

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

3/24/09

8:00 P.M.

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

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

YOUTH COURT GRADUATION: Presentation given by Detective Eileen Malloy to honor the following students of the 40th Graduating Class of the Youth Court:

| | | |
|----------------------|-----------------|------------------|
| Joley Adler | Erika Goldstein | Thomas Sheridan |
| Lauren Bachner | Samantha Gotlin | Ruby Silverstein |
| Joshua Berg | Jordyn Kaye | Rachel Streitman |
| Samantha Bertrand | Loren Mandel | Andrew Tlsty |
| Chelsea Christonikos | Gabby Raines | Jacob Tobias |
| Samantha Cooper | Brandon Reiter | Tareek Turner |
| Zack Deminno | Elyse Richter | Jason Wayne |
| Tyler Esbin | Taylor Rockower | Cassie Wolff |

Supervisor opened the meeting to public comments regarding agenda items.

Steven Levine- Congers
Regarding agenda item #5 (res. no. 130-2009), asked why a sign was being put there?

Joel Epstein- Code Enforcer
Regarding agenda item #5 (res. no. 130-2009), stated there have been a number of complaints and a home owner requested a sign.

Steven Levine- Congers
Regarding agenda item #5 (res. no. 130-2009), stated he was glad the town responded to someone's complaints. Regarding agenda item #17 (res. no. 154-2009), asked for details regarding the warehouse.

Supervisor Gromack
Regarding agenda item #17 (res. no. 154-2009), stated the warehouse is in Congers and the improvements include the heating, electrical, sewer and water lines.

RESOLUTION NO. (117-2009)
Co. Maloney offered and Co. Hoehmann seconded

RESOLVED, that the Special Town Board Minutes of February 3, 2009 and the Town Board Minutes of February 10, 2009 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows

| | |
|------------------------------|-----|
| Co. Lasker | Yes |
| Co. Maloney | Yes |
| Co. Hoehmann | Yes |
| Co. Borelli | Yes |
| Supervisor Gromack | Yes |

RESOLUTION NO. (118-2009)
Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the resignation of James J. Comer, Member – Traffic and Traffic Fire Safety Advisory Board – is hereby accepted –effective and retroactive to February 15, 2009.

On roll call the vote was as follows

| | |
|------------------------------|-----|
| Co. Lasker | Yes |
| Co. Maloney | Yes |
| Co. Hoehmann | Yes |
| Co. Borelli | Yes |
| Supervisor Gromack | Yes |

RESOLUTION NO. (119-2009)
Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the resignation by (retirement) of Diana Vierling, Principal Clerk Typist – Parks Board and Recreation Commission – is hereby accepted – effective and retroactive to February 28, 2009.

On roll call the vote was as follows

| | |
|------------------------------|-----|
| Co. Lasker | Yes |
| Co. Maloney | Yes |
| Co. Hoehmann | Yes |
| Co. Borelli | Yes |
| Supervisor Gromack | Yes |

RESOLUTION NO. (120-2009)
Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the resignation (by retirement) of Thomas M. Purtill – Police Captain – Clarkstown Police Department –is hereby accepted – effective March 31, 2009.

On roll call the vote was as follows

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

RESOLUTION NO. (121-2009)
Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #63-151 Principal Clerk Typist – which contains the name of Jeananne Tiesler,
NOW, therefore, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Jeananne Tiesler, to the position of (permanent) Principal Clerk Typist – Parks Board and Recreation Commission – at the 2009 annual salary of \$ 41,856., effective and retroactive to March 16, 2009.

On roll call the vote was as follows

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

RESOLUTION NO. (122-2009)
Co. Maloney offered and Co. Lasker seconded

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A. , Thomas J. Isenbek, Real Property Data Collector - Office of the Town Assessor – is hereby granted a Sick Leave of Absence - at one-half pay – effective and retroactive to March 23, 2009 to April 23, 2009.

On roll call the vote was as follows

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

RESOLUTION NO. (123-2009)
Co. Maloney offered and Co. Lasker seconded

RESOLVED, that George A. Hoehmann, is appointed to the position of Member –Alarm Users Review Board - (to fill the unexpired term of Ralph F. Mandia) – to serve without compensation – term effective March 24, 2009 – and to expire on December 31, 2009.

On roll call the vote was as follows

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

RESOLUTION NO. (124-2009)
Co. Maloney offered and Co. Lasker seconded

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A. , Samantha Correa, Payroll Clerk and Data Entry Operator – Clarkstown Police department– is hereby granted a Sick Leave of Absence - at one-half pay – effective and retroactive to February 19, 2009 to April 19, 2009.

On roll call the vote was as follows

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

RESOLUTION NO. (125-2009)
Co. Maloney offered and Co. Hoehmann seconded

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

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

MOUNTAIN VIEW CONSTRUCTION, INC.
30 Pyngyp Road
Stony Point, NY 10980
Edward Schmidt, President

DANNY CLAPP LANDSCAPING, INC.
59 Schriever Lane
New City, NY 10956
Danny Clapp, President

ZURLA EXCAVATORS, INC.
90 Wayne Avenue
Stony Point, NY 10980
Theodore Zurla, President

CAL MART ENTERPRISES
4 Burts Road
Congers, NY 10920
Martin Wortendyke, Vice President

SCAFFIDI'S PAVING & DRAINAGE
26 Dickens Street
Stony Point, NY 10980
Danny Scaffidi, President

JMK BUILDING CORP.
301 N. Main Street, Suite #1
New City, NY 10956
John Knutsen, President

McGANNON EXCAVATING, LLC
127 Route 303
Valley Cottage, NY 10989
Robert McGannon, President

TURCO GOLF, INC.
212 Orange Avenue
Suffern, NY 10901
Dennis Turco, President

VICTOR P. ZUGIBE, INC.
66 Railroad Avenue
Garnerville, NY 10923
Victor P. Zugibe, President

JD BACKHOE SERVICE
P.O. Box 342
Sparkill, NY 10976
Joe D'Auria, President

NOW, THEREFORE, be it
RESOLVED, that the following Certificates of Registration be issued:

- | | | |
|-------|----------------------------------|-------------------------------------|
| No. | | |
| 09-17 | MOUNTAIN VIEW CONSTRUCTION, INC. | 09-22 DANNY CLAPP LANDSCAPING, INC. |
| 09-18 | ZURLA EXCAVATORS, INC. | 09-23 CAL MART ENTERPRISES |
| 09-19 | SCAFFIDI'S PAVING & DRAINAGE | 09-24 JMK BUILDING CORP. |
| 09-20 | McGANNON EXCAVATING, LLC | 09-25 TURCO GOLF, INC. |
| 09-21 | VICTOR P. ZUGIBE, INC. | 09-26 JD BACKHOE SERVICE |

On roll call the vote was as follows

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

RESOLUTION NO. (126-2009)
Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING AN AGREEMENT WITH MCLAREN ENGINEERING GROUP FOR
ENGINEERING SERVICES CONCERNING LAKE NANUET PARK

WHEREAS, the McLaren Engineering Group has submitted a proposal dated February 25, 2009, to provide professional engineering services to assist the Town in evaluating the design plans for the modifications that were made to Lake Nanuet Park, and

WHEREAS, the Town Attorney has reviewed the proposal and finds it reasonable in both scope and price;

NOW, THEREFORE, be it

RESOLVED, that based on the recommendation of the Town Attorney, the Town Board hereby authorizes the Supervisor to enter into an agreement with McLaren Engineering Group, in a form approved by the Town Attorney, to perform professional engineering services regarding the design plans for the modifications that were made to Lake Nanuet Park, as per its proposal dated February 25, 2009, and be it

FURTHER RESOLVED, that the cost of said services shall not exceed \$3,500 without further authorization from the Town Board and shall constitute a proper charge to Account No. H 8759-409-0-83-27.

On roll call the vote was as follows

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

RESOLUTION NO. (127-2009)
Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING AN AGREEMENT WITH H2M GROUP FOR ENGINEERING SERVICES CONCERNING THE CLARKSTOWN LANDFILL/RIVERSO PROPERTY

WHEREAS, the New York State Department of Environmental Conservation (“NYSDEC”) has reviewed and approved the Site Specific Investigation Work Plan (the “Work Plan”) completed by H2M December 2007, with regard to the possible closure of a portion of the landfill which is located adjacent to the Riverso property, West Nyack, New York, and

WHEREAS, the H2M Group has submitted a proposal dated March 9, 2009, to provide engineering services, including site investigation and field work as set forth in the Work Plan;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the H2M Group, in a form approved by the Town Attorney, to perform engineering services as set forth in the Work Plan, pursuant to its proposal dated March 9, 2009, and be it

FURTHER RESOLVED, that the fee for said work shall not exceed \$73,500 and will be charged to Account No. H 8163-409-0-38-4, and be it

FURTHER RESOLVED, that H2M is hereby directed to ensure that its subcontractor(s) name the property owner as an additional insured on its general liability policy in the amount of \$1,000,000.00, and be it

FURTHER RESOLVED, that the Town Attorney’s Office shall seek reimbursement of 75% of said costs from the NYSDEC.

On roll call the vote was as follows

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

RESOLUTION NO. (128-2009)
Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A FUND ESTABLISHING AGREEMENT WITH THE ROCKLAND COMMUNITY FOUNDATION

WHEREAS, the Town of Clarkstown occasionally receives donations/charitable contributions from individuals and entities earmarked for various purposes, including, among other things, park improvements, streetscape improvements and events, and

WHEREAS, the Rockland Community Foundation, a not-for profit 501(c)(3) corporation, has submitted a proposal to establish a fund/funds to hold charitable donations for the benefit of the Town and distribute the proceeds of such funds in accordance with the directives of the Town, and

WHEREAS, by establishing a fund with the foundation, donors will be able to take advantage of the foundation’s tax free status and the Town will benefit from the foundation’s administrative services;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a fund establishing agreement with the Rockland Community Foundation, 169 Burd Street, Nyack, New York, 10960, in a form acceptable to the Town Attorney.

On roll call the vote was as follows

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

RESOLUTION NO. (129-2009)
Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AMENDING RESOLUTION NO. 711-2007 AUTHORIZING AN AGREEMENT WITH H2M GROUP FOR ENGINEERING SERVICES CONCERNING TOWN HALL ELEVATORS

WHEREAS, the Town Board, by Resolution No. 711-2007, authorized an agreement with the H2M Group, to provide engineering services for the design of the mechanical systems association with two elevator systems at the Clarkstown Town Hall;

WHEREAS, the Clerk of the Works has requested H2M to provide additional engineering services (construction oversight) of the project, and

WHEREAS, the H2M Group has submitted a proposal dated March 13, 2009, to perform the additional engineering service for a fee of \$25,000.00, which the Clerk of the Works has reviewed and found to be reasonable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the H2M Group, in a form approved by the Town Attorney, to perform additional engineering services regarding the two elevator systems at the Clarkstown Town Hall, pursuant to its proposal dated March 31, 2009, and be it

FURTHER RESOLVED, that the fee for said additional work shall not exceed \$25,000.00 and will be

RESOLUTION NO. (129-2009) continued

charged to Account No. H 8758-409-0-82-35, and be it

FURTHER RESOLVED, that said Capital Account shall be increased by \$25,000.00 for a total of \$52,800.00.

On roll call the vote was as follows

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

RESOLUTION NO. (130-2009)

Co. Hoehmann offered and Co. Maloney seconded

RESOLUTION AUTHORIZING THE INSTALLATION OF "DOG WASTE PROHIBITED" SIGNS

WHEREAS, the Animal Control Officer and the Highway Department have received complaints from a number of residents regarding two areas intensely utilized by numerous dog walkers where violations of Town Code Chapter 125-4F (Nuisance by failure to clean up) are frequently observed, and

WHEREAS, inspections and investigations of the areas and interviews of the complainants have been conducted by the Code & Zoning Enforcement resulting in findings that the complaints are substantiated, and

WHEREAS, the residents have requested controlling signage to better notify errant dog walkers and better protect the green space in the neighborhood,

NOW, THEREFORE, be it RESOLVED, that the Superintendent of Highways is hereby directed to install:

- 1.) Four (4) 'Dog Waste Prohibited' signs along the west side of Fairview Avenue, Nanuet between Prospect Street and Convent Road, and
- 2.) One (1) 'Dog Waste Prohibited' sign at the intersection of Massachusetts Avenue and Tanglewood Court near the sidewalk in front of 200 Massachusetts Avenue, Congers

On roll call the vote was as follows

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

RESOLUTION NO. (131-2009)

Co. Lasker offered and Co. Hoehmann seconded

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

15 SICKLETOWN ROAD
WEST NYACK, NY 10994
71-A-7 (64.8-3-29)

By the installation of Fire lane designations, and

WHEREAS, FAROUK S. SHEHADA, OWNER, requested that the Town of Clarkstown designate said fire lanes.

NOW, THEREFORE, BE IT

RESOLVED, that the pursuant to said Local Law 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Chief Fire Safety Inspector with regard to the installation of conforming fire lane designations be installed by and at the expense of the owner of such property upon the review and approval and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

On roll call the vote was as follows

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

RESOLUTION NO. (132-2009)

Co. Maloney offered and Co. Borelli seconded

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

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

WHEREAS, the following group wishes to continue to adopt the below segment of town road for an additional period of two (2) years, continuing from March 22, 2009 to March 22, 2011, as follows:

Sponsor: Yaboo Fence Company, 95 West Nyack Way, West Nyack, NY 10994

RESOLUTION NO. (132-2009) continued

Road: .06 mile segment of West Nyack Way, from Route 59 to West Nyack Road, West Nyack, NY 10994 and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Yaboo Fence Company will continue to perform a public service in removing trash from above roadway that would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of two (2) years continuing from March 22, 2009 to March 22, 2011, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segment, and to provide and coordinate services by Yaboo Fence Company to remove trash from the roadway.

On roll call the vote was as follows

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

RESOLUTION NO. (133-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AMENDING RESOLUTION NO. 779-2008, AUTHORIZING AN AGREEMENT WITH H2M GROUP FOR ENGINEERING SERVICES CONCERNING LAKE NANUET

WHEREAS, the Town Board, by Resolution No. 779-2008, authorized an agreement with the H2M Group, to provide engineering services to evaluate the possible causes for the flooding conditions at Lake Nanuet Park, and

WHEREAS, the Superintendent of Recreation and Parks has requested H2M to perform additional engineering services regarding the pool filter building and construction/design project, and

WHEREAS, H2M has submitted a proposal dated March 13, 2009, to provide the requested services for an additional cost of \$15,000.00, which the Town Attorney has reviewed and found to be reasonable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 779-2008, by authorizing the H2M Group to perform additional engineering services pursuant to its proposal dated March 13, 2009, for an additional cost of 15,000.00, and be it

FURTHER RESOLVED, that the total cost for the entire project referred to herein shall not exceed \$20,300.00 plus reimbursable expenses, and shall constitute a proper charge to Account No. H 8759-409-0-83-27.

On roll call the vote was as follows

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

RESOLUTION NO. (134-2009)

Co. Maloney offered and Co. Hoehmann 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 (retroactively) March 14, 2009 and expiring March 14, 2010, and be it

FURTHER RESOLVED, that the cost of insurance policies shall not exceed \$125,000.00 to be charged to Account No. CS 1910-420.

On roll call the vote was as follows

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

RESOLUTION NO. (135-2009)

Co. Borelli offered and Co. Hoehmann seconded

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

BID #26-2009 – SALE OF TWO CATERPILLAR TRACTORS

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York

RESOLUTION NO. (135-2009) continued

_____ 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 Department of Purchasing at the above address.

On roll call the vote was as follows

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

RESOLUTION NO. (136-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for: BID #28-2009 – LANDAU PARK RENOVATION PROJECT 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 Department of Purchasing at the above address.

On roll call the vote was as follows

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

RESOLUTION NO. (137-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for: BID #29-2009 – PHASE I – DOWNTOWN NEW CITY RENOVATION PROJECT 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 Department of Purchasing at the above address.

On roll call the vote was as follows

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

RESOLUTION NO. (138-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for: BID #30-2009 – PHASE II – DOWNTOWN NEW CITY RENOVATION PROJECT 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 Department of Purchasing at the above address.

On roll call the vote was as follows

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

RESOLUTION NO. (139-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for: BID #24-2009 – BUS TRANSPORTATION – SENIOR AND YOUTH 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 Department of Purchasing at the above address.

RESOLUTION NO. (139-2009) continued

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

RESOLUTION NO. (140-2009)
 Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
 BID #25-2009 –STUDIO FURNITURE
 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 Department of Purchasing at the above address.

On roll call the vote was as follows

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

RESOLUTION NO. (141-2009)
 Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
 BID #31-2009 – PHILLIPS HILL ROAD AT/NEAR #415 STREAM CHANNEL IMPROVEMENTS
 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 Department of Purchasing at the above address.

On roll call the vote was as follows

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

RESOLUTION NO. (142-2009)
 Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
 BID #32-2009 – STREETSCAPE BANNERS AND DECORATIONS
 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 Department of Purchasing at the above address.

On roll call the vote was as follows

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

RESOLUTION NO. (143-2009)
 Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
 BID #33-2009 – ZUKOR PARK BALLFIELD POLES/NETTING
 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 Department of Purchasing at the above address.

On roll call the vote was as follows

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

RESOLUTION NO. (144-2009)
Co. Borelli offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney - Purchasing and the Superintendent of Recreation and Parks that RFP #4-2009 – License to Operate Food and Refreshment Concession Stands at Town Parks is hereby awarded to: NEW CITY PIZZA, 210 SOUTH MAIN STREET, NEW CITY, NY 10956

PRINCIPAL: GINO PRINCIPE

as per their proposed annual fee, payable to the Town of Clarkstown, of \$17,525.00 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) Certificate of Commercial Liability
- c) Certificate of Commercial Automobile Liability Coverage
- d) Certificate of Worker's Compensation 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 Superintendent of Recreation and Parks

On roll call the vote was as follows

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

RESOLUTION NO. (145-2009)
Co. Borelli offered and Co. Maloney seconded

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

BID # 11-2008 – NEW CITY COMMUTER PARKING LOT

is hereby awarded to: JMK Enterprises LLC, 301 North Main Street, Suite #1, New City, NY 10956

PRINCIPAL: JOHN KNUTSEN, SR., JOHN KNUTSEN, JR.

as per their proposed project cost as follows:

Total Base Bid \$926,734.00
 Add alternate No. 1 \$ 15,000.00
 Add alternate No. 2 \$ 20,000.00

For a total proposed project cost not to exceed \$961,734.00 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 constitute a proper charge to account number

H-8758-400-409-0-81-27 and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with grants from the New York State Department of Transportation

On roll call the vote was as follows

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

RESOLUTION NO. (146-2009)
Co. Borelli 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 # 34-2008 – MAPLE AVENUE NEW CITY DRAIN LINE REPLACEMENT

is hereby awarded to: A.J.M. CONTRACTORS, INC., 71 LIBERTY STREET, PASSAIC, NJ 07055

PRINCIPAL: ANTHONY J. MARINARO

as per their proposed project cost not to exceed \$156,800.00 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

RESOLUTION NO. (146-2009) continued

- 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-8760-400-409-0-84-4 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
 Co. Hoehmann Yes
 Co. Borelli Yes
 Supervisor Gromack Yes

RESOLUTION NO. (147-2009)

Co. Borelli offered and Co. Maloney seconded

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

BID # 48-2008 – BURNSIDE AVENUE SEWER WAREHOUSE RENOVATIONS

is hereby awarded as follows:

GENERAL CONSTRUCTION: NIKKO CONSTRUCTION, 173 ROUTE 303, VALLEY COTTAGE, NY 10989

PRINCIPAL: RICHARD M. STRANIERE, JR.

As per their proposed project cost of \$1,062,553.00

Add alternate G-1 – Provide Epoxy Coated Finish for Existing Concrete - \$39,430.00

For a total proposed project cost of \$1,101,983.00;

PLUMBING: NIKKO CONSTRUCTION, 173 ROUTE 303, VALLEY COTTAGE, NY 10989

PRINCIPAL: RICHARD M. STRANIERE, JR.

As per their total proposed project cost of \$208,107.00;

ELECTRICAL: Fanshawe, Inc. D/B/A, Rockland Electric, 58 E. Route 59, 2nd Floor, Nanuet, NY 10954

PRINCIPAL: JOHN FANSHAWE

As per their proposed project cost of \$93,500.00

Add alternate E-1 – Provide and install new Fire Alarm System per drawing E7 and Specification section 16720 - \$31,000.00

For a total proposed project cost of \$124,500.00;

HVAC: Pearl River Plumbing & Heating D/B/A, Bertussi's, 60-70 Dexter Plaza, Pearl River, NY 10965

PRINCIPAL: THOMAS P. BERTUSSI

As per their proposed project cost of \$224,744.00

For a total proposed project cost not to exceed \$1,659,334.00 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-8758-400-409-82-19 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
 Co. Hoehmann Yes
 Co. Borelli Yes
 Supervisor Gromack Yes

RESOLUTION NO. (148-2009)

Co. Borelli offered and Co. Maloney seconded

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

RESOLUTION NO. (148-2009) continued

Superintendent of Highways that

BID # 9-2009 – 2008 CONCRETE CURB AND SIDEWALK REPLACEMENT PROGRAM

is hereby awarded to: Upstate Concrete and Masonry Co., Inc., 449 West Mombasha Road, Monroe, NY 10950

PRINCIPAL: ANGELO TONDO, PRESIDENT

as per their proposed total project cost not to exceed \$377,862.50 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 Clarkstown Highway Department

On roll call the vote was as follows

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

RESOLUTION NO. (149-2009)

Co. Lasker offered and Co. Hoehmann seconded

Resolution Authorizing the Supervisor and the Chief of Police to Enter into an Agreement with the County of Rockland Regarding Stop-DWI Funds for the Year 2009

WHEREAS, the County of Rockland has appropriated funds for the STOP-DWI Program to be shared by all Police Departments in the County of Rockland and the Sheriff's Patrol, and

WHEREAS, the Town of Clarkstown has been notified by letter dated January 30, 2009, that the Town of Clarkstown's share for the STOP-DWI Program for the calendar year 2009 is \$5,946.36;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor and the Chief of Police to execute the letter of agreement dated January 30, 2009, with the County of Rockland, for the STOP-DWI Program, to accept funds in the amount of \$5,946.36 for the calendar year 2009, subject to the use of all those funds as provided in said agreement.

On roll call the vote was as follows

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

RESOLUTION NO. (150-2009)

Co. Maloney offered and Co. Hoehmann seconded

WHEREAS, the Town has received \$1,600 from Donations to the Greening Initiative,

NOW THEREFORE BE IT,

RESOLVED, to increase Revenue Account A-01-9-2705-0 (Gifts & Donations) and Expense Account A-8511-319-0 (Community Beautification-Misc Supplies) by \$1,600 and

WHEREAS, account A-1680-408-0 (Maintenance Dept-Bldg Repairs) requires additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease Account A-1990-505-0 (Contingency-Other Costs) and increase A-1620-408-0 (Maintenance Dept.-Bldg Repairs) by \$20,000

On roll call the vote was as follows

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

RESOLUTION NO. (151-2009)

Co. Borelli offered and Co. Lasker seconded

RESOLUTION ACCEPTING DEED FOR ROAD WIDENING HIDDEN RIDGE SITE PLAN (57.15-2-3)

WHEREAS, as a condition to the approval of the final map with regard to a site plan known as Hidden

RESOLUTION NO. (151-2009) continued

Ridge (57.15-2-3), the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Pipetown Hill Road, Nanuet, New York, and

WHEREAS, the Deputy Director of the Department of Environmental Control, with the concurrence of the Superintendent of Highways, 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 May 15, 2003 from Hidden Ridge LLC to the Town of Clarkstown, gratuitously conveying a strip of land along Pipetown Hill Road, Nanuet, 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 |
| Co. Hoehmann | Yes |
| Co. Borelli | Yes |
| Supervisor Gromack | Yes |

RESOLUTION NO. (152-2009)

Co. Hoehmann offered and Co. Maloney seconded

Resolution Adopting a Negative Declaration for the Demarest Mill Creek Improvements Phase III, West Nyack, Town Of Clarkstown, Rockland County, New York

WHEREAS, A Full Environmental Assessment Form has been prepared in compliance with 6NYCRR - Part 617 (SEQR), under authority of the New York State Environmental Conservation Law, to evaluate potential impacts and mitigation measures (if any) resulting from the proposed project, and;

WHEREAS, K. Luke Kalarickal, P.E. acted as agent to the Clarkstown Town Board and circulated the Full Environmental Assessment Form Parts I & II on January 19, 2009 to potential involved and interested agencies, and no interested or involved agencies objected to the Clarkstown Town Board being the Lead Agency for the coordinated review whereby the Clarkstown Town Board is therefore Lead Agency; and

WHEREAS, the potential beneficial impacts far outweigh any short-term environmental impacts, to wit: mitigate potential flooding problems in a residential area and to improve the hydraulic efficiency of the Demarest Mill Creek.

WHEREAS, it has been determined that the proposed project is an UNLISTED action, and;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkstown, as lead agency, has determined that the proposed action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

On roll call the vote was as follows

| | |
|------------------------------|-----|
| Co. Lasker | Yes |
| Co. Maloney | Yes |
| Co. Hoehmann | Yes |
| Co. Borelli | Yes |
| Supervisor Gromack | Yes |

RESOLUTION NO. (153-2009)

Co. Maloney offered and Co. Borelli seconded

Resolution Authorizing Stabilization of Stream Bank and Debris Removal Within a Drainage Easement in the Vicinity of 306 Old Mill Road, Valley Cottage, New York FEMA Pw # 1573

WHEREAS, the gabion baskets at the spillway and stream banks were damaged during the April 16-18, 2007 storm and the debris from the gabion baskets has diverted the stream flow and is eroding areas along private property in the vicinity of 306 Old Mill Road, Valley Cottage, NY and

WHEREAS, the Department of Environmental Control has recommended stabilizing stream banks with rock retaining walls, removal of debris out of the center of the stream channel and make necessary repairs to the disturbed areas; and

WHEREAS, the Department of Environmental Control has obtained five proposals to perform said necessary stream repair work; and, of these, the proposal from Pine Brook Industries, P.O. box 723 New City, NY is the lowest amount;

NOW THEREFORE, BE IT RESOLVED that the Director of Environmental Control is hereby authorized to hire Pine Brook Industries to perform the necessary work; and

BE IT FURTHER RESOLVED that the cost of the said work shall not exceed \$16,500 .00 and shall be a proper charge to account # H 8758-409-0-82-11

On roll call the vote was as follows

| | |
|------------------------------|-----|
| Co. Lasker | Yes |
| Co. Maloney | Yes |
| Co. Hoehmann | Yes |
| Co. Borelli | Yes |
| Supervisor Gromack | Yes |

RESOLUTION NO. (154-2009)
Co. Maloney offered and Co. Hoehmann seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MARCH 24, 2009, AUTHORIZING THE CONSTRUCTION OF WAREHOUSE IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,700,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,700,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct improvements to the warehouse used for sewer purposes. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,700,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,700,000 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 \$1,700,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

- (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a) (2) of the Law, is fifteen (15) years.
- (b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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

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

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

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

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

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

On roll call the vote was as follows

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

RESOLUTION NO. (155-2009)
Co. Borelli offered and Co. Hoehmann seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MARCH 24, 2009, AUTHORIZING THE REPLACEMENT OF A DRAINAGE LINE ON MAPLE AVENUE IN NEW CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$160,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$160,000 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 replace a drainage line on Maple Avenue in New City. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$160,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$160,000 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 \$160,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) 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:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

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

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

On roll call the vote was as follows

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

RESOLUTION NO. (156-2009)
Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control that
RFP #27-2009 – TRAFFIC CONTROL SIGNAL NEED STUDY NORTH MAIN STREET AT HERITAGE
DRIVE/USPS EXIT DRIVE, NEW CITY, NEW YORK
is hereby awarded to: JOHN COLLINS ENGINEERS, P.C., 11 Bradhurst Avenue, Hawthorne, NY 10532
PRINCIPALS: JOHN COLLINS
as per their proposal of \$3,250.00

On roll call the vote was as follows

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

RESOLUTION NO. (157-2009)
Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE
COUNTY OF ROCKLAND, ACTING ON BEHALF OF THE YOUTH BUREAU/ROCKLAND COUNTY
AMERICORPS, FOR SUMMER MEMBER PROGRAM (HIGHWAY DEPARTMENT)

WHEREAS, the County of Rockland Youth Bureau has created a Rockland Environmental Corps
which is staffed with AmeriCorps members to provide a litter patrol program for pickup of litter on Town roads and
stream banks, and it has proposed to provide AmeriCorps members under the direction of the Superintendent of
Highways to participate in a service, educational and environmentally beneficial program which will remove litter
from Town roads and streams, and

WHEREAS, AmeriCorps members receive a minimal stipend while participating in the program which will be
funded in part by the Town of Clarkstown, and

WHEREAS, the Superintendent of Highways has recommended this program for adoption in the Town of
Clarkstown;

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, acting on behalf of the Youth Bureau/Rockland County AmeriCorps, for
the calendar year ending August 31, 2009, to participate in the Rockland County Youth Bureau's litter patrol service
program utilizing the service of not more than four AmeriCorps members, for a program total not to exceed 250
service hours for each member at a cost not to exceed \$5,160.00, to be charged to Account No. DB 5110-409-0.

On roll call the vote was as follows

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

RESOLUTION NO. (158-2009)
Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE
COUNTY OF ROCKLAND, ACTING ON BEHALF OF THE YOUTH BUREAU/ROCKLAND COUNTY
AMERICORPS, FOR SUMMER MEMBER PROGRAM (PLANNING DEPARTMENT)

WHEREAS, the Rockland County Youth Bureau has created a Rockland Environmental Corps which
is staffed with Americorps members to participate in a service-oriented, educational and environmentally beneficial
program and it has proposed to provide Americorps members under the direction of the Town Planner to participate
in the collection of data for application within the Town of Clarkstown Geographic Information System (GIS) and
work related to the Town of Clarkstown Comprehensive Plan, and

WHEREAS, the Town will require assistance in collecting spatial data in the field and processing and
applying this data into the GIS, and

WHEREAS, the Town will require assistance in researching and organizing information to aid in the
completion of the Town of Clarkstown Comprehensive Plan, and

WHEREAS, Americorps members receive a minimal stipend while participating in the program which
would be funded in part by the Town of Clarkstown, and

WHEREAS, the Town Planner has recommended this program for adoption in the Town of
Clarkstown;

NOW THEREFORE BE IT RESOLVED that the Supervisor is hereby authorized to enter into an
agreement with the County of Rockland County, acting on behalf of the Youth Bureau/Rockland County
Americorps, for the calendar year ending August 31, 2009, in a form approved by the Town Attorney, to utilize the
service of not more than two (2) Americorps members to participate in the collection of data for application within
the Town of Clarkstown Geographic Information System (GIS) and work related to the Town of Clarkstown
Comprehensive Plan, for a program total not to exceed 250 service hours for each member at a cost not to exceed
\$2,580.00, and

BE IT FURTHER RESOLVED that said fee shall constitute a proper charge to Account No. A -8021-409.

RESOLUTION NO. (158-2009) continued

On roll call the vote was as follows

| | |
|------------------------------|-----|
| Co. Lasker | Yes |
| Co. Maloney | Yes |
| Co. Hoehmann... | Yes |
| Co. Borelli... | Yes |
| Supervisor Gromack | Yes |

RESOLUTION NO. (159-2009)

Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION REAFFIRMING THE AUTHORIZATION OF THE SUPERVISOR TO ENTER INTO A
 CONTRACT FOR THE CONVEYANCE OF TOWN PROPERTY AND ANCILLARY AGREEMENTS WITH
 THE ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY FOR THE SALE OF THE
 CLARKSTOWN TRANSFER STATION.

WHEREAS, as the result of negotiations between the Supervisor and the Chairman of the ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY ("RCSWMA"), the Town has offered to sell and the RCSWMA has offered to purchase the Clarkstown Transfer Station, including the land upon which the transfer station is situate and the equipment and personal property located upon or affixed to the land, and the assigning of all of the Town's adjacent or neighboring property interests, including leases, license agreement(s) and/or easements, either pertaining to, facilitating and/or necessary for the operation of the transfer station; and

WHEREAS, contemporaneous to the sale and conveyance of the Town's interest-in-fee to the transfer station, the parties shall also enter into a Host Community agreement, whereby the Town shall receive, among other things, payment of fees for each ton of solid waste, construction and demolition material and yard waste received at the transfer station and the French Farms location (together, the real estate transaction and Host Community Agreement are hereinafter referred to as the "Proposed Action"); and

WHEREAS, by resolution adopted on February 12, 2008 (Resolution No. 132), the Town Board declared its intent to act as lead agency for the coordinated review of the Proposed Action; and

WHEREAS, Luke Kalarickal, the Town's Director of Environmental Control, has completed and submitted for the Board's consideration his SEQRA review and findings concerning the impact of the contemplated conveyance upon the environment, which the Board has considered in making its determination herein; and

WHEREAS, on April 11, 2008, the Town distributed the completed Environmental Assessment Form (EAF) and attachments to all involved agencies and interested parties, and

WHEREAS, the Proposed Action was discussed at the Town Board's regularly scheduled Workshop Sessions on February 5, 2008, March 4, 2008, April 8, 2008, and May 6, 2008;

WHEREAS, by Resolution No. 359-2008, adopted May 13, 2008, the Town Board approved the transaction, and

WHEREAS, the agreements are now fully negotiated and the Town Board wishes to re-affirm its approval of the transaction;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby determines that the Proposed Action is an unlisted action and will not result in any significant adverse impact on the environment; and be it

FURTHER RESOLVED, that the Town Board hereby accepts the negative declaration statement; and directs that the negative declaration be filed under the requirements of NYCRR Part §617.12(b)(2), and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a contract of sale with the RCSWMA, in a form approved by the Town Attorney, to convey in fee the land, buildings and appurtenances comprising the Clarkstown Transfer Station for the sum of Fifteen Million (\$15,000,000.00) Dollars; and be it

FURTHER RESOLVED, that contemporaneous to the conveyance of the Clarkstown Transfer Station to the RCSWMA, the Town Board authorizes the Supervisor to enter into a Community Host Agreement with the RCSWMA for an initial term of thirty (30) years providing, *inter alia*, for the payment of host community fees to the Town of Clarkstown for each ton of solid waste, construction and demolition materials and yard waste delivered to the Clarkstown Transfer Station and/or the French Farms location; and be it

FURTHER RESOLVED, that this resolution is subject to permissive referendum as provided in Town Law §64(2).

On roll call the vote was as follows

| | |
|------------------------------|-----|
| Co. Lasker | Yes |
| Co. Maloney | Yes |
| Co. Hoehmann... | Yes |
| Co. Borelli... | Yes |
| Supervisor Gromack | Yes |

RESOLUTION NO. (160-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO
 AGREEMENTS FOR ECONOMIC ASSISTANCE FOR THE YEAR 2009

WHEREAS, certain non-for-profit organizations that have provided services to individuals and groups in the Town of Clarkstown have submitted requests for economic assistance for the year 2009, and

WHEREAS, the applications have been reviewed by the Town Attorney, who has determined that the services provided by the organizations set forth herein are in the public interest and qualifies for expenditure of public funds:

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved

RESOLUTION NO. (160-2009) continued

by the Town Attorney, with the following non-profit organizations to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2009 to the following non-profit organizations in the following amounts:

| | |
|--|---------|
| Albertus Magnus High School – Project Graduation | \$1,000 |
| Big Brothers Big Sisters of Rockland County, Inc. | \$ 900 |
| Clarkstown Baseball Association | \$2,250 |
| Clarkstown Community Task Force | \$3,300 |
| Clarkstown High School North – Project Graduation | \$1,400 |
| Clarkstown High School South – Project Graduation | \$1,400 |
| Friends of the Nyacks | \$ 850 |
| Friends of Rockland Lake, Inc. | \$ 900 |
| Jawonio, Inc. | \$2,500 |
| JCC Rockland | \$1,300 |
| Keep Rockland Beautiful | \$1,900 |
| Literacy Volunteers of Rockland County | \$ 850 |
| Meals on Wheels | \$4,500 |
| Nanuet High School – Project Graduation | \$1,100 |
| New Beginnings Dignity Services, Inc. | \$ 900 |
| Nyack High School PTSA | \$1,100 |
| Rockland Center for the Arts, Inc. | \$3,000 |
| Rockland Community College Retired and Senior Volunteer Program (RSVP) | \$1,000 |
| Rockland Community College Senior Citizens Club | \$2,500 |
| Rockland County Council for Senior Citizens, Inc. (Foster Grandparent Program) | \$1,000 |
| Rockland Family Shelter | \$ 900 |
| Summer Theatre Festival of Clarkstown, Inc. | \$1,300 |
| Volunteer Counseling Service of Rockland County, Inc. | \$ 500 |
| West Nyack Little League | \$1,400 |

and be it

FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2009 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (161-2009)

Co. Hoehmann offered and Co. Maloney seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR ECONOMIC ASSISTANCE FOR THE YEAR 2009 WITH THE ASSOCIATION FOR THE VISUALLY IMPAIRED, INC.

WHEREAS, the Association for the Visually Impaired, Inc., a non-for-profit organization, has provided services to individuals and groups in the Town of Clarkstown and has submitted a request for economic assistance for the year 2009, and

WHEREAS, the application has been reviewed by the Town Attorney, who has determined that the services provided by the organization set forth herein is in the public interest and qualifies for expenditure of public funds: NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organization to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2009 to the following non-profit organization in the following amount:

ASSOCIATION FOR THE VISUALLY IMPAIRED, INC. - \$500

and be it

FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2009 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (162-2009)
Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR ECONOMIC ASSISTANCE FOR THE YEAR 2009 WITH CAMP VENTURE, INC.

WHEREAS, Camp Venture, Inc., a non-for-profit organization, has provided services to individuals and groups in the Town of Clarkstown and has submitted a request for economic assistance for the year 2009, and WHEREAS, the application has been reviewed by the Town Attorney, who has determined that the services provided by the organization set forth herein is in the public interest and qualifies for expenditure of public funds: NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organization to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2009 to the following non-profit organization in the following amount:

CAMP VENTURE, INC. - \$2,500
and be it

FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2009 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (163-2009)
Co. Hoehmann offered and Co. Maloney seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR ECONOMIC ASSISTANCE FOR THE YEAR 2009 WITH HOME AIDES OF ROCKLAND, INC.

WHEREAS, the HOME AIDES OF ROCKLAND, INC., a non-for-profit organization, has provided services to individuals and groups in the Town of Clarkstown and has submitted a request for economic assistance for the year 2009, and

WHEREAS, the application has been reviewed by the Town Attorney, who has determined that the services provided by the organization set forth herein is in the public interest and qualifies for expenditure of public funds: NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organization to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2009 to the following non-profit organization in the following amount:

HOME AIDES OF ROCKLAND, INC. - \$950
and be it

FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2009 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (164-2009)
Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR ECONOMIC ASSISTANCE FOR THE YEAR 2009 WITH MARTIN LUTHER KING MULTI PURPOSE CENTER, INC.

WHEREAS, the Martin Luther King Multi Purpose Center, Inc., a non-for-profit organization, has provided services to individuals and groups in the Town of Clarkstown and has submitted a request for economic assistance for the year 2009, and

WHEREAS, the application has been reviewed by the Town Attorney, who has determined that the services provided by the organization set forth herein is in the public interest and qualifies for expenditure of public funds: NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organization to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2009 to the following non-profit organization in the following amount:

RESOLUTION NO. (164-2009) continued
MARTIN LUTHER KING MULTI PURPOSE CENTER, INC. - \$3,250
and be it

FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2009 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (165-2009)
Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR ECONOMIC ASSISTANCE FOR THE YEAR 2009 WITH THE ROCKLAND CENTER FOR HOLOCAUST STUDIES

WHEREAS, the ROCKLAND CENTER FOR HOLOCAUST STUDIES, a non-for-profit organization, has provided services to individuals and groups in the Town of Clarkstown and has submitted a request for economic assistance for the year 2009, and

WHEREAS, the application has been reviewed by the Town Attorney, who has determined that the services provided by the organization set forth herein is in the public interest and qualifies for expenditure of public funds: NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organization to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2009 to the following non-profit organization in the following amount:

ROCKLAND CENTER FOR HOLOCAUST STUDIES - \$1,800
and be it

FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2009 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (166-2009)
Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR ECONOMIC ASSISTANCE FOR THE YEAR 2009 WITH THE CLARKSTOWN FAMILY RESOURCE CENTER

WHEREAS, the CLARKSTOWN FAMILY RESOURCE CENTER, a non-for-profit organization, has provided services to individuals and groups in the Town of Clarkstown and has submitted a request for economic assistance for the year 2009, and

WHEREAS, the application has been reviewed by the Town Attorney, who has determined that the services provided by the organization set forth herein is in the public interest and qualifies for expenditure of public funds: NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organization to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2009 to the following non-profit organization in the following amount:

CLARKSTOWN FAMILY RESOURCE CENTER - \$2,750
and be it

FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2009 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (167-2009)
Co. Hoehmann offered and Co. Borelli seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR ECONOMIC ASSISTANCE FOR THE YEAR 2009 WITH S.T.A.R KIDS

WHEREAS, S.T.A.R KIDS, a non-for-profit organization, has provided services to individuals and groups in the Town of Clarkstown and has submitted a request for economic assistance for the year 2009, and WHEREAS, the application has been reviewed by the Town Attorney, who has determined that the services provided by the organization set forth herein is in the public interest and qualifies for expenditure of public funds: NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organization to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2009 to the following non-profit organization in the following amount:

S.T.A.R KIDS - \$2,500

and be it

FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2009 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (168-2009)
Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR ECONOMIC ASSISTANCE FOR THE YEAR 2009 WITH T.O.U.C.H. OF ROCKLAND COUNTY, INC.

WHEREAS, T.O.U.C.H. OF ROCKLAND COUNTY, INC., non-for profit organization, has provided services to individuals and groups in the Town of Clarkstown and has submitted a request for economic assistance for the year 2009, and

WHEREAS, the application has been reviewed by the Town Attorney, who has determined that the services provided by the organization set forth herein is in the public interest and qualifies for expenditure of public funds: NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organization to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2009 to the following non-profit organization in the following amount:

T.O.U.C.H. OF ROCKLAND COUNTY, INC. - \$2,250

and be it

FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2009 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (169-2009)
Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR ECONOMIC ASSISTANCE FOR THE YEAR 2009 WITH HELP FROM PEOPLE TO PEOPLE

WHEREAS, HELP FROM PEOPLE TO PEOPLE, non-for profit organization, has provided services to individuals and groups in the Town of Clarkstown and has submitted a request for economic assistance for the year 2009, and WHEREAS, the application has been reviewed by the Town Attorney, who has determined that the services provided by the organization set forth herein is in the public interest and qualifies for expenditure of public funds: NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organization to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2009 to the following non-profit organization in the following amount:

HELP FROM PEOPLE TO PEOPLE - \$800

RESOLUTION NO. (169-2009) continued
and be it

FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2009 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (170-2009)
Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR ECONOMIC ASSISTANCE FOR THE YEAR 2009 WITH UNITED HOSPICE OF ROCKLAND

WHEREAS, UNITED HOSPICE OF ROCKLAND, non-for profit organization, has provided services to individuals and groups in the Town of Clarkstown and has submitted a request for economic assistance for the year 2009, and

WHEREAS, the application has been reviewed by the Town Attorney, who has determined that the services provided by the organization set forth herein is in the public interest and qualifies for expenditure of public funds: NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organization to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2009 to the following non-profit organization in the following amount:

UNITED HOSPICE OF ROCKLAND - \$1,250

and be it

FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2009 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (171-2009)
Co. Hoehmann offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR ECONOMIC ASSISTANCE FOR THE YEAR 2009 WITH CANDLE

WHEREAS, CANDLE (Clarkstown Awareness Network for a Drug Free Life Environment), a non-for-profit organization, has provided services to individuals and groups in the Town of Clarkstown and has submitted a request for economic assistance for the year 2009, and

WHEREAS, the application has been reviewed by the Town Attorney, who has determined that the services provided by the organization set forth herein is in the public interest and qualifies for expenditure of public funds: NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organization to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2009 to the following non-profit organization in the following amount:

CANDLE - \$14,000

and be it

FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2009 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (172-2009)
Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION APPROPRIATING FUNDS TO VETERAN ORGANIZATIONS

WHEREAS, certain veteran organizations have requested monetary assistance from the Town of Clarkstown to defray rent costs, provide funds for parades, memorial services, and other activities;

NOW, THEREFORE, be it

RESOLVED, that in accordance with Section 64(13) of the Town Law, the Town Board hereby appropriates the annual sum of \$750 (\$500 for leasing or rental, and maintenance of meeting facility \$250 for patriotic observance) to the following veteran organizations for the year 2009:

- American Legion Naurashank - Post 794
- American Legion - Post 1682
- Jewish War Veterans of the U.S.A. - Post 756
- Korean War Veterans - Eagle Chapter
- Veterans of Foreign Wars of the U.S. - Post 8749
- Veterans of Foreign Wars - Post 9215
- Veterans of Foreign Wars - Clarkstown Memorial Post 851
- Vietnam Veterans of America - Chapter 333
- West Nyack Memorial Post - Post 126

and be it

FURTHER RESOLVED, that claims for such sums shall be made annually by the organization and submitted to the Town Board for audit and disbursement, and be it

FURTHER RESOLVED, that said funds will be charged against 2009 Account No. A 6510-401.

On roll call the vote was as follows

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

RESOLUTION NO. (173-2009)
Co. Maloney offered and Co. Borelli seconded

RESOLUTION AUTHORIZING AN INCREASE IN FARES FOR THE CLARKSTOWN MINI-TRANS

WHEREAS, the Town of Clarkstown operates a Mini-Transit System, and
WHEREAS, the purpose of the Mini-Transit System is to transport Clarkstown residents to connection points so that they may access the County of Rockland’s county-wide system, and

WHEREAS, the County of Rockland has proposed certain fare increases for riders, and
WHEREAS, the Town of Clarkstown has been advised by the County of Rockland that if the Town does not adopt the County’s new fare structure, Clarkstown Mini-Trans riders who purchase super saver tickets will not be entitled to free transfers to the County bus system, effectively undermining the purpose of the Mini-Trans System, and
WHEREAS, the Town of Clarkstown sees no choice but to adopt the County’s fare structure;

NOW, THEREEFOR, be it

RESOLVED, that the Town Board herby authorizes the increase in fares for the Clarkstown Mini-Trans as of May 1, 2009, as follows:

| CLARKSTOWN MINI TRANS | CURRENT FARE | NEW FARE |
|--|--------------|----------|
| Fare | \$.90 | \$1.50 |
| Transfer | \$.10 | \$.30 |
| Super Saver Tickets (strip of 20) (Fare = 2 tickets) | \$7.00 | \$9.00 |
| Fare - Senior Citizen/Disabled | \$.30 | \$.40 |
| Transfer - Senior Citizen/Disabled | \$.10 | \$.15 |

On roll call the vote was as follows

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

RESOLUTION NO. (174-2009)
Co. Maloney offered and Co. Borelli seconded

RESOLUTION GRANTING BREGA DOT MAINTENANCE CORPORATION’S APPLICATION TO RELOCATE WITHIN THE TOWN OF CLARKSTOWN DEVELOPMENT ZONE

WHEREAS, Brega DOT Maintenance Corporation (“Brega”) performed vehicle repairs and maintenance in the Town of Clarkstown from 1997 to present, and

WHEREAS, Brega is expanding and relocating its facility to certain property located within the Clarkstown’s Empire Zone, and

WHEREAS, Brega expects to hire an additional fourteen (14) full time employees as a result of its relocation expansion, and

RESOLUTION NO. (174-2009) continued

WHEREAS, physical and lease constraints prevent Brega’s expansion at its current location, and
WHEREAS, Brega will invest approximately \$500,000 in furniture, fixtures, equipment and machinery as a result of its expansion, and

WHEREAS, while Brega’s business does not fall within a targeted business category for the Clarkstown Development Zone, the Town of Clarkstown may grant an exception to its policy if the business will further “local revitalization objectives;”

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby grants Brega’s application an exception to the Zone Development Plan on the ground that the business will further local revitalization objectives, and be it

FURTHER RESOLVED, that the Town of Clarkstown consents to the relocation of Brega to the Town of Clarkstown Development Zone.

On roll call the vote was as follows

| | |
|------------------------------|---------|
| Co. Lasker | Yes |
| Co. Maloney | Yes |
| Co. Hoehmann | Abstain |
| Co. Borelli | Yes |
| Supervisor Gromack | Yes |

The Supervisor opened the meeting for general public comments.

Steven Levine- Congers

Spoke about issues regarding property on Massachusetts Avenue and asked if anyone applied for a permit to remediate. Stated the environmental lien should not be removed.

K. Luke Kalarickal, Director, Department of Environmental Control

Stated no one has applied for a permit to remediate.

Barry Goldberg- Goshen

Read a letter regarding property on Massachusetts Avenue, (on file with Town Clerk).

On motion of Co. Maloney, seconded by Co. Hoehmann, and unanimously adopted, Town Board Meeting was closed 8:56 P.M.

Respectfully submitted,

David Carlucci
Town Clerk

