

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

10/17/2006

8:00 P.M.

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

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

Special Presentation: To the members of the West Nyack Senior Little League – New York State Champions

Kevin Grogan- Coach of the West Nyack Senior Little League
Congratulated the players and presented them with certificates for their accomplishments.

Supervisor Gromack

I know there is an innovative program going on in our outer lobby, brought about by David Carlucci. Our Town Clerk came up with a great idea and maybe he can spend a little time letting people know what’s going on out in the hall.

Town Clerk David Carlucci

Earlier this year, I initiated a program to have evening hours in the Town Clerk’s Office. It has been extremely successful and tonight I teamed up with the Rockland County Clerk Paul Piperato to issue passports at the same time as the evening hours and it has been a tremendous success. We have issued over forty passports tonight. I plan on working with Paul Piperato again in the future to do another evening, combining our efforts for the convenience of Clarkstown’s residents.

Every night before the town board meeting, the Town Clerk’s Office is open, so you can take care of whatever business you need to. Again, thank you to Rockland County Clerk Paul Piperato.

Supervisor Gromack

Invited any firefighters and first responders to speak at the beginning of the meeting, so that they may go back to the business of saving lives. He also congratulated all the emergency workers for the tremendous effort they displayed at the fire that took place this week at the Mountainview Condominiums in Valley Cottage.

Frank Voss- President, Clarkstown Volunteer Emergency Service Coalition of Clarkstown

Spoke about the urgent need for affordable housing for Clarkstown’s emergency first responders. We are losing fully trained emergency first responders because of the lack of affordable housing in Clarkstown.

Supervisor Gromack

Stated that the Town Board feels strongly about supporting the town’s volunteers. We have asked the Planning Board to look into the Hess Rd. land and advise us what would be best for the property.

Frank Hutton- Chairman to the Committee to Promote Volunteerism in Rockland County Emergency Services Inc.

Spoke about the need for Volunteer Housing in Clarkstown and how property owners are getting a freebee by having these volunteers serve the community. Everyone’s Homeowner’s Insurance would be doubled if not for the volunteers. We are trying to keep the volunteers here.

Public Hearing #1 re: Continuing a public hearing from 9/19/06 on a proposed local law entitled, “a local law to create chapter 243 (signs) of the Town Code. On motion of Co. Lasker, seconded by Co. Mandia, hearing opened. On motion of Co. Maloney, seconded by Co. Lasker, continued to November 14, 2006. RESOLUTION NO. (649-2006)

Public Hearing #2 re: a proposed local law to amend Chapter 290 (Zoning) of the Town Code dealing with Child Daycare Centers in most districts by special permit, with exceptions. On motion of Co. Maloney, seconded by Co. Nowicki, hearing opened. On motion of Co. Maloney, seconded by Co. Nowicki, continued to November 14, 2006. RESOLUTION NO. (650-2006)

Public Hearing #3 re: Request to amend Official Map by changing street names in Mountainside Estates Subdivision. On motion of Co. Lasker, seconded by Co. Maloney, hearing opened. On motion of Co. Maloney, seconded by Co. Nowicki, RESOLUTION NO. (651-2006) unanimously adopted.

Public Hearing #4 re: a proposed local law to amend Chapter 149-4 (Garbage, Rubbish & Refuse) of the Town Code to increase fees for registration & licensing of trash carrying vehicles by Sanitation Commission. On motion of Co. Lasker, seconded by Co. Maloney, hearing opened. On motion of Co. Maloney, seconded by Co. Nowicki, RESOLUTION NO. (652-2006) unanimously adopted.

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

RESOLUTION NO. (649-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION CONTINUING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW TO CREATE CHAPTER 243 (SIGNS) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

WHEREAS, the Town Board held public hearings on June 27, 2006, and October 17, 2006, concerning the proposed Local Law to Create Chapter 243 (Signs) of the Town Code of the Town of Clarkstown, and at this meeting the Town Board directed that the hearing be continued to November 14, 2006, and

WHEREAS, the Town Board recently received recommendations from the County Planning Commissioner and other agencies which they need to review before a final determination is made on this matter;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby directs that the public hearing be further continued on November 14, 2006, at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, to consider the amended proposed local law to create Chapter 243 (Signs) of the Town Code of the Town of Clarkstown, pursuant to §20 of the Municipal Home Rule Law, and be it

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

On roll call the vote was as follows

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

RESOLUTION NO. (650-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION CONTINUING PUBLIC HEARING ON NOVEMBER 14, 2006, REGARDING PROPOSAL FOR CHILD DAYCARE CENTERS IN ADDITIONAL ZONING DISTRICTS

WHEREAS, the Building Inspector and the Town Attorney have prepared a draft Local Law entitled, "A LOCAL LAW TO AMEND CHAPTER 290 (ZONING) OF THE TOWN CODE OF THE TOWN CLARKSTOWN," to provide for child daycare center as a use permitted by Special Permit of the Town Board in the LO, CS, RS, and MRS Zoning Districts and when accessory to a religious/educational institution or not-for-profit social hall and cultural center in the R-160, R-80, R-40, R-22, R-15, R-10, RG-1, RG-2, LIO, MF-1, MF-2, and MF-3 Zoning Districts, which would allow child daycare centers by special permit in all zones except in M and PED Zones, and as an accessory use to a religious/educational institution in certain zones, and

WHEREAS, the Town Board held a public hearing on October 17, 2006 as required by law, and

WHEREAS, the Town has recently received recommendations from the County Planning Commissioner, Clarkstown Planning Board, and other agencies which they need to review before a final determination is made on this matter;

NOW, THEREFORE, be it

RESOLVED, that the Town Board further directs that the public hearing be continued on November 14, 2006, at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, to consider the proposed local law to AMEND CHAPTER 290 (ZONING) OF THE TOWN CODE OF THE TOWN CLARKSTOWN," to provide for child daycare center as a use permitted by Special Permit, and be it

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

FURTHER RESOLVED, that to the extent that the law is modified the amended draft shall be referred to the Rockland County Commissioner of Planning pursuant to Sections 239-1 and 239-m of the General Municipal Law, and be it

FURTHER RESOLVED, that to the extent that the law is modified the amended draft shall be referred to Robert Geneslaw, the Town's agent for SEQRA, to provide an amended report if necessary.

On roll call the vote was as follows

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

RESOLUTION NO. (651-2006)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, on the petition of Uri Sasson, URARN Associates, the Town Board of the Town of Clarkstown, by resolution adopted on September 19, 2006, provided for a public hearing on October 17, 2006, at 8:00 P.M., to consider an Amendment to the Official map by changing street names in the Mountainside Estates Subdivision, New City, New York, from Wood Lane to Sky Drive and Sky Drive to City View Drive, pursuant to Section 64(9) of the Town Law, and Section 273 of the Town Law, and

RESOLUTION NO. (651-2006) continued

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

WHEREAS, the Town Board of the Town of Clarkstown has received a report pursuant to SEQRA, from our consultant Robert Geneslaw, dated September 29, 2006, stating that the action will not lead to a physical activity that could adversely affect the environment and therefore an environmental review is not necessary;

NOW, THEREFORE, be it

RESOLVED, that the Official Map of the Town of Clarkstown is hereby amended by changing street names in the Mountainside Estates Subdivision, New City, New York, from Wood Lane to Sky Drive and Sky Drive to City View Drive, and be it

FURTHER RESOLVED, that Director of the Department of Environmental Control is hereby authorized and directed to amend the Official Map as described in the petition, and be it

FURTHER RESOLVED, that a certified copy of this resolution shall be filed in the Town Clerk's Office, the Rockland County Clerk and Rockland County Engineer, and be it

FURTHER RESOLVED, that the Town Clerk shall distribute this resolution, together with map of the area, to the following parties.

- 1. Town Assessor;
- 2. Town Highway Department;
- 3. Town Department of Environmental Control;
- 4. Town Planning Department;
- 5. New City Post Office;
- 6. New City Fire Department;
- 7. New City Ambulance Corps;
- 8. Central School District;
- 9. Rockland County Clerk;
- 10. Rockland County Engineer.

On roll call the vote was as follows

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

RESOLUTION NO. (652-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 12 – 2006

WHEREAS, a proposed local law entitled,

“A LOCAL LAW TO AMEND CHAPTER 149 (GARBAGE, RUBBISH, AND REFUSE) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

was introduced by Councilwoman Lasker, at a Town Board meeting held on September 19, 2006, and WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on September 19, 2006, directed that a public hearing be held on October 17, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on October 4, 2006, and WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on September 14, 2006, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on October 17, 2006; NOW, THEREFORE, be it

RESOLVED, that Local Law No. 12 – 2006 entitled:

“A LOCAL LAW TO AMEND CHAPTER 149 (GARBAGE, RUBBISH, AND REFUSE) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

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

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

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

RESOLUTION NO. (653-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of September 19, 2006 and September 26, 2006 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows

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

RESOLUTION NO. (654-2006)

Co. Nowicki offered and Co. Maloney 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:

"No Parking Here to Corner" signs (per Sec. 221.5, P1-4 signs of the NYS DOT Manual of Uniform Traffic Control Devices). The first sign: on the south side of Orchard Street at Main Street, Nanuet, NY. The second sign: on the north side of Orchard Street at Main Street, Nanuet, NY. These signs should be erected 20 ft. from the corner, and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Wayne T. Ballard, P.E., for implementation.

On roll call the vote was as follows

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

RESOLUTION NO. (655-2006)

Co. Nowicki offered and Co. Maloney 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 "Stop" sign and a "Stop" line (per sec. 211.3, a R1-1A sign of the NYS DOT Manual of Uniform Traffic Control Devices) to be erected on the northeast side of Bonnie Lane at Elyse Drive, New City, NY, and be it

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

On roll call the vote was as follows

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

RESOLUTION NO. (656-2006)

Co. Nowicki offered and Co. Maloney 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 "Stop" sign and a "Stop" line (per Sec. 211.3, R1-1A signs of the NYS DOT Manual of Uniform Control Devices) on Sable Court at West Street, West Nyack, NY, and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Wayne T. Ballard, P.E., for implementation.

On roll call the vote was as follows

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

RESOLUTION NO. (657-2006)

Co. Nowicki offered and Co. Maloney 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 "Stop" sign and a "Stop" line (per Sec. 211.3, R1-1A signs of the NYS DOT Manual of Uniform Control Devices) on Theresa Drive at West Street, West Nyack, NY; and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Wayne T. Ballard, P.E., for implementation.

On roll call the vote was as follows

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

RESOLUTION NO. (658-2006)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, Resolution No. 529-2006 is amended to correct the location of a "Dead End" sign, the Superintendent of Highways is hereby authorized to install only one

"Dead End" sign on Saddle Lane, at the intersection of Harness Road, New City, NY.and be it

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

On roll call the vote was as follows

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

RESOLUTION NO. (659-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN APPLICATION, PURSUANT TO SECTION 837-d OF THE EXECUTIVE LAW, WITH RESPECT TO REIMBURSEMENT TO THE CLARKSTOWN POLICE DEPARTMENT FOR THE PURCHASE OF SOFT BODY BALLISTIC ARMOR VESTS FOR MEMBERS OF THE AUXILIARY POLICE UNIT OF THE TOWN OF CLARKSTOWN

WHEREAS, the Chief of Police has advised that Section 837-d of the Executive Law authorizes municipalities to apply for partial reimbursement of expenses incurred for the purchase of "soft body ballistic armor vests" for Members Of The Auxiliary Police Unit Of The Town Of Clarkstown, and

WHEREAS, the Chief of Police has recommended submission of an application for such reimbursement which may result in an award in the amount of \$15,000.00 to reimburse for expenditures previously made by the Police Department;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an application, pursuant to Section 837-d of the Executive Law, for the partial reimbursement to the Clarkstown Police Department for expenditures incurred for the purchase of "soft body ballistic armor vests" for Members Of The Auxiliary Police Unit Of The Town Of Clarkstown.

On roll call the vote was as follows

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

RESOLUTION NO. (660-2006)

Co. Nowicki offered and Co. Lasker seconded

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

BID#1-2007 – ATHLETIC AND RECREATION SUPPLIES

RESOLUTION NO. (660-2006) continued

Bids to be returnable to the office of Purchasing, Room 331, 10 Maple Avenue, New City, New York by _____ 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 Purchasing Department.

On roll call the vote was as follows

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

RESOLUTION NO. (661-2006)

Co. Nowicki offered and Co. Lasker seconded

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

BID#2-2007 – PAPER AND PLASTIC SUPPLIES

Bids to be returnable to the office of Purchasing, Room 331, 10 Maple Avenue, New City, New York by _____ 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 Purchasing Department.

On roll call the vote was as follows

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

RESOLUTION NO. (662-2006)

Co. Nowicki offered and Co. Lasker seconded

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

BID #3-2007 – FIRE SUPPRESSANT SYSTEM UPGRADE FOR REFRESHMENT STANDS (2) FOR CLARKSTOWN RECREATION

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by _____ A.M.) (P.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 Purchasing Department

On roll call the vote was as follows

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

RESOLUTION NO. (663-2006)

Co. Nowicki offered and Co. Lasker seconded

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

BID #42-2006 – REPLACEMENT OF PARAPET WALLS POLICE AND COURTS FACILITY – 20 MAPLE AVENUE, NEW CITY

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by _____ (A.M.) (P.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 Purchasing Department

On roll call the vote was as follows

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

RESOLUTION NO. (664-2006)

Co. Nowicki offered and Co. Lasker seconded

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

BID #43-2006 – REPLACEMENT OF TWO (2) TANK MONITORS POLICE AND COURTS FACILITY – 20 MAPLE AVENUE, NEW CITY

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by _____(A.M.) (P.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 Purchasing Department

On roll call the vote was as follows

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

RESOLUTION NO. (665-2006)

Co. Nowicki offered and Co. Lasker seconded

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

BID #44-2006 – LANDFILL DISPOSAL FACILITIES TIPPING FEES ONLY

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by _____(A.M.) (P.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 Purchasing Department

On roll call the vote was as follows

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

RESOLUTION NO. (666-2006)

Co. Nowicki offered and Co. Lasker seconded

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

BID #45-2006 – TRANSPORTATION OF MUNICIPAL SOLID WASTE TO APPROVED LANDFILLS – TRANSPORTATION ONLY

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by _____(A.M.) (P.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 Purchasing Department

On roll call the vote was as follows

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

RESOLUTION NO. (667-2006)

Co. Nowicki offered and Co. Lasker seconded

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

BID #46-2006 – TRANSPORTATION AND LANDFILL DISPOSAL OF MUNICIPAL SOLID WASTE

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by _____(A.M.) (P.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 Purchasing Department

RESOLUTION NO. (667-2006) continued

On roll call the vote was as follows

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

RESOLUTION NO. (668-2006)

Co. Nowicki offered and Co. Lasker seconded

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

BID #47-2006 – INSTALLATION OF TWO (2) 12,000 GALLON DIESEL FUELS TANKS AT THE CLARKSTOWN TRANSFER STATION

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by _____(A.M.) (P.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 Purchasing Department

On roll call the vote was as follows

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

RESOLUTION NO. (669-2006)

Co. Nowicki offered and Co. Lasker seconded

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

BID #48-2006 – REPLACEMENT OF TRANSFER STATION TIPPING FLOOR

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by _____(A.M.) (P.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 Purchasing Department

On roll call the vote was as follows

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

RESOLUTION NO. (670-2006)

Co. Nowicki offered and Co. Lasker seconded

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

BID #49-2006 – RE-PAVING OF TRANSFER STATION ACCESS ROADS AND UNLOADING AREA

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by _____(A.M.) (P.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 Purchasing Department

On roll call the vote was as follows

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

RESOLUTION NO. (671-2006)

Co. Nowicki offered and Co. Lasker seconded

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

BID #50-2006 – PURCHASE OF ONE (1) WASTE HANDLING EXCAVATOR FOR THE TRANSFER STATION

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by _____(A.M.) (P.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 Purchasing Department

On roll call the vote was as follows

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

RESOLUTION NO. (672-2006)

Co. Nowicki offered and Co. Lasker seconded

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

BID #51-2006 – PURCHASE OF ONE (1) WASTE HANDLING LOADER FOR THE TRANSFER STATION

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by _____(A.M.) (P.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 Purchasing Department

On roll call the vote was as follows

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

RESOLUTION NO. (673-2006)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation (by retirement) of Carol A. Oldrey, 6 Elise Drive, Nanuet, New York – Police Radio Dispatcher (CAD) – Town of Clarkstown Police Department – is hereby accepted – effective and retroactive to September 30, 2006 – at the close of the business day.

On roll call the vote was as follows

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

RESOLUTION NO. (674-2006)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation, of Thomas J. Burke, 34 Clark Drive, Nanuet, New York – (part-time) -Municipal Bus Driver – Clarkstown Mini Trans – is hereby accepted -effective and retroactive to September 30, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (675-2006)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of Joseph Mendolia, 26 Lexington Hill, Unit 11, Harriman, New York 10926 – Weigher II - Solid Waste Facility – is hereby accepted – effective and retroactive to October 6, 2006 - at the close of the business day.

On roll call the vote was as follows

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

RESOLUTION NO. (676-2006)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of James Signorile, P.O. Box 9175, Bardonia, New York - Motor Equipment Operator II – Highway Department - is hereby accepted –effective and retroactive to October 13, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (677-2006)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of Alice Piscitelli, 265 Congers Road, Congers, New York - Crossing Guard – Police Department – is hereby accepted – effective and retroactive to September 22, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (678-2006)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Michael I. DeMaio, 40 Pittsford Way, Nanuet, New York - is hereby appointed to the position of Custodial Worker – Maintenance Department – at the current 2006 annual salary of \$30,450., effective and retroactive to October 10, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (679-2006)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Eileen Daly, 15 Westgate Boulevard, New City, New York is hereby reappointed to the position of Member – Board of Assessment Review – term effective and retroactive to October 1, 2006 and to expire on September 30, 2011 – at the per diem rate of \$140., per attendance, when the Board is in session.

On roll call the vote was as follows

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

RESOLUTION NO. (680-2006)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Otto Stern, 613 Gateway, Valley Cottage, New York, is hereby reappointed to the position of Member - Architecture and Landscape Commission – term effective and retroactive to October 13, 2006 – and to expire on October 12, 2013 - at current 2006 annual salary of \$5,200.

On roll call the vote was as follows

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

RESOLUTION NO. (681-2006)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on August 24, 2006 that the position of Planner – Planning Department - can be created, NOW, therefore, be it

RESOLVED, that the position of Planner – Planning Department – is hereby created – effective October 18, 2006, and be it

FURTHER RESOLVED, that the position of Planning Assistant (#500801) – Planning Department – is hereby withdrawn.

On roll call the vote was as follows

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

RESOLUTION NO. (682-2006)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town Of Clarkstown and the Clarkstown Unit of the C.S.E.A., Adam Szkodzinsky, 24 Briarwood Ave., Monroe, New York – Auto Mechanic I & Body Repairer – Highway Department – is hereby granted a Sick Leave of Absence – at one-half pay effective October 20, 2006 to November 1, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (683-2006)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town Of Clarkstown and the Clarkstown Unit of the C.S.E.A., John Fay, 317 Brewery Road, West Nyack, New York – Laborer – Highway Department – is hereby granted a Sick Leave of Absence – at one-half pay – effective October 18, 2006 to November 18, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (684-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION ACCEPTING ROAD WIDENING STRIP AND DECLARATION CONCERNING RAMPHAL SUBDIVISION(NORTH GREENBUSH ROAD, WEST NYACK – 59.18-1-20)

RESOLUTION NO. (684-2006) continued

WHEREAS, to meet requirements of the Planning Board and as a condition of approval of Ramphal Subdivision, Alva D. Ramphal has provided a Deed for road widening and a Declaration creating cross easements to the Town of Clarkstown, in a form approved by the Town Attorney, for premises located on North Greenbush Road, West Nyack, New York (Tax Parcel 59.18-1-20), and

WHEREAS, the Town Attorney has recommended that the Town Board accept and record that Deed and Declaration;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the Deed for road widening and Declaration creating cross easements from Alva D. Ramphal and orders them to be recorded in the Rockland County Clerk's Office, at the expense of the grantor and this resolution shall be retroactive to October 5, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (685-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO INSTITUTE A PROCEEDING AGAINST CIOFFI SERVICES, INC.

RESOLVED, that the Town Board hereby authorizes the Town Attorney to take all necessary steps, including commencing litigation, against Cioffi Services, Inc. on behalf of the Town of Clarkstown to collect tipping fees for use of the Solid Waste Facility, and be it

FURTHER RESOLVED, that this resolution is hereby made retroactive to October 10, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (686-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH AMERICAN APPRAISAL ASSOCIATES

WHEREAS, by proposal dated June 13, 2006, American Appraisal Associates has proposed to renew its contract with the Town, to provide fixed asset inventory and insurance appraisal for the Year 2006;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with, American Appraisal Associates, in a form approved by the Town Attorney, to provide fixed assets inventory and insurance appraisal to the Town of Clarkstown for the Year 2006, and be it

FURTHER RESOLVED, that the fee for said services shall not exceed \$2,250.00 and shall be charged to Account No. A 1315-409.

On roll call the vote was as follows

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

RESOLUTION NO. (687-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE SHPIGLER GROUP

WHEREAS, the Shpigler Group, 136 Main Street, Nyack, New York, has submitted a proposal dated September 18, 2006, with respect to providing the Town with its technical evaluation of DAS Technology in connection with the cell tower moratorium, and

WHEREAS, Morty Leifer, Electronics Communications Specialist, and Amy Mele, Town Attorney have recommended acceptance of said proposal;

NOW, THEREFORE, be it

RESOLUTION NO. (687-2006) continued

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Shpigler Group, in a form approved by the Town Attorney, to provide the Town with its technical evaluation of DAS Technology in connection with the cell tower moratorium, and be it

FURTHER RESOLVED, that payment for such services shall not exceed \$10,000.00, and be it

FURTHER RESOLVED, that such fees shall be a proper charge to Account No. B 8020-409-0.

On roll call the vote was as follows

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

RESOLUTION NO. (688-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT CONCERNING TOWN OF CLARKSTOWN "ADOPT-A-ROAD" PROGRAM

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to adopt a segment of various town roads for a period of two (2) years, beginning October 17, 2006 to October 17, 2008, as follows:

**Sponsor: Barry's Estate Jewelry
295 Route 304
Bardonia, NY 10954**

**Roads: 0.90 mile segment of South Main Street from
New Hempstead Road to Route 304
New City, NY 10956**

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Barry's Estate Jewelry will perform a public service in removing trash from above roadways which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement, for a period of two (2) years beginning October 17, 2006 to October 17, 2008, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segments, and to provide and coordinate services by Barry's Estate Jewelry, to remove trash from the roadways.

On roll call the vote was as follows

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

RESOLUTION NO. (689-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT CONCERNING TOWN OF CLARKSTOWN "ADOPT-A-ROAD" PROGRAM

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to adopt a segment of various town roads for a period of two (2) years, beginning October 17, 2006 to October 17, 2008, as follows:

**Sponsor: Harvey Berk's Retirement Resource Center
244 North Main Street
New City, NY 10956**

**Roads: 0.75 mile segment of Phillips Hill Road from
Little Tor Road to New Hempstead Road
New City, NY 10956**

RESOLUTION NO. (689-2006) continued

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that the Harvey Berk's Retirement Resource Center organization will perform a public service in removing trash from above roadways which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement, for a period of two (2) years beginning October 17, 2006 to October 17, 2008, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segments, and to provide and coordinate services by Harvey Berk's Retirement Resource Center, to remove trash from the roadways.

On roll call the vote was as follows

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

RESOLUTION NO. (690-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT CONCERNING TOWN OF CLARKSTOWN "ADOPT-A-ROAD" PROGRAM

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to adopt a segment of various town roads for a period of two (2) years, beginning October 17, 2006 to October 17, 2008, as follows:

**Sponsor: Woodmont Day Camp
420 Phillips Hill Road
New City, NY 10956**

**Roads: 0.48 mile segment of Overlook Boulevard from
Smith Road to Clarkstown Road
New City, NY 10956**

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Woodmont Day Camp will perform a public service in removing trash from above roadways which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement, for a period of two (2) years beginning October 17, 2006 to October 17, 2008, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segments, and to provide and coordinate services by Woodmont Day Camp, to remove trash from the roadways.

On roll call the vote was as follows

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

RESOLUTION NO. (691-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE CLARKSTOWN CENTRAL SCHOOL DISTRICT FOR THE SCHOOL RESOURCE OFFICER PROGRAM FOR THE 2005-2006 SCHOOL TERM

WHEREAS, a School Resource Officer Program has been proposed for the Clarkstown Central School District, and WHEREAS, the Board of Education of the Clarkstown Central School District and the Clarkstown Police Department desire to provide law enforcement services of three (3) police officers to be assigned to the school district on a full time basis as the School Resource Officers.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of the Clarkstown Central School District, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of three (3) police officers to the Clarkstown Central School District on a full time basis, for the period September 1, 2005 through June 30, 2006, and be it

FURTHER RESOLVED, that the agreement shall provide, along other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it

FURTHER RESOLVED, that this resolution is subject to the financial contribution of the Clarkstown Central School District to the Town of Clarkstown in the amount of \$82,838.00 for the School Resource Officers.

RESOLUTION NO. (691-2006) continued

On roll call the vote was as follows

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

RESOLUTION NO. (692-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE CLARKSTOWN CENTRAL SCHOOL DISTRICT FOR THE SCHOOL RESOURCE OFFICER PROGRAM FOR THE 2006-2007 SCHOOL TERM

WHEREAS, a School Resource Officer Program has been proposed for the Clarkstown Central School District, and WHEREAS, the Board of Education of the Clarkstown Central School District and the Clarkstown Police Department desire to provide law enforcement services of three (3) police officers to be assigned to the school district on a full time basis as the School Resource Officers.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of the Clarkstown Central School District, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of three (3) police officers to the Clarkstown Central School District on a full time basis, for the period September 1, 2006 through June 30, 2007, and be it

FURTHER RESOLVED, that the agreement shall provide, along other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it

FURTHER RESOLVED, that this resolution is subject to the financial contribution of the Clarkstown Central School District to the Town of Clarkstown in the amount of \$89,010.00 for the School Resource Officers.

On roll call the vote was as follows

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

RESOLUTION NO. (693-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE NANUET SCHOOL DISTRICT FOR THE SCHOOL RESOURCE OFFICER PROGRAM FOR THE 2005-2006 SCHOOL TERM

WHEREAS, a School Resource Officer Program has been proposed for the Nanuet School District; and WHEREAS, the Board of Education of the Nanuet School District and the Clarkstown Police Department desire to provide law enforcement services of one (1) police officer to be assigned to the school district on a full time basis as the School Resource Officer.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of the Nanuet School District, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of one (1) police officer to the Nanuet School District on a full time basis, for the period September 1, 2005 through June 30, 2006, and be it

FURTHER RESOLVED, that the agreement shall provide, along other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it

FURTHER RESOLVED, that this resolution is subject to the financial contribution of the Nanuet School District to the Town of Clarkstown in the amount of \$28,012.00 for the School Resource Officer.

On roll call the vote was as follows

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

RESOLUTION NO. (694-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE NANUET SCHOOL DISTRICT FOR THE SCHOOL RESOURCE OFFICER PROGRAM FOR THE 2006-2007 SCHOOL TERM

WHEREAS, a School Resource Officer Program has been proposed for the Nanuet School District; and WHEREAS, the Board of Education of the Nanuet School District and the Clarkstown Police Department desire to provide law enforcement services of one (1) police officer to be assigned to the school district on a full time basis as the School Resource Officer.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of the Nanuet School District, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of one (1) police officer to the Nanuet School District on a full time basis, for the period September 1, 2006 through June 30, 2007, and be it

FURTHER RESOLVED, that the agreement shall provide, along other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it

RESOLUTION NO. (694-2006) continued

FURTHER RESOLVED, that this resolution is subject to the financial contribution of the Nanuet School District to the Town of Clarkstown in the amount of \$29,946.00 for the School Resource Officer.

On roll call the vote was as follows

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

RESOLUTION NO. (695-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE NYACK SCHOOL DISTRICT FOR THE SCHOOL RESOURCE OFFICER PROGRAM FOR THE 2005-2006 SCHOOL TERM

WHEREAS, a School Resource Officer Program has been proposed for the Nyack School District; and WHEREAS, the Board of Education of the Nyack School District and the Clarkstown Police Department desire to provide law enforcement services of one (1) police officer to be assigned to the school district on a full time basis as the School Resource Officer.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of the Nyack School District, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of one (1) police officer to the Nyack School District on a full time basis, for the period September 1, 2005 through June 30, 2006, and be it

FURTHER RESOLVED, that the agreement shall provide, along other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it

FURTHER RESOLVED, that this resolution is subject to the financial contribution of the Nyack School District to the Town of Clarkstown in the amount of \$28,811.00 for the School Resource Officer.

On roll call the vote was as follows

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

RESOLUTION NO. (696-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE NYACK SCHOOL DISTRICT FOR THE SCHOOL RESOURCE OFFICER PROGRAM FOR THE 2006-2007 SCHOOL TERM

WHEREAS, a School Resource Officer Program has been proposed for the Nyack School District; and WHEREAS, the Board of Education of the Nyack School District and the Clarkstown Police Department desire to provide law enforcement services of one (1) police officer to be assigned to the school district on a full time basis as the School Resource Officer.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of the Nyack School District, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police

RESOLUTION NO. (696-2006) continued

Department to provide law enforcement services consisting of one (1) police officer to the Nyack School District on a full time basis, for the period September 1, 2006 through June 30, 2007, and be it FURTHER RESOLVED, that the agreement shall provide, along other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it FURTHER RESOLVED, that this resolution is subject to the financial contribution of the Nyack School District to the Town of Clarkstown in the amount of \$30,776.00 for the School Resource Officer.

On roll call the vote was as follows

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

RESOLUTION NO. (697-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND FOR THE CONSTRUCTION OF A BUS STOP SHELTER ON THE PROPOSED NEW CITY COMMUTER PARKING LOT

WHEREAS, The Town of Clarkstown is pursuing an agreement with MAK Development Corp. regarding the construction of a commuter parking area on a parcel of the property formerly known as the Bradlee Shopping Center; and

WHEREAS, The Town and Rockland County desire to install a bus stop shelter in conjunction with that development; and

WHEREAS, Rockland County officials appear to favor County subsidization of much of the cost of construction of said shelter; and

WHEREAS, the anticipated cost of the bus stop shelter is approximately \$30,000.00; and

WHEREAS, Rockland County has authority to reimburse the Town for ninety percent (90%) of the construction cost of the bus shelter and associated foundation, lighting etc. up to a maximum of \$60,000;

NOW THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Rockland County in a form acceptable to the Town Attorney in which the County and the Town shall agree to share on a 90%/10% basis the cost of construction , maintenance and reimbursement of a bus stop shelter within the commuter parking area.

On roll call the vote was as follows

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

RESOLUTION NO. (698-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING STRATEGIC BUSINESS SERVICES, INC. TO PREPARE A PRELIMINARY APPRAISAL ON WEST NYACK REALTY CORP.

WHEREAS, WEST NYACK REALTY CORP. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Tax Map 58.18-1-20 and more commonly known as 230 West Nyack Road, West Nyack, New York, for the years 2003/04, 2004/05, 2005/06 and 2006/07, and

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Strategic Business Services, Inc. be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000; and such fee shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows

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

RESOLUTION NO. (699-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING STRATEGIC BUSINESS SERVICES, INC. TO PREPARE A PRELIMINARY APPRAISAL ON JEANNE MARIE ASSOCIATES, LLC

RESOLUTION NO. (699-2006) continued

WHEREAS, JEANNE MARIE ASSOCIATES, LLC has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcels designated as Tax Map 58.13-3-44 (f/k/a 33-B-22.5) and Tax Map 58.13-3-43.1 (f/k/a 33-B-22.6) and more commonly known as James Drive, Nanuet, New York, for the years 1999/00, 2002/03, 2003/04, 2004/05, 2005/06 and 2006/07, and

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Strategic Business Services, Inc. be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000; and such fee shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Mandia. Yes
Co. Nowicki. Yes
Supervisor Gromack Yes

RESOLUTION NO. (700-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION AUTHORIZING REFUND OF BUILDING PERMIT FEE TO ED BASH - MAP NO. 57.20-2-57

WHEREAS, Ed Bash has requested a refund of Building Permit Fee (No. 06-1162) paid in the amount of \$226.00 for property located at 201 West Route 59, Nanuet, New York, more particularly described as Tax Map No. 57.20-2-57, and

WHEREAS, Mr. Bash has advised that the owner of the property has rented to another entity and, therefore, he has cancelled his plans for the building, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$100.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of \$126.00, of the total Building Permit fee paid in the amount of \$226.00, to Ed Bash, mailing address P.O. Box 515, Monsey, New York, 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. Maloney Yes
Co. Mandia. Yes
Co. Nowicki. Yes
Supervisor Gromack Yes

RESOLUTION NO. (701-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING FIRE LANE DESIGNATIONS AT DEMAREST COURT CONDOS

WHEREAS, the Chief Fire Safety Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 278 Sec. 13, of the Code of the Town Clarkstown, at

DEMAREST COURT CONDOS
46-48 DEMAREST AVE
NEW CITY, NY 10956
(57-M-15) (43.19-3-7)

By the installation of fire lane designated, and

WHEREAS, RICHARD STRANIERE requested that the Town of Clarkstown designate said fire lanes:

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Chief Fire Safety Inspector with regard to the installation of conforming fire lane designations be installed by and at the expense of the owner of such property upon review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Mandia. Yes
Co. Nowicki. Yes
Supervisor Gromack Yes

RESOLUTION NO. (702-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING FIRE LANE DESIGNATIONS AT VERIZON WIRELESS

WHEREAS, the Chief Fire Safety Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 278 Sec. 13, of the Code of the Town Clarkstown, at

VERIZON WIRELESS
4 CENTEROCK RD.
WEST NYACK, NY 10994
(71-B-13.4) (64.08-3-7.4)

By the installation of fire lane designated, and

WHEREAS, ROBERT HANSEN requested that the Town of Clarkstown designate said fire lanes:
NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Chief Fire Safety Inspector with regard to the installation of conforming fire lane designations be installed by and at the expense of the owner of such property upon review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

On roll call the vote was as follows

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

RESOLUTION NO. (703-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION ACCEPTING DEED FOR ROAD WIDENING, CONSERVATION EASEMENT AND DECLARATION OF COVENANTS REGARDING KARVELLAS SUBDIVISION (51.19-2-7)

WHEREAS, based upon the recommendation of the Deputy Director of the Department of Environmental Control with the concurrence of the Superintendent of Highways and as a condition to the approval of the final map by the Planning Board with regard to a subdivision known as MIKE KARVELLAS (51.19-2-7), Parrott Road, Inc. has provided a Deed to the Town of Clarkstown for road widening purposes in the vicinity of Parrott Road, West Nyack, New York dated August 18, 2006, a Conservation Easement to the Town of Clarkstown dated August 18, 2006 and a Declaration of Covenants for maintenance of a private driveway dated August 18, 2006, and

WHEREAS, the Department of Environmental Control has recommended acceptance of said conveyances; and the Town Attorney has advised that all documents are in proper legal form;

NOW, THEREFORE be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts said Deed, Conservation Easement and Declaration of Covenants required as a condition for approval in connection with MIKE KARVELLAS Subdivision, and orders them recorded in the Rockland County Clerk's Office at the expense of the grantor/declarant.

On roll call the vote was as follows

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

RESOLUTION NO. (704-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION ACCEPTING DEED AND DECLARATION OF COVENANTS (MATA SUBDIVISION – 33.20-2-47)

WHEREAS, in accordance with the recommendation of the Department of Environmental Control, with the concurrence of the Superintendent of Highways, Luis and Paulina Mata have agreed to gratuitously convey a Deed for road widening and Declaration of Covenants for road maintenance to the Town of Clarkstown, as shown on the final plat of Mata Subdivision, designated on the Clarkstown Tax Map as 33.20-2-47 (f/k/a 171-A-14), and more commonly known as 295 Buena Vista Road, New City, New York and

WHEREAS, the Deputy Director of the Department of Environmental Control has recommended acceptance of the conveyances; and the Town Attorney has advised that all documents are in proper legal form;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to accept said Deed and Declaration of Covenants on behalf of the Town of Clarkstown, and be it

FURTHER RESOLVED, that said conveyances are hereby ordered recorded in the Office of the Rockland County Clerk at the expense of the grantor.

RESOLUTION NO. (704-2006) continued

On roll call the vote was as follows

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

RESOLUTION NO. (705-2006)

Co. Maloney offered and Co. Mandia seconded

**RESOLUTION AUTHORIZING ADDITIONAL WORK PERFORMED FOR
“Foxwood Road Drainage Improvements”**

WHEREAS, Town Board Resolution # 444-2006 awarded construction Bid #59-2005 to Ascape Landscape & Construction Corp, and,

WHEREAS, field conditions required necessary construction modifications and the change order additions are as follows:

- C.O. #1 Installation an Anti vortex drainage structure and a 24” HDPE restoration of disturbed areas, and
Cost \$15,195.04

WHEREAS, these change orders have been review and approved by the Department of Environmental Control **NOW, THEREFORE, BE IT RESOLVED** that the total for the construction phase for the project by change orders has been increased by **\$15,195.04**, and the current allowance for the project be increased to **\$69,136.04**, and **BE IT FURTHER RESOLVED** that this shall be a proper charge to account **#H 8757-409-0-81-21**.

On roll call the vote was as follows

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

RESOLUTION NO. (706-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION GRANTING CERTIFICATE OF REGISTRATION PURSUANT TO SECTION 236-48 OF THE TOWN CODE

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

KJS HAULING & HOME IMPROVEMENTS
95 Maple Avenue
New City, NY 10956
Keith J. Shepis, President

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued: No. 06-30 **KJS HAULING & HOME IMPROVEMENTS**

On roll call the vote was as follows

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

RESOLUTION NO. (707-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, “A LOCAL LAW REGARDING TREE PRESERVATION IN THE TOWN OF CLARKSTOWN”

WHEREAS, Councilperson Lasker, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled,

“A LOCAL LAW REGARDING TREE PRESERVATION IN THE TOWN OF CLARKSTOWN”

and

WHEREAS, the purpose of this local law is to establish standards for the protection of valuable resources and to provide a workable method of determining under what circumstances a tree may reasonably be removed. To preserve the rural appearance of the Town by encouraging owners of existing homes, vacant lands and commercial parcels to save or replace mature tree species when developing their parcel; to control and regulate the indiscriminate removal,

RESOLUTION NO. (707-2006) continued

cutting and destruction of trees in order to regulate and prevent soil erosion, surface runoff and aesthetic blight; to preserve existing woodlands and maintain tree buffers; to promote air pollution mitigation; to preserve wildlife habitat and ecosystem protection, and to serve as noise buffers, climate moderation, and foster energy conservation;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on November 14, 2006, at 8:00 p.m. or as soon thereafter as possible, relative to such proposed local law, and be it

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

FURTHER RESOLVED, that the resolution is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33 (A) of the Zoning Local Law of the Town of Clarkstown and to the Rockland County Commissioner of Planning as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, that for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and the Director of the Department of Environmental Control is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

On roll call the vote was as follows

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

RESOLUTION NO. (708-2006)

Co. Nowicki offered and Co. Maloney seconded

RESOLUTION AUTHORIZING AWARD OF CONTRACT TO ASCAPE LANDSCAPE & CONSTRUCTION CORP. FOR THE MIDDLEWOOD SENIOR CITIZEN HOUSING PROJECT

WHEREAS, the Town of Clarkstown Purchasing Department has solicited bids for snow removal at the Middlewood Senior Citizen Housing Project owned by the Clarkstown Middlewood Housing Development Fund Company, Inc., and WHEREAS, Ascape Landscape & Construction Corp. has submitted a low bid to do the aforementioned work, and WHEREAS, Arco has recommended that the Board accept Ascape's bid for a Seasonal Pricing Contract which consists of a price of \$10,000.00 for 13" with a cost per inch of \$1,000.00 for each additional inch of accumulation over 13 inches; together with the price for salt application to roads of \$390.00, the price for calcium chloride application to walks of \$550.00, and the price per hour for labor and equipment needed to move snow of \$170.00

NOW, THEREFORE, be it

RESOLVED, subject to review and approval of the contract by Amy Mele, Esq., or Paul K. Schofield, Esq., that Ascape Landscape & Construction Corp. is hereby authorized to perform the aforementioned work.

On roll call the vote was as follows

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

RESOLUTION NO. (709-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING AN INCREASE IN CERTAIN BUILDING DEPARTMENT FEES

WHEREAS, Chapter 109 of the Town Code of the Town of Clarkstown provides that the Town Board may establish permit and other fees for services provided by the Building Department by resolution, and WHEREAS, the Building Inspector has made recommendation to the Town Board for an increase in certain Building Department fees;

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 109-7 of the Town Code, the fee schedule, a portion of Item A, shall be amended to read as follows:

A. <u>Permit Type</u>	<u>Fee</u>
New construction or alteration to existing building or structures, accessory buildings, and swimming pool	\$125.00 for the first \$1,000.00 of construction cost, plus \$15.00 for each additional \$1,000.00 of estimated construction or fraction thereof.
Sign Permit	\$100.00
<u>Service Requested</u>	<u>Fee</u>
Use, or change in use or occupancy requiring issuance of a Certificate of Occupancy (no new construction).	\$125.00
Renewal of issued building permit prior to expiration	\$100.00 or 10% of original permit fee, whichever is greater

RESOLUTION NO. (709-2006) continued

FURTHER RESOLVED, that the fee schedule established herein shall take effect January 1, 2007, and be it FURTHER RESOLVED, that all other prior resolutions related to other Building Department fee shall remain in full force and effect.

On roll call the vote was as follows

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

RESOLUTION NO. (710-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AWARDDING BID #83-2005 FOR THE PURCHASE OF TWO (2) RUBBER TIRE FRONT END WHEEL LOADERS FOR THE ROUTE 59 AND FRENCH FARMS LEAF COMPOSTING FACILITIES

WHEREAS, the Town of Clarkstown is the host community for the composting of all leaves and grass collected from municipalities within Rockland County, and
 WHEREAS, additional equipment is required to process the leaves and grass disposed of at the facilities, and
 WHEREAS, the Town will be reimbursed for the cost of the additional equipment by the Rockland County Solid Waste Management Authority, and
 WHEREAS, the Deputy Director of Operations, Department of Environmental Control has reviewed the bids received and recommends awarding Bid #83-2005 to Pinebush Equipment Co. Inc., 97 Route 302, Pinebush, New York 12566 for the purchase of two (2) Komatsu WA480-6 Rubber Tire Front End Wheel Loaders for a total of \$477,538.00.
 NOW THEREFORE, BE IT

RESOLVED, that Bid #83-2005 is hereby awarded to Pinebush Equipment Co. Inc., 97 Route 302, Pinebush, New York 12566 for the purchase of two (2) Komatsu WA480-6 Rubber Tire Front End Wheel Loaders, and
 BE IT FURTHER RESOLVED, that the cost for the new equipment shall not exceed \$477,538.00 and shall be reimbursed by the Rockland County Solid Waste Management Authority.
 BE IT FURTHER RESOLVED, that the cost of the equipment shall be a proper charge to account H 8757 409 0 81-30.

On roll call the vote was as follows

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

RESOLUTION NO. (711-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AWARDDING BID #84-2005 FOR THE PURCHASE OF ONE (1) TRACK EXCAVATOR WITH GRAPPLE FOR THE ROUTE 59 BRUSH PROCESSING FACILITY

WHEREAS, the Town of Clarkstown is the host community for the processing of all brush collected from municipalities within Rockland County, and
 WHEREAS, additional equipment is required to process the brush disposed of at the facility, and
 WHEREAS, the Town will be reimbursed for the cost of the additional equipment by the Rockland County Solid Waste Management Authority, and
 WHEREAS, the Deputy Director of Operations, Department of Environmental Control has reviewed the bids received and recommends awarding Bid #84-2005 to Pinebush Equipment Co. Inc., 97 Route 302, Pinebush, New York 12566 for the purchase of a Komatsu PC270LC-8 with grapple as per their low bid of \$199,225.00.
 NOW THEREFORE, BE IT

RESOLVED, that Bid #84-2005 is hereby awarded to Pinebush Equipment Co. Inc., 97 Route 302, Pinebush, New York 12566 for the purchase of a Komatsu PC270LC-8 with grapple, and
 BE IT FURTHER RESOLVED, that the cost for the new equipment shall not exceed \$199,225.00 and shall be reimbursed by the Rockland County Solid Waste Management Authority, and
 BE IT FURTHER RESOLVED, that the cost of the equipment shall be a proper charge to account H 8757 409 0 81-30.

On roll call the vote was as follows

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

RESOLUTION NO. (712-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPROVE VARIOUS TRAINING SCHOOLS FOR MEMBERS OF THE CLARKSTOWN POLICE DEPARTMENT

WHEREAS, the Chief of Police, Peter Noonan, has recommended that the following schools and conferences be approved for training and professional education of member of the Clarkstown Police Department,

NOW, THEREFORE, it is

RESOLVED, that the Supervisor is hereby authorized to approve the recommended training schools as follows:

	Tuition
JOH E. REID & ASSOC STREET CRIMES	\$ 1,380.00
INTL. CHIEF'S ASSOC CONF.	\$ 200.00
CRIME PREVENTION FOR PRACTITIONER	\$ 100.00
CDR TECHNICIAN & DATA ANALYST/	\$ 900.00
VETRONIC CRASH RETIEVAL SYSTEM	
ENCASE COMPUTER FORENSIC TRAIN/VVS ESSENTIALS	\$ 3,680.00
INTL. ASSOC EMERGENCY MANAGERS CONF.	\$ 425.00
NATL. TACTICAL OFFICERS DEFENSIVE TACTICS	\$ 806.00
NEW YORK STATE POLICE INFORMATION ANNUAL MEET	\$ 70.00
JOHN REID – INTERVIEW & INTERROGATION SEMINAR	\$ 1,300.00

BE IT FURTHER RESOLVED, that the Chief of Police is hereby authorized to select and recommend those members of the Department who shall be permitted to attend the schools and conferences as approved hereby.

On roll call the vote was as follows

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

RESOLUTION NO. (713-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL CONTROL TO RETAIN THE SERVICES OF A CONTRACTOR TO PERFORM IMPROVEMENTS WITHIN A TOWN DRAINAGE EASEMENT LOCATED IN THE VICINTY OF 27 LOWELL DRIVE, NEW CITY

WHEREAS, a portion of stream channel running through a Town Drainage easement in the vicinity of 27 Lowell Drive is partially obstructed by vegetation and debris; and

WHEREAS, the Department of Environmental Control has solicited proposals from three (3) qualified contractors to remove the existing vegetation and debris; and

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

WHEREAS, Department of Environmental Control staff has reviewed the low proposal submitted by KJS Hauling & Home Improvements. and has found it to be acceptable; and

WHEREAS, the Director of the Department of Environmental Control recommends that the work be awarded to KJS Hauling & Home Improvements for their low proposal of \$5,800.00; and

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

**KJS Hauling & Home Improvements
95 Maple Avenue
New City, NY 10956**

to perform this work in accordance with their proposal for an amount not to exceed \$5,800.00; and FURTHER RESOLVED that this amount shall be a proper charge to account H 8757 409 0 81 30.

On roll call the vote was as follows

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

RESOLUTION NO. (714-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING ATTENDANCE AT A SEMINAR CONCERNING AIA CONTRACTS

RESOLVED, that the Town Board hereby authorizes Jessica Hauser, Deputy Town Attorney, to attend a seminar concerning the AIA Contracts, which is being sponsored by Lorman Education Services, and held at the Holiday Inn Orangeburg, Orangeburg, New York, on December 1, 2006, and be it FURTHER RESOLVED, that the fee of \$359.00 for said seminar shall be charged to Account No. A 1420-414, travel expenses to be charged to Account No. A 1420-404, and food expenses to be charged to Account No. A-1420-301.

On roll call the vote was as follows

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

RESOLUTION NO. (715-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING A SPECIAL MEETING OF THE CLARKSTOWN TOWN BOARD

RESOLVED, that the Town Board hereby authorizes a special Town Board Meeting for October 24, 2006, at 7:30 p.m., to be held in Room 311 of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York.

On roll call the vote was as follows

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

RESOLUTION NO. (716-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION SETTING A PUBLIC HEARING WITH RESPECT TO AN EXTENSION OF THE CELL TOWER MORATORIUM LOCAL LAW FOR AN ADDITIONAL NINETY DAYS

WHEREAS, Councilperson Maloney, a member of the Town Board of the Town of Clarkstown, introduced Local Law No. 7-2006 on March 21, 2006, entitled,

“A LOCAL LAW TO AMEND CHAPTER 251 (WIRELESS COMMUNICATION FACILITIES) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

and

WHEREAS, the Town Board adopted Local Law No. 6-2006 on May 9, 2006, which allowed for the study and review of issues concerning the current and anticipated deployment and siting of wireless communications facilities in the Town, and related issues and concerns, for a period of 180 days from its effective date or until the Town adopted additional provisions regulating the wireless facilities, and

WHEREAS, the Town has retained consultants and established committees to, among other things, develop siting criteria, review coverage data, examine attendant legal issues, explore opportunities for Inter-municipal cooperation, and draft and review proposed changes to the law, and

WHEREAS, while much has been accomplished, additional time is necessary to complete the study, and

WHEREAS, the purpose of this local law is to establish an additional ninety day interim provision for the approval and construction of wireless communication services facilities pending the determination of the need for, and adoption of, revision to the Wireless Communication Facilities Law of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be had in Room 311 of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York on October 24, 2006, at 7:30 p.m. or as soon thereafter as possible, relative to such proposed local law, and be it

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

On roll call the vote was as follows

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

RESOLUTION NO. (717-2006)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the Town has received \$1,000,000 from the State of New York,
NOW THEREFORE BE IT,
RESOLVED, to increase Revenue Account H-15-10-3989-0 (Capital II-State Aid-Community Projects) and Expense Account H-8750-400-409-0-74-2 (Capital Projects-Open Space) by \$1,000,000 and
WHEREAS, various accounts require additional funding,
NOW THEREFORE BE IT,
RESOLVED, to decrease A-1330-114-0 (Receiver of Taxes-Part/Time) by \$800 and increase accounts A-1330-328-0 (Receiver of Taxes-Books & Publications) by \$300 and A-1330-313-0 (Receiver of Taxes-Office Supplies & Printing) by \$500 and be it
FURTHER RESOLVED, to decrease A-1680-110-0 (Data Processing-Salaries) by \$15,000 and increase A-1680-201-0 (Data Processing-Furniture) by \$10,000 and A-1680-408-0 (Data Processing-Bldg Repairs) by \$5,000 and be it
FURTHER RESOLVED, to decrease A-5630-209-0 (Mini-Trans-Other Equipment) by \$1,000 and decrease A-5630-292-0 (Mini-Trans-Auto Repair) by \$400 and increase A-5630-409-0 (Mini-trans-Fees for Svcs) by \$1,400 and be it
FURTHER RESOLVED, to decrease A-7020-411-0 (Parks & Rec-Postage) and increase A-7020-204-0 (Parks & Rec-Office Machines) by \$2,650 and be it
FURTHER RESOLVED, to decrease A-7141-301-0 (Community Rec Centers-Food) and increase A-7141-201-0 (Community Rec Centers-Furniture & Fixtures) by \$1,309 and be it
FURTHER RESOLVED, to decrease A-7140-382-0 (Parks & Playgrounds-Sand & Stone) and increase A-1621-209-0 (Warehouse-Other Equipment) by \$400 and be it
FURTHER RESOLVED, to decrease A-7620-307-0 (Adult Activities-Uniforms) and increase A-7620-114-0 (Adult Activities-Part Time) by \$500 and be it
FURTHER RESOLVED, to decrease A-7620-407-0 (Adult Activities-Fees for Svcs) and increase A-7620-114-0 (Adult Activities-Part Time) by \$2,000 and be it
FURTHER RESOLVED, to decrease A-7620-410-0 (Adult Activities-Photo ID Cards) and increase A-7180-323-0 (Swimming Facilities-Chemicals) by \$1,000 and be it
FURTHER RESOLVED, to decrease A-7610-424-0 (Programs for the Aging-Contractual Expenses) and increase A-7620-114-0 (Adult Activities-Part Time) by \$7,000 and be it
FURTHER RESOLVED, to decrease A-7180-410-0 (Swimming Facilities-Photo ID Cards) and increase A-7180-323-0 (Swimming Facilities-Chemicals) by \$2,935.29 and be it
FURTHER RESOLVED, to decrease A-7180-306-0 (Swimming Facilities-Maint. Supplies) and increase A-7180-424-0 (Swimming Facilities-Contractual Expenses) by \$270 and be it
FURTHER RESOLVED, to decrease A-7180-427-0 (Swimming Facilities-Publicity) and increase A-7180-323-0 (Swimming Facilities-Chemicals) by \$1,744 and be it
FURTHER RESOLVED, to decrease A-7310-307 (Youth Programs-Uniforms) and increase A-7310-404-0 (Youth Programs-Travel/Meals) by \$2,600 and be it
FURTHER RESOLVED, to decrease A-01-14-2999-0 (General Fund-Unexpended Balances) by \$65,055 and increase A-1620-409-0 (Bldg Maint-Fees for Svcs) by \$38,550 and A-1660-409-0 (Archival Storage-Fees for Svcs) by \$7,000 and A-5650-409-0 (Commuter Parking-Fees for Svcs) by \$10,305 and A-6410-405-0 (Advertising Costs) by \$9,200 and be it
FURTHER RESOLVED, to decrease B-8020-110-0 (Planning-Salaries) and increase B-8020-409-0 (Planning-Fees for Services) by \$10,000.

On roll call the vote was as follows

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

RESOLUTION NO. (718-2006)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the Clarkstown Parks Board and Recreation Commission and the Superintendent of Recreation and Parks are authorizing the purchase of a Ford F350 Pickup Truck with a Snow Plow at a price not to exceed \$22,500.00 out of capital account #H8757-400-409-0-81-32,
NOW, THEREFORE be it
RESOLVED, that the Town Board is hereby authorizing the purchase of said vehicle.

On roll call the vote was as follows

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

RESOLUTION NO. (719-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION SCHEDULING A PUBLIC HEARING TO SOLICIT PUBLIC COMMENT WITH RESPECT TO RENEWAL APPLICATION OF CABLEVISION OF ROCKLAND/RAMAPO, INC. FOR A FRANCHISE AGREEMENT

WHEREAS, the franchise agreement between the Town of Clarkstown and Cablevision of Rockland/Ramapo, Inc. has expired and is currently operating under provisional authority, and the Town Board wishes to schedule a public hearing to afford all interested parties the opportunity to comment regarding cable services provided by Cablevision of Rockland/Ramapo, Inc. in the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, the Town Board hereby schedules a public hearing on November 14, 2006, at 8:00 p.m., at the Clarkstown Town Hall Auditorium, 10 Maple Avenue, New City, New York, to solicit the public's comments to be considered with respect to the renewal application of Cablevision of Rockland/Ramapo, Inc. for a franchise agreement, and be it

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

On roll call the vote was as follows

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

RESOLUTION NO. (720-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION SETTING A PUBLIC HEARING FOR HISTORIC DESIGNATION OF CROW HOUSE

WHEREAS, the Historical Review Board has asked the Town Board to reaffirm its historic designation of Crow House, Henry Varnum Poor's residence and studio. Crow House is located at 92 South Mountain Road, New City (Map 33.9.2-13), and

WHEREAS, the Historical Review Board has submitted new material to support its proposal, and

WHEREAS, the Town Board wants to consider whether to accept the Historical Review Board's recommendation;

NOW, THEREFORE, be it

RESOLVED, that the Town Board, in accordance with Clarkstown Town Code § 25-3(c), will conduct a public hearing on November 14, 2006, at 8:00 p.m., or as soon after as possible, to hear all persons who want to comment on the historic designation of this property; and be it

FURTHER RESOLVED, that notice of this hearing shall be prepared by the Town Attorney and published and posted according to law by the Town Clerk.

On roll call the vote was as follows

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

RESOLUTION NO. (721-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Director of Environmental Control that

BID #39-2006 – RICHARD DRIVE DRAINAGE EXTENSION

Is hereby awarded to: WEST-CON CONTRACTING CORP.
41 WILMOT ROAD
SCARSDALE, NY 10583

As per their proposed project cost of \$73,495.00 and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Purchasing Department of the following:

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

RESOLUTION NO. (721-2006) continued

The Town of Clarkstown must be named as additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it FURTHER RESOLVED, that this project shall be under the supervision of the Department of Environmental Control and be it

FURTHER RESOLVED, that said award shall constitute a proper charge to Account Number H 8757-409-0-81-31.

On roll call the vote was as follows

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

RESOLUTION NO. (722-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AGREEMENT WITH DCAK ARCHITECTURE, PC TO PREPARE FEASABILITY STUDY

WHEREAS, the Town of Clarkstown recently entered into a franchise agreement with Verizon, Inc. in which Verizon agreed to provide the Town with \$125,000 for the purchase of cable-related communications equipment and associated services; and

WHEREAS, DCAK Architecture, P.C. has submitted a proposal to undertake a feasibility study with respect to the location and layout of such equipment, which proposal has been reviewed by the Clerk of the Works who found it reasonable in terms of scope and price;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, with DCAK Architecture, P.C., to provide professional services as set forth in their October 2, 2006 proposal; and be it

FURTHER RESOLVED, that the fee for said services shall not exceed \$12,500 and shall constitute a proper charge to account no. H 8757-409-0-33.

On roll call the vote was as follows

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

RESOLUTION NO. (723-2006)

Co. Lasker offered and Co. Maloney seconded

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

BID #52-2006 – REPLACEMENT OF CHAIN LINK FENCING AT THE TOWN OF CLARKSTOWN SOLID WASTE FACILITY

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by _____ (A.M.) (P.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 Purchasing Department

On roll call the vote was as follows

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

RESOLUTION NO. (724-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AMENDED AGREEMENT WITH BEHAN PLANNING ASSOCIATES, LLC

WHEREAS, by Resolution No. 944-2005, the Town Board retained the services of Behan Planning Associates, LLC (“Behan”) to conduct the Downtown New City Visioning Process; and WHEREAS, Behan is near the conclusion of the visioning process and the Town is desirous of moving forward with the Downtown New City Revitalization Project; and WHEREAS, the results of the visioning process will have an impact on the Revitalization Project; and

RESOLUTION NO. (724-2006) continued

WHEREAS, Behan has submitted a proposal to provide additional professional services in the connection with the Revitalization Project; and
 WHEREAS, the proposal has been reviewed by the Supervisor, Town Attorney and Town Planner, who agree that the proposal is reasonable in terms of scope and price;
 NOW, THEREFORE BE IT
 RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Behan Planning Associates, LLC, in a form approved by the Town Attorney, to provide professional services in connection with the New City Revitalization Project, as per their October 13, 2006 proposal; and be it
 FURTHER RESOLVED, that the fee for said services shall not exceed \$40,000 and shall constitute a proper charge to account no. H 5111-409-0-4-16.

On roll call the vote was as follows

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

RESOLUTION NO. (725-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED "AMENDMENT TO CHAPTER 262 (TAXATION) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

WHEREAS, Councilperson Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,
 "AMENDMENT TO CHAPTER 262 (TAXATION)
 OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on December 5, 2006 at 8:00 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

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

Amend §262-20B, in part as follows:

"§262-20B. No exemption shall be granted under the provisions of this article:

(l) If the income of the owner or combined income of the owners of the property for the income tax year immediately preceding the date of making application exceeds the sum of the maximum income exemption eligibility level for the granting of a partial exemption from real property taxation as provided in Real Property Tax Law Section 459(c) \$26,000.00, plus an amount not to exceed \$8,400.00 consistent with the schedule provided in the Section 262-20A hereof."

The remainder of this section remains the same.

This local law shall take effect on January 1, 2007.

On roll call the vote was as follows

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

RESOLUTION NO. (726-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW FOR BUSINESS LICENSE REQUIRED FOR MASSAGE ESTABLISHMENTS"

WHEREAS, Councilperson Lasker, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled,

"A LOCAL LAW FOR BUSINESS LICENSE REQUIRED FOR MASSAGE ESTABLISHMENTS"

and

WHEREAS, the purpose of this local law is to protect the community at large from illegal massage establishments that have been opening in the Town of Clarkstown without municipal or State authority;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on December 5, 2006, at 8:00 p.m. or as soon thereafter as possible, relative to such proposed local law, and be it

RESOLUTION NO. (726-2006) continued

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

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

FURTHER RESOLVED, that for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and the Director of the Department of Environmental Control is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

On roll call the vote was as follows

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

RESOLUTION NO. (727-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING THE SUPERVISOR OF THE TOWN OF CLARKSTOWN TO SUBMIT AN APPLICATION TO THE STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR FUNDING REQUEST TO RESTORE THE NAURASHAUN BROOK AT LAKE NANUET PARK

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, ECL Article 17-14 authorizes State assistance to municipalities 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 that

- 1. Supervisor Alexander J. Gromack, 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 17-14. 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 the 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 together with the Application for the State Assistance Payments;
4. That this Resolution take effect immediately.

On roll call the vote was as follows

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

RESOLUTION NO. (728-2006)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, Resolution No. 210-2006 authorized Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to charge the cost of a drainage project on Zukor Road, New City to Capital Account No. H-8757-409-81-8, and WHEREAS, additional materials were necessary at the work site, and WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Pipe: 735 linear ft. @ \$16.25 = \$ 11,943.75
Trench Drains: = \$ 3,400.00
\$ 15, 343.75

RESOLVED, that the original cost of \$184,721.25 be adjusted to \$200,065.00 to reflect the additional materials used, and be charged to H-8757-409-81-8.

RESOLUTION NO. (728-2006) continued

On roll call the vote was as follows

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

RESOLUTION NO. (729-2006)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, Resolution No. 211-2006 authorized Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to charge the cost of a drainage project on Burnside Avenue, Congers to Capital Account No. H-8757-409-81-8, and WHEREAS, additional materials were necessary at the work site, and WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Pipe: 200 linear ft. @ \$16.25 = \$ 3,250.00
 Catch Basins: 3 units @ \$750.00 = \$ 2,250.00
 \$ 5, 500.00

RESOLVED, that the original cost of \$95,852.50 be adjusted to \$101,352.50 to reflect the additional materials used, and be charged to H-8757-409-81-8.

On roll call the vote was as follows

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

RESOLUTION NO. (730-2006)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, Resolution No. 212-2006 authorized Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to charge the cost of a drainage project on Cottage Lane, Valley Cottage to Capital Account No. H-8757-409-81-8, and WHEREAS, additional materials were necessary at the work site, and WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Pipe: 80 linear ft. @ \$16.25 = \$ 1,300.00
 \$ 1, 300.00

RESOLVED, that the original cost of \$39,812.50 be adjusted to \$41,112.50 to reflect the additional materials used, and be charged to H-8757-409-81-8.

On roll call the vote was as follows

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

RESOLUTION NO. (731-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH PAPAY ENGINEERING & CONSTRUCTION, INC. TO PROVIDE PROFESSIONAL DESIGN SERVICES WITH RESPECT TO THE PROPOSED EMERGENCY COMMUNICATIONS TOWER ON MOUNTAINVIEW AVENUE

WHEREAS, by Resolution dated May 23, 2006, the Town Board authorized the construction of an emergency communications tower at certain property owned by United Water on Mountainview Avenue, Valley Cottage; and WHEREAS, by Resolution dated June 27, 2006, the Town Board retained the services of Goosetown Communications to act as project manager for the project; and WHEREAS, Goosetown Communications has recommended that the Town retain an engineering firm to provide professional engineering services in connection with the design of the site and placement of the tower; and WHEREAS, the Town has received a proposal from Papay Engineering & Construction, Inc. to provide such services, which proposal has been reviewed by Goosetown Communications and the Director of Finance, who found the proposal reasonable in terms of scope and price;
 NOW, THEREFORE, BE IT

RESOLUTION NO. (731-2006) continued

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, with Papay Engineering & Construction, Inc. to provide professional engineering services as per their October 13, 2006 proposal; and be it FURTHER RESOLVED, that the fee for said services shall not exceed \$26,025 and shall constitute a proper charge to account no. H 8754-409-0-78-41.

On roll call the vote was as follows

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

RESOLUTION NO. (732-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION SETTING A PUBLIC HEARING WITH RESPECT TO PETITION OF CAMBRIDGE PRESS TO AMEND THE ZONING LOCAL LAW DEALING WITH USES IN THE LO ZONING DISTRICT

WHEREAS, Cambridge Press has petitioned the Town Board of the Town of Clarkstown for a text amendment to the provisions of Section 290-12 and 290-11A, Table 8 of the Zoning Local Law of the Town of Clarkstown, to allow for broader distribution center uses than that currently permitted, and

WHEREAS, said petition was referred to the Clarkstown Planning Board for their review and recommendation pursuant to Zoning Local Law of the Town Code Section 290-33 and to the Rockland County Planning Department pursuant to General Municipal Law Section 239-l and 239-m, and

WHEREAS, the Clarkstown Planning Board and the Rockland County Planning Department have provided reports dated October 16, 2006 and June 23, 2006, respectively, which reports recommend certain revisions to the petition;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney shall prepare an amended text amendment which shall address the comments of the Clarkstown Planning Board and the Rockland County Planning Department, and be it

FURTHER RESOLVED, that the proposed amended text amendment shall be re-referred to the Clarkstown Planning Board and Rockland County Planning Department for their review and commend and be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on December 5, 2006, at 8:00 p.m. or as soon thereafter as possible, relative to such proposal, and be it

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

On roll call the vote was as follows

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

RESOLUTION NO. (733-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN APPLICATION, PURSUANT TO SECTION 837-d OF THE EXECUTIVE LAW, WITH RESPECT TO REIMBURSEMENT TO THE CLARKSTOWN POLICE DEPARTMENT FOR THE PURCHASE OF SOFT BODY BALLISTIC ARMOR VESTS FOR POLICE OFFICERS

WHEREAS, the Chief of Police has advised that Section 837-d of the Executive Law authorizes municipalities to apply for partial reimbursement of expenses incurred for the purchase of "soft body ballistic armor vests" for Police Officers, and

WHEREAS, the Chief of Police has recommended submission of an application for such reimbursement which may result in an award in the amount of \$4,636.20 to reimburse for expenditures previously made by the Police Department;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an application, pursuant to Section 837-d of the Executive Law, for the partial reimbursement to the Clarkstown Police Department for expenditures incurred for the purchase of "soft body ballistic armor vests" for Police Officers.

On roll call the vote was as follows

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

RESOLUTION NO. (734-2006)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, negotiations have been ongoing between the Bargaining Team for the Town of Clarkstown and the Bargaining Team for the Special Unit of the Clarkstown CSEA for a successor to the 2001-2116 Agreement between the parties; and
 WHEREAS, those negotiations have resulted in a tentative agreement contained in a Memorandum of Agreement dated October 17, 2006; and
 WHEREAS, the membership of the Union has ratified the terms of the Memorandum of Agreement; and
 WHEREAS, the Town Board has reviewed the terms of the Memorandum of Agreement and finds that a settlement consistent with the terms contained therein is in the best interest of the Town;
 NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby approves and ratifies the terms of the aforesaid Memorandum of Agreement and hereby authorizes the Town Supervisor to execute a collective bargaining agreement consistent with the terms thereof.

On roll call the vote was as follows

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

The Supervisor opened the floor for general public comments. There being no one wishing to be heard, on motion of Co. Maloney, seconded by Co. Lasker and unanimously adopted, the public hearing was adjourned 8:45P.M.

Respectfully submitted,

David Carlucci
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING #1

Town Hall

10/17/2006

8:20 P.M.

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

Re: Continuing a public hearing from 9/19/06 on a proposed local law entitled, "a local law to create chapter 243 (signs) of the Town Code.

On motion of Co. Lasker, seconded by Co. Mandia, hearing opened 8:20 P.M.. On motion of Co. Maloney, seconded by Co. Lasker, continued to November 14, 2006. RESOLUTION NO. (649-2006)

Town Attorney Amy Mele- Rockland County Planning could not get back to us with their recommendations in time, so we are continuing the hearing in November.

The Supervisor opened the floor for comments. There being no one wishing to be heard, on motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was continued to November 14, 2006.

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (649-2006)

TOWN OF CLARKSTOWN
PUBLIC HEARING #2

Town Hall

10/17/2006

8:25 P.M.

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

Re: a proposed local law to amend Chapter 290 (Zoning) of the Town Code dealing with Child Daycare Centers in most districts by special permit, with exceptions.

On motion of Co. Maloney, seconded by Co. Nowicki, hearing opened 8:25 P.M. On motion of Co. Maloney, seconded by Co. Nowicki, continued to November 14, 2006. RESOLUTION NO. (650-2006)

Town Attorney Amy Mele- Pending review of recommendations from SEQRA and Rockland County Planning, we are continuing the hearing in November.

Town Planner Jose Simoes- Read into the record, the Planning Board's recommendation (on file with Town Clerk).

The Supervisor opened the floor for comments. There being no one wishing to be heard, on motion of Co. Maloney, seconded by Co. Nowicki, and unanimously adopted, the public hearing was continued to November 14, 2006.

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (650-2006)

TOWN OF CLARKSTOWN
PUBLIC HEARING #3

Town Hall

10/17/2006

8:26 P.M.

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

Re: Request to amend Official Map by changing street names in Mountainside Estates Subdivision. On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:26 P.M.

On motion of Co. Maloney, seconded by Co. Nowicki, RESOLUTION NO. (651-2006) unanimously adopted.

Town Attorney Amy Mele- Due to these being private roads, an environmental review is not necessary.

The Supervisor opened the floor for comments. There being no one wishing to be heard, on motion of Co. Maloney, seconded by Co. Nowicki, and unanimously adopted, the public hearing was closed.

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (651-2006)

TOWN OF CLARKSTOWN
PUBLIC HEARING #4
10/17/2006

Town Hall

8:27 P.M.

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

Re: Proposed local law to amend Chapter 149-4 (Garbage, Rubbish & Refuse) of the Town Code to increase fees for registration & licensing of trash carrying vehicles by Sanitation Commission.

On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:27 P.M. On motion of Co. Maloney, seconded by Co. Nowicki, RESOLUTION NO. (652-2006) unanimously adopted.

The Supervisor opened the floor for comments. There being no one wishing to be heard, on motion of Co. Maloney, seconded by Co. Nowicki, and unanimously adopted, the public hearing was closed.

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (652-2006)