller Associates and directed that a public hearing on the DGEIS, pursuant to SEQRA, be held on March 6, 2007, and
WHEREAS, a public hearing pursuant to SEQRA was held on March 6, 2007, and
WHEREAS, at the conclusion of said hearing the Town Board closed the public hearing on the DGEIS and directed that the public comment period on the DGEIS be held open for an additional ten days, and
WHEREAS, the Town Board received six comment letters during the comment period, all of which have been considered by the Board and made part of the public record of this matter, and

RESOLUTION NO. (225-2007) continued

WHEREAS, on March 20, 2007, the Town Board held a continued public hearing with respect to the proposed Local Law at which the Board directed Tim Miller Associates to prepare a Final Generic Environmental Impact Statement (FGEIS) addressing the concerns raised by the public comments, and

WHEREAS, on March 20, 2007, the Town Board accepted the Final Generic Environmental Impact Statement prepared by Tim Miller Associates, and

WHEREAS, subsequent to the adoption of the FEIS on March 27, 2007, the Town received two comment letters (1) letter dated April 6, 2007 from the Rockland County Department of Planning declining to further comment and (2) letter dated April 10, 2007 from Counsel for the Residential Association for the Preservation of the Rural Rockland Environment, confirming that hospice residences are not a permitted use in the AAR Zone, both of which letters have been included in the record of this matter, and

WHEREAS, Tim Miller Associates prepared a draft findings statement pursuant to SEQRA, which the Town Board has considered in making its determination, and

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby adopts the Lead Agency’s Findings Statement, attached hereto as Exhibit “A,” pursuant to NYCRR Part 617.11, and hereby directs Tim Miller Associates to file such findings in accordance with SEQRA, and be it

FURTHER RESOLVED, that Local Law No. 3 – 2007 entitled:

“A LOCAL LAW AMENDING LOCAL LAW NO. 2-1974 AS AMENDED CREATION OF THE AAR (ACTIVE ADULT RESIDENTIAL) ZONING DISTRICT

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:

Co. Maloney	Absent
Co. Lasker	Yes
Co. Mandia	Yes
Co. Nowicki	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. (226-2007)

Co. Lasker offered and Co. Mandia seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 4 – 2007

WHEREAS, a proposed local law entitled,

“A LOCAL LAW AMENDING CHAPTER 290 (THE ZONING LOCAL LAW) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN, TO ALLOW, BY SPECIAL PERMIT BROADER DISTRIBUTION USES WITHIN THE LO ZONE ON PARCELS MEETING CERTAIN REQUIREMENTS.”

WHEREAS, Cambridge Press first petitioned the Town Board of the Town of Clarkstown to amend the LO Zone to allow additional uses by right by petition dated April 6, 2006, and

WHEREAS, Cambridge Press amended its petition by a submittal dated May 15, 2006, and

WHEREAS, the Town Board by Resolution No. 369-2006, adopted on May 23, 2006, referred the petition to the Clarkstown Planning Board pursuant to §290-33(A) of the Zoning Local Law of the Town of Clarkstown, and further designated Robert Geneslaw, Planning Consultant, to act as agent of the Town Board with respect to SEQRA, and

WHEREAS, the Clarkstown Planning Board considered the Cambridge Press zoning amendment petition at its meeting of June 21, 2006, and

WHEREAS, the Planning Board recommended, by memo dated June 22, 2006, to the Town Board that Cambridge Press’s request to allow industrial uses in the LO Zone should not be entertained, and that the petition be further amended and once the amendment were received the matter should be referred back to the Planning Board for further consideration, and

WHEREAS, the Rockland County Planning Board through a GML §239 l & m referral recommended that the Town Board disapprove Cambridge Press’s petition as drafted, and

WHEREAS, the Town Board by Resolution No. 732-2006, adopted on October 17, 2006, directed the Town Attorney’s Office to prepare an amended text amendment addressing the comments of the Clarkstown Planning Board, and the Rockland County Planning Board and referred the to be drafted text amendment to the Clarkstown Planning Board and the Rockland County Planning Board for their further review, and

WHEREAS, the Town Attorney’s Office drafted a proposed Local Law, which if adopted, permitted expanded warehouse and distribution centers upon Special Permit of the Town Board with specific enumerated criteria which was distributed to the Clarkstown Planning Board, the Rockland County Planning Board, and all other involved or interested agencies on November 15, 2006, January 26, 2007, February 16, 2007, March 6, 2007 and April 5, 2007, and

WHEREAS, the Clarkstown Planning Board at their meeting of December 13, 2006, adopted a resolution recommending that the Town Board should it so desire allow warehouse and wholesale distribution centers in the LO Zoning District with specific enumerated conditions, and

WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown with regard to the petition on December 5, 2006, and public hearings with regard to the proposed Local Law on December 29, 2006, February 13, 2007, March 20, 2007, and April 17, 2007, and

WHEREAS, notices of said hearings were duly prepared and published in the Journal News as required, and

WHEREAS, a copy of the proposed petition was introduced by Councilman Maloney at a Town Board meeting held on May 23, 2006 and 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 November 20, 2006, and in its final form as a Local Law on March 28, 2007;

WHEREAS, the Rockland County Planning Department pursuant to its GML review powers recommended the adoption of the proposed Local Law with two modifications, and

WHEREAS, Planning Consultant Robert Geneslaw drafted two memo’s to the Town Board acting pursuant to his authority as designated agent under SEQRA, one dated December 7, 2006, the other dated April 18, 2007 (yet received April 17, 2007), and

WHEREAS, the April 18, 2007 memo offered two options to the Town Board, one of which was to consider the amendment to be an unlisted action under SEQRA by virtue of the fact that while warehouse distribution for books is an existing allowable use in the LO Zone the text amendment expands the potential uses but with very limited factors and the distribution and environmental impacts will be no greater than under the present Code, and

RESOLUTION NO. (226-2007) continued

WHEREAS, the Town Board has adopted a Negative Declaration pursuant to 617 NYCRR (SEQRA) on this date; NOW, THEREFORE, be it

RESOLVED, that Local Law No. 4 – 2007 entitled:

“A LOCAL LAW AMENDING CHAPTER 290 (THE ZONING LOCAL LAW) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN, TO ALLOW, BY SPECIAL PERMIT BROADER DISTRIBUTION USES WITHIN THE LO

ZONE ON PARCELS MEETING CERTAIN REQUIREMENTS.” 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:

- Co. Maloney Absent
- Co. Lasker..... Yes
- Co. Mandia. Yes
- Co. Nowicki. 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. (227-2007)

Co. Lasker offered and Co. Mandia seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 5 – 2007

WHEREAS, a proposed local law entitled,

“A LOCAL LAW AMENDING LOCAL LAW NO. 1-2007 EXTENDING TEMPORARY MORATORIUM ON WIRELESS COMMUNICATIONS FACILITIES FOR FORTY-FIVE DAYS”

was introduced by Councilwoman Catherine M. Nowicki, at a Town Board meeting held on March 20, 2007, and WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on March 20, 2007, directed that a public hearing be held on April 17, 2007, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on April 5, 2007, 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 March 28, 2007, and WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on April 17, 2007;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 5 – 2007 entitled:

“A LOCAL LAW AMENDING LOCAL LAW NO. 1-2007 EXTENDING TEMPORARY MORATORIUM ON WIRELESS COMMUNICATIONS FACILITIES FOR FORTY-FIVE DAYS”

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:

- Co. Maloney Absent
- Co. Lasker..... Yes
- Co. Mandia. Yes
- Co. Nowicki. 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. (228-2007)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING THE CONTINUATION OF A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, “A LOCAL LAW TO AMEND CHAPTER 251 (WIRELESS COMMUNICATION FACILITIES) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

WHEREAS, on January 23, 2006, a public hearing was held to consider proposed amendments to Town Code Chapter 251, the “Wireless Communications Facilities Law,” and said hearing was continued to February 13, 2007, and April 17, 2007, and

WHEREAS, additional time is necessary to review and comment on the proposed local law, therefore the Town Board wishes to continue said hearing on May 15, 2007;

NOW, THEREFORE, be it

RESOLVED, that the continuation of a public hearing, pursuant to §20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on May 15, 2007, 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 the 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. Maloney Absent
- Co. Lasker..... Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (229-2007)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 6 – 2007

WHEREAS, a proposed local law entitled, “A LOCAL LAW TO AMEND CHAPTER 290 (ZONING) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN TO UPDATE THE ZONING MAP.”

RESOLUTION NO. (229-2007) continued

was introduced by Councilwoman Shirley Lasker, at a Town Board meeting held on March 20, 2007, and WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on March 20, 2007, directed that a public hearing be held on April 17, 2007, at 8:00 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 April 5, 2007, and WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown on April 17, 2007, 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 April 4, 2007; NOW, THEREFORE, be it

RESOLVED, that Local Law No. 6 – 2007 entitled:

“A LOCAL LAW TO AMEND CHAPTER 290 (ZONING) OF THE TOWN CODE OF THE TOWN OF CLAKSTOWN TO UPDATE THE ZONING MAP.”

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:

- Co. Maloney Absent
- Co. Lasker..... Yes
- Co. Mandia. Yes
- Co. Nowicki. 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. (230-2007)

Co. Lasker offered and Co.Nowicki seconded

RESOLVED, that the Town Board Minutes of March 20, 2007 and March 27, 2007 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows

- Co. Maloney Absent
- Co. Lasker..... Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (231-2007)

Co. Nowicki offered and Co.Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ACCEPT PROPOSAL FROM HAWKINS DELAFIELD & WOOD FOR SPECIAL COUNSEL SERVICES

WHEREAS, the Town Board is considering the sale of the Clarkstown Solid Waste Transfer Facility, West Nyack, New York, and

WHEREAS, HAWKINS DELAFIELD & WOOD LLP, a legal firm that has expertise in the field of solid waste management project contracts, negotiations and financing, has submitted a proposal to the Town to provide legal counsel to assess the risks and to develop a structure for a possible transaction involving such sale;

NOW THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the firm of HAWKINS DELAFIELD & WOOD LLP, in a form satisfactory to the Town Attorney, to provide legal counsel to assess the risks and to develop a structure for a possible transaction involving the sale of the Clarkstown Solid Waste Transfer Facility, West Nyack, New York, pursuant to its agreement letter dated March 28, 2007.

On roll call the vote was as follows

- Co. Maloney Absent
- Co. Lasker..... Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (232-2007)

Co. Nowicki offered and Co.Lasker seconded

RESOLUTION AUTHORIZING EXTENSION OF LEASE WITH THE ROCKLAND COUNTY RADIO CONTROL CLUB TO UTILIZE A PORTION OF THE CAPPED CLARKSTOWN SANITARY LANDFILL SITE FOR RADIO CONTROL MODEL AIRPLANE AIRDROME

RESOLVED, that the Town Board authorizes the extension of a license agreement with the Rockland County Radio Control Club for use of the former site of the Clarkstown Sanitary Landfill, now capped, for a period of one year commencing March 31, 2007 and ending on March 31, 2008, for the nominal fee of \$1.00 per year, provided that all residents wishing to participate in club activities continue to be eligible for membership, and all the other terms and conditions in the license agreement, including providing the required proof of insurance, shall be observed.

On roll call the vote was as follows

- Co. Maloney Absent
- Co. Lasker..... Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (233-2007)

Co. Nowicki offered and Co.Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AMENDED AGREEMENT WITH THE COUNTY OF ROCKLAND CONCERNING CAMERA SURVEILLANCE AT THE EXIT 14 PARK AND RIDE LOT, AND UPGRADE OF EXISTING CAMERA MONITORING SYSTEM

Whereas, the County of Rockland, through its Department of Public Transportation, and the Town of Clarkstown, wish to extend an agreement which was executed on October 1, 2003 and amended thereafter, providing for camera surveillance at the Exit 14 Park, and to upgrade the existing camera monitoring system, and

WHEREAS, the County of Rockland had appropriated the necessary funds for said project for the period October 1, 2002 through December 31, 2004, and amended agreement of December 31, 2005, and now proposes again to extend the period agreement to December 31, 2007, and to increase the total funding from \$230,000.00 to \$400,000.00, with all terms and conditions in the original agreement to remain in full force and effect;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into such amended agreement with the County of Rockland, in a form approved by the Town Attorney, for the period terminating December 31, 2007, to provide service to the County of Rockland to implement camera surveillance at the Exit 14 Park and Ride Lot, and to upgrade existing camera monitoring system, and be it

FURTHER RESOLVED, that the County of Rockland agrees to reimburse the Town of Clarkstown for said work in a sum not to exceed the total sum of \$400,000.00.

On roll call the vote was as follows

Co. Maloney Absent
Co. Lasker Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Gromack Yes

RESOLUTION NO. (234-2007)

Co. Mandia offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A RENEWAL AGREEMENT CONCERNING TOWN OF CLARKSTOWN "ADOPT-A-ROAD" PROGRAM

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 segments of various town roads for an additional period of two (2) years, continuing from March 1, 2006 to March 1, 2008, as follows:

Sponsor: Norris Cadillac-Oldsmobile-Pontiac-GMC, 32 Route 304, Nanuet New York 10954

Roads: .5 mile segment of Old Nyack Turnpike between Pascack Road and Route 59, and
.9 mile segment of Grandview Avenue between Convent Road and Route 59, Nanuet, New York,

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Norris Cadillac-Oldsmobile-Pontiac-GMC, will continue to perform a public service in removing trash from above roadways 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 March 1, 2006 to March 1, 2008, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segments, and to provide and coordinate services by Norris Cadillac-Oldsmobile-Pontiac-GMC to remove trash from the roadways.

On roll call the vote was as follows

Co. Maloney Absent
Co. Lasker Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Gromack Yes

RESOLUTION NO. (235-2007)

Co. Mandia offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A RENEWAL AGREEMENT CONCERNING TOWN OF CLARKSTOWN "ADOPT-A-ROAD" PROGRAM

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 March 22, 2007 to March 22, 2009, as follows:

Sponsor: Yaboo Fence Company, 95 West Nyack Way, West Nyack, NY 10994

Road: .06 mile segment of West Nyack Way from Route 59 to West Nyack Road, West Nyack, NY 10994

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Yaboo Fence Company 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

RESOLUTION NO. (235-2007) continued

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 March 22, 2007 to March 22, 2009, 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 Yaboo Fence Company to remove trash from the roadway.

On roll call the vote was as follows

- Co. Maloney Absent
- Co. Lasker.....Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (236-2007)

Co. Mandia offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT CONCERNING TOWN OF CLARKSTOWN "ADOPT-A-ROAD" PROGRAM

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 segment of various town roads for a period of two (2) years, beginning April 17, 2007 to April 17, 2009, as follows:

Sponsor: Steve's Lawns, Inc., P.O. Box 692, Monsey, New York 10952

Roads: .66 mile segment of North Pascack Road from Smith Road to Town Line Marker, Nanuet, New York, and
.31 mile segment of Squadron Boulevard from North Main Street to Route 304, New City, New York

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that the Steve's Lawns, Inc. organization will perform a public service in removing trash from above roadways 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, for a period of two (2) years beginning April 17, 2007 to April 17, 2009, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segments, and to provide and coordinate services by the Steve's Lawns, Inc. organization, to remove trash from the roadways.

On roll call the vote was as follows

- Co. Maloney Absent
- Co. Lasker.....Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (237-2007)

Co. Mandia offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT CONCERNING TOWN OF CLARKSTOWN "ADOPT-A-ROAD" PROGRAM

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 segment of various town roads for a period of two (2) years, beginning April 17, 2007 to April 17, 2009, as follows:

Sponsor: Nazzaro Disposal, P.O. Box 481, Valley Cottage, NY 10989

Road: .68 mile segment of Lakewood Drive, Congers between Route 303 and Route 9W

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that the Nazzaro Disposal organization will perform a public service in removing trash from above roadways 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, for a period of two (2) years beginning April 17, 2007 to April 17, 2009, 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 the Nazzaro Disposal organization, to remove trash from the roadways.

On roll call the vote was as follows

- Co. Maloney Absent
- Co. Lasker.....Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Gromack Yes

RESOLUTION GRANTING CERTIFICATES OF REGISTRATION PURSUANT TO SECTION 236-48 OF THE TOWN CODE

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

A. SASSO PLUMBING
P.O. Box 507
New City, NY 10956
Mike Sasso, President

RON FILERA LANDSCAPE CONTRACTOR, LLC
85 Red Schoolhouse Road
Chestnut Ridge, NY 10977
Ronald Filera, President

FIRST RATE LANDSCAPING & CONSTRUCTION
P.O. Box 1212
New City, NY 10956
Stacey Heminover, President

NOW, THEREFORE, be it
RESOLVED, that the following Certificates of Registration be issued:

- No. 07-04 A. SASSO PLUMBING
- 07-06 RON FILERA LANDSCAPE CONTRACTOR, LLC
- 07-21 FIRST RATE LANDSCAPING & CONSTRUCTION

On roll call the vote was as follows

Co. Maloney Absent
Co. Lasker Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Gromack Yes

RESOLUTION NO. (239-2007)
Co. Nowicki offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory board, the Superintendent of Highways is hereby authorized to install:
"No Standing Anytime" signs with arrows per sec.221.5, P1-5 signs of the NYS Manual of Uniform Traffic Control Devices. These signs to be erected on both sides of the public roadway section of Sierra Vista Lane, Valley Cottage, N.Y.
and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Wayne Ballard, for implementation.

On roll call the vote was as follows

Co. Maloney Absent
Co. Lasker Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Gromack Yes

RESOLUTION NO. (240-2007)
Co. Nowicki offered and Co. Lasker seconded

RESOLUTION AUTHORIZING FIRE LANE DESIGNATIONS AT COMMERCE BANK NORTH

WHEREAS, the Chief Fire Safety Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 278 Sec. 13, of the Code of the Town Clarkstown, at
COMMERCE BANK NORTH
263-279 SOUTH MAIN STREET
NEW CITY, NY 10956
(56-B-1) (51.7-1-24)

By the installation of fire lane designated, and

WHEREAS, DORI McMASTERS requested that the Town of Clarkstown designate said fire lanes:

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Chief Fire Safety Inspector with regard to the installation of conforming fire lane designations be installed by and at the expense of the owner of such property upon review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

On roll call the vote was as follows

Co. Maloney Absent
Co. Lasker Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Gromack Yes

RESOLUTION AUTHORIZING FIRE LANE DESIGNATIONS AT CAL MART ENTERPRISES

WHEREAS, the Chief Fire Safety Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 278 Sec. 13, of the Code of the Town Clarkstown, at

CAL MART ENTERPRISES
BURTS ROAD
CONGERS, NY 10920
(115-A-4.6) (35.14-1-43-45)

By the installation of fire lane designated, and

WHEREAS, CARL WORTENDYKE requested that the Town of Clarkstown designate said fire lanes:

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Chief Fire Safety Inspector with regard to the installation of conforming fire lane designations be installed by and at the expense of the owner of such property upon review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

On roll call the vote was as follows

Co. Maloney Absent
Co. Lasker Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Gromack Yes

RESOLUTION NO. (242-2007)
Co. Nowicki offered and Co. Lasker seconded

WHEREAS, the Clarkstown South High School has requested use of the town of Clarkstown showmobile on Friday, May 18, 2007 for a SPRINGFEST to be held at the Clarkstown South High School, West , Nyack, New York;

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the Clarkstown South High School to use the Town of Clarkstown showmobile on Friday, May 18, 2007 for a SPRINGFEST, subject to the provision of the necessary insurance policies.

FURTHER RESOLVED, that the Town Board hereby waives the fee for the use of Town of Clarkstown showmobile.

On roll call the vote was as follows

Co. Maloney Absent
Co. Lasker Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Gromack Yes

RESOLUTION NO. (243-2007)
Co. Nowicki offered and Co. Lasker seconded

WHEREAS, the India Cultural Society of Rockland has requested use of the town of Clarkstown showmobile on Sunday, August 12, 2007 for a cultural show.

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the India Cultural Society of Rockland to use the Town of Clarkstown showmobile on August 12, 2007 for the above purpose and subject to the provision of the necessary insurance policies.

FURTHER RESOLVED, that the Town Board hereby waives the fee for the use of Town of Clarkstown showmobile.

On roll call the vote was as follows

Co. Maloney Absent
Co. Lasker Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Gromack Yes

RESOLUTION NO. (244-2007)
Co. Nowicki offered and Co. Lasker seconded

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

BID #27-2007 – SECURITY GUARD SERVICES – TOWN PARKS

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York ___ 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 Authorized Purchasing Agent.

On roll call the vote was as follows

Co. Maloney Absent
Co. Lasker Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Gromack Yes

RESOLUTION NO. (245-2007)

Co. Nowicki offered and Co. Lasker seconded

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

BID #28-2007 – HIGHWAY SIGNING AND ROAD MAINTENANCE SUPPLIES

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York ____ 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 Authorized Purchasing Agent.

On roll call the vote was as follows

Co. Maloney	Absent
Co. Lasker.....	Yes
Co. Mandia.	Yes
Co. Nowicki.	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (246-2007)

Co. Nowicki offered and Co. Lasker seconded

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

BID #29-2007 – OLD ROUTE 304 CULVERT REPLACEMENT

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York _____ 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 Authorized Purchasing Agent.

On roll call the vote was as follows

Co. Maloney	Absent
Co. Lasker.....	Yes
Co. Mandia.	Yes
Co. Nowicki.	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (247-2007)

Co. Nowicki offered and Co. Mandia seconded

RESOLVED, that the resignation (by retirement) of Charles H. Livsey, Jr., 15 Orfeo Road, Wallkill, New York –Highway Maintenance Supervisor II – Highway Department – is hereby accepted - effective and retroactive to March 31, 2007.

On roll call the vote was as follows

Co. Maloney	Absent
Co. Lasker.....	Yes
Co. Mandia.	Yes
Co. Nowicki.	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (248-2007)

Co. Nowicki offered and Co. Mandia seconded

RESOLVED, that the resignation (by retirement) of Robert W. Davies, Jr., 707 Eagle Valley Road, Tuxedo, New York – Supervising Real Property Appraiser – Office of the Town Assessor – is hereby accepted – effective and retroactive to April 16, 2007.

On roll call the vote was as follows

Co. Maloney	Absent
Co. Lasker.....	Yes
Co. Mandia.	Yes
Co. Nowicki.	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (249-2007)

Co. Nowicki offered and Co. Mandia seconded

RESOLVED, that the resignation (by retirement) of Gregory B. Andriefski, 75 Clove Avenue, Haverstraw, New York – Weigher II – Solid Waste Facility - is hereby accepted - effective and retroactive to April 1, 2007.

On roll call the vote was as follows

Co. Maloney	Absent
Co. Lasker.....	Yes
Co. Mandia.	Yes
Co. Nowicki.	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (250-2007)

Co. Nowicki offered and Co. Mandia seconded

RESOLVED, that the resignation of Maria Nakazawa,450 Kings Highway, Valley Cottage, New York – Member Architectural and Landscape Commission – is hereby accepted - effective and retroactive to April 2, 2007.

On roll call the vote was as follows

- Co. MaloneyAbsent
- Co. Lasker.....Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (251-2007)

Co. Nowicki offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on March 19, 2007 that the position of Code Enforcement Officer I – Building Department - can be created, Now, therefore, be it

RESOLVED, that the position of Code Enforcement Officer I – Building Department – is hereby created –effective April 20, 2007.

On roll call the vote was as follows

- Co. MaloneyAbsent
- Co. Lasker.....Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (252-2007)

Co. Nowicki offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #06107 Code Enforcement Officer I - which contains the name of Brian D. Wagner, Now, therefore, be it

RESOLVED, that Brian D. Wagner, 42 Newport Drive, Nanuet, New York – is hereby appointed to the position of (permanent) Code Enforcement Officer I – Building Department – at the 2006 annual salary of \$41,177., effective April 23, 2007.

On roll call the vote was as follows

- Co. MaloneyAbsent
- Co. Lasker.....Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (253-2007)

Co. Nowicki offered and Co. Mandia seconded

RESOLVED, that Christopher J. Alvarado, 12 Omley Place, New City, New York – is hereby granted a (2nd) (provisional) appointment to the position of Computer Operator (Mid-Range System) - Data Processing Department –at the annual 2006 salary of \$35,318., effective and retroactive to April 9, 2007.

On roll call the vote was as follows

- Co. MaloneyAbsent
- Co. Lasker.....Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (254-2007)

Co. Nowicki offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #06197 Custodian I which contains the name of Dennis M. Henion, Now, therefore, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Dennis M. Henion, 3 Bellwood Drive, New City, New York to the (Contingent-Permanent) position of Custodian I – Parks Board and Recreation Commission – at the 2006 annual salary of \$33,171., effective and retroactive to April 16, 2007.

On roll call the vote was as follows

- Co. MaloneyAbsent
- Co. Lasker.....Yes
- Co. Mandia. Yes
- Co. Nowicki. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (255-2007)

Co. Nowicki offered and Co. Mandia seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the appointment of Jo Anne Pedersen, by the Clarkstown Parks Board and Recreation Commission - to the position of Superintendent of Recreation and Parks - with an annual salary (January 1 – December 31) - including longevities for which she is eligible due to prior Town Service of \$126,140.

On roll call the vote was as follows

Co. Maloney	Absent
Co. Lasker.....	Yes
Co. Mandia.	Yes
Co. Nowicki.	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (256-2007)

Co. Nowicki offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent that

BID #19-2007 – SWIMMING POOL CHEMICALS

is hereby awarded to: DUSO CHEMICAL CO., INC.

26 VAN KLEEK DRIVE
POUGHKEEPSIE, NY 12601

PRINCIPALS: DAVID LANDESMAN

JERSEY CHEMICALS, INC.
775 RIVER STREET
PATERSON, NJ 07524

PRINCIPALS: DAVID PAULEN, PRESIDENT

BEL-AQUA POOL SUPPLY INC.
20 COMMERCE DRIVE
NEW ROCHELLE, NY 10801

PRINCIPALS: MARTIN SILVER
SUSAN WISAN

as per the attached item/price schedule , (on file with Town Clerk).

On roll call the vote was as follows

Co. Maloney	Absent
Co. Lasker.....	Yes
Co. Mandia.	Yes
Co. Nowicki.	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (257-2007)

Co. Nowicki offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney- Purchasing and the Clarkstown Superintendent of Highways that

BID # 10-2007 – 2007 ROADWAY RESURFACING PROGRAM

is hereby awarded to: A.J.M. CONTRACTORS, INC.

71 LIBERTY STREET
PASSAIC, NJ 07055

PRINCIPAL: ANTHONY J. MARINARO

as per their proposed total project cost of \$1,001,670.00 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
- h) Evidence that the Contractor/Sub-contractor has entered into an Apprenticeship Agreement which has been registered with and approved by the NYS Commissioner of Labor in accordance with Article 23 of the New York Labor Law. The Town will consider the use of project labor agreements in Public Works Contracts involving multiple trades in furtherance of the Apprenticeship Policy

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

FURTHUR RESOLVED, that this project shall be under the supervision of the Clarkstown Highway Department

On roll call the vote was as follows

Co. Maloney	Absent
Co. Lasker.....	Yes
Co. Mandia.	Yes
Co. Nowicki.	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (258-2007)

Co. Nowicki offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney- Purchasing and the Clarkstown Superintendent of Highways that

BID # 11-2007 – 2007 CONCRETE CURB AND SIDEWALK REPLACEMENT PROGRAM
is hereby awarded to: UPSTATE CONCRETE & MASONRY
449 WEST MOMBASHA ROAD
MONROE, NY 10950

PRINCIPAL: ANGELO TONDO, PRESIDENT

as per their proposed total project cost of \$145,199.00 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 be under the supervision of the Clarkstown Highway Department

On roll call the vote was as follows
Co. Maloney Absent
Co. Lasker Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Gromack Yes

RESOLUTION NO. (259-2007)

Co. Nowicki offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney-Purchasing and the Clarkstown Highway Department

BID # 12-2007 – DELLWOOD SUBDIVISION BELGIUM BLOCK PROGRAM
is hereby awarded to: A-TECH CONCRETE COMPANY
11 TAYLOR ROAD
EDISON, NJ 08817

PRINCIPAL: JOSE DE SILVA, PRESIDENT
ARMANDO AMORIM, VICE PRESIDENT
MANNY AMORIM

as per their proposed total project cost of \$452,000.00 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 be under the supervision of the Clarkstown Highway Department.

On roll call the vote was as follows
Co. Maloney Absent
Co. Lasker Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Gromack Yes

RESOLUTION NO. (260-2007)

Co. Nowicki offered and Co. Mandia seconded

RESOLUTION DECLARING VARIOUS VEHICLES, HIGHWAY EQUIPMENT AND COMPUTER EQUIPMENT AS SURPLUS MUNICIPAL PROPERTY AND AUTHORIZING SALE BY AUCTION

WHEREAS, Wayne T. Ballard, P.E., CSP, Superintendent of Highways, Robert Stritmater, Director of Automated Systems and Bruce Hoehn Auto Maintenance Supervisor have provided lists of vehicles and equipment which are no longer needed and may have some residual value which can be recovered by offering same for sale at auction;

Now, therefore, be it

RESOLVED, that the vehicles and equipment contained on the attached list , (on file with Town Clerk), are hereby declared surplus municipal property, and the sale of same is authorized by auction to be conducted by Auctions International, 808 Borden Road, Cheektowaga, New York under the direction of the Town of Clarkstown Purchasing Department.

On roll call the vote was as follows
Co. Maloney Absent
Co. Lasker Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Gromack Yes

RESOLUTION NO. (261-2007)

Co. Nowicki offered and Co. Mandia seconded

RESOLUTION WAIVING THE NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR WFB RESTARUANTS, LLC

WHEREAS, the attorney for WFB Restaurants, LLC, d/b/a Cheeburger Cheeburger Restaurant, located at Palisades Center Mall, 5th floor, 4362 Palisades Center Dive, West Nyack, New York, advised that his client intends to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality, and

WHEREAS, the notice required by Section 64-2(a) ABC Law may be waived by the Town Board, and

WHEREAS, the Clarkstown Town Board does not intend to comment upon the application referred to herein;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby waives the thirty day notice requirement contained in Section 64 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding the application of WFB Restaurants, LLC, d/b/a Cheeburger Cheeburger Restaurant, for a liquor license at the premises referred to herein.

On roll call the vote was as follows

Co. Maloney Absent
Co. Lasker..... Yes
Co. Mandia. Yes
Co. Nowicki. Yes
Supervisor Gromack Yes

RESOLUTION NO. (262-2007)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown has received \$676,763 from Rockland County Solid Waste Management Authority and \$12,500 from the NYS Department of Environmental Conservation,

NOW THEREFORE BE IT,

RESOLVED, to increase Accounts H-15-9-2770-0 (Capital Projects-Misc) and H-8757-409-0-81-33 (Capital Projects-Purchase of Landfill Equipment) by \$676,763 and be it,

FURTHER RESOLVED, to increase Accounts H-15-10-3993-0 (Capital-State Aid) and H-8755-400-409-79-13 (Capital Projects-West Nyack Drainage Study).

On roll call the vote was as follows

Co. Maloney Absent
Co. Lasker..... Yes
Co. Mandia. Yes
Co. Nowicki. Yes
Supervisor Gromack Yes

RESOLUTION NO. (263-2007)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent that

BID #26-2007 – FIRST AID/SAFETY SUPPLIES

is hereby awarded to:

MOORE MEDICAL LLC
389 JOHN DOWNEY DR.
P.O. BOX 2740

ZAMS, INC.
200 N MAIN STREET
FREEPORT, NY 11520

PRINCIPAL: PUBLIC CORPORATION

PRINCIPAL: ZUBAIDA RATCHER

HENRY SCHEIN MATRX
P.O. BOX 194
WARETOWN, NJ 08758

LAERDAL MEDICAL CORPORATION
167 MYERS CORNERS ROA D
WAPPINGERS FALLS, NY 12590

PRINCIPAL: JESSE GARINGER

PRINCIPAL: PUBLIC CORPORATION

as per attached item/price schedule, (on file with Town Clerk).

On roll call the vote was as follows

Co. Maloney Absent
Co. Lasker..... Yes
Co. Mandia. Yes
Co. Nowicki. Yes
Supervisor Gromack Yes

RESOLUTION NO. (264-2007)

Co. Nowicki offered and Co. Lasker seconded

RESOLVED, that Resolution No. 122-2007, adopted by the Town Board of March 6, 2007, concerning the issuance of serial bond to finance appropriation of plow trucks, is hereby rescinded.

On roll call the vote was as follows

Co. Maloney Absent
Co. Lasker..... Yes
Co. Mandia. Yes
Co. Nowicki. Yes
Supervisor Gromack Yes

RESOLUTION NO. (265-2007)

Co. Nowicki offered and Co. Lasker seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 17, 2007, AUTHORIZING THE ACQUISITION OF PLOW TRUCKS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,100,000, APPROPRIATING SAID AMOUNT THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$1,100,000 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 seven plow trucks at the estimated maximum cost of \$155,000 per truck. The aggregate estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,100,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,100,000 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 \$1,100,000 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 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 serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) 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, or for such expenditures made on or before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. 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 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 without limitation of rate or amount. 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 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 is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

PLEASE TAKE NOTICE that on APRIL 17, 2007, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted APRIL 17, 2007, authorizing the acquisition of plow trucks, stating the estimated maximum cost thereof is \$1,100,000, appropriating said amount therefor, and authorizing the issuance of \$1,100,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to acquire seven plow trucks at the estimated maximum cost of \$155,000 per truck; STATING the aggregate estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$1,100,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$1,100,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$1,100,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$1,100,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated

RESOLUTION NO. (265-2007) continued

the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

On roll call the vote was as follows
Co. MaloneyAbsent
Co. Lasker.....Yes
Co. Mandia. Yes
Co. Nowicki. Yes
Supervisor Gromack Yes

RESOLUTION NO. (266-2007)

Co. Lasker offered and Co.Nowicki seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control, United Water New York is hereby authorized to install the following hydrants in conjunction with Hydrant Investigation No. 12631, DAVIES FARM II.

- X11133 – w/s of Meriwether Trail corner of Norfolk Avenue
- X11134 – w/s of Meriwether Trail opposite Meriwether Court

and be it,

FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to Mark Papenmeyer, Chief Fire Safety Inspector.

On roll call the vote was as follows
Co. MaloneyAbsent
Co. Lasker.....Yes
Co. Mandia. Yes
Co. Nowicki. Yes
Supervisor Gromack Yes

RESOLUTION NO. (267-2007)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE INSTALLATION OF A COMMEMORATIVE PLAQUE TO STREET SIGN, "ACORN TERRACE," NEW CITY, NEW YORK, IN MEMORY OF BRIAN CHRISTOPHER NOVOTNY

WHEREAS, the residents of Acorn Terrace, New City, New York, have requested the honorary naming of Acorn Terrace in memory of Brian Christopher Novotny, who was tragically killed in the terrorist attack on America at the World Trade Center, New York City, New York, on September 11, 2001;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby honors the memory of Brian Christopher Novotny and authorizes the Clarkstown Highway Department to affix a commemorative plaque to the street sign, "Acorn Terrace," New City, New York.

On roll call the vote was as follows
Co. MaloneyAbsent
Co. Lasker.....Yes
Co. Mandia. Yes
Co. Nowicki. Yes
Supervisor Gromack Yes

RESOLUTION NO. (268-2007)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR IMPLEMENTING A TOWN PROGRAM THAT WILL PROMOTE CONTROL OF THE CANADIAN GEESE POPULATION

WHEREAS, the Town of Clarkstown has in the past participated in a non-lethal control study with USDA Wildlife Services and Cornell University to gather data and document changes in distribution and migratory habits of resident Canadian Geese in Rockland County, New York; and

WHEREAS, the study, among other things, utilized egg addling, banding of nesting and molting birds for the purpose of providing data which may be useful in efforts to promote control of the geese population; and

WHEREAS, the New York State Department of Environmental Conservation is not continuing the program for the calendar year 2007, but the USDA Wildlife Services has granted a License to the Town of Clarkstown for implementing its own Town program which is to be in compliance with all State and Federal regulations; and

WHEREAS, a proposal for the 2007 Canadian Geese Program has been received from Nuisance Wildlife Control Agents by Thomas Maglaras, and his past programs have been most successful, and the proposed fee is found to be reasonable along past year's proposals,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with wildlife control specialist Thomas Maglaras, satisfactory to the Town Attorney, to implement a Town program for the control of the Canadian Geese population during 2007, including a License Agreement with United Water New York Inc. to enter upon its property during implementation of the program, and to take all steps necessary for the Town of Clarkstown to comply with all applicable State and Federal regulations; and be it

FURTHER RESOLVED, that all reasonable expenses in connection with the use of a wildlife control specialist to carry out the Town of Clarkstown program shall not exceed \$10,200.00 and shall be charged to Account No. A-8090-409-0.

On roll call the vote was as follows
Co. MaloneyAbsent
Co. Lasker.....Yes
Co. Mandia. Yes
Co. Nowicki. Yes
Supervisor Gromack Yes

RESOLUTION NO. (269-2007)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH PACE UNIVERSITY SCHOOL OF LAW, LAND USE LAW CENTER, IN CONNECTION WITH THE TOWN'S COMPREHENSIVE PLAN UPDATE

WHEREAS, the Town is currently in the process of updating its Comprehensive Plan, and

WHEREAS, the Town has received a proposal, dated April 16, 2007, from Sean Nolon, Director of Pace University School of Law, Land Use Law Center, to provide the Town with professional services with respect to land use law, public participation and implementation, in connection with the Town's Comprehensive Plan Update, and

WHEREAS, the proposal has been reviewed by the Town Planner and Town Attorney, both of whom find the proposal reasonable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form acceptable to the Town Attorney, with Pace University School of Law, Land Use Law Center, to provide the professional services outlined in the proposal from Sean Nolon, Director of Pace University, dated April 16, 2007 proposal, and be it

FURTHER RESOLVED, that the fee for said services shall not exceed \$10,000.00 without further authorization from this Board, and shall constitute a proper charge to Account No. B 8020-409-0.

On roll call the vote was as follows
 Co. Maloney Absent
 Co. Lasker Yes
 Co. Mandia Yes
 Co. Nowicki Yes
 Supervisor Gromack Yes

RESOLUTION NO. (270-2007)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE COUNTY OF ROCKLAND ON BEHALF OF THE TOWN OF CLARKSTOWN FOR THE PURCHASE OF INFRASTRUCTURE OF A COUNTY-WIDE PUBLIC SAFETY COMMUNICATIONS SYSTEM

WHEREAS, the emergency services radio communications capabilities in Rockland County are currently limited by the inability of all public safety personnel in Rockland County to communicate directly with each other, and

WHEREAS, the radio communications system in Rockland County is antiquated, and does not provide radio interoperability among the various responder agencies during public safety incidents, causing gaps in communication among public safety personnel in Rockland County and resulting in increased risk to life, safety, and property; and

WHEREAS, a county-wide public safety communications system would allow public safety personnel of the COUNTY and of the towns, villages, and fire districts in Rockland County to communicate directly with each other during county-wide public safety incidents and during cross-jurisdictional incidents; and

WHEREAS, it would benefit the people of both the COUNTY and the TOWN OF CLARKSTOWN (hereinafter the "TOWN") to implement and deploy such a county-wide interoperable public safety communications system, and

WHEREAS, in order to implement and deploy such a county-wide interoperable public safety communications system, it is necessary and proper that the COUNTY purchase and pay the full cost of the infrastructure of the system, that the COUNTY purchase and pay the full cost of the system's subscriber equipment, that the COUNTY and the towns, villages, and fire districts in Rockland County enter into intermunicipal agreements for the COUNTY to provide such equipment to the towns, villages, and fire districts, and for them in turn to undertake certain obligations and commitments toward the COUNTY; and WHEREAS, COUNTY has negotiated and intends to enter into a contract, if approved by the Legislature of Rockland County, to purchase the system's subscriber equipment from Motorola, Inc.; and

WHEREAS, COUNTY and TOWN contemplate that TOWN will transfer some of the subscriber equipment to ambulance service providers serving the TOWN as part of the consideration of the TOWN'S service contracts with such ambulance service providers; and

WHEREAS, COUNTY through its Office of Fire and Emergency Services desires to enter into such an intermunicipal agreement with TOWN,

NOW, THEREFORE, be it

RESOLVED, that the Town Board has found that a County-wide public safety communication system is long over due and in the best interest of its residents and all the residents of Rockland County, and be it

FURTHER RESOLVED, that the Town intends to transfer some of the subscriber equipment to ambulance service providers serving the Town to the County-wide public safety communication system, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to enter into an intermunicipal agreement, in the form approved by the Town Attorney, with the County of Rockland for a fifteen (15) year lease.

On roll call the vote was as follows
 Co. Maloney Absent
 Co. Lasker Yes
 Co. Mandia Yes
 Co. Nowicki Yes
 Supervisor Gromack Yes

The Supervisor opened the meeting for general public comments.

John Lodico- New City

Sought permission to get into landfill to take pictures.

On motion of Co. Nowicki, seconded by Co. Lasker, and unanimously adopted, Town Board Meeting was closed 12:23 AM

Respectfully submitted,

David Carlucci
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING #1

Town Hall

4/17/2007

8:10 P.M.

Present: Supervisor Alexander J. Gromack
Council Members Ralph Mandia, Shirley Lasker, & Catherine Nowicki
Amy Mele, Town Attorney
David Carlucci, Town Clerk

Absent: John Maloney

Re: Continued from 3/20/07--Proposed local law to amend Local Law No 2-1974 as amended, to create AAR (Active Adult Residential) Zoning District

On motion of Co. Mandia, seconded by Co. Nowicki, hearing opened 8:10 P.M

Amy Mele- Town Attorney
Gave an overview of the proposal.

Joe Simoes- Town Planner
Gave an overview of the proposal.

Supervisor Gromack
This proposal has spent more than a year in the works. He thanked the Planning Board, the County Planning Department, Pace University, Westchester Action Coalition, and the many citizens who have provided input.

Hon. Thom Kleiner- Supervisor of Orangetown
Similar legislation passed in Orangetown in 2004. It has a different name, The Planned Adult Community (PAC) Floating Zone. Seniors in our community were finding it increasingly difficult to stay in our community. The units are just being built. Spoke about how the law was working well so far in Orangetown.

Sandy Abrahams- New City
Spoke in favor of the proposal. Stated she's a 29-year resident of Clarkstown. It's important to meet the needs of the 55-and-older community.

Ira Schoeps- Bardonia, Attorney and supporter of Rockland Housing Coalition
Spoke in favor of the proposal, which will allow him to stay close to family and friends.

George Rumelt- New City
Spoke against the proposal. Stated the plan was a wolf in sheep's clothing and that he would rather stay in his current home.

Alan Gordon- Tarrytown, Housing Action Council
Spoke in favor of the proposal, saying the board has ultimate control of the process and could deny a plan from a developer if they do not like it.

Steven Silverberg- White Plains
Spoke in favor of the proposal. He had experience with developing in Letchworth Village in Haverstraw. This is a very well constructed law.

Penny Leonard- Congers
Spoke against the proposal. The homes would probably cost more money than those many seniors live in now. She was concerned the affordable aspect did not consider seniors with assets, only their income, and there are no pricing guidelines for any of the units.

Russ Woolley- Upper Nyack
Spoke in favor of the proposal. As a lifelong resident of Clarkstown and a real estate broker, many clients asked him about a 55-plus community in Clarkstown. He complimented the board for developing the plan and urged members to approve it.

Nancy Pagano- Congers
Spoke against the proposal. She said the plan favored developers and that if the board listened to what people really wanted, they would vote no.

Peggy Nadell- Valley Cottage
Spoke against the proposal. A longtime resident, she wants to stay in her home. It's becoming more costly.

Cora Bodkin- New City
Spoke in favor of the proposal. The housing stock needs to accommodate active adults. There should be a balance between open space, single family homes and senior housing.

Amy Stern- Executive Director of Hospice of Rockland
Spoke in favor of the proposal, because many people were leaving Rockland but that active adults added to the social fabric of the community as well as the tax base.

Lorett Adams- President, Clarkstown School Board
The School Board has not been able to discuss the proposal at length, so she could not speak for or against it. Over age 55 housing developments on properties zoned for single family or multi-family dwellings are preferable since they would provide a contribution to the tax base without generating additional school age children who could impact the school district's resources and capacities.

Jeff Sasson- New City

Spoke against the proposal. Stated the government is not structured to handle a floating zone. It is difficult for any senior to be paying taxes. Costs are going up and taxes have to be managed. He also said drainage is not being addressed.

Brian Warner- New City

Spoke in favor of the proposal. We need this to pass.

Scott Milich- New City

Spoke in favor of the proposal. He has been a resident of Clarkstown for 41 years and would like to stay. Seniors contribute to the economy by going to shops and restaurants. The plan is a good way to keep seniors in town.

Bob Terry- New City

Spoke against the proposal. The plan would make it easier for builders to downzone.

Marge Terry- New City

Spoke against the proposal.

Barbara Zwynenburg- West Nyack

Spoke against the proposal. For years the town has been talking about open space. 800 units is a lot. Traffic is getting worse all the time, density is getting worse and the taxes are among the highest in the country.

Supervisor Gromack

Read letter from Salvatore Corallo, Commissioner of Rockland County Planning Department, into record , (on file with Town Clerk).

Bonnie Wind- JCC-Y Program Director, New City

Spoke in favor of the proposal. Many seniors use public transportation and it would be easier for them to live in these residences.

Carol Jigarjian- New City

Spoke against the proposal. Making only 10 percent affordable housing is not enough. She feels betrayed by the board and said that it is not the tax break the board thinks it will be.

Frank Voce- New City

Spoke in favor of the proposal, as his parents are going to need a place to live.

Alyce Kitt -New City

Spoke in favor of the proposal. Since her father passed away, she wanted her mother, who needs this type of residence, to stay nearby.

Irene Sopher-New City

Spoke in favor of the proposal, because she has been living in an empty nest for 20 years and the steps make it difficult for her to get around in her house.

James Collins- New City

Spoke against the proposal. The plan sounds like downzoning. It will increase the population and decrease the quality of life.

Arnold Botwinick-New City

Spoke in favor of the proposal. Stated he is ready to move in when the AAR zone units are built. Please vote yes.

Henry Vogel- New City

Spoke against the proposal. It should not be for developers to make a fortune. The plan does not appear to be for seniors and it's not affordable.

Marvin Baum- Valley Cottage, Member of Planning Board

Spoke in favor of the proposal. His parents are very dependent on transportation and the AAR zone would be helpful.

Peter Vitro- New City, Little Tor Neighborhood Association

Spoke in favor of the proposal. Stated he was confident the Town Board would be able to manage the process of the AAR zone efficiently.

Supervisor Gromack

Read letter in support of the proposal from Dr. Mark McNeill, Superintendent of Nanuet Public Schools, into record, (on file with Town Clerk).

Jack Spaeth- Suffern

Spoke in favor of the proposal. Thanked the Town Board for pushing the plan forward.

Len Rosenfield- West Nyack

Spoke in favor of the proposal. Stated he supported the plan because he wanted to be able to remain in Clarkstown.

Barry Moskowitz- New City

Spoke against the proposal. He had serious concerns about the plan because developers are only concerned about money.

Frank Hutton of- Nanuet, Chairman for the Recruitment of Rockland Firefighters

Spoke in favor of the proposal. Many of the 1,800 volunteers are over age 55 and would love to move into an active adult residence.

Patrick Healy, Jr.- Nanuet

Spoke against the proposal. The plan is a nightmare for single family homes. He had met with Supervisor Gromack in 2005 regarding a different plan and was surprised to see this type of legislation was being considered.

Bob Jackson- President, Nanuet Civic Association

Spoke in favor of the proposal. People in his community had been asking him if they could get on a list for active adult housing.

Vladimir Beryozkin- New City

Spoke in favor of the proposal. We should have this in Clarkstown.

Helen Mondschein- New City

Spoke in favor of the proposal. More choices should be available to active adults and the plan would be an alternative to current homes that are unsuitable for an aging population.

Jennifer Murphy- New City

Spoke against the proposal. Her father will be 80 years old and he loves Clarkstown, but the plan wouldn't be helping him. She said 10 percent of the total units would be affordable housing and that's too little. It wouldn't be helping seniors.

Gerri Levy- Rockland Housing Action Coalition

Spoke in favor of the proposal. Stated the proposal would provide a variety of housing choices for seniors.

Jackie Landman- Valley Cottage

Spoke against the proposal and said she was afraid of having an AAR unit built behind her home because there was open space there now. She referred to this being called senior housing as "sad."

Roberta Bangs- Nanuet

Spoke in favor of the proposal. There is an incredible need for these types of residences.

Steve Romer- Monsey, Real Estate Appraiser

Spoke in favor of the proposal. He said people who were against the plan were fearful of the unknown. It's a lot easier not to do anything, but that would not help the community.

Tom Leavey- Valley Cottage

Spoke against the proposal. Seniors should have more guarantees of affordability.

John Lodico, Sr. - New City

Spoke against the proposal, saying that when he brought senior citizen housing to Clarkstown in 1972, as a former Clarkstown councilman in the 1970s, it was much different.

Supervisor Gromack

Read letter in support of the proposal from Hon. Harriet Cornell, Chairwoman of the Rockland County Legislature, into record, (on file with Town Clerk).

Martin Bernstein- New City

Spoke against the proposal, because this was a form of downzoning and will not meet the needs of the community. There should be real senior affordable housing.

Supervisor Gromack

Read letter in support of the proposal from Co. Maloney into record, (on file with Town Clerk).

Warren Kossin- New City

Spoke against the proposal, as additional buildings would cause more flooding throughout town.

Roz Zucker- New City

Spoke in favor of the proposal. She said the upkeep of her home was too much to handle and the residents really need the AAR zone.

George Hoehmann- New City

Spoke in favor of the proposal, and said the new buildings should be "green" buildings to save energy costs.

Kim Martinez- Representative for Haverstraw Place Apartments

Submitted a letter regarding Haverstraw Place Apartments, with 55 and older units, (on file with Town Clerk).

Co. Mandia

This has been a good idea for a long time. I object to what people are saying. Just because we have gray hair; we're not stupid. We understand how much it costs to live here. I'm a senior, veteran, and disabled. I think the percentage for affordable housing now should work. We do not need to be afraid of this.

Co. Lasker

The AAR Zone was carefully crafted by the Town to fill a need for seniors. Seniors homes are too expensive to maintain. That is why I wholeheartedly support the law.

Co. Nowicki

This is the right thing to do. "Of all sad words of tongue or pen, the saddest are these; it might have been."

Supervisor Gromack

Thanked all residents for participating. Town government is about the people. Anything we do does not always have unanimous use. We are providing people with services that they will use at various times in their lives. We never said that this is something that every resident would use. This is not another Middlewood. We want additional housing options for our seniors. We believe there is enough for everyone. Tonight, when I vote, I'm not going to vote on a piece of legislation that I'm going to have to defend, but I'm voting on legislation that I'm going to brag about. We have worked on this for years and on this single document for over one year.

On motion of Co. Mandia, seconded by Co. Nowicki, closed 12:00P.M.RESOLUTION NO. (225-2007) unanimously adopted

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (225-2007)

TOWN OF CLARKSTOWN
PUBLIC HEARING #2

Town Hall

4/17/2007

12:00 A.M.

Present: Supervisor Alexander J. Gromack
Council Members Ralph Mandia, Shirley Lasker, & Catherine Nowicki
Amy Mele, Town Attorney
David Carlucci, Town Clerk

Absent: John Maloney

Re: Continued from 3/20/07 – Request of Cambridge Press to amend Zoning Local Law dealing with uses in the LO Zoning District.

On motion of Co. Lasker, seconded by Co. Mandia, hearing opened 12:00 A.M. On motion of Co. Nowicki, seconded by Co. Lasker, closed 12:01 A.M. RESOLUTION NO. (226-2007) unanimously adopted.

There being no one wishing to be heard, on motion of Co. Nowicki, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 12:01 A.M.

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (226-2007)

TOWN OF CLARKSTOWN
PUBLIC HEARING #3

Town Hall

4/17/2007

12:01 A.M

Present: Supervisor Alexander J. Gromack
Council Members Ralph Mandia, Shirley Lasker, & Catherine Nowicki
Amy Mele, Town Attorney
David Carlucci, Town Clerk

Absent: John Maloney

Re: Proposed local law amending Local Law No. 1-2007 to extend temporary moratorium on wireless communications facilities for additional 45 days.

On motion of Co. Lasker, seconded by Co. Mandia, hearing opened 12:01 A.M. On motion of Co. Nowicki, seconded by Co. Lasker, hearing closed 12:02 A.M. RESOLUTION NO. (227-2007) unanimously adopted.

There being no one wishing to be heard, on motion of Co. Nowicki, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 12:01 A.M.

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (227-2007)

TOWN OF CLARKSTOWN
PUBLIC HEARING #4

Town Hall
Present:

4/17/2007

12:02 A.M.

Supervisor Alexander J. Gromack
Council Members Ralph Mandia, Shirley Lasker, & Catherine Nowicki
Amy Mele, Town Attorney
David Carlucci, Town Clerk

Absent: John Maloney

Re: Continued from 2/13/07 – Proposed local law to amend Town Code Chapter 251: Wireless Communication Facilities.

On motion of Co. Lasker, seconded by Co. Nowicki, hearing opened 12:02 A.M.

John Lodico- New City

I think the landfill is a great place for a wireless tower.

There being no one wishing to be further heard, on motion of Co. Lasker, seconded by Co. Nowicki hearing continued to May 15, 2007. RESOLUTION NO. (228-2007) unanimously adopted.

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (228-2007)

TOWN OF CLARKSTOWN
PUBLIC HEARING #5

Town Hall

4/17/2007

12:04 A.M.

Present: Supervisor Alexander J. Gromack
Council Members Ralph Mandia, Shirley Lasker, & Catherine Nowicki
Amy Mele, Town Attorney
David Carlucci, Town Clerk

Absent: John Maloney

Re: Proposal to amend §290-8 of the Zoning Local Law to designate the updated zoning map prepared by R.C. Planning Department as the Official Zoning Map.

There being no one wishing to be heard, on motion of Co. Lasker, seconded by Co. Nowicki, hearing opened 12:04 A.M. On motion of Co. Nowicki, seconded by Co. Lasker, hearing closed 12:04 A.M. RESOLUTION NO. (229-2007) unanimously adopted.

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (229-2007)