

TOWN OF CLARKSTOWN  
TOWN BOARD REORGANIZATION MEETING

Town Hall

01/03/2007

8:00 P.M.

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

The Master of Ceremony was Police Chaplain David Lothrop. The Clarkstown Police Honor Guard presented the colors. Co. Maloney led the assemblage in the Pledge of Allegiance. The National Anthem was sung by Anthony Mingone, the owner of Romolo's Restaurant in Congers. Chaplain Lothrop called for a moment of silence for the 38th President of the United States, Gerald Ford, and for the men and women in our armed services who have lost their lives and for those who continue to fight for our freedom. The Invocation was given by Rabbi Brian K. Beal of Temple Beth Torah. Distinguished guests recognized were County Court Judge Victor J. Alfieri, Town Justice Craig E. Johns, Hon. Marilyn Gerber, Commissioner of the City of Coconut Creek, Florida, Supreme Court Judge William Sherwood, Clarkstown Superintendent of Schools Margaret Keller-Cogan, Nanuet School District Superintendent Mark McNeill, Clarkstown Superintendent of Highways Wayne Ballard, and Clarkstown Receiver of Taxes Loretta Raimone.

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County Court Judge Victor J. Alfieri administered the oath of office for Town Justice Howard Gerber, with wife Ilene and daughters Lauren and Jessica holding the Bible. Hon. Howard Gerber gave special thanks to Judge Alfieri for swearing him in, noting that his were very big shoes to fill, and what an honor it will be to do so.

Hon. Marilyn Gerber, Commissioner of the City of Coconut Creek, Florida, escorted by her son, Stephen, gave the Presentation of the Gavel to her son, Hon. Howard Gerber, Clarkstown Town Justice. The gavel was used by both Hon. George Gerber, formerly Clarkstown Supervisor, and Hon. Marilyn Gerber as mayors of Coconut Creek, Florida.

Hon. Howard Gerber, Clarkstown Town Justice, thanked his wife, daughters, and family. He also thanked the other attorneys who stepped aside and gave their support to him, Keith Baunfotel, Ralph Thorsen, Rick McKay, and Donald Tracy, as well as, the entire Clarkstown Democratic Committee for their overwhelming support in recommending him for this position. Gratitude was expressed to New York State Assemblyman Kenneth Zebrowski and his wife Linda for their support and guidance over the years and to the Clarkstown Town Board, Supervisor Alexander J. Gromack and Council Members John Maloney, Ralph Mandia, Shirley Lasker, & Catherine Nowicki for their unanimous support, both now, and for the past four years as a Deputy Town Attorney for Clarkstown. Representing the people of Clarkstown has been both an honor and a privilege and I believe it has prepared me for the position that I now embark on. Town Attorney Amy Mele, former Town Attorney John Costa and the staff of the Town Attorney's office, his first bosses, Niles and Jim Davies of Davies Farm, and the Rockland County Fire Service, especially in Valley Cottage, where Hon. Gerber volunteered, were thanked. Hon. Howard Gerber spoke about his father's service as Clarkstown Supervisor and expressed his hope that he is as proud of him today standing here taking the oath of office as he was when his father stood here taking his oath of office. In conclusion, Hon. Howard Gerber thanked his friends and family and the people of Clarkstown for entrusting him with this enormous responsibility, for which he promised not to disappoint them.

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The Supervisor delivered the following State of the Town address:

Thank you and good evening.

Let me begin by extending my best wishes to every Clarkstown resident.

Holidays are made for families and most of us were lucky enough to share them with our loved ones. Some of our neighbors, however, had an empty seat at their table. Our hearts and prayers go out to one of our own, the Narciso family for their loss of Private Justin Garcia.

Our thoughts are with them and with all our military personnel who spent their holidays away from home.

Our prayers also go out to our nation's leaders, hoping they find a way to bring our loved ones home safe and sound.

Once again I extend my deepest appreciation to Town Board members John Maloney, Ralph Mandia, Shirley Lasker and Catherine Nowicki for their unwavering commitment to our residents. We have faced and overcome difficult challenges. We have worked well because we have worked together for our town.

I thank them for their support, counsel and leadership.

In addition, I want to thank our other elected officials, our Highway Superintendent Wayne Ballard, Receiver of Taxes Loretta Raimone, Town Clerk David Carlucci, and Town Justices Alfieri, Ugell, Johns and Flick. These public servants repeatedly demonstrate their commitment to the people of our town.

Congratulations to Judge Vic Alfieri on his election to County Court. I know he will continue his tradition of exemplary service on the County bench. We welcome and congratulate our newly sworn Town Judge, Howard Gerber. Good luck, Howard.

Last year we appointed Amy Mele, Town Attorney and in one year's time, she has put her unique 'brand' on that office. She has shepherded innovative, forward thinking legislation from draft stages to public hearings to local laws. We are all impressed with her enthusiasm, professionalism, commitment as well as her extraordinary counsel

on every issue. She has become such an important member of our leadership team. Clarkstown and the Town Board are so well served.

Let's not forget the other employees who do their best everyday; our police chief Peter Noonan and his officers, our highway crews, our clerical staff, engineers, recreation workers, building and fire inspectors, code enforcement officers, information managers, accountants, bookkeepers, maintenance staff, tax assessors, attorneys, personnel specialists, planners, drivers, safety manager, purchasers, solid waste and sewer technicians... the list goes on and on.

They are the faces of town hall, the wheels that turn government.

As important as all these people and their contributions are, I have to recognize and thank those who are the real heart and soul of our government... the people who make Clarkstown their home. You are why town government exists.

The officers and members of our civic associations, business groups, advisory boards, commissions and individual residents who write, e-mail, phone or visit Town Hall, these are the people who drive our government.

I know I speak for the entire Town Board when I say thank you for taking the time to care about Clarkstown.

As I was practicing my speech, I asked my wife, a school teacher for over 30 years, if she could give me a few pointers on how to keep people in their seats until I was finished talking.

She said that the best way to keep people seated during one of my boring speeches would be to set up 'bathroom rules'. She learned that when kids wanted to leave her classroom they would use the excuse that they had to go to the bathroom. So now she has a classroom rule that says, "If you have to go to the bathroom you have to raise your hand first. The kids are too embarrassed to do that, so they stay seated throughout the whole class."

Well, I don't think I have to stoop to embarrassing people to keep them seated. So if you have to get up to go to the bathroom during the speech, you don't have to raise your hand. Just come on up to the podium and I will discretely hand you this rest room key. Any takers??? Then I guess you will be seated for the rest of this speech.

Town government works best when people work together. Last year I identified some specific goals for 2006 and I would like to tell you how well we've done.

The leadership and proactive attitude of Police Chief Noonan and the professional, conscientious involved efforts of our Police Officers have kept Clarkstown one of the safest places to live in the entire nation. The department will continue to partner with national and local law enforcement agencies and our own community and civic associations to detect, prevent and reduce the factors that breed violent crime.

Our Town Court is now fully computerized, vastly improving record keeping and information sharing. We have once again taken the lead in the response to Domestic Violence with the Integrated Domestic Violence Court.

Our Department of Environmental Control continues making significant progress in eliminating flooding, overseeing \$3.5 million in drainage projects like Green Avenue, Kill Von Beaste, Tulip Drive, Sedge and Mace Road to name a few. Our downtown revitalizations continue with projects underway in Nanuet, under a joint county/town project and in Valley Cottage. New City will be next, starting in 2007.

Recreation and Parks conducted 26 special town wide events, saw the on-time re-opening of a beautifully renovated Lake Nanuet, negotiated a non resident golfing fee with Spook Rock Course and sponsored the second Supervisor's Walk at Rockland Lake.

In addition to re-paving town roads, picking up leaves and yard waste, replacing guide rails, cleaning school sidewalks, Highway's participation in town drainage projects saved the town over \$145,000 and its purchase of the Menzi Muck, will save hundreds of thousands of dollars more over the years in stream maintenance costs. Superintendent Ballard's salt brine pre-wetting program makes our roads safer during snow storms and the new automated work system tracks and prioritizes resident concerns.

Our Mini Trans Bus program transported 160,000 passengers over 340,000 miles without an accident permitting a \$30,000 insurance premium reduction while at the same time doubling the number of special trips for seniors and expanding our bus fleet to 10 modern, safe and comfortable handicapped accessible buses.

Ed Lettre, Clerk of the Works, has informed me that for all intents and purposes the Town Hall Renovations are finished, as well as the Town Garage Expansion. Our Maintenance Department successfully implemented a Cul de Sac maintenance program that has received rave reviews from our residents and is planning the construction of an Archive Storage Center in the old Town Hall basement that will save us over \$30,000 per year in storage fees.

Our Building & Fire Inspection Department issued 1750 Building and 3266 Fire Permits resulting in a revenue stream of \$1.65 million. In addition to his code enforcement responsibilities and the continuing administration of Operation Clean Sweep, Building Inspector Peter Beary chaired the committee that drafted our new 'Sign' law, a law that will further enhance the aesthetics of our town. I am also assigning Peter to chair an 'in-house' committee to develop a tree preservation law for Town Board approval.

Data processing saved taxpayers \$50,000 through the installation of our new phone system and is pursuing the implementation of the town's GIS program; a system that will increase productivity for our departments and efficiency for our residents.

Purchasing concluded our agreement with Citizen's Energy to secure approximately 10% of our electric energy through wind power generating systems, purchased 4 hybrid vehicles under a resolution initiated by Council Member Mandia and is expanding the town's use of environmentally safe and effective 'green' cleaning products.

Our new Town Clerk, David Carlucci, has made his office more 'resident friendly', utilizing a mobile office, evening hours and a redesigned web site so residents can pick up a form, file a document or ask a question without missing a day at work.

Planning, under Chairwoman Shirley Thormann and Town Planner Joe Simoes took leadership roles in the New City Visioning process, the Bradlees reconstruction, the Valley Cottage Hamlet Overlay, and the Floating Zone for active adult residents. They have also started the process of revising the Comprehensive Plan and reassessing our Town Code; all demonstrating that we have a Planning Department that actually believes in planning and in the active participation of residents.

Of course town government doesn't just run on ideas. You also need to know whether you have the funds to carry out those ideas. Comptroller Ed Duer and his team managed a \$125 million town budget, maintained our AA3 bond rating, the best, by the way, in the county and oversaw \$12.4 million dollars worth of capital improvement projects.

Without Comptroller Ed Duer at the financial helm, I think we would all be walking around saying, 'What to do...what to do'.

The Town Board also expanded our Open Space program championed by Board Member Shirley Lasker and we expanded our acquisition of 'forever green' land to 203 acres. We also secured an extension to our conservation easement with United Water, protecting all the land around Lake DeForest.

Councilman Mandia's 'The Pride of Clarkstown program' and his law requiring commercial owners to be more responsible for the appearance of their retail property combined with Operation Clean Sweep, our new Sign Law and increased code enforcement efforts will put a new face on our retail establishments.

Councilwoman Catherine Nowicki advocated for and now chairs a sub committee on Economic Development for Clarkstown. In January 2007 her committee will recommend that we initiate a visioning process to develop an economic strategy for Clarkstown.

Councilman John Maloney has long supported competition in the TV cable business and the Town Board should be congratulated for approving the Cable TV service franchises with both Verizon and Cablevision. We will of course remain vigilant to ensure that both Cablevision and Verizon live up to those franchises and their commitments. Special thanks go to First Deputy Town Attorney Marsha Coopersmith for her hard work on this important issue.

With the Town Board's enactment of a Cell Tower Moratorium, Town Attorney Amy Mele drafted a new law revising the application procedure which encourages cell tower companies to co-locate on existing towers and explore alternative technologies prior to town approval. A law that will go a long way in protecting our residential areas from a proliferation of new cell towers.

We approved the Emergency Communication Tower, a project that is moving ahead and will be advancing to the design and construction stage by late spring or summer of 2007. The lives of Clarkstown residents and all emergency personnel will be safer because of the Town Board's important action.

We patiently and comprehensively moved ahead with the 'floating zone' for active adult residences and we will be conducting a Final Public Hearing in February of 2007. I know this is music to Councilman's Mandia's ears.

I am proud that our Town Board took a strong and sensible stand when residents shared their concerns about Tilcon's West Nyack Quarry. We hired consultants to do extensive testing of noise, dust and water quality levels. That report should be available shortly.

I have asked Marc Moran, the New York State DEC Regional Director to delay his final decision regarding any modification of Tilcon's Permit renewal until the Town receives the results of those tests.

Tilcon officials have indicated that they want to work with us to address our concerns and we are prepared to listen and work with them to put in place a plan that meets the needs of our community.

The sub-committee on the Palisades Ring Road has completed its review and will schedule a meeting with Mall management in early 2007 to discuss existing Ring Road deficiencies and make plans to remediate them.

During its review of the Ring Road, other issues came to light. These issues will require further review and may in fact require some enforcement action by the town.

As productive as this year has been I have learned that those who spend most of their time looking back on what they have done have little time left to look ahead to what they still need and want to do...and there is plenty left to do. Government will always be a work in progress.

So let us spend a few minutes looking ahead.

In addition to following through with many of the initiatives of 2006 and the continuing capital improvements, downtown revitalizations and drainage projects, I have a number of new goals for 2007; allow me to share three of them with you.

The first goal is to further reduce the tax burden currently placed on our property owners.

Anyone can cut the cost of government by reducing services. But who wants to eliminate overnight police patrols to save money? What senior citizen group wants their center closed and their trips cancelled? What homeowner doesn't mind if his road isn't plowed, his garbage isn't picked up and his basement floods every time it rains?

We have to look at other ways to reduce the burden on our property tax payers than just cutting services.

Councilwoman Nowicki's proposal to initiate a town wide visioning process and develop an economic development strategy for Clarkstown has the real potential to expand the non residential tax base and relieve some of the tax burden. It could be an important piece of the puzzle.

And as much as I appreciate the additional sales tax revenue that the county is sharing with towns, it simply is not good enough.

The single largest generator of county sales tax revenue is the Palisades Mall. Over 50% of Mall shoppers are not Clarkstown residents. Safety is a primary factor for shoppers. Safe shoppers spend money and generate sales tax for the county. Our property tax payers assume all the costs of providing police protection and we are getting next to nothing in return.

I am asking every Clarkstown County Legislator to work with me and the Town Board to correct this inequity. Help us design a plan that gets us a fair share of the county sales tax revenue. We deserve no less.

I also have and will continue conducting operational reviews of every town department. These reviews force all of us to take a new look at what we are doing. I have never accepted the phrase, "Well that's the way we always did it."

I started the process with our solid waste operation, looking at finances and operations, and exploring options for change. I will be presenting the Town Board with a recommendation very shortly. We will continue working to make our town government more productive, more responsive and more cost effective today than it was yesterday.

Long range economic strategy, an equitable redistribution of the county's sales tax revenue and the continuation of our in depth department by department reviews will, I believe, reduce some of the burden placed on property tax payers.

The second goal is to develop a long range plan to ensure the future of our volunteer emergency service organizations.

Less volunteers, more required training, limited incentives, cost of living, etc. We know the problems. We need a plan. The safety of our residents is too important to leave to chance. Our volunteers are the fabric that binds our community together – we need to work with them to ensure that they have the resources and volunteers necessary to continue to provide for the health and safety of our residents.

I will therefore create a town wide task force composed of both representatives from the volunteer services and town officials to make recommendations to the Town Board by September 2007.

The third goal is to develop a master plan for the land we have acquired through our successful open space program. To date we have acquired over 200 acres of open space.

It is both our responsibility and obligation to ensure that we manage, utilize and protect this significant resource not only for today but for tomorrow...not only for us but for our children.

I believe we can protect open space and at the same time encourage its use. I believe we can protect the environment and at the same time learn more about it. I will be asking our Recreation and Parks Commission to convene a series of open...public meetings...'to vision', if you will, a long range strategic plan for our open space acquisitions.

I want to encourage all our residents to participate in this process. We have the opportunity to forge an innovative plan that combines respect for the environment, outdoor educational programs and activities into a single, sensible plan.

This is a unique challenge and I am confident that by working together we will develop a unique plan... a legacy of which we can all be proud.

I am afraid I might have forgotten some other people who deserve our thanks. Certainly our State Senator Tom Morahan has been a strong and effective voice for Clarkstown in Albany and he knows he has my thanks.

Assemblyman Ken Zebrowski has always been there when needed. We have worked well together and I know we will continue to work well in the future.

Senators Clinton and Shumer, Representatives Lowey and Engel have interceded for us many times and have made federal agencies more responsive and responsible to Clarkstown.

The relationship between the county and town has never been better. County Executive Vanderhoef has helped forge partnerships with Clarkstown on many important revitalization projects, open space acquisitions, flood prevention programs and in assisting with our emergency communication tower. Good partnerships make good things happen.

2007 brings us a new Governor, Eliot Spitzer, and I look forward to and pledge my support for his hope and promise of a "New, New York."

Last year I ended my speech talking about the contract between government and citizen.

This year I want to end on a different theme.

Albert Einstein’s quote on the first page encourages us to look at things differently. If we continue to look at our problems in the same way over and over, we more than likely will never solve them.

When we face the problems and challenges before us, perhaps we need to see them more as opportunities and less as stumbling blocks...and as much as we may want to solve all the problems at once... we also need to remember that governments have a fixed amount of resources.

We need to choose what is most important or what is most doable and focus our efforts.

Someone once said it is better to do a few things well, than many things poorly.

There will always be critics of our efforts. Someone else once said the only way to avoid criticism is to say nothing, do nothing and be nothing. That may be safe advice but it is, as far as I am concerned, the wrong advice.

There is much to do and if we do nothing then nothing gets done.

Let us instead then, opt for action, let us opt for accomplishment, and let us continue to work together for our town and our families. Let us continue to build on the partnership between Town Hall and resident, encouraging participation and involvement and conducting the business of government in an open, frank and accessible fashion.

Clarkstown is our home; this is where our dreams for a better life are born and this is where together we can make those dreams come true.

That is what this town government; our town government is all about.

God Bless you and good night.

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The Supervisor declared the Town Board Meeting open.

RESOLUTION NO. (1-2007)

Co. Nowicki offered and Co. Maloney seconded

**RESOLUTION REGARDING SALARIES OF ALL TOWN OFFICIALS AND EMPLOYEES – 2007**

RESOLVED, that the salaries of all Town Officials and employees be fixed as per the attached Town of Clarkstown 2007 Salary Schedule, (on file with Town Clerk), in accordance with the Budget adopted for the Year 2007, subject only to contract negotiations, and be it

FURTHER RESOLVED, that all Town elected and appointed officials shall be paid on a bi-weekly basis to commence January 1, 2007, the first payroll to be paid on January 11, 2007, and be it

FURTHER RESOLVED, that all Town employees shall be paid on a biweekly basis to commence January 1, 2007 for the remainder of year 2006, the first payroll for the year 2007 to be paid on January 11, 2007, and be it

FURTHER RESOLVED, that the salary schedule hereby adopted as amended may be changed in accordance with law as determined to be appropriate by the Town Board.

On roll call the vote was as follows

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

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RESOLUTION NO. (2-2007)

Co. Lasker offered and Co. Maloney seconded

**RESOLUTION ESTABLISHING MILEAGE FOR USE OF VEHICLES ON TOWN BUSINESS**

RESOLVED, that mileage at the rate of 48.5¢ a mile, or the current reimbursable rate as per the Internal Revenue Service, be paid to designated personnel for use of their personal automobiles in performance of their official duties:

- Members of the Town Board
- Deputy Supervisor
- Town Clerk and Deputies
- Superintendent of Highways
- Receiver of Taxes
- Building Inspector and Assistants
- Assessor and Assistants
- Town Attorney and Deputy Town Attorneys
- Zoning Enforcement Officer/Community Liaison Enforcement Officer I
- Paralegal Specialists
- Legal Stenographer
- Members of the Parks Board and Recreation Comm.
- Director of Environmental Control and Aides
- Town Comptroller
- Deputy Comptroller
- Administrative Assistant I, Comptroller's Office

RESOLUTION NO. (2-2007) continued

- Building Maintenance Mechanic
- Members of the Planning Board
- Members of the Zoning Board of Appeals
- Confidential Assistant
- Safety Manager
- Town Courier
- Director of Automated Systems
- Computer Network Specialist
- Insurance and Claims Manager

On roll call the vote was as follows

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

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RESOLUTION NO. (3-2007)

Co. Nowicki offered and Co. Maloney seconded

**RESOLUTION AUTHORIZING THE TOWN COMPTROLLER TO CREDIT, AS ADDITIONAL  
INCOME, THE SUM OF \$3.00 PER WORK DAY TO EMPLOYEES  
WHO USE TOWN OWNED VEHICLES COMMUTING TO AND FROM WORK**

WHEREAS, Regulations of the Internal Revenue Service have been promulgated which require employers, including municipal employers, to include for personal income tax purposes, the value of employer owned vehicles used for private purposes or for commuting to and from work;

NOW, THEREFORE, be it

RESOLVED, that the Town Comptroller is hereby authorized and directed for the period commencing January 1, 2007 and ending December 31, 2007, to credit as additional income the sum of \$3.00 per work day or 48.5¢ per mile, or the current applicable rate in effect for the year as per the Internal Revenue Service, whichever is less to those employees who have the use of Town owned vehicles for commuting to and from work except those employees who are public officers as defined in Section 263.14 of the Handbook for State Social Security Administration, and be it

FURTHER RESOLVED, that employees, other than elected officials, who have the use of Town owned vehicles shall not use any vehicle assigned to such employee for personal reasons except for commuting to and from work, and be it

FURTHER RESOLVED, that the employer provided vehicles as set forth below shall be excluded from the wage calculation:

- (a) Clearly marked police and fire vehicles;
- (b) Delivery trucks with seating only for the driver, or only for the driver plus a folding jump seat;
- (c) Flatbed trucks;
- (d) Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds;
- (e) Passenger buses used as such with a capacity of at least twenty (20) passengers;
- (f) Ambulances used as such or hearses used as such;
- (g) Bucket trucks (cherry pickers);
- (h) Cranes and derricks;
- (i) Forklifts;
- (j) Cement Mixers;
- (k) Dump trucks (including garbage trucks);
- (l) Refrigerated trucks;
- (m) Tractors;
- (n) Combines;
- (o) School buses used as such;
- (p) Qualified moving vans;
- (q) Qualified specialized utility repair trucks;
- (r) Officially authorized use of unmarked vehicles by law enforcement officers.

On roll call the vote was as follows

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

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RESOLUTION NO. (4-2007)

Co. Lasker offered and Co. Maloney seconded

**RESOLUTION ESTABLISHING PETTY CASH FOR TOWN DEPARTMENTS**

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

Supervisor's Office	\$200.00	
Assessor's Office	\$100.00	
Comptroller's Office	\$100.00	
Data Processing	\$100.00	
Environmental Control	\$100.00	
Justice Court	\$200.00	
Maintenance	\$100.00	
Mini-Trans	\$100.00	
Personnel	\$25.00	
Planning	\$100.00	
Police	\$400.00	
Purchasing	\$25.00	
Receiver of Taxes	\$300.00	
Recreation & Parks	\$300.00	
Recreation & Parks	\$1500.00	(5/1/07-10/30/07)
Recreation & Parks (Wheel Park)	\$100.00	
Recreation & Parks (Germonds Park Mini Golf Course)	\$200.00	
Recreation & Parks (Zukor Park Registration)	\$150.00	
Sanitation District	\$100.00	
Safety Manager	\$100.00	
Sewer	\$100.00	
Town Attorney	\$200.00	
Town Clerk	\$200.00	
Building Inspector	\$100.00	
Town Garage	\$50.00	
Highway Department	\$200.00	

On roll call the vote was as follows

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

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RESOLUTION NO. (5-2007)

Co. Nowicki offered and Co. Lasker seconded

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

On roll call the vote was as follows

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

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RESOLUTION NO. (6-2007)

Co. Maloney offered and Co. Lasker seconded

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

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

On roll call the vote was as follows

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

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RESOLUTION NO. (7-2007)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board elects not to publish the complete financial report of the Town pursuant to Town Law Section 29, Subd. 10.

RESOLUTION NO. (7-2007) continued

On roll call the vote was as follows

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

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RESOLUTION NO. (8-2007)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Receiver of Taxes of the Town of Clarkstown is hereby ordered and directed to deposit monies collected by the Receiver of Taxes for warrants issued for the collection of the 2007 State, County and Town taxes, in an interest bearing checking account in a lending institution designated and approved by the Town Board.

On roll call the vote was as follows

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

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RESOLUTION NO. (9-2007)

Co. Maloney offered and Co. Lasker seconded

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

On roll call the vote was as follows

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

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RESOLUTION NO. (10-2007)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that the Town Board hereby authorizes the Town Attorney for the year 2007, to take all necessary steps to defend any proceedings brought against the Town of Clarkstown, its agencies and employees, and be it FURTHER RESOLVED, that this Resolution is hereby made retroactive to January 1, 2007.

On roll call the vote was as follows

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

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RESOLUTION NO. (11-2007)

Co. Maloney offered and Co. Lasker seconded

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

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

On roll call the vote was as follows

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

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RESOLUTION NO. (12-2007)

Co. Maloney offered and Co. Lasker seconded

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

RESOLUTION NO. (12-2007) continued

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

On roll call the vote was as follows

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

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RESOLUTION NO. (13-2007)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that Alexander J. Gromack, Supervisor, is hereby designated as delegate to the Association of Towns Convention, and be it

FURTHER RESOLVED, that John R. Maloney, Deputy Supervisor, is hereby designated as alternate delegate to the Association of Towns Convention, and be it

FURTHER RESOLVED, that attendance at the Association of Towns Convention to be held in New York City on February 19, 2007 through February 22, 2007 by Town personnel, shall be authorized by individual department heads, and reasonable expenses incurred by such authorized personnel shall constitute Town charges, and be it

FURTHER RESOLVED, that all Town officials are encouraged to car pool to reduce mileage expenses, and the respective vouchers submitted for this purpose shall not only reflect miles traveled, but also passengers within the vehicle, and be it

FURTHER RESOLVED, that employees who are eligible for overtime pay will be paid or shall receive compensatory time off for their time spent attending the Association of Towns Convention on Presidents' Day, however, the maximum amount of time shall be that of their regular work hours, either seven or eight hours per day, and be it

FURTHER RESOLVED, that employees who register in advance for the Association of Towns Convention and find that they cannot attend, cancellation of the hotel room and any pre-paid events must be made as soon as the need becomes apparent, and whenever possible, in sufficient time to avoid forfeiting registration fees, and be it

FURTHER RESOLVED, that the Town Clerk is requested to distribute copies of this resolution to all department heads who shall be responsible for distribution to and compliance by all affected personnel.

On roll call the vote was as follows

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

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RESOLUTION NO. (14-2007)

Co. Nowicki offered and Co. Maloney seconded

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

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that such Rules and Regulations as may have been amended by administrative act of the Police Chief since January 4, 2006 are hereby ratified and such Rules and Regulations, as amended, shall remain in full force and effect until such time as the Town Board may modify or rescind same by further resolution.

On roll call the vote was as follows

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

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RESOLUTION NO. (15-2007)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that the Rockland Journal News, with its main office at 1 Crosfield Avenue, West Nyack, New York 10956, is hereby designated, pursuant to Section 64 (II) of the Town Law, as the Official Newspaper of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Rockland County Times, with its main office at 119 Main Street, Nanuet, New York 10954, is hereby designated, pursuant to Section 64 (II) of the Town Law, as a Supplemental Official Newspaper of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Rockland Review, with its main office at 26 Snake Hill Road, West Nyack, New York 10954, is hereby designated, pursuant to Section 64 (II) of the Town Law, as a Supplemental Official Newspaper of the Town of Clarkstown.

RESOLUTION NO. (15-2007) continued

On roll call the vote was as follows

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

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RESOLUTION NO. (16-2007)

Co. Nowicki offered and Co. Maloney seconded

RESOLUTION AMENDING RESOLUTION NO. 133-2002 REGARDING EXPENSES FOR CONFERENCES

RESOLVED, that Resolution No. 133-2002, adopted by the Town Board on February 12, 2002, is hereby amended as follows:

WHEREAS, the General Municipal Law authorities reimbursement of actual and necessary expenses incurred while attending a convention, conference or school conducted for the betterment of the municipality, and

WHEREAS, the Town Board deems it within the best interest of the municipality to establish limitations for the expenditures at the conferences;

NOW, THEREFORE, be it

RESOLVED, that the following limitations are in effect immediately:

1. Reimbursements for meals within New York City, Washington D.C., Chicago, Boston, San Francisco and Los Angeles and like metropolitan areas are set at \$15 for breakfast and \$40 for dinner plus \$10 per day incidental expenses.
2. Meals outside of New York City and like metropolitan areas are set at \$15 for breakfast and \$20 for dinner plus \$10 per day for incidental expenses.

And be it

FURTHER RESOLVED, that such reimbursement will be made on a per diem basis. Reimbursement for breakfast applies to out-of-town travel one hour or more prior to the start of the employee's regular work day. Reimbursement for dinner applies to out-of-town travel one hour or more after the end of the employees regular work day.

And be it

FURTHER RESOLVED, that there is no reimbursement for the following:

1. Alcoholic beverages;
2. Sales tax for hotels within New York States;
3. Any additional cost for a spouse's lodging or meals at a conference.

On roll call the vote was as follows

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

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RESOLUTION NO. (17-2007)

Co. Lasker offered and Co. Mandia seconded

RESOLUTION APPOINTING MEMBERS TO DEFERRED COMPENSATION COMMITTEE

WHEREAS, Rules and Regulations of the New York State Deferred Compensation Board and/or Section 457 of Internal Revenue Code require a deferred compensation committee be formed for the purpose of (1) seeking and evaluating competitive proposals from financial organizations and administrative agencies who wish to manage the Town of Clarkstown's Deferred Compensation Plan, (2) evaluating and adopting any changes to the Model Deferred Compensation Plan for employees of the Town of Clarkstown and (3) determining whether an employee's application to withdraw money from the Deferred Compensation Plan is a hardship due to an unforeseeable emergency;

NOW, THEREFORE, be it

RESOLVED, that the following persons are hereby appointed to the position of member of the Deferred Compensation Committee, to serve without compensation, for a period of two (2) years:

- Frances Hunt, Employee Benefits Clerk
- Edward Duer, Comptroller, who is to serve as Chairman of the Committee
- Kenneth Seltman, Finance Director
- Jeffrey Wanamaker, Police Officer
- Edward J. Lettre, Clerk of the Works
- Paul K. Schofield, Deputy Town Attorney
- Rita Maklin, Principal Clerk Steno/DEC

On roll call the vote was as follows

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

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RESOLUTION NO. (18-2007)  
Co. Nowicki offered and Co. Lasker seconded

RESOLUTION APPOINTING MEMBERS TO DEFERRED COMPENSATION HARDSHIP COMMITTEE

RESOLVED, that the following persons are hereby appointed to the position of member of the Deferred Compensation Hardship Committee, to serve without compensation, for the purpose of determining whether an employee's application to withdraw money from the Deferred Compensation Plan is a hardship due to an unforeseeable emergency:

- Frances Hunt, Employee Benefits Clerk
- Edward Duer, Comptroller, who is to serve as Chairman of the Committee
- Kenneth Seltman, Finance Director
- Jeffrey Wanamaker, Police Officer
- Edward J. Lettre, Clerk of the Works
- Paul K. Schofield, Deputy Town Attorney
- Rita Maklin, Principal Clerk Steno/DEC

On roll call the vote was as follows

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

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RESOLUTION NO. (19-2007)  
Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that the following are hereby reappointed to the Clarkstown Citizens Advisory Board for the allocation of 2007 Community Development Funds:

- Daniel Moscato  
6 Wyndham Court  
Nanuet, New York 10954
- Ida Grigsby  
22 Towt Street  
Central Nyack, New York 10960
- Voncile Oliver  
19 Westly Road  
Congers, New York 10920

On roll call the vote was as follows

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

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RESOLUTION NO. (20-2007)  
Co. Mandia offered and Co. Nowicki seconded

RESOLVED, that the resignation of Philip Degaetano, 36 Sharon Drive, New City, New York - Member – Alarm Users Review Board – is hereby accepted – effective and retroactive to December 31, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (21-2007)  
Co. Mandia offered and Co. Nowicki seconded

RESOLVED, that Donald H. Ritch, 6 Nottingham Court, Nanuet, New York, is hereby appointed to the position of Member – Alarm Users Review Board - (to fill the unexpired term of Philip Degaetano) – at the current 2007 annual salary of \$1,000., - term effective and retroactive to January 1, 2007 and to expire on March 20, 2008.

On roll call the vote was as follows

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

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RESOLUTION NO. (22-2007)

Co. Nowicki offered and Co. Lasker seconded

RESOLVED, that the following are hereby reappointed to the position of Member – Historical Review Board – term effective and retroactive to January 1, 2007 and to expire on December 31, 2007 –at the current 2007 annual salary of \$1,800.

- Christopher Carey 142 Pine View Avenue, Bardonia, NY
- Teresa Cooper 90 Cairnsmuir Lane, New City, NY
- Philip Degaetano 36 Sharon Drive, New City, NY (Appointed)
- Lawrence Kigler 25 Roberts Road, New City, NY
- Robert Knight 18 Gilchrest Rd., Congers, NY
- (Historian)
- James Palmer 5 White Birch Court, New City, NY
- Arleen Whittaker 16 Renee Lane, Bardonia, NY

On roll call the vote was as follows

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

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RESOLUTION NO. (23-2007)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the following are hereby reappointed to the position of Member – Civilian Complaint Review Board – to serve without compensation – term effective and retroactive to January 1, 2007 and to expire on December 31, 2008.

- Ronald M. Winer Louis Alpert
- P.O. Box 97 419 Maple Avenue
- 71 Rolling Ridge Road Upper Nyack, New York
- New City, New York
  
- James R. Freeman, Jr. Joel Epstein
- 587 Svahn Drive 99 Bardonia Road
- Valley Cottage, New York Bardonia, New York
  
- Charles H. Butler
- 6 Foxcroft Drive
- Nanuet, 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

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RESOLUTION NO. (24-2007)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that Cora Bodkin, 7 Bellwood Drive, New City, New York, is hereby reappointed to the position of Chairman – Architecture and Landscape Commission – with an annual salary for the year 2007 of \$3,250., – with such appointment to be effective January 1, 2007 and to expire at 12:01 A.M. on January 1, 2008, and be it, FURTHER RESOLVED, that Cora Bodkin, as Chairman of the Architecture and Landscape Commission, shall be responsible for familiarizing all Architecture and Landscape Commission Members with the following provisions of the Town Code: Chapter 18 – Code of Ethics, and be it, FURTHER RESOLVED, that the Town Clerk is directed to forward a copy of this resolution to Cora Bodkin at her home address.

On roll call the vote was as follows

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

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RESOLUTION NO. (25-2007)

Co. Nowicki offered and Co. Mandia seconded

RESOLVED, that Edward J. Lettre, 3 Amethyst Court, West Nyack, New York, is hereby appointed to the position of Vice-Chairman – Architecture and Landscape Commission – with an annual salary for the year 2007 of \$1,200., – with such appointment to be effective January 1, 2007 and to expire at 12:01 A.M. on January 1, 2008.

RESOLUTION NO. (25-2007) continued

On roll call the vote was as follows

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

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RESOLUTION NO. (26-2007)

Co. Mandia offered and Co. Lasker seconded

RESOLVED, that Gaetano U. Massa, 4 Germonds Road, New City, New York, is hereby appointed to the position of Vice-Chairman – Zoning Board of Appeals – with an annual salary for the year 2007 of \$1,200., – with such appointment to be effective January 1, 2007 and to expire at 12:01 A.M. on January 1, 2008.

On roll call the vote was as follows

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

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RESOLUTION NO. (27-2007)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that Shirley J. Thormann, 604 Gateway, Valley Cottage, New York, is hereby reappointed to the position of Chairman – Planning Board – with an annual salary for the year 2007 of \$10,700., - with such appointment to be effective January 1, 2007 and to expire at 12:01 A.M. on January 1, 2008, and be it, FURTHER RESOLVED, that Shirley J. Thormann, as Chairman of the Planning Board, shall be responsible for familiarizing all Planning Board Members with the following provisions of the Town Code:

Chapter 18 – Code of Ethics and

Chapter 42 – Certification of Board of Appeals & Planning Board Members, and be it,

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

On roll call the vote was as follows

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

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RESOLUTION NO. (28-2007)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Rudolph Yacyshyn, 48 Washington Circle, New City, New York, is hereby reappointed to the position of Member – Planning Board – at the current 2007 annual salary of \$6,800., term effective January 3, 2007 and to expire on January 2, 2014.

On roll call the vote was as follows

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

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RESOLUTION NO. (29-2007)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that George Nugent, 107 Lake Road, Valley Cottage, New York, is hereby reappointed to the position of Chairman – Sanitation Commission – with an annual salary for the year 2007 of \$600.00., – with such appointment to be effective January 1, 2007 and to expire at 12:01 A.M. on January 1, 2008, and be it, FURTHER RESOLVED, that George Nugent, as Chairman of the Sanitation Commission, shall be responsible for familiarizing all Sanitation Commission Members with the following provisions of the Town Code:

Chapter 18 – Code of Ethics, and be it,

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

On roll call the vote was as follows

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

RESOLUTION NO. (30-2007)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Keith I. Braunfotel, 12 Balmoral Drive, New City, New York is hereby reappointed to the position of Member – Sanitation Commission – at the current 2007 annual salary of \$3,200., term effective and retroactive to January 1, 2007 and to expire on December 31, 2011.

On roll call the vote was as follows

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

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Valley Cottage Fire Engine Co. #1 Chaplain Richard W. Bower gave the closing blessing and the Clarkstown Police Honor Guard retired the colors.

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There being no further business and no one wishing to be heard, the Town Board Meeting was closed, time 9:10 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk