

TOWN OF CLARKSTOWN  
TOWN BOARD REORGANIZATION MEETING

Town Hall

01/5/2010

8:05 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

The Master of Ceremony was Police Chaplain David Lothrop. The Clarkstown Police Honor Guard presented the colors. Barry Fixler, Veteran of the Year, led the assemblage in the Pledge of Allegiance. The National Anthem was sung by the Hudson Voices of the Rockland County Choral Society. The Invocation was given by Reverend William Cosgrove, St. Augustine's Church. Distinguished guests recognized were Congresswoman Nita Lowey, NYS Senator Thomas Morahan, representing Sherrif James Kralik, Captain Lou Falco, Hon. Paul Piperato, Rockland County Clerk, Hon. Judge Victor Alfieri, Hon. Judge William Sherwood, now Supervisor of the Town of Stony Point, Hon. Judge David Fried, Hon. Emily Domingues, Village of Haverstraw Trustee, Clarkstown Superintendent of Schools Margaret Keller-Cogan, Superintendent of Nanuet Schools Dr. Mark McNeill, Mr. Willie James Ray, Regional Director of NYS Environmental Conservation, Hon. Thom Zugibe, Rockland County District Attorney, representing Governor David Patterson, Richard Thomas, Rockland County Legislators Hon. Ed Day and Hon. Frank Sparaco. From the Town of Clarkstown: Hon. Alexander J. Gromack, Supervisor, Hon. Shirley Lasker, Councilwoman, Hon. Frank Borelli, Councilman, Hon. George Hoehmann, Councilman, Hon. Stephanie Hausner, Councilwoman, Hon. David Carlucci, Town Clerk, Hon. Loretta Raimone, Receiver of Taxes, Hon. Wayne T. Ballard, Superintendent of Highways, Hon. Judge Craig E. Johns, Hon. Judge Scott Ugell, Hon. Judge Howard Gerber, Hon. Judge Rolf Thorsen.

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Hon. Howard Gerber administered the oath of office for Supervisor Alexander J. Gromack, with wife Joan and daughter Jenna holding the Bible. He thanked the elected officials present and the residents of Clarkstown for their continued support. Thanks were extended to Father Cosgrove, who married him and Joan, his family, Chief Noonan and the men and women of the Clarkstown Police Department, and the political parties that supported him.

Hon. Judge Craig E. Johns administered the oath of office for Councilman George Hoehmann, with wife Kathy and children Ashleen, Ciara, and Thomas holding the Bible. Thanked his family for their love and support and the people who worked on his campaign. Thanks were extended to the town board and Ralph Mandia, his colleagues at Camp Venture, the political parties that supported him, the organizations that endorsed him, and the people of Clarkstown.

Hon. Howard Gerber administered the oath of office for Councilwoman Stephanie Hausner, with her parents Mark and Elyse Hausner holding the Bible. Thanked the political parties that supported her, Hon. Harriet Cornell for her nomination, Congresswoman Nita Lowey for giving her a start as an intern, the many people who worked on her campaign, her family, who instilled in her the value of serving one's community, Hon. David Carlucci for encouraging her to run for Town Council, the organizations that endorsed her, and the town board. She stated she looks forward to serving the people of Clarkstown and thanked them for their support.

Hon. Judge David Fried administered the oath of office for Town Clerk David Carlucci, with his mother Barbara holding the Bible. Hon. Carlucci declared his gratitude to everyone in Clarkstown for giving him the opportunity to serve as their Town clerk, which he considers an honor. Thanked Deputy Town Clerk Pamela Sitomer and his staff who go above and beyond to serve the residents of our community, the people who worked on his campaign, the town board, and the political parties that supported him. He thanked his family and fiancée, Lauren Grossberg, who is always there to support him.

Judge William E. Sherwood administered the oath of office for Town Justice Scott B. Ugell, with daughters Sari and Rebecca holding the Bible. Justice Ugell expressed his appreciation for being able to serve the people of Clarkstown and for their support. He thanked his fellow town justices, everyone at the Town Justice Court and Clarkstown Police Department, the political parties that supported him, the people who worked on his campaign, and his daughters.

Judge William E. Sherwood administered the oath of office for Town Justice Craig E. Johns, with wife Lana holding the Bible, with sons Craig, Alexander, and Cole. Justice Johns thanked his family and Hon. Sherwood. He expressed his gratitude for the voters of Clarkstown, the political parties that supported him, the people who worked on his campaign and sacrificed their time, and the organizations that endorsed him. He stated he would do his best to uphold the standards of fairness, impartiality, and justice in his position as Town Justice.

Hon. Judge Scott B. Ugell administered the oath of office for Clarkstown Superintendent of Highways Wayne T. Ballard, with children Sean, Kimberly, and Justin holding the Bible. He expressed his appreciation for being able to serve the people of Clarkstown for a seventh term and for their support. He thanked the political parties that supported him, Supervisor Gromack, the town board, his right-hand person, Nancy Willen, who has been with him for eleven years. Superintendent Ballard commended the hardworking men and women of the Highway Department, who make all his accomplishments possible. He thanked his children and declared, "I want to acknowledge their strength, their commitment, and for being troopers, because this was a year that we didn't have our Jodi."

Judge Craig E. Johns administered the oath of office for Receiver of Taxes, Loretta Raimone, with grandchildren Lisa Marie and Anthony Thomas holding the Bible. Hon. Raimone stated she loved her job and wished to thank her family, the residents who voted for her, the political parties that supported her, and both the Town Board and Supervisor Gromack. She encouraged the public to look on the web site regarding programs and said her staff was the best, bar none.

NYS Senator Thomas Morahan and Congresswoman Nita Lowey addressed the town, congratulating the individuals being sworn and speaking about state and federal issues, respectively.

The Supervisor delivered the following State of the Town address:

Good evening and thank you for joining us tonight. I hope this holiday season has brought peace and joy to you and your loved ones and ask that you join with me as we take a moment to remember and honor the men and women in our armed forces, serving both home and abroad.

Each year at this time, I have the privilege of delivering what has become known as the State of the Town Address. It gives me a chance to touch on some highlights of 2009, some of our goals for 2010 and even more importantly a chance to share some of my thoughts on Town government and the future of Clarkstown.

Let me first, however, thank my friends and Town Board colleagues Shirley Lasker, Frank Borelli, and George Hoehmann for their continuing service and commitment to our Town. All of us welcome our newest Town Board member, Stephanie Hausner. I know I speak for every Town Board member in pledging our continuous bipartisan collaboration on behalf of our residents. It's a relationship that is very special and one that the Town Board and I are proud of. It is a stark contrast to the partisanship in Albany and Washington that often seizes the work of government.

A special thanks to John Maloney, a Town Board member for 36 years, for his untiring efforts, work and leadership. John epitomizes what public service is about and he was and will remain a valuable mentor to myself and the rest of the Town Board. Last year we were all saddened by the loss of former Councilmember Ralph Mandia, a dedicated public servant, a true partner in government and a friend that we miss dearly.

I would like to publicly thank our other elected officials Highway Superintendent Wayne Ballard, Town Clerk David Carlucci, Receiver of Taxes Loretta Raimone, and Judges Scott Ugell, Craig Johns, Howard Gerber, and Rolf Thorsen for their equally valuable commitment to our Town.

The many successes of 2009 are a direct result of the efforts of our town employees from secretaries to department heads, from police officers to highway workers, from engineers to accountants and all the others who provide the services that our residents deserve and have come to expect. I have included the departmental highlights of 2009 with your copy of the State of the Town address and encourage you to review what our employees have accomplished this year. I know you will be as proud as I am of their efforts and accomplishments.

One of the best and probably more important jobs a Town Supervisor has is meeting with individuals, small informal groups and the many community organizations that lend their efforts to make our town special and unique. Listening to their concerns, answering their questions, resolving their problems and asking for their help is what local government is all about. Too often government is removed from what people really think and what they really want their government to do. A local government that does not provide for the safety, welfare and benefit of its citizens does more harm than good and an elected official that does not listen to his or her constituents will not be very successful in office.

The current national economic crisis has caused tremendous pain and suffering to many people across our nation. Hundreds of thousands have lost their jobs, or lost their homes, or even worse lost faith in government and have given up on their dreams. The number one concern expressed by many people I talk to is whether our Town government will have to make drastic and devastating cuts to services or will it have to raise property taxes by double digits just to balance our budget.

Let me assure all of you tonight, the state of our town is good, the state of our town is strong and the state of our town is healthy. Clarkstown has and will continue to have a balanced budget with only a 1.6 % tax rate this year...the lowest tax increase in a decade...and will continue to be one of the best places to live in the nation providing quality services to our families.

During my 26 years of public office I've learned that there's far more to government than just dollars and cents, there's people and services. Balancing the financial resources of government with necessary services takes skill, experience and patience. It's a bit like being a surgeon. You have to make cuts but they have to be the right cuts. If you cut too deeply you end up killing the patient. I often say government is like a menu. You might not want what's on the menu today...but you're darn glad it's on the menu when you do need it or want it.

Government, however, can't provide everything for everyone all the time. You have to understand your Town, your community. You have to do the things that need to be done now and know what can be put off for another day without negatively impacting residents. Government is a high wire balancing act without a net. Making the wrong move or moving too fast without thinking ends up hurting people. Knowing what you are doing and doing it right requires leadership and foresight.

Some residents want open space, park lands, play grounds and baseball fields. Some residents want to make sure that their leaves, their old furniture, kitchen appliances and recyclables are picked up on schedule. Some residents want to make sure that the pot hole on their road is filled and that the snow and ice are removed in time for them to get to work. Some residents want to make sure that their senior center remains open and the mini-trans gets them to the store and doctor when they need to go...some residents want to make sure that the day camp program provides a safe place for their children... to know that on a hot August day their family can cool off at a clean and attractive Town pool, and to have a first rate pre-school program for their children while they go off to work. Still other residents want to make sure that the Town stops the stream from flooding out their homes; that they can walk into any of our downtown centers with a sense of pride and community. Some residents want to know that they can go to Town Hall and get their building permit or dog license without having to wait in line for hours or better yet go on line to our website for their needed service. And all residents want to make sure that when they dial 911 and ask for help, they don't get a busy signal and that our police, fire and ambulance services will be there promptly when we need them the most...this is what keeps Clarkstown consistently among the top ten safest places to live in the nation.

While our town has and will continue to provide these and other services effectively and efficiently...we also look ahead to what we can do differently and better. For example, Clarkstown is a leader in green policies and initiatives... purchasing wind, solar energy and hybrid vehicles, creating a Tree Preservation law, performing energy audits on municipal buildings and implementing green, cost saving modifications to our buildings, forming a Clarkstown Energy Conservation Committee, conducting the first Greening Clarkstown event that brought over 200 residents and local businesses together to learn about energy conservation.

2010 will see the culmination of another ground breaking action taken by our Town as we begin to implement our new comprehensive plan. In an extensive and successful grass roots effort the members of the Special Board involved over 600 of our neighbors in public workshops, written surveys, a professionally conducted phone poll and repeated Town wide and area mailings to get public input and to truly make the Comprehensive Plan, to paraphrase President Lincoln, a plan of our town, by our town and for our town. We are told by the consultants and experts involved in the drafting of the plan that what we did here in Clarkstown will serve as a national model for community planning.

At the same time local government must keep a strict eye on spending and find ways to cut expenses without reducing necessary services and continue in its fight for its fair share of state and federal aid. While we receive a very small portion of the sales tax from the county, about \$3 million in 2009 it is a sliver compared to the

\$183 million the County is receiving this year for their own coffers.

The single largest source of revenue available to Local Government is the property tax. Out of every dollar Town residents pay in property taxes, the Town receives just twenty nine cents. That's 29 cents for Highway, Police, Recreation programs. 29 cents for our parks, sewer system, drainage improvements and garbage collection. 29 cents for our Building Department. Town Clerk, Assessors, senior programs. 29 cents for our Mini Trans, Planning Department and all the other services your Town government provides. The rest of that dollar, 71 cents, goes to the School Districts, special districts and the County of Rockland.

Since 2004, when I first became Town Supervisor, the Town Board and I have, like skilled surgeons cut where we could without damaging the quality of our resident's lives. We have reduced the Town's payroll by the eliminating 41 positions. We have saved money by consolidating our Purchasing and Insurance Department and will continue with consolidation efforts of even larger departments. We have achieved and maintained a Triple A rating from Standard and Poor's the highest any town can receive, which will result in saving millions in interest payments over the years. We have eliminated over \$10 million dollars from Town Departmental budget requests and last year alone we made a \$1.5 million mid year budget cut while decreasing police department overtime hours by 16%, netting the Town hundreds of thousands of dollars in savings.

In 2009, we finalized the sale of the Town's solid waste transfer station in West Nyack to the Rockland County Solid Waste management Authority for \$15 million dollars. That money has been put in a tax stabilization fund to reduce the burden placed on the Town's property tax payers for years to come. Town officials and I worked tirelessly to secure funds from our federal government's economic stimulus plan getting \$1.75 million for Clarkstown, making us the only town in the county to receive federal stimulus money for two local municipal projects. A special word of thanks goes to Senator Chuck Schumer, US Representatives Nita Lowey and Eliot Engel, Assemblyman Ken Zebrowski, Senator Tom Morahan, and County Executive Vanderhoef for their continued assistance in helping our Town receive \$14 millions more for highways projects, open space purchases, downtown revitalizations and flood prevention projects to name but a few.

These well thought out reductions, departmental consolidations, and aggressive efforts to secure more state and federal funds all help reduce the tax burden placed on our residents. As I noted, these budget actions resulted in a 1.6% property tax rate for 2010, the lowest property tax rate in a decade. It shows we are on the right track and the Town Board and I pledge to continue moving in that direction to ensure that our most important assets... our residents and our businesses remain in our Town and are able to grow and flourish here.

Of course for some people any tax increase is too much and I understand that. They urge the type of cuts that devastate services, like reducing the police by 30%, laying off hundreds of Town employees, closing senior centers, eliminating programs for youth and families, doing away with property tax exemptions for our senior citizens, veterans and volunteer fire and ambulance corps. Their philosophy seems to be that since they don't need a particular service we should just eliminate it. It's a little like saying since I'm not sick today, why don't we just close all the hospitals to save money.

Governing is a deep responsibility. It is not a responsibility that I or any other Town Board member takes lightly. There is no room for irresponsible actions based upon catchy but untested and in some cases extremist notions. Our actions must be deliberate, Our actions must be well thought out, Our actions must be aimed at providing the most good for the largest number of people. Over 82,000 people make Clarkstown their home. All of them have their share of private dreams and hopes. All of them have their share of troubles and concerns, me included. Government must be on their side, providing them with a safe community, a community where they and their families can enjoy a quality of life that addresses some of those troubles and concerns and helps them achieve some of those dreams and hopes.

I am reminded of when I first became Supervisor I was inspecting a flood area with my wife and daughter and we drove down Green Avenue in Valley Cottage right after a rather big rainstorm. The street was like a river. Almost every resident had serious water damage... some in their basements, some in their garages and some on their main floors. You could read the pain and distress in their eyes. My daughter turned and said to me, "Dad, why do these people have to live like this?"

The answer was simple but unacceptable. In order to save money, our Town's infrastructure had been neglected and abandoned for years. Flood prevention projects had been eliminated or put on the back burner. It was as if the Town had adopted a policy that said since not every home floods when there is a rain storm why should the Town do anything for those homes that do flood. This is not the right way to save money. This is not the right way to run government. Government cannot put off until tomorrow the work that needs to be done today, not just because the problem will grow larger... but also because in the end the savings we hoped to see will never materialize and in fact the project will end up costing more money.

After that day, after seeing the despair on the faces of residents on Green Avenue, the Town Board and I created a Drainage Task Force, which has completed and funded 90 flood prevention projects and 30 more are in the design or bidding phase. I am proud to announce that in 2010, we will reach our 100<sup>th</sup> flood control project! 100 areas of our community no longer live in fear when it rains.

My single, most important goal for 2010 is to continue to reduce the burden on our Towns property tax payer by reducing the costs of government... consolidating wherever possible, by aggressively seeking out more state and federal aid, by fighting for a larger, fairer share of the county sales tax dollar and to continue to provide quality services for our residents.

I sometimes have to remind town residents that I live here too. I pay school, county, and town property taxes just like them. I pay state and federal income taxes – just like them. I pay County and state sales taxes – just like them. I drive on the same roads as they do, jog along the same trails, enjoy the same July Fourth fire works, walk the same downtowns as they do, and hope, like them, that I, my wife or daughter never need the police or ambulance or fire departments but that if and when we do they'll be there for me and my family just like they will be there for your family. I sometimes have to remind residents of that but I never forget it myself. My family is just as important to me as your family is to you. We have our dreams and concerns just like you.

The only difference is that I have been given the very special honor; I have been given a very special privilege; I have been given a very special responsibility... to do what needs to be done to protect the dreams and address the concerns of 82,000 people as your elected Town Supervisor. I will do whatever it takes to make sure I meet that responsibility, not just for my family but for your family as well...because together...Together we are the Town of Clarkstown.

Thank you and God bless.

### Notable 2009 Accomplishments

- The Town Board took aggressive measures to continue securing fiscal stability in the Town of Clarkstown while planning the 2010 budget resulting in a 1.6% tax levy for the 2010 fiscal year, the lowest in a decade.
- Again this year, Clarkstown was ranked one of the top ten safest places to live in the nation.
- Clarkstown is a leader in local governments in green policies and initiatives, purchasing wind, solar energy and hybrid vehicles, creating a Tree Preservation law, performing energy audits on municipal buildings and implementing green, cost saving modifications to our buildings, signing onto the Mayor's Climate Protection Agreement, forming a Clarkstown Energy Conservation Committee, creating Energy Star building codes, and conducting the first Greening Clarkstown event that brought over 200 residents and local businesses together to learn about energy conservation.
- Clarkstown received a Triple A rating from Standard and Poor's, the highest rating a municipality can receive.
- Superintendent Wayne Ballard and the Highway Department used their updated website and computer software to record over 5,000 work order requests for pothole and catch basin repairs, right of way maintenance, drainage repairs, roadway resurfacing, litter cleanup, yard waste and leaf pickup, and plowing. Highway paved 42 streets throughout the Town.
- The Highway Department is being considered for a 2009 NYS DEC Environmental Excellence Award for their salt reduction and safer roads initiatives.
- The Town Board and Comptroller's Office refinanced some bonds saving \$250,000.
- The Building Department issued 1,400 building and 3,300 fire permits collecting \$1.3 million dollars in fees.
- Through the Town Attorney's Office and Building Department we updated and revised chapters of the Town Code.
- In addition to mobile office hours and evening hours, Town Clerk, David Carlucci instituted early morning office hours to help assist our residents who lead busy lives. The Town Clerk also initiated a Microfilm Project to address the problem of water damaged criminal dockets from the Justice Court and was awarded a State grant to complete the project.
- Downtown revitalizations projects are complete in Congers, Nanuet and Valley Cottage. In 2009, we were excited to break ground on the New City revitalization project, which will continue throughout the next two years. The West Nyack project is in the planning stages and the Central Nyack project will follow.
- We are continually updating our Town website to make government easier for residents. We started disseminating e-newsletters that residents can sign up for on our website, which allows us to provide valuable information about our Town. Supervisor Gromack also joined Facebook, Twitter, and LinkedIn to become more accessible.
- We completed or initiated 20 drainage improvement projects including the following three major projects, Virginia Street, Elks Drive, and Hackensack River Drainage Improvements.
- We constructed the Town's new resident compost and mulch facility at Germonds Park.
- Our Justice Department has introduced payment of parking tickets online significantly increasing fines collected.
- Clarkstown Mini Trans received four surplus buses from the County of Rockland enabling the Town to postpone buying new buses for the next two to three years, saving approximately \$300,000.
- We finished the construction of a communication tower to enhance interoperability among all emergency responders and made it available to other emergency responders.
- Supervisor Gromack and the Town Board continued the Clarkstown Volunteer Incentive Program and recognized over 100 new local businesses that have agreed to offer discounts to Clarkstown's emergency service volunteers.
- Through our Receiver of Taxes, Loretta Raimone, Clarkstown taxpayers can now register online to receive their tax bills and tax receipts by email.
- The Town of Clarkstown joined Orange and Rockland Utilities in a pilot program designed to test the feasibility of energy efficient Light Emitting Diode (LED) streetlights.
- The Town Board and Recreation Commission started construction on the Valley Cottage Hamlet Park, which is almost complete. The park is located on Lake Road in Valley Cottage and has a beautiful hand cut stone wall, wooden gazebo and lush landscaping.
- The Planning Board reviewed over 250,000 square feet in commercial site plans including Landmark Corporate Park in New City, United Structural Steel in Congers, and Brega Bus Maintenance and Depot in Valley Cottage.
- Also before the Planning Board are four applications for Active Adult Residence (AAR) for residents 55 and older, including Eden Park, West Nyack, Orchard Ridge, Congers, Vanderbilt Grande, New City, and Squadron Land LLC, New City. The Planning Board is also reviewing plans for Hyenga Lake, a senior residence that will have 65 units.
- Clarkstown received \$10 million from the Rockland County Sewer District for Town sewer upgrades.
- The Town constructed a new park and ride lot on Route 304 in New City, paid for by the State of New York.
- The Town Board has reduced the Town's payroll by eliminating 41 positions and consolidated our Purchasing and Insurance Department and will continue with consolidation efforts of more departments.
- The Town Board eliminated over \$10 million from Town departmental budget requests and in 2009 made a \$1.5 million dollar mid year budget reduction and decreased police department overtime hours by 16%.
- Through the Town Attorney's Office we finalized the sale of the Solid Waste Transfer Station in West Nyack to the Rockland County Solid Waste Management Authority for \$15 million dollars. That money will be put in a tax stabilization fund to help reduce the burden on tax payers.
- The Town Board worked to be sure Clarkstown received funds from the federal government's economic stimulus plan funding infrastructure projects like drainage and road improvements. We secured \$1.75 million for Clarkstown, making us the only Town in Rockland to receive federal stimulus money!
- In an extensive and successful grass roots effort the members of the Special Board involved over 600 residents in public workshops, written surveys, a professionally conducted phone poll and repeated Town wide and area mailings to get public input for the new comprehensive plan. We are told by the consultants and experts involved in the drafting of the plan that what we did here in Clarkstown will serve as a national model for community planning.

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SPECIAL PRESENTATION: Certificates were given to individuals involved in the Jamie Erlich investigation.

The Supervisor declared the Town Board Meeting open.

RESOLUTION NO. (1-2010)

Co. Hoehmann offered and Co. Lasker seconded

RESOLUTION DESIGNATING BANK DEPOSITORIES FOR TOWN FUNDS

RESOLVED, that the following depositories are hereby designated for funds deposited by the Supervisor, Town Clerk, Receiver of Taxes, Town Justices, Building Inspector, Department of Planning and Comptroller:

J P Morgan Chase	HSBC	Merrill Lynch
Citibank, N.A.	Key Bank, NA	Provident Municipal Bank
Capital One	M & T Bank	TD Bank

and be it

FURTHER RESOLVED, that each of the banks set forth above shall be required to supply pledge collateral protection for Town funds which are not otherwise insured against loss.

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

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RESOLUTION NO. (2-2010)

Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION ESTABLISHING PETTY CASH FOR TOWN DEPARTMENTS

RESOLVED, that petty cash be established for the following offices in the amounts designated:

Supervisor's Office	\$200.00	Recreation & Parks	\$300.00
Assessor's Office	\$100.00	Recreation & Parks	\$1500.00 (5/1/10-10/30/10)
Building Inspector	\$100.00	Recreation & Parks	\$100.00
Comptroller's Office	\$100.00	(Wheel Park)	
Data Processing	\$100.00	Recreation & Parks	\$100.00
Environmental Control	\$100.00	(Germonds Park Mini Golf Course)	
Justice Court	\$200.00	Recreation & Parks	\$200.00
Highway Department	\$200.00	(Zukor Park Registration)	
Maintenance	\$100.00	Safety Manager	\$100.00
Mini-Trans	\$100.00	Sanitation District	\$150.00
Personnel	\$25.00	(Landfill)	
Planning	\$100.00	Sewer	\$100.00
Police	\$400.00	Town Attorney	\$200.00
Purchasing	\$25.00	Town Clerk	\$200.00
Receiver of Taxes	\$300.00	Town Garage	\$50.00

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

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RESOLUTION NO. (3-2010)

Co. Hausner offered and Co. Lasker seconded

RESOLUTION REGARDING TOWN FUNDS

RESOLVED, that the Town Board hereby authorizes the Town Comptroller to determine security to be given for the protection of Town Funds (Town Law Section 64, Subd. 1).

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

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RESOLUTION NO. (4-2010)

Co. Hoehmann offered and Co. Lasker seconded

RESOLUTION WITH RESPECT TO THE OFFICIAL UNDERTAKING FOR THE TOWN OFFICIALS AS AUTHORIZED BY TOWN LAW 25

RESOLVED, that the official undertaking for the Town Officials as authorized by Section 25 of the Town Law be and hereby is established in the amounts provided in the surety bonds previously obtained, and be it

FURTHER RESOLVED, that the St. Paul Travelers Insurance Company is hereby authorized to provide such undertaking.

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

RESOLUTION NO. (4-2010) continued

Co. Borelli... Yes
Supervisor Gromack... Yes
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RESOLUTION NO. (5-2010)

Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE FILING OF SUMMARY FINANCIAL REPORT

RESOLVED, that the Town Board hereby authorizes the Town Clerk to publish a summary annual financial report (or notice that a copy of the report is on file in the Town Clerk's Office) in lieu of an annual financial report, as provided by Town Law Section 29, Subd. 20.

On roll call the vote was as follows
Co. Lasker... Yes
Co. Hausner... Yes
Co. Hoehmann... Yes
Co. Borelli... Yes
Supervisor Gromack... Yes
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RESOLUTION NO. (6-2010)

Co. Lasker offered and Co. Hausner seconded

RESOLUTION DIRECTING RECEIVER OF TAXES TO DEPOSIT MONIES IN AN INTEREST BEARING ACCOUNT

RESOLVED, that the Receiver of Taxes of the Town of Clarkstown is hereby ordered and directed to deposit monies collected by the Receiver of Taxes for warrants issued for the collection of the 2010 State, County and Town taxes, in an interest bearing checking account in a lending institution designated and approved by the Town Board.

On roll call the vote was as follows
Co. Lasker... Yes
Co. Hausner... Yes
Co. Hoehmann... Yes
Co. Borelli... Yes
Supervisor Gromack... Yes
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RESOLUTION NO. (7-2010)

Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING TO EMPLOY OFFICE STUDENT WORKERS

RESOLVED, that the Supervisor is hereby authorized to employ office worker students, laborer students, and special studies interns, for various departments within the budget line.

On roll call the vote was as follows
Co. Lasker... Yes
Co. Hausner... Yes
Co. Hoehmann... Yes
Co. Borelli... Yes
Supervisor Gromack... Yes
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RESOLUTION NO. (8-2010)

Co. Hoehmann offered and Co. Hausner seconded

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO DEFEND PROCEEDINGS AGAINST THE TOWN OF CLARKSTOWN, ITS AGENCIES AND EMPLOYEES

RESOLVED, that for the year 2010, the Town Board hereby authorizes the Town Attorney to take all necessary steps to defend any proceedings brought against the Town of Clarkstown, its agencies and employees, and be it FURTHER RESOLVED, that this Resolution is hereby made retroactive to January 1, 2010.

On roll call the vote was as follows
Co. Lasker... Yes
Co. Hausner... Yes
Co. Hoehmann... Yes
Co. Borelli... Yes
Supervisor Gromack... Yes
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RESOLUTION NO. (9-2010)

Co. Hoehmann offered and Co. Lasker seconded

AUTHORIZING SETTLEMENT OF CLAIMS

RESOLVED, that the Insurance and Claims Manager of the Town is hereby authorized to settle liability claims, which involve no bodily injuries, for amounts up to \$10,000.00, and be it

FURTHER RESOLVED, that such settlement authorization is increased to the sum of \$25,000.00 when the Town Attorney reviews and approves the proposed settlement.

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. (10-2010)  
Co. Hoehmann offered and Co. Lasker seconded

RESOLUTION AUTHORIZING APPLICATION OF SECTION 18, PUBLIC OFFICERS' LAW, TO OFFICERS AND EMPLOYEES OF THE TOWN OF CLARKSTOWN

RESOLVED, that the provisions of Section 18 of the Public Officers' Law concerning defense and indemnification shall apply to the officers and employees of the Town of Clarkstown who are named defendants in any action arising out of the proper performance of duties, and the benefits of Section 18 shall extend to all such employees, and be it

FURTHER RESOLVED, that all necessary and reasonable costs for providing this benefit shall be a proper Town charge.

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. (11-2010)  
Co. Borelli offered and Co. Hoehmann seconded

RESOLUTION CONFIRMING AND READOPTING THE TOWN OF CLARKSTOWN POLICE DEPARTMENT RULES AND REGULATIONS

WHEREAS, the Town Board of the Town of Clarkstown, pursuant to Town Law and the Rockland County Police Act has governance and control of the Clarkstown Police Department, and by this resolution intends to confirm and readopt the existing Town of Clarkstown Police Department Rules and Regulations;

NOW, THEREFORE, be it

RESOLVED, that the Rules and Regulations heretofore established by the Town Board pursuant to Resolution No. 566-2005 are hereby ratified and re-adopted, and be it

FURTHER RESOLVED, that such Rules and Regulations as may have been amended by administrative act of the Police Chief since January 6, 2009 are hereby ratified and such Rules and Regulations, as amended, shall remain in full force and effect until such time as the Town Board may modify or rescind same by further resolution.

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. (12-2010)  
Co. Lasker offered and Co. Borelli seconded

RESOLVED, that Amy Mele is hereby reappointed to the position of Town Attorney – term effective and retroactive to January 1, 2010 and to expire on December 31, 2011 – at the current 2010 annual salary of \$149,000.

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. (13-2010)  
Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Edward J. Duer is hereby reappointed to the position of Town Comptroller – term effective and retroactive to January 1, 2010 and to expire on December 31, 2011 – at the current 2010 annual salary of \$165,920., to serve at the pleasure of the Town Board.

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. (14-2010)  
Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that Shirley J. Thormann is hereby reappointed to the position of Chairman – Planning Board – with an annual salary for the year 2010 of \$14,500., - with such appointment to be effective and retroactive to January 1, 2010 and to expire at 12:01 A.M. on January 1, 2011, and be it,

FURTHER RESOLVED, that Shirley J. Thormann, as Chairman of the Planning Board, shall be responsible for familiarizing all Planning Board Members with the following provisions of the Town Code:

- Chapter 18 – Code of Ethics and
- Chapter 42 – Certification of Board of Appeals & Planning Board Members, and be it,

FURTHER RESOLVED, that the Town Clerk is directed to forward a copy of this resolution to Shirley J. Thormann at her home address.

RESOLUTION NO. (14-2010) 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. (15-2010)

Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that Edward J. Lettre is hereby reappointed to the position of Chairman – Architecture and Landscape Commission – with an annual salary of 3,600., for the year 2010 - with such appointment to be effective and retroactive to January 1, 2010 and to expire at 12:01 a.m. on January 1, 2011, and be it,

FURTHER RESOLVED, that Edward J. Lettre, as Chairman of the Architecture and Landscape Commission, shall be responsible for familiarizing all Architecture and Landscape Commission members with the following provisions of the Town Code:

Chapter 18 – Code of Ethics, and be it,

FURTHER RESOLVED, that the Town Clerk is directed to forward a copy of this resolution to Edward J. Lettre at his home address.

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. (16-2010)

Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that Cora Bodkin is hereby reappointed to the position of Vice-Chairman – Architecture and Landscape Commission – with an annual salary of 2,600., for the year 2010 with such appointment to be effective and retroactive January 1, 2010 and to expire at 12:01 a.m. on January 1, 2011.

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. (17-2010)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that Gaetano U. Massa is hereby reappointed to the position of Chairman – Zoning Board of Appeals – with an annual salary of \$3,600., for the year 2010 - with such appointment to be effective and retroactive to January 1, 2010 and to expire at 12:01 a.m. on January 1, 2011, and be it,

FURTHER RESOLVED, that Gaetano U. Massa, as Chairman of the Zoning Board of Appeals, shall be responsible for familiarizing all Zoning Board of Appeals Members with the following provisions of the Town Code:

Chapter 18 – Code of Ethics and

Chapter 42 – Certification of Board of Appeals and

Planning Board Members, and be it,

FURTHER RESOLVED, that the Town Clerk is directed to forward a copy of this resolution to Gaetano U. Massa at his home address.

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

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RESOLUTION NO. (18-2010)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that Justin Sweet is hereby reappointed to the position of Vice-Chairman – Zoning Board of Appeals - with an annual salary of \$2,600., for the year 2010 - with such appointment to be effective and retroactive January 1, 2010 and to expire at 12:01 a.m. on January 1, 2011

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. (19-2010)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that David S. Carlucci is hereby appointed to the position of Registrar of Vital Statistics, for a term to commence on January 1, 2010 and to expire on December 31, 2011, and be it,

FURTHER RESOLVED, that the 2010 annual salary for the position of Registrar of Vital Statistics shall be

RESOLUTION NO. (19-2010) continued

\$4,500., per year in accordance with the Budget and Salary Schedule, and be it,

FURTHER RESOLVED, that all statutory fees payable to the Registrar of Vital Statistics shall be paid into Revenue Account No. B 02 3 2120 0 and the salary hereby established shall be paid from Account No. B 4020-114.

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. (20-2010)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Pamela Sitomer is hereby reappointed to the position of (First) Deputy Town Clerk – to serve at the pleasure of David Carlucci, Town Clerk – to act in the place and stead of the Town Clerk in his absence – pursuant to Town Law Section 30-Sub. 10 to be paid from Account No.1410-110 at the current 2010 annual salary of \$60,145.

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. (21-2010)

Co. Borelli offered and Co. Lasker seconded

RESOLVED, that George Nugent is hereby reappointed to the position of Chairman – Sanitation Commission – with an annual salary of \$775.00, for the year 2010 – with such appointment to be effective and retroactive to January 1, 2010 and to expire at 12:01 a.m. on January 1, 2011, and be it,

FURTHER RESOLVED, that George Nugent, as Chairman of the Sanitation Commission, shall be responsible for familiarizing all Sanitation Commission Members with the following provisions of the Town Code: Chapter 18 – Code of Ethics, and be it,

FURTHER RESOLVED, that the Town Clerk is directed to forward a copy of this resolution to George Nugent at his home address.

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. (22-2010)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that the following are hereby reappointed to the position of Member – Alarm Users Review Board – at the current 2010 annual salary of \$1,100., - term effective and retroactive to January 1, 2010 and to expire on December 31, 2011. Gerard O’Rourke, Donald Ritch, George A. Hoehmann (To serve without compensation)

On roll call the vote was as follows

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

\*\*\*\*\*

RESOLUTION NO. (23-2010)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that the following are hereby reappointed to the position of Member – Historical Review Board – term effective and retroactive to January 1, 2010 and to expire on December 31, 2010 –at the 2010 annual salary of \$2,000.

- |                            |                          |                           |
|----------------------------|--------------------------|---------------------------|
| Lawrence Kigler            | James Palmer             | Robert Knight (Historian) |
| Jonathan Levine            | Thomas Trevor            |                           |
| Augustine Paul (Appointed) | Loraine Peek (Appointed) |                           |

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. (24-2010)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that Gilbert Heim is hereby reappointed to the position of Member – Planning Board – at the 2010 annual salary of \$7,250., – term effective and retroactive to January 1, 2010 and to expire on December 31, 2016.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes

RESOLUTION NO. (24-2010) continued

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

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RESOLUTION NO. (25-2010)

Co. Borelli offered and Co. Lasker seconded

RESOLVED, that Karen Amatuzzo is hereby reappointed to the position of Member – Traffic and Traffic Fire Safety Advisory Board – at the current 2010 annual salary of \$2,800., - term effective and retroactive to January 1, 2010 and to expire on December 31, 2014.

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. (26-2010)

Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the following are hereby reappointed to the Clarkstown Citizens Advisory Board for the allocation of 2010 Community Development Funds: Daniel Moscato, Voncile Oliver, Vacancy

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. (27-2010)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that the resignation by (retirement) of Irene M. Saccende– Code Enforcement Officer III – Building Department – is hereby accepted – effective and retroactive to January 2, 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. (28-2010)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that the position of Cashier (Tax Office) #501059 -Office of the Receiver of Taxes - is hereby abolished – effective and retroactive to January 4, 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. (29-2010)

Co. Lasker offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has certified on December 21, 2009 that he position of Office Services Aide – can be created - in lieu of the position of Cashier (Tax Office) #501059 – Office of the Receiver of Taxes,

NOW, therefore, be it

RESOLVED, that the position of Office Services Aide – Storage/Archives – is hereby created – effective January 5, 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. (30-2010)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that Dina M. Eigenlaub is hereby appointed to the position of – Office Services Aide – Storage/Archives - at the current 2010 annual salary of \$42,399., - effective January 5, 2010.

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

RESOLUTION NO. (30-2010) continued

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

\*\*\*\*\*

RESOLUTION NO. (31-2010)

Co. Lasker offered and Co. Hausner seconded

RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JANUARY 5, 2010  
 RESCINDING THE BOND RESOLUTION ADOPTED ON OCTOBER 20, 2009, WHICH AUTHORIZED THE  
 ISSUANCE OF \$720,000 BONDS FOR THE CONSTRUCTION OF IMPROVEMENTS TO THE POLICE  
 COMMUNICATIONS CENTER

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK,  
 HEREBY RESOLVES, AS FOLLOWS:

Section 1. The resolution heretofore duly adopted by the Town Board of the Town of Clarkstown, in the County of  
 Rockland, New York (the "Town"), entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted October 20, 2009, authorizing the construction of  
 improvements to the Police communications center, stating the estimated maximum cost thereof is \$720,000,  
 appropriating said amount therefor, and authorizing the issuance of \$720,000 serial bonds of said Town to finance  
 said appropriation,"

is hereby rescinded, no bonds or bond anticipation notes having been heretofore issued pursuant thereto.

Section 2. The project described in the resolution cited in Section 1 hereof is hereby removed and eliminated from  
 the Capital Budget of the Town and the Capital Budget is hereby amended to reflect such change.

Section 3. This resolution shall take effect immediately.

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. (32-2010)

Co. Lasker offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JANUARY 5, 2010,  
 AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE POLICE COMMUNICATIONS  
 CENTER, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$840,000, APPROPRIATING SAID  
 AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$840,000 SERIAL BONDS OF SAID  
 TOWN TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby  
 authorized to construct improvements to the Police communications center. The estimated maximum cost thereof,  
 including preliminary costs and costs incidental thereto and the financing thereof, is \$840,000 and said amount is  
 hereby appropriated therefor. The plan of financing includes the issuance of \$840,000 serial bonds of the Town to  
 finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the  
 principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$840,000 are hereby authorized to be issued pursuant  
 to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New  
 York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be  
 issued, within the limitations of Section 11.00 a. 12 (a) (2) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds  
 may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the  
 purpose for which said bonds are authorized, or for such expenditures made on or before such effective date if the  
 Town Board has made a prior declaration of intent to issue indebtedness therefor. The foregoing statement of intent  
 with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States  
 Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of  
 the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds  
 and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both  
 principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or  
 amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of  
 and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made  
 annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any  
 notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such  
 year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00  
 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative  
 to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and  
 Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes  
 and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of  
 any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and  
 as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal  
 officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale

RESOLUTION NO. (32-2010) continued

of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice.

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

On roll call the vote was as follows  
 Co. Lasker . . . . . Yes  
 Co. Hausner . . . . . Yes  
 Co. Hoehmann . . . . . Yes  
 Co. Borelli . . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (33-2010)

Co. Lasker offered and Co. Borelli seconded

RESOLUTION WAIVING THE NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC  
 LAW WITH RESPECT TO A LIQUOR LICENSE  
 FOR U.S. RESTARUANT & CATERING SERVICES COMPANY INC.

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  
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RESOLUTION NO. (34-2010)

Co. Hausner offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ACCEPT STATE ASSISTANCE FOR THE  
 CLEAN WATER/CLEAN AIR BOND ACT DAM SAFETY PROJECTS CONCERNING CONGERS LAKE DAM  
 – Project # 214-0290

Resolution authorizing the items listed below pursuant to the Clean Water/Clean Air Bond Act of 1996.

WHEREAS, the TOWN OF CLARKSTOWN

herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, Article 56 of the Environmental Conservation Law ("ECL") authorizes state assistance to municipalities for dam safety projects by means of contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY the TOWN BOARD OF THE TOWN OF CLARKSTOWN

1. That ALEXANDER J. GROMACK, Supervisor, or such person's successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to state assistance under ECL Article 56. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to state assistance;
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation.

4. That this Resolution take effect immediately.

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

Rabbi Paul Kurland, Nanuet Hebrew Center, gave the closing blessing and the Clarkstown Police Honor Guard retired the colors.

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There being no further business and no one wishing to be heard, on motion of Co. Borelli, seconded by Co. Hoehmann, the Town Board Meeting was closed, time 9:55 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk