

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

05/09/2006

8:00 P.M.

Present: Supervisor Alexander J. Gromack  
Council Members Maloney, Lasker, & Nowicki  
Amy Mele, Town Attorney  
David Carlucci, Town Clerk  
Absent: Councilman Mandia

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

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Town Clerk David Carlucci was congratulated by Supervisor Alex Gromack for fulfilling the promise he made during his election campaign to institute extended hours in the Town Clerk’s Office. He announced that the Town Clerk’s Office’s services were available for the period preceding Town Board Meetings. The Town Board thanked Town Clerk David Carlucci for showing initiative by offering these late hours to the public.

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Public Hearing #1 re: Continuation: Proposed amendment to the Town’s Comprehensive Plan with respect to proposed local law to amend Chapter 290 (Zoning) of the Clarkstown Town Code to permit gasoline pumps in the CS Zoning District. On motion of Co. Lasker, seconded by Co. Maloney, opened 8:05. On motion of Co. Lasker, seconded by Co. Maloney, closed 8:24. On motion of Co. Maloney, seconded by Co. Lasker, unanimously adopted. RESOLUTION NO. (265-2006) adopted.

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Public Hearing #2 re: Continuation: Proposed local law to amend Chapter 290 (Zoning) to permit gasoline pumps in the CS Zoning District by Special Permit, which would be issued by the Town Board. On motion of Co. Lasker, seconded by Co. Nowicki, opened 8:25. On motion of Co. Lasker, seconded by Co. Maloney, closed 10:00. On motion of Co. Nowicki, seconded by Co. Lasker, unanimously adopted. RESOLUTION NO. (266-2006) adopted.

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Public Hearing #3 re: Proposed local law to amend Chapter 251 (Wireless Communication Facilities) of The Town Code of the Town of Clarkstown. On motion of Co. Lasker, seconded by Co. Maloney, opened 10:01. On motion of Co. Nowicki, seconded by Co. Maloney, closed 10:15. On motion of Co. Nowicki, seconded by Co. Lasker, unanimously adopted. RESOLUTION NO. (267-2006) adopted.

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Public Hearing #4 re: Proposed local law to amend Chapter 254 (Subdivision of Land) of The Town Code of the Town of Clarkstown. On motion of Co. Nowicki, seconded by Co. Lasker, opened 10:16. On motion of Co. Maloney, seconded by Co.Lasker, closed 10:17. RESOLUTION NO. (268-2006) adopted.

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Public Hearing #5 re: Proposed local law regarding Illicit Stormwater Discharge. On motion of Co. Lasker, seconded by Co. Nowicki, opened 10:18. On motion of Co. Nowicki, seconded by Co.Lasker, closed 10:19. RESOLUTION NO. (269-2006) adopted.

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Supervisor opened the meeting to public comments regarding agenda items.

Frank Borelli

He requested the amounts for items 29 and 5 on the agenda. The Town Comptroller read the amounts.

Joe Schlimer- New City

Regarding item 29e, he wanted to know what part of Philips Hills Road was in question and was told it was the north side. Mr. Schlimer also stated there is no sidewalk on the west side of Little Tor Road and it would be nice if something could be done. He asked where in the process was the West Nyack revitalization. The Supervisor answered it was in its early stages.

Steven Levine- Congers

He wanted to know the details pertaining to items 10, 12, and 13. Town Attorney Mele responded by outlining some of the details of the two lawsuits, (items 10 & 12), and why the town engaged in their defense and appeal respectively, as well as, the subsequent costs that resulted. For item 13, she explained, as outlined in the resolution, that certain funds were received by the town and were then redistributed.

Martin Bernstein- New City

He asked what organizations were effected by item 5 and by how much. Co. Lasker presented him with a copy of the list. The Supervisor explained that the allocations were cut by 50% dollarwise. For item 6, he inquired how the public would know. He was told that there are 14 spots and 12 are taken for the Adopt-A-Spot Program. He asked for the cost to the town for item 20. On 22b, he wanted to know what a gabion wall was. The Town Engineer provided a description. For 29j, the Supervisor advised that 50% of the costs would be shared by the county.

Scott Ideman- New City

Regarding item 5, as the co president of C.A.N.D.L.E., he asked the Board to reconsider reducing their funding, because they would have to cut valuable programs for the kids. The Supervisor said we are working with the organization to try and find other resources and that we did notify all organizations effected in November that we would cut the allocations 50% across the board.

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#### RESOLUTION NO. (265-2006)

Co. Maloney offered and Co. Lasker seconded

#### RESOLUTION REGARDING THE CLARKSTOWN COMPREHENSIVE PLAN

WHEREAS, by Resolution adopted on February 14, 2006, the Town Board directed that a public hearing be held on April 4, 2006 at 8:00 p.m., and on April 4, 2006 it directed that the public hearing be continued on May 9, 2006, to consider possible amendment of the Town of Clarkstown Comprehensive Plan for zoning to allow gasoline stations in the CS District by Special permit, with respect to the presently pending proposed petition of MAK Development Corp. and the Stop and Shop Supermarket Company, LLC, and

WHEREAS, notices of said hearings were duly prepared and published in the Journal News on March 25, 2006, and April 27, 2006, and

WHEREAS, public hearings were held by the Town Board of the Town of Clarkstown on April 4, 2006 and May 9, 2006;

NOW, THEREFORE, be it

RESOLVED, that based upon the March 8, 2006 and May 5, 2006 reports prepared by Robert Geneslaw, acting as staff to the Town Board as lead agency, the Town Board hereby determines that:

1. the proposed text amendment is consistent with, and indeed promotes, the Goals and Objectives of the Comprehensive Plan, to wit: by “encourage[ing] the strengthening of hamlet commercial centers” and by “encouraging redevelopment where appropriate at reasonable densities with appropriate uses in a manner that will help to fulfill Town goals.”
2. the two sites that would be eligible for the amendment have a history of commercial use – in particular, retail uses with a supermarket anchor, and both sites are in proximity to traditional gasoline filling stations. Thus, the proposed use of the site is consistent with the history of zoning and land use in the area.
3. the proposed amendment furthers the goal of the Comprehensive plan by encouraging economic development and the redevelopment of a site which has had mostly vacant buildings for many years.
4. the special permit set forth in the proposed amendment contains several conditions which further promote the goals of the comprehensive plan and provide benefits to the
5. community, such as improvement of the architectural and historical features of existing buildings, providing for commuter parking and access to public transportation.

AND BE IT FURTHER

RESOLVED, that based on the foregoing, the proposed amendment to the Zoning Local Law, which would allow gasoline filling stations in a CS District by Town Board Special Permit, does not require an Amendment to the Comprehensive Plan, and that no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and this resolution is passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote being as follows:

RESOLUTION NO. (265-2006) continued

On roll call the vote was as follows

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

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RESOLUTION NO. (266-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION OF THE TOWN BOARD  
ADOPTING LOCAL LAW NO. 6 – 2006

WHEREAS, a proposed local law entitled,

“A LOCAL LAW TO AMEND CHAPTER 290 (ZONING)  
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

was introduced by Councilwoman Nowicki, at a Town Board meeting held on February 14, 2006, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on February 14, 2006, directed that a public hearing be held on April 4, 2006, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and which hearing was held and continued to May 9, 2006, and

WHEREAS, notices of said hearings were duly prepared and published in the Journal News on March 21, 2006, and April 27, 2006

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on February 13, 2006, and the amended proposed local law was placed on the Town Board desks on April 25, 2006, and

WHEREAS, public hearings were held by the Town Board of the Town of Clarkstown on April 4, 2006, and May 9, 2006, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the Full Environmental Assessment Form (EAF) prepared pursuant to SEQRA, by its consultant Robert Geneslaw, and which the Town Board has discussed and considered in making its decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Robert Geneslaw dated March 21, 2006, acting as staff to the Town Board as lead agency, the Town Board hereby finds that:

1. the proposed zoning amendment is a Type 1 action under SEQRA, in that it theoretically changes an allowable use within a zoning district, affecting 25 or more acres of the district;
2. because the special permit use permitted pursuant to the proposed zoning amendment would only physically affect a small portion of the potential site(s) (i.e., the area surrounding the gasoline pumps and circulation drives), a full environmental impact statement is not necessary;
3. the EAF prepared by the Town Board’s planning consultant indicates that the proposed zoning amendment will not have an environmental impact;

AND BE IT

FURTHER RESOLVED, that it is hereby determined that this action shall have no environmental impact, and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that Local Law No. 6 – 2006 entitled:

“A LOCAL LAW TO AMEND CHAPTER 290 (ZONING)  
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

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:

RESOLUTION NO. (266-2006) continued

Co. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Co. Mandia . . . . .	Absent
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.

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RESOLUTION NO. (267-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD  
ADOPTING LOCAL LAW NO. 7 – 2006

WHEREAS, a proposed local law entitled,

“A LOCAL LAW TO AMEND CHAPTER 251 (WIRELESS COMMUNICATION FACILITIES) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

was introduced by Councilman Maloney, at a Town Board meeting held on March 21, 2006, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on March 21, 2006, directed that a public hearing be held on May 9, 2006, 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 27, 2006, 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 5, 2006, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on May 9, 2006, and

WHEREAS, the Clarkstown Planning Board unanimously recommends adoption of the proposed Local Law pursuant to its letter dated April 27, 2006, and

WHEREAS, the Rockland County Department of Planning issued a statement approving the Town’s proposed action pursuant to its letter dated April 27, 2006, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the report prepared pursuant to SEQRA, by its consultant Robert Geneslaw, and which the Board has discussed and considered in making its decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Robert Geneslaw dated May 3, 2006, acting as staff to the Town Board as lead agency, it is hereby determined that pursuant to Part 617 of SEQRA, adoption of a moratorium of land development or construction is not subject to environmental review, and therefore no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that Local Law No. 7 – 2006 entitled:

“A LOCAL LAW TO AMEND CHAPTER 251 (WIRELESS COMMUNICATION FACILITIES) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

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

RESOLUTION NO. (267-2006) continued

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

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RESOLUTION NO. (268-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 8 – 2006

WHEREAS, a proposed local law entitled,

“A LOCAL LAW TO AMEND CHAPTER 254 (SUBDIVISION OF LAND) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN, CONCERNING INSPECTION PROCEDURE AND FEE”

was introduced by Councilperson Maloney, at a Town Board meeting held on March 21, 2006, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on March 21, 2006, directed that a public hearing be held on May 9, 2006, 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 27, 2006, 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 25, 2006, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on May 9, 2006, and

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 8 – 2006 entitled:

“A LOCAL LAW TO AMEND CHAPTER 254 (SUBDIVISION OF LAND) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN, CONCERNING INSPECTION PROCEDURE AND FEE”

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. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Co. Mandia . . . . .	Absent
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.

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RESOLUTION NO. (269-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD  
ADOPTING LOCAL LAW NO. 9 – 2006

WHEREAS, a proposed local law entitled,

“A LOCAL LAW TO PROHIBIT ILLICIT DISCHARGES, ACTIVITIES AND CONNECTIONS TO SEPARATE STORMWATER SEWER SYSTEM IN THE TOWN OF CLARKSTOWN”

was introduced by Councilman Maloney, at a Town Board meeting held on March 21, 2006, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on March 21, 2006, directed that a public hearing be held on May 9, 2006, 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 27, 2006, 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 5, 2006, and

RESOLUTION NO. (269-2006) continued

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on May 9, 2006, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the EAF form and report prepared pursuant to SEQRA,

by its consultant Dennis Letson, Deputy Director of Environmental Control, and which the Board has discussed and considered in making its decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Dennis Letson dated March 3, 2006, acting as staff to the Town Board as lead agency, it is hereby determined that this action will not result in any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that Local Law No. 9 – 2006

entitled:

“A LOCAL LAW TO PROHIBIT ILLICIT DISCHARGES, ACTIVITIES AND CONNECTIONS TO SEPARATE STORMWATER SEWER SYSTEM IN THE TOWN OF CLARKSTOWN”

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. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Co. Mandia. . . . . Absent
- 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.

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RESOLUTION NO. (270-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of April 4, 2006 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows

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

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RESOLUTION NO. (271-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION ACCEPTING DEEDS FROM HOMEOWNERS ON DUSTMAN LANE, BARDONIA FOR ROAD WIDENING

WHEREAS, the owners of property located on Dustman Lane, Bardonia, New York have offered to gratuitously convey portions of their property for road widening work on portions of Dustman Lane, Bardonia, New York and the Town Attorney has recommended acceptance of said deeds;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes acceptance of deeds from the property owners and orders same recorded in the Rockland County Clerk's Office at the expense of the Town, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to April 5, 2006.

RESOLUTION NO. (271-2006) continued

On roll call the vote was as follows

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

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RESOLUTION NO. (272-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION ACCEPTING CONSERVATION EASEMENT AND DECLARATION  
REGARDING CHRISTOPHER HOMES SUBDIVISION (64.13-2-4)

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 a subdivision known as Christopher Homes (64.13-2-4), Christopher Minehan has provided a Conservation Easement and a Declaration of Covenant for Road Maintenance, dated February 6, 2006, in the vicinity of Highview Avenue, Nanuet, New York, and

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

NOW, THEREFORE be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts said Conservation Easement and Declaration of Covenant from Christopher Minehan in connection with Christopher Homes Subdivision, and orders them recorded in the Rockland County Clerk's Office at the expense of the grantee.

On roll call the vote was as follows

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

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RESOLUTION NO. (273-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION ACCEPTING CONSERVATION EASEMENTS  
REGARDING HIGHVIEW PARK SUBDIVISION (64.13-2-48, 49 & 57)

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 a subdivision known as Highview Park (64.13-2-48, 49 & 57), Torsoe Properties, Inc. has provided two (2) Conservation Easements, dated February 6, 2006, in the vicinity of April Lane and May Place, Nanuet, New York, and

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

NOW, THEREFORE be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts said Conservation Easements from Torsoe Properties, Inc. in connection with Highview Park Subdivision, and orders them recorded in the Rockland County Clerk's Office at the expense of the grantee.

On roll call the vote was as follows

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

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RESOLUTION NO. (274-2006)

Co. Nowicki offered and Co. Mandia seconded

RESOLUTION AUTHORIZING RENEWAL OF MEMBERSHIP IN THE ROCKLAND BUSINESS ASSOCIATION, INC.

RESOLVED, that the town board hereby authorizes renewal of membership for the Town of Clarkstown, in the Rockland Business Association, Inc., One Blue Hill Plaza, Pearl river, New York, for the period of one year at a fee of \$470.00, which fee shall be charged to Account No. A1010-423.

On roll call the vote was as follows

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

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RESOLUTION NO. (275-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AGREEMENTS FOR ECONOMIC ASSISTANCE FOR THE YEAR 2006

WHEREAS, certain non-for-profit organizations that have provided services to individuals and groups in the Town of Clarkstown have submitted requests for economic assistance for the year 2006, and

WHEREAS, the applications has been reviewed by the Town Attorney, who has determined that the services provided by the organizations set forth herein are in the public interest and qualifies for expenditure of public funds:

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organizations to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2006 to the following non-profit organizations in the following amounts:

Albertus Magnus High School -Project Graduation	\$ 500.00
Association for the Visually Impaired, Inc.	\$ 500.00
Big Brothers Big Sisters of Rockland County, Inc.	\$ 500.00
Camp Venture, Inc.	\$ 2,500.00
CANDLE	\$21,000.00
Clarkstown Baseball Association	\$ 1,500.00
Clarkstown Community Task Force	\$ 5,000.00
Clarkstown High School North – Project Graduation	\$ 1,250.00
Clarkstown High School South – Project Graduation	\$ 1,250.00
Friends of the Nyacks	\$ 1,000.00
Historical Society of Rockland	\$ 2,000.00
Home Aides of Rockland, Inc.	\$ 750.00
Jawonio, Inc.	\$ 2,500.00
Keep Rockland Beautiful	\$ 1,000.00
Literacy Volunteers of Rockland County	\$ 500.00
Martin Luther King Multi Purpose Center, Inc.	\$ 5,000.00
Meals on Wheels	\$ 6,500.00
Nanuet High School – Project Graduation	\$ 1,250.00
New Beginnings Dignity Services, Inc.	\$ 500.00
Nyack High School PTSA	\$ 1,250.00
People to People	\$ 500.00
Rockland Center for the Arts, Inc.	\$ 5,000.00
Rockland Center for Holocaust Studies	\$ 1,750.00
Rockland Community College retired and Senior Volunteer Program (RSVP)	\$ 500.00
Rockland Community College Senior Citizens Club	\$ 2,750.00
Rockland County Council for Senior Citizens, Inc.- Foster Grandparent Program	\$ 500.00

RESOLUTION NO. (275-2006) continued

Rockland Family Shelter	\$ 750.00
Rockland 21 <sup>st</sup> Century Collaborative for Children and Youth	\$ 5,000.00
Rockland YM-YWHA (JCC-Y)	\$ 1,250.00
S.T.A.R. Kids	\$ 1,500.00
T.O.U.C.H. of Rockland County, Inc.	\$ 2,500.00
Volunteer Counseling Service of Rockland County, Inc.	\$ 500.00
West Nyack Little League and be it	\$ 1,000.00

FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2006, and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

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RESOLUTION NO. (276-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT  
 CONCERNING THE TOWN OF CLARKSTOWN "ADOPT-A-SPOT" 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 groups wish to adopt specified Town locations for a period of two (2) years, beginning May 10, 2006 to May 9, 2008, as follows:

SPONSOR	LOCATION
Steve Botto South Main Street & Route 304,	South Main Street & Route 304, New City
Majestic Lawn Care & Landscaping	South end of So. Main Street & Route 304, New City
Blue Sky, Paul Kilgallen	Germonds Road & Middletown Road, New City
R&M Landscaping, Mitch Taylor	Old Haverstraw Road & Lake Road, Congers
Beckerle Lumber, Matt Beckerle	Route 303 & Lake Road, Congers
Castlton Landscaping, Bill Jacobsen	Route 9W & Lake Road, Congers
Curti's Landscaping, Scott Curti	West Nyack Road & corner of West Nyack Way, West Nyack
Matterhorn, Matt Horn	Old Middletown Road & Little Tor Road, New City
Matterhorn, Matt Horn	Old Hempstead Road & Little Tor Road, New City
Quality Lawn Care, Peter Muller	French Farms entrance & Brewery Road, New City
Quality Lawn Care, Pater Muller	Proposed Street Park (opposite Nanuet Post Office), Nanuet
Danny Clapp Landscaping, Danny Clapp	Middletown Road & Route 59 (park), Nanuet

And

RESOLUTION NO. (276-2006) continued

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement with each of the entities referred to herein, for a period of two (2) years beginning May 10, 2006 to May 9, 2008, 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 location.

On roll call the vote was as follows

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

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RESOLUTION NO. (277-2006)

Co. Maloney offered and Co. Lasker seconded

ORDER CALLING PUBLIC HEARING

IN THE MATTER OF:

PETITION, for the Extension of the Clarkstown Consolidated Water Supply District No. 1 to include all of the area shown and designated as "PHILLIPS HILL FARM SUBDIVISION, TOWN OF CLARKSTOWN, ROCKLAND COUNTY, NEW YORK in the Town of Clarkstown, Rockland County, New York"

WHEREAS, a written Petition dated March 7, 2006, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District in the said Town, to be bounded and described as follows:

(DESCRIPTION ATTACHED)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York in said Town of Clarkstown, on the 23rd day of May, 2006 at 8:00 P.M. EST to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other actions as may be required by law or proper in the premises.

On roll call the vote was as follows

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

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RESOLUTION NO. (278-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW TO AMEND LOCAL LAW NO. 8-1979 (CHAPTER 47-PURCHASING, DEPARTMENT OF) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

WHEREAS, Councilperson Maloney, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled, "A LOCAL LAW TO AMEND LOCAL LAW NO. 8-1979 (CHAPTER 47-PURCHASING, DEPARTMENT OF) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

And

RESOLUTION NO. (278-2006) continued

WHEREAS, the proposed local law provides for the elimination of the Office of Director of Purchasing in the Town of Clarkstown, and for the appointment of an Authorized Purchasing Agent to serve for an indefinite term and who shall serve at the will and pleasure of the Town Board, which proposed local law is on file in the Town Clerk's Office;

NOW, THEREFORE, be it

FURTHER RESOLVED, that 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 June 13, 2006, 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. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Co. Mandia. . . . . Absent
- Co. Nowicki. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (279-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW TO CREATE CHAPTER 243 (SIGNS) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

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

"A LOCAL LAW TO CREATE CHAPTER 243 (SIGNS) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

and

WHEREAS, the purpose of this local law is to establish a reasonable framework for signage provisions in the Town of Clarkstown, to maintain an attractive appearance in the community, and to allow adequate business identification;

NOW, THEREFORE, be it

RESOLVED, that 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 June 27, 2006, 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, and be it

FURTHER RESOLVED, that the proposed local law is hereby referred to the Rockland County Commissioner of Planning pursuant to Sections 239-1 and 239-m of the General Municipal Law for report, and be it

FURTHER RESOLVED, that for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and the Director of the Department of Environmental Control is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

On roll call the vote was as follows

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

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RESOLUTION NO. (280-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION OF THE TOWN BOARD REFERRING PETITION OF NORMANDY VILLAGE, CO. FOR A ZONE CHANGE ON PROPERTY KNOWN AS MAP 64.9-1-11, TO CLARKSTOWN PLANNING BOARD AND THE ROCKLAND COUNTY COMMISSIONER OF PLANNING

RESOLUTION NO. (280-2006) continued

WHEREAS, the NORMANDY VILLAGE, CO. has petitioned the Town Board of the Town of Clarkstown, requesting a change of zone from the R-10 District to the MF-3 District for premises designated on the Clarkstown Tax Map as 64.9-1-11, located at 97 College Avenue, Nanuet, New York;

NOW, THEREFORE, be it

RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33 (A) of the Zoning Local Law of the Town of Clarkstown, and to the Rockland County Commissioner of Planning, and the other municipalities and governmental bodies as required by Section 239-l and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that Robert Geneslaw shall also review and report to the Town Board whether or not the proposed action, if approved, shall require an amendment to the Town of Clarkstown's Comprehensive Plan.

On roll call the vote was as follows

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

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RESOLUTION NO. (281-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND, THROUGH THE OFFICE OF THE DISTRICT ATTORNEY, FOR PARTICIPATION IN THE ROCKLAND COUNTY NARCOTICS TASK FORCE

WHEREAS, the County of Rockland wishes to assist the Town of Clarkstown in its crime intelligence gathering and drug law enforcement activities, and

WHEREAS, the Town of Clarkstown wishes to provide the Rockland County Narcotics Task Force with two members of its Police Department for crime fighting activities, and

WHEREAS, the County of Rockland initiated a program by Resolution No. 197-2006 to reimburse local municipalities for drug law enforcement activities, and the Legislature of Rockland County has provided funds in its 2006 Budget for the purpose of reimbursement of compensation for two Clarkstown Police Officers for said law enforcement;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to accept financial assistance for the purpose of reimbursement of compensation for two Clarkstown Police Officers assigned to the Rockland County Narcotics Task Force, in the sum of \$70,000.00 per officer, for the period January 1, 2006 through December 31, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (282-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH THE COUNTY OF ROCKLAND

WHEREAS, the County of Rockland, through its Office of Fire and Emergency Services, desires to enter into an agreement with the Town of Clarkstown to reimburse the Town for attendance and participation by the Police Department in the March 26, 2006 emergency exercise drill coordinated by the Rockland County Office of Fire and Emergency Services, the Town of Clarkstown Emergency Management Office, and the West Nyack Fire District at the Palisades Mall, and

WHEREAS, the Rockland County Legislature, by Resolution No. 579 of 2005, appropriated the necessary funds in order to reimburse the Town for the attendance of Town Police Officers;

NOW, THEREFORE, be it

RESOLUTION NO. (282-2006) continued

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, for the purpose of reimbursement to the Town in the sum of \$6,007.87, for attendance and participation by the Clarkstown Police Department in the March 26, 2006 emergency exercise drill.

On roll call the vote was as follows

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

\*\*\*\*\*

RESOLUTION NO. (283-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND, THROUGH THE OFFICE OF THE DISTRICT ATTORNEY, FOR PARTICIPATION IN OPERATION IMPACT

WHEREAS, the County of Rockland wishes to assist the Town of Clarkstown in its law enforcement activities, and

WHEREAS, the Town of Clarkstown wishes to provide the County of Rockland County, through its District Attorney's Office, with a member of its Police Department to participate in "Operation Impact," and

WHEREAS, the County of Rockland initiated a program by Resolution No. 250-2006 to reimburse local municipalities for law enforcement activities, and the Legislature of Rockland County has provided funds in its 2006 Budget (Resolution No. 78-2006) for the purpose of reimbursement of compensation for a Clarkstown Police Officer for said law enforcement;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to accept financial assistance for the purpose of reimbursement of compensation for a Clarkstown Police Officer assigned to the County of Rockland, through its District Attorney's Office, for participation in "Operation Impact," in the sum of \$30,000.00, for the period July 1, 2005 through June 30, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (284-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING DEFENSE PURSUANT TO SECTION 18 OF THE PUBLIC OFFICERS LAW

WHEREAS, Peter Noonan, Chief of Police, and Detective Earl Lorence, of the Town of Clarkstown, have been named in an action known as WE BUY, INC. V. TOWN OF CLARKSTOWN STATE OF NEW YORK, TOWN OF CLARKSTOWN POLICE DEPARTMENT, DETECTIVE EARL LORENCE (individually and official RESOLUTION NO. (284-2006) continued

capacity), and PETER NOONAN, Chief of Police (individually and official capacity), United States District Court, Southern District of New York, Case No. 06 CIV. 1794, and

WHEREAS, Peter Noonan and Earl Lorence have requested defense and indemnification as provided in Section 18 of the Public Officers Law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes this action to be defended, and that the individually named public employees/defendants be defended and indemnified as provided in accordance with Section 18 of the Public Officers Law.

RESOLUTION NO. (284-2006) continued

On roll call the vote was as follows

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

\*\*\*\*\*

RESOLUTION NO. (285-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING DEFENSE PURSUANT TO SECTION 18 OF THE PUBLIC OFFICERS LAW

WHEREAS, Police Officer Alice Laschet has been named in an action known as DORA TAIFER and LIZZIE YOUNG v. CATHERINE STORES CORPORATION, et al., United States District Court, Southern District of New York, Case No. 06 CIV. 2976, and

WHEREAS, Alice Laschet has requested defense and indemnification as provided in Section 18 of the Public Officers Law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes this action to be defended, and that the individually named public employees/defendants be defended and indemnified as provided in accordance with Section 18 of the Public Officers Law.

On roll call the vote was as follows

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

\*\*\*\*\*

RESOLUTION NO. (286-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN APPLICATION, PURSUANT TO SECTION 837-d OF THE EXECUTIVE LAW, WITH RESPECT TO REIMBURSEMENT TO THE CLARKSTOWN POLICE DEPARTMENT FOR THE PURCHASE OF SOFT BODY BALLISTIC ARMOR VESTS FOR POLICE OFFICERS

WHEREAS, the Chief of Police has advised that Section 837-d of the Executive Law authorizes municipalities to apply for partial reimbursement of expenses incurred for the purchase of “soft body ballistic armor vests” for police officers, and

WHEREAS, the Chief of Police has recommended submission of an application for such reimbursement which may result in an award in the amount of \$386.35 to reimburse for expenditures previously made by the Police Department;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an application, pursuant to Section 837-d of the Executive Law, for the partial reimbursement to the Clarkstown Police Department for expenditures incurred for the purchase of “soft body ballistic armor vests” for police officers.

On roll call the vote was as follows

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

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RESOLUTION NO. (287-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING PAYMENT FOR BILL OF COSTS

RESOLVED, that the Town Comptroller is hereby authorized to issue a check in the amount of \$1,493.31, payable to the Rockland County Patrolmen’s Benevolent Association, Inc., to cover the bill of costs resulting from an appeal entitled, *THE ROCKLAND COUNTY PATROLMEN’S BENEVOLENT ASSOCIATION, INC. v. PATRICIA PRENDERGAST, AS THE COMMISSIONER OF PERSONNEL OF ROCKLAND COUNTY, ET AL.*

On roll call the vote was as follows

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

\*\*\*\*\*

RESOLUTION NO. (288-2006)

Co. Lasker offered and Co. Maloney seconded

**WHEREAS**, the Town has received \$100,000 from the State of NY Department of State and \$3,750 from the State of NY Department of Environmental Conservation,

**NOW THEREFORE BE IT,**

**RESOLVED**, to increase Revenue Account H-15-10-3989-0 (State Aid-Community Projects) and Budget Account H-8755-409-0-79-28 (Capital Project-Telecommunications System) by \$100,000 and be it

**FURTHER RESOLVED**, to increase Revenue Account H-15-10-3992-0 (State Aid-Stream NJ1-9B) and Budget Account H-8751-409-0-75-32 (Capital Project-Steam NJ1-9B) and

**WHEREAS**, various accounts require additional funding,

**NOW THEREFORE BE IT,**

**RESOLVED**, to decrease A-1420-409-0 (Town Attorney-Fees for Services) and increase A-1420-313-0 (Town Attorney-Office Supplies) by \$1,000 and be it

**FURTHER RESOLVED**, to decrease B-3620-110-0 (Building-Salaries) and increase B-3620-203-0 (Building-Motor Vehicles) by \$608.

On roll call the vote was as follows

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

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RESOLUTION NO. (289-2006)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received a donation of \$1224.00 from the Annual Senior Citizen Show.

BE IT THEREFORE

RESOLVED, to increase Revenue Account No. A 01-002001 (Parks and Recreation charges) and Appropriation Account No. A 7610-301 (food) by \$1224.00.

On roll call the vote was as follows

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

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RESOLUTION NO. (290-2006)

Co. Lasker offered and Co. Maloney seconded

**GRANTING PERMISSION TO DISPENSE ALCOHOLIC BEVERAGES**

RESOLUTION NO. (290-2006) continued

WHEREAS, Section 93-2(A) and 2(B) of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to dispense alcoholic beverages on public property in the Town of Clarkstown;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board hereby grants permission to the Congers Chamber of Commerce to dispense alcoholic beverages in accordance with and subject to Section 93-2(A) and 93-2(B) of the Clarkstown Town Code for a reception to be held at the Congers Station located at Lake Road and Burnside Avenue, Congers, NY on Wednesday, June 7, 2006 from 7 p.m. until 10 p.m.

On roll call the vote was as follows

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

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RESOLUTION NO. (291-2006)

Co. Lasker offered and Co. Maloney 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 (see Sec. 221.5, P1-5 signs as per the NYS DOT Manual of Uniform Control Devices) on Birchwood Avenue, Nanuet, NY. Erect from Lot 1 to Lot 5, Tax Map 63.07, Block 1,

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

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RESOLUTION NO. (292-2006)

Co. Nowicki offered and Co. Lasker seconded

**RESOLUTION AUTHORIZING FIRE LANE DESIGNATIONS AT**

**ANKA TOOL & DIE, INC.**

**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

**ANKA TOOL & DIE, INC.**  
150 WELLS AVENUE  
CONGERS, NY 10920  
128-1-5.14 (44.11-3-4)

By the installation of fire lane designated, and

**WHEREAS**, ANTON KARL 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

RESOLUTION NO. (292-2006) continued

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

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RESOLUTION NO. (293-2006)

Co. Nowicki offered and Co. Lasker seconded

**RESOLUTION AUTHORIZING FIRE LANE DESIGNATIONS AT**

**BRADLEY CORPORATE PARK-BLDG #18**

**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

BRADLEY CORPORATE PARK-BLDG #18  
 169 WESTERN HIGHWAY  
 WEST NYACK, NY 10994  
 88-a-16 (65.13-2-10)

By the installation of fire lane designated, and

**WHEREAS**, JOHN F. MAGEE 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. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Co. Mandia . . . . .	Absent
Co. Nowicki . . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (294-2006)

Co. Maloney offered and Co. Lasker seconded

**RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL CONTROL TO RETAIN THE SERVICES OF A CONTRACTOR TO PERFORM DRAINAGE IMPROVEMENTS WITHIN THE TOWN ROW IN THE VICINITY OF #69 GREENBUSH RD, WEST NYACK.**

**WHEREAS**, An adverse drainage condition exists within the Town ROW in the vicinity of #69 N. Greenbush Road; and  
**WHEREAS**, the Department of Environmental Control has prepared a plan for the installation of drainage to ameliorate the existing condition; and  
**WHEREAS**, the Department of Environmental Control has solicited proposals from five (5) qualified contractors to perform said improvements in accordance with their plan; and  
**WHEREAS**, the Department of Environmental Control has received three (3) proposals in response to their solicitation; and  
**WHEREAS**, Department of Environmental Control staff has reviewed the low proposal submitted by Pinebrook Landscaping & Paving, Inc. and has found it to be acceptable; and

RESOLUTION NO. (294-2006) continued

**WHEREAS**, the Director of the Department of Environmental Control recommends that the work be awarded to Pinebrook Landscaping & Paving Inc. for their low proposal of \$19,300.00; and **NOW, THEREFORE, BE IT RESOLVED** that the director of Environmental Control is hereby authorized to retain the services of:

*Pinebrook Landscaping & Paving, Inc.  
49 Rolling Ridge Road  
New City, New York 10956*

to perform this work in accordance with their proposal for an amount not to exceed **\$19,300.00**; and **BE IT FURTHER RESOLVED** that it is the intent of the Town Board that this project shall be funded by serial bonds; and **FURTHER RESOLVED** that this amount shall be a proper charge to account **H 8757 409 0 81 15**

On roll call the vote was as follows

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

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RESOLUTION NO. (295-2006)

Co. Lasker offered and Co. Maloney seconded

**RESOLUTION AMENDING TOWN BOARD RESOLUTION NO. 137-2006 AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL CONTROL TO RETAIN THE SERVICES OF CUSACK LANDSCAPING, INC. TO PERFORM DRAINAGE IMPROVEMENTS WITHIN A TOWN EASEMENT IN THE VICINITY OF 8 CRIMSON COURT, BARDONIA**

**WHEREAS**, Town Board Resolution #137-2006 authorized the Department of Environmental Control to retain the services of Cusack Landscaping, Inc. to correct an existing flooding condition in the vicinity of 8 Crimson Court due to insufficient drainage within a Town easement; and

**WHEREAS**, upon excavating and exposing the existing catch basin within the Town drainage easement it was evident that the catch basin is in a state of disrepair; and

**WHEREAS**, the unforeseen condition requires additional work to be performed, as set forth below; and

**WHEREAS**, one (1) change order has been reviewed and found acceptable by the Department of Environmental Control as follows:

- 1) Partial rebuild of existing catch basin **\$500.00**

**NOW, THEREFORE, BE IT RESOLVED** that the allowance for this project be increased from the original amount of **\$2,850.00** to **\$3,350.00** to reflect the additional cost of the change order; and

**BE IT FURTHER RESOLVED** that this shall continue to be a proper charge to **#8757 409 0 81 3**

On roll call the vote was as follows

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

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RESOLUTION NO. (296-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING REFUND OF BUILDING PERMIT FEE TO JOHN AND IRENE MCCARTHY - MAP NO. 44.20-2-55

WHEREAS, John McCarty and Irene McCarthy have requested a refund of Building Permit fee (No. 06-281) paid in the amount of \$1,486.00 for premises located at 28 Vermont Avenue, Congers, New York, and

WHEREAS, the property owners have advised that plans to build an addition have been cancelled and withdraw the application for a Building Permit, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$170.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of \$1,316.00, of the total Building Permit fee paid in the amount of \$1,486.00, to John McCarthy and Irene McCarthy, to be charged to Account No. B 02-6-2555-0, subject to receipt and cancellation of the Building Permit.

On roll call the vote was as follows

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

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RESOLUTION NO. (297-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI (GISONDI ASSOCIATES – 59.20-1-2)

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, GISONDI FAMILY LIMITED PARTNERSHIP, n/k/a GISONDI ASSOCIATES v. THE BOARD OF ASSESSORS AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN, Index Nos. 4707/02, 4606/03, 4181/04 and 5074/05, affecting parcel designated as Map 59.20, Block 1, Lot 2 (f/k/a 135-D-19.1), and more commonly known as 251-261 Mountainview Avenue, Nyack, New York for the years 2002/03, 2003/04, 2004/05 and 2005/06, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceedings 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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Nyack Union Free 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 described on the assessment roll as Map 59.20, Block 1, Lot 2 be reduced for the year 2003/04 from \$202,600.00 to \$192,470.00 at a cost to the Town of \$152.96;
2. The assessment on the premises owned by the petitioner described on the assessment roll as Map 59.20, Block 1, Lot 2 be reduced for the year 2004/05 from \$202,600.00 to \$179,800.00 at a cost to the Town of \$400.92;
3. The assessment on the premises owned by the petitioner described on the assessment roll as Map 59.20, Block 1, Lot 2 be reduced for the year 2005/06 from \$202,600.00 to \$163,800.00 at a cost to the Town of \$703.35;
4. There is no assessment reduction on the premises owned by the petitioner described on the assessment roll as Map 59.20, Block 1, Lot 2 for the year 2002/03;
5. Reimbursement for the years 2003/04, 2004/05 and 2005/06 on the parcel described as Map 59.20, Block 1, Lot 2, 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;
6. 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

RESOLUTION NO. (297-2006) continued

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

On roll call the vote was as follows

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

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RESOLUTION NO. (298-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING SETTLEMENT OF  
TAX CERTIORARI (BANK OF NEW YORK – 64.13-1-1)

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, THE BANK OF NEW YORK v. THE TOWN OF CLARKSTOWN, A Municipal Corporation, Its Assessor and Board of Review, Index Nos. 4448/01, 5163/02, 4638/03, 4430/04 and 4619/05, affecting parcels designated as Map 64.13, Block 1, Lot 1, (f/k/a 13-B-18) and more commonly known as 250 South Middletown Road, Nanuet, New York for the years 2001/02, 2002/03, 2003/04, 2004/05 and 2005/06, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceedings 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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Nanuet Union Free 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 described on the assessment roll as Map 64.13, Block 1, Lot 1 be reduced for the years 2001/02 and 2002/03 from \$883,400.00 to \$823,000.00 at a cost to the Town of \$1,752.15;
2. The assessment on the premises owned by the petitioner described on the assessment roll as Map 64.13, Block 1, Lot 1 be reduced for the years 2003/04, 2004/05 and 2005/06 from \$883,400.00 to \$775,000.00 at a cost to the Town of \$5,507.94;
3. Reimbursement for the years 2001/02, 2002/03, 2003/04, 2004/05 and 2005/06 on the parcel described as Map 64.13, Block 1, Lot 1, as stated above, be made within ninety (90) 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;
4. 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 and the Assessor for the Town of Clarkstown are authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows

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

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RESOLUTION NO. (299-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING SETTLEMENT OF  
TAX CERTIORARI (BANK OF NEW YORK – 51.7-1-16)

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, THE BANK OF NEW YORK v. THE TOWN OF CLARKSTOWN, A Municipal

RESOLUTION NO. (299-2006) continued

Corporation, Its Assessor and Board of Review, Index Nos. 5162/02, 4639/03, 4427/04 and 4622/05, affecting parcels designated as Map 51.7, Block 1, Lot 16, (f/k/a 56-A-27) and more commonly known as 316 South Main Street, New City, New York for the years 2002/03, 2003/04, 2004/05 and 2005/06, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceedings 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

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 described on the assessment roll as Map 51.7, Block 1, Lot 16 be reduced for the years 2003/04, 2004/05 and 2005/06 from \$419,400.00 to \$390,000.00 at a cost to the Town of \$1,493.85;

2. There is no assessment reduction on the premises owned by the petitioner described on the assessment roll as Map 51.7, Block 1, Lot 16 for the year 2002/03;

3. Reimbursement for the years 2003/04, 2004/05 and 2005/06 on the parcel described as Map 51.7, Block 1, Lot 16, as stated above, be made within ninety (90) 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;

4. 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 and the Assessor for the Town of Clarkstown are authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows

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

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RESOLUTION NO. (300-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING SETTLEMENT OF  
TAX CERTIORARI (BANK OF NEW YORK – 43.15-3-68)

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, THE BANK OF NEW YORK v. THE TOWN OF CLARKSTOWN, A Municipal Corporation, Its Assessor and Board of Review, Index Nos. 5164/02, 4637/03, 4429/04 and 4611/05, affecting parcels designated as Map 43.15, Block 3, Lot 68, (f/k/a 58-C-7) and more commonly known as 56 Congers Road, New City, New York for the years 2002/03, 2003/04, 2004/05 and 2005/06, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceedings 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

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 described on the assessment roll as Map 43.15, Block 3, Lot 68 be reduced for the years 2002/03 and 2003/04 from \$350,800.00 to \$316,000.00 at a cost to the Town of \$1,032.66;

RESOLUTION NO. (300-2006) continued

2. The assessment on the premises owned by the petitioner described on the assessment roll as Map 43.15, Block 3, Lot 68 be reduced for the years 2004/05 and 2005/06 from \$350,800.00 to \$298,000.00 at a cost to the Town of \$1,885.60;

3. Reimbursement for the years 2002/03, 2003/04, 2004/05 and 2005/06 on the parcel described as Map 44.15, Block 3, Lot 68, as stated above, be made within ninety (90) 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;

4. 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 and the Assessor for the Town of Clarkstown are authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows

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

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RESOLUTION NO. (301-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING SETTLEMENT OF  
TAX CERTIORARI (BANK OF NEW YORK – 44.15-3-23 & 24)

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, THE BANK OF NEW YORK v. THE TOWN OF CLARKSTOWN, A Municipal Corporation, Its Assessor and Board of Review, Index Nos. 4450/01, 5161/02, 4640/03, 4431/04 and 4613/05, affecting parcels designated as Map 44.15, Block 3, Lots 23 and 24, (f/k/a 127-Q-15 & 14) and more commonly known as 37 Lake Road, Congers, New York for the years 2001/02, 2002/03, 2003/04, 2004/05 and 2005/06, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceedings 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

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 described on the assessment roll as Map 44.15, Block 3, Lots 23 and 24 be reduced for the years 2004/05 and 2005/06 from \$200,345.00 to \$181,865.00 at a cost to the Town of \$659.96;

2. There is no assessment reduction on the premises owned by the petitioners described on the assessment roll as Map 44.15, Block 3, Lots 23 and 24 for the years 2001/02, 2002/03 and 2003/04;

3. Reimbursement for the years 2004/05 and 2005/06 on the parcel described as Map 44.15, Block 3, Lots 23 and 24, as stated above, be made within ninety (90) 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;

4. 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 and the Assessor for the Town of Clarkstown are authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows

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

## RESOLUTION NO. (302-2006)

Co. Maloney offered and Co. Lasker seconded

## RESOLUTION TO REQUIRE APPRENTICESHIP TRAINING PROGRAMS FOR TOWN CONTRACTS

WHEREAS, current State law does not compel any governmental entity that is a party to a construction contract to require that any contractor or subcontractors participate in apprenticeship training programs approved by the State Commissioner of Labor, and

WHEREAS, there is a long and productive history of partnership between labor and management for the training of skilled craft workers in our State which began over fifty years ago when the U.S. Congress passed the Fitzgerald Act (29 USC Section 50) to encourage States to develop apprenticeship training programs, and

WHEREAS, the New York State Legislature adopted Article 23 of the New York Labor Law in 1961 to authorize the State Commissioner of Labor to develop standards for apprenticeship training and a process for certifying programs which meet said standards, and

WHEREAS, the promotion of apprenticeship training programs will expand the pool of skilled workers in the Town of Clarkstown by providing many residents the means to earn a decent living thereby fostering the local and regional economies;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby establishes a policy to promote apprenticeship training as authorized by Section 818-b of the New York Labor Law, and be it

FURTHER RESOLVED, that the term "Public Works Contract," for the purposes of this resolution, shall mean any contract to which the Town of Clarkstown shall be a signatory which involves the construction, reconstruction, improvement, rehabilitation, installation, alteration, renovation, demolition of any building, facility, physical structure, highway or bridge, with the exception of "Drainage Contracts" as hereafter defined, with a value in excess of \$250,000.00, and be it

FURTHER RESOLVED, that the term "Drainage Contract" for the purposes of this resolution shall mean any contract which the Town shall be a signatory which involves the construction, reconstruction, improvements, rehabilitation, installation, alteration, restoration, demolition of any stream, channel, drainage pipe or culvert with a value in excess of \$500,000.00, and be it

FURTHER RESOLVED, that "contractor or subcontractor" shall mean a contractor or subcontractor which directly employs labor under a Public Works Contract or Drainage Contract for which an apprenticeship program has been approved by the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law, and be it

FURTHER RESOLVED, that the Town of Clarkstown hereby requires any contractor or subcontractor, prior to entering into a Public Works Contract or Drainage Contract with the Town of Clarkstown, to have apprenticeship agreements, appropriate for the type and scope of work to be performed, which have been registered with, and approved by, the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law anything in Section 103 of the New York General Municipal Law to the contrary notwithstanding, and be it

FURTHER RESOLVED, that the Town shall consider the use of project labor agreements in Public Works Contracts involving multiple trades, and be it

FURTHER RESOLVED, that the Clarkstown Department of Purchasing is hereby authorized, empowered, and directed to promulgate such rules and regulations necessary and appropriate for the implementation and enforcement of any provisions of the law, and be it

FURTHER RESOLVED, that the Town Board, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.15(c)(20) and (27) of Title 6 of the New York Code of Rules and Regulations (5 NYCRR) and within the meaning of Section 8-0109(2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Clarkstown Department of Environmental Control is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution, and be it

RESOLUTION NO. (302-2006) continued

FURTHER RESOLVED, that this resolution shall apply to the Public Works Contracts and Drainage Contracts advertised for bids on or after the effective date, and be it

FURTHER RESOLVED, that if any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance, directly involved in the controversy in which judgment or order shall be rendered.

On roll call the vote was as follows

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

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RESOLUTION NO. (303-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Deputy Town Attorney-Purchasing is hereby authorized to advertise for bids for:

BID #27-2006 – HAVERMILL ROAD DRAINAGE IMPROVEMENTS

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York by \_\_\_\_\_ A.M.) (P.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 Clarkstown Department of Environmental Control upon payment of the prescribed fee.

On roll call the vote was as follows

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

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RESOLUTION NO. (304-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Deputy Town Attorney- Purchasing is hereby authorized to advertise for bids for:

BID#28-2006 – 24 SCHRIEVER LN GABION WALL REPLACEMENT

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 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 Clarkstown Deputy Town Attorney-Purchasing.

On roll call the vote was as follows

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

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RESOLUTION NO. (305-2006)

Co. Lasker offered and Co. Maloney seconded

**RESOLVED**, that the Deputy Town Attorney- Purchasing is hereby authorized to advertise for bids for:  
BID#29-2006 – SIX (6) DUMP BODIES WITH SALT SPREADING AND LIQUID APPLICATION ATTACHMENTS

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 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 Clarkstown Deputy Town Attorney-Purchasing.

On roll call the vote was as follows

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

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RESOLUTION NO. (306-2006)

Co. Lasker offered and Co. Maloney seconded

**RESOLVED**, that the Deputy Town Attorney- Purchasing is hereby authorized to advertise for bids for:

BID#30-2006 – MUNICIPAL REPAIR GARAGE ADDITION AND ROOF REPAIR

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 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 Clarkstown Deputy Town Attorney-Purchasing.

On roll call the vote was as follows

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

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RESOLUTION NO. (307-2006)

Co. Lasker offered and Co. Maloney seconded

**RESOLVED**, that the Deputy Town Attorney-Purchasing is hereby authorized to advertise for bids for:

BID #31-2006 – STEEL DECK MOTOR TRUCK SCALE FOR THE CLARKSTOWN SOLID WASTE FACILITY

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on MAY 15, 2006 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 Clarkstown Department of Purchasing and be it

**FURTHER RESOLVED**, that such authorization be effective and retroactive to April 4, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (308-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney – Purchasing that

BID #3-2006 – PAPER AND PLASTIC SUPPLIES

is hereby awarded to: MT. ELLIS PAPER CO.  
206 WEMBLY ROAD  
NEW WINDSOR, NY 12553  
PRINCIPALS: A PUBLIC CORPORATION

BORDA PRODUCTS  
80 BRUCKNER BLVD.  
BRONX, NY 10454  
PRINCIPALS: ZOLTAN WIEDER  
DAVID BORDA

CENTRAL POLY CORP.  
P.O. BOX 4097  
18 DONALDSON PLACE  
LINDEN, NJ 07036  
PRINCIPALS: ANDREW HOFFER  
AGNES SERHOFER

ROCKLAND VENDING  
1 SANDFORD AVENUE  
CHESTER, NY 10918  
PRINCIPALS: MICHAEL FREED  
CHERYL FREED

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

On roll call the vote was as follows

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

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RESOLUTION NO. (309-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control and the Deputy Town Attorney - Purchasing Department that

BID #22-2006 – SEDGE ROAD/MACE ROAD RECONSTRUCTION PROJECT

is hereby awarded to: DANNY CLAPP LANDSCAPING  
59 SCHRIEVER LANE  
NEW CITY, NY 10956  
PRINCIPALS: DANNY CLAPP

as per their proposed project cost of \$946,900.00 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

RESOLUTION NO. (309-2006) continued

The Town of Clarkstown must be named as co-insured party on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that said award will constitute a proper charge to account H-8755-400-409-0-79-26

On roll call the vote was as follows

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

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RESOLUTION NO. (310-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control and the Deputy Town Attorney - Purchasing Department that

BID #60-2005 – JERRY’S AVENUE DRAINAGE IMPROVEMENTS

is hereby awarded to:

W. HARRIS AND SON, INC.  
 37 WEST WASHINGTON AVENUE  
 PEARL RIVER, NY 10965  
 PRINCIPALS: WILLIAM V. HARRIS, PRESIDENT  
 TIMOTHY J. HARRIS, VICE-PRESIDENT

as per their proposed project cost of \$683,000.00 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 co-insured party on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that said award will constitute a proper charge to account H-8736-400-409-0-67-20

On roll call the vote was as follows

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

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RESOLUTION NO. (311-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Superintendent of Recreation and Parks and the Deputy Town Attorney - Purchasing Department that

RFP #20-2006 - FIREWORKS DISPLAY

is hereby awarded to:

ZAMBELLI FIREWORKS INTERNATIONAL  
 P.O. BOX 1463  
 NEW CASTLE, PA 16103  
 PRINCIPALS: CONSTANCE ZAMBELLI

RESOLUTION NO. (311-2006) continued

as per their proposed project cost of \$5,199.00 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
- c) Certificate of General Liability Insurance
- d) Certificate of Fireworks Display Liability Coverage
- e) Certificate of Worker's Compensation Insurance coverage
- f) Certificate of Worker's Disability Insurance coverage

The Town of Clarkstown must be named as co-insured party on all liability policies, as they pertain to the project awarded.

On roll call the vote was as follows

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

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RESOLUTION NO. (312-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control and the Deputy Town Attorney - Purchasing Department that

BID #25-2006 – 2006 COMMUTER PARKING LOT MAINTENANCE PROJECT

is hereby awarded to:

PRO-CUT LAWNS-LANDSCAPING &  
 CONTRACTING, INC.  
 11 PINE VIEW ROAD  
 WEST NYACK, NY 10994

PRINCIPALS: BILL FOWLER, PRESIDENT

as per their proposed project cost of \$25,900.00 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) Letter of Credit
- 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 co-insured party 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 Department of Environmental Control.

On roll call the vote was as follows

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

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RESOLUTION NO. (313-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control and the Deputy Town Attorney - Purchasing Department that

BID #26-2006 – 2006 SITE MAINTENANCE PROJECT

is hereby awarded to: PRO-CUT LAWNS-LANDSCAPING & CONTRACTING, INC. 11 PINE VIEW ROAD WEST NYACK, NY 10994 PRINCIPALS: BILL FOWLER, PRESIDENT

as per their proposed project cost of \$23,900.00 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) Letter of Credit
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 co-insured party 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 Department of Environmental Control.

On roll call the vote was as follows

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

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RESOLUTION NO. (314-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION APROPRIATING FUNDS TO VETERAN ORGANIZATIONS

WHEREAS, certain veteran organizations have requested monetary assistance from the Town of Clarkstown to defray rent costs, provide funds for parades, memorial services, and other activities; NOW, THEREFORE, be it

RESOLVED, that in accordance with Section 64(13) of the Town Law, the Town Board hereby appropriates the annual sum of \$750 (\$500 for leasing or rental, and maintenance of meeting facility \$250 for patriotic observance) to the following veteran organizations for the year 2006:

- American Legion Naurashank - Post 794
Jewish War Veterans of the U.S.A. - Post 720
Korean War Veterans - Eagle Chapter
Lt. Walter Lipman - Post 756
Military Order of the Purple Heart
New City Memorial - Post 8749
Veterans of Foreign Wars of the U.S. - Post 3773
Veterans of Foreign Wars of the U.S. - Post 9215
Veterans Memorial Association of Congers
Vietnam Veterans of America - Chapter 333

and be it

RESOLUTION NO. (314-2006) continued

FURTHER RESOLVED, that claims for such sums shall be made annually by the organization and submitted to the Town Board for audit and disbursement, and be it

FURTHER RESOLVED, that said funds will be charged against 2006 Account No. A 6510-401.

On roll call the vote was as follows

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

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RESOLUTION NO. (315-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPROVE VARIOUS TRAINING SCHOOLS FOR MEMBERS OF THE CLARKSTOWN POLICE DEPARTMENT

WHEREAS, the Chief of Police, Peter Noonan, has recommended that the following schools and conferences be approved for training and professional education of member of the Clarkstown Police Department,

NOW, THEREFORE, it is

RESOLVED, that the Supervisor is hereby authorized to approve the recommended training schools as follows:

Table with 2 columns: Training School Name and Tuition. Rows include 19th Annual D.A.R.E. Intl Train. Conf. (\$650.00), Advanced Employment Issues Symposium (\$1,947.00), Forced Entry Tactical Training (\$2,400.00), New Jersey Emergency Preparedness Conf. (- 0 -), Certified Computer Examiner Boot Camp (\$2,995.00), New England Crisis Negotiation Seminar (\$1,050.00), and New World Systems Conference (\$1,450.00).

BE IT FURTHER RESOLVED, that the Chief of Police is hereby authorized to select and recommend those members of the Department who shall be permitted to attend the schools and conferences as approved hereby.

On roll call the vote was as follows

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

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RESOLUTION NO. (316-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH SHOREGROUP, INC.

WHEREAS, ShoreGroup, Inc., 460 West 35th Street, New York, New York 10001, has submitted a proposal dated May 2, 2006, with respect to providing the Town with a remote monitoring service called "Shore Patrol," which would proactively monitor the Town's critical network components and applications, and

WHEREAS, Robert Stritmater, Director of Automated Services, has recommended acceptance of said proposal;

NOW THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with ShoreGroup, Inc., for a one year period, in a form approved by the Town Attorney, to provide remote monitoring service called "Shore Patrol," which would proactively monitor the Town's critical network components and applications, and be it

RESOLUTION NO. (316-2006) continued

FURTHER RESOLVED, that the payment for such services shall not exceed \$24,000.00, which 50% of said fee shall be paid upon signing of the agreement and the balance shall be due six months thereafter upon receipt of invoice from provider, and be it

FURTHER RESOLVED, that such fees shall be a proper charge to Account No. A 1680-409.

On roll call the vote was as follows

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

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RESOLUTION NO. (317-2006)

Co. Lasker offered and Co. Maloney 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 various town roads for an additional period of two (2) years, beginning April 9, 2006 to April 9, 2008, as follows:

Sponsor: Plastic-Craft Products Corp.
744 West Nyack Road
West Nyack, NY 10994

Roads: .10 mile segment of Doscher Avenue from
Western Highway to Route 59E,
West Nyack, NY 10994

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Plastic-Craft Products Corp., will 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 beginning April 9, 2006 to April 9, 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 Plastic-Craft Products Corp., to remove trash from the roadways.

On roll call the vote was as follows

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

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RESOLUTION NO. (318-2006)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that the resignation (by retirement) of Michael J. Mullins – Police Officer - Clarkstown Police Department – is hereby accepted – effective and retroactive to April 28, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (319-2006)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that the resignation (by retirement) of Philip E. Costa- Police Officer – Clarkstown Police Department – is hereby accepted – effective and retroactive to April 23, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (320-2006)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that the resignation of Mary Cestaro - (part-time) Clerk Typist - Building Department - is hereby accepted – effective and retroactive to April 20, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (321-2006)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on April 6, 2006 that the position of Custodial Worker – Parks Board and Recreation Commission - can be created,

Now, therefore, be it

RESOLVED, that the position of Custodial Worker – Parks Board and Recreation Commission - is hereby created – effective May 8, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (322-2006)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Anthony Capra to the position of Custodial Worker – Parks Board and Recreation Commission – at the current 2006 annual salary of \$30,450 – effective May 10, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (323-2006)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that Douglas DeMarsico– is hereby appointed to the position of Groundswoker (Seasonal) – Maintenance Department – at the current 2006 hourly rate of \$12.00 – effective and retroactive to May 8, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (324-2006)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that Nicholas A. Pagliuca is hereby appointed to the position of Groundswoker (Seasonal) – Maintenance Department – at the current 2006 hourly rate of \$12.00 – effective and retroactive to April 14, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (325-2006)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that Julius Recine– is hereby appointed to the position of Senior Groundswoker – Maintenance Department – (transferring from Parks Board and Recreation Commission) – at the current 2006 annual salary of \$38,509., effective and retroactive to April 21, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (326-2006)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that Frank Fee - is hereby appointed to the position of Municipal Bus Driver (part-time) – Mini Trans Department – at the current 2006 hourly rate of \$25.00 – effective May 10, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (327-2006)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby adopts the following schedule of pay rate increases for Office Worker Students and Laborer students effective May 22, 2006:

Year Round High School Students (Office Worker Students)
.....Salary Increase: \$.50 per hour.

Year Round College Students (Office Worker Students) and Laborer Students
.....Salary Increase: \$1.00 per hour.

Returning Seasonal College Students:
Office Worker Students.....\$1.00 per hour.
Laborer Students.....\$1.00 per hour.

Special Studies Intern.....\$10.50 to \$12.00 hr.
Office Worker Students Starting Salary (High School)...\$7.50 to \$8.50 hr.
Office Worker Students Starting Salary (College).....\$9.00 to \$11.00 hr.
Laborer Students (Over 18 years of age).....\$9.00 to \$11.00 hr.

On roll call the vote was as follows

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

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RESOLUTION NO. (328-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING THE ISSUANCE OF REQUESTS FOR PROPOSALS PURSUANT TO GENERAL MUNICIPAL LAW 120-W

WHEREAS, the Town of Clarkstown’s solid waste transfer station in West Nyack, New York is currently operated by a third party pursuant to the provisions of General Municipal Law §120-w; and

WHEREAS, the Town is currently evaluating its options with respect to the transfer station; and

WHEREAS, the Town is considering, among other options, contracting with a third party for the operation and management of its transfer station and for the transport and disposal of waste;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney and the Purchasing Department are hereby authorized and directed to issue Requests for Proposals for the operation of the Town’s solid waste transfer station, which Request for Proposals shall also solicit bids for the transport and disposal of waste; and be it

FURTHER RESOLVED, that the Town Attorney and the Purchasing Department are further authorized and directed to place notices of the Town’s Request for Proposals as provided by General Municipal Law §120-w.

On roll call the vote was as follows

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

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RESOLUTION NO. (329-2006)

Co. Lasker offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 9, 2006, AUTHORIZING THE REPLACEMENT OF A FENCE ON CORNERS ROAD, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$7,000 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 replace a fence on Corners Road. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$7,000 and said amount is hereby appropriated therefore. The plan of financing includes the issuance of \$7,000 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 \$7,000 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 bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) years.

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

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

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town 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 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, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

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

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

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

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

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

On roll call the vote was as follows

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

RESOLUTION NO. (330-2006)

Co. Lasker offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 9, 2006, AUTHORIZING THE ACQUISITION OF A MINI TRANS BUS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$53,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$53,000 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 a mini trans bus. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$53,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$53,000 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 \$53,000 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 bonds are authorized to be issued, within the limitations of Section 11.00 a. 29 of the Law, is five (5) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, 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 not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town 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 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, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

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

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

On roll call the vote was as follows

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

Co. Lasker offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 9, 2006, AUTHORIZING THE ACQUISITION AND INSTALLATION OF GUIDE RAILS ON VARIOUS ROADS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$480,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$480,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to acquire and install guide rails on various roads. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$480,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$480,000 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 \$480,000 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 bonds are authorized to be issued, within the limitations of Section 11.00 a. 32 of the Law, is five (5) years.

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

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

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town 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 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, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

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

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

On roll call the vote was as follows

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

RESOLUTION NO. (332-2006)

Co. Lasker offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 9, 2006, AUTHORIZING ACQUISITION OF HIGHWAY EQUIPMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,005,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,005,000 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 highway equipment. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,005,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,005,000 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 \$1,005,000 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 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 therefore. 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 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, 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.

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

RESOLUTION NO. (333-2006)

Co. Lasker offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 9, 2006, AUTHORIZING SIDEWALK IMPROVEMENTS ON PHILLIPS HILL ROAD, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$46,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$46,000 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 construct sidewalk improvements on Phillips Hill Road. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$46,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$46,000 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 \$46,000 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. 24 (c) of the Law, is ten (10) 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 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, 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.

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

RESOLUTION NO. (334-2006)

Co. Lasker offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 9, 2006, AUTHORIZING VARIOUS ROAD IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$360,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$360,000 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 construct various road improvements. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$360,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$360,000 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 \$360,000 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. 20 (c) 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 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, 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.

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

RESOLUTION NO. (335-2006)

Co. Lasker offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 9, 2006, AUTHORIZING THE CONSTRUCTION OF ROAD IMPROVEMENTS IN CONNECTION WITH THE WEST NYACK DOWNTOWN IMPROVEMENT PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$45,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$45,000 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 construct road improvements in connection with the West Nyack downtown improvement project. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$45,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$45,000 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 \$45,000 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. 20 (c) 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 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, 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

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

Co. Lasker offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 9, 2006, AUTHORIZING THE CONSTRUCTION OF ROAD IMPROVEMENTS IN CONNECTION WITH THE NANUET DOWNTOWN IMPROVEMENT PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$245,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$245,000 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 construct road improvements in connection with the Nanuet downtown improvement project. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$245,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$245,000 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 \$245,000 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. 20 (c) 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 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, 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.

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

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RESOLUTION NO. (337-2006)

Co. Lasker offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 9, 2006, AUTHORIZING VARIOUS DRAINAGE IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,100,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$2,100,000 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 construct various drainage improvements. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,100,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,100,000 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 \$2,100,000 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. 4 of the Law, is forty (40) 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 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, 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.

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

RESOLUTION NO. (338-2006)

Co. Lasker offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 9, 2006, AUTHORIZING THE CONSTRUCTION OF ROAD IMPROVEMENTS IN CONNECTION WITH THE NEW CITY DOWNTOWN IMPROVEMENT PROJECT, STATING THE TOWN'S SHARE OF THE ESTIMATED MAXIMUM COST THEREOF IS \$76,850, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$76,850 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 construct road improvements in connection with the New City downtown improvement project. Such improvements shall be constructed pursuant to an intermunicipal agreement between the Town of Clarkstown and the County of Rockland at an estimated maximum cost of \$153,700, including preliminary costs and costs incidental thereto and the financing thereof. The Town's share of such cost, pursuant to the intermunicipal agreement, is \$76,850, including preliminary costs and costs incidental thereto and the financing thereof, and said amount is hereby appropriated by the Town therefor. The plan of financing the Town's share includes the issuance of \$76,850 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 \$76,850 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. 20 (c) 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 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, 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.

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

RESOLUTION NO. (339-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION RESCINDING RESOLUTION NO. 260 - 2006,  
SCHEDULING A PUBLIC HEARING ON A PROPOSED  
LOCAL LAW TO AMEND CHAPTER 263 (TAXICABS)

RESOLVED, that Resolution No. 260 – 2006, adopted by the Town Board on April 4, 2006, scheduling a public hearing for May 9, 2006 regarding a proposed Local Law to Amend Chapter 263 (taxicabs), is hereby rescinded.

On roll call the vote was as follows

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

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RESOLUTION NO. (340-2006)

Co. Nowicki offered and Co. Maloney seconded

RESOLUTION AUTHORIZING THE SUPERVISOR  
TO EXECUTE AN AGREEMENT

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves and ratifies a Stipulation of Agreement with the Civil Service Employees Assoc., Inc., Local 1000 AFSCME, AFL & CIO dated April 19, 2006, and hereby authorizes the Supervisor to execute the agreement.

On roll call the vote was as follows

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

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RESOLUTION NO. (341-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION MANDATING THAT THE NATIONAL INCIDENT  
MANAGEMENT SYSTEM BE UTILIZED FOR ALL INCIDENT  
MANGEMENT IN THE TOWN OF CLARKSTOWN

WHEREAS, In Homeland Security Presidential Directive (HSPD)-5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity, and

WHEREAS, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS, and

WHEREAS, it is necessary that all federal, state, local, and tribal emergency management agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management, and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that federal, state, local, and tribal organizations utilize standardized terminology, standardized organizational structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters, and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the state's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes, and  
RESOLUTION NO. (341-2006) continued

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the state; including all public safety and emergency response organizations training programs, and

WHEREAS, the National Commission of Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW THEREFORE, be it

RESOLVED, that the Town Board does hereby mandate the National Incident Management System be utilized for all incident management in the Town of Clarkstown.

On roll call the vote was as follows

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

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RESOLUTION NO. (342-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH AUM REALTY, LLC, PORTABLES UNLIMITED, INC., THE NANUET UNION FREE SCHOOL DISTRICT, THE COUNTY OF ROCKLAND, AND THE COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT AGENCY WITH RESPECT TO PAYMENT IN LIEU OF TAXES FOR PROPERTY KNOWN ON THE CLARKSTOWN TAX MAP AS 64.5-2-50

WHEREAS, the Rockland County Industrial Development Agency (“RCIDA”) is authorized to acquire, construct, lease, improve and maintain projects for the purpose of promoting development and encouraging commercial facilities thereby advancing job opportunities, general prosperity and economic welfare of the people of Rockland County, and

WHEREAS, the “RCIDA” has undertaken a project consisting of the acquisition of an existing building and renovations thereof, all to be used for a warehousing facility and administrative offices located at 136 First Street, Nanuet, New York, and

WHEREAS, to facilitate this project, the “RCIDA” proposes to issue bonds, which bonds will be secured by a pledge of substantially all right, title, and interest of the “RCIDA” in, and to a lease agreement between the “RCIDA” and AUM Realty, LLC, and by a pledge of the income, rental, revenues and receipts derived by the “RCIDA” for this project, and

WHEREAS, the Town Board hereby authorizes the Supervisor to enter into a “payment in lieu of taxes agreement” (a pilot agreement) to be executed by all parties;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form acceptable to the Town Attorney, with AUM REALTY, LLC, PORTABLES UNLIMITED, INC., THE NANUET UNION FREE SCHOOL DISTRICT, THE COUNTY OF ROCKLAND, AND THE COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT AGENCY with respect to payment in lieu of taxes for property known on the Clarkstown Tax Map as 64.5-2-50, and located at 136 First Street, Nanuet, New York.

On roll call the vote was as follows

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

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RESOLUTION NO. (343-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control and the Deputy Town Attorney - Purchasing Department that

BID #35-2005 – MILL CREEK ROAD DRAINAGE IMPROVEMENTS  
RESOLUTION NO. (343-2006) continued

is hereby awarded to:

RUCKEL'S, INC.  
16 CHESTER AVENUE  
CONGERS, NY 10920  
EDWARD RUCKEL, PRESIDENT  
RAYMOND RUCKEL, VICE-PRESIDENT

PRINCIPALS:

as per their proposed project cost of \$45,854.00 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 co-insured party on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that said award will constitute a proper charge to account H-8757-400-409-0-81-13

On roll call the vote was as follows

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

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The Supervisor opened the meeting for general public comments.

Steven Levine- Congers

He questioned the new policy regarding FOIL's. The Town Attorney said we are working out the kinks of the new policy, wherein documents to be released through a FOIL are required to be reviewed by a Town Attorney first. This will ensure that information that should not be released is not mistakenly released.

Martin Bernstein- New City

He wanted to know what information would not be released to the public, regarding FOIL's. Amy Mele responded that certain personnel and police documents contained information that could not be released.

There being no one wishing to be heard further, the meeting was closed, on motion of Co. Lasker, seconded by Co. Maloney, 10:55PM.

Respectfully submitted,

David Carlucci  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING #1

Town Hall

05/05/2006

8:05 P.M.

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

Absent: Co. Mandia

RE: Continuation: Proposed amendment to the Town’s Comprehensive Plan with respect to proposed local law to amend Chapter 290 (Zoning) of the Clarkstown Town Code to permit gasoline pumps in the CS Zoning District.

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On motion of Co. Lasker, seconded by Co. Maloney, closed 8:24. On motion of Co. Maloney, seconded by Co. Lasker, unanimously adopted. RESOLUTION NO. (265-2006) adopted.

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The Supervisor requested Town Planner, Joe Simoes read the recommendations regarding the proposal. The recommendations, (from Robert Geneslaw, Clarkstown Planning Board, and the County Planning Department), are on file with the Town Clerk.

Martin Bernstein- New City

He was glad to see that separate hearings were being held regarding zone changes and the comprehensive plan. He disagrees with a change or proposal for change in the Comprehensive Plan.

Steven Levine- Congers

He disagreed with amending the Comprehensive Plan. We are now opening the door for other facilities in a CS Zone, as we may encounter sites in the future.

There being no one wishing to be heard further, the hearing was closed 8:24P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

(RESOLUTION NO. (265-2006) ADOPTED)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #2

Town Hall

05/05/2006

8:25 P.M.

Present: Supervisor Alexander J. Gromack  
Council Members Maloney, Lasker, & Nowicki  
Amy Mele, Town Attorney  
David Carlucci, Town Clerk  
Absent: Co. Mandia

Public Hearing #2 re: Continuation: Proposed local law to amend Chapter 290 (Zoning) to permit gasoline pumps in the CS Zoning District by Special Permit, which would be issued by the Town Board. On motion of Co. Lasker, seconded by Co. Nowicki, opened 8:25. On motion of Co. Lasker, seconded by Co. Maloney, closed 10:00. On motion of Co. Nowicki, seconded by Co. Lasker, unanimously adopted. RESOLUTION NO. (266-2006) adopted.

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Town Planner Joe Simoes provided an overview of the proposed local law. Chuck Wizinski and Larry Wagner, representatives of the developer, presented their plan.

Diann Honneveld- West Nyack

She wanted to know if this was a corner lot. Joe Simoes responded that it is. She stated she was disappointed with the proposal.

Gwen Numeroff- New City

She spoke in favor of the plan.

Lou Maccio- New City

Spoke against the addition of the gas pumps. He also inquired about flooding possibilities.

Dennis Letson- Town Engineer

The culvert was replaced, so it will pass the 100 year flood now. Work has been done in that channel, so any flooding would be retained. Additional drainage will be installed on site.

Mike Spanos- New City

He spoke against the addition of gas pumps to the revitalization of shopping center.

Rocco Marino- New City

He spoke against gas pumps and the increased traffic and asked Board to install a traffic light. He asked if Stop & Shop left, what would happen to gas tanks? The Town Attorney replied that if the tenant leaves, so does the special permit.

Steven Levine- Congers

He spoke in favor of revitalization, but was opposed to the gas pumps.

Lana Kupperschmidt- New City

Spoke in favor of the gas pumps and the plan.

Bruce Numeroff- New City

Spoke in favor of the gas pumps.

Frank Borelli- New City

Inquired if the permit was specific to Stop & Shop or not. Amy Mele stated it is specific to a 40,000 square foot supermarket. If Stop & Shop vacated the premises, another supermarket would have to occupy the premises, in order to maintain the permit.

Martin Bernstein- New City

Spoke against the gas pumps.

Mitchell Kaufman

Spoke against gas pumps and asked if there was an environmental study done or air monitors? Town Attorney stated there was not an environmental study done. Supervisor Gromack stated that we need an air monitor and we are working to get one.

Co. Lasker said her goal was to revitalize Clarkstown and New City. Bradlee's Shopping Center has been empty for years and Stop & Shop would have never come along unless a deal was done. We need people to come to New City. They need a reason to come.

Supervisor Gromack said we will assure that everything that goes through the site process will be environmentally safe. If we do nothing, we will have nothing! He suggested anyone concerned with the revitalization of New City, should attend this Thursday's meeting at 7:30PM at the Street Community Center.

Susan Gates- New City, Board Member- Downtown New City Corp.  
Spoke in favor of the gas pumps and the plan.

Nick Pasitino- New City  
Spoke against the gas pumps.

Luann Dillon- New City  
Spoke against the gas pumps.

Alfred Weissman- Owner/Developer of property  
We are a family business. These neighborhoods are for our children and grandchildren. We have tried to do what we think is right. The plans we showed tonight are what you are going to get when the project is done.

There being no one wishing to be heard further, the hearing was closed 10:00P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

(RESOLUTION NO. (266-2006) ADOPTED)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #3

Town Hall

05/05/2006

10:00 P.M.

Present: Supervisor Alexander J. Gromack  
Council Members Maloney, Lasker, & Nowicki  
Amy Mele, Town Attorney  
David Carlucci, Town Clerk  
Absent: Co. Mandia

Public Hearing #3 re: Proposed local law to amend Chapter 251 (Wireless Communication Facilities) of The Town Code of the Town of Clarkstown. On motion of Co. Lasker, seconded by Co. Maloney, opened 10:01. On motion of Co. Nowicki, seconded by Co. Maloney, closed 10:15. On motion of Co. Nowicki, seconded by Co. Lasker, unanimously adopted. RESOLUTION NO. (267-2006) adopted.

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The Supervisor opened the floor for comments.

Steven Levine-Congers

He spoke in favor of the moratorium, especially in light of the fact that the Bush Administration made it so that planning and zoning boards could no longer use health concerns as a reason for denying sites for cell phone towers.

Co. Nowicki stated the comments from Mr. Levine regarding President George Bush were obfuscating the issue.

Jerry Deolandria- Nanuet

He said he was very glad the town was doing this, because if you don't put a stop to it, you could imagine how many cell towers would be around.

Doug Warden- attorney representing Omnipoint Communications

The enactment of a moratorium is very serious, as it constitutes an infringement on private enterprise. The use of a moratorium should only be used when there is a crisis or an emergency, which is not the case here. Besides, the town already has a wireless law. He urged the Board not to enact the moratorium.

Amy Mele-Town Attorney

She respectfully disagreed with her colleague, Mr. Warden, because the arguments presented by his firm did not pertain to the case here in Clarkstown. The case Snyder & Snyder cited pertained to a moratorium placed by a town, citing health reasons. In this case, we are looking to address long-range community-wide planning and zoning objectives.

Morty Leifer- Communications Specialist for Town of Clarkstown

Technology has changed drastically in the last ten years, so we need to draft a code that fits today's Town. When a single cell company accesses a site that is not available to other companies, we are in fact, violating the Telecommunications Law by not providing equal access to service to our community. So we do have an emergency here. We are aware that there is new technology that exists that could obviate the necessity of cell towers and still provide a comprehensive communication facility to all the residents of Clarkstown on a neutral-host basis. Everyone would have equal access. A moratorium at this time is most appropriate and would allow us to work with the county and other towns to look further into these technologies.

There being no one wishing to be heard further, the hearing was closed 10:15P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

(RESOLUTION NO. (267-2006) ADOPTED)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #4

Town Hall

05/05/2006

10:16 P.M.

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

Absent: Co. Mandia

Public Hearing #4 re: Proposed local law to amend Chapter 254 (Subdivision of Land) of The Town Code of the Town of Clarkstown. On motion of Co. Nowicki, seconded by Co. Lasker, opened 10:16. On motion of Co. Maloney, seconded by Co.Lasker, closed 10:17. RESOLUTION NO. (268-2006) adopted.

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The Supervisor opened the floor for comments, but there being no one wishing to be heard, the hearing was closed 10:17.

Respectfully submitted,

David Carlucci  
Town Clerk

(RESOLUTION NO. (268-2006) ADOPTED)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #5

Town Hall

05/05/2006

10:18 P.M.

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

Absent: Co. Mandia

Public Hearing #5 re: Proposed local law regarding Illicit Stormwater Discharge. On motion of Co. Lasker, seconded by Co. Nowicki, opened 10:18. On motion of Co. Nowicki, seconded by Co.Lasker, closed 10:19. RESOLUTION NO. (269-2006) adopted.

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The Supervisor opened the floor for comments, but there being no one wishing to be heard, the hearing was closed 10:18.

Respectfully submitted,

David Carlucci  
Town Clerk

(RESOLUTION NO. (269-2006) ADOPTED)