

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

1/19/10

8:00 P.M.

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

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

SPECIAL PRESENTATION: New City Rams Junior Pee Wee Football Team were presented with certificates in recognition of winning the state championship.

Public Hearing #1 re: Rockland County Consortium for Community Block Grants Program. On motion of Co. Lasker, seconded by Co. Hoehmann, hearing opened 8:10 P.M. On motion of Co. Hoehmann, seconded by Co. Lasker, and unanimously adopted, hearing was closed 8:12 P.M.

Supervisor opened the meeting to public comments regarding agenda items.

Steven Levine- Congers

Regarding agenda item #16 (res. no. 63-2010) asked if the town checks for a criminal background and said it should be done for consumer protection.

Amy Mele- Town Attorney

Regarding agenda item #16 (res. no. 63-2010), stated this is registration for sewer hookups, not to check the business worthiness. They are licensed with the county, but she would check further.

Frank Grandel- New City

Regarding agenda item #2a (res. no. 36-2010), asked if the position would be filled.

Supervisor Gromack

Regarding agenda item #2a (res. no. 36-2010), stated the position would remain vacant.

Frank Grandel- New City

Regarding agenda item #6 (res. no. 45-2010), asked about performance bonds.

Amy Mele- Town Attorney

Regarding agenda item #6 (res. no. 45-2010), stated that performance bonds are for the duration of the contract and are released when the public improvements are completed, then we get a maintenance bond.

RESOLUTION NO. (35-2010)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that the Town Board Minutes of December 30, 2009 and January 5, 2010 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows

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

RESOLUTION NO. (36-2010)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that the resignation by (retirement) of

Harold Y. MacCartney Jr. – Deputy Town Attorney - Office of the Town Attorney – is hereby accepted – effective and retroactive to January 15, 2010.

On roll call the vote was as follows

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

RESOLUTION NO. (37-2010)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Paul Murray is hereby reappointed to the position of Member – Sanitation Commission - at the 2010 annual salary of \$3,400., term effective February 6, 2010 and to expire on February 5, 2015.

On roll call the vote was as follows

Co. Lasker Yes
Co. Hausner Yes

RESOLUTION NO. (37-2010) continued

Co. Hoehmann..... Yes
Co. Borelli..... Yes
Supervisor Gromack..... Yes

RESOLUTION NO. (38-2010)

Co. Hausner offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has certified on November 10, 2009 that the position of Senior Planner #501036 – Planning Department (encumbered by Jose C. Simoes) can be reclassified to the position of Principal Planner,

NOW, therefore, be it

RESOLVED, that the position of Senior Planner – Planning Department – is hereby reclassified to the position of Principal Planner - effective and retroactive to January 18, 2010 – and be it,

FURTHER RESOLVED, that the grade for the position of Principal Planner – is hereby established at a grade 35.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann..... Yes
Co. Borelli..... Yes
Supervisor Gromack..... Yes

RESOLUTION NO. (39-2010)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Chairman of the Planning Board of Jose C. Simoes to the position of (promotional) (provisional) Principal Planner -Planning Department – at the current 2010 salary of \$112,561., effective and retroactive to January 18, 2010.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann..... Yes
Co. Borelli..... Yes
Supervisor Gromack..... Yes

RESOLUTION NO. (40-2010)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Arthur Jackson is hereby reappointed to the position of Member, Zoning Board of Appeals, at the 2010 annual salary of \$5,700., term effective and retroactive to January 7, 2010 and to expire on January 6, 2015.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann..... Yes
Co. Borelli..... Yes
Supervisor Gromack..... Yes

RESOLUTION NO. (41-2010)

Co. Hausner offered and Co. Borelli seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE TO ACCEPT A GRANT WITH RESPECT TO LOCAL GOVERNMENT RECORDS MANAGEMENT

WHEREAS, the Town Clerk, David Carlucci, has submitted an application to New York State for a Local Government Records Management Improvement Fund grant, and
WHEREAS, the New York State Education Department has advised the Town that an award of \$32,043.00 has been granted subject to conditions referred in its letter dated November 20, 2009, and project work being completed and all funds to be expended no later than June 30, 2010, and

WHEREAS, the Town Clerk has recommended that the Town accept said grant;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the New York State Department of Education, in a form approved by the Town Attorney, accepting grant in the amount of \$32,043.00.for Local Government Records Management, for the period terminating on June 30, 2010.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann..... Yes
Co. Borelli..... Yes
Supervisor Gromack..... Yes

RESOLUTION NO. (42-2010)

Co. Hausner offered and Co. Borelli seconded

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

RESOLUTION NO. (42-2010) continued

WHEREAS, Essex Technology Group, Inc. has submitted a proposal to provide supplemental technical support consulting services with respect to the ongoing IBM AS400 iSeries Technical Support, and WHEREAS, Robert Stritmater, Director of Automated Systems, has reviewed the proposal and finds it reasonable in both scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Essex Technology Group, Inc., in a form satisfactory to the Town Attorney, to provide supplemental technical support consulting services with respect to the ongoing IBM AS400 iSeries Technical Support, for the period from December 18, 2009 through December 31, 2010, and be it

FURTHER RESOLVED, that the fee for such services shall not exceed the amount of \$3,500.00, plus out of pocket expenses as authorized by the Director of Automated Systems, which fee shall be charged to Account No. A 1680-438.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (43-2010)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, Jeanne Marie Associates, LLC has requested a refund of Building Permit Fees paid for 51 misc. Building Permits for property known as Jeanne Marie Apartments, Nanuet, New York, more particularly described as Tax Map No. 58.13-3-43.1, because the owner is not going forward with change to apartment complex, and WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$4,850.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of \$1,545.00, of the total Building Permit fees paid in the amount of \$6,375.00, to Jeanne Marie Associates, LLC, to be charged to Account No. B-02-6-2555-0, subject to receipt and cancellation of the Building Permit.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (44-2010)

Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, Jonah Jacobsen, attorney for U.S. Restaurant & Catering Services Company Inc. has advised that the Company intends to apply for an on-premises liquor license for property located at 261 South Little Tor Road, New City, New York, 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 U.S. Restaurant & Catering Services Company Inc., for a liquor license at the premises located at 261 South Little Tor Road, New City, New York.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (45-2010)

Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Deputy Director of the Department of Environmental Control and the concurrence of the Superintendent of Highways, the Performance Bond furnished to the Town by Reynolds Metals Development Company in the amount of \$180,000.00 to guarantee completion of improvements in the Nyacks Corporate Park Subdivision (Tax Map 51-A-20+) may be released as all the required work has been completed to the satisfaction of the Department of Environmental Control, and a Maintenance Guaranty, secured by a cashier's check in the amount of \$10,552.00, has been provided by Palisades Medical and Professional Office Complex, LLC.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (46-2010)
Co. Hausner offered and Co. Hoehmann seconded

RESOLUTION ACCEPTING DEED AND EASEMENT BETWEEN TOWN OF CLARKSTOWN
AND WYETH HOLDINGS CORPORATION

WHEREAS, pursuant to Resolution No. 654-2008, adopted on September 28, 2008, the Town Board accepted conveyance of real property designated as Section 63.16, Block 1, Lot 3.1, in connection with the Jerry's Avenue drainage project, and authorized the Supervisor to execute any and all agreements necessary to complete the transaction;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts an easement and a deed from Wyeth Holdings Corporation and directs them to be recorded in the Rockland County Clerk's Office at the expense of the Town.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (47-2010)
Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

A "No Standing Anytime" sign (see Sec. 221.5 a P1 sign as per the NYS DOT Manual of Uniform Control Devices) to be erected on the west side of Friend Street, 50 ft. from the intersection of Friend Street and Lake Road, Congers, NY

and be it

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

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (48-2010)
Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, the neighborhood in the area of Dustman and Schweizer Lanes in the hamlet of Bardonia has an unusual anomaly of non-connective and non-sequential addresses due to the combination of public and private portions thereof and the non-standard lot layout, and

WHEREAS, the Town Board has determined that better signage will assist in locating houses for emergency and other services,

NOW, THEREFORE, be it RESOLVED, that the Superintendent of Highways is hereby authorized to fabricate and install the following signs at the indicated locations, to better serve the residents of the area and prevent service delays:

- 1.) "DUSTMAN LN (PVT) #'S 61 THRU 87" (SE corner @ Lot 58.14-1-83, 141 Schweizer Ln; face of sign=North)
- 2.) "DUSTMAN LN (PVT) #'S 67 THRU 87" (SE corner @ Lot 58.14-1-82, 85 Dustman Ln; face of sign=West)
- 3.) "DUSTMAN LN (PVT) #'s 61 thru 87" (SW corner @ Lot 58.14-1-45, 70 Dustman Ln; face of sign=South)
- 4.) "DUSTMAN LN #'s 42 thru 55" (NE corner @ Lot 58.14-1-66.3, 54 Dustman Ln; face of sign=East)
- 5.) "DUSTMAN LN #'s 42 thru 60, 64 & 70" (SW corner @ Lot 58.14-1-50, 167 Rte 304; face of sign=East).

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (49-2010)
Co. Lasker offered and Co. Hausner seconded

RESOLVED, that permission is hereby granted for a fireworks display to be conducted by the Clarkstown Parks Board and Recreation Commission at the Nanuet Senior High School at approximately 9:30 p.m. on Thursday, July 1, 2010 with a rain date of Wednesday, July 7, 2010 pursuant to Second 405 of the Penal Law.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (50-2010)
Co. Hoehmann offered and Co. Borelli seconded

RESOLUTION AMENDING TOWN BOARD RESOLUTION 310-2006 FOR BID #60-2005;
JERRY'S AVENUE DRAINAGE IMPROVEMENTS

WHEREAS, Town Board Resolution 310-2006 awarded bid #60-2005; Jerry's Avenue Drainage Improvements to W. Harris and Son, Inc.; and
WHEREAS, the contract between the Town and W. Harris and Son, Inc. calls for the construction of an earth berm with spillway as part of a proposed detention basin; and
WHEREAS, The Department of Environmental Control has determined that stone riprap is required along the downstream embankment and top of the earth berm across the spillway area in order to prevent soil erosion; and
WHEREAS, a proposal for the installation of riprap was submitted by W. Harris and Son, Inc. for the additional work in the amount of \$20,957.00; and
WHEREAS, the change order has been reviewed by the Department of Environmental Control and found acceptable as follows: a. Install approx. 175 tons of medium stone riprap along

Downstream embankment and top of earth berm at spillway \$20,957.00

NOW, THEREFORE, BE IT RESOLVED that the allowance for this project be increased from the original bid amount of \$683,000.00 to \$703,957.00 to reflect the additional cost of the change order; and
BE IT FURTHER RESOLVED that this shall continue to be a proper charge to account # H -8736-400-409-0-67-20

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (51-2010)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
BID#11-2010 – POOL CHEMICALS
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 Clarkstown Authorized Purchasing Agent .

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (52-2010)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
BID#12-2010 – SECURITY GUARD SERVICES – TOWN PARKS
Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York _____ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it
FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Authorized Purchasing Agent .

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (53-2010)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
BID#13-2010 – ATHLETIC FIELD AND TURF MAINTENANCE
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 Clarkstown Authorized Purchasing Agent .

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (54-2010)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
BID#14-2010 – GROUNDSKEEPING/LANDSCAPE SUPPLIES
Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York
_____ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it
FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the
Clarkstown Authorized Purchasing Agent.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (55-2010)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
BID#15-2010 – FIRST AID SUPPLIES
Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York
_____ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it
FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the
Clarkstown Authorized Purchasing Agent.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (56-2010)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
RFP#16-2010 – OPERATION OF FOOD & REFRESHMENT CONCESSION STANDS AT TOWN PARKS
Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York
_____ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it
FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the
Clarkstown Authorized Purchasing Agent.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (57-2010)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
Bid #17-2010 – Concrete Curb & Sidewalk Replacement Program.
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
Clarkstown Authorized Purchasing Agent.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (58-2010)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
Bid #18-2010 – 2010 Roadway Resurfacing Program
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
Clarkstown Authorized Purchasing Agent.

On roll call the vote was as follows
Co. Lasker Yes

RESOLUTION NO. (58-2010) continued

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

RESOLUTION NO. (59-2010)

Co. Borelli offered and Co. Hausner seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent that
 BID#7-2010 – UNIFORMS – CLARKSTOWN POLICE DEPARTMENT
 is hereby awarded to: SOMES UNIFORMS, INC., 314 MAIN STREET, HACKENSACK, NJ 07601
 PRINCIPALS: JEROME SOME, HERSHEL SOME
 as per their proposed low bid quote of \$42,161.50

On roll call the vote was as follows
 Co. Lasker Yes
 Co. Hausner Yes
 Co. Hoehmann. Yes
 Co. Borelli. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (60-2010)

Co. Hoehmann offered and Co. Hausner seconded

RESOLUTION WITH RESPECT TO ISSUANCE OF A NEGATIVE DECLARATION FOR THE
 HEATON’S POND IMPROVEMENTS, TOWN OF CLARKSTOWN, VALLEY COTTAGE, NEW YORK

WHEREAS, A Full Environmental Assessment Form has been prepared in compliance with 6NYCRR -
 Part 617 (SEQR), under authority of the New York State Environmental Conservation Law, to evaluate potential
 impacts and mitigation measures (if any) resulting from the Heaton’s Pond Improvement Project proposed by the
 Town of Clarkstown in Valley Cottage, New York (the “Proposed Project”), and

WHEREAS, K. Luke Kalarickal, P.E. acted as agent to the Clarkstown Town Board and circulated the Full
 Environmental Assessment Form Parts I & II on February 12, 2009 to potential involved and interested agencies,
 and no interested or involved agencies objected to the Clarkstown Town Board being the Lead Agency for the
 coordinated review whereby the Clarkstown Town Board is therefore Lead Agency, and

WHEREAS, it has been determined that the Proposed Project is an UNLISTED action, and

WHEREAS, the potential beneficial impacts far outweigh any short-term environmental impacts, to wit: to
 alleviate unacceptable drainage conditions (i.e. stream bank erosion & channel damage below the spillway) and
 dewater the lake sediment in place and excavate it for the purpose of extending the life of the lake, improving water
 quality and aesthetic aspects for the surrounding residences;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Clarkstown, as lead agency, has determined that the proposed
 action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be
 prepared.

On roll call the vote was as follows
 Co. Lasker Yes
 Co. Hausner Yes
 Co. Hoehmann. Yes
 Co. Borelli. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (61-2010)

Co. Hausner offered and Co. Borelli seconded

RESOLUTION RESCINDING RESOLUTION NO. 583-2009 REGARDING PROPOSED AGREEMENT
 WITH PSTEK TO PROVIDE HUMAN RESOURCES SOFTWARE, TRAINING AND SUPPORT

RESOLVED, that Resolution No. 583-2009, adopted November 24, 2009, authorizing the Supervisor to enter into
 an agreement with PSTEK for software support is hereby rescinded.

On roll call the vote was as follows
 Co. Lasker Yes
 Co. Hausner Yes
 Co. Hoehmann. Yes
 Co. Borelli. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (62-2010)

Co. Lasker offered and Co. Hausner seconded

RESOLUTION AUTHORIZING CHANGE ORDER #3, NEW CITY COMMUTER PARKING LOT,
 BID #11-2008, NYS ROUTE 304, NEW CITY, NEW YORK

WHEREAS, the Town of Clarkstown is currently constructing a commuter parking lot located on NYS Route 304,
 new City, New York, and

WHEREAS, the project is being funded by the New York State Department of Transportation, and

WHEREAS, the New York State Department of Transportation has required certain modifications to the project be

RESOLUTION NO. (62-2010) continued
completed prior to use by commuters as follows:

1. Removal and replacement of the bus shelter pad and extension of sidewalk along bus lane, and WHEREAS, the Town’s Consultant for the project, H2M Engineers, has negotiated the cost for the additional work with the General Contractor for the project, and WHEREAS, the cost for the additional work has been reviewed and determined to be reasonable by the Town’s Consultant for the project, H2M Engineers.

NOW, THEREFORE, BE IT

RESOLVED, that Change Order #3, for Bid #11-2008 is approved for the additional cost of \$25,946.29, and BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to enter into an amended agreement with the New York State Department of Transportation (“NYSDOT”) to reflect the change order, and BE IT FURTHER RESOLVED, that said cost shall constitute a proper charge to Account No. H 8757-409-0-81-27, and shall be reimbursed by the NYSDOT as per the agreement.

On roll call the vote was as follows
Co. Lasker Yes
Co. Hausner Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (63-2010)
Co. Hoehmann offered and Co. Lasker seconded

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

MRJ EXCAVATING, INC.
7 Beaver Court
New City, NY 10956
Mike Rickli, Jr., President

W. HARRIS & SON, INC.
37 W. Washington Ave.
Pearl River, NY 10965
Tim Harris, Presiden

RR PLUMBING SERVICES CO.
d/b/a ROTO-ROOTER SERVICES
525 Waverly Avenue
Mamaroneck, NY 10543
Terence O’Shea, President

A. SASSO PLUMBING CORP.
468 Haverstraw Road
Suffern, NY 10901
Michael A. Sasso, President

MR. PLUMBER
30A Bridge Street, PO Box 335
Garnerville, NY 10923
Vito Martorana, President

JGC PLUMBING & HEATING
8 Fairmont Terrace
West Nyack, NY 10994
Gerald Campitello, President

ENVIRONMENTAL CONSTRUCTION
21 Holt Drive
Stony Point, NY 10980
Susan Olkers, President

RONALD TARIGO
5 Crosscreek Lane
Stony Point, NY 10980
Ronald Tarigo, President

RONALD FILERA LANDSCAPE CONTRACTORS LLC
520 So. Pascack Road
Chestnut Ridge, NY 10977
Ron Filera, President

ZURLA EXCAVATING, INC.
90 Wayne Avenue
Stony Point, NY 10980
Theodore Zurla, President

SCAFFIDI & SONS BLACKTOPPING
26 Dickens Street
Stony Point, NY 10980
Danny Scaffidi, President

KEVIN STOKES EXCAVATING, INC.
P.O. Box 812
Pearl River, NY 10965
Kevin Stokes, President

TRAVCON, INC.
375 Kings Highway
Valley Cottage, NY 10989
Vincent Travaglini, President

NOW, THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

- No. 10-01 MRJ EXCAVATING, INC.
- 10-02 W. HARRIS & SON, INC.
- 10-03 RR PLUMBING SERVICES CO., d/b/a ROTO-ROOTER SERVICES
- 10-04 A. SASSO PLUMBING CORP.
- 10-05 MR. PLUMBER
- 10-06 JGC PLUMBING & HEATING
- 10-07 ENVIRONMENTAL CONSTRUCTION
- 10-08 RONALD TARIGO
- 10-09 ZURLA EXCAVATING, INC.
- 10-10 KEVIN STOKES EXCAVATING, INC.
- 10-11 RONALD FILERA LANDSCAPE CONTRACTORS LLC
- 10-12 SCAFFIDI & SONS BLACKTOPPING
- 10-13 TRAVCON, INC.

RESOLUTION NO. (63-2010) continued

On roll call the vote was as follows
 Co. Lasker Yes
 Co. Hausner Yes
 Co. Hoehmann. Yes
 Co. Borelli. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (64-2010)

Co. Hoehmann offered and Co. Lasker seconded

Resolution Authorizing Execution and Acceptance of Maintenance Agreement and Conservation Easement
 Regarding Eden Park Subdivision/Site Plan (64.7-1-8)

WHEREAS, based upon the recommendation of the Department of Environmental Control and as a condition to the approval of the final map by the Planning Board with regard to the Eden Park subdivision/site plan in West Nyack, New York (64.7-1-8), Eden Park Homes, LLC has provided a stormwater control facility maintenance agreement and a conservation easement, 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 authorizes the Supervisor to execute the stormwater control facility maintenance agreement, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the stormwater control facility maintenance agreement and conservation easement from Eden Park Homes, LLC in connection with the Eden Park subdivision/site plan and orders them recorded in the Rockland County Clerk's Office, subject to the receipt of recording fees.

On roll call the vote was as follows
 Co. Lasker Yes
 Co. Hausner Yes
 Co. Hoehmann. Yes
 Co. Borelli. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (65-2010)

Co. Hoehmann offered and Co. Borelli seconded

RESOLUTION REQUESTING THE ROCKLAND COUNTY CONSORTIUM CONSIDER SEVERAL
 PROJECTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

WHEREAS, the Town Board of the Town of Clarkstown wishes to request that the Rockland County Consortium consider several projects and organizations for Community Development Block Grant Funding, and WHEREAS, the Town Board of the Town of Clarkstown supports each of these organizations in their requests for funding;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby requests that the Rockland County Consortium consider Community Development funding for the following purposes:

- 1st Priority: Town of Clarkstown – Lawrence Street, Nanuet - Sidewalk construction and drainage improvements project in the vicinity of New Jersey Transit Railroad track;
- 2nd Priority: Town of Clarkstown – Transportation vehicle to assist in the transport of Senior Citizens from and to various locations within the Town.
- 3rd Priority: Town of Clarkstown – Transport of senior citizens to special events.
- 4th Priority: Meals on Wheels – for facility renovations at the Bobbi Lewis Adult Care Center,

and be it

FURTHER RESOLVED, that the Town Board hereby requests that from this list, the Consortium prioritize the applications in the same order they are listed in this resolution when considering each of these projects submitted by the Town of Clarkstown.

On roll call the vote was as follows
 Co. Lasker Yes
 Co. Hausner Yes
 Co. Hoehmann. Yes
 Co. Borelli. Yes
 Supervisor Gromack Yes

The Supervisor opened the meeting for general public comments.

Barry Goldberg- Goshen

Read and submitted a letter regarding Massachusetts Avenue properties, (on file with Town Clerk).

Steven Levine- Congers

Said the town should be using fuel efficient vehicles and employees should be reimbursed based on federal standards for mileage. Said many re-assessments of property are not done properly. Asked about property on 139 Massachusetts Avenue in Congers and why his questions are not answered.

Amy Mele- Town Attorney

Stated that Mr. Levine was given an answer several times and that this was a comment period, not a question and answer period.

Dennis Letson- First Deputy Director, DEC

Stated that Mr. Levine has received all this information by Freedom of Information Law.

Stanley Hoyer- West Nyack

Spoke about being taxed out of his house and about the spending done by the town, town salaries that are not in line with the public sector, and the need for so many town attorneys.

Co. Lasker

Stated that police salaries are not something that is unique to Clarkstown and are based on the Taylor Law.

Co. Borelli

Stated that our Supervisor's salary is quite low in comparison to what a job in the private sector would be with similar responsibilities, at about \$350,000.

Co. Hoehmann

Stated that this Town Board and this Supervisor have undertaken a plan to reduce positions within the town and we have the lowest tax increase in 20 years. Police salaries are an issue for every municipality outside of New York City, due to the Taylor Law, which we are fighting. We may have to look at layoffs in the future. Asked Mr. Hoyer to be fair and allow the Town Board to find more ways to find savings. Stated Stony Point had one town attorney that they contracted out for one million dollars, with a budget of only about \$30 million. We reduced our attorneys from 13 down to 8. We have a \$135 million budget and legal issues that need to be attended to. This is a business, as well as a town.

Supervisor Gromack

Stated that in 5 years, he was proud of the work we have done. We eliminated 41 positions, reduced attorneys from 13 to 8. We decided it was cheaper to have cars than reimburse mileage.

Pete Drower- New City

Said the residents are looking to the Town Board to change the way of doing business. Questioned the necessity for 24 hour use of vehicles by employees and asked how that is reported to the IRS as additional salary.

Supervisor Gromack

Stated that the employees do report to the IRS an additional income for vehicle use.

Guy Gervasi- West Nyack

Said there was no need for a fishing dock at Twin Ponds Park. Asked if the money couldn't be used to fix other recreational facilities?

Supervisor Gromack

Stated that Valley Cottage residents asked for a fishing dock, which was funded by developers with the money in lieu of land program and that money has to be used for recreation purposes. Some of the money was used for various repair projects at various recreational facilities. In an effort to reduce costs, the town has also contracted out for a refreshment vendor at the parks and will be seeking a vendor to run our mini-golf.

Co. Hoehmann

Stated that when a subdivision is created, a fee is assessed for the money in lieu of land program.

Co. Lasker

Said the money is spread throughout the hamlets and we are trying to find public/private partnerships.

Guy Gervasi- West Nyack

Asked about details regarding the ice rink at Congers Memorial Park.

Jo Anne Pedersen- Superintendent of Recreation and Parks

Stated there will be an outside vendor for skate rentals and sharpening, no additional bathrooms would be built, there would be no additional park hours, and there is no increase in insurance premiums.

Joe Giardullo- New City

Spoke about putting more information before meetings on the internet, in newspapers, and on the agenda about projects in the town. Asked about the project at the Route 304 park and ride lot and if the cuts announced by the governor will affect the town.

Supervisor Gromack

Stated that the NYS Department of Transportation is funding the park and ride lot and that the Town of Clarkstown is not dependent on the state for funding.

Amy Durbin- Congers

Asked about whether the town's budget was being put on the town's web site?

Supervisor Gromack

Stated that the town's budget is on the Town Clerk's web site, www.clarkstownclerk.com, under the helpful links section.

Frank Grandel- New City

Said he fished as a kid without a pier. Asked about an old federal case involving a gambling ring and money that was supposed to be given locally for participating in the case.

Supervisor Gromack

Stated that the monies had to be divided amongst all the various agencies involved, based on their participation and Rockland County's share is being administrated by the Sheriff and the District Attorney. The money can only be used for police functions, but has not been received yet.

Guy Gervasi- West Nyack

Spoke about concerns that the \$125,000 for the ice rink will not be a one-time thing and the cost of cell phones being used by employees.

Supervisor Gromack

Stated that years ago we had radios in cars and we found cell phones to be more efficient.

Kevin Hobbes- New City

Asked questions about the town's health insurance policies for employees.

Supervisor Gromack

Stated that new CSEA members pay 10% and non-members pay 15%, but employees used to pay nothing.

Steven Levine- Congers

Said he doesn't have a problem with salaries, but that we need to look at a way to cut costs.

Supervisor Gromack

Thanked everyone for participating.

On motion of Co. Hoehmann, seconded by Co. Hausner, and unanimously adopted, the Town Board Meeting was adjourned, 10:23 P.M.

Respectfully submitted,

David Carlucci
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING #1

Town Hall

1/19/10

8: 10 P.M.

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

Re: Rockland County Consortium for Community Block Grants Program.

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

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

Respectfully submitted,

David Carlucci
Town Clerk