

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

4/21/09

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.

Proclamation made by Supervisor Gromack naming the month of May "Older Americans Month" in Clarkstown

Presentation: Nanuet Girls' Basketball 2009 State Champions

Supervisor opened the meeting to public comments regarding agenda items.

Steven Levine- Congers

Regarding agenda item #6 (res. no. 194-2009), asked for cost and contractor's name.

Supervisor Gromack

Regarding agenda item #6 (res. no. 194-2009), the project was awarded to Ascape Landscaping at a cost of \$15,321.

Steven Levine- Congers

Regarding agenda item #15b (res. no. 208-2009), asked for cost and contractor's name.

Supervisor Gromack

Regarding agenda item #15b (res. no. 208-2009), stated this will be funded with a bond in the amount of \$107,500 and contracted to Rockland Electric.

Steven Levine- Congers

Regarding agenda item #16f (res. no. 220-2009), asked for project details.

Ed Duer- Comptroller

Regarding agenda item #16f (res. no. 220-2009), stated this concerns various feasibility studies for Public Works projects, including drainage and revitalization projects, funded by serial bonds totaling \$75,000.

RESOLUTION NO. (175-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLVED, that the Town Board Minutes of March 24, 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. (176-2009)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Fredrick Hastings to the position of (provisional) Parks Maintenance Director - Parks Board and Recreation Commission – at the current 2009 salary of \$85,465, - effective and retroactive to April 20, 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. (177-2009)

Co. Maloney offered and Co. Borelli seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #06112 Real Property Appraiser which contains the name of James J. Molinaro, Jr.

NOW, therefore, be it

RESOLVED, that James J. Molinaro– is hereby appointed to the position of (permanent) Real Property Appraiser – Office of the Town Assessor – at the current 2009 salary of \$58,018, effective and retroactive to April 6, 2009.

RESOLUTION NO. (177-2009) 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. (178-2009) intentionally not used

RESOLUTION NO. (179-2009)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that Jason Vogel is hereby appointed to the position of Member –Traffic and Traffic Fire Safety Advisory Board – (to fill the unexpired term of James J. Comer) – term effective and retroactive to March 30, 2009 and to expire on March 1, 2012 - at the current 2009 annual salary of \$2,800.

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. (180-2009)

Co. Borelli offered and Co. Hoehmann seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #05152 Police Captain –which contains the name of Michael R. Sullivan,
NOW, therefore, be it

RESOLVED, that Michael R. Sullivan is hereby appointed to the position of (permanent) Police Captain – Clarkstown Police Department –effective and retroactive to April 20, 2009 - at a salary which will be determined upon the agreement and the signing of the new contract between the Town of Clarkstown and Captain Michael R. Sullivan.

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. (181-2009)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #08198 Planner –which contains the name of James F. Creighton, Jr.
NOW, therefore, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Chairman of the Planning Board of James F. Creighton Jr. to the (permanent) position of Planner – Planning Department –at the 2009 annual salary of \$72,449., – effective and retroactive to April 3, 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. (182-2009)

Co. Borelli offered and Co. Maloney seconded

RESOLVED, that the retirement of William Quirk – Police Officer –Clarkstown Police Department - is hereby accepted effective and retroactive to March 27, 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. (183-2009)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A. , Samantha Correa – Payroll Clerk and Data Entry Operator – Clarkstown Police Department – is hereby granted an extension of her Sick Leave of Absence - at one-half pay – effective and retroactive to April 19, 2009 to May 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. (184-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH ORANGE & ROCKLAND UTILITIES, INC. CONCERNING PILOT PROGRAM FOR LED STREET LIGHTS

WHEREAS, Orange and Rockland Utilities, Inc. (“O&R”) is conducting a Light-Emitting Diode (“LED”) Street Light Pilot Program to determine the feasibility of installing LED street lights on the O&R system, and WHEREAS, pursuant to the terms of the program, O&R would replace four existing street lights with LED lights, and would credit the Town with any savings at the conclusion of the Pilot period, and WHEREAS, O&R is seeking municipalities to participate in the Pilot Program, and WHEREAS, the Town Board is interested in such participation for the Town of Clarkstown; NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form acceptable to the Town Attorney, with Orange and Rockland Utilities, Inc. to conduct a Light-Emitting Diode Street Light Pilot Program outlined in its March 23, 2009 proposal.

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. (185-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE SITE AGREEMENT WITH METRO PCS NEW YORK, LLC, TO ESTABLISH WIRELESS COMMUNICATION ANTENNA AND EQUIPMENT SHELTER ON PREMISES KOWN AS GERMONDS PARK, WEST NYACK

WHEREAS, the discontinuance of park lands identified for use for wireless communication purposes has been authorized by Chapter 542, Laws of the State of New York, approved by the Governor on September 28, 2004, and WHEREAS, the Town of Clarkstown entered into a site agreement with Sprint Spectrum, which provides for the lease of approximately 5916 Sq. Ft. of land formerly part of Germonds Park together with an easement for access and utilities (Sprint Site ID No. NY26XC375), and WHEREAS, METRO PCS NEW YORK, LLC has submitted a request to lease a part of the premises for use as wireless communication;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of Deputy Town Attorney Daniel N. Kraushaar, the Supervisor is hereby authorized to execute a site lease agreement with METRO PCS NEW YORK, LLC, which provides for payment of \$1,125 per month to the Town of Clarkstown, in a form approved by the Town Attorney, subject to METRO PCS NEW YORK, LLC complying with the following conditions:

- 1. Insurance certificate naming Town as additional insured in the amount of \$1,000,000/\$2,000,000;
2. Security deposit in the amount of \$10,000.00, in a form approved by the Town Attorney’s Office, as security for the removal of the Tenant’s facilities;
3. A check in the amount of \$1,000 made payable to the Town of Clarkstown for the “Option Fee” provided in Section 1(a) of the lease;
4. A check in the amount of \$1,000 made payable to the Town of Clarkstown for "Signing Bonus" provided in Section 18(n), and
5. A check in the amount of \$5,000 made payable to the Town of Clarkstown within ten business days of Tenant receiving two copies of the fully executed lease as and for the “administrative and filing fee” provide in Section 19.

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. (186-2009)
Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING AN AGREEMENT WITH HUDSON MICROIMAGING, INC. FOR A RECORDS MANAGEMENT IMPROVEMENT PROJECT

WHEREAS, the Town has been awarded a LGRMIF GRANT 2008-2009 PROJECT in the amount of \$4,614.00 to microfilm records collections in the Clarkstown Justice Court System, including Sealed and Unsealed Criminal Dockets, and
WHEREAS, Hudson Microimaging, Inc. has previously satisfactorily completed a microfilm project for several records collections in the Clarkstown Town Clerk’s Office, and
WHEREAS, Hudson Microimaging, Inc. has made a proposal dated March 20, 2009 for the Clarkstown Justice Court records project in the amount of \$4,233.00;
NOW THEREFORE BE IT RESOLVED that based upon the recommendation of the Clarkstown Town Clerk, the Supervisor is hereby authorized to enter into an agreement with Hudson Microimaging, Inc. as per their total project cost not to exceed the amount of \$4,233.00, and be it
FURTHER RESOLVED, that this project shall be under the supervision of the Clarkstown Town Clerk, and be it
FURTHER RESOLVED, that said award shall constitute a proper charge to account number H8758-409-0-82-37.

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. (187-2009)
Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING AN AGREEMENT WITH H2M GROUP TO PROVIDE ENGINEERING SERVICES CONCERNING THE CLARKSTOWN SEWER PUMP STATIONS, WHICH SHALL BE REIMBURSED TO THE TOWN BY THE ROCKLAND COUNTY SEWER DISTRICT

WHEREAS, the H2M Group prepared an engineering design report for the Rockland County Sewer District No. 1 (“RCS D #1) with regard to the Pump Stations and Collection System Upgrade Project, and
WHEREAS, the Design Report calls for the upgrade of eight separate pump stations and five separate collection system areas located in the Town of Clarkstown, and
WHEREAS, the RCS D #1 has agreed to reimburse the Town for the design and construction services association with the capital improvements program, and
WHEREAS, The H2M Group has submitted a proposal dated April 14, 2009, to provide professional engineering services for the planning and design of the Town of Clarkstown Sewer Pump Stations and collection System;
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 provide professional engineering services for the planning and design of the Town of Clarkstown Sewer Pump Stations and Collection System, and be it
FURTHER RESOLVED, that the fee for said work shall not exceed \$396,200.00, and will be charged to Account No. H 8760-409-0-84-9, which fees shall be reimbursed to the Town by the Rockland County Sewer District No. 1.

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. (188-2009)
Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING AN AGREEMENT WITH H2M GROUP FOR ENGINEERING SERVICES CONCERNING THE SOLID WASTE TRANSFER FACILITY, WHICH SHALL BE REIMBURSED TO THE TOWN BY THE ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY

WHEREAS, as part of the sale of the Solid Waste Transfer Facility and lease of the property to the Rockland County Solid Waste Management Authority (“RCSWMA”), the Host Community Agreement was entered into which allows for the Town to conduct an Oversight Program of the RCSWMA operation at the transfer station, compost site and concrete crushing operations, for a period of seven years, and
WHEREAS, the cost of the Oversight Program is to be reimbursed to the Town by the RCSWMA, and
WHEREAS, H2M Group submitted a proposal dated April 14, 2009, to perform the oversight work for a period of one year at an annual cost of \$70,000.00 per year;
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 conduct an Oversight Program of the RCSWMA operation at the transfer station, compost site and concrete crushing operations, pursuant to its proposal dated April 14, 2009, and be it

RESOLUTION NO. (188-2009) continued

FURTHER RESOLVED, that the fee for said work shall not exceed \$70,000.00, and shall be charged to Account No. SR 8160-409-0, and be it

FURTHER RESOLVED, that the RCSWMA shall reimburse the Town for H2M'S fees as per the Host Community 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. (189-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING AN AGREEMENT WITH H2M GROUP FOR ENGINEERING SERVICES CONCERNING THE NEW CITY COMMUTER PARKING LOT, WHICH IS BEING FUNDED BY THE NEW YORK STATE DOT AND THE COUNTY OF ROCKLAND

WHEREAS, by Resolution No. 225-2006, adopted on March 21, 2006, the Town Board entered into an agreement with H2M Group for the Construction Administration Phase of the New City Commuter Lot (the "Project"), and WHEREAS, the Town Board has determined that H2M Group should provide construction oversight of the Project, and

WHEREAS, the H2M Group has submitted a proposal dated April 15, 2009, to provide the requested additional engineering services;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an amended agreement with H2M, in a form approved by the Town Attorney, to perform additional engineering services (construction observation) for the New City Commuter Lot Project, and be it

FURTHER RESOLVED, that the fee for services of Task No. 1 (Construction Administration Services) shall not exceed \$28,000.00, and the fee for Task No. 2 (Construction Observation Services) shall be on an hourly basis not to exceed \$49,000.00, and be it

FURTHER RESOLVED, that said fees shall be charged to Account No. H 8757-409-0-81-27, and said fees shall be reimbursed to the Town by the New York State DOT and the County of Rockland.

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. (190-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AMENDING RESOLUTION NO. 757-2008, AUTHORIZING AN AMENDED AGREEMENT WITH H2M GROUP FOR ENGINEERING SERVICES AT THE CONGERS SEWER WAREHOUSE FACILITY

WHEREAS, by Resolution No. 757-2008, , adopted by the Town Board on November 25, 2008, the Town Board authorized the Supervisor to enter into an amended agreement with the H2M Group to perform additional services for the construction phase of the Burnside Avenue project, and

WHEREAS, the Town has requested that H2M provide construction oversight of the project, and

WHEREAS, H2M has submitted a proposal dated April 14, 2009, to provide the additional work requested by the Town, and

WHEREAS, Resolution No. 984-2004 as amended by Resolution Nos. 196-2007, 352-2007, 55-2008, 439-2008, and 757-2008, authorized the Town to retain H2M Group, to perform professional engineering services in connection with the Warehouse Facility upgrade at Congers Sewer Warehouse Facility, at Burnside Avenue in Congers, as per its proposal;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a sixth amended agreement with H2M, in a form approved by the Town Attorney, to perform additional engineering services concerning the upgrade to the Congers Sewer Warehouse Facility, pursuant to its proposal dated April 14, 2009, and be it

FURTHER RESOLVED, that the additional fee shall not exceed \$48,000.00 and shall be charged to Account No. H 8758-400-409-82-19, and be it

FURTHER RESOLVED, that said Capital Account is hereby increased to \$201,450.00.

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. (191-2009)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, a resident of Homestead Lane, New City, in the Town of Clarkstown have 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, a majority of 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 and Rockland Utilities, Inc. for street lighting at the following location:

Homestead Lane, New City (Install one (1) -70-watt-5,800 sodium vapor street light on Pole #58920/41789)

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

RESOLUTION NO. (192-2009)

Co. Borelli offered and Co. Maloney 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

CLARKSTOWN EXECUTIVE PARK-LOT #11
625 CORPORATE WAY
VALLEY COTTAGE, NY 10989
124-C-27 (52.15-1-84.3)

By the installation of Fire lane designations, and

WHEREAS, URI SASSON, 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. (193-2009)

Co. Borelli offered and Co. Maloney 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

GJAM, LLC
389 WEST NYACK ROAD
WEST NYACK, NY 10994
51-A-20 (64.7-1-9.3)

By the installation of Fire lane designations, and

WHEREAS, JONATHAN MENSCH, 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. (194-2009)
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL CONTROL TO RETAIN THE SERVICES OF A CONTRACTOR TO REPLACE AN EXISTING RETAINING WALL WITHIN THE TOWN ROW IN FRONT OF #26 LINBERGH LANE, NEW CITY

WHEREAS, approximately 295s.f. of existing retaining wall is located within the Town ROW in front of #26 Lindbergh Lane, New City, has deteriorated and needs to be replaced; and
WHEREAS, the Department of Environmental Control has prepared a plan to replace the deteriorated retaining wall; and
WHEREAS, the Department of Environmental Control has solicited proposals from six (6) qualified contractors to replace the wall; and
WHEREAS, the Department of Environmental Control has received four (4) proposals in response to its solicitation; and
WHEREAS, Department of Environmental Control staff has reviewed the low proposal submitted by Ascape Landscaping & Construction and has found it to be acceptable; and
WHEREAS, the Director of the Department of Environmental Control recommends that the work be awarded to Ascape Landscaping & Construction for their low proposal of \$15,321.00; and
NOW, THEREFORE, BE IT RESOLVED that the director of Environmental Control is hereby authorized to retain the services of:
Ascape Landscaping & Construction, P.O. Box 679, New City, N.Y. 10956
to perform this work in accordance with their proposal for an amount not to exceed \$15,321.00; and
BE IT FURTHER RESOLVED that it is the intent of the Town Board that this project shall be funded by serial bonds; and
FURTHER RESOLVED that this amount shall be a proper charge to account H-8760-409-0-84-6

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. (195-2009)
Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, the West Nyack Fire Engine Co. #1 Inc. has requested permission to have a licensed fireworks display at Germonds Park, West Nyack, NY and hold a fair, and
WHEREAS, Police Chief Peter Noonan, Clarkstown Police Department, Keith Garrabrant, Emergency Management Coordinator, and Mark Papenmeyer, Chief Fire Safety Inspector, have reviewed the proposal and have advised that the proposed fireworks display shall be in compliance with the National Fire Protection Act and New York State Penal Law Section 405 and that adequate Police personnel will be available, and have recommended permission be granted for such fireworks display subject to certain conditions and compliance with all necessary public safety measures provided the display is held on May 24, 2009.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to West Nyack Fire Engine Co. #1 Inc. to sponsor a fireworks display at Germonds Park on May 24, 2009 at approximately 9:00 p.m., subject to the following conditions:

- 1. Compliance with New York State Penal Law S405 and the National Fire Protection Act, and
- 2. A Certificate of Insurance naming the Town of Clarkstown as an additional insured with coverage not less than \$3,000,000 and evidence of NYS Workers' Compensation and Disability Benefits coverage, and
- 3. An on site inspection by the Town of Clarkstown Fire Inspector prior to the fireworks display, and
- 4. Provide a bond for the favor of the Town of Clarkstown in an amount not less than \$5,000 as provided by §405.00(4) Penal Law.

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. (196-2009)
Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING REFUND OF BUILDING PERMIT FEE TO EMPIRE STATE BUILDERS AND CONTRACTORS, INC. FOR PROPERTY KNOWN AS MAP NO. 50.20-3-92

WHEREAS, Empire State Builders and Contractors, Inc. has requested a refund of Building Permit Fee (No. 09-157) paid in the amount of \$200.00 for property located at 9 Briarcliff Road, New City, New York, more particularly described as Tax Map No. 50.20-3-92, because the Town has denied them an extension to the building, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing

RESOLUTION NO. (196-2009) continued
review fee of \$90.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of \$110.00, of the total Building Permit fee paid in the amount of \$200.00, to Empire State Builders and Contractors, Inc., to be charged to Account No. B 02-6-2555-0, subject to receipt and cancellation of the Building Permit.

On roll call the vote was as follows

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

RESOLUTION NO. (197-2009)
Co. Hoehmann offered and Co. Borelli seconded

RESOLUTION RE-ESTABLISHING A COMMITTEE TO RECOGNIZE COMMERCIAL PROPERTY OWNERS, OR OPERATORS, WHO MAINTAIN EXEMPLARY PROPERTIES

WHEREAS, the Town Board of the Town of Clarkstown adopted Resolution No. 456 on July 25, 2006, creating a committee to recognize commercial property owners, or operators, who have taken extraordinary steps maintaining their properties. This program is known as the "Pride of Clarkstown," and is also intended to act as an incentive for all commercial property to be improved, and

WHEREAS, the Committee consists of the following persons:

George Hoehmann, Town Board Liaison
Scott Milich, Chairman
David Kaminski
Dorie McMaster
and
Donald Ritch
Irene Ryan
Shirley Washington

WHEREAS, the Town Board wishes to re-establish the Committee for the year 2009;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby re-establishes the committee referred to herein, and be it

FURTHER RESOLVED, that the Town Board hereby endorses the contest for the best maintained commercial property, and shall appropriate \$2,000.00 to the committee to conduct the contest, prepare award certificate and for incidental expenses, which shall be a property charge to Account No. A-1010-409.

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. (198-2009)
Co. Lasker offered and Co. Hoehmann seconded

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

WHEREAS, the following group wishes to adopt specified Town location for a two year period beginning March 31, 2009 to March 31, 2011, as follows:

Sponsor: Blue Sky Landscape, Inc., 505 Kings Highway, Valley Cottage, NY 10989
Location: Corner of Lake Road & Kings Highway, Valley Cottage, New York

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying this location, and by removing trash from this location, which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement with the entity referred to herein, for a period of two (2) years beginning March 31, 2009 to March 31, 2011, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above location, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the location; and be it

FURTHER RESOLVED, that this resolution shall be retroactive to 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. (199-2009)
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING EXTENSION OF LEASE WITH THE ROCKLAND COUNTY RADIO CONTROL CLUB TO UTILIZE A PORTION OF THE CAPPED CLARKSTOWN SANITARY LANDFILL SITE FOR RADIO CONTROL MODEL AIRPLANE AIRDROME

RESOLVED, that the Town Board authorizes the extension of a license agreement with the Rockland County Radio Control Club for use of the former site of the Clarkstown Sanitary Landfill, now capped, for a period of one year commencing March 31, 2009 and ending on March 31, 2010, for the nominal fee of \$1.00 per year, provided that all residents wishing to participate in club activities continue to be eligible for membership, and all the other terms and conditions in the license agreement, including providing the required proof of insurance, shall be observed.

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. (200-2009)
Co. Maloney offered and Co. Borelli seconded

Resolution Authorizing Release of Performance Bond (Bocca Site Plan, West Nyack – 64.08-1-3)

RESOLVED, that based upon the recommendation and report of the Deputy Director of the Department of Environmental Control and the concurrence of the Superintendent of Highways, the Performance Bond furnished to the Town by Charles Bocca secured by a certified check in the amount of \$2,040.00, in connection with Charles Bocca Site Plan designated on the Clarkstown Tax Map as 64.08-1-3 (f/k/a 71-C-36), may be released as all the required work has been completed to the satisfaction of the Department of Environmental Control.

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. (201-2009)
Co. Lasker 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 hydrant in conjunction with Hydrant Investigation No. 12794, Renfrew Road, New City.

Hydrant #11304 – LOCATED APPROXIMATELY 345’ EAST OF CARLISLE CT. ON RENFREW ROAD, NEW CITY, NY FOR THE PROPOSED SUBDIVISION CALLED HARTMAN ESTATES 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
- Co. Hoehmann. Yes
- Co. Borelli. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (202-2009)
Co. Hoehmann offered and Co. Lasker seconded

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

BID #34-2009 – RENEE LANE DRAINAGE 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 Environmental Control at the above address upon payment of the prescribed fee.

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. (203-2009)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
BID #35-2009 – BARDONIA ROAD EASEMENT 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 Clarkstown Department of Environmental Control at the above address upon payment of
the prescribed fee.

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. (204-2009)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
BID #36-2009 – OLD HAVERSTRAW ROAD CULVERT
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 Clarkstown Department of Environmental Control at the above address upon payment of
the prescribed fee.

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. (205-2009)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
BID #37-2009 - WELLS AVENUE DRAINAGE 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 Clarkstown Department of Environmental Control at the above address upon payment of
the prescribed fee.

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. (206-2009)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:
BID #38-2009 – REFUSE PICK UP SERVICE – TOWN FACILITIES
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. (207-2009)

Co. Borelli offered and Co. Hoehmann seconded

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

BID # 53-2008 - POLICE IMPOUND YARD FENCE

is hereby awarded to: CARJEN FENCE NO. 1 CORP., 1223 PARK STREET, PEEKSKILL, NY 10566

PRINCIPAL: JOSEPH CALICCHIA, JR.

as per their proposed project cost not to exceed \$39,875.00 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-8759-400-409-0-83-30 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. (208-2009)

Co. Borelli offered and Co. Hoehmann seconded

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

BID # 4-2008 – ELECTRICAL SERVICES: REMOVAL AND DISPOSAL OF EXISTING UPS (Uninterruptible Power Supply) SYSTEM AND THE INSTALLATION OF NEW TOWN SUPPLIED UPS SYSTEM

is hereby awarded to: FANSHAW, INC. D/B/A, ROCKLAND ELECTRIC, 58 East Route 59, Nanuet, NY 10954

PRINCIPAL: JOHN FANSHAW

as per their proposed project cost not to exceed \$107,500.00 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 constitute a proper charge to account number H-8759-400-409-0-83-15 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. (209-2009)

Co. Borelli offered and Co. Hoehmann seconded

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

BID # 5-2009 – ATHLETIC FIELD AND TURF MAINTENANCE

is hereby awarded to: FIELD PRO ENTERPRISES, LLC, 17 WHITMAN PLACEMONROE, NY 10950

PRINCIPAL: NATALE NUOVO

as per their proposed total project cost of \$39,900.00 and be it

RESOLUTION NO. (209-2009) continued

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

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. (210-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney – Purchasing that
 BID #7-2009 – FIRST AID/SAFETY SUPPLIES

is hereby awarded to: NORTHERN SAFETY, 232 INDUSTRIAL PARK DR., FRANKFORT, NY 13340

PRINCIPALS: SAL LONGO

MOORE MEDICAL, LLC, 1690 NEW BRITAIN AVENUE, FARMINGTON, CT 06032-3112

PRINCIPALS: A PUBLIC CORPORATION

HENRY SCHEIN MATRIX, INC., P.O. BOX 194, WARETOWN, NJ 07858

PRINCIPALS: A PUBLIC CORPORATION

LAERDAL MEDICAL CORPORATION, 176 MYERS CORNERS ROAD, WAPPINGERS FALLS, NY 12590

PRINCIPALS: A PUBLIC CORPORATION

as per the attached item/price schedule:

ITEM NO.	ITEM DESCRIPTION	UNIT PRICE	AWARD
1	ACE BANDAGE -3" WIDE x 5 YDS.	\$ <u>3.46</u> CS/10	MOORE MEDICAL
		OFFERING CYPRESS #80855	
2	ADHESIVE TAPE -1" TUBE x 2/ 12 YDS.	\$ <u>7.08</u> /CS 12 ROLL CS.	NORTHERN SAFETY
	INDIV SPOOL PKGING	OFFERING NS-240-032	
3	AS ABOVE -1/2" TUBE x 2 ½ D	\$ <u>9.35</u> /PK 12 ROLL/PK	NORTHERN SAFETY
	INDIV.SPOOL PKGING	OFFERING	
4	ADHESIVE TAPE -½ X 5 YD.,	\$ <u>14.18</u> /CS. CS/12	NORTHERN SAFETY
	INDIV SPOOL PKGING	OFFERING 249-2035 AVAIL. INDIVIDUALLY	
5	AIRWAYS - PLASTIC		
	(A)ADULT SIZE	\$ <u>1.45</u> EA 12/BOX	HENRY SCHEIN
	(B) CHILD SIZE	\$ <u>1.45</u> EA 12/BOX	HENRY SCHEIN
		OFFERING RUSCH 12180	
6	ALCOHOL - PREP PADS IN FOIL	\$ <u>1.25</u> BX BX/200	MOORE MEDICAL
		OFFERING 68534	
7	ALCOHOL - RUBBING, PINTS	\$ <u>12.37</u> CS CS/12	HENRY SCHEIN
		OFFERING SWAN/50925	
8	AMMONIA INHALANTS (CRUSHABLE AMPULES)	\$ <u>12.72</u> BX BOX/100	HENRY SCHEIN
		OFFERING PACKIT 9-100	
9	APPLICATORS, COTTON TIPPED 3"	\$ <u>2.11</u> PKG/1000	MOORE MEDICAL
		OFFERING MOORE 69621	
10A	BANDAGE, COMPRESS- 2"	\$ <u>3.26</u> /PKG PKG/4	NORTHERN SAFETY
10B	BANDAGE, COMPRESS- 3"	\$ <u>2.98</u> /PKG PKG/2	NORTHERN SAFETY
10C	BANDAGE. COMPRESS- 4"	\$ <u>1.69</u> /EA.	NORTHERN SAFETY
		OFFERING	
11	BANDAIDS - 3" x 3/4 "	\$ <u>.87</u> BX/100	MOORE MEDICAL
		OFFERING NUTRAMAX 85948	
12	BANDAIDS - 3" X 1"	\$ <u>1.08</u> BX/100	MOORE MEDICAL
		OFFERING NUTRAMAX 85949	
13	BLANKETS, DISPOSABLE EMERGENCY 60"x90" AS PER ROEHAMPTON MEDICAL #6090 NO SUBSTITUTES	\$ <u>4.52</u> /EA CASE QTY 40_	NORTHERN SAFETY
		OFFERING #252-28029	
14	BURN JEL, (FOR FAST PAIN RELIEF OF MINOR BURNS -CONTAINS LIDOCAINE) CONNEY #32370 1/8 OUNCE PACKETS OF 25	\$ <u>3.58</u> /BX 24 BX/CASE	MOORE MEDICAL
		OFFERING SAFETEC 77494	
15	BUTTERFLY CLOSURE- MEDIUM	\$ <u>.91</u> /BX BX/100	HENRY SCHEIN
		OFFERING DERMASCI 1019762	
16	BUTTERFLY CLOSURES- LARGE	\$ <u>1.34</u> /BX BOX/100	HENRY SCHEIN
		OFFERING 1990628	
17	CALAMINE LOTION 8 OZ. PLASTIC BOTTLE	\$ <u>15.37</u> /CS CS/12	HENRY SCHEIN
		OFFERING SWAN 51123	

RESOLUTION NO. (210-2009) continued

ITEM NO.	ITEM DESCRIPTION	UNIT PRICE	AWARD
18	COLD PACKS- REUSABLE-REG. SIZE 6"X 9" -SMALL SIZE 4"X 6"	\$.56 /EA OFFERING #81855 SIZE 6 X 8 \$.41 /EA OFFERING NORTECH 1045324 SIZE 4 X 6	MOORE MEDICAL HENRY SCHEIN
19	COLD PACS INSTANT 5" X 7" SMALL SIZE 4" X 4"	\$ 5.04 CASE/24 CYPRESS #81854 \$ 12.50 CASE/50 OFFERING CYPRESS #81853	MOORE MEDICAL MOORE MEDICAL
20	COTTON BALLS- STERILE	\$ 3.15 500 BOX OFFERING MOORE 69544	MOORE MEDICAL
21	DISINFECTANT TOWELETTES (NON-ALCOHOL) FOIL WRAP, PREMOISTENED DISPOSABLE AS PER MEDITOX OR WIPE OUT OR EQUAL	\$ 1.17 BOX/100 OFFERING MOORE 68535	MOORE MEDICAL
22	DRESSINGS-10"X2.5' MULTI TRAUMA INDIVIDUAL PACKS	\$ 19.00 CS/25 OFFERING MOORE #67111	MOORE MEDICAL
23	DRESSINGS - 3" X 4" KENDALL TELF A NON-ADHERENT CONNEY #30123	\$ 5.48/BX 100/BX OFFERING MOORE 10776	MOORE MEDICAL
24	DRESSINGS - 2" X 3 1/2" KENDALL TELF A ISLAND DRESSING #33218 (ALL IN ONE - SEALS ON ALL 4 SIDES)	\$ 6.19/BX 50/BX OFFERING KENDALL	HENRY SCHEIN
25	FACE MASK-DUST MASK MUST HAVE NIOSH #TC-21C-351 APPROVAL PRINTED ON MASKAS PER AMERICAN OPTICAL AO 1010 OR EQUAL	\$ 95.53/CS CS/240 OFFERING SAS #8610	HENRY SCHEIN
26	FIRST AID CREAM- 1.5 OZ TUBE	\$ 1.75/EA 1 1/2 OZ. TUBE OFFERING FIRST AID #72040	MOORE MEDICAL
27	FREEZE SPRAY	\$ 20.76 CS/12 OFFERING COLD SPRAY CAN, SIZE 4OZ, 74262	MOORE MEDICAL
28	GAUZE BANDAGE- 2" x 10 YD INDIVIDUAL PACK	\$ 1.29/CS CS/12 OFFERING HSI #1042739	HENRY SCHEIN
29	GAUZE BANDAGE -FLEXIBLE, STERILE 2" X 5 YD;INDIV PKG	\$ 15.52 CS/96 OFFERING MOORE #80876	MOORE MEDICAL
30	GAUZE BANDAGE - STERILE, STRETCHABLE, 3" X 5 YD; INDIV PKG	\$ 13.45 CS/96 OFFERING HSI #1049724	HENRY SCHEIN
31	GAUZE BANDAGE- STERILE, STRETCHABLE, 4" X 5 YD; INDIV PKG	\$ 15.21 CS/96 OFFERING HSI #1046709	HENRY SCHEIN
32	GAUZE PADS-COMPRESS,2" X 2" STERILE 12 PLY	\$.98/PK 100/PK. OFFERING HSI #1014947	HENRY SCHEIN
33	GAUZE PADS-COMPRESSED,3"X 3" STERILE 12 PLY	\$ 1.77 PKG/100 OFFERING 1011768	HENRY SCHEIN
34	GAUZE PADS-COMPRESS,4"X 4" STERILE 12 PLY	\$ 4.12 PKG/100 OFFERING DORAL 1412	HENRY SCHEIN
35	EXAM.GLOVES, LATEX (NON-STERILE) SIZE: LARGE 7.5ML THICKNESS POWDER FREE PER MICROFLEX DIAMOND GRIP - MF300	\$ 6.66 PKG/100 OFFERING MICROFLEX DIAMOND GRIP	HENRY SCHEIN
35A	SAME SPECS AS ABOVE BUT 10 ML THICKNESS PER: MICROFLEX ULTRA ONE STYLE UL315	\$ 7.38 PKG/100 OFFERING MICROFLEX #48285	MOORE MEDICAL
35B	EXAM GLOVES, NON-LATEX (NON-STERILE) SIZE: LARGE 7.5 ML THICKNESS POWDER FREE PER MICROFLEX	\$ 7.05 PKG/100 OFFERING FLEXSHIELD 8 MIL NITRILE	NORTHERN SAFETY
36	INSECT RELIEF SWABS - CRUSHABLE AMPULES	\$ 1.54 PKG/10 OFFERING JALEX 19-001	HENRY SCHEIN
37	INSECT REPELLENT AEROSOL SPRAY	\$ 23.11 CS/12 OFFERING SPECTRUM 6 OZ. #909275	HENRY SCHEIN
38	NEOSPORIN OINTMENT - 1 OZ TUBE	\$ 85.32 CS/36 OFFERING 1 OZ. TRIPLE ANTIBIOTIC	MOORE MEDICAL
39	POISON IVY/OAK CLEANSER- 12OZ BOTTLE AS PER: TECNU POISON OAK-N-IVY	\$ 91.69 CS/24 OFFERING TEC LAB #207761	HENRY SCHEIN
40	RHULISPRAY-4 OZ AEROSOL CAN	\$ 35.77/CS. CS/12 also sold individually OFFERING 4 OZ. FIRST AID SPRAY	NORTHERN SAFETY
41	SMITH AND WESSON "MAGNUM" SAFETY EYE GLASSES WITH CLEAR OR GRAY POLYCARBONATE LENS - BLACK FRAMES NO SUBSTITUTES	\$ 49.00 BOX/10 also sold individually OFFERING SW152PCCI	NORTHERN SAFETY
42	SCISSORS - BLUNT - SURGICAL 4-1/2" INDIVIDUAL	\$ 1.75 /EA OFFERING 7806873	NORTHERN SAFETY
43	SCISSORS - SURGICAL 5-1/2" STAINLESS STEEL INDIVIDUAL	\$ 1.34 /EA OFFERING AMZCO	MOORE MEDICAL
44	TINCTURE GREEN SOAP - PINTS	\$ 19.80 CS/12 OFFERING MOORE 7586	MOORE MEDICAL
45	TOURNIQUET 7 FORCEPS - QUICK RELEASE BUCKLE	\$ EA NO BID OFFERING	NO AWARD
46	TRIANGULAR BANDAGE 40" X 40" X 51	\$.22 /EA OFFERING DORAL #D7B40	HENRY SCHEIN

RESOLUTION NO. (210-2009) continued

ITEM NO.	ITEM DESCRIPTION	UNIT PRICE	AWARD
47	TWEEZERS - 4-1/2" SPLINTER	\$.65 /EA OFFERING MOORE #77274	MOORE MEDICAL
48	MDI MICROSIELD MOUTH BARRIER STANDARD SIZE EACH	\$ 3.55/EA OFFERING MDI 70-150	HENRY SCHEIN
49	LAERDAL POCKET MASKS	\$ 3.49 /EA OFFERING MOORE 73508	MOORE MEDICAL
50	PORTABLE OXYGEN RESUSCITATORS, LIFE SUPPORT PRODUCTS MODEL 175-01 WITH "D" SIZE ALUMINUM CYLINDERS (NO SUBSTITUTE)	\$ 585.94/EA OFFERING ALLIED #L175-010	HENRY SCHEIN
51	CHILD MASKS #099-01 FOR ITEM #50 ABOVE	\$ 1.71 /EA OFFERING AMBU #252-054	HENRY SCHEIN
52	OXYGEN MASKS, DISPOSABLE, ADULT MEDIUM, CLEAR	\$ 34.21 PKG/20 OFFERING AMBU #252-055P	HENRY SCHEIN
53	RESUSCI FACE SHIELDS 36 DISPOSABLE PER BOX LAERDAL #151200	\$ 9.28 BOX/36 OFFERING LAERDAL 35266	MOORE MEDICAL
54	NON REBREATHING OXYGEN MASK WITH 7 FT TUBE HOSPITAK #108 OR EQUAL	\$.73 /EA. OFFERING BIOMEDICAL 82270 (36.50/CS)	MOORE MEDICAL
55	SAURUS SUN SCREEN	\$ 18.72 /QT OFFERING #28989	NORTHERN SAFETY
56	IVY BLOCK LOTION MFD BY ENVIRODERM PHARMACEUTICALS	\$ 7.97/EA OFFERING IVY BLOCK #56164	MOORE MEDICAL
57	"LITTLE ANNE" CPR MANIKIN WITH SOFT PACK	\$ 164.01 OFFERING LAERDAL #45260	MOORE MEDICAL
58	"BABY ANNE" CPR MANIKIN WITH SOFT PACK	\$ 81.58 OFFERING LAERDAL #52454	MOORE MEDICAL
59	MANIKIN WIPES PKG/50	\$ 7.65/PK. OFFERING LAERDAL MANIKIN WIPES #152400 50.PK	LAERDAL
60	NASAL CANNULAS WITH 7' TUBING	\$ 13.50/CS 50/CASE OFFERING 82776 BIOMEDICAL	MOORE MEDICAL
61	FIRST AID CABINET – EMPTY 2 14-15"W X 21-22"H X 5-6"D INCLUDES MOUNT KIT FOR WALL WITH SHELVES HARDWARE NOT INCLUDED	\$ 33.16/each OFFERING DURHAM 58954	MOORE MEDICAL
62	E-Z CLEAN UP RESPONSE KIT 75 CONTAINS RED-Z POUCH, GLOVES, PICK-UP SCOOP WITH SCRAPER, ANTIMICROBIAL HAND WIPE DISPOSAL BAG	\$ 3.90/each OFFERING SAFETECH 46173	MOORE MEDICAL
63	FIRST AID COT FIXED LEGS POLYFOAM WITH VINYL	1 EA \$ 257.18/EA OFFERING CLINTON	HENRY SCHEIN

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. (211-2009)

Co. Borelli offered and Co. Hoehmann seconded

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

BID # 8-2009 – 2009 ROADWAY RESURFACING PROGRAM

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

PRINCIPAL: ANTHONY J. MARINARO

as per their proposed total project cost not to exceed \$1,471,843.75 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. (212-2009)

Co. Borelli offered and Co. Hoehmann seconded

WHEREAS, by resolution No. 182-2008, Bid #2-2008 Items 1 and 2 were awarded to Peter Brega, Inc. for Bus Transportation – Senior Citizen and Youth and

WHEREAS, the contract with Peter Brega, Inc. provides that the Town may extend the contract for an additional year and

WHEREAS, the Town of Clarkstown and the Superintendent of Recreation and Parks wishes to exercise the option to extend the agreement at the agreed upon extension price of a proposed 5% increase for the second year;

NOW, THEREFORE, be it

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

BID # 24-2009 – 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: WEST POINT TOURS INC., P.O. BOX 125, VAILS GATE, NY 12584

PRINCIPALS: ROBERT BRISMAN, JAY BRISMAN

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.

ITEMIZED PROPOSAL SHEET
Peter Brega, Inc.

BIDDER (COMPANY NAME)

2008 SUMMER BUSING PROGRAM (YOUTH)

I. SUMMER DAY CAMP - SWIMMING ROUTES -

- a. Four to five buses p/day operating routes - five days p/week for 2 weeks:
Four to five buses p/day operating routes – four days p/week for 4 weeks:
Felix Festa Middle School – 1 way

Daily cost per bus (R)\$ 187.00 (H)\$ No Bid

Total cost for 26 days (R)\$ 4,862.00 (H)\$ No Bid

- b. Four to five buses p/day operating routes - five days p/week for 2 weeks:
Four to five buses p/day operating routes – four days p/week for 4 weeks:
A. MacArthur Barr Middle School – 2 ways

Daily cost per bus (R)\$ 187.00 (H)\$ No Bid

Total cost for 26 days (R)\$ 4,862.00 (H)\$ No Bid

- c. Three or four buses p/day operating routes – five days p/week for 2 weeks:
Three or four buses p/day operating routes – four days p/week for 4 weeks:
Strawtown Elem. School – 2 ways

Daily cost per bus (R)\$ 187.00 (H)\$ No Bid

Total cost for 26 days (R)\$ 4,862.00 (H)\$ No Bid

- d. Four to five buses p/day operating routes - five days p/week for 2 weeks:
Four to five buses p/day operating routes – four days p/week for 4 weeks:
Woodglen Elem. School – 2 ways

Daily cost per bus (R)\$ 187.00 (H)\$ No Bid

Total Cost for 26 days (R)\$ 4,862.00 (H)\$ No Bid

- e. One or two buses p/day operating routes - four days p/week
Central Nyack Community Center – 2 ways

Daily cost per bus (R)\$ 187.00 (H)\$ No Bid

Total cost for 25 days (R)\$ 4,862.00 (H)\$ No Bid

- f. Additional buses-Daily cost for each (R)\$ 187.00 (H)\$ No Bid

ITEM 2: BUS TRIPS

All trips are scheduled for week days (Monday - Friday and on special occasions, Saturdays and Sundays) and are of one day duration, generally between the hours of 9:00 AM to 6:00 PM.

The Town of Clarkstown has twelve(12) separate Senior Citizen Clubs that traditionally schedule trips monthl and in the summer camp trips..

Upon request, all equipment and facilities of contractor should be made available for inspection by the Directo of Purchasing of the Town and/or his designated representative.

The following list represents typical previous trips made by our Senior Citizens/Youth trips. Trips taken under this contract will be comparable (or identical), will depart from one location in the Town and return to the sam place at approximate times indicated.

Equipment to be either 49 passenger coach **MUST BE** equipped with a clean operable lavatory with proper materials or 49 passenger coach without lavatory and in 3 locations 55 passenger. The type of coach required t be specified for each trip.

Either coach should have operable air conditioning in the summer and heat in the winter.

As it is our intention to award this bid separately on both types of coaches, bidders are encouraged to bid on both lavatory and non-lavatory equipped coaches.

Driver must be well informed and knowledgeable as to the proper route to the destination.

buses must be clean and all seats must be operable (no broken or torn seats).

tep stool **MUST** be provided with each bus.

bus and driver evaluation will be made on each bus trip and available to the bus driver and company (after the ip) for their information and corrections if necessary. (copy attached)

compliance with the Americans with Disabilities Act, the Town is requesting that bidders specify additional st, if any, for providing handicapped accessible vehicle(s), if requested.

RESOLUTION NO. (212-2009) continued
 ITEM 2 - ONE-DAY TRIPS - Equipment as per Specifications,

Bus Company must keep to the time schedule contracted. Bus driver must be knowledgeable and know the route to and from the destination before the starting point

	<u>School Bus</u>	<u>49 Pass. W/Lav.</u>	<u>55 Passenger w/</u>
<u>CONNECTICUT</u>			
1. Bridgeport	No Bid	No Bid	No Bid
2. Bristol (Lake Compounce)	" "	" "	" "
3. Club Getaway, Kent, Ct.	" "	" "	" "
4. Danbury	" "	" "	" "
5. Essex	" "	" "	" "
5. Foxwood, Ledyard, Ct.	" "	" "	" "
7. Mystic Seaport	" "	" "	" "
8. Uncasville, Ct.	" "	" "	" "
9. Wallingford	" "	" "	" "
10. Plainfield-Greyhound Pk., Ct.	" "	" "	" "
<u>EW JERSEY</u>			
1. Andover	No Bid	No Bid	No Bid
2. Ace In The Hole, Patterson, NJ	" "	" "	" "
3. Asbury Park	" "	" "	" "
4. Atlantic City	" "	" "	" "
5. Colonial Inn, Norwood	\$300.00	" "	" "
6. Great Adventure, Jackson	" "	" "	" "
7. Hunterdon Hills, Hempton	" "	" "	" "
18. Liberty Science Center, Liberty, NJ	\$500.00	No Bid	No Bid
19. Meadowlands	\$500.00	" "	" "
20. Medieval Times, Lyndhurst, N	\$500.00	" "	" "
21. Monmouth Race Track	No Bid	" "	" "
22. Montvale Skating Rink	" "	" "	" "
23. Mountain Lakes	" "	" "	" "
24. Mountain Creek, Vernon, NJ	\$650.00	" "	" "
25. Ondines, Closter, NJ	\$300.00	" "	" "
26. Paramus	\$400.00	" "	" "
27. Paterson, NJ - Brownstone	\$500.00	" "	" "
28. Pines, Edison	" "	" "	" "
29. Renault Winery & Atlantic City	" "	" "	" "
30. Sea Side Heights	" "	" "	" "
31. Shrewsbury	" "	" "	" "
32. Wayne, NJ	" "	" "	" "
33. West Paterson	" "	" "	" "
<u>EW YORK</u>			
1. Arthur Avenue, Bronx	\$500.00	No Bid	No Bid
2. Bear Mountain	\$330.00	" "	" "
3. Belmont Race Track	No Bid	" "	" "
4. Bishops, Tappan	\$300.00	" "	" "
38. Boscobel	\$365.00	No Bid	No Bid
39. Bronx Zoo	\$500.00	" "	" "
40. Casa Mia, Orangeburg	\$300.00	" "	" "
41. Catskill	No Bid	" "	" "
42. Circle Line	\$500.00	" "	" "
43. Ellis Island	No Bid	" "	" "
44. Elmsford Theatre	\$365.00	" "	" "
45. Greenwood Lake	\$365.00	" "	" "
46. Highland (Hudson Valley Winery)	No Bid	" "	" "
47. Hunter	No Bid	" "	" "
48. Hyde Park	No Bid	" "	" "
49. Jones Beach	No Bid	" "	" "
50. Kruckers, Pomona	\$350.00	" "	" "
1. Lincoln Center	\$500.00	" "	" "
2. Live It Up Luncheon (S.Fallsburg)	" "	" "	" "
3. Manor House, Blauvelt	\$300.00	" "	" "
4. Platzl Brau Haus, Pomona	\$350.00	" "	" "
5. Race Track, L.I. (Belmont)	No Bid	" "	" "
6. Radio City Music Hall	\$500.00	" "	" "
7. Rye Playland	\$500.00	" "	" "
8. Shea Stadium	\$525.00	" "	" "
9. South Street Seaport	No Bid	" "	" "

RESOLUTION NO. (212-2009) continue

50. Sportime USA, Elmsford	\$350.00	No Bid	No Bid
51. Tarrytown - Rockefeller Estates	\$350.00	" "	" "
52. Terrace on Hudson, Haverstraw	\$300.00	" "	" "
53. Theater District	\$500.00	" "	" "
54. Villa Roma, Callicoon	No Bid	" "	" "
55. Westbury, L.I.	" "	" "	" "
6. West Point	\$360.00	" "	" "
7. Winery, Washingtonville & Goshen	No Bid	" "	" "
8. Williams Lake, Rosendale, NY	" "	" "	" "
9. Yankee Stadium <u>PENNSYLVANIA</u>	\$525.00	" "	" "
10. Amish - Penn. Dutch	No Bid	No Bid	No Bid
11. Bird in Hand	" "	" "	" "
12. Bushkill	" "	" "	" "
13. Dorney Park, Allentown, Pa.	" "	" "	" "
14. Hawley	" "	" "	" "
15. Lahaska	" "	" "	" "
16. Lancaster, Penn.	" "	" "	" "
17. Lake Wallenpaupach	" "	" "	" "
18. Matamoris	" "	" "	" "
19. Mt. Haven, Milford, Pa.	" "	" "	" "
20. Penn's Landing, Philadelphia	" "	" "	" "
81. Pocono Manor	No Bid	No Bid	No Bid
82. Reading	" "	" "	" "
83. Spirit of Philadelphia <u>MASSACHUSETTS</u>	" "	" "	" "
84. South Deerfield	No Bid	No Bid	No Bid

Proposed % of cost increase for second (optional year) 5 %
 Proposed % of cost increase for third (optional year) 7 %

All trips between 8 - 12 hours, not to exceed 12 hours.

BID #24 - 2009

West Point Tours Trailways

Bidder (Company Name)

ITEM 2 - ONE-DAY TRIPS - Equipment as per Specifications,

Bus Company must keep to the time schedule contracted. Bus driver must be knowledgeable and know the route to and from the destination before the starting point

	School Bus	49 Pass. W/Lav.	55 Passenger w/L
<u>CONNECTICUT</u>	<i>NO BID</i>		
1. Bridgeport	<i>1</i>	<i>\$ 800-</i>	<i>\$ 825-</i>
2. Bristol (Lake Compounce)	<i>1</i>	<i>\$ 925-</i>	<i>\$ 950-</i>
3. Club Getaway, Kent, Ct.	<i>1</i>	<i>\$ 925-</i>	<i>\$ 950-</i>
4. Danbury	<i>1</i>	<i>\$ 800-</i>	<i>\$ 825-</i>
5. Essex	<i>1</i>	<i>\$ 850-</i>	<i>\$ 875-</i>
6. Foxwood, Ledyard, Ct.	<i>1</i>	<i>\$ 1000-</i>	<i>\$ 1025-</i>
7. Middlebury	<i>1</i>	<i>\$ 925-</i>	<i>\$ 950-</i>
8. Mystic Seaport	<i>1</i>	<i>\$ 970-</i>	<i>\$ 995-</i>
9. Uncasville, Ct.	<i>1</i>	<i>\$ 970-</i>	<i>\$ 995-</i>
10. Wallingford	<i>1</i>	<i>\$ 800-^{eight Hundred}</i>	<i>\$ 825-</i>
11. Plainfield-Greyhound Pk., Ct.	<i>1</i>	<i>\$ 775-</i>	<i>\$ 800-</i>
<u>NEW JERSEY</u>			
2. Andover	<i>NO BID</i>	<i>\$ 800-</i>	<i>\$ 825-</i>
3. Ace In The Hole, Patterson, NJ	<i>1</i>	<i>\$ 800-</i>	<i>\$ 825-</i>
4. Asbury Park	<i>1</i>	<i>\$ 800-</i>	<i>\$ 825-</i>
5. Atlantic City	<i>1</i>	<i>\$ 1000-</i>	<i>\$ 1025-</i>
6. Colonial Inn, Norwood	<i>1</i>	<i>\$ 770-</i>	<i>\$ 795-</i>
7. Great Adventure, Jackson	<i>1</i>	<i>\$ 950-</i>	<i>\$ 975-</i>
8. Haledon	<i>1</i>	<i>\$ 770-</i>	<i>\$ 795-</i>
9. Hunterdon Hills Hempton <u>NEW JERSEY</u>		<i>\$ 800-</i>	<i>\$ 825-</i>
	School Bus	49 Pass. W/Lav.	55 Passenger w/
20. Liberty Science Center, Liberty, NJ	<i>NO BID</i>	<i>\$ 800-</i>	<i>\$ 825-</i>
21. Meadowlands	<i>1</i>	<i>\$ 800-</i>	<i>\$ 825-</i>
22. Medieval Times, Lyndhurst, N	<i>1</i>	<i>\$ 775-</i>	<i>\$ 800-</i>
23. Monmouth Race Track	<i>1</i>	<i>\$ 800-</i>	<i>\$ 825-</i>
24. Montvale Skating Rink	<i>1</i>	<i>\$ 770-</i>	<i>\$ 795-</i>
25. Mountain Lakes	<i>1</i>	<i>\$ 770-</i>	<i>\$ 795-</i>
26. Mountain Creek, Vernon, NJ	<i>1</i>	<i>\$ 800-</i>	<i>\$ 825-</i>
27. Ondines, Closter, NJ	<i>1</i>	<i>\$ 770-</i>	<i>\$ 795-</i>
28. Paramus	<i>1</i>	<i>\$ 770-</i>	<i>\$ 795-</i>
29. Paterson, NJ - Brownstone	<i>1</i>	<i>\$ 800-</i>	<i>\$ 825-</i>

RESOLUTION NO. (212-2009) continue

0. Pines, Edison		\$ 800-	\$ 825-
1. Renalt Winery & Atlantic City		\$ 1070-	\$ 1095-
2. Sea Side Heights		\$ 850-	\$ 875-
3. Shrewsbury		\$ 800-	\$ 825-
4. Wayne, NJ		\$ 800-	\$ 825-
5. West Paterson NEW YORK		\$ 770-	\$ 795-
5. Arthur Avenue, Bronx	No Bid	\$ 825-	\$ 850-
7. Bear Mountain		\$ 770-	\$ 795-
3. Belmont Race Track		\$ 870-	\$ 895-
2. Bishops, Tappan		\$ 770-	\$ 795-
40. Boscobel	No Bid	\$ 800-	\$ 825-
41. Bronx Zoo		\$ 870-	\$ 895-
42. Casa Mia, Orangeburg		\$ 770-	\$ 795-
43. Catskill		\$ 850-	\$ 875-
44. Circle Line		\$ 870-	\$ 895-
45. Ellis Island		\$ 870-	\$ 895-
46. Elmsford Theatre		\$ 770-	\$ 795-
47. Greenwood Lake		\$ 770-	\$ 795-
48. Highland (Hudson Valley Winery)		\$ 770-	\$ 795-
49. Hunter		\$ 850-	\$ 875-
50. Hyde Park		\$ 800-	\$ 825-
51. Fishkill		\$ 770-	\$ 795-
52. Jones Beach		\$ 870-	\$ 895-
53. Kruckers, Pomona		\$ 770-	\$ 795-
54. Lincoln Center		\$ 870-	\$ 895-
5. Live It Up Luncheon (S.Fallsburg)		\$ 770-	\$ 795-
6. Manor House, Blauvelt		\$ 770-	\$ 795-
7. Platzl Brau Haus, Pomona		\$ 770-	\$ 795-
8. Race Track, L.I. (Belmont)		\$ 870-	\$ 895-
9. Radio City Music Hall		\$ 870-	\$ 895-
3. Rye Playland		\$ 770-	\$ 795-
1. Shea Stadium		\$ 870-	\$ 895-
2. South Street Seaport		\$ 870-	\$ 895-
63. Staten Island	No Bid	\$ 870-	\$ 895-
64. Sportime USA, Elmsford		\$ 770-	\$ 795-
65. Tarrytown - Rockefeller Estates		\$ 770-	\$ 795-
66. Terrace on Hudson, Haverstraw		\$ 770-	\$ 795-
67. Theater District		\$ 870-	\$ 895-
68. Villa Roma, Callicoon		\$ 800-	\$ 825-
69. Westbury, L.I.		\$ 870-	\$ 895-
70. West Point		\$ 770-	\$ 795-
71. Winery, Washingtonville & Goshen		\$ 770-	\$ 795-
72. Williams Lake, Rosendale, NY		\$ 770-	\$ 795-
73. Yankee Stadium PENNSYLVANIA		\$ 870-	\$ 895-
74. Amish - Penn. Dutch	No Bid	\$ 1070-	\$ 1095-
75. Bird in Hand		\$ 1070-	\$ 1095-
76. Bushkill		\$ 825-	\$ 850-
77. Dorney Park, Allentown, Pa.		\$ 950-	\$ 975-
78. Hawley		\$ 800-	\$ 825-
9. Lahaska		\$ 870-	\$ 895-
0. Lancaster, Penn.		\$ 1070-	\$ 1095-
1. Lake Wallenpaupach		\$ 870-	\$ 895-
2. Matamoris		\$ 800-	\$ 825-
3. Mt. Haven, Milford, Pa.		\$ 800-	\$ 825-
1. Penn's Landing, Philadelphia		\$ 925-	\$ 950-
1. Pocono Manor	No Bid	\$ 800-	\$ 825-
86. Reading		\$ 1070-	\$ 1095-
87. Spirit of Philadelphia MASSACHUSETTS		\$ 950-	\$ 975-
88. South Deerfield DELAWARE		\$ 970-	\$ 995-
89. Winterthur		\$ 1050-	\$ 1075-

Proposed % of cost increase for second (optional year) $\frac{3}{3}$ %

Proposed % of cost increase for third (optional year) $\frac{3}{3}$ %

All trips between 8 - 12 hours, not to exceed 12 hours.

(* based on current price of fuel w/ 15%)

RESOLUTION NO. (212-2009) continue

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. (213-2009)

Co. Borelli offered and Co. Hoehmann seconded

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

BID # 31-2009 – PHILLIPS HILL ROAD AT/NEAR #415 STREAM CHANNEL IMPROVEMENTS

is hereby awarded to: CAL-MART ENTERPRISES LLC, 4 BURTS ROAD, CONGERS, NY 10920

PRINCIPAL: CARL V. WORTENDYKE, MARTIN C. WORTENDYKE, PETER T. WORTENDYKE

as per their proposed project cost not to exceed \$95,559.00 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-8760-400-409-0-84-7 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. (214-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent - Purchasing and the Superintendent of Recreation and Parks that

BID #33-2009 – ZUKOR PARK BALLFIELD POLES/NETS

is hereby awarded to: HIGH PEAKS FENCE AND RAIL, INC., P.O. BOX 331, WEST NYACK, NY 10994

PRINCIPAL: MATTHEW GEDEIKO, JR., PRESIDENT

as per their proposed project cost not to exceed \$29,965.00 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-8760-400-409-0-84-8 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. (215-2009)
Co. Maloney offered and Co. Lasker seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 21, 2009, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO DUSTMAN LANE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$35,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$35,000 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 Dustman Lane. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$35,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$35,000 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 \$35,000 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. 20 (c) 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. (216-2009)
Co. Maloney offered and Co. Lasker seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 21, 2009, AUTHORIZING THE CONSTRUCTION OF VARIOUS DRAINAGE IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$100,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$100,000 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 various drainage improvements. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$100,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$100,000 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 \$100,000 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. (217-2009)
Co. Maloney offered and Co. Lasker seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 21, 2009, AUTHORIZING THE CONSTRUCTION OF VARIOUS IMPROVEMENTS IN CONNECTION WITH THE NEW CITY DOWNTOWN REVITALIZATION PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$260,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$260,000 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 various improvements in connection with the New City Downtown Revitalization project. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$260,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$260,000 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 \$260,000 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. 35 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 not 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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

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. (218-2009)
Co. Maloney offered and Co. Lasker seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 21, 2009, AUTHORIZING THE CONSTRUCTION OF VARIOUS IMPROVEMENTS IN CONNECTION WITH THE VALLEY COTTAGE DOWNTOWN REVITALIZATION PROJECT, STATING THE ESTIMATED MAXIMUM

RESOLUTION NO. (218-2009) continued

COST THEREOF IS \$125,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$125,000 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 various improvements in connection with the Valley Cottage Downtown Revitalization project. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$125,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$125,000 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 \$125,000 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. 35 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 not 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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

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. (219-2009)

Co. Maloney offered and Co. Lasker seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 21, 2009, AUTHORIZING THE PREPARATION OF PLANS AND SPECIFICATIONS IN CONNECTION WITH THE CONSTRUCTION OF THE CONGERS LAKE TRAILWAY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$50,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$50,000 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:

RESOLUTION NO. (219-2009) continued

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to prepare plans and specifications in connection with the construction of the Congers Lake Trailway. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$50,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$50,000 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 \$50,000 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. 62 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 not 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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

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. (220-2009)

Co. Maloney offered and Co. Lasker seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 21, 2009, AUTHORIZING THE PREPARATION OF PRELIMINARY PLANS AND SPECIFICATIONS IN CONNECTION WITH THE PUBLIC WORKS PROJECTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$75,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$75,000 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 prepare preliminary plans and specifications in connection with the public works projects. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$75,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$75,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real

RESOLUTION NO. (220-2009) continued

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 \$75,000 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. 62 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 not 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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

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. (221-2009)

Co. Maloney offered and Co. Lasker seconded

**BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 21, 2009,
 AUTHORIZING THE ACQUISITION AND INSTALLATION OF STREETScape LIGHTING FIXTURES,
 STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$92,000, APPROPRIATING SAID AMOUNT
 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$92,000 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 and install streetscape lighting fixtures. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$92,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$92,000 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 \$92,000 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:

RESOLUTION NO. (221-2009) continued

(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. 35 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 not 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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

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. (222-2009)

Co. Maloney offered and Co. Lasker seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 21, 2009, AUTHORIZING THE ACQUISITION OF A TRAILER MOUNTED FLUID PUMP, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$54,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$54,000 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 a trailer mounted fluid pump. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$54,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$54,000 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 \$54,000 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. 32 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

RESOLUTION NO. (222-2009) continued

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 not 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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

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. (223-2009)

Co. Maloney offered and Co. Lasker seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 21, 2009, AUTHORIZING THE INSTALLATION OF AN EMERGENCY COMMUNICATIONS TOWER, INCLUDING ENGINEERING COSTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$10,500, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$10,500 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 engineering costs. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$10,500 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$10,500 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 \$10,500 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. 35 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 not 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

RESOLUTION NO. (223-2009) continued

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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

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. (224-2009)

Co. Maloney offered and Co. Lasker seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 21, 2009, AUTHORIZING THE PREPARATION OF PLANS AND SPECIFICATIONS IN CONNECTION WITH THE CONSTRUCTION OF IMPROVEMENTS TO THE POLICE EMERGENCY COMMUNICATIONS CENTER, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$105,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$105,000 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 prepare plans and specifications in connection with the construction of improvements to the Police Emergency Communications Center. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$105,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$105,000 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 \$105,000 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. 62 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 not 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

RESOLUTION NO. (224-2009) continued

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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

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. (225-2009)

Co. Maloney offered and Co. Lasker seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 21, 2009, AUTHORIZING THE CONSTRUCTION OF PAVING IMPROVEMENTS IN CONNECTION WITH THE EXPANSION OF THE POLICE DEPARTMENT VEHICLE IMPOUND YARD, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$20,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$20,000 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 paving improvements in connection with the expansion of the Police Department vehicle impound yard. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$20,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$20,000 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 \$20,000 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. 20 (f) 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 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

RESOLUTION NO. (225-2009) continued

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. (226-2009)

Co. Maloney offered and Co. Borelli seconded

RESOLUTION INCREASING THE SCOPE OF SURVEY AND DESIGN WORK ASSOCIATED WITH IMPROVEMENTS TO A PORTION OF BUENA VISTA ROAD IN NEW CITY, NEW YORK

Whereas, the Town Board of the Town of Clarkstown has, via resolution #558-2004, previously authorized the Director of the Department of Environmental Control to retain the services of Maser Consulting P.A. to perform engineering, surveying and design services for the Buena Vista Road Roadway & Drainage Improvements Project; and

Whereas, the Town Board has also authorized the Director of the Department of Environmental Control to retain the services of Miller Pipeline Corporation of South River, New Jersey to perform test holes for the purpose of locating and determining the depth of the existing gas service main on the east side of Buena Vista Road; and

Whereas, Maser Consulting P.A. has coordinated and monitored the work performed by Miller Pipeline Corporation; and

Whereas, said work as performed by Maser Consulting P.A. represents an increase in the scope of their work and is to be compensated for on a time and material basis; and

Whereas, Maser Consulting P.A. has presented an accounting of their services relating to this increase in the scope of work; and

Whereas, the Department of Environmental Control has reviewed said accounting and finds it to be acceptable;

Now, Therefore Be It Resolved that the Town Board of the Town of Clarkstown authorizes an increase in the allotment for this project in the amount of \$1,668.75 for a new total of \$52,293.75 to cover the costs associated with the increase in the scope of work; and

Be It Further Resolved that this shall be a proper charge to account # H 8754-409-0-78-26.

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. (227-2009)

Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that Resolution No. 665-08 is hereby amended to read:

"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 arrows on the Westside of Capral Lane, North of Twin Elms Lane, New City, NY for a distance of 75 feet. Per the NYS Department of Transportation Manual of Uniform Traffic Control Devices, Sec. 221.5, P1-1 signs.

RESOLUTION NO. (227-2009) continued
and be it

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

On roll call the vote was as follows

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

RESOLUTION NO. (228-2009)
Co. Maloney offered and Co. Lasker seconded

WHEREAS, a certain veteran organization has 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 organization for the year 2009:

Jewish War Veterans of the U.S.A. – Post 720

and be it

FURTHER RESOLVED, that claim for such sum 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. (229-2009)
Co. Maloney offered and Co. Hoehmann seconded

RESOLVED, that Resolution No. 668-1999 is hereby rescinded, and be it

FURTHER 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 arrows on the southside of Jolen Drive, New City. The first, at the most westerly point of #53 Jolen Drive, and the second at the most easterly point of #53 Jolen Drive",
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
- Co. Hoehmann. Yes
- Co. Borelli. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (230-2009)
Co. Borelli offered and Co. Hoehmann seconded

RESOLUTION AMENDING RESOLUTION NO. 117-2005 AUTHORIZING SURVEY AND DESIGN WORK ASSOCIATED WITH THE QUASPECK PARK STORM DRAIN PROJECT

Whereas, the Town Board of the Town of Clarkstown has previously, via resolution #117-2005, authorized the Director of the Department of Environmental Control to retain the services of McLaren Engineering Group of West Nyack to perform engineering, surveying and design services for the Quaspeck Park Storm Drain Project; and Whereas, as part of said design services, McLaren Engineering Group prepared a drainage analysis that determined that the existing downstream storm drain system from the proposed Quaspeck Park Storm Drain Project area could not adequately accommodate the storm runoff resulting from the proposed drainage improvements; and Whereas; McLaren Engineering Group presented two design alternatives for downstream drainage improvements to accommodate the runoff from the Quaspeck Park Storm Drain Project to the Supervisor of the Town of Clarkstown and the Department of Environmental Control; and Whereas, the decision was made to construct downstream drainage improvements involving the routing of a new storm drain system through lands now or formerly of the Palisades Interstate Park Commission; and Whereas, additional engineering, design and surveying services not included in the original scope of work for this project will be required for this work; and

RESOLUTION NO. (230-2009) continued

Whereas, the Department of Environmental Control has negotiated a proposal with McLaren Engineering Group to cover the costs associated with this significant increase in the scope of work; Now, Therefore, Be It Resolved that the Town Board of the Town of Clarkstown authorizes an increase in the allotment for this project in the amount of \$122,900.00 to cover the costs associated with the increase in the scope of work; and

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. (231-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLUTION AMENDING RESOLUTION NO. 276-2005, AUTHORIZING ADDITIONAL ENGINEERING SERVICES ASSOCIATED WITH THE CENTRAL NYACK STORM DRAIN PROJECT

Whereas, the Town Board of the Town of Clarkstown has, by resolution #276-2005, previously awarded a contract to McLaren Engineering Group to provide engineering, design and surveying services for the Central Nyack Storm Drain Project; and

Whereas, McLaren Engineering Group has presented four (4) design options to the Town of Clarkstown to remediate flooding problems in the hamlet; and

Whereas, the Town of Clarkstown has selected the "Detention Basin with High Berm" option which includes the construction of a dam as the most economical and feasible option; and

Whereas, additional engineering, design and surveying services not included in the original scope of work for this project will be required for this work; and

Whereas, the Department of Environmental Control has negotiated a proposal with McLaren Engineering Group to cover the costs associated with this significant increase in the scope of work;

Now, Therefore, Be It Resolved that the Town Board of the Town of Clarkstown authorizes an increase in the allotment for this project in the amount of \$241,160.00 to cover the costs associated with the increase in the scope of work; and

Be It Further Resolved that this shall be a proper charge to account # H 8755 – 409 – 0 – 79 – 7.

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. (232-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLUTION AMENDING RESOLUTION NO. 600-2008 SPECIAL FINDINGS GRANTING A SPECIAL PERMIT TO STEPHEN GIORDANO, TO CONSTRUCT APARTMENTS OVER RETAIL SPACE IN THE VALLEY COTTAGE HAMLET CENTER OVERLAY DISTRICT

RESOLVED, that Resolution No. 600-2008, adopted by the Town Board on September 23, 2008, is hereby amended to change the first Resolved clause as follows:

"RESOLVED, that a Special Permit to construct two (2) apartments over office space in the Valley Cottage Hamlet Center Overlay District as defined in Section 151 of the Town Code of the Town of Clarkstown is hereby GRANTED to the applicant subject to the following conditions:"

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. (233-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLUTION AMENDING RESOLUTION NO. 224- 2007, AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AMENDED AGREEMENT WITH BEHAN PLANNING ASSOCIATES, LLC, REGARDING THE NEW CITY DOWNTOWN REVITALIZATION PROJECT

WHEREAS, the Town Board adopted Resolution No. 224-2007 on March 27, 2007, authorizing the Supervisor to enter into an agreement with Behan Planning Associates LLC. ("Behan"), to assist the Town in establishing design guidelines for the Downtown New City Corridor, and

RESOLUTION NO. (233-2009) continued

WHEREAS, the design guidelines have since been adopted, and the Town Board is now considering more comprehensive zoning in the district which addresses the issues raised in the New City Vision Plan, and WHEREAS, Behan has submitted a proposal dated April 20, 2009, to provide continuing professional planning services, SEQRA review, and proposed revisions to the Town’s Zoning Local Law as requested by the Town, and WHEREAS, the Town Attorney has reviewed the proposal and finds it reasonable in terms of scope and price; NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 224-2007, and authorizes the Supervisor to enter into an amended agreement with Behan Planning Associates, LLC, to provide professional services as per their April 20, 2009 proposal, concerning planning, SEQRA review, and revisions to the Town’s Zoning Local Law, and be it

FURTHER RESOLVED, that the cost of said services shall not exceed \$57,000 without further authorization from the Town Board and shall constitute a proper charge to Account No. H 5111-409-0-4-16.

On roll call the vote was as follows

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

RESOLUTION NO. (234-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLUTION AMENDING RESOLUTION NO. 620 – 2007, AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AMENDED AGREEMENT WITH BEHAN PLANNING ASSOCIATES, LLC, REGARDING THE WEST NYACK DOWNTOWN REVITALIZATION PROJECT

WHEREAS, the Town Board adopted Resolution No. 620-2007 on October 23, 2007, authorizing the Supervisor to enter into an agreement with Behan Planning Associates LLC. (“Behan”), to provide professional planning services in connection with the West Nyack Hamlet Center Overlay District, and

WHEREAS, the Town Board has determined that extended services are necessary for the project, and

WHEREAS, Behan has submitted a proposal dated April 20, 2009, to provide continuing professional planning and survey services as requested by the Town, and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 620-2007, adopted on October 23, 2007, and authorizes the Supervisor to enter into an amended agreement with Behan Planning Associates, LLC, in a form approved by the Town Attorney, to provide professional services as per their April 20, 2009 proposal, for planning and survey work in connection with the West Nyack Hamlet Center Overlay District, and be it

FURTHER RESOLVED, that the cost of said services shall not exceed \$89,000 without further authorization from the Town Board and shall constitute a proper charge to Account No. H 8755-409-0-79-21.

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. (235-2009)

Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING INCLUSION OF PROJECT LABOR AGREEMENTS FOR THE PROJECT KNOWN AS “THE SOUTH MAIN STREET IMPROVEMENTS, PHASE I”

WHEREAS, by Resolution No. 265, adopted on April 15, 2008, the Supervisor was authorized to enter into an agreement with H2M Group to conduct feasibility studies to determine whether Project Labor Agreements were warranted, and

WHEREAS, H2M Group conducted a feasibility study for the SOUTH MAIN STREET IMPROVEMENTS, PHASE I PROJECT, and

WHEREAS, said study concluded that a Project Labor Agreement was recommended for said project;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the inclusion of Project Labor Agreement for the following public works project: BID NO. 29-2009 SOUTH MAIN STREET IMPROVEMENTS, PHASE I PROJECT

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. (236-2009)

Co. Maloney offered and Co. Hoehmann 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 an extension of his Sick Leave of Absence - at one-half pay – effective April 23, 2009 to May 4, 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. (237-2009)

Co. Maloney offered and Co. Hoehmann seconded

WHEREAS, the Superintendent of Recreation and Parks has recommended that lights be installed on flag poles located at Kings Park/Kings Highway, Congers, and West Nyack Green, West Nyack and

WHEREAS, the Town has received a proposal from Orange and Rockland Utilities to install said lights;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby accepts a proposal from Orange and Rockland Utilities, Inc. dated January 28, 2009, for lighting on flag poles at the following locations:

Kings Park/Kings Highway, Congers, New York: Install 400-watt, sodium vapor light, on Pole No. 60654/41775

West Nyack Green, West Nyack, New York: Install 400-watt, sodium vapor light, on Pole No. 60002/39872

and be it

FURTHER RESOLVED, that the installation of these lights 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 lighting equipment, will be at \$18.42 per month for each sodium, vapor fixture, plus market supply charge, fuel adjustment charge, which shall be charged to Account No. A-7140-461.

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. (238-2009)

Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE AMERICAN RED CROSS FOR USE OF THE TOWN’S COMMUNITY CENTERS

WHEREAS, the American National Red Cross (“Red Cross”), a not-for-profit corporation, has requested permission from the Town of Clarkstown for use of the Street Community Center, Congers, Community Center, Nyack Community Center and the Pascack Community Center as temporary refuge shelters for disaster victims when necessary;

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 Red Cross to permit use of the Town of Clarkstown Community Centers as temporary refuge shelters for disaster victims when necessary.

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. (239-2009)

Co. Borelli offered and Co. Hoehmann seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 21, 2009, AUTHORIZING THE CONSTRUCTION OF STREAM CHANNEL DRAINAGE IMPROVEMENTS ON PHILLIPS HILL ROAD, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$96,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$96,000 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:

RESOLUTION NO. (239-2009) continued

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct stream channel drainage improvements on Phillips Hill Road. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$96,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$96,000 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 \$96,000 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. (240-2009)

Co. Maloney offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 21, 2009, AUTHORIZING THE ACQUISITION OF COMPUTER HARDWARE AND RELATED SOFTWARE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$50,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$50,000 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:

RESOLUTION NO. (240-2009) continued

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to acquire computer hardware and related software. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$50,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$50,000 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 \$50,000 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. 35 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 not 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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

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. (241-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A INTER-LOCAL AGREEMENT WITH THE VILLAGE OF SPRING VALLEY, THE TOWN OF ORANGETOWN, THE TOWN OF RAMAPO, THE TOWN OF HAVERSTRAW, THE ROCKLAND COUNTY SHERIFF AND THE COUNTY OF ROCKLAND REGARDING THE 2009 BYRNE JUSTICE ASSISTANCE GRANT (JAG)

WHEREAS, the U.S. Department of Justice has approved the application (GMS application NO. 2009-F5557-NY-SB) from the Town of Clarkstown for funding under the 2009 Byrne Justice Assistance Grant Program (JAG) in the amount of \$47,894.00, and

WHEREAS, the Town of Clarkstown has agreed to be the point of contact and fiscal agent for the JAG grant, and has further agreed to administer the grant for the VILLAGE OF SPRING VALLEY, the TOWN OF ORANGETOWN, the TOWN OF RAMAPO, the TOWN OF HAVERSTRAW, the ROCKLAND COUNTY SHERIFF and the COUNTY OF ROCKLAND, in return for a 10% administrative fee, and

WHEREAS, the Town of Clarkstown shall receive grant funds totaling the amount of \$284,036.00 from the U.S. Department of Justice, to act as fiscal agent to distribute said funds to itself, the VILLAGE OF SPRING

RESOLUTION NO. (241-2009) continued

VALLEY, the TOWN OF ORANGETOWN, the TOWN OF RAMAPO, the TOWN OF HAVERSTRAW, the ROCKLAND COUNTY SHERIFF and the COUNTY OF ROCKLAND;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an Inter-local Agreement with the Village of Spring Valley, the Town of Orangetown, the Town of Ramapo, the Town of Haverstraw, the Rockland County Sheriff and the County of Rockland, in a form approved by the Town Attorney, regarding the 2009 Byrne Justice Assistance grant (JAG) from the New York State Department of Justice, in the amount of \$47,894.00, plus \$10,544.06 (representing a 10% administration fee) from other agencies in Rockland County, for use by the Clarkstown Police Department in its Safe Shopper Program.

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. (242-2009)

Co. Lasker offered and Co. Maloney seconded

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

BID #26-2009 – SALE OF TWO (2) CATERPILLAR TRACTORS

is hereby awarded to: H.O. PENN MACHINERY CO., INC., 783 Bloominburg Road, Bloomingburg, NY 12721

PRINCIPALS: A PUBLIC CORPORATION

as per their proposed offer of \$95,000.00, and

BE IT FURTHER RESOLVED, that the \$95,000.00 offer from H.O Penn Machinery shall be applied to the purchase of a new CAT 430E Backhoe Loader ST 2WS as per NY SOGS award #20365 for the total price of \$107,486.90, and

BE IT FURTHER RESOLVED, that the total net cost for the purchase of the new machine shall not exceed \$12,486.90 and shall be charged to SR 8160 219.

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. (243-2009)

Co. Borelli offered and Co. Maloney seconded

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

EQUIPMENT

Quantity	Vehicle	Estimated Cost per Vehicle	Estimated Total Cost
5	2009 2-Wheel Drive International Truck Chassis with added Dump Bodies and Pre-Wet System	\$180,000.00	\$900,000.00
4	F250 Pick Up Trucks	\$21,000.00	\$84,000.00
1	Air Compressor	\$20,000.00	\$20,000.00
1	Combo Granular & Liquid Anti-Icing Unit	\$30,000.00	\$30,000.00
1	225 Gallon Capacity Asphalt Sealer and F450 Pick Up Truck w/Rack Body	\$78,197.34	\$78,197.34

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 \$1,112,197.34 in the aggregate shall be charged to Account No. H8760-409-0-84-10.

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
 Co. Hoehmann Yes
 Co. Borelli Yes
 Supervisor Gromack Yes

The Supervisor opened the meeting for general public comments.

Steven Levine- Congers

Addressed Town Clerk David Carlucci, expressing his pleasure in being able to view the town's historical documents from our archives, which the Town Clerk is starting to put online. It was wonderful to be able to look at the records dating back to 1752 via the web. Asked if it were possible to get state or federal funding to preserve these fragile records, and perhaps put them in a museum down the road?

David Carlucci, Town Clerk

Stated that would be a good idea and the funding the town received from the New York State Archives was to digitize these records, so that they would not be exposed to people's fingers; therefore, the integrity of the records would be preserved.

Steven Levine- Congers

Spoke about issues regarding property on Massachusetts Avenue and asked if anyone applied for a permit to remediate.

K. Luke Kalarickal, Director, Department of Environmental Control

Stated no one has applied for a permit to remediate.

Amy Mele, Town Attorney

Stated her office spent a lot of time last month trying to locate the appropriate person within Fannie Mae who is responsible for the 139 Massachusetts Avenue property. We were able to contact someone and they were very glad to have access to the town and have someone who could provide them with background information. We compiled quite a package and sent it to her. They have advised us that they have retained consulting engineers and that they have been provided with a copy of the remediation plan. They intend to bid the job and come in for the necessary permits. They were also informed that prior to the issuance of any permit, that we would require updated soil testing at that time and put the appropriate conditions on any permit. While nobody has filed to the DEC yet, we understand that will be happening.

Steven Levine- Congers

Stated the owner of the property had gone bankrupt and the bank took it over. Asked if it was then taken over by Fannie Mae?

Amy Mele, Town Attorney

Stated Fannie Mae currently owns the loan.

Steven Levine- Congers

Spoke about past soil testing done at property on Massachusetts Avenue. Commented on letter read at last meeting by Mr. Goldberg about various properties on Massachusetts Avenue. Read a letter regarding his property that he sent to the Assessor, (on file with Town Clerk).

Barry Goldberg- Goshen

Stated he lived for over 30 years at 139 Massachusetts Avenue, still owns 141 Massachusetts Avenue, and submitted a letter and photographs regarding both properties, (on file with Town Clerk).

On motion of Co. Maloney, seconded by Co. Hoehmann, and unanimously adopted, Town Board Meeting was closed 8:57 P.M.

Respectfully submitted,

David Carlucci
Town Clerk