

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall 3/11/08 8:00 P.M.

Present: Supervisor Alexander J. Gromack  
Council Members John Maloney, Shirley Lasker, & Frank Borelli  
Amy Mele, Town Attorney  
David Carlucci, Town Clerk

Absent: Councilman Ralph Mandia

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

POLICE YOUTH ACADEMY GRADUATION: The Clarkstown Police Department honored the graduates of the 2007 fall youth academy class. The youth academy was started several years ago so local high school students could have an opportunity to understand the training of police officers and introduce them to the various areas of the criminal justice system. The success of this program can be seen as several hundred students have attended the academy. The graduates received their certificates from Chief Peter Noonan, Sgt. Nick Lafasciano and the school resource officers representing the area high schools. The graduates are as follows:

Nyack High School—School Resource Officer—P.O. Michael Mahoney

Students:

Maurice Eley Paul Marino  
Steven Maldonado Matt Reynolds

Nanuet High School—School Resource Officer—P.O. Douglas Arbucu

Students:

Kyle Curato Michael Pakidis  
Grant Ginder Neal Thomas  
John Morato

Clarkstown South High School—School Resource Officer—P.O. Chris Maloney

Students:

Kristen Fasolino Matthew Pragdat  
Jesse Lender David O’Sullivan  
Christian Luce Frankie Salerno

Clarkstown North High School—School Resource Officer—P.O. Matthew Barry

Students:

Ryan Byrnes Bari Rosenfeld  
Adam Fliegel Timothy Sadrakula  
Carly Garbatow Lindsay Sanderson  
Mike Glennon Lindsay Werner  
Anthony Parrella

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Public Hearing #1 re: Request of Cambridge Press for special permit to allow for general warehouse & distribution uses. On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:13 P.M. On motion of Co. Maloney, seconded by Co. Lasker, the public hearing was closed 8:38 P.M. On motion of Co. Lasker, seconded by Co. Maloney, application for special permit was unanimously denied. RESOLUTION NO. (133-2008)

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Public Hearing #2 re: Proposed local law amending Ch. 290 (Zoning) of the Zoning Local Law Re: “Temporary Event Permit” On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:39 P.M. On motion of Co. Maloney, seconded by Co. Lasker, the public hearing was closed 8:44 P.M. On motion of Co. Lasker, seconded by Co. Maloney, RESOLUTION NO. (134-2008) was unanimously adopted.

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Public Hearing #3 re: Continuation of Chapter 111 Proceedings (Unsafe Buildings), 560 Mountainview Avenue, Valley Cottage. On motion of Co. Maloney, seconded by Co. Lasker, hearing opened 8:45 P.M. On motion of Co. Maloney, seconded by Co. Borelli, and unanimously adopted, the public hearing was continued to April 15, 2008. RESOLUTION NO. (135-2008)

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Public Hearing #4 re: Chapter 111 Proceedings (Unsafe Buildings), 8 Red Rock Road, New City. On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:52 P.M. On motion of Co. Lasker, seconded by Co. Maloney, and unanimously adopted, the public hearing was continued to April 15, 2008. RESOLUTION NO. (136-2008)

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Supervisor opened the meeting to public comments regarding agenda items.

Philip Bosco- West Nyack

Regarding agenda item #24 (res. no. 192-2008), asked why we are doing this?

Amy Mele- Town Attorney

Regarding agenda item #24 (res. no. 192-2008), stated this is intended to incentivize public utilities to keep land forever green.

Co. Lasker

Regarding agenda item #24 (res. no. 192-2008), stated the Town Board is doing this to the land from being built on.

Bob Dillon- New City

Regarding agenda item #24 (res. no. 192-2008), asked if, through the Comprehensive Plan, the property could be rezoned so that the land could not be developed?

Amy Mele- Town Attorney

Regarding agenda item #24 (res. no. 192-2008), stated it could be considered, but would need to look into it further, prior to recommending.

Joe Simoes- Town Planner

Regarding agenda item #24 (res. no. 192-2008), stated we can look at this for the Comprehensive Plan.

Bob Dillon- New City

Regarding agenda item #24 (res. no. 192-2008), asked the Town Board to enter into negotiations with United Water to make sure this land stays as part of the water shed.

Robert Fellows- Valley Cottage

Regarding agenda item #24 (res. no. 192-2008), asked if the area discussed is specific to Lake Deforest? Complained about the amount of garbage that is on Old Mill Road on Lake Deforest and asked if this resolution makes United Water responsible to clean up garbage?

Amy Mele- Town Attorney

Regarding agenda item #24 (res. no. 192-2008), stated the easement does pertain to Lake Deforest, but it does not require United Water to pick up garbage. However, there are other codes that can enforce this.

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RESOLUTION NO. (133-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION DENYING APPLICATION OF CAMBRIDGE UNIVERSITY PRESS FOR A SPECIAL PERMIT

WHEREAS, CAMBRIDGE UNIVERSITY PRESS has petitioned the Town Board of the Town of Clarkstown for a Special Permit to allow for general warehouse and distribution uses subject to certain conditions, pursuant to the provisions of the Zoning Local Law of the Town of Clarkstown, Section 290-11A, LO District, Table 8, Column 3, Item B-8, for property located at 100 Brook Hill Drive, West Nyack, New York, which property is designated on the Clarkstown Tax Map as Map 64.7-1-10, and

WHEREAS, the Town Board held a public on March 11, 2008, pursuant to law, and

WHEREAS, by Resolution adopted on January 22, 2008 the Town Board referred the application to the Clarkstown Planning Board for review and recommendation, and

WHEREAS, the Planning Board reviewed the application and requested certain information from the applicant, which information was not provided to the Town and, therefore, the Planning Board could not submit a recommendation to the Town Board on this matter;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby denies the petition of CAMBRIDGE UNIVERSITY PRESS for a Special Permit to allow for general warehouse and distribution uses, based on the Planning Board's inability to make recommendations to the Town Board due to lack of information by the applicant.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (134-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 1 – 2008

WHEREAS, a proposed local law entitled,

“A LOCAL LAW AMENDING CHAPTER 290 OF THE ZONING LOCAL LAW OF THE TOWN OF CLARKSTOWN” was introduced by Councilman Frank Borelli, at a Town Board meeting held on February 12, 2008, which law would amend Sections 290-3B and 290-17 to permit applicants to request temporary event permits subject to certain conditions, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on February 12, 2008, directed that a public hearing be held on March 11, 2008, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on February 25, 2008, and

WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown on March 11, 2008, and

WHEREAS, the Town Board referred the proposed local law to the Town of Clarkstown Planning Board pursuant to Chapter 290-33 and to the Rockland County Planning Department pursuant to GML Section 239 l and m, and

WHEREAS, the Rockland County Planning Department recommended approval by letter dated March 6, 2008, and

RESOLUTION NO. (134-2008) continued

WHEREAS, the Town of Clarkstown Planning Board, by memo dated March 5, 2008, recommended approval of the proposed local law, 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 February 6, 2008, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the report dated March 6, 2008 prepared by Robert Geneslaw, Planning Consultant, pursuant to SEQRA, and which the Board has discussed and considered in making its decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the March 6, 2008 report of Robert Geneslaw, acting as staff to the Town Board as lead agency, it is hereby determined that the proposed action is a Type II action under SEQRA, and shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that Local Law No. 1 – 2008, entitled:

“A LOCAL LAW AMENDING CHAPTER 290 OF THE ZONING LOCAL LAW 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
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . 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, and be it

FURTHER RESOLVED, that the Building Inspector shall, where appropriate, place reasonable restrictions on the issuance of such permits addressing the issues raised in the March 6, 2008 SEQRA report by Robert Geneslaw, including but not limited to size or intensity of use, sound amplification, traffic generation, need for traffic control personnel, portable sanitary facilities, food services and vending, hours of operation, lightning, emergency services and maximum attendance.

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RESOLUTION NO. (135-2008)

Co. Maloney offered and Co. Borelli seconded

RESOLUTION CONTINUING CHAPTER 111 PUBLIC HEARING (544-560 MOUNTAINVIEW AVENUE, VALLEY COTTAGE – 59.11-2-37.1-37.7)

RESOLVED, that the public hearing held by the Town Board on October 23, 2007 and continued on March 11, 2008 pursuant to Chapter 111-5 of the Code of the Town of Clarkstown regarding premises located at 544-560 Mountainview Avenue, Valley Cottage, New York (Tax Map designation 59.11-2-37.1 – 37.7) is hereby continued to April 15, 2008, and be it

FURTHER RESOLVED, that based upon the report and recommendation by the Building Inspector to the Town Board at the March 11, 2008 public hearing of the continued unsafe nature of the premises and the need to further secure the premises, the Building Inspector is hereby directed to secure bids to further secure said premises.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (136-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION CONTINUING CHAPTER 111 PUBLIC HEARING (8 RED ROCK ROAD, NEW CITY – 33.16-2-18)

RESOLVED, that the public hearing held by the Town Board on March 11, 2008 pursuant to Chapter 111-5 of the Code of the Town of Clarkstown regarding premises located at 8 Red Rock Road, New City, New York (Tax Map designation 33.16-2-18) is hereby continued to April 15, 2008, and be it

FURTHER RESOLVED, that based upon the report and recommendation by the Building Inspector to the Town Board at the March 11, 2008 public hearing of the continued unsafe nature of the building and the need to demolish the building, the Building Inspector is hereby directed to secure bids to demolish said building.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (137-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of February 12, 2008 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (138-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF NEW YORK, OFFICE OF CYBER SECURITY AND CRITICAL INFRASTRUCTURE COORDINATION

WHEREAS, the State of New York Office of Cyber Security and Critical Infrastructure Coordination, which is responsible for planning and coordinating Geographic Information Systems (GIS), has submitted an agreement to the Town of Clarkstown regarding cooperative data sharing, and

WHEREAS, the State established an initiative to create a framework and criteria for the development of a Statewide GIS Program, and

WHEREAS, the Director of Automated Systems has recommended that the Town enter into the Data Sharing Agreement;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the State of New York, in a form approved by the Town Attorney.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (139-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AMENDED AGREEMENT WITH THE COUNTY OF ROCKLAND CONCERNING CAMERA SURVEILLANCE AT THE EXIT 14 PARK AND RIDE LOT, AND UPGRADE OF EXISTING CAMERA MONITORING SYSTEM

Whereas, the County of Rockland, through its Department of Public Transportation, and the Town of Clarkstown, wish to extend an agreement which was executed on October 1, 2003 and amended thereafter, providing for camera surveillance at the Exit 14 Park, and to upgrade the existing camera monitoring system, and

WHEREAS, the County of Rockland had appropriated the necessary funds for said project for the extended period through December 31, 2008, with no increase in the total funding of \$400,000.00, with all terms and conditions in the original agreement to remain in full force and effect;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into such amended agreement with the County of Rockland, in a form approved by the Town Attorney, for the period terminating December 31, 2008, to provide service to the County of Rockland to implement camera surveillance at the Exit 14 Park and Ride Lot, and to upgrade existing camera monitoring system, and be it

FURTHER RESOLVED, that the County of Rockland agrees to reimburse the Town of Clarkstown for said work in a sum not to exceed the total sum of \$400,000.00.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (140-2008)  
Co. Maloney offered and Co. Lasker seconded

AGREEMENT WITH THE COUNTY OF ROCKLAND TO PROVIDE MAINTENANCE AND UPKEEP TO CERTAIN PARK AND RIDE LOTS

Whereas, the County of Rockland, through its Department of Public Transportation, is desirous of entering into an agreement with the Town of Clarkstown for maintenance and upkeep of park and ride lots located at:

RESOLUTION NO. (140-2008) continued

- 1. Exit 12 – Lot 1
- 2. Exit 12 – Lot 2
- 3. Exit 14 – East Lot
- 4. Exit 14 – West Lot
- 5. Exit 14 – North Lot
- 6. Nanuet Railroad Station – Lot 1
- 7. Nanuet Railroad Station – Lot 2
- 8. North Middletown Road
- 9. Smith Street
- 10. Middletown Road Park and Ride

and

WHEREAS, the County of Rockland agrees to pay the Town the sum of \$240,000.00 in connection with maintenance of the park and ride lots;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into such agreement with the County of Rockland, in a form approved by the Town Attorney, for the period January 1, 2008 and terminating December 31, 2008, to provide maintenance and upkeep of park and ride lots located at sites referred to herein, and be it

FURTHER RESOLVED, that the County of Rockland agrees to reimburse the Town of Clarkstown for said work in a sum not to exceed \$240,000.00.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (141-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE TOWN OF RAMAPO TO PROVIDE FOR THE USE OF SPOOK ROCK GOLF COURSE BY CLARKSTOWN RESIDENTS

WHEREAS, the Town of Ramapo operates a municipal golf course known as the Spook Rock Golf Course, and WHEREAS, the Town of Clarkstown has requested that Clarkstown residents be granted the opportunity to use the golf course, and

WHEREAS, the Town of Ramapo has submitted an agreement to the Town of Clarkstown which provides for the use of its Spook Rock Golf Course to Clarkstown residents at discount rates;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into an agreement with the Town of Ramapo, in a form approved by the Town Attorney, for use of the Town of Ramapo’s Spook Rock Golf Course to Clarkstown residents at discount rates, for the period January 1, 2008 through December 31, 2008.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (142-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR IMPLEMENTING A TOWN PROGRAM THAT WILL PROMOTE CONTROL OF THE CANADIAN GEESE POPULATION

WHEREAS, the Town of Clarkstown has in the past participated in a non-lethal control study with USDA Wildlife Services and Cornell University to gather data and document changes in distribution and migratory habits of resident Canadian Geese in Rockland County, New York; and

WHEREAS, the study, among other things, utilized egg addling, banding of nesting and molting birds for the purpose of providing data which may be useful in efforts to promote control of the geese population; and

WHEREAS, the New York State Department of Environmental Conservation is not continuing the program for the calendar year 2008, but the USDA Wildlife Services has granted a License to the Town of Clarkstown for implementing its own Town program which is to be in compliance with all State and Federal regulations; and

WHEREAS, a proposal for the 2008 Canadian Geese Program has been received from Nuisance Wildlife Control Agents by Thomas Maglaras, and his past programs have been most successful, and the proposed fee is found to be reasonable along past year's proposals,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with wildlife control specialist Thomas Maglaras, satisfactory to the Town Attorney, to implement a Town program for the control of the Canadian Geese population during 2008, including a License Agreement with United Water New York Inc. to enter upon its property during implementation of the program, and to take all steps necessary for the Town of Clarkstown to comply with all applicable State and Federal regulations; and be it

FURTHER RESOLVED, that all reasonable expenses in connection with the use of a wildlife control specialist to

RESOLUTION NO. (142-2008) continued

carry out the Town of Clarkstown program shall not exceed \$10,200.00 and shall be charged to Account No. A-8090-409-0.

On roll call the vote was as follows

Co. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Ralph F. Mandia. . . . .	Absent
Co. Borelli... . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (143-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING AGREEMENT FOR SUPPLEMENTAL GOLD SUPPORT TO VANGUARD SOFTWARE MAINTENANCE AGREEMENT

RESOLUTION NO. (143-2008) continued

WHEREAS, the Town Board of the Town of Clarkstown ("Town") has previously authorized the Supervisor of the Town to direct the Director of Automated Systems to purchase a document imaging program ("program") from Vanguard Systems, Inc., Resolution No. 112-2007, adopted on February 13, 2007, and

WHEREAS, there is a new service ("Gold Support") that was unavailable to the Town at the time of purchase of the aforementioned program, which incorporates three (3) onsite support visits each year and which will assist the Town in administrating the program, and

WHEREAS, the cost of the said program is \$2,500.00 per year, and

WHEREAS, Robert Stritmater, Director of Automated Systems, has recommended that the Town purchase the program,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into an agreement for the aforesaid supplemental Gold Support Agreement with Vanguard Systems, Inc., and be it

FURTHER RESOLVED, that the cost of the program shall not exceed \$2,500.00, and be it

FURTHER RESOLVED, that the said purchase shall constitute a proper charge to Account Number H 8758-409-0-82-4.

On roll call the vote was as follows

Co. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Ralph F. Mandia. . . . .	Absent
Co. Borelli... . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (144-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A INTER-MUNICIPAL AGREEMENT WITH THE COUNTY OF ROCKLAND, ON BEHALF OF THE ROCKLAND COUNTY SEWER DISTRICT NO. 1 (RCSD#1, CONCERNING RELOCATION OF SEWER INTERCEPTOR AT CONGERS LAKE

WHEREAS, the Town of Clarkstown (Recreation and Parks Department) is constructing an earthen dam and trailway over Rockland County Sewer District No. 1's Congers Lake interceptor, and

WHEREAS, after review of the plans by the Rockland County Sewer District staff, it was determined that it would be in the best interest of the Sewer District to relocate the interceptor approximately 490 feet to within the pavement on Gilchrest Road, and

WHEREAS, the Town will prepare the plans and specifications for relocating the Congers Lake Interceptor in accordance with the Sewer District's requirements and grant the necessary easement for the Sewer District to maintain the sewer, and the Sewer District shall reimburse the Town in the amount equal to the cost of said relocation, not to exceed \$400,000 without further authorization from the Sewer District;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into an agreement with the County of Rockland (through the Rockland County Sewer District No.1), in a form approved by the Town Attorney, for the Town to provide plans and specifications for relocating the Congers Lake Interceptor in accordance with the Sewer District's request, and be it

FURTHER RESOLVED, that the County of Rockland shall reimburse the Town of Clarkstown for performing said work, which amount shall not exceed \$400,000.00 without further authorization from the Sewer District.

On roll call the vote was as follows

Co. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Ralph F. Mandia. . . . .	Absent
Co. Borelli... . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (145-2008)  
Co. Lasker offered and Co. Maloney seconded

RESOLUTION ACCEPTING PROPOSAL OF CLG FINANCIAL WITH RESPECT TO INSURANCE  
COVERAGE OF THE MINI-TRANS BUS SYSTEM OF THE TOWN OF CLARKSTOWN

RESOLVED, that at the recommendation of Robert S. Berdy, Insurance and Claims Manager, the Supervisor is hereby authorized to purchase through CLG Financial insurance coverage for the Mini-Trans bus system of the Town of Clarkstown, including Automobile Liability, Automobile Physical Damage Coverage, and Automobile Excess Liability Coverage, for a period of one year, commencing March 14, 2008 and expiring March 14, 2009, and be it

FURTHER RESOLVED, that the cost of insurance policies shall not exceed \$121,521.00 to be charged to Account No. CS 1910-420.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (146-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH BEHAN PLANNING  
ASSOCIATES, LLC, TO PROVIDE SERVICES WITH RESPECT TO REVIEW OF PETITIONS FOR THE AAR DISTRICT

WHEREAS, the Town Board has received several petitions from developers seeking a change of zone for their properties to the newly enacted AAR District, and

WHEREAS, the Town wishes to have the petitions reviewed by Behan Planning Associates, LLC;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a contract with Behan Planning Associates, LLC, in a form approved by the Town Attorney, to provide professional planning services with respect to review of petitions for the AAR District, and be it

FURTHER RESOLVED, that the AAR petitioners shall each provide the Town with escrow in the initial amount of \$5,000 to cover the cost of such reviews, and be it

FURTHER RESOLVED, that payment for Behan Planning Associates' review shall be deducted from the appropriate escrow accounts being held by the Town.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (147-2008)  
Co. Lasker offered and Co. Maloney seconded

RESOLUTION ACCEPTING DEED FOR OPEN SPACE, EASEMENT AND RIGHT OF ENTRY UPON  
EASEMENTS (LITTLE TOR HOMES SUBDIVISION – 34.17-1-1)

WHEREAS, in accordance with the requirements of the Planning Board and as a condition of final subdivision approval by the Planning Board with regard to a subdivision known as "LITTLE TOR HOMES" (34.17-1-1), Joy Builders, Inc. has offered conveyance of a Deed for open space, sewer and drainage easement and right of entry upon easements to the Town of Clarkstown pertaining to lots 1, 4, 5, 8, 13, 55, 57, 58, 59 and 60, and

WHEREAS, the Deputy Director of the Department of Environmental Control has recommended acceptance and recording of said Deed and the Town Attorney has advised that said Deed meets the requirements of the Planning Board and is in recordable form;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the Deed from Joy Builders, Inc. and orders same recorded in the Rockland County Clerk's Office at the expense of the grantor.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (148-2008)  
Co. Lasker offered and Co. Maloney seconded

RESOLUTION ACCEPTING DEED FOR OPEN SPACE, EASEMENT AND RIGHT OF ENTRY UPON  
EASEMENTS (HIGHLAND VISTA ESTATES SUBDIVISION - 33.20-2-8)

WHEREAS, in accordance with the requirements of the Planning Board and as a condition of final subdivision approval by the Planning Board with regard to a subdivision known as " HIGHLAND VISTA ESTATES " (33.20-2-8), Joy Builders, Inc. has offered conveyance of a Deed for open space, sewer and drainage easement and right of entry upon easements to the Town of Clarkstown pertaining to lots 1, 2, 12, 13, 23, 24, 25 and 26, and WHEREAS, the Deputy Director of the Department of Environmental Control has recommended acceptance and recording of said Deed and the Town Attorney has advised that said Deed meets the requirements of the Planning Board and is in recordable form;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the Deed from Joy Builders, Inc. and orders same recorded in the Rockland County Clerk's Office at the expense of the grantor.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli... . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (149-2008)  
Co. Maloney offered and Co. Borelli seconded

WHEREAS, the New City Chamber of Commerce has requested use of the Town of Clarkstown showmobile on Sunday, September 21, 2008 for the 7th Annual New City Festival,

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to New City Chamber of Commerce to use the Town of Clarkstown showmobile on September 21, 2008 for the above purpose and subject to the provision of the necessary insurance policies,

FURTHER RESOLVED, that the Town Board hereby waives the fee for the use of the Town of Clarkstown Showmobile.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli... . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (150-2008)  
Co. Maloney offered and Co. Borelli seconded

WHEREAS, the India Cultural Society of Rockland has requested use of the town of Clarkstown showmobile on Sunday, August 10, 2008 for a cultural show.

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the India Cultural Society of Rockland to use the Town of Clarkstown showmobile on August 10, 2008 for the above purpose and subject to the provision of the necessary insurance policies.

FURTHER RESOLVED, that the Town Board hereby waives the fee for the use of Town of Clarkstown showmobile.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli... . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (151-2008)  
Co. Maloney offered and Co. Lasker 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 "School Child Walking" sign (see sec. 236.1, a W6-1 sign of the NYS DOT Manual of Uniform Traffic Control Devices) to be erected South of the Lakewood Elementary School (approximately ¼ mile) on the eastside of Lakeland Avenue, Congers, NY  
and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward a copy of this resolution to the

RESOLUTION NO. (151-2008) continued  
Superintendent of Highways, Wayne Ballard, for implementation.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (152-2008)  
Co. Maloney offered and Co. Lasker 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 Anytime" signs with single-headed arrows (see Sec. 221.4 (c) (3) signs as per the NYS DOT Manual of Uniform Control Devices) on the south side of Lake Road from the west edge of the crosswalk a distance of one parking space in front of tax map 44.15-3-38 (61 Lake Road, Congers, NY). These signs will eliminate one parking space;  
and be it

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

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (153-2008)  
Co. Maloney offered and Co. Lasker 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:

Pedestrian crossing signs (see sec. 235.1, W5-1 signs of the NYS Manual of Uniform Traffic Control Devices) on Lake Road, Congers in front of tax maps 44.15-3-38 and 44.15-3-24. The first on the southside of Lake Road before the crosswalk. The second on the northside of Lake Road before the crosswalk.

Also, erect W5-2 signs at the crosswalk on both the north and south sides of Congers Road, Congers.  
and be it

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

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (154-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AMENDING RESOLUTION NO. 120-2008 (HIDDEN RIDGE II SUBDIVISION)

WHEREAS, by Resolution No. 120-2008, adopted by the Town Board on February 12, 2008, the Town Board accepted the roads and improvements in the Hidden Ridge II Subdivision, identified as Tax Map 44.17-1-40; NOW, THEREFORE, be it

RESOLVED, that Resolution No. 120-2008 is hereby amended to add the following paragraph:

"FURTHER RESOLVED, that the Performance Bond for public improvements furnished to the Town by Western LLC, secured by Letter of Credit No. 2092 containing the sum of \$43,755 may be released, subject to the receipt of the Maintenance Guaranty."

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (155-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AMENDING RESOLUTION #451-2007, AUTHORIZING THE SUPERVISOR TO ENTER INTO  
A RENEWAL AGREEMENT CONCERNING TOWN OF CLARKSTOWN "ADOPT-A-ROAD" PROGRAM

WHEREAS, Resolution #451- 2007 authorized the Supervisor to enter into a renewal agreement with Washington Mutual Bank to adopt two segments of Town roadways from July 19, 2007 to July 19, 2009; and  
WHEREAS, a representative of Washington Mutual Bank has notified the Town that they will only be able to adopt one segment of Town roadway for this renewal period;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 451-2007 is hereby amended to provide that Washington Mutual Bank will adopt only one segment of Town roadway for its renewal period as follows:

Road: 1.03 mile segment of Parrot Road from Germonds Road to Brewery Road, West Nyack, New York;  
And be it further

RESOLVED, that this resolution shall be retroactive to July 19, 2007.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (156-2008)  
Co. Lasker offered and Co. Maloney seconded

WHEREAS, a resident of Blue Willow Lane, New City, in the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community; and  
WHEREAS, a survey of the surrounding property owners directly affected by this proposed lighting was conducted by the Department of Environmental Control; and

WHEREAS, the surrounding property owners have indicated that they are in accord with this proposed lighting;  
NOW, THEREFORE, BE IT RESOLVED, that the Town of Clarkstown hereby accepts a proposal from Orange & Rockland Utilities, Inc. for street lighting at the following location: Blue Willow Lane/Central Avenue, New City (Install one (1) – 70-watt- 5,800 sodium vapor street light on existing utility pole #59022/40938)

AND BE IT FURTHER RESOLVED, that the installation of this municipal street light shall be at no cost to the Town of Clarkstown, and that an annual charge for basic fuel delivery, which charge shall include maintenance of this street lighting equipment, will be at \$6.96 per month for each sodium vapor fixture, plus market supply charge, fuel adjustment charge, which shall be charged to Account #SL 5182 461.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (157-2008)  
Co. Borelli offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control, United Water New York is hereby authorized to install the following hydrants in conjunction with Hydrant Investigation No. 12399, NORTH GRANT AVENUE, CONGERS

X11053 – NORTH GRANT AVENUE, CONGERS

and be it,

FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to Mark Papenmeyer, Chief Fire Safety Inspector.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (158-2008) THIS NUMBER NOT USED  
RESOLUTION NO. (159-2008) THIS NUMBER NOT USED

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RESOLUTION NO. (160-2008)  
Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown has received \$8,218.77 in D.A.R.E. donations, \$17,000 from Nationwide Insurance Co., \$18,693 from Geico Ins., \$50,493.30 from County of Rockland Community Development and \$5,064 from Seized Property,

NOW THEREFORE BE IT,

RESOLVED, to increase Revenue Account A-01-9-2705-0 (General Fund-Gifts & Donations) and Expense Account A-3230-319-0 (D.A.R.E.-Misc Supplies) by \$8,218.77 and be it

FURTHER RESOLVED, to increase Revenue Account H-15-6-2680-0 (Capital-Insurance Recoveries) and Expense Account H-8758-409-0-82-29 (Capital Projects-Red Hill Rd Guide Rail Project) by \$35,693 and be it

FURTHER RESOLVED, to increase Revenue Account H-15-11-4995-0 (Capital-Federal Aid/Community Development) and Expense Account H-8751-409-0-75-14 (Capital Projects-Lawrence St. Drainage Project) by \$50,493.30 and be it

FURTHER RESOLVED, to increase Revenue Account A-01-10-3320-0 (Seized Property) and Expense Account A-3120-293-0 (Police-Law Enforcement Equipment) by \$5,064 and

WHEREAS, various expense accounts require additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease A-1010-409-0 (Councilmen-Fees for Services) and increase A-1010-201-0 (Councilmen-Furniture & Fixtures) by \$1,000.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (161-2008)  
Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING TOWN BOARD TO ACCEPT GIFT OF ROAD SALT

WHEREAS, Home Depot Store No. 1217 in West Nyack, New York, 10994 has offered to make a gift of two (2) tons (four thousand pounds) of road salt, valued at approximately \$1,250.00, to the Town of Clarkstown ("Town") at no cost to the Town, and

WHEREAS, Wayne Ballard, Superintendent of Highways has recommended that the Town accept said gift, and WHEREAS, Town Law § 64 (8) permits the Town Board to take and hold personal property by gift for any public use, upon such terms or conditions as may be prescribed by the grantor or donor and accepted by said town, and

WHEREAS, the road salt has already been delivered to the Town,

NOW THEREFORE, be it

RESOLVED that based upon the recommendation of the Superintendent of Highways, the Town is authorized to accept two (2) tons (four thousand pounds) of road salt at no cost to the Town from Home Depot Store No. 1217 in West Nyack, New York, 10994.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (162-2008)  
Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING REIMBURSEMENT TO ORANGE & ROCKLAND UTILITIES, INC. FOR OVERTIME EXPENSES INCURRED AS PART OF THE RELOCATION OF EXISTING UNDERGROUND ELECTRICAL SERVICES AT #4 AND #6 OLD LAKE ROAD AS PART OF THE VALLEY COTTAGE DOWNTOWN IMPROVEMENT PROJECT

Whereas, the Town Board of the Town of Clarkstown has previously, via resolution, authorized the incorporation of the costs of the relocation of existing underground electrical services at lots 59.06-3-71 (n/f 4 Old Lake Road Associates, LLC) and 59.06-3-72 (n/f 6 Old Lake Road Associates, LLC) on the north side of Old Lake Road in Valley Cottage as part of the budget for Bid #72-2005 Valley Cottage Downtown Improvement Project – Phase II: and

Whereas, as a condition of the right-of-entry agreement from the owner of said lots, the service relocation work had to be done on a Sunday; and

Whereas, said work was performed over a period of eight and one-half (8-1/2) hours on Sunday, December 9, 2007; and

Whereas, an agreement was made with Orange & Rockland Utilities, Inc. to reimburse the utility company for any overtime expenses associated with this work: and

Whereas, Orange & Rockland Utilities, Inc. has submitted an itemized invoice to the Department of Environmental Control in the amount of \$7,309.53 for expenses incurred as a result of this work;

Now, Therefore, Be It Resolved that the Town Board of the Town of Clarkstown authorizes Orange & Rockland Utilities, Inc. to be reimbursed in the amount of \$7,309.53 as per their invoice; and

Be It Further Resolved that the budget allowance for this project be increased to \$3,718,909.53 to reflect the cost of this change order on contract; and

Be It Further Resolved that this shall be a proper charge to account # H-5111-400-409-0-4-17.

RESOLUTION NO. (162-2008) continued

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (163-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE TEMPORARY INSTALLATION OF PROMOTIONAL SIGNAGE IN COOPERATION WITH THE ROCKLAND COUNTY DEPARTMENT OF HEALTH

WHEREAS, The Rockland County Department of Health (RCDOH) is promoting the 2008 Mosquito Dunk and Fathead Minnow Giveaway Program as a means to prevent mosquito breeding and the spread of mosquito borne illnesses, and

WHEREAS, the RCDOH has requested that temporary signs be installed in the Town for approximately three weeks in order to raise public awareness of this disease prevention program, and

WHEREAS, Town Code Chapter 173-3 (Littering & Posting) exempts the posting of public notices by Municipalities;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways or his designee to install approximately twenty temporary signs in the public Right of Way for the period from March 26, 2008 through April 14, 2008, after which time the signs will be removed and returned to the RCDOH.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (164-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION WAIVING THE NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR WAN & LEONG, INC. D/B/A SHO CHIKU JAPANESE RESTAURANT

WHEREAS, Rui Ru Yuen, President of Wan & Leong, Inc., d/b/a Sho Chiku Japanese Restaurant, has advised that she intends to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality. The establishment is located at 265 South Middletown Road, Nanuet, New York, and

WHEREAS, the notice required by Section 64-2(a) ABC Law may be waived by the Town Board, and

WHEREAS, the Clarkstown Town Board does not intend to comment upon the application referred to herein;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby waives the thirty day notice requirement contained in Section 64 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding the application of Rui Ru Yuen, President of Wan & Leong, Inc., d/b/a Sho Chiku Japanese Restaurant, for a liquor license at the premises referred to herein, and be it

FURTHER RESOLVED, that this Resolution is made retroactive to February 28, 2008.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (165-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that Charles Caselli- is hereby reappointed to the position of Member – Fire Board of Appeals – at the 2008 annual salary of \$1,050., - term effective March 12, 2008 and to expire on March 11, 2011.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

RESOLUTION NO. (166-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that John Fickes is hereby reappointed to the position of Member, Fire Boards of Appeals, at the 2008 annual salary of \$1,050., term effective and retroactive to February 28, 2008 and to expire on February 27, 2011.

On roll call the vote was as follows

Co. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Ralph F. Mandia. . . . .	Absent
Co. Borelli. . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (167-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that Edward Hewitt is hereby reappointed to the position of Member, Fire Boards of Appeals, at the 2008 annual salary of \$1,050., term effective and retroactive to February 28, 2008 and to expire on February 27, 2011.

On roll call the vote was as follows

Co. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Ralph F. Mandia. . . . .	Absent
Co. Borelli. . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (168-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that Arthur Smith is hereby reappointed to the position of Member – Fire Board of Appeals – at the 2008 annual salary of \$1,050., - term effective March 12, 2008 and to expire on March 11, 2011.

On roll call the vote was as follows

Co. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Ralph F. Mandia. . . . .	Absent
Co. Borelli. . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (169-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that Helena M. Walsh is hereby granted a (2nd) (Provisional) appointment to the position of Paralegal Specialist I (Municipal Law) – Office of the Town Attorney – at the annual2008 salary of \$60,875., effective and retroactive to March 10, 2008.

On roll call the vote was as follows

Co. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Ralph F. Mandia. . . . .	Absent
Co. Borelli. . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (170-2008)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #08050 (NCP/T&E) Chief Fire Safety Inspector II which contains the name of Mark R. Papenmeyer, NOW, therefore, be it

RESOLVED, that Mark R. Papenmeyer is hereby appointed to the (Permanent) position of Chief Fire Safety Inspector II – Building Department at the current 2008 annual salary of \$105,109., – effective and retroactive to March 3, 2008.

On roll call the vote was as follows

Co. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Ralph F. Mandia. . . . .	Absent
Co. Borelli. . . . .	Yes
Supervisor Gromack . . . . .	Yes

RESOLUTION NO. (171-2008)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Lynn A. Strenkert, has requested a leave of absence, without pay, and WHEREAS, Article XIX, Section I of the Town of Clarkstown Labor Agreement, provides for a leave of absence, without pay, NOW, therefore, be it

RESOLVED, that Lynn A. Strenkert, Motor Equipment Operator II – Solid Waste Facility – is hereby granted a six (6) month leave of absence, without pay, effective and retroactive to February 20, 2008 to August 20, 2008.

On roll call the vote was as follows

Co. Lasker . . . . . Yes
Co. Maloney . . . . . Yes
Ralph F. Mandia. . . . . Absent
Co. Borelli. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (172-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the resignation by (retirement) of Janet A. Vaccaro– Data Entry Operator I – Clarkstown Police Department – is hereby accepted effective and retroactive to February 28, 2008.

On roll call the vote was as follows

Co. Lasker . . . . . Yes
Co. Maloney . . . . . Yes
Ralph F. Mandia. . . . . Absent
Co. Borelli. . . . . Yes
Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (173-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the resignation (by retirement) of Christopher Palacios – Police Officer – Clarkstown Police Department – is hereby accepted – effective and retroactive to February 29, 2008.

On roll call the vote was as follows

Co. Lasker . . . . . Yes
Co. Maloney . . . . . Yes
Ralph F. Mandia. . . . . Absent
Co. Borelli. . . . . Yes
Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (174-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the resignation by (retirement) of Andrew McDonagh, Automotive Mechanic I & Body Repairer – Clarkstown Municipal Transportation Department - is hereby accepted – effective and retroactive to February 27, 2008.

On roll call the vote was as follows

Co. Lasker . . . . . Yes
Co. Maloney . . . . . Yes
Ralph F. Mandia. . . . . Absent
Co. Borelli. . . . . Yes
Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (175-2008)

Co. Borelli offered and Co. Lasker seconded

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

BID#15-2008 – FIVE (5) DUMP BODIES WITH SALT SPREADING AND LIQUID APPLICATION ATTACHMENT

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York \_\_\_\_\_ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Authorized Purchasing Agent.

On roll call the vote was as follows

Co. Lasker . . . . . Yes
Co. Maloney . . . . . Yes
Ralph F. Mandia. . . . . Absent
Co. Borelli. . . . . Yes
Supervisor Gromack . . . . . Yes

RESOLUTION NO. (176-2008)  
Co. Borelli offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:  
BID #17-2008 – ATHLETIC FIELD AND TURF MAINTENANCE  
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  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (177-2008)  
Co. Borelli offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:  
BID #18-2008 – GROUNDSKEEPING/LANDSCAPE SUPPLIES  
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  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (178-2008)  
Co. Borelli offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:  
BID#19-2008 – FIRST AID/SAFETY SUPPLIES  
Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York  
                     A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it  
FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the  
Clarkstown Authorized Purchasing Agent.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (179-2008)  
Co. Borelli offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:  
BID #20-2008 – NANUET HAMLET SIDEWALK EXTENSION PROJECT  
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  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (180-2008)  
Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney - Purchasing and the Project Engineer that

BID # 31-2007 – EMERGENCY COMMUNICATIONS TOWER AND SITE DEVELOPMENT  
is hereby awarded to: PROCOMM SYSTEMS, INC., 823 UNIONTOWN ROAD, PHILLIPSBURG, NJ 08865  
PRINCIPAL: CHARLES ANASTASIO, DANIEL M KIRLIN

as per their proposed project cost not to exceed \$382,925.00 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,
  - i. 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
- h) Evidence that the Contractor/Sub-contractor has entered into an Apprenticeship Agreement which has been registered with and approved by the NYS Commissioner of Labor in accordance with Article 23 of the New York Labor Law. The Town will consider the use of project labor agreements in Public Works Contracts involving multiple trades in furtherance of the Apprenticeship Policy

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 constitute a proper charge to account number H-8754-400-409-0-78-41 and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Ralph F. Mandia. . . . . Absent  
 Co. Borelli. . . . . Yes  
 Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (181-2008)  
Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney - Purchasing and the Director of the Department of Environmental Control that

BID #6-2008 – FANWOOD LANE DRAINAGE IMPROVEMENTS  
is hereby awarded to: WJL EQUITIES CORPORATION, 274 WHITE PLAINS ROAD, SUITE 7  
EASTCHESTER, NY 10709  
PRINCIPAL: DANIELLE BUENAVENTURA, PRESIDENT

as per their proposed project cost not to exceed \$44,500.00 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

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 this project shall constitute a proper charge to account number H-8759-400-409-0-83-1 and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Ralph F. Mandia. . . . . Absent  
 Co. Borelli. . . . . Yes  
 Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (182-2008)  
Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Superintendent of Recreation and Parks and the Deputy Town Attorney - Purchasing that

BID # 2-2008 – BUS TRANSPORTATION – SENIOR CITIZEN AND YOUTH

is hereby awarded as follows:

ITEM 1 – SUMMER DAY CAMP ROUTES: PETER BREGA, INC.  
P.O. BOX 152  
VALLEY COTTAGE, NY 10989

PRINCIPALS: RICHARD BREGA, PETER BREGA, ROBERT BREGA, DAVID BREGA

ITEM 2 – ONE DAY LOCAL TRIPS: PETER BREGA, INC.  
P.O. BOX 152  
VALLEY COTTAGE, NY 10989

PRINCIPALS: RICHARD BREGA, PETER BREGA, ROBERT BREGA, DAVID BREGA

ITEM 2 – ONE DAY LONG DISTANCE TRIPS: WORLD TOURING, 12 NICOLA LANE, NESCONSET, NY 11767  
as per the attached item/price schedule on file in the Purchasing Department and be it

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

- a. Certificate of Contractor’s Liability and Property Damage Coverage, including a Save Harmless Agreement
- b. Certificate of Automobile Liability Coverage
- c. Certificate of Worker’s Compensation Insurance Coverage
- d. Certificate of Worker’s Disability Insurance Coverage

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

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Ralph F. Mandia. . . . . Absent  
 Co. Borelli. . . . . Yes  
 Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (183-2008)  
Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI (JED 67 REALTY LLC – 43.15-1-40)

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, JED 67 Realty LLC v. Town of Clarkstown, (Municipal Corporation), its Assessor and Board of Assessment Review, Index Nos. 4672/05, 5187/06 and 5539/07, affecting parcel designated as Map 43.15, Block 1, Lot 40, and more commonly known as 67 North Main Street, New City, New York 10956 for the years 2005/06, 2006/07 and 2007/08, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceeding(s) and discontinue with prejudice pursuant to Section 727 of Real Property Tax Law of the State of New York and without costs on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Clarkstown Central School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner described on the assessment roll as Map 43.15, Block 1, Lot 40 be reduced for the year 2005/06 from \$1,288,000.00 to \$1,093,000.00 at a cost to the Town of \$3,534.88;
2. The assessment on the premises owned by the petitioner described on the assessment roll as Map 43.15, Block 1, Lot 40 be reduced for the year 2006/07 from \$1,288,000.00 to \$1,027,000.00 at a cost to the Town of \$4,860.68;
3. The assessment on the premises owned by the petitioner described on the assessment roll as Map 43.15, Block 1, Lot 40 be reduced for the year 2007/08 from \$1,288,000.00 to \$1,001,000.00 at a cost to the Town of \$5,974.06;
4. Reimbursement for the years 2005/06, 2006/07 and 2007/08 on the parcel described as Map 43.15, Block 1, Lot 40, as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;
5. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and Tax Certiorari Counsel for the Town of Clarkstown is authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Ralph F. Mandia. . . . . Absent  
 Co. Borelli. . . . . Yes  
 Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (184-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD REFERRING ZONE CHANGE PETITION OF EDEN PARK HOMES, AND AUTHORIZING SEQRA REVIEW BY TIM MILLER ASSOCIATES AND RESCINDING RESOLUTION NO. 424-2007

WHEREAS, the EDEN PARK HOMES LLC has submitted a petition to the Town Board of the Town of Clarkstown, requesting a change of zones from the R-15 and LO Districts to the AAR District for premises designated on the Clarkstown Tax Map as 64.7-1-8, located at 495 West Nyack Road, West Nyack, New York, to permit the construction of patio homes for active adults;

NOW, THEREFORE, be it

RESOLVED, that the petition is hereby referred to the Rockland County Commissioner of Planning, and the other municipalities and governmental bodies as required by Section 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, 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 Tim Miller Associates, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that Tim Miller Associates shall also review and report to the Town Board whether or not the proposed action, if approved shall be consistent with the Town of Clarkstown Comprehensive Plan, and be it

FURTHER RESOLVED, that the Town Attorney's Office is hereby directed to secure an escrow deposit in the amount of \$7,500.00, and the Comptroller's Office is hereby directed to deduct the Town's cost of Tim Miller's SEQRA review of the application from the escrow, and be it

FURTHER RESOLVED that Resolution NO. 424-2007, adopted June 19, 2007, is hereby rescinded.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (185-2008)  
Co. Lasker offered and Co. Borelli seconded

RESOLUTION SCHEDULING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING CHAPTER 246 (SITE PLAN REVIEW) OF THE CODE OF 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 AMENDING CHAPTER 246 (SITE PLAN REVIEW) OF THE CODE OF THE TOWN OF CLARKSTOWN," and

WHEREAS, the purpose of this local law is to allow the Town to charge a fee to cover the maintenance of retention basins;

NOW, THEREFORE, be it

RESOLVED, that the proposed local law be 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 Luke Kalarickal, 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, and be it

FURTHER RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held in the Auditorium of Clarkstown Town Hall, 10 Maple Avenue, New City, New York on May 13, 2008 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.

On roll call the vote was as follows

- Co. Lasker . . . . . Yes
- Co. Maloney . . . . . Yes
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (186-2008)  
Co. Lasker offered and Co. Borelli 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. will expire shortly, 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

RESOLUTION NO. (186-2008) continued

RESOLVED, the Town Board hereby schedules a public hearing on April 15, 2008, 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
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (187-2008)

Co. Lasker offered and Co. Borelli seconded

RESOLUTION SCHEDULING A PUBLIC HEARING CONCERNING REQUEST OF FRANCES BOWMAN, FOR USE OF TOWN LAW 280-a(4), OPEN DEVELOPMENT AREA, TO OBTAIN ACCESS TO PROPERTY – TAX MAP 43.14-1-41

WHEREAS, FRANCES BOWMAN has requested permission from the Town Board to apply Town Law 280-a(4) to create an Open Development Area so as to obtain access to premises located at 3 Murdock Road, New City, New York, designated as Map 43.14-1-41, for subdivision approval without use of planned Town roads, and

WHEREAS, and the Town Board desires to obtain public participation and comment prior to making a determination;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby schedules a public hearing for April 15, 2008, at 8:00 p.m., or as soon thereafter as possible, at the Town Hall Auditorium, 10 Maple Avenue, New City, New York, with respect to the application by Frances Bowman for permission to obtain access to premises known as Map 43.14-1-41, by right-of-way, pursuant to §280-a(4) of the Town Law of the State of New York, and be it

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

FURTHER RESOLVED, 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 Robert Geneslaw, Planning Consultant, 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
- Ralph F. Mandia. . . . . Absent
- Co. Borelli. . . . . Yes
- Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (188-2008)

Co. Lasker offered and Co. Borelli seconded

RESOLUTION REFERRING AND SETTING A PUBLIC HEARING REGARDING A PETITION FOR ROAD ABANDONMENT OF THE CONNECTOR ROAD FROM WESTERN HIGHWAY TO ROUTE 303

WHEREAS, an application has been made by Bradley Corporate Park that the Town Board and the Superintendent of Highways of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law to declare that a certain portion of a right-of-way as described in the metes and bounds description attached as Schedule "A," for the unimproved portion of the connector road from Western Highway to Route 303, West Nyack, New York, upon the grounds that same has never been used by the public and therefore may be deemed abandoned, and

WHEREAS, said road appears on the Official Map of the Town of Clarkstown and said applicant has further requested that such allegedly abandoned road be deleted from same, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider the determination of abandonment pursuant to Section 205 of the Highway Law and deletion from the Official Map of the Town of Clarkstown pursuant to Section 273 of the Town Law of said portion as described above;

NOW, THEREFORE, be it

RESOLVED, that a copy of this Resolution be referred to the Rockland County Commissioner of Planning and the Clarkstown Planning Board for their report and recommendation, and be it

FURTHER RESOLVED, 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 Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that the Superintendent of Highways is hereby requested to investigate the allegations contained in the petition of Bradley Corporate Park and to render his report to the Town Board pursuant to Highway Law Section 205 on or before April 4, 2008, and be it

FURTHER RESOLVED, that a public hearing shall be held in the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, on May 13, 2008, at 8:00 P.M., or as

RESOLUTION NO. (188-2008) continued

soon thereafter as possible, pursuant to Section 273 of the Town Law, to consider said application for abandonment pursuant to Section 205 of the Highway Law, and deletion of same from the Official Map pursuant to Section 273 of the Town Law, and be it

FURTHER RESOLVED, that the Town Attorney provide such notices to other municipalities as may be required by the General Municipal Law, and to prepare notice of such statutory 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, and be it

FURTHER RESOLVED, that the applicant shall fulfill the additional requirements of Section 290-33(C) of the Zoning Local Law of the Town of Clarkstown regarding the posting of additional notice of said public hearing and mailing of notice to property owners of record within five hundred feet of the affected property, and filing of its affidavit of compliance with the Town Clerk on or before May 9, 2008.

On roll call the vote was as follows

Co. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Ralph F. Mandia. . . . .	Absent
Co. Borelli. . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (189-2008)

Co. Lasker offered and Co. Borelli seconded

RESOLUTION REFERRING PROPOSED AMENDMENT OF THE ZONING LOCAL LAW OF THE CLARKSTOWN WITH RESPECT TO THE M ZONE

WHEREAS, the Town of Clarkstown has received a petition from Niles M. Davies, Janet M. Davies and Rockland Center for the Arts, for a text amendment to the Zoning Local law to allow social halls and cultural centers in the "M" District,

NOW, THEREFORE, be it

RESOLVED, that the attached petition of Niles M. Davies, Janet M. Davies and Rockland Center for the Arts, for a text amendment to the Zoning Local law to allow social halls and cultural centers in the "M" District, is hereby referred to the Clarkstown Planning Board for its review and recommendations, and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies 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, 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 Robert Geneslaw, Planning Consultant, 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
Ralph F. Mandia. . . . .	Absent
Co. Borelli. . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (190-2008)

Co. Borelli offered and Co. Lasker seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MARCH 11, 2008, AUTHORIZING THE INSTALLATION OF AN EMERGENCY COMMUNICATIONS TOWER, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$385,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$385,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to install an emergency communications tower, including related site development. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$385,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$385,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$385,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 25 of the Law, is ten (10) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or before such

RESOLUTION NO. (190-2008) continued

effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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

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

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

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

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

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

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Ralph F. Mandia. . . . . Absent  
 Co. Borelli. . . . . Yes  
 Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (191-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION ACCEPTING DEED FOR ROAD WIDENING NEW CITY GOSPEL FELLOWSHIP SITE PLAN (42.16-2-48 & 49)

WHEREAS, as a condition to the approval of the final map with regard to a site plan known as New City Gospel Fellowship (42.16-2-48 & 49), the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Buena Vista Road, New City, New York, and

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

RESOLVED, that upon the recommendation of the Deputy Director of the Department of Environmental Control of the Town of Clarkstown, deed dated January 25, 2008 from New City Gospel Fellowship, Inc. to the Town of Clarkstown, gratuitously conveying a strip of land along Buena Vista Road, New City, New York, is hereby accepted and ordered recorded in the Rockland County Clerk's Office at the expense of the grantor.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Ralph F. Mandia. . . . . Absent  
 Co. Borelli. . . . . Yes  
 Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (192-2008)  
Co. Lasker offered and Co. Maloney seconded

AUTHORIZING EXECUTION OF AMENDMENT TO DEED OF CONSERVATION EASEMENT ON LANDS OF UNITED WATER NEW YORK AND OF CORWICK REALTY, INC.

WHEREAS, in February, 2003, the Town Board authorized and the Town of Clarkstown acquired, a Deed of Conservation Easement (the Conservation Easement) with a one-year term, on undeveloped land of United Water New York and Corwick Realty, Inc. (Grantees) lying in the Hackensack River Basin in the Town of Clarkstown, except the submerged land of Lake DeForest (the Affected Land); and

WHEREAS in February, 2004, the Town Board extended the term of the Conservation Easement for two years; and WHEREAS in February, 2006, the Town Board again extended the term of the Conservation Easement for two years; and

WHEREAS the Town Board and the grantees are desirous of extending the Conservation Easement for an additional two years, and

WHEREAS the Town Board has previously determined that this is an unlisted, site-specific action that conforms with the conditions and thresholds established for such actions in the Generic Environmental Impact Statement for the Comprehensive Plan Update of 1999 and the Supplementary Generic Impact Statement prepared for the Town-Wide Open Space and Land Conservation Initiative, and therefore requires no further compliance with the State Environmental Quality Review Act;

NOW THEREFORE be it

RESOLVED that the Supervisor is hereby authorized to execute an Amendment extending by two years the term of the Deed of Conservation Easement with United Water New York and Corwick Realty, Inc., in a form meeting the standards of Article 49 of the Environmental Conservation Law and approved by the Town Attorney.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (193-2008)  
Co. Lasker offered and Co. Borelli seconded

RESOLUTION ACCEPTING PROPOSAL FOR RFP 10-2008 INVENTORY AND MAPPING OF STORMWATER OUTFALLS

WHEREAS, the Town is required to locate and inventory stormwater outfalls under the terms of the NYSDEC MS4 discharge permit, and

WHEREAS, the Department of Environmental Control has solicited proposals from qualified Consultants to prepare such inventory and mapping, and

WHEREAS, proposals have been received from 15 potential Consultants which were reviewed by the Deputy Director and of these 6 were found to be equally qualified to perform the work, and

WHEREAS, of the 6 qualified proposers, the most cost effective proposal was submitted by Maser Consulting of West Nyack, and

WHEREAS, the Director of the Department of Environmental Control has recommended acceptance of said proposal,

NOW THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the Supervisor to enter into an agreement with Maser Consulting PA, in a form satisfactory to the Town Attorney, to provide Inventory and Mapping of Stormwater Outfalls services in accordance with their proposal, and be it further

RESOLVED that the fee for such services shall not exceed Fifty Six Thousand Two Hundred (\$56,200.00) Dollars and shall be charged to Account No. H 8759-409-0-83-11.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (194-2008)  
Co. Maloney offered and Co. Borelli seconded

RESOLUTION AUTHORIZING AN AGREEMENT WITH ROCKLAND PARAMEDIC SERVICES, INC.

WHEREAS, the Town of Clarkstown ("Town") authorized a one-year renewal agreement with Rockland Paramedic Services, Inc. ("agreement") to provide emergency medical services to persons within the Town by Resolution No. 772-2007 dated December 28, 2007, and

WHEREAS, the annual cost of such services is \$1,832,545.00, and

WHEREAS, that cost does not include an annual fee of \$15,000.00 charged to Rockland Paramedic Services, Inc. for refueling Paramedic Units, Medic # 3 and Medic # 5 at Town fuel pumps, and

WHEREAS, Rockland Paramedic Services, Inc. has requested that the Town waive the refueling cost to offset increased costs experienced by the units participating in the Tactical Medical Support Unit, part of the

RESOLUTION NO. (194-2008) continued

REACT (Rescue Entry and Counterterrorism Team) program operated in the Town, and

WHEREAS, the Comptroller has recommended that the Town waive the refueling cost in lieu of reimbursing Rockland Paramedic Services for costs incurred in connection with the REACT Program;

NOW THEREFORE, be it

RESOLVED that based upon the increased costs incurred by Rockland Paramedic Services, Inc. in providing for services to the Town, the Supervisor is hereby authorized to enter into an agreement with Rockland Paramedic Services, Inc., which shall waive any fees associated with refueling Paramedic Units, Medic # 3 and Medic # 5 at Town fuel pumps, at a cost not to exceed \$15,000.00 per year, and be it

FURTHER RESOLVED, that Resolution No. 772-2007 is hereby amended to allow for a total annual cost not to exceed \$1,847,545.00.

On roll call the vote was as follows

Co. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Ralph F. Mandia. . . . .	Absent
Co. Borelli. . . . .	Abstain
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (195-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REVOCABLE LICENSE RELATING TO THE INSTALLATION OF EMERGENCY ALERT SIREN POLES ON AND ALONG NEW LAKE ROAD, VALLEY COTTAGE

WHEREAS, the Town of Clarkstown is the owner of real property located along New Lake Road in Valley Cottage, New York, identified as tax lot 59.07-2-69 (the "Premises"), and

WHEREAS, Entergy's Indian Point Energy Center owns, operates and maintains a system of sirens throughout Rockland and other counties as part of an emergency planning and warning system in accordance with applicable federal and state regulations, including an existing pole and siren on the Premises, and

WHEREAS, as part of its upgrade and maintenance program, in order to ensure that its warning system is operable and reliable, Entergy is in the process of replacing and adding certain poles and sirens, and has proposed to add a siren at the Premises, and

WHEREAS, in the interest of public safety, the Town wishes to accommodate Entergy's access needs in connection with the replacement of its poles and sirens;

NOW, THEREFORE, be it

RESOLVED, the Supervisor is hereby authorized to grant Entergy and its contractor (hereinafter "Contractor") a revocable license to construct and maintain a siren on the Premises, and be it

FURTHER RESOLVED, that in consideration of the grant of the requested license, Entergy and the Contractor shall provide the Town with proof of General Liability insurance in an amount to be determined by the Town's Insurance and Claims Manager, and be it

FURTHER RESOLVED, that Entergy and the Contractor shall agree to defend and indemnify, and to hold harmless, the Town of Clarkstown and its employees and agents, from and against all claims, damages, losses and expenses including attorneys' fees, that shall or may result from the work performed by them on the Premises, unless said loss is caused in whole or in part by any negligent act or omission on the part of the Town of Clarkstown.

On roll call the vote was as follows

Co. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Ralph F. Mandia. . . . .	Absent
Co. Borelli. . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (196-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND FOR PARTICIPATION IN THE STATE HOMELAND SECURITY PROGRAM LETPP (COUNTER-TERRORISM TRAINING)

WHEREAS, the County of Rockland has tendered a contract award to the Town of Clarkstown Police Department for participation in the State Homeland Security Program LETPP (Counter-Terrorism Training) for overtime reimbursement in the amount of \$9,755.64;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to obtain overtime reimbursement to the Town of Clarkstown Police Department in the amount of \$9,755.64, for participation in the State Homeland Security Program LETPP (Counter-Terrorism Training), for the period July 1, 2006 through June 30, 2008.

On roll call the vote was as follows

Co. Lasker . . . . .	Yes
Co. Maloney . . . . .	Yes
Ralph F. Mandia. . . . .	Absent
Co. Borelli. . . . .	Yes
Supervisor Gromack . . . . .	Yes

RESOLUTION NO. (197-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND, THROUGH THE SHERIFF'S DEPT., FOR REIMBURSEMENT FOR THE PURCHASE OF A VEHICLE FOR THE CLARKSTOWN POLICE CERT TEAM

WHEREAS, by Resolution No. 74 of 2008, the County of Rockland resolved to reimburse the Town of Clarkstown in the amount of \$34,000.00 for the purchase of a vehicle for the Clarkstown Police CERT Team, upon execution of an agreement with the Town and

WHEREAS, Chief of Police Peter Noonan has recommended that the Town enter into such agreement;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an with the County of Rockland, in a form satisfactory to the Town Attorney, for reimbursement to the Town in the amount of \$34,000.00, for the purchase of a vehicle for the Clarkstown Police CERT Team for the period July 1, 2006 through June 30, 2008.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (198-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION ACCEPTING DECLARATION OF COVENANT (CHARLES J. BOCCA SUBDIVISION – 64.08-1-39)

WHEREAS, in accordance with the requirements of the Planning Board and as a condition of final approval of Charles J. Bocca Subdivision (Tax Map 64.08-1-39), Charles J. Bocca has provided a declaration of covenant for road maintenance and the Deputy Director of the Department of Environmental Control recommends accepting and recording said declaration in a form approved by the Town Attorney;

NOW, THEREFORE be it

RESOLVED, that the Town Board of the Town of Clarkstown is authorized to accept and record said declaration of covenant concerning Charles J. Bocca Subdivision at the expense of the grantor.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (199-2008)  
Co. Maloney offered and Co. Borelli seconded

RESOLUTION OF THE TOWN BOARD REFERRING ZONE CHANGE PETITION OF BAKER RESIDENTIAL LIMITED PARTNERSHIP, AND AUTHORIZING SEQRA REVIEW BY TIM MILLER ASSOCIATES

WHEREAS, the BAKER RESIDENTIAL LIMITED PARTNERSHIP, contract vendees, (owner is American Cyanamid Co.) has submitted a petition to the Town Board of the Town of Clarkstown, requesting a change of zones from the R-15, R-22 and LO Districts to the AAR District for premises designated on the Clarkstown Tax Map as 63.16-1-1, 63.16-1-3; 63.19-2-36; 63.15-1-43, and 63.15-1-44, located at Convent Road, Nanuet, New York, to permit the construction of a multi-unit complex for active adults;

NOW, THEREFORE, be it

RESOLVED, that the petition is hereby referred to the Rockland County Commissioner of Planning, and the other municipalities and governmental bodies as required by Section 239-l and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, 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 Tim Miller Associates, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that Tim Miller Associates shall also review and report to the Town Board whether or not the proposed action, if approved shall be consistent with the Town of Clarkstown Comprehensive Plan, and be it

FURTHER RESOLVED, that the Town Attorney's Office is hereby directed to secure an escrow deposit in the amount of \$10,000.00, and the Comptroller's Office is hereby directed to deduct the Town's cost of Tim Miller's SEQRA review of the application from the escrow.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli. . . . . Yes  
Supervisor Gromack . . . . . Yes

RESOLUTION NO. (200-2008)  
Co. Maloney offered and Co. Borelli seconded

RESOLUTION OF THE TOWN BOARD REFERRING ZONE CHANGE PETITION OF ORCHARD RIDGE, LLC,  
AND AUTHORIZING SEQRA REVIEW BY TIM MILLER ASSOCIATES

WHEREAS, the ORCHARD RIDGE, LLC, contract vendee, (owner is DePaulis) submitted a petition to the Town Board of the Town of Clarkstown, requesting a change of zones from the MF-2 and LIO Districts to the AAR District for premises designated on the Clarkstown Tax Map as 35.19-2-15, 35.19-2-17, 35.19-2-18, 35.19-2-19 and 35.19-2-20, and 44.07-2-10, 44.07—2-10.1, and 44.07-2-10.2, located at Old Orchard Lane and Meola Road, Congers, New York, to permit the construction of a multi-unit complex for active adults;

NOW, THEREFORE, be it

RESOLVED, that the petition is hereby referred to the Rockland County Commissioner of Planning, and the other municipalities and governmental bodies as required by Section 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, 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 Tim Miller Associates, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that Tim Miller Associates shall also review and report to the Town Board whether or not the proposed action, if approved shall be consistent with the Town of Clarkstown Comprehensive Plan, and be it

FURTHER RESOLVED, that the Town Attorney’s Office is hereby directed to secure an escrow deposit in the amount of \$10,000.00, and the Comptroller’s Office is hereby directed to deduct the Town’s cost of Tim Miller’s SEQRA review of the application from the escrow.

On roll call the vote was as follows  
Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli... . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (201-2008)  
Co. Maloney offered and Co. Borelli seconded

RESOLUTION OF THE TOWN BOARD REFERRING ZONE CHANGE PETITION OF SENIOR HOUSING ASSOCIATES  
OF WESTCHESTER, INC., AND AUTHORIZING SEQRA REVIEW BY TIM MILLER ASSOCIATES

WHEREAS, the SENIOR HOUSING ASSOCIATES OF WESTCHESTER, INC. has submitted a petition to the Town Board of the Town of Clarkstown, requesting a change of zones from the MF-3 and CS Districts to the AAR District for premises designated on the Clarkstown Tax Map as 43.19-3-84, located at Route 304 and Demarest Road, New City, New York, to permit the construction of a multi-unit complex for active adults;

NOW, THEREFORE, be it

RESOLVED, that the petition is hereby referred to the Rockland County Commissioner of Planning, and the other municipalities and governmental bodies as required by Section 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, 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 Tim Miller Associates, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that Tim Miller Associates shall also review and report to the Town Board whether or not the proposed action, if approved shall be consistent with the Town of Clarkstown Comprehensive Plan, and be it

FURTHER RESOLVED, that the Town Attorney’s Office is hereby directed to secure an escrow deposit in the amount of \$7,500.00, and the Comptroller’s Office is hereby directed to deduct the Town’s cost of Tim Miller’s SEQRA review of the application from the escrow.

On roll call the vote was as follows  
Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Ralph F. Mandia. . . . . Absent  
Co. Borelli... . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (202-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE PURCHASE OF EQUIPMENT FOR THE CLARKSTOWN HIGHWAY DEPARTMENT

WHEREAS, the Superintendent of Highways has recommended the purchase of equipment as follows:

<u>Quantity</u>	<u>Vehicle</u>	<u>Estimated Cost per Vehicle</u>	<u>Estimated Total Cost</u>
3	2008 2-Wheel Drive International Truck Chassis with added Dump Bodies and Pre-Wet System	\$170,220.00	\$510,660.00
2	2008 4-Wheel Drive International Truck Chassis with added Dump Bodies and Pre-Wet System	\$190,258.00	\$380,516.00

RESOLUTION NO. (202-2008) continued

1	Cat 420E Backhoe	\$ 88,449.00	\$ 88,449.00
1	2008 Dodge Durango	\$ 21,000.00	\$ 21,000.00
1	Steam Cleaner	\$ 10,208.00	\$ 10,208.00
1	Rubber Track for the Bobcat	\$ 2,500.00	<u>\$ 2,500.00</u>
			\$1,013,333.00

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the purchase of this equipment, and be it

FURTHER RESOLVED, that said equipment shall be procured by soliciting competitive bids, and be it

FURTHER RESOLVED, that the purchase of said equipment, in an amount to exceed \$1,015,000.00 in the aggregate shall be charged to Account No. H 8759-409-0-83-8, and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this purchase through the issuance of municipal serial bonds.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Ralph F. Mandia. . . . . Absent  
 Co. Borelli. . . . . Yes  
 Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (203-2008)

Co. Maloney offered and Co. Lasker seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MARCH 11, 2008, AUTHORIZING THE ACQUISITION OF EQUIPMENT FOR USE BY THE HIGHWAY DEPARTMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,015,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,015,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to acquire equipment for use by the Highway Department. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,015,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,015,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$1,015,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which \$981,000 of said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years. The period of probable usefulness applicable to the object or purpose for which \$21,000 of said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is ten (10) years. The period of probable usefulness applicable to the object or purpose for which \$13,000 of said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is five (5) years.

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

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

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

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

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

RESOLUTION NO. (203-2008) continued

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

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

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

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Ralph F. Mandia. . . . . Absent  
 Co. Borelli. . . . . Yes  
 Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (204-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION SCHEDULING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING CHAPTER 278 (VEHICLES AND TRAFFIC) OF THE 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 "A LOCAL LAW AMENDING CHAPTER 278 (VEHICLES AND TRAFFIC) OF THE CODE OF THE TOWN OF CLARKSTOWN," and

WHEREAS, the purpose of this local law is to conform the Town Code to State Law Section 1660-a, Vehicles and Traffic;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held in the Auditorium of Clarkstown Town Hall, 10 Maple Avenue, New City, New York on May 13, 2008, 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.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Ralph F. Mandia. . . . . Absent  
 Co. Borelli. . . . . Yes  
 Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (205-2008)

Co. Maloney offered and Co. Borelli seconded

RESOLUTION AMENDING RESOLUTION NO. 130-2008 SCHEDULING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING CHAPTER 254 (SUBDIVISION OF LAND) OF THE CODE OF THE TOWN OF CLARKSTOWN"

RESOLVED, that Resolution No. 130-2008, adopted by the Town Board on February 12, 2008, is hereby amended in part to read as follows:

"FURTHER RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, shall be held in the Auditorium of Clarkstown Town Hall, 10 Maple Avenue, New City, New York on May 13, 2008 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law."

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Ralph F. Mandia. . . . . Absent  
 Co. Borelli. . . . . Yes  
 Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (206-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney - Purchasing and the Director of the Department of Environmental Control that

BID #3-2008 – ILONA LANE ROAD IMPROVEMENTS  
is hereby awarded to: WJL EQUITIES CORPORATION, 274 WHITE PLAINS ROAD, SUITE 7  
EASTCHESTER, NY 10709

PRINCIPAL: DANIELLE BUENAVENTURA, PRESIDENT  
as per their proposed project cost not to exceed \$163,650.00 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

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 this project shall constitute a proper charge to account number H-8759-400-409-83-12 and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Ralph F. Mandia. . . . . Absent  
 Co. Borelli. . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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The Supervisor opened the meeting for general public comments.

Jane Stormes- West Nyack

Thanked the Town Board for having placed pumps at Klein Avenue in anticipation of a storm, which stayed dry. Asked the Town Board to install pumps that gauge the flow of water, as this shows the pumps do work.

Supervisor Alexander J. Gromack

Congratulated the team that jumped into action in anticipation of the storm.

Gayle Bruen- West Nyack

Thanked the Town Board for preventing flooding to her home, during the recent storm, by bringing in pumps to her street beforehand. Asked the Town Board to do whatever they can to make the pumps permanent.

Philip Bosco- West Nyack & Bob Dillon- New City

Spoke about concerns regarding the Hackensack River Bridge, saying that if an abutment is moved, 160 feet of freeflow could be obtained; thereby, solving much of the flooding problems in West Nyack. The bridge needs to be reengineered. The flyover was built too low, creating a logjam.

Supervisor Alexander J. Gromack

Thanked Mr. Bosco & Mr. Dillon for working on this issue.

Bob Dillon- New City

Thanked the Town Board and different agencies for pumping out Lake Lodico.

Supervisor Alexander J. Gromack asked all those assembled for a moment of silence in honor of Deputy Town Attorney Pat Campbell and Jodi Ballard, wife of Superintendent of Highways Wayne Ballard.

On motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, Town Board Meeting was closed 9:30 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING #1

Town Hall

03/11/2008

8:13 P.M.

Present: Supervisor Alexander J. Gromack  
Council Members John Maloney, Shirley Lasker, & Frank Borelli  
Amy Mele, Town Attorney  
David Carlucci, Town Clerk

Absent: Councilman Ralph Mandia

Re: Request of Cambridge Press for special permit to allow for general warehouse & distribution uses  
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On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:13 P.M.

Amy Mele- Town Attorney  
This petition was prompted by a text change to the LO District. The LO District where the petitioner is located used to allow only book distribution uses.

Joe Simoes- Town Planner  
Gave an overview of the petition. Stated the SEQRA Review has not been completed, due to a lack of information.

Amy Mele- Town Attorney  
Stated the Town Board has the option of denying the special permit, due to a lack of information, or to continue the hearing to the June 17, 2008 meeting to allow for further information.

Philip Bosco- West Nyack  
Spoke about concerns that trucks over 4 tons are traveling on Brook Hill Drive. Asked what exactly would be allowed with the special permit.

Amy Mele- Town Attorney  
The special permit would allow for general distribution uses, but we do not have enough information about the usage at this time to grant the permit.

Evan Andre- West Nyack  
Spoke about problems with traffic from Route 59, stating there is too much traffic now, and would be opposed to an increase in traffic.

Mike Franchino- Spoke on behalf of mother, who lives on Bull Run in West Nyack  
Asked why we would consider postponing this, if they [Cambridge Press] have not provided the information in the last two opportunities? Why do we give them consideration? They need to follow procedures.

Dennis Murphy- West Nyack  
People who work at Cambridge Press drive around school buses. The permit should be denied.

Len Goldberg- West Nyack  
Stated the permit should be denied, because this is a residential community. You are talking about permitting additional uses, without any buffers or enhancements to the property to help the community at large that is directly affected by it.

Andy Solomon- West Nyack  
Spoke in favor of denying permit, because when deadlines are missed, they should be denied.

There being no one wishing to be further heard, on motion of Co. Maloney, seconded by Co. Lasker, the public hearing was closed 8:38 P.M. On motion of Co. Lasker, seconded by Co. Maloney, application for special permit was unanimously denied.

Respectfully submitted,

David Carlucci  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING #2

Town Hall

03/11/2008

8:39 P.M.

Present: Supervisor Alexander J. Gromack  
Council Members John Maloney, Shirley Lasker, & Frank Borelli  
Amy Mele, Town Attorney  
David Carlucci, Town Clerk

Absent: Councilman Ralph Mandia

Re: Proposed local law amending Ch. 290 (Zoning) of the Zoning Local Law Re: "Temporary Event Permit"  
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On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:39 P.M.

Amy Mele- Town Attorney

Gave an overview of the proposal, stating the code did not exactly account for temporary events and this proposal would clarify that, providing for an application.

Joe Simoes- Town Planner

Spoke about Planning Board's recommendations, (on file with Town Clerk). Provided recommendations of Planning Consultant Robert Geneslaw, (on file with Town Clerk), stating the proposal is not subject to SEQRA and the amendment does not address traffic, hours, and emergency services. The Town Board's options are to modify the amendment or to allow the Building Inspector in on the permit process.

There being no one wishing to be further heard, on motion of Co. Maloney, seconded by Co. Lasker, the public hearing was closed 8:44 P.M. On motion of Co. Lasker, seconded by Co. Maloney, RESOLUTION NO. (134-2008) was unanimously adopted.

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (134-2008)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #3

Town Hall

03/11/2008

8:45 P.M.

Present: Supervisor Alexander J. Gromack  
Council Members John Maloney, Shirley Lasker, & Frank Borelli  
Amy Mele, Town Attorney  
David Carlucci, Town Clerk

Absent: Councilman Ralph Mandia

Re: Continuation of Chapter 111 Proceedings (Unsafe Buildings), 560 Mountainview Avenue, Valley Cottage

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On motion of Co. Maloney, seconded by Co. Lasker, hearing opened 8:45 P.M.

Mark Papenmeyer- Chief Fire Inspector

Gave a description of property's condition, stating it has been reinspected and needs to be secured again, as it is a serious fire hazard.

Amy Mele- Town Attorney

Recommended the Town Board continues the public hearing for one month to allow the Building Inspector to obtain bids to do the work, as recommended by the Chief Fire Inspector.

John Baskinov- Mortgage holder of property

My partner and I have given the property owner a chance to fix the items that need to be addressed. Since then, we have spent the money to board up the building. We have spoken to the property owner, who is in foreclosure, and he said he would take care of it, which is why we let it be. If he doesn't do it, then we will do it to protect the note that we have on the property and we are willing to reboard the structure, as we have done before.

Abraham Klein- West Nyack, Mortgage holder of property

Stated he is also a mortgage holder of the property, and believes it was his group who did the remediation of the property to the satisfaction of the Fire Inspector at the last meeting. He stated he inspected the property today and it appears approximately ten boards need to be replaced. He asked for more time in order to be able to make the repairs.

Mark Papenmeyer- Chief Fire Inspector

Based on today's inspection, more than ten boards need to be repaired. The town should not be put into the position that we have to protect these people's property, if they are not interested in protecting their own property. It should be up to them to make inspections on their property, so that we do not have to do it every six months for them.

There being no one wishing to be further heard, on motion of Co. Maloney, seconded by Co. Borelli, and unanimously adopted, the public hearing was continued to April 15, 2008. RESOLUTION NO. (135-2008)

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (135-2008)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #4

Town Hall

03/11/2008

8:52 P.M.

Present: Supervisor Alexander J. Gromack  
Council Members John Maloney, Shirley Lasker, & Frank Borelli  
Amy Mele, Town Attorney  
David Carlucci, Town Clerk

Absent: Councilman Ralph Mandia

Re: Chapter 111 Proceedings (Unsafe Buildings), 8 Red Rock Road, New City

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On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:52 P.M.

Mark Papenmeyer- Chief Fire Inspector

Stated the building is structurally unsafe and poses a fire hazard, which required immediate action to ensure no entry is allowed on the premises, by securing all openings. Under emergency authorization, we were able to have the building boarded up, and a check on the building today, revealed it is still secured and poses no additional hazard. The building needs to be completely removed, either by the owner or under a Chapter 111 ruling. As the building is a very serious risk to firefighters, emergency services were contacted, to make certain there is to be no entry under any circumstances.

There being no one wishing to be heard, on motion of Co. Lasker, seconded by Co. Maloney, and unanimously adopted, the public hearing was continued to April 15, 2008. RESOLUTION NO. (136-2008)

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (136-2008)

TOWN OF CLARKSTOWN SPECIAL MEETING  
CLARKSTOWN MIDDLEWOOD HOUSING  
DEVELOPMENT FUND COMPANY, INC.

Town Hall

03/11/2008

9:30 P.M.

Present: Supervisor Alexander J. Gromack  
Council Members John Maloney, Shirley Lasker, & Frank Borelli  
Amy Mele, Town Attorney  
David Carlucci, Town Clerk

Absent: Councilman Ralph Mandia

On motion of Co. Maloney, seconded by Co. Lasker the special meeting was declared open, on motion of Co. Maloney, seconded by Co. Lasker and unanimously adopted, the meeting was closed, time: 9:32 P.M.

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Upon motion duly made, seconded and carried, and by the affirmative vote of all present, it was resolved,

RESOLUTION AUTHORIZING AWARD TO D'ONOFRIO & SON, INC. LANDSCAPING FOR THE  
MIDDLEWOOD SENIOR CITIZEN HOUSING PROJECT

WHEREAS, Robert S. Berdy has solicited bids for landscape and chemical treatment services at the Middlewood Senior Citizen Housing Project owned by the Clarkstown Middlewood Housing Development Fund Company, Inc., and

WHEREAS, D'Onofrio & Son, Inc. Landscaping has submitted a low bid for landscaping services for the 2008 and 2009 seasons as follows:

Landscaping Services	\$9,408.00	per year
Mulch – Labor, one time	\$ 695.00	per year
Licorice Root Mulch – Material, one time	\$1,225.00	per year
Chemical Services	\$1,850.00	per year
Grub Control (one time)	\$ 425.00	per year
Tree Spraying (one time)	\$ 395.00	per year

and

WHEREAS, Robert Berdy has recommended that the Board accept this bid;  
NOW, THEREFORE, be it

RESOLVED, that Jeffrey P. Goldstein, of ARCO Management Corp., is authorized to sign a two year contract for the landscape and chemical treatment services for the Middlewood Senior Citizen Housing Project with D'Onofrio & Son, Inc. Landscaping.

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Upon Motion duly made and carried, Alexander J. Gromack was duly elected Chairman of the meeting and John R. Maloney was duly elected as Secretary thereof.

The following were nominated as Directors:

- Alexander J. Gromack
- John R. Maloney
- Ralph F. Mandia
- Shirley Lasker
- Frank Borelli

Upon motion duly made, seconded and carried, and by the affirmative vote of all present, it was, RESOLVED, that each of the above named nominees be and hereby is elected as Director of the Corporation.

Respectfully submitted,

David Carlucci  
Town Clerk