

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

06/13/2006

8:00 P.M.

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

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

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SPECIAL PRESENTATION: Clarkstown Police PBA Scholarship Winners were honored. Presentation was given by Police Officer Joseph Knarich, the President of the Clarkstown PBA, and Detective Eileen Malloy. The following students were scholarship recipients:

Laura Armstrong	Dana Roscoe
Danielle Romano	Daniel Rausa
Seth Mosner	Timothy Woolley
Michael Cerrato	Jeannine Robinson
Mary Curran	Nicole Caselli
Kaitlin Dietrich	Brian Quinn
Elizabeth Mahoney	

YOUTH COURT GRADUATION: Presentation given by Detective Eileen Malloy, Captain Robert Mahon, and Pat Barad to honor the following students of the 36<sup>th</sup> Graduating Class of the Youth Court:

Michael Barnett	Milan Lipstein
Matthew Beiber	Lori Neuberger
Chad Bernstein	Jennifer Papo
Michael Bonner	Seth Rosenstein
Lindsay Cohen	Michael Sanchez
Alex Condoluci	Jason Segall
Giancarlo Cullaro	Ian Solomon
Christopher Iseman	Molly Spellman
Leena Jube	Jonathan Wolper

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Public Hearing #1 re: Proposed local law amending Local Law No. 8-1979 (Chapter 47- Purchasing, Department of), On motion of Co. Mandia, seconded by Co. Lasker, opened 8:22. On motion of Co. Nowicki, seconded by Co. Lasker, closed 8:23. RESOLUTION NO. (378-2006) unanimously adopted.

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Public Hearing #2 re: Petition for extension of Clarkstown Consolidated Water Supply District No. 1 to include Phillips Hill Farm Subdivision. On motion of Co. Nowicki, seconded by Co. Lasker, opened 8:23. On motion of Co. Nowicki, seconded by Co. Maloney, closed 8:24. RESOLUTION NO. (379-2006) unanimously adopted.

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Supervisor opened the meeting to public comments regarding agenda items.

Steve Levine- Congers

Regarding agenda item #5, he inquired what costs were incurred thus far for the Congers Station Restoration. He also wanted to know how much of the fee goes towards the architects. Town Attorney Amy Mele replied that the amount was about \$180,000.00.

Regarding agenda item#8, the waiver of the 30-day notice for a liquor license for Café Tu Tu Tango, he asked what are we waiving and if this were typical? Amy Mele explained that this is simply waiving a notice that Clarkstown requires, because the establishment made a request to do so, having missed the deadline. The actual permit; however, is granted by the state; Clarkstown merely waived the 30-day notice. Supervisor Gromack said that it is typical, in that the Alcohol & Beverage Commission of New York State regulates the liquor licenses. They do the background checks and provide final approval.

Regarding agenda item #15, he asserted that commercial equipment should not be allowed to be stored in residential areas and feels there should be a public hearing about this. Amy Mele responded that local landscapers have requested a location to store commercial vehicles, but under the current law, they can't be stored in residential areas. This resolution is to establish a temporary exploratory committee to discuss the situation. Co. Lasker assured that we are trying to get the commercial trucks out of residential areas.

Martin Bernstein- New City

He inquired about agenda item #5 and the total cost of the Congers Train Station. Co. Mandia stated it was three million dollars to build and one million to buy. About agenda item #15, he asked if this is being enforced. Have you got them out? Supervisor Gromack responded that we have not gotten them out and that enforcement alone is not the answer. Town Planner Joe Simoes stated any type of truck or equipment needs to be stored on a site with a building on it, even in M districts. Mr. Bernstein inquired about the potential of using the garbage dump as a site. The Supervisor informed him there is no land available at the dump. For agenda item #21a, he wanted to know why we are not looking to help people who really need it, because people 55 and older are not elderly.

Joe Schlimer- West Nyack

He had questions about agenda item #15.

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RESOLUTION NO. (378-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 10 – 2006

WHEREAS, 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” was introduced by Councilperson Maloney, at a Town Board meeting held on May 9, 2006, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on May 9, 2006, directed that a public hearing be held on June 13, 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 June 1, 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 May 1, 2006, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on June 13, 2006;

NOW, THEREFORE, be it RESOLVED, that Local Law No. 10 – 2006 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”

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 . . . . . Yes
- Co. Nowicki . . . . . Yes
- Supervisor Gromack . . . . . Yes

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

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RESOLUTION NO. (379-2006)

Co. Nowicki offered and Co. Maloney seconded

BEFORE THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, ROCKLAND COUNTY OF ROCKLAND

In the Matter of the Petition for Extension of THE CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT #1 to Include:

ORDER EXTENDING DISTRICT

PHILLIPS HILL FARM SUBDIVISION

In the Town of Clarkstown Rockland County, New York

A Petition in this matter for the EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT #1 of the Town of Clarkstown excluding any portion already in an existing district, having

RESOLUTION NO. (379-2006) continued

been duly adopted by the Town Board on the 23rd day of May 2006, for the hearing of all persons interested in the matter on the 13th day of June, 2006, at 8:00 PM EST, at the Board Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York and a Public Hearing by the said Town Board having been duly held at such time and place, and it having been duly resolved and determined, following such hearing, that the Petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all property and property owners within the proposed extension were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, that there has been and will be no cost to the Town of Clarkstown pursuant to such extension, that no state owned lands are part of the extended district, or if state owned lands are part of the extension, they consist of less than ten percent of such extended district, and it having been then and there further duly resolved that the creation of such extension as proposed be approved, it is hereby

ORDERED, that the CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT #1 of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town of Clarkstown: (Description Attached)

On roll call the vote was as follows

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

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RESOLUTION NO. (380-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of May 23, 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. . . . . Yes
- Co. Nowicki. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (381-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF CLARKSTOWN ENDORSING THE APPLICATION OF CAMP VENTURE, INC., FOR A GRANT UNDER THE HUDSON RIVER ESTUARY MANAGEMENT ACT, FOR A PROJECT KNOWN AS "CAMP VENTURE HUDSON RIVER ESTUARY INTERPRETIVE CENTER"

WHEREAS, CAMP VENTURE, INC. is applying to the Hudson River Estuary Management Program of the New York State Department of Environmental Conservation for a grant under the Environmental Protection Fund or Hudson River Estuary Management Act (ECL 11-0306) for a project to be located at the Camp Venture Academy, Rockland Lake, New York, a site located within the territorial jurisdiction of this Town Board, and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the approval/endorsement of the governing body of the municipality in which the project will be located;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby does approve and endorse the application of CAMP VENTURE, INC. for a grant under the Hudson River Estuary Management Act, for a project known as "CAMP VENTURE HUDSON RIVER ESTUARY INTERPRETIVE CENTER," which is located within the Town of Clarkstown.

On roll call the vote was as follows

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

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RESOLUTION NO. (382-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION ESTABLISHING SCHEDULE FOR ADMINISTERING ROOM RESERVATIONS

WHEREAS, The Clarkstown Town Hall parking spaces are limited in number and all available spaces are needed during business hours for employees and others doing business at Town Hall, and

WHEREAS, it is in the best interests of Clarkstown residents to have priority over non-residents with regard to the use of Town Hall;

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk is hereby authorized to use the following schedule for administering meeting room reservations:

During the hours between 9:00 a.m. and 5:00 p.m., only in-house meetings may be held in Town Hall. The Supervisor may, in his discretion, waive this prohibition upon request.

On the evenings of Monday through Thursday, during the hours between 5:30 p.m. and 11:00 p.m., the following rules apply:

1. Civic or non-profit organizations with a total membership roll comprised of at least 60% Clarkstown residents may use the Auditorium and any other available meeting room as designated by the Town Clerk, at no charge.
2. Civic or non-profit organizations with a total membership roll comprised of less than 60% Clarkstown residents may use the Auditorium for a fee of \$100.00 and any other meeting room designated by the Town Clerk, for a fee of \$50.00, payable at least 24 hours in advance.
3. Departments, committees, or agencies of the County of Rockland, the State of New York, or the Federal Government may use the Auditorium and any other meeting room designated by the Town Clerk, free of charge.
4. On Friday evenings and on weekends, custodial charges will be charged in addition to the above-mentioned rates.

On roll call the vote was as follows

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

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RESOLUTION NO. (383-2006)

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 following segments of various town roads for an additional period of two (2) years, beginning May 14, 2006 to May 14, 2008, as follows:

**Sponsor: Hiep Sanitation  
P. O. Box 90  
West Nyack, NY 10994**

**Road: .13 mile segment of Snake Hill Road from  
22 Snake Hill Road to intersection of  
Crusher Road, West Nyack, NY 10994**

and,

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Hiep Sanitation, 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 May 14, 2006 to May 14, 2008, in a form approved by

RESOLUTION NO. (383-2006) continued

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 Hiep Sanitation, to remove trash from the roadways.

On roll call the vote was as follows

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

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RESOLUTION NO. (384-2006)

Co. Lasker offered and Co. Maloney 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 group wishes to adopt specified Town locations for a period of two (2) years, beginning June 13, 2006 to June 12, 2008, as follows:

**Sponsor:**                    **Carter's Insurance Agency, LLC**  
                                      **22 S. Madison Avenue**  
                                      **P. O. Box 88**  
                                      **Spring Valley, NY 10977**

**Location:**                **Forest Glen Court and N. Pascack Road**  
                                      **Nanuet, NY 10954**

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying 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 the entity referred to herein, for a period of two (2) years beginning June 13, 2006 to June 12, 2008, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above location, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the location.

On roll call the vote was as follows

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

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RESOLUTION NO. (385-2006)

Co. Lasker offered and Co. Maloney seconded

AMENDING RESOLUTION NO. 373-2006 AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT CONCERNING THE TOWN OF CLARKSTOWN "ADOPT-A-SPOT" PROGRAM

WHEREAS, Resolution No. 373-2006 adopted May 23, 2006, naming Aldan Press as a Sponsor, is hereby amended as follows, and

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 wishes to adopt specified Town locations for a period of two (2) years, beginning May 10, 2006 to May 9, 2008, as follows:

RESOLUTION NO. (385-2006) continued

**Sponsor:** Clarkstown Sunrise Rotary  
P. O. 9292  
Bardonia, NY 10954

**Location:** West Nyack Road and corner of West Nyack Way  
West Nyack, NY 10994

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying 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 the entity 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 location, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the location.

On roll call the vote was as follows

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

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RESOLUTION NO. (386-2006)

Co. Nowicki offered and Co. Lasker seconded

**RESOLUTION ADJUSTING AND APPROVING ADDITIONAL PAYMENT TO ALBERTO & ASSOCIATES FOR THE CONGERS RAILROAD STATION RESTORATION AND CONGERS HAMLET GREEN PROJECT**

WHEREAS, by Resolution Nos. 909-2002 and 141-2004, Alberto & Associates, Inc. were retained to provide architectural services for the design of the Congers Railroad Station Restoration and Hamlet Green Project, in Congers, New York; and

WHEREAS, Alberto & Associates, Inc. has provided additional services outside the scope of their agreement with the Town, and submitted a bill for \$900.12 for their services and reimbursable expenses;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the sum of \$900.12, as set forth on invoice dated March 31, 2006, be paid to Alberto & Associates, which sum shall be charged to Account No. H 8751-409-0-75-16.

On roll call the vote was as follows

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

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RESOLUTION NO. (387-2006)

Co. Maloney offered and Co. Lasker seconded

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

**BID #14-2006 – 2006 ROADWAY RESURFACING PROGRAM**

is hereby awarded to: TILCON NEW YORK INC.  
162 OLD MILL ROAD  
WEST NYACK, NY 10994  
PRINCIPALS: A PUBLIC CORPORATION

as per their proposed total project cost of \$1,368,611.00 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

RESOLUTION NO. (387-2006) continued

- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker's Compensation insurance coverage
- g) Certificate of Worker's Disability Insurance coverage

and be it

FURTHER RESOLVED, that 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. . . . . Yes  
 Co. Nowicki. . . . . Yes  
 Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (388-2006)

Co. Maloney offered and Co. Lasker seconded

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

**BID #15-2006 – 2006 CONCRETE CURB AND SIDEWALK REPLACEMENT PROGRAM**

is hereby awarded to: **BELLVISTA CONSTRUCTION CORP.**  
**P.O. BOX 753**  
**ARDSLEY, NY 10502**  
 PRINCIPALS: **YOLANDA DE SANTIS**  
**JOSEPH DE SANTIS**

as per their proposed total project cost of \$382,610.00 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.

On roll call the vote was as follows

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

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RESOLUTION NO. (389-2006)

Co. Maloney offered and Co. Mandia seconded

**AMENDMENT TO RESOLUTION NO. 210-2006 RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF ZUKOR ROAD, NEW CITY TO BE TREATED AS A CAPITAL PROJECT**

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Zukor Road, New City of Town Board Resolution No. 210-2006 be increased from \$184,721.25 to \$241,297.25, to reflect the increase in the bid price of asphalt

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

RESOLUTION NO. (389-2006) continued

FURTHER RESOLVED, that the increased cost of \$56,576.00 for asphalt is hereby determined to be a proper charge to Capital Account No. H-8757-409-81-8, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows

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

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RESOLUTION NO. (390-2006)

Co. Maloney offered and Co. Mandia seconded

**AMENDMENT TO RESOLUTION NO. 211-2006**

**RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF BURNSIDE AVENUE, CONGERS TO BE TREATED AS A CAPITAL PROJECT**

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Burnside Avenue, Congers of Town Board Resolution No. 211-2006 be increased from \$95,852.50 to \$106,868.50, to reflect the increase in the bid price of asphalt

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the increased cost of \$11,016.00 for asphalt is hereby determined to be a proper charge to Capital Account No. H-8757-409-81-8, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows

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

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RESOLUTION NO. (391-2006)

Co. Maloney offered and Co. Mandia seconded

**AMENDMENT TO RESOLUTION NO. 212-2006**

**RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF COTTAGE LANE, VALLEY COTTAGE TO BE TREATED AS A CAPITAL PROJECT**

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Cottage Lane, Valley Cottage of Town Board Resolution No. 212-2006 be increased from \$39,812.50 to \$52,052.50, to reflect the increase in the bid price of asphalt

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the increased cost of \$12,240.00 for asphalt is hereby determined to be a proper charge to Capital Account No. H-8757-409-81-8, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows

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

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RESOLUTION NO. (392-2006)

Co. Maloney offered and Co. Mandia seconded

**AMENDMENT TO RESOLUTION NO. 213-2006**

**RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF BOXBERGER LANE, VALLEY COTTAGE TO BE TREATED AS A CAPITAL PROJECT**

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Boxberger Lane, Valley Cottage of Town Board Resolution No. 213-2006 be increased from \$38,487.50 to \$50,727.50, to reflect the increase in the bid price of asphalt

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the increased cost of \$12,240.00 for asphalt is hereby determined to be a proper charge to Capital Account No. H-8757-409-81-8, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows

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

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RESOLUTION NO. (393-2006)

Co. Nowicki offered and Co. Lasker seconded

**RESOLUTION WAIVING THE NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR "CAFE TU TU TANGO"**

WHEREAS, Gerard Daly, General Manager of "Cafe Tu Tu Tango," 4532 Palisades Center Drive, Space G-401, West Nyack, New York, has advised that he intends to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality, and

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby waives the thirty day notice requirement contained in Section 64 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding the application of Gerard Daly, General Manager of "Cafe Tu Tu Tango," for a liquor license at the premises referred to herein.

On roll call the vote was as follows

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

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RESOLUTION NO. (394-2006)

Co. Maloney offered and Co. Lasker seconded

**AMENDING RESOLUTION NO. 163-2006**

WHEREAS, Resolution No. 163-2006 adopted on March 21, 2006 authorized the installation of "No Parking" signs on Strawtown Road between Wendover Lane and Oxford Court, New City, and

WHEREAS, this parking restriction is only needed during school hours,

Now Therefore Be It

RESOLVED, that Resolution No. 163-2006 is hereby amended to read:

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 Parking From 8:00 a.m. to 4:00 p.m. Monday – Friday" signs with directional arrows on Strawtown Road between Wendover Lane and Oxford Court, New City, New York (see §221.5 P1-4 signs as per the NYS DOT Manual of Uniform Devices), and be it

RESOLUTION NO. (394-2006) continued

FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward copies of this resolution to Wayne T. Ballard, PE, CSP, Superintendent of Highways and to Clarkstown Police Chief Peter Noonan for enforcement purposes.

On roll call the vote was as follows

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

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RESOLUTION NO. (395-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AMENDING RESOLUTION NO. 93, AUTHORIZING AMENDMENT TO SOLID WASTE DISPOSAL SERVICES AGREEMENT AND SITE LEASE AGREEMENT BETWEEN THE TOWN OF CLARKSTOWN AND CLARKSTOWN RECYCLING CENTER, INC.

WHEREAS, Resolution No. 93 adopted by the Town Board on January 24, 2006, is hereby amended as follows:

“RESOLVED, that the Town Attorney is hereby authorized and directed to prepare an amendment to the Agreement which shall take effect on May 1, 2006 and shall terminate on December 31, 2006 (the “Extension Period”), and which shall further provide that the Contractor shall be paid the current service fee of \$67.00 per ton of municipal solid waste for the month of May, \$68.00 per ton for the months of June, July, August, September and October, and \$68.50 per ton for the months of November and December 2006, and be it

FURTHER RESOLVED, that all other provisions of the Agreement shall remain in full force and effect.”

On roll call the vote was as follows

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

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RESOLUTION NO. (396-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AMENDING RESOLUTION NO. 275-2006 AUTHORIZING THE SUPERVISOR TO ENTER INTO AGREEMENTS FOR ECONOMIC ASSISTANCE FOR THE YEAR 2006

RESOLVED, that Resolution No. 275-2006, adopted by the Town Board on May 9, 2006, is hereby amended by deleting the appropriation to the Rockland Center for Holocaust Studies since this organization did not submit an application for funding.

On roll call the vote was as follows

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

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RESOLUTION NO. (397-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AMENDING RESOLUTION NO. 943-2005, AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE H2M GROUP TO PROVIDE ADDITIONAL ENGINEERING SERVICES WITH RESPECT TO THE SOLID WASTE TRANSFER FACILITY

WHEREAS, Resolution No. 943-2005, adopted by the Town Board on December 30, 2005, is hereby amended as follows:

“WHEREAS, the Town Board authorized retention of the H2M Group to provide professional engineering and consulting services related to the operation of the Clarkstown Solid Waste Transfer Station Facility, including the renewal of the Town’s operating permit with the New York State Department of Environmental Conservation (NYSDEC), and

RESOLUTION NO. (397-2006) continued

WHEREAS, the H2M Group has submitted a proposal dated May 11, 2006, to provide additional engineering services for following-up on the Request For Proposals (RFP) for the option of the continued private operation of the Transfer Station, and

WHEREAS, the Department of Environmental Control has found the proposal to be reasonable in both scope and price;

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control and the Deputy Town Attorney, that the Supervisor is hereby authorized to enter into an amended agreement, in a form acceptable to the Town Attorney, to its July 20, 2005 agreement with H2M Group, to provide additional engineering services as set forth in its proposal dated May 11, 2006, and be it

FURTHER RESOLVED, that the total cost of said additional services shall not exceed \$20,000 without further authorization from the Town Board.”

On roll call the vote was as follows

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

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RESOLUTION NO. (398-2006)

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 REPAIR AND SEALCOAT THE DRIVEWAY LOCATED AT #53 EAST STREET, WEST NYACK

WHEREAS, the existing driveway located at #53 East Street, West Nyack, runs over a 15’ wide Town drainage easement; and

WHEREAS, sealcoating and crack repair is required to repair damage that has occurred to the driveway within the easement as a result of settlement; and

WHEREAS, the Department of Environmental Control has solicited proposals from three (3) qualified contractors to perform the required improvements; and

WHEREAS, the Department of Environmental Control has received three (3) proposals in response to its solicitation; and

WHEREAS, the Department of Environmental Control has reviewed the low proposal submitted by Rockland County Sealcoating, Inc., and has found it to be acceptable;

NOW, THEREFORE, BE IT RESOLVED that the Director of the Department of Environmental Control is hereby authorized to retain the services of

Rockland County Sealcoating, Inc.  
 284 Germonds Road  
 West Nyack, NY 10994

To perform the required work in accordance with their proposal for an amount not to exceed \$400.00; and

BE IT FURTHER RESOLVED that this amount shall be a proper charge to account # A 8730-4090.

On roll call the vote was as follows

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

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RESOLUTION NO. (399-2006)

Co. Nowicki 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 A TOWN EASEMENT IN THE VICINITY OF #4 CEDARCRAFT LANE, NEW CITY

WHEREAS, a ± 60’ section of pipe located within a Town easement running through the property at #4 Cedarcraft Lane has deteriorated and needs to be replaced;

RESOLUTION NO. (399-2006) continued

**WHEREAS**, the Department of Environmental Control has solicited proposals from three (3) qualified contractors to replace the pipe; and

**WHEREAS**, the Department of Environmental Control has received three (3) proposals in response to its solicitation; and

**WHEREAS**, Department of Environmental Control staff has reviewed the low proposal submitted by Cusack Landscaping, Inc. and has found it to be acceptable; and

**WHEREAS**, the Director of the Department of Environmental Control recommends that the work be awarded to Cusack Landscaping, Inc. for their low proposal of \$5,250.00; and

**NOW, THEREFORE, BE IT RESOLVED** that the director of Environmental Control is hereby authorized to retain the services of:

*Cusack Landscaping, Inc.  
P.O. Box 106  
New City, NY 10956*

to perform this work in accordance with their proposal for an amount not to exceed **\$5,250.00**; 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 20**

On roll call the vote was as follows

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

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RESOLUTION NO. (400-2006)

Co. Maloney offered and Co. Lasker seconded

**RESOLUTION AUTHORIZING THE HIRING OF TECTONIC ENGINEERING CONSULTANTS, P.E., TO PROVIDE CONSTRUCTION INSPECTION AND MATERIAL TESTING SERVICES FOR THE 2006 ROAD RESURFACING PROGRAM IN THE TOWN OF CLARKSTOWN**

**WHEREAS**, Wayne T. Ballard, P.E., C.S.P, Superintendent of Highways recommends the hiring of Tectonic Engineering Consultants, P.C., in accordance with its proposal dated May 8, 2006, to provide professional services in the form of construction inspection and material testing services for the 2006 Roadway Resurfacing Program Bid # 14-2006 for the Town Of Clarkstown, and

**WHEREAS**, the Superintendent of Highways has reviewed the proposal and finds it to be reasonable in terms of scope and cost;

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to enter into a contract with Tectonic Engineering Consultants, P.C., in a form approved by the Town Attorney, to provide construction inspection and material testing services for the 2006 Roadway Resurfacing Program for the Town of Clarkstown, and be it

**FURTHER RESOLVED**, that the cost for said services shall not exceed the sum of \$50,000.00 and shall be charged to Account No. DB 5110-381-0.

On roll call the vote was as follows

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

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RESOLUTION NO. (401-2006)

Co. Nowicki offered and Co. Lasker seconded

**RESOLUTION APROPRIATING FUNDS TO VETERAN ORGANIZATIONS**

**WHEREAS**, a certain veteran organization has 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

RESOLUTION NO. (401-2006) continued

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 organization for the year 2006:

West Nyack Memorial - Post 126  
and be it

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. . . . . Yes  
Co. Nowicki. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (402-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION GRANTING PERMISSION TO ALERT HOOK, LADDER AND ENGINE COMPANY NO. 1, TO HAVE A LICENSED FIREWORKS DISPLAY AT 65 LAKE ROAD, CONGERS, NEW YORK

WHEREAS, the Alert Hook, Ladder and Engine Company No. 1 of Congers, New York, has requested permission to have a licensed fireworks display at 65 Lake Road, Congers on July 2, 2006, and hold a carnival on June 29-July 2, 2006, and

WHEREAS, Police Chief Peter Noonan, Clarkstown Police Department, James McCormick, Emergency Management Coordinator, and Mark Papenmeyer, Chief Fire Safety Inspector, have reviewed the proposal and have advised that the proposed fireworks display shall be in compliance with the National Fire Protection Act and New York State Penal Law Section 405 and that adequate police personnel will be available, and have recommended permission be granted for such fireworks display subject to certain conditions and compliance with all necessary public safety measures provided the display is held on July 2, 2006;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to Alert Hook, Ladder and Engine Company No. 1 to sponsor a fireworks display at 65 Lake Road, Congers, on July 2, 2006, at approximately 9:00 p.m., subject to the following conditions:

1. Compliance with New York State Penal Law §405 and the National Fire Protection Act, and
2. A Certificate of Insurance naming the Town of Clarkstown as an additional insured with coverage not less than \$3,000,000 and evidence of NYS Workers' Compensation and Disability Benefits coverage, and
3. An on site inspection by the Town of Clarkstown Fire Inspector prior to the fireworks display, and
4. Provide a bond for the favor of the Town of Clarkstown in an amount not less than \$5,000 as provided by §405.00(4) Penal Law.

On roll call the vote was as follows

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

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RESOLUTION NO. (403-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION TO ESTABLISH TEMPORARY EXPLORATORY COMMITTEE

WHEREAS, The Town Board of the Town of Clarkstown, recognizing the changes to our suburban fabric and burgeoning economy over the last two decades, and

WHEREAS this change has triggered substantial upgrades to property including redevelopment, remodeling, renovation, landscaping and the like, and

WHEREAS this has resulted in the proliferation of small and medium sized contracting companies in our town, which businesses service our residents and businesses and provide for increased property values, employment and a general improvement to our quality of life, and

WHEREAS, this proliferation has caused increased commercial vehicle storage in residential zoning districts of the Town and the Town Code currently lacks adequate provisions for commercial vehicle storage in the commercial zoning districts to accommodate the needs of these small businessmen, and

RESOLUTION NO. (403-2006) continued

WHEREAS Supervisor Gromack conducted an exploratory staff workshop on May 30 to discuss the current Clarkstown Zoning Local Law and the Town Board's long standing desire to research the possibility of creating new permitted uses to accommodate this aforementioned need,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby establishes a Temporary Exploratory Committee to explore and identify potential textual changes to the Zoning Local Law to create a contractor storage yard use with specific parameters, locations, districts, lot size, screening and other planning and zoning issues and to provide a preliminary report to the Town Board by the first week of August 2006, and be it

FURTHER RESOLVED, that the following Town officials are appointed members of the Temporary Exploratory Committee:

- AMY MELE, Town Attorney (or designee)
- PETER J. BEARY, Building Inspector (or designee)
- SHIRLEY J. THORMANN, Chairwoman, Planning Board
- JOSE SIMOES, Senior Town Planner
- JOEL J. EPSTEIN, Code & Zoning Enforcement Officer/Community Liaison.

On roll call the vote was as follows

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

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RESOLUTION NO. (404-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION OF THE CLARKSTOWN TOWN BOARD SUPPORTING THE CONTINUATION AND EXPANSION OF THE LOCAL LAND USE LEADERSHIP ALLIANCE TRAINING PROGRAM OF THE LAND USE LAW CENTER OF PACE UNIVERSITY SCHOOL OF LAW

WHEREAS, comprehensive planning, land use regulations and the review and approval of land development proposals are among the most important functions of local governments in the State of New York, and

WHEREAS, members of local administrative boards such as the planning board, zoning board of appeals, and conservation advisory boards consider and dispose of many important applications for permits, variances and interpretations of local land use regulations, and

WHEREAS, local legislative bodies are authorized to use their delegated authority under state law to adopt a wide variety of land use regulations, control and incentives to provide for the balanced and harmonious development of the community, and

WHEREAS, land owners, developers, and leaders of local civic organizations are regularly involved in testifying regarding matters pending before these legislative and administrative bodies, and

WHEREAS, knowledge of the authority of local governments regarding land use control and responsible decision making regarding these matters is important to the quality of life and future success of the communities, and

WHEREAS, the Land Use Law Center of Pace University School of Law has established an exemplary program of training and supporting local officials, private sector representatives and civic leaders in land use decision making;

NOW, THEREFORE, be it

RESOLVED, the Town Board of the Town of Clarkstown hereby supports the continuation and expansion of the local land use leadership alliance training program of the Land Use Law Center of Pace University School of Law, and be it

FURTHER RESOLVED, that the Town of Clarkstown offers its official sponsorship of the training sessions conducted under the Center's programs, and be it

FURTHER RESOLVED, that the Town of Clarkstown encourages other cities, towns and villages in the Hudson Valley Region to offer their support and sponsorship of the land use training programs and to nominate local leaders for participating in these programs.

On roll call the vote was as follows

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

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RESOLUTION NO. (405-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that petty cash be established in the amount of \$100.00 (additional) for the Recreation and Parks Office Summer Program.

On roll call the vote was as follows

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

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RESOLUTION NO. (406-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Richard C. Tigue to the position of (2nd) (provisional) – Parks Maintenance Director – Parks Board and Recreation Commission – at the current 2006 annual salary of \$90,504., effective and retroactive to June 5, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (407-2006)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #06009 Maintenance Supervisor (Ground) (Prom) – which contains the name of Frederick C. Hastings, Now, therefore, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Frederick C. Hastings to the (contingent-permanent) position of Maintenance Supervisor (Grounds) – Parks Board and Recreation Commission – at the current annual salary of \$80,211., effective and retroactive to June 5, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (408-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control, United Water New York is hereby authorized to install the following hydrants in conjunction with Hydrant Investigation No. 12422 Strawtown Road, New City.

X11020H – w/s Strawtown Road approx. 500’ s/o Congers Road

and be it,

FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to Tricia Betz, Utility Service Coordinator.

On roll call the vote was as follows

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

RESOLUTION NO. (409-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION ACCEPTING RESTRICTIVE COVENANT, DRAINAGE EASEMENT, CONSERVATION EASEMENT AND DEED FOR ROAD WIDENING REGARDING STRAWBERRY HILL, LLC SUBDIVISION (59.18-1-14)

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 STRAWBERRY HILL, LLC (59.18-1-14), Strawberry Hill, LLC has provided a Restrictive Covenant for Lot 2 dated June 12, 2006, a Drainage Easement dated March 8, 2006, a Conservation Easement dated March 8, 2006 and a Deed for road widening purposes in the vicinity of Strawberry Hill Lane, West Nyack, New York dated March 8, 2006 to the Town of Clarkstown, 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 Restrictive Covenant, Drainage Easement, Conservation Easement and Deed for road widening purposes from Strawberry Hill, LLC, and orders them recorded in the Rockland County Clerk's Office at the expense of the grantor/declarant.

On roll call the vote was as follows

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

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RESOLUTION NO. (410-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE HOUSING ACTION COUNCIL, TO PROVIDE PROFESSIONAL SERVICES TO REVIEW THE TOWN'S PROPOSED LOCAL LAW DEALING WITH THE ACTIVE ADULT RESIDENCE ZONING DISTRICT

WHEREAS, pursuant to the Town's request, the Housing Action Council has submitted a proposal, dated June 12, 2006, to provide the Town with a professional review and to make recommendations on the proposed Local Law dealing with the Active Adult Residence Zone, and

WHEREAS, the Town Attorney recommends the hiring of this firm to perform said review;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Housing Action Council, in a form approved by the Town Attorney, to provide a review and to make recommendations on the proposed Local Law dealing with the proposed Active Adult Residence Zone, and

WHEREAS, the cost of such services shall not exceed \$3,000.00, and shall be charged to Account No. A 1420-409.

On roll call the vote was as follows

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

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RESOLUTION NO. (411-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING AGREEMENT WITH ROCKLAND COUNTY YOUTH BUREAU/ROCKLAND ENVIRONMENTAL CORPS FOR MUNICIPAL INFRASTRUCTURE MAPPING, MAINTENANCE AND PUBLIC EDUCATION

WHEREAS, the Rockland County Youth Bureau has created a Rockland Environmental Corp which is staffed with Americorps members to participate in a service-orientated, educational and environmentally beneficial program and it has proposed to provide Americorps members under the direction of the Town Planner and Deputy Director of Environmental Control to participate in a mapping existing sidewalks to determine gaps, mapping and maintenance of streams and drainage facilities to control flooding and improve water quality, marking of catch basins to prevent dumping and locating and identifying other Town infrastructure, and

WHEREAS, Americorps members receive a minimal stipend while participating in the program which will be funded in part by the Town of Clarkstown, and

WHEREAS, the Town Planner and Deputy Director of Environmental Control have recommended this program for adoption in the Town of Clarkstown;

RESOLUTION NO. (411-2006) continued

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a Rockland County Youth Bureau/Rockland Environmental Corps host site agreement for the calendar year ending August 31, 2006, in a form approved by the Town Attorney, to utilize the service of not more than four (4) Americorps members for municipal infrastructure mapping, maintenance and public education for a program total not to exceed 250 service hours for each member at a cost not to exceed \$3,980.00, which shall constitute a proper charge be charged to Account No. A 8730-409 and B 8020-409.

On roll call the vote was as follows

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

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The Supervisor opened the meeting for general public comments.

Martin Bernstein- New City

Spoke in opposition to real estate signs being removed, in regards to Operation Clean Sweep. Every place in the country uses the signs to sell properties. This started with political signs. He gave the Board a warning, recalling that realtors were responsible for former Governor Cuomo's loss. Supervisor Gromack reiterated that this had nothing to do with political signs. All signs are treated equally that are left in the public right of way. This started because the community wanted us to clean up the town.

Mr. Schmidt- Valley Cottage

Hurricane season is upon us, so where are we with Kill Von Beaste? I have sandbags on the back of my property, but the water is on my side. Are they going to leave it? The Supervisor advised that in about 10 days, we should have a recommendation from the DEC. He also inquired about digging going on on Birchwood Court. Superintendent of Highways said he would look into it.

George Hoehmann- Nanuet

He thanked the Board for the grant for the estuary program and for the adopt-a-spot.

Steven Levine- Congers

I want to create a 35 foot hill on my back yard. Do I need any permits for fill operations? Amy Mele- There is an application for fill permits. Steven Levine-What kind of enforcement action could be taken without a permit? Amy Mele- \$250 a day, \$750 for a second offense. Steven Levine-There should be an independent testing lab test for the materials dumped.

There being no one wishing to be heard further, the meeting for general public comments was closed, on motion of Co. Lasker, seconded by Co. Maloney, 9:07PM.

The Supervisor asked those present to partake in a moment of silence in the memory of Zippy Fleisher.

On motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, Town Board Meeting was closed 9:08PM

Respectfully submitted,

David Carlucci  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING #1

Town Hall

06/13/2006

8:22 P.M.

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

Re: Proposed local law amending Local Law No. 8-1979 (Chapter 47- Purchasing, Department of).

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On motion of Co. Mandia, seconded by Co. Lasker, opened 8:22. On motion of Co. Nowicki, seconded by Co. Lasker, closed 8:23. RESOLUTION NO. (378-2006) unanimously adopted.

The Supervisor opened the floor for comments.

Martin Bernstein- New City  
Asked why you are doing this?

Amy Mele- We have consolidated two positions. Our Insurance Claims Manager is heading up the Purchasing Department at an enormous savings to the Town.

Respectfully submitted,

David Carlucci  
Town Clerk

(RESOLUTION NO. (378-2006) ADOPTED)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #2

Town Hall

06/13/2006

8:23 P.M.

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

Re: Petition for extension of Clarkstown Consolidated Water Supply District No. 1 to include Phillips Hill Farm Subdivision.

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On motion of Co. Nowicki, seconded by Co. Lasker, opened 8:23. On motion of Co. Nowicki, seconded by Co. Maloney, closed 8:24. RESOLUTION NO. (379-2006) unanimously adopted.

There being no one wishing to be heard, on motion of Co. Nowicki, seconded by Co. Maloney, and unanimously adopted, the public hearing was closed 8:24 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

(RESOLUTION NO. (379-2006) ADOPTED)