

TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING

Town Hall

5/5/09

7:35 P.M.

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

Absent: Council Members John Maloney & Shirley Lasker

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

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

RESOLUTION NO. (244-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the Town Board Minutes of April 21, 2009 are hereby accepted as submitted by the Town Clerk.
On roll call the vote was as follows

Co. Lasker Absent
Co. Maloney Absent
Co. Hoehmann Yes
Co. Borelli Yes
Supervisor Gromack Yes

RESOLUTION NO. (245-2009)

Co. Borelli offered and Co. Hoehmann seconded

WHEREAS, the Authorized Purchasing Agent, by resolution #57-2009 dated January 20, 2009 advertised for bids for Bid #16-2009 - Fuel Station Upgrades - Clarkstown Police Department and Clarkstown Highway Department and

WHEREAS, only one bid was received and

WHEREAS, the Project Engineer recommends we re-bid the project, now therefore be it

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to re-advertise for bids for:
BID #16A-2009 – FUEL STATION UPGRADES CLARKSTOWN POLICE DEPARTMENT AND CLARKSTOWN HIGHWAY DEPARTMENT

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York by 11:00 A.M. on JUNE 9, 2009 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 Purchasing Department at the above address upon payment of the prescribed fee.

On roll call the vote was as follows

Co. Lasker Absent
Co. Maloney Absent
Co. Hoehmann Yes
Co. Borelli Yes
Supervisor Gromack Yes

RESOLUTION NO. (246-2009)

Co. Hoehmann offered and Co. Borelli seconded

RESOLUTION OF THE TOWN BOARD DECLARING NO ENVIRONMENTAL IMPACT WITH RESPECT TO THE CLARKSTOWN 2009 ROADWAY IMPROVEMENT PROGRAM

WHEREAS, the Town is working with the New York State Department of Transportation in an effort to receive \$1 Million Dollars in Federal Stimulus funds to finance the Clarkstown 2009 Roadway Improvement Program, and WHEREAS, the Town Highways Department Superintendent has reviewed a Design Report prepared by Maser Engineering, and submitted said report to the NYSDOT, and

WHEREAS, the Town Attorney has reviewed the SEQRA Regulations and finds that the Roadway Improvement Program is a Type II action, and that no further processing under SEQRA is required;

NOW, THEREFORE, be it

RESOLVED, that pursuant to SEQRA regulations, this project, as documented in the April 2009 Design Report – Roadway Resurfacing of Various Roadways in the Town of Clarkstown (P.I.N. 8760.83), is identified as a Type II action in accordance with Section 617.5(c)(2) of the NYCRR. Accordingly, this action is determined not to have a significant impact on the environment.

RESOLUTION NO. (246-2009) continued

On roll call the vote was as follows

Co. Lasker	Absent
Co. Maloney	Absent
Co. Hoehmann	Yes
Co. Borelli	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (247-2009)

Co. Hoehmann offered and Co. Borelli seconded

Resolution Authorizing the Supervisor to Execute a Memorandum of Understanding with the New York City & Lower Hudson Valley Clean Communities, Inc.

WHEREAS, the purpose of the Memorandum of Understanding (MOU) is to set forth the agreements, respective responsibilities, and procedures necessary to carry out the objectives of the U.S. Department of Energy (DOE) Clean Cities Program which accelerates the introduction and expands the use of alternative fuels and Alternative Fuel Vehicles (AFV), and

WHEREAS, the Town Board of the Town of Clarkstown believes that the Program will be a benefit to the Town; NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a Memorandum of Understanding with the NEW YORK CITY & LOWER HUDSON VALLEY CLEAN COMMUNITIES, INC., in a form approved by the Town Attorney, in support of the efforts of the Clean Cities Coalition, at no cost to the Town.

On roll call the vote was as follows

Co. Lasker	Absent
Co. Maloney	Absent
Co. Hoehmann	Yes
Co. Borelli	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (248-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for: BID #41-2009 – FIVE (5) DUMP BODIES WITH SALT SPREADING AND LIQUID APPLICATION Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York by _____ 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 Purchasing Department at the above address

On roll call the vote was as follows

Co. Lasker	Absent
Co. Maloney	Absent
Co. Hoehmann	Yes
Co. Borelli	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (249-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLUTION AMENDING RESOLUTION NO. 686-2008, AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AMENDED AGREEMENT WITH DCAK ARCHITECTURE, PC, TO PROVIDE SERVICES FOR THE RENOVATION OF THE TOWN’S COMMUNITY CENTERS

WHEREAS, the Town Board adopted Resolution No. 686-2008 on October 21, 2008, authorizing the Supervisor to enter into an agreement with DCAK Architects to provide professional services for the renovation of Street Community Center, pursuant to its proposal dated October 6, 2008, and

WHEREAS, at the request of the Town, DCAK submitted a proposal dated April 28, 2009 to prepare a Building Condition Assessment report of the Congers, Central Nyack and Pascack Community Centers, for a fee not to exceed \$16,500.00, and

WHEREAS, based on the building assessments, the Public Works Administrator has determined that certain repairs are warranted at the Congers, Central Nyack, Pascack, and Street School Community Centers, and

WHEREAS, DCAK submitted a proposal dated May 1, 2009, to provide additional architectural and engineering services with regard to the Congers Community Center, the Central Nyack Community Center, the Pascack Community Center, and the Street Community Center, for a fee equal to 11.9% of construction costs or 10.75% of construction costs if the project exceeds \$3 Million Dollars, and

WHEREAS, the Public Works Administrator has reviewed the proposals and finds them reasonable in terms of scope and price;

NOW, THEREFORE, be it

RESOLUTION NO. (249-2009) continued

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an amended contract with DCAK Architects, in a form approved by the Town Attorney, to provide professional architectural and engineering services regarding the Congers Community Center, the Central Nyack Community Center, the Pascack Community Center, and the Street Community Center, pursuant to its proposals dated April 28, 2009 and May 1, 2009, and be it

FURTHER RESOLVED, that the agreed upon fee for the Building Condition Assessment Report shall be a fixed sum not to exceed \$16,500.00, plus standard reimbursable expenses, pursuant to proposal dated April 28, 2009, and shall be charged to Account No. H 8759-409-83-24, which fee shall be paid out of the money in lieu of land account, and be it

FURTHER RESOLVED, that the agreed upon fee for the Architectural and Engineering services for the community centers shall be 11.9% of construction costs or 10.75% of construction costs if project exceeds \$3 Million Dollars, pursuant to proposal dated May 1, 2009, and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund the architectural and engineering services portion of the project through the issuance of serial bonds, which fee shall be charged to Account No. H 8759-409-83-24, and be it

FURTHER RESOLVED, that the agreement establishing such fixed compensation shall provide, among other provisions required by the Town Attorney, for contract indemnification of the Town, and professional and other liability insurance coverage with the Town of Clarkstown named as an additional insured.

On roll call the vote was as follows

Co. Lasker	Absent
Co. Maloney	Absent
Co. Hoehmann	Yes
Co. Borelli	Yes
Supervisor Gromack	Yes

The Supervisor opened the meeting for general public comments, with no one wishing to be heard.

On motion of Co. Borelli, seconded by Co. Hoehmann, and unanimously adopted, Town Board Meeting was closed 7:40 P.M.

Respectfully submitted,

David Carlucci
Town Clerk