

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

06/19/2007

8:00 P.M.

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

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

Supervisor Gromack stated that the Highway Department put over thirty flags over the causeway. He thanked Orange & Rockland and Verizon for allowing flags on the utility poles. United Water has monitors at New City and Congers sections. After tonight the road will be named the Freedom Causeway.

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Public Hearing #1 re: Proposed local law to extend temporary moratorium on wireless communication facilities for 45 days. On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:10 P.M. On motion of Co. Nowicki, seconded by Co. Maloney, hearing closed 8:11 P.M. RESOLUTION NO. (387-2007) unanimously adopted.

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Public Hearing #2 re: Proposed local law to amend Town Code Chapter 251 Wireless Communication Facilities (Continuation). On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:11 P.M. On motion of Co. Maloney, seconded by Co. Lasker hearing continued to July 24, 2007. RESOLUTION NO. (388-2007) unanimously adopted.

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Public Hearing #3 re: Proposed local law to amend Town Code Chapter 47 (Department of Purchasing). On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:11 P.M. On motion of Co. Maloney, seconded by Co. Nowicki, hearing closed 8:11 P.M. RESOLUTION NO. (389-2007) unanimously adopted.

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Public Hearing #4 re: Proposed local law to amend Town Code Chapter 109 (Building Construction Administration). On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:12 P.M. On motion of Co. Nowicki, seconded by Co. Lasker, hearing closed 8:12 P.M. RESOLUTION NO. (390-2007) unanimously adopted.

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Public Hearing #5 re: Proposed local law to amend Town Code Chapter 143 (Fire Prevention). On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:12 P.M. On motion of Co. Maloney, seconded by Co. Lasker, hearing closed 8:17 P.M. RESOLUTION NO. (391-2007) unanimously adopted.

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Public Hearing #6 re: Proposed local law to amend Town Code Chapter 249a (Stormwater Management). On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:17 P.M. On motion of Co. Nowicki, seconded by Co. Lasker, hearing closed 8:17 P.M. RESOLUTION NO. (392-2007) unanimously adopted.

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Public Hearing #7 re: Proposed local law to amend Town Code Chapter 290 (Zoning) to be consistent with §243 of the Town Code regarding signs. On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:17 P.M. On motion of Co. Maloney, seconded by Co. Lasker, hearing closed 8:20 P.M. RESOLUTION NO. (393-2007) unanimously adopted.

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Public Hearing #8 re: Request of Rockland Jewish Community Center Corp. for an additional 6 months to obtain site plan approval from the Clarkstown Planning Board for its premises at 450 West Nyack Road, West Nyack. On motion of Co. Maloney, seconded by Co. Lasker, hearing opened 8:20 P.M. On motion of Co. Maloney, seconded by Co. Lasker, hearing closed 8:20 P.M. RESOLUTION NO. (394-2007) unanimously adopted.

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Public Hearing #9 re: Request of MAK Development Corp./Stop & Shop Supermarket Company for an additional 12 months concerning special permit to construct gasoline pumps and kiosk. On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:20 P.M. On motion of Co. Maloney, seconded by Co. Mandia, hearing closed 9:00 P.M. RESOLUTION NO. (395-2007) unanimously adopted.

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Public Hearing #10 re: Proposed local law to prevent lower assessments of converted condominiums pursuant to §581 of the Real Property Tax Law and §339-Y of the Real Property Law. On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 9:00 P.M. On motion of Co. Maloney, seconded by Co. Lasker, hearing closed 9:00 P.M. RESOLUTION NO. (396-2007) unanimously adopted.

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Supervisor opened the meeting to public comments regarding agenda items.

Martin Bernstein- New City

Regarding agenda item #12, resolution no. (419-2007), asked if signs are different than flags.

Supervisor Gromack

Regarding agenda item #12, resolution no. (419-2007), referred to statements made earlier in the evening, in that the situation was rectified by replacing the flags so that they do not pose a safety hazard to drivers, which was one of the reasons for the removal. It had nothing to do with the Town Code on signs.

Steven Levine- Congers

Regarding agenda items #11 & 12, resolution nos. (418-2007 & 419-2007), had questions about putting a flagpole in the right-of-way. Town Attorney Amy Mele advised that would not be allowed. Supervisor Gromack gave an overview of the proposed resolutions.

RESOLUTION NO. (387-2007)  
Co. Nowicki offered and Co. Maloney seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 7- 2007

WHEREAS, a proposed local law entitled,

“A LOCAL LAW AMENDING LOCAL LAW NO. 5-2007 EXTENDING TEMPORARY MORATORIUM ON WIRELESS COMMUNICATIONS FACILTIES FOR FORTY-FIVE DAYS”

was introduced by Councilwoman Shirley Lasker, at a Town Board meeting held on June 5, 2007, and WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on June 5, 2007, directed that a public hearing be held on June 19, 2007, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on June 7, 2007, and WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on June 8, 2007, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on June 19, 2007;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 7- 2007 entitled:

“A LOCAL LAW AMENDING LOCAL LAW NO. 5-2007 EXTENDING TEMPORARY MORATORIUM ON WIRELESS COMMUNICATIONS FACILTIES FOR FORTY-FIVE DAYS”

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

- Co. 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. (388-2007)  
Co. Maloney offered and Co. Lasker seconded

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

WHEREAS, on January 23, 2006, a public hearing was held to consider proposed amendments to Town Code Chapter 251, the “Wireless Communications Facilities Law,” and said hearing was continued to February 13, 2007, April 17, 2007, May 15, 2007, and June 19, 2007, and

WHEREAS, the proposed local law has been amended to reflect recommendations by interested parties, therefore, the Town Board hereby directs that the public hearing be continued on July 24, 2007;

NOW, THEREFORE, be it

RESOLVED, that the continuation of a public hearing, pursuant to §20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on July 24, 2007, at 8:00 p.m. or as soon thereafter as possible, relative to such proposed local law, and be it

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

FURTHER RESOLVED, that the amended proposed local law is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33 of the Zoning Local Law of the Town of Clarkstown and to the Rockland County Commissioner of Planning pursuant to Sections 239-1 and 239-m of the General Municipal Law for report.

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 Planning Consultant, Robert Geneslaw, 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. . . . . Yes
- Co. Nowicki. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (389-2007)  
Co. Maloney offered and Co. Nowicki seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 8 – 2007

WHEREAS, a proposed local law entitled,

“A LOCAL LAW AMENDING CHAPTER 47 (DEPARTMENTOF PURCHASING) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

RESOLUTION NO. (389-2007) continued

was introduced by Councilwoman Shirley Lasker, at a Town Board meeting held on May 15, 2007, and WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on May 15, 2007, directed that a public hearing be held on June 19, 2007, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on June 5, 2007, and WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown on June 19, 2007, and WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on May 10, 2007;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 8 – 2007 entitled:

“A LOCAL LAW TO AMENDING CHAPTER 47 (DEPARTMENT OF PURCHASING) 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. (390-2007)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 9 – 2007

WHEREAS, a proposed local law entitled,

“A LOCAL LAW AMENDING CHAPTER 109 (BUILDING CONSTRUCTION ADMINISTRATION OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

was introduced by Councilwoman Shirley Lasker, at a Town Board meeting held on May 15, 2007, and WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on May 15, 2007, directed that a public hearing be held on June 19, 2007, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on June 5, 2007, and WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown on June 19, 2007, and WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on June 8, 2007;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 9 – 2007 entitled:

“A LOCAL LAW AMENDING CHAPTER 109 (BUILDING CONSTRUCTION ADMINISTRATION 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. (391-2007)

Co. Maloney offered and Co.Lasker seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 10 – 2007

WHEREAS, a proposed local law entitled,

“A LOCAL LAW TO AMEND CHAPTER 143 (FIRE PREVENTION) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

was introduced by Councilwoman Shirley Lasker, at a Town Board meeting held on May 15, 2007, and WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on May 15, 2007, directed that a public hearing be held on June 19, 2007, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on June 5, 2007, and WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown on June 19, 2007, and

RESOLUTION NO. (391-2007) continued

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 June 7, 2007;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 10 – 2007 entitled:

“A LOCAL LAW TO AMEND CHAPTER 143 (FIRE PREVENTION) 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. (392-2007)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 11 – 2007

WHEREAS, a proposed local law entitled,

“A LOCAL LAW AMENDING CHAPTER 249a (STORMWATER MANAGEMENT) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

was introduced by Councilwoman Shirley Lasker, at a Town Board meeting held on May 15, 2007, and WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on May 15, 2007, directed that a public hearing be held on June 19, 2007, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on June 5, 2007, and WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown on June 19, 2007, and WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on June 8, 2007;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 11 – 2007 entitled:

“A LOCAL LAW AMENDING CHAPTER 249a (STORMWATER MANAGEMENT) 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. (393-2007)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 12 – 2007

WHEREAS, a proposed local law entitled,

“A LOCAL LAW TO AMEND CHAPTER 290 OF THE ZONING LOCAL LAW OF THE TOWN OF CLARKSTOWN CONCERNING SIGNS”

was introduced by Councilwoman Shirley Lasker, at a Town Board meeting held on May 15, 2007, and WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on May 15, 2007, directed that a public hearing be held on June 19, 2007, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on June 5, 2007, and WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown on June 19, 2007, and WHEREAS, the Town Board referred the proposed local law to the Rockland County Planning Department pursuant to GML Section 239 l and m, and

WHEREAS, the Rockland County Planning Department recommended approval by letter dated June 7, 2007, and WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on May 10, 2007, and

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 12– 2007 entitled:

RESOLUTION NO. (393-2007) continued

“A LOCAL LAW TO AMEND CHAPTER 290 OF THE ZONING LOCAL LAW OF THE TOWN OF CLARKSTOWN CONCERNING SIGNS”

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. (394-2007)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION SCHEDULING A PUBLIC HEARING CONCERNING PETITION OF ROCKLAND JEWISH COMMUNITY CENTER CORP. FOR FURTHER EXTENSION OF TIME CONCERNING SITE PLAN REVIEW BY THE CLARKSTOWN PLANNING BOARD MAP 58.19-1-11

WHEREAS, the Town Board of the Town of Clarkstown, by Resolution No. 795, duly adopted on December 5, 2006, granted the application of the Rockland Jewish Community Center Corp. to amend Condition One of Resolution No. 557-2005 (zone change of parcel known as lot 58.19-1-11) to allow for an additional six months to obtain site plan approval from the Clarkstown Planning Board, and

WHEREAS, the Rockland Jewish Community Center Corp. has requested an additional six months extension since site plan approval is still in process;

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, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on June 19, 2007, at 8:00 p.m., and be it

FURTHER RESOLVED that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of 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. (395-2007)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING AN EXTENSION OF TIME TO MAK DEVELOPMENT CORPORATION AND THE STOP & SHOP SUPERMARKET COMPANY IN CONNECTION WITH THE SPECIAL PERMIT ADOPTED BY THE TOWN

WHEREAS, the Town Board of the Town of Clarkstown, by Resolution No. 385, duly adopted on June 5, 2007, provided for a public hearing on June 19, 2007, at 8:00 P.M., to consider the petition of MAK DEVELOPMENT CORPORATION and THE STOP & SHOP SUPERMARKET COMPANY, to allow for twelve months extension of time, through and including July 25, 2008, to submit documentation in connection with the resolution which was adopted by the Town Board on July 25, 2006, granting a Special Permit to construct gasoline pumps and kiosk at the corner of North Main Street and Cavalry Drive New City, New York, and

WHEREAS, the Town Board referred the matter to the Clarkstown Planning Board for its review and recommendation, and

WHEREAS, the matter was discussed by the Planning Board at its June 7, 2007 meeting, and

WHEREAS, by Resolution dated June 7, 2007, the Planning Board recommended that the extension be granted, and

WHEREAS, notice of public hearing was duly published as required by law and the public hearing was duly held at the time and place specified in the notice;

NOW, THEREFORE, be it

RESOLVED, the Town Board hereby grants MAK DEVELOPMENT CORPORATION and THE STOP & SHOP SUPERMARKET COMPANY, twelve months of time to submit its documentation in connection with the Special Permit that was approved by the Town Board on July 25, 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. (396-2007)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 13 – 2007

WHEREAS, a proposed local law entitled,  
“A LOCAL LAW TO PREVENT LOWER ASSESSMENTS OF CONVERTED CONDOMINIUMS PURSUANT TO SECTION 581 OF THE REAL PROPERTY TAX LAW AND SECTION 339-Y OF THE REAL PROPERTY LAW”  
was introduced by Councilwoman Shirley Lasker, at a Town Board meeting held on May 15, 2007, and  
WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on May 15, 2007, directed that a public hearing be held on June 19, 2007, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and  
WHEREAS, notice of said hearing was duly prepared and published in the Journal News on June 5, 2007, and  
WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown on June 19, 2007, and  
WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on June 8, 2007;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 13 – 2007 entitled:

“A LOCAL LAW TO PREVENT LOWER ASSESSMENTS OF CONVERTED CONDOMINIUMS PURSUANT TO SECTION 581 OF THE REAL PROPERTY TAX LAW AND SECTION 339-Y OF THE REAL PROPERTY LAW”

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. (397-2007)  
Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Town Board Minutes of May 15, 2007 and June 5, 2007 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. (398-2007)  
Co. Nowicki offered and Co. Mandia seconded

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

WHEREAS, Shore Group, Inc., 460 West 35<sup>th</sup> Street, New York, New York 10001, has submitted a proposal dated May 2, 2007, 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 Strimater, Director of Automated Systems, 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 Shore Group, Inc., for a one year period, in a form approved by the Town Attorney, to provide a remote monitoring service called “Shore Patrol,” which would proactively monitor the Town’s critical network components and applications, and be it

FURTHER RESOLVED, that payment for such services shall not exceed \$29,000.00, 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, and be it

FURTHER RESOLVED, that this Resolution is retroactive to June 1, 2007.

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. (399-2007)  
Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING THE CLARKSTOWN JUSTICES TO APPLY TO THE STATE OF NEW YORK FOR A GRANT UNDER THE JUSTICE COURT ASSISTANCE PROGRAM

WHEREAS, the State of New York Unified Court System has advised the Clarkstown Justice Court that the State Legislature has increased the amount of funding available to Justice Courts through the Justice Court Assistance Program (JCAP) TO \$30,000.00, and

WHEREAS, the Unified Court System (UCS) will directly provide automation support to Justice Courts, thereby allowing JCAP funding to be used to meet the security and other facility related needs of the Justice Courts, which funding was included in the 2007 Judiciary Budget, and

WHEREAS the Clarkstown Justices wish to apply for the 2007 Justice Court Assistance Program;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Town Justices, or their designee, to submit a grant application to the Justice Court Assistance Program, New York State Office of Court Administration, in a form approved by the Town Attorney.

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. (400-2007)  
Co. Nowicki offered and Co. Maloney seconded

RESOLUTION WAIVING THE NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR DOYLER & DUNNEYS, NEW CITY, NEW YORK

WHEREAS, Michael T. Doyle, owner of Doyler & Dunneys, located at 191-195 South Main Street, New City, New York, advised that he intends to apply for a renewal 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 Michael T. Doyle, owner of Doyler & Dunneys, 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. (401-2007)  
Co. Maloney offered and Co. Nowicki seconded

RESOLUTION GRANTING PERMISSION TO ALERT HOOK, LADDER AND ENGINE COMPANY NO. 1, TO HAVE A LICENSED FIREWORKS DISPLAY AT 65/66 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 65/66 Lake Road, Congers on July 1, 2007, and hold a carnival on June 28-July 1, 2007, and

WHEREAS, Police Chief Peter Noonan, Clarkstown Police Department, 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 1, 2007;

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 65/66 Lake Road, Congers, on July 1, 2007, 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.

RESOLUTION NO. (401-2007) continued

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. (402-2007)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD REFERRING AMENDED 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

WHEREAS, the NORMANDY VILLAGE, CO. has submitted an amended petition to 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 amended 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 239-1 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 be consistent with the Town of Clarkstown Comprehensive Plan.

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. (403-2007)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Historical Society of Rockland County has requested use of the Town of Clarkstown showmobile for Sunday 16, 2007 from 12:00 pm – 5:00 pm, for the 2007 Folk Festival on Main Street in Haverstraw, NY

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the Historical Society of Rockland County to use the Town of Clarkstown showmobile on Sunday, September 16, 2007 for the above purpose and subject to the provision of the necessary insurance policies,

FURTHER RESOLVED, that the Clarkstown Parks Board and Recreation Commission and Town Board hereby waives the fee for the use Town of Clarkstown Showmobile.

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. (404-2007)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, Daniel C. Lettre has requested an extension of his leave of absence, without pay, and WHEREAS, Article XIX, Section 1 of the Town of Clarkstown Labor Agreement, provides for a leave of absence, without pay,

Now, therefore, be it

RESOLVED, that Daniel C. Lettre – Senior Groundsworker – Maintenance Department - is hereby granted an extension of his six (6) month leave of absence, without pay, effective and retroactive to June 4, 2007 to December 4, 2007.

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. (405-2007)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Kathleen Kiernan – Real Property Data Collector II – Office of the Town Assessor – is hereby granted an extension of her Sick Leave of Absence – at one-half pay – effective and retroactive May 27, 2007 to June 16, 2007.

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. (406-2007)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that Father Edward J. Weber is hereby reappointed to the position of Member - Board of Ethics – at the current 2007 annual salary of \$2,100., term effective and retroactive to June 10, 2007 and to expire on June 9, 2012.

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. (407-2007)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that Rabbi David Fass is hereby reappointed to the position of Member – Board of Ethics – at the current 2007 annual salary of \$2,100., term effective June 23, 2007 and to expire on June 22, 2012.

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. (408-2007)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on June 6, 2007 that the position of Automotive Mechanic I – Clarkstown Mini Transportation - (encumbered by Andrew McDonagh) #500832 – can be reclassified to the position of Automotive Mechanic I & Body Repairer,

NOW, therefore, be it

RESOLVED, that the position of Automotive Mechanic I – is hereby reclassified to the position of Automotive Mechanic I & Body Repairer – Clarkstown Mini Transportation – effective and retroactive to June 11, 2007.

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. (409-2007)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that Andrew McDonagh – is hereby appointed to the position of Automotive Mechanic I & Body Repairer – Clarkstown Mini Transportation - at the 2006 annual salary of \$67,532., effective and retroactive to June 11, 2007.

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. (410-2007)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on June 6, 2007 that the position of Automotive Mechanic I - Clarkstown Mini Transportation - (encumbered by Joseph D. Fiumara) #500029 – can be reclassified to the position of Automotive Mechanic I & Body Repairer,

NOW, therefore, be it

RESOLVED, that the position of Automotive Mechanic I -is hereby reclassified to the position of Automotive Mechanic I & Body Repairer – Clarkstown Mini Transportation – effective and retroactive to June 11, 2007.

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. (411-2007)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that Joseph D. Fiumara – is hereby appointed to the position of Automotive Mechanic I & Body Repairer – Clarkstown Mini Transportation - at the 2006 annual salary of \$65,344., effective and retroactive to June 11, 2007.

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. (412-2007)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that the 2007 annual salary of Daniel N. Kraushaar – Deputy Town Attorney – Office of the Town Attorney - is hereby changed to reflect a salary increase (from \$80,000) to \$88,000 – effective July 2, 2007.

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. (413-2007)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that the 2007 annual salary of Paul K. Schofield – Deputy Town Attorney – Office of the Town Attorney - is hereby changed to reflect a salary increase (from \$67,000) to \$88,000 – effective July 2, 2007.

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. (414-2007)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that the 2007 salary for Rudy Damonti – Constituent Service Assistant (Town) – Office of the Town Council – is hereby changed to reflect a (temporary) salary increase to \$1,500., per month – in addition to his hourly rate - for performing the duties assigned by the Town Board (Special Projects) – effective June 18, 2007 – for a period not to exceed 6 months.

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. (415-2007)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
BID #35-2007 - RESIDENTIAL REFUSE & BULK COLLECTION SERVICES FOR ONE, TWO AND THREE FAMILY HOMES IN THE UNINCORPORATED PORTION OF THE TOWN OF CLARKSTOWN
Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York
\_\_\_\_\_ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it
FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Authorized Purchasing Agent.

On roll call the vote was as follows

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

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RESOLUTION NO. (416-2007)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
BID #36-2007 - CURBSIDE RECYCLING COLLECTION
Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York
\_\_\_\_\_ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it
FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Authorized Purchasing Agent.

On roll call the vote was as follows

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

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RESOLUTION NO. (417-2007)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent that
BID #28-2007 - HIGHWAY SIGNING AND ROAD MAINTENANCE SUPPLIES
is hereby awarded to: CHEMUNG SUPPLY CORP.

P.O. BOX 527
ELMIRA, NY 14902
PRINCIPAL: MYRA S. STEMERMAN, MARC P. STENERMAN

CUSTOM PRODUCTS CORP.
P.O. BOX 54091
JACKSON, MS 39288-4091
PRINCIPAL: DENNIS PERKINS, HAL PERKINS, MAY BENTON, GARY PENDERGRASS, LEO TICKNER

EXPANDED SUPPLY PRODUCTS, INC.
3330 ROUTE 9
COLDSPRING, NY 10516
PRINCIPAL: A PUBLIC CORPORATION

GARDEN STATE HIGHWAY PRODUCTS, INC.
1740 E. OAK ROAD
VINELAND, NJ 08361
PRINCIPAL: SHARON L. GREEN, ROBERT A. GREEN

GLENCO SUPPLY, INC.
P.O. BOX 638
OAKHURST, NJ 07755
PRINCIPAL: GLEN ABRAMS

OSBURN ASSOCIATES, INC.
P.O. BOX 912
LOGAN, OH 43138
PRINCIPAL: HARRY OSBURN, DONNA OSBURN, MARK OSBURN, JEFF OSBURN

RESOLUTION NO. (417-2007) continued

3M CENTER  
BLDG. 225-5S-08  
BOX 33225  
ST. PAUL, MN 55133-3225

VULCAN SIGNS  
408 E. BERRY AVENUE  
FOLEY, AL 36535

PRINCIPAL: A PUBLIC CORPORATION  
as per attached item/price schedule , (on file with Town Clerk) .

PRINCIPAL: AN EMPLOYEYEE OWNED COMPANY

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. (418-2007)

Town Board offered and Town Board seconded

RESOLUTION GRANTING THE LAKE DEFOREST CAUSEWAY THE HONORARY DESIGNATION  
“FREEDOM CAUSEWAY”

RESOLVED, that that section of Congers Lake Road commonly known as the Lake DeForest Causeway shall hereinafter bear the honorary designation of “Freedom Causeway.”

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. (419-2007)

Town Board offered and Town Board seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH VERIZON  
AND ORANGE AND ROCKLAND UTILITIES

WHEREAS, the Town Board is desirous of installing a permanent flag display along the Lake DeForest causeway; and

WHEREAS, the Supervisor has been in discussions with Verizon and Orange and Rockland Utilities, who have granted permission to install flags on certain utility poles along the causeway;  
NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to enter into a license agreements with Verizon and Orange and Rockland Utilities, in a form approved by the Town Attorney, regarding the municipal installation of flag poles on specified utility poles along the Lake DeForest causeway; and be it

FURTHER RESOLVED, that this resolution shall be retroactive to June 18, 2007.

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. (420-2007)

Co. Maloney offered and Co. Lasker seconded

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

BID #37-2007 – 9 FARM COURT STREAM STABILIZATION

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

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

On roll call the vote was as follows

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

RESOLUTION NO. (421-2007)  
Co. Lasker offered and Co. Mandia seconded

RESOLUTION ESTABLISHING TIPPING FEES FOR DISPOSAL OF ASPHALT AT THE CLARKSTOWN SOLID WASTE FACILITY IN CONNECTION WITH THE KILL VON BEASTE DRAINAGE IMPROVEMENTS PROJECT, VALLEY COTTAGE, NEW YORK

WHEREAS, the Town of Clarkstown has awarded a bid for the Kill Von Beaste Drainage Improvements, Valley Cottage, New York, and  
WHEREAS, the project provided for the disposal of asphalt at the Town of Clarkstown Solid Waste Facility, West Nyack, New York, and  
WHEREAS, an increase in the tipping fees for the disposal of asphalt was instituted after the bid was awarded, and  
WHEREAS, the increase in the tipping fee will result in an additional cost to the Town for the disposal of the asphalt, and  
WHEREAS, it is the intention of the Town Board to allow asphalt material only from the project to be disposed of at the Town of Clarkstown Solid Waste Facility at the hereby established tipping fee of \$70.00 per load for tandem or tri-axle dump trucks or \$105.00 per load for tractor trailer dump trucks, and  
BE IT FURTHER RESOLVED, that the construction project manager shall keep an accurate record of all loads of asphalt being disposed of from the project and forward such records to the Solid Waste Facility office on a weekly basis for record keeping purposes, and  
BE IT FURTHER RESOLVED, that the Deputy Director of Operations shall establish a special commodity number for the disposal of asphalt in connection with the Kill Von Beaste Drainage Improvements Project.

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. (422-2007)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AMENDED AGREEMENT WITH ROBERT GENESLAW CO.

WHEREAS, the Town’s contract with its planning consultant, Robert Geneslaw Co., expires on June 30, 2007; and  
WHEREAS, the Town Board wishes to extend the contract for the remainder of 2007;  
NOW, THEREFORE, BE IT  
RESOLVED, that the Supervisor is hereby authorized to enter into an amended agreement, in a form approved by the Town Attorney, with Robert Geneslaw Co. extending said agreement for the remainder of 2007.

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. (423-2007)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A LICENSE AGREEMENT WITH ANTHONY DELPRETE AND CAMILLE DELPRETE, 18 EAST CAVALRY DRIVE, NEW CITY, NEW YORK, REGARDING ENCROACHMENT ON TOWN CONSERVATION EASEMENT

WHEREAS, Anthony DelPrete and Camille DelPrete, owners of premises located at 18 East Calvary Drive, New City, New York and more particularly described as Tax Map 43.11-02-6.20 applied for the construction of the existing fence and rock walls in an area within a Town conservation easement, and  
WHEREAS, Dennis M. Letson, Deputy Director of the Department of Environmental Control, has investigated this matter and has advised that the encroachment described herein may remain upon the condition that the fence and rock walls shall not interfere with access, or otherwise present a problem to the Town, with respect to the maintenance of the easement, and shall be installed at the sufferance of the Town Board and shall be so erected as not to adversely impact the Town’s conservation easement and that no additional construction of any kind shall be installed within the easement area, provided the Town retains the right to order the encroachment removed, and the Town Attorney has advised that a revocable license agreement may be used to effectuate such arrangement;  
NOW, THEREFORE, be it  
RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a revocable license agreement with the property owners, in a recordable form approved by theTown Attorney, granting a license terminable on ten (10) days written notice, to authorize existing fence and rock walls to remain on the Town’s conservation easement, located at 18 East Calvary Drive, New City, New York and more particularly described as Tax Map 43.11-02-6.20, and be it  
FURTHER RESOLVED, that such agreement shall also provide that the property owner or successor shall indemnify and save harmless the Town of Clarkstown from any and all claims, or causes of action, or any liability against the Town of Clarkstown, arising out of the encroachment or license to maintain same.

RESOLUTION NO. (423-2007) continued

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. (424-2007)

Co. Mandia offered and Co. Maloney seconded

RESOLUTION OF THE TOWN BOARD REFERRING PETITION OF EDEN PARK HOMES LLC, FOR A ZONE CHANGE ON PROPERTY FROM R-15 AND LO TO AAR ZONING DISTRICT KNOWN AS MAP 64.07-1-8, TO CLARKSTOWN PLANNING BOARD

WHEREAS, the Town Board of Town of Clarkstown adopted Local Law No. 3-2007 on April 17, 2007, creating the Active Adult Residential (AAR) Zoning District in the Town of Clarkstown, and  
 WHEREAS, Eden Park Homes LLC has petitioned the Town Board to apply the AAR floating zone designation to its property, currently located in the R-15 and LO Districts, and designated on the Clarkstown Tax Map as 64.07-1-8, and located at 495 West Nyack Road, West Nyack, New York, and  
 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 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 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 be consistent with the Town of Clarkstown Comprehensive Plan.

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. (425-2007)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION REFERRING AN APPLICATION OF WORKPLACE ESSENTIALS, INC. FOR A SPECIAL PERMIT TO OPERATE A RECYCLING AND TRANSFER FACILITY

WHEREAS, on May 10, 2007, WORKPLACE ESSENTIALS, INC. filed a petition to the Town Board of the Town of Clarkstown seeking a special permit to operate a recycling and transfer facility pursuant to the provisions of General Use Regulations, Table 14, LIO District, Column 3, Item B6, Section 290-17R of the Zoning Local Law of the Town of Clarkstown, on property located at the Clarkstown Executive Park, 616 Corporate Way, Valley Cottage, New York, which is designated on the Clarkstown Tax Map as 52.15-1-84, and more particularly described on the attached Schedule "A;"

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to said Zoning Local Law shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on July 24, 2007 at 8:00 P.M., to consider the application of WORKPLACE ESSENTIALS, INC. relative to said Special Permit, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk, and be it

FURTHER RESOLVED, that the Petitioner shall comply with Section 290-33(C) of the Zoning Local Law with respect to notice of public hearing to abutting property owners of record, and file proof of mailing such notice with the Town Clerk prior to said hearing, 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, and be it

FURTHER RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33 of the Zoning Local Law of the Town of Clarkstown and to the Rockland County Commissioner of Planning pursuant to Sections 239-1 and 239-m of the General Municipal Law for report, and the following agencies for comment or study and report on or before July 20, 2007:

1. Clarkstown Department of Environmental Control
2. Clarkstown Building Inspector
3. Architecture and Landscape Commission

RESOLUTION NO. (425-2007) continued

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. (426-2007)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION SETTING A PUBLIC HEARING AND REFERRING TO THE ROCKLAND COUNTY COMMISSIONER OF PLANNING, AND THE CLARKSTOWN PLANNING BOARD, THE PETITION OF THE SMK HOMEBUILDERS, INC.FOR A SPECIAL PERMIT TO ALLOW AN APARTMENT OVER RETAIL SPACE IN THE CONGERS HAMLET CENTER OVERLAY DISTRICT

WHEREAS, SMK HOMEBUILDERS, INC. has petitioned the Town Board of the Town of Clarkstown for a Special Permit, pursuant to Section 151 of the Town Code of the Town of Clarkstown, to grant a Special Permit to allow a one bedroom apartment above retail space. The property is located at 49 Lake Road, Congers, New York, and is located within the Congers Hamlet Center overlay District. The property is designated on the Clarkstown Tax Map as 44.15-3-60;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to Section 290-17(O) of the Zoning Local Law of the Town of Clarkstown, shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on July 24, 2007, or as soon thereafter as possible, to consider the petition of the SMK HOMEBUILDERS, INC. relative to said Special Permit, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk, and be it

FURTHER RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for its review and recommendations, to the Rockland County Commissioner of Planning, and to other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law, and other applicable provisions of law, 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 Robert Geneslaw, Planning Consultant, 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. . . . .	Yes
Co. Nowicki. . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (427-2007)

Co. Nowicki offered and Co. Mandia seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves and ratifies the Side Letter of Agreement with the Town of Clarkstown Unit of the CSEA dated June 14, 2007 and hereby authorizes the Town Supervisor to execute same and to take all necessary actions consistent therewith.

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. (428-2007)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney-Purchasing  
BID # 30-2007 – REFUSE PICK UP SERVICES FROM TOWN FACILITIES

is hereby awarded to: PAT NAZZARO DISPOSAL  
P.O. BOX 481  
VALLEY COTTAGE, NY 10989  
PRINCIPAL: PAT NAZZARO

as per the attached item/price schedule

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

RESOLUTION NO. (428-2007) continued

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

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

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. (429-2007)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Resolution No. 336-2007, adopted by the Town Board on May 15, 2007 with respect to a Local Law to amend Chapter 290 of the Zoning Local Law of the Town of Clarkstown concerning Signs is hereby amended in part as follows:

“FURTHER RESOLVED, that the proposed local law be referred to the Rockland County Commissioner of Planning pursuant to Sections 239-1 and 239-m of the General Municipal.”

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. (430-2007)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Resolution No. 357-2007, adopted by the Town Board on May 15, 2007 is hereby amended by changing the title of the Local Law to:

“A LOCAL LAW TO PREVENT LOWER ASSESSMENTS OF CONVERTED CONDOMINIUMS PURSUANT TO SECTION 581 OF THE REAL PROPERTY TAX LAW AND SECTION 339-Y OF THE REAL PROPERTY 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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The Supervisor opened the meeting for general public comments.

Andy Stewart- Executive Director, Keep Rockland Beautiful

I am very proud of what the artists have accomplished on the Congers Road mural. The art brings joy to so many people. I am very surprised at the controversy. I have nothing but respect for everyone that has voiced their opinion about this. The mural was a collaborative effort between Keep Rockland Beautiful, the Supervisor's office, professional artists, and high school art students. It was privately funded and no tax payers' money was spent. We simply made a gift of art to the community. Provided information about artists and project, (on file with Town Clerk).

Jennie Chien- Artist in Rockland 11

I was very happy to be chosen to contribute to the mural. Spoke about incorporating the history of Rockland in her painting.

Co. Nowicki

This did not beautify the wall. The first thing I thought was graffiti. It is around a cemetery. It is disrespectful. It is offensive to me and people in the county. It is not art and it is offensive.

Irene Zuccarello- New City

She found the mural disrespectful of the cemetery. She loves art and many of the paintings are beautiful, but it did not belong there.

Audrey Worman- New City

I am an artist. This is artwork from renowned artists throughout the world. My only criticism is one hand is not talking to the other. This is a very artistic county. We can enhance it. One solution is that maybe this town should have a museum.

Lynn Gorman- Congers

Spoke in support of the murals. We think the murals are innocent and delightful.

Vinson Hill- New City

I am a professional artist and I am for the mural. I am not an art critic. The paintings are colorful. I only question how the artists were selected. I think this was a good idea, but it would be better if there were juried selections.

Mitch Meyer- Valley Cottage

Without art, there is no heart. The mural has brought uniqueness to New City. This is a change. I hope you all get used to it and give it a chance.

Arthur Arbit- Nanuet, Rockland 11 Artist

This is a chance for people to see something that will elevate their spirit.

Sam Stahl- New City

The mural should not be a big controversy. How respectful is a blank wall for a cemetery? This is something that people can enjoy.

Lu Ann Dillon- New City

Everyone likes artwork, but putting it on a wall is not where it belongs. It looks like graffiti. Who is going to remove it when it is faded? Who decided to put it there?

Supervisor Gromack

I contacted Andy Stewart of Keep Rockland Beautiful to see how we could bring more art to our community. On anything you could have more input. This wets our taste buds to art. It is a learning experience. What was done has opened us up to debate. I hope it has not spoiled anyone's taste for art.

Co. Lasker

I think this is a good start. If you do not have art in public places, you are a dying community. This has created something to talk about. I have never been at a Town Board Meeting where we talked about art before.

Holly Gorman- Congers

When I saw someone made an effort to add color to the town, I was very happy. More people would want to come to an area with variety.

Ned Harris

I have been involved in art for sixteen years. Art is my religion. The words of the young people were put so well. Listen to the young; they will inherit the world. Let their words resonate with you.

Gde Artha- Pomona, Rockland 11 Artist

Talked about his experience with painting the wall and how the heat, the cemetery, and the children came to watch, which motivated his painting. Supervisor Gromack was superduper for initializing this process!

Andy Golub- South Nyack, Rockland 11 Artist

I selected the artists and the way it was set up. Children have been a big part of the mural. There is a great opportunity to have class trips to the mural to think about art. All children are artists.

Co. Maloney

I love art. I think there would be less criticism, if there were more input.

Co. Mandia

We chose to go to a museum. The first day, I did not like it. The second day, I liked it less. Feelings are if individual paintings were around community. Think we need to applaud the people who did the mural. The safest thing to do is do nothing and nothing will get done. The feeling is people do not like it as a collection. People are trying to help community and we must remember that.

Henry Pade- Congers

I think it is a good idea that we got artwork into the community. What was done in Congers [revitalization] was good. What we need in New City is more like in San Francisco. I am going to look at these things and be more involved.

Steven Levine- Congers

Regarding landfill on Massachusetts Avenue, my question is if it was next to your home, wouldn't it be prudent to test the fill material?

\*\*\*\*\*

On motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, Town Board Meeting was closed 10:45 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING #1

Town Hall

06/19/2007

8:10 P.M.

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

Re: Proposed local law to extend temporary moratorium on wireless communication facilities for 45 days

\*\*\*\*\*

On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:10 P.M.

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

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 8:11 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (387-2007)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #2

Town Hall

06/19/2007

8:11 P.M.

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

Re: Proposed local law to amend Town Code Chapter 251 Wireless Communication Facilities (Continuation)

\*\*\*\*\*

On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:11 P.M.

There being no one wishing to be heard, on motion of Co. Maloney, seconded by Co. Lasker hearing continued to July 24, 2007. RESOLUTION NO. (388-2007) unanimously adopted.

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (388-2007)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #3

Town Hall

06/19/2007

8:11 P.M.

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

Re: Proposed local law to amend Town Code Chapter 47 (Department of Purchasing)

\*\*\*\*\*

On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:11 P.M.

There being no one wishing to be heard, on motion of Co. Maloney, seconded by Co. Nowicki, and unanimously adopted, the public hearing was closed 8:11 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (389-2007)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #4

Town Hall

06/19/2007

8:12 P.M.

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

Re: Proposed local law to amend Town Code Chapter 109 (Building Construction Administration)

\*\*\*\*\*

On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:12 P.M.

There being no one wishing to be heard, on motion of Co. Nowicki, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:12 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (390-2007)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #5

Town Hall

06/19/2007

8:12 P.M.

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

Re: Proposed local law to amend Town Code Chapter 143 (Fire Prevention)

\*\*\*\*\*

On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:12 P.M.

Steven Levine- Congers

Asked for clarification about proposed local law. Concerned that too much is left to discretion.

Mark Papenmeyer- Fire Inspector

Provided clarification about proposed local law. Stated that there are too many variables, requiring fire inspectors to use their discretion on a case by case basis.

There being no one wishing to be further heard, on motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:17 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (391-2007)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #6

Town Hall

06/19/2007

8:17 P.M.

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

Re: Proposed local law to amend Town Code Chapter 249a (Stormwater Management)

\*\*\*\*\*

On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:17 P.M.

Amy Mele- Town Attorney

Stated that the proposed local law was recommended by the New York State DEC, reviewed by the Planning Board, and that she recommended it for adoption tonight.

There being no one wishing to be heard, on motion of Co. Nowicki, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:17 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (392-2007)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #7  
06/19/2007

Town Hall

8:17 P.M.

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

Re: Proposed local law to amend Town Code Chapter 290 (Zoning) to be consistent with §243 of the Town Code regarding signs

\*\*\*\*\*

On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:17 P.M.

Mitchell Kaufman- New City  
Asked if a flag was considered a sign.

Amy Mele- Town Attorney  
Stated flags are not considered to be signs. Gave an overview of the proposal.

There being no one wishing to be further heard, on motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:20 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (393-2007)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #8

Town Hall

06/19/2007

8:20 P.M.

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

Re: Request of Rockland Jewish Community Center Corp. for an additional 6 months to obtain site plan approval from the Clarkstown Planning Board for its premises at 450 West Nyack Road, West Nyack.

\*\*\*\*\*

On motion of Co. Maloney, seconded by Co. Lasker, hearing opened 8:20 P.M.

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

There being no one wishing to be heard, on motion of Co. Maloney, seconded by Co. Lasker, hearing closed 8:20 P.M. RESOLUTION NO. (394-2007) unanimously adopted.

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (394-2007)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #9

Town Hall

06/19/2007

8:20 P.M.

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

Re: Request of MAK Development Corp./Stop & Shop Supermarket Company for an additional 12 months concerning special permit to construct gasoline pumps and kiosk

\*\*\*\*\*

On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:20 P.M.

Amy Mele- Town Attorney  
Gave an overview of the proposal, stating this is a request for an extension of time.

Henry Hocherman- Attorney for Stop & Shop  
Stated need for extension was due to a lawsuit. The notice of appeal was up May 8th, when they went to the Planning Board to request an extension. Assured Town Board that Stop & Shop is going ahead with the project.

Sandi Parris- New City  
Spoke against addition of gas pumps on property.

Mitchell Kaufman- New City  
Spoke against addition of gas pumps on property.

Bob Dillon - New City  
Asked if Stop & Shop does not go through, will special permit end? The Town Board said it would end.

Henry Pade- Congers  
Asked for clarification, which was provided by the Town Board, that if Stop & Shop goes, the special permit would need to be renegotiated by any future vendors.

Dina Grossman- New City  
Asked if the Town Board was deciding tonight on extension, which they confirmed, and if Stop & Shop goes, do they have to remove the gas pumps? The Town Attorney advised that the new owner would have to remove them.

Audrey Worman- New City  
Spoke against addition of gas pumps on property.

Henry Grossman- New City  
Asked who moves the pumps if operation goes out.

Peter Beary- Building Inspector  
Tanks that are abandoned must be removed by the property owner.

Arthur Arbit- Nanuet  
Suggested a museum be placed on property.

Leona Diffley- New City  
Would like to see, if Stop & Shop leaves, that they be responsible for removing the pumps.

Bob Dillon - New City, Owner and Operator of a gas station  
If I stopped operating, I would not have to remove the pumps. There is no requirement for owners of gas stations to remove pumps.

Lu Ann Dillon- New City  
Don't you think this sets a precedent that other businesses will ask for special permits to do business?

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

Dina Grossman- New City  
Spoke against addition of gas pumps on property.

Mitchell Kaufman- New City  
Has there been an Environmental Impact Statement? The Town Board has another chance to deny permit.

There being no one wishing to be further heard, on motion of Co. Maloney, seconded by Co. Mandia, hearing closed 9:00 P.M.  
RESOLUTION NO. (395-2007) unanimously adopted.

Respectfully submitted,

David Carlucci  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING #10

Town Hall

06/19/2007

9:00 P.M.

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

Re: Proposed local law to prevent lower assessments of converted condominiums pursuant to §581 of the Real Property Tax Law and §339-Y of the Real Property Law.

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On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 9:00 P.M.

Martin Bernstein- New City

Asked for an explanation about proposal and suggested that an explanation should be given to the public before the meeting so questions do not have to be asked.

Amy Mele- Town Attorney

Gave an overview of the proposal, stating this gives existing, new, and converted condominiums the ability to be assessed the same.

On motion of Co. Maloney, seconded by Co. Lasker, hearing closed 9:02 P.M. RESOLUTION NO. (396-2007) unanimously adopted.

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (396-2007)