

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

5/13/08

8:00 P.M.

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

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

SPECIAL PRESENTATION: Certificate of Appreciation to Patricia Barad for her 27 years of dedicated service to the Town of Clarkstown Youth Court.

YOUTH COURT GRADUATION: Presentation given by Detective Eileen Malloy to honor the following students of the 39th Graduating Class of the Youth Court:

Jodie Dorfman	Marisa Kelly	Lauren Navarro
Mike Fleishmann	Danile Klein	Jonathan Patarkatsi
Arielle Freiling	Justin Luvshis	Lauren Schlanger
Grant Germano	Meghan Maloney	Elizabeth Shiang
Matt Gotlieb	Mackenzie Mcindoe	Nick Veltri
Jared Kash	Justin Nabors	Alexandra Yacyshyn

Public Hearing #1 re: Proposed Local Law amending Chapter 290 (Zoning) of the Town Code Re: Hospice Residence. On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:18 P.M. On motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:27 P.M.
RESOLUTION NO. (288-2008)

Public Hearing #2 re: Proposed Local Law amending Chapter 208 (Peddling & Soliciting) of the Code of the Town of Clarkstown. On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:27 P.M. On motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:29 P.M.
RESOLUTION NO. (289-2008)

Public Hearing #3 re: Proposed Local Law amending Chapter 246 (Site Plan Review) of the Code of the Town of Clarkstown. On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:29 P.M. On motion of Co. Maloney, seconded by Co. Mandia, and unanimously adopted, the public hearing was continued to June 17, 2008.
RESOLUTION NO. (290-2008)

Public Hearing #4 re: Proposed Local Law amending Chapter 278 (Vehicles & Traffic) of the Code of the Town of Clarkstown. On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:31 P.M. On motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:33 P.M.
RESOLUTION NO. (291-2008)

Public Hearing #5 re: Proposed Local Law amending Chapter 254 (Subdivision of Land) of the Code of the Town of Clarkstown. On motion of Co. Maloney, seconded by Co. Mandia, hearing opened 8:33 P.M. On motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:36 P.M.
RESOLUTION NO. (292-2008)

Public Hearing #6 re: Discontinuing Chapter 111 Proceedings (Unsafe Buildings), 8 Red Rock Road, New City. On motion of Co. Mandia, seconded by Co. Maloney, hearing opened 8:36 P.M. On motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:38 P.M. RESOLUTION NO. (293-2008)

Public Hearing #7 re: Petition of Bradley Corporate Park for abandonment of connector road from Western Highway to Route 303. On motion of Co. Lasker, seconded by Co. Mandia, hearing opened 8:38 P.M. On motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:46 P.M.
RESOLUTION NO. (294-2008)

Supervisor opened the meeting to public comments regarding agenda items.

Steven Levine- Congers

Regarding agenda item #11 & 16 (res. nos. 312-2008 & 334-2008), asked if the items were put out to bid.

Dennis Letson- First Deputy Director, Environmental Department

Regarding agenda item #11 (res. no. 312-2008), the item was put out as a request for a proposal, because it is below the \$20,000 bid limit. Regarding agenda item #16 (res. no. 334-2008), the item was also put out as a request for a proposal. The Requests for Proposals (RFP's) were put out to prequalified consultants.

Alan McGeorge- Attorney for Mr. Ligeras

Regarding agenda item #3b (res. no. 299-2008), asked if the study concerns the intersection of Route 304 and Ludwig Road, because that property is the subject of an agreement between his client and the state that has been in the making for the past five years.

Supervisor Gromack

Regarding agenda item #3b (res. no. 299-2008), stated the town has embarked on a Comprehensive Plan and part of the plan is to do a transportation study. The firm was interviewed by our Highway and Planning Departments to perform a six to eight month study. Hopefully, the Comprehensive Plan can be adopted around April or May 2009. It is in the best interests of all citizens for New York State to hold off selling any state land until the study is completed.

Achilles Ligeras- New City

Regarding agenda item #3b (res. no. 299-2008), stated that a SEQRA study and a November 15, 2005 resolution from the Regional Director of the NYS Transportation Department approved the sale of the property.

Supervisor Gromack

Regarding agenda item #3b (res. no. 299-2008), stated that New York State had contacted the Town of Clarkstown asking if there was any reason they should not divest themselves of this property. Therefore, our Planning Department asked the state to refrain from selling any state property until the completion of the transportation study, which includes the study of intersections on state highways.

RESOLUTION NO. (288-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 2 – 2008

WHEREAS, a proposed local law entitled,

A LOCAL LAW AMENDING CHAPTER 290 OF THE ZONING LOCAL LAW OF THE TOWN OF CLARKSTOWN WITH RESPECT TO “HOSPICE RESIDENCE”

was introduced by Councilwoman Shirley Lasker, at a Town Board meeting held on February 12, 2008, which law would allow, by Special Permit, a “Hospice Residence” within the R-80 and R-160 Zones of the Town of Clarkstown, and

WHEREAS, by Resolution adopted on May 15, 2007, the Town Board declared itself lead agency with respect to the proposed Local Law and appointed its consultant Robert Geneslaw, as its agent to conduct the SEQRA review of the action, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on February 12, 2008, directed that a public hearing be held on April 15, 2008, at 8:00 p.m., relative to such proposed local law, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on March 27, 2008, and

WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown on April 15, 2008, and said hearing was continued on May 13, 2008, and

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

WHEREAS, the Rockland County Planning Department recommended approval by letter dated April 7, 2008, noting that the draft Local Law before the Board addressed their prior concerns, and

WHEREAS, the Town of Clarkstown Planning Board, by memo received April 9, 2008, recommended approval of the proposed Local Law, based on the fact that (1) the change is consistent with the aims and principals embodied in the Zoning Chapter for the districts concerned, (2) the R-80 and R-160 Zoning Districts already allow public and private hospitals and sanatoriums for general medical care, and (3) by the Town requiring ten acres of property for this use, the Special permit ensures that Hospice Residence will be in keeping with the R-80 Low Density Residence District and R-160 Conservation Residence District, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on April 17, 2008, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the report dated May 12, 2008, prepared by Robert Geneslaw, Planning Consultant, pursuant to SEQRA, and which the Board has discussed and considered in making its decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the May 12, 2008 report of Robert Geneslaw, acting as staff to the Town Board as lead agency, it is hereby determined that (1) the proposed action is a Type I action under SEQRA, (2) the proposed action shall not have any significant impact on the environment, and be it

FURTHER RESOLVED, that the Town Board has reviewed and hereby accepts the attached Negative Declaration, and directs that same be filed, distributed and published pursuant to

6 NYCRR Part 617.7(b), and be it

FURTHER RESOLVED, that Local Law No. 2 – 2008, entitled:

A LOCAL LAW AMENDING CHAPTER 290 OF THE ZONING LOCAL LAW OF THE TOWN OF CLARKSTOWN WITH RESPECT TO “HOSPICE RESIDENCE”

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

- Alexander J. Gromack, Supervisor . . . AYE
- John R. Maloney, CouncilmanAYE
- Ralph F. Mandia, CouncilmanAYE
- Shirley Lasker, CouncilwomanAYE
- Frank Borelli, CouncilmanAYE

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

RESOLUTION NO. (289-2008)
Co. Maloney offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 3 – 2008

WHEREAS, a proposed local law entitled,
“AMENDMENT TO CHAPTER 208 (PEDDLING, HAWKING, AND SOLICITING) OF THE CODE OF THE TOWN OF CLARKSTOWN”
was introduced by Councilman John Maloney, at a Town Board meeting held on March 11, 2008, and
WHEREAS, the purpose of this local law is to amend and update Chapter 208, relating to peddling and soliciting, in
order to preserve the peace, health, safety, welfare and good order of the Town of Clarkstown and its inhabitants,
and
WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on April 15, 2008, directed that a
public hearing be held on May 13, 2008, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed
local law, and
WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on May 3, 2008, and
WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the
Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on May 2,
2008, and
WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on May 13, 2008;
NOW, THEREFORE, be it
RESOLVED, that Local Law No. 3 – 2008 entitled:
“AMENDMENT TO CHAPTER 208 (PEDDLING, HAWKING, AND SOLICITING) OF THE CODE OF THE TOWN OF CLARKSTOWN”
is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for
adoption being as follows:

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

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

LICENSE TO PEDDLE, HAWK & SOLICIT ISSUED BY THE TOWN CLERK:

LICENSE FEE: \$50.00
RENEWAL FEE WITHIN SAME CALENDAR YEAR: \$25.00
FINGERPRINTING FEE: AT PREVAILING RATE SET BY THE CLARKSTOWN POLICE
DEPARTMENT OR SEPARATE RESOLUTION OF THE TOWN BOARD, SUBJECT TO FEE FOR
SUBMISSION TO NYS DIVISION OF CRIMINAL JUSTICE SERVICES

RESOLUTION NO. (290-2008)
Co. Lasker offered and Co. Maloney seconded

RESOLUTION CONTINUING THE PUBLIC HEARING CONCERNING THE PROPOSED LOCAL LAW TO
AMEND CHAPTER 246 (SITE PLAN REVIEW) OF THE CODE OF THE TOWN OF CLARKSTOWN

WHEREAS, the Town Board held a public hearing on May 13, 2008, to consider a proposed Local Law
to Amend Chapter 246 (SITE PLAN REVIEW) of the Code of the Town of Clarkstown, to allow the Town to
charge a fee to cover the maintenance of retention basins;

NOW, THEREFORE, be it

RESOLVED, that in order for the Town Board to consider comments from the public, review SEQRA, and
provide the Rockland County Planning Department and the Clarkstown Planning Board sufficient time to review the
proposed Local Law, the Town Board shall continue the public hearing concerning the proposed Local Law to
Amend Chapter 246 (Site Plan Review) on June 17, 2008.

On roll call the vote was as follows

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

RESOLUTION NO. (291-2008)
Co. Maloney offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 4 – 2008

WHEREAS, a proposed local law entitled,
“AMENDMENT TO CHAPTER 278 (VEHICLES AND TRAFFIC OF THE CODE OF THE TOWN OF CLARKSTOWN’
was introduced by Councilman John Maloney, at a Town Board meeting held on March 11, 2008, and
WHEREAS, the purpose of this Local Law is to conform the Town Code to State Law Section 1660-a, Vehicles and
Traffic, and
WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on March 11, 2008, directed that a
public hearing be held on May 13, 2008, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed
local law, and
WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on May 3, 2008, and

RESOLUTION NO. (291-2008) continued

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on March 7, 2008, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on May 13, 2008;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 4 – 2008 entitled:

“AMENDMENT TO CHAPTER 278 (VEHICLES AND TRAFFIC) OF THE CODE OF THE TOWN OF CLARKSTOWN” is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

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

RESOLUTION NO. (292-2008)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 5 – 2008

WHEREAS, a proposed local law entitled,

“AMENDMENT TO CHAPTER 254 (SUBDIVISION OF LAND) OF THE CODE OF THE TOWN OF CLARKSTOWN” was introduced by Councilman John Maloney, at a Town Board meeting held on February 12, 2008, and

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

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on February 12, 2008, directed that a public hearing be held on May 13, 2008, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on May 3, 2008, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on April 23, 2008, and

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

WHEREAS, the Rockland County Planning Department recommended approval by letter dated April 30, 2008, and

WHEREAS, the Town of Clarkstown Planning Board, by memo dated May 2, 2008, recommended approval of the proposed local law, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the report dated April 30, 2008 prepared by Luke Kalarickal, Director of Environment Control, pursuant to SEQRA, and which the Board has discussed and considered in making its decision herein;

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on May 13, 2008;

NOW, THEREFORE, be it

RESOLVED, that based upon the April 30, 2008 of Luke Kalarickal, Director of Environment Control, acting as staff to the Town Board as lead agency, it is hereby determined that the proposed action is an unlisted, Type II action under SEQRA, and shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that Local Law No. 5 – 2008 entitled:

“AMENDMENT TO CHAPTER 254 (SUBDIVISION OF LAND) OF THE CODE OF THE TOWN OF CLARKSTOWN” is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

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

RESOLUTION NO. (293-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION DISCONTINUING CHAPTER 111 PROCEEDING (8 RED ROCK ROAD, NEW CITY – 33.16-2-18)

WHEREAS, a public hearing was held on March 11, 2008 and continued on April 15, 2008 and May 13, 2008 pursuant to Chapter 111 of the Code of the Town of Clarkstown in connection with premises located 8 Red Rock Road, New City, New York, Tax Map designation 33.16-2-18, and

WHEREAS, by report dated May 9, 2008, the Chief Fire Inspector, Mark Papenmeyer, and Deputy Building Inspector, Erik Asheim, have advised that the conditions complained of in the Order and Notice dated January 22, 2008 have been removed and all violations corrected to their satisfaction by the complete demolition and removal of the single family dwelling and the premises is now safe and in compliance;

NOW, THEREFORE, be it

RESOLUTION NO. (293-2008) continued

RESOLVED, that the Town Attorney is hereby directed to calculate the total costs incurred by the Town for this proceeding and public hearing and materials and labor needed to correct and eliminate the conditions and authorized and directed to discontinue said Chapter 111 proceeding and cancel the Lis Pendens, subject to the receipt of payment of costs within thirty (30) days of presentment of a statement to the property owner, and be it

FURTHER RESOLVED, that in the event the property owner fails to reimburse the Town within thirty (30) days of presentment of a statement, the Assessor is hereby directed to assess said sum against the premises set forth above which sum shall be levied and collected in the same manner as provided in Article 15 of Town Law for the levy and collection of a special ad valorem levy, as provided in Section 111-8 of the Town Code.

On roll call the vote was as follows

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

RESOLUTION NO. (294-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AMENDING THE OFFICIAL MAP OF THE TOWN OF CLARKSTOWN AND DELETING THE CONNECTOR ROAD FROM WESTERN HIGHWAY TO ROUTE 303, WEST NYACK, NEW YORK

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

WHEREAS, by Resolution adopted on March 11, 1008, the Town Board directed that the petition be referred to the Rockland County Department of Planning and the Town Planning Board for report and recommendation, and further directed that a public hearing be held to determine whether the connector road should be abandoned pursuant to Town Law Section 205 and/or deleted from the Official Map pursuant to Town Law Section 273, and

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

WHEREAS, the Clarkstown Planning Board considered the matter at its regularly scheduled meeting on April 2, 2008, and recommended, by memo dated April 8, 2008, that the connector road from Western Highway to Route 303, West Nyack, New York, be de-mapped and removed from the Official Map, based on the following:

1. Approximately 90% of the property underlying the proposed roadway is wetlands;
2. Construction of the roadway is not feasible due to environmental issues permitting requirements, cost and construction constraints;

3. and

WHEREAS, the Town Board of the Town of Clarkstown has received a report dated May 7, 2008, pursuant to SEQRA, from our consultant Robert Geneslaw, which states that this matter is a Type II action under Part 617 of the SEQRA regulations and no further analysis is necessary, which the Board has discussed and considered such report in making its decision herein, and

WHEREAS, the Rockland County Department of Planning failed to provide its report and recommendation within the timeframe set forth in General Municipal Law Section 239-m(4)(b);

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Robert Geneslaw, dated May 7, 2008, acting as staff to the Town Board as lead agency, and the Town Board hereby determines that the abandonment shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that pursuant to Town Law Section 273, the Official Map of the Town of Clarkstown is hereby amended by deleting therefrom the connector road known Western Highway to Route 303, West Nyack, New York, as described in the Schedule "A" attached.

SCHEDULE A

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Clarkstown, County of Rockland, State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Western Highway (County Route 15), said point being the southwest corner of the parcel designated on the Town of Clarkstown Tax Map 65.13, Block 2, Lot 10 and running the following courses and distances;

1. North 10 degrees 27 minutes 36 seconds West, a distance of 271.59 feet to the point or place of beginning, said point being the southwest corner of the proposed 60 ft. right-of-way, thence;
2. North 10 degrees 27 minutes 36 seconds West, a distance of 60.30 feet to a point, said point being the northwest corner of the proposed 60 ft. right-of-way, thence;
3. North 73 degrees 49 minutes 37 seconds East, a distance of 519.97 feet to a point of curvature, thence;
4. Along a curve to the right having a radius of 430.00 feet and an arc length of 166.44 feet to a point, thence;
5. South 83 degrees 59 minutes 46 seconds East, a distance of 136.29 feet to a point of curvature, thence;
6. Along a curve to the left having a radius of 370.00 feet and an arc length of 91.50 feet to a point, thence;
7. North 81 degrees 50 minutes 05 seconds East, a distance of 249.42 feet to a point of curvature, thence;
8. Along a curve to the right having a radius of 430.00 feet and an arc length of 338.24 feet to a point, thence;
9. South 53 degrees 05 minutes 48 seconds East, a distance of 250.42 feet to a point of curvature, thence;

RESOLUTION NO. (294-2008) continued

- 10. Along a curve to the left having a radius of 370.00 feet and an arc length of 248.55 feet to a point, thence;
 - 11. North 88 degrees 24 minutes 55 seconds East, a distance of 814.94 feet to a point of curvature, thence;
 - 12. Along a curve to the left having a radius of 970.00 feet and an arc length of 295.82 feet to a point, thence;
 - 13. North 70 degrees 56 minutes 31 seconds East, a distance of 1045.70 feet to a point of curvature, said point being the northeast corner of the proposed 60 ft. right-of-way and lying on the westerly right-of-way line of New York State Route 303,thence;
 - 14. Along a curve to the right having a radius of 1007.39 feet and an arc length of 60.01 feet to a point, said point being the southeast corner of the proposed 60 ft. right-of-way and lying on the westerly right-of-way line of New York State Route 303, thence;
 - 15. South 70 degrees 56 minutes 31 seconds West, a distance of 1046.20 feet to a point of curvature, thence;
 - 16. Along a curve to the right having a radius of 1030.00 feet and an arc length of 314.12 feet to a point, thence;
 - 17. South 88 degrees 24 minutes 55 seconds West, a distance of 814.94 feet to a point of curvature, thence;
 - 18. Along a curve to the right having a radius of 430.00 feet and an arc length of 288.85 feet to a point, thence;
 - 19. North 53 degrees 05 minutes 48 seconds West, a distance of 250.42 feet to a point of curvature, thence;
 - 20. Along a curve to the left having a radius of 370.00 feet and an arc length of 291.04 feet to a point, thence;
 - 21. South 81 degrees 50 minutes 05 seconds West, a distance of 249.42 feet to a point of curvature, thence;
 - 22. Along a curve to the right having a radius of 430.00 feet and an arc length of 106.34 feet to a point, thence;
 - 23. North 83 degrees 59 minutes 46 seconds West, a distance of 136.29 feet to a point of curvature, thence;
 - 24. Along a curve to the left having a radius of 370.00 feet and an arc length of 143.21 feet to a point, thence;
 - 25. South 73 degrees 49 minutes 37 seconds West, a distance of 528.98 feet to the point or place of beginning.
- Area = 251,776 square feet (5.78 acres)

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

RESOLUTION NO. (295-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Town Board Minutes of April 15, 2008 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows

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

RESOLUTION NO. (296-2008)

Co. Mandia offered and Co. Lasker seconded

RESOLUTION AMENDING RESOLUTION NO. 216-2008, AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND, ACTING ON BEHALF OF THE YOUTH BUREAU/ROCKLAND COUNTY AMERICORPS, FOR SUMMER MEMBER PROGRAM (PLANNING DEPARTMENT)

RESOLVED, that Resolution No. 216-2008, adopted by the Town Board on April 15, 2008, is hereby amended as follows:

WHEREAS, the Rockland County Youth Bureau has created a Rockland Environmental Corps which is staffed with Americorps members to participate in a service-orientated, educational and environmentally beneficial program and it has proposed to provide Americorps members under the direction of the Town Planner to participate in the Town of Clarkstown Comprehensive Plan, and

WHEREAS, as part of this process several community surveys are being conducted and the Town will need assistance tabulating this data, and

WHEREAS, the Town will require assistance in taking, cataloging and researching photographs of areas throughout the Town, as well as assistance in conducting various in-house data-entry programs, field research projects and other tasks that will arise as the development of the Comprehensive Plan continues, and

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

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

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the County of Rockland County, acting on behalf of the Youth Bureau/Rockland County Americorps, for the calendar year ending August 31, 2008, in a form approved by the Town Attorney, to utilize the service of not more than four (4) Americorps members for the tabulating of data in connection with the Town's Comprehensive Plan, for a program total not to exceed 250 services hours for each member at a cost not to exceed \$4,880.00, and be it

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

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

RESOLUTION NO. (297-2008)
Co. Mandia offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND FOR MASS TRANSPORTATION

WHEREAS, Section 18(b) of the Transportation Law provides for the appropriation of funds for the operation of bus transportation systems, and

WHEREAS, pursuant to Section 119-r of the General Municipal Law and Local Law No. 9-1974, the County of Rockland is authorized to contract for mass transportation services to be rendered to the people of the County of Rockland by a municipality for a fair and reasonable consideration;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into an agreement with the County of Rockland for the period April 1, 2008 to March 31, 2009, in a form satisfactory to the Town Attorney, to provide for the operation of public transportation routes within the Town of Clarkstown.

On roll call the vote was as follows

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

RESOLUTION NO. (298-2008)
Co. Maloney offered and Co. Mandia seconded

RESOLUTION AMENDING RESOLUTION NO. 253-2008, AUTHORIZING AN AGREEMENT WITH H2M GROUP FOR ENGINEERING SERVICES CONCERNING THE HACKENSACK RIVER DRAINAGE IMPROVEMENTS

RESOLVED, that Resolution No. 253-2008, adopted by the Town Board on April 15, 1008, is hereby amended as follows:

WHEREAS, by Resolution No. 320-2006, adopted on May 9, 2006, the Town Board established a policy to promote apprenticeship training as authorized by Section 818-b of the New York Labor Law, for contracts involving construction, reconstruction, improvement, rehabilitation, installation, alteration, renovation, demolition of any building, facility, physical structure, highway or bridge, with a value in excess of \$250,000, and

WHEREAS, the Town Board has determined the need for a Feasibility Analysis with regard to the construction project associated with the Hackensack River Drainage Improvements and Flood Control in West Nyack, New York, and

WHEREAS, H2M Group has submitted a proposal to the Town dated April 3, 2008, to perform engineering services to develop a Feasibility Analysis and Project Labor Agreement for this project;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with H2M, in a form approved by the Town Attorney, to perform engineering services regarding the Feasibility Analysis and Project Labor Agreement for the construction project associated with the Hackensack River Drainage Improvements and Flood Control in West Nyack, New York, and be it

FURTHER RESOLVED, that the fee for said work shall not exceed \$7,600.00 and will be charged to Account No. H 7186-409-0-59-1.

On roll call the vote was as follows

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

RESOLUTION NO. (299-2008)
Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CAMBRIDGE SYSTEMATICS, INC., TO PROVIDE SERVICES FOR THE TOWN OF CLARKSTOWN COMPREHENSIVE TRANSPORTATION STUDY

WHEREAS, the Town of Clarkstown is currently revising and updating its Comprehensive Plan, and WHEREAS, in order to update the transportation element of the Comprehensive Plan, the Town requires the retention of a private consulting firm to carry out expert analysis of the Town's transportation infrastructure, and

WHEREAS, the Transportation Sub-Committee of the Comprehensive Plan has solicited for proposals for the Town of Clarkstown Comprehensive Transportation Study, and

WHEREAS, the Committee received and reviewed six proposals in response to its solicitation, and

WHEREAS, the Transportation Sub-Committee recommends the hiring of Cambridge Systematics, Inc., pursuant to its proposal dated May 2, 2008, to provide professional services dealing with the transportation study;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a contract with Cambridge Systematics, Inc., in a form approved by the Town Attorney, to provide professional services with respect to the Town of Clarkstown Comprehensive Transportation Study, and be it

RESOLUTION NO. (299-2008) continued

FURTHER RESOLVED, that the agreed upon fee shall be a fixed sum for all necessary services which shall not exceed \$159,885.00, and be it

FURTHER RESOLVED, that said fees shall be charged to Account No. A 8021-409, and be it

FURTHER RESOLVED, that the agreement establishing such fixed compensation shall provide, among other provisions required by the Town Attorney, for contract indemnification of the Town, and professional and other liability insurance coverage with the Town of Clarkstown named as an additional insured.

On roll call the vote was as follows

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

RESOLUTION NO. (300-2008)

Co. Lasker offered and Co. Borelli seconded

RESOLUTION APPROVING STIPULATION OF SETTLEMENT WITH POLICE OFFICER JAMES MCCULLAGH

BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby approves a Stipulation of Settlement dated April 18, 2008 with Police Officer James McCullagh.

On roll call the vote was as follows

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

RESOLUTION NO. (301-2008)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Nanuet School District has requested use of the Town of Clarkstown showmobile on Sunday, June 1, 2008 (raindate Sunday, June 8, 2008) for Nanuet Family Resource Celebration to be held at 135 Convent Road, Nanuet, New York;

NOW, THEREFORE, BE IT RESOLVED, that permission is hereby granted to the Nanuet School District to use the Town of Clarkstown showmobile on Sunday, June 1, 2008 (raindate Sunday, June 8, 2008) for Nanuet Family Resource Celebration, subject to the provision of the necessary insurance policies,

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

On roll call the vote was as follows

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

RESOLUTION NO. (302-2008)

Co. Maloney offered and Co. Borelli 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 locations for an additional two year period beginning May 10, 2008 to May 9, 2010, as follows:

Sponsor: Steve Botto Landscaping, 19 Short Hill Road, New City, New York 10956

Location: NW Corner of Route 304 at South Main Street, New City, 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 an additional period of two (2) years beginning May 10, 2008 to May 9, 2010, 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.

RESOLUTION NO. (302-2008) continued

On roll call the vote was as follows

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

RESOLUTION NO. (303-2008)

Co. Maloney offered and Co. Borelli 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 locations for an additional two year period beginning May 10, 2008 to May 9, 2010, as follows:

Sponsor: Majestic Lawn Care & Landscape Inc., 424 Buena Vista Road, New City, NY 10956

Location: SW Corner of Route 304 at South Main Street, New City, NY

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 an additional period of two (2) years beginning May 10, 2008 to May 9, 2010, 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.

On roll call the vote was as follows

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

RESOLUTION NO. (304-2008)

Co. Maloney offered and Co. Borelli 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 locations for an additional two year period beginning May 10, 2008 to May 9, 2010, as follows:

Sponsor: Blue Sky Landscape, Inc., 505 Kings Highway, Valley Cottage, NY 10989

Location: NE Corner of Germonds Road at Little Tor Road, New City, NY

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 an additional period of two (2) years beginning May 10, 2008 to May 9, 2010, 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.

On roll call the vote was as follows

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

RESOLUTION NO. (305-2008)

Co. Borelli offered and Co. Maloney 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 a segment of a town road for a period of two (2) years,

RESOLUTION NO. (305-2008) continued
beginning May 13, 2008 to May 13, 2010, as follows:

Sponsor: Champion Day Camp, 175 West Clarkstown Road, New City, NY 10956
Road: .59 segment of West Clarkstown Road from Palisades,
Parkway, Exit 10, to New Clarkstown Road, New City, NY

and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement, for a period of two (2) years beginning May 13, 2008 to May 13, 2010, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segment, and to provide and coordinate services by the Champion Day Camp organization, to remove trash from the roadway.

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

RESOLUTION NO. (306-2008)
Co. Borelli offered and Co. Maloney 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 continue to adopt the below segment of town road for an additional period of two (2) years, continuing from May 14, 2008 to May 14, 2010, as follows:

Sponsor: Steve Botto Inc., Landscaping, 19 Short Hill Road, New City, NY 10956
Road: 1.03 mile segment of Red Hill Road, New City from intersection of Little Tor Road to
intersection of West Clarkstown Road, New City, NY 10956

and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of two (2) years continuing from May 14, 2008 to May 14, 2010, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segment, and to provide and coordinate services by Steve Botto, Inc. Landscaping to remove trash from the roadway.

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

RESOLUTION NO. (307-2008)
Co. Borelli offered and Co. Maloney 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 continue to adopt the below segments of various town roads for an additional period of two (2) years, beginning May 14, 2008 to May 14, 2010, as follows:

Sponsor: McLaren, P.C., Engineering Group, 100 Snake Hill Road, West Nyack, NY 10994
Roads: .21 mile segment of Snake Hill Road from 100 Snake Hill Road to
intersection of Palisades Center Drive, West Nyack, NY 10994,

and,

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program in that McLaren, P.C., Engineering Group will perform a public service in removing trash from above roadway that would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of two (2) years beginning May 14, 2008 to May 14, 2010, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segment, and to provide and coordinate services by McLaren, P.C., Engineering Group to remove trash from the roadway.

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

RESOLUTION NO. (308-2008)
Co. Borelli offered and Co. Maloney 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 a segment of a town road for a period of two (2) years, beginning May 13, 2008 to May 13, 2010, as follows:

Sponsor: Dellwood Country Club, 60 Zukor Road, New City, NY 10956
Road: 1.2 mile segment of Zukor Road from North Main Street and Old Route 304 to South Mountain Road, New City, New York

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that the Dellwood Country Club organization will perform a public service in removing trash from above roadway which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement, for a period of two (2) years beginning May 13, 2008 to May 13, 2010, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segment, and to provide and coordinate services by the Dellwood Country Club organization, to remove trash from the roadway.

On roll call the vote was as follows

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

RESOLUTION NO. (309-2008)
Co. Lasker offered and Co. Borelli seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

An "Intersection" sign (see Sec. 232.1, a W2-3 sign as per the NYS DOT Manual of Uniform Control Devices) on the eastside of North Pascack Road, 200 ft south of Lauren Drive, Nanuet.
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. Mandia. Yes
Co. Borelli... Yes
Supervisor Gromack Yes

RESOLUTION NO. (310-2008)
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 hydrants in conjunction with Hydrant Investigation No. T.B.D., ILONA LANE, VALLEY COTTAGE

HYDRANT # T.B.D. – ILONA LANE, VALLEY COTTAGE

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. Mandia. Yes
Co. Borelli... Yes
Supervisor Gromack Yes

RESOLUTION NO. (311-2008)
Co. Lasker offered and Co. Borelli seconded

RESOLUTION ACCEPTING CONSERVATION EASEMENT CONCERNING
BREGA TRANSPORTATION SITE PLAN (VALLEY COTTAGE – 52.19-1-1)

WHEREAS, in accordance with the requirements of the Planning Board and as a condition of final site plan approval by the Planning Board with regard to a site plan known as "BREGA TRANSPORTATION" (52.19-1-1), Brega Company has offered conveyance of a Conservation Easement to the Town of Clarkstown, over a portion of

RESOLUTION NO. (311-2008) continued
the subject site, and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the Conservation Easement and orders same recorded in the Rockland County Clerk's Office at the expense of the grantor.

On roll call the vote was as follows

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

RESOLUTION NO. (312-2008)
Co. Maloney offered and Co. Mandia seconded

RESOLUTION AMENDING TOWN BOARD RESOLUTION NO. 687-2007 AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL CONTROL TO RETAIN THE SERVICES OF A CONTRACTOR TO PERFORM IMPROVEMENTS WITHIN THE DRAINAGE EASEMENT LOCATED IN THE VICINITY OF 56 CAROLINA DRIVE, NEW CITY

WHEREAS, Town Board Resolution #687-2007 authorized the Director of the Department of Environmental Control to retain the services of Belleville Landscaping Inc. to replace a damaged drain pipe located within a Town drainage easement; and

WHEREAS, the Department of Environmental Control has determined that the existing drain line should be extended in order to more thoroughly drain the easement; and

WHEREAS, one (1) change order has been reviewed and found acceptable by the Department of Environmental Control as follows:

1) Installation of approximately 20 lf of perforated pipe underdrain backfilled with ¾" gravel to grade \$880.00

NOW, THEREFORE, BE IT RESOLVED that the allowance for this project be increased from the original amount of \$4,400.00 to \$5,280.00 to reflect the additional cost of the change order; and

BE IT FURTHER RESOLVED that this shall continue to be a proper charge to account A 8730 432

On roll call the vote was as follows

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

RESOLUTION NO. (313-2008)
Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation (by retirement) of Sheila Fergus-Mellon– Data Entry Operator I – Town Justice Department – is hereby accepted – effective and retroactive to April 26, 2008.

On roll call the vote was as follows

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

RESOLUTION NO. (314-2008)
Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of Mark Mondelli– Automotive Mechanic I & Body Repairer – Highway Department – is hereby accepted – effective and retroactive to April 24, 2008.

On roll call the vote was as follows

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

RESOLUTION NO. (315-2008)
Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of James E. Settles– Laborer – Highway Department - is hereby accepted – effective and retroactive to May 2, 2008.

On roll call the vote was as follows

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

RESOLUTION NO. (316-2008)
Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the resignation of Frank Sparaco III– Member – Traffic and Traffic Fire Safety Advisory Board – is hereby accepted effective May 15, 2008.

On roll call the vote was as follows

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

RESOLUTION NO. (317-2008)
Co. Mandia offered and Co. Maloney seconded

RESOLVED, that John T. Maguire– is hereby appointed to the position of Municipal Bus Driver (part time) – Clarkstown Municipal Transportation – at the current 2008 hourly rate of \$17.72., effective May 14, 2008.

On roll call the vote was as follows

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

RESOLUTION NO. (318-2008)
Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Gerard Woods – is hereby appointed to the position of Municipal Bus Driver (part time) – Clarkstown Municipal Transportation – at the current 2008 hourly rate of \$17.72., effective May 14, 2008.

On roll call the vote was as follows

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

RESOLUTION NO. (319-2008)
Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Robert Barucco– is hereby appointed to the position of Transfer Station Monitor – Solid Waste Facility - at the current 2008 salary of \$55,925., - effective and retroactive to May 12, 2008.

On roll call the vote was as follows

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

RESOLUTION NO. (320-2008)
Co. Mandia offered and Co. Maloney seconded

RESOLVED, that in accordance with Article XVIII, Section 3(k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Renee Kirschner– Clerk Stenographer, Town Justice Department is hereby granted a Sick Leave of Absence – at one-half pay – effective May 21, 2008 to June 21, 2008.

RESOLUTION NO. (320-2008) continued

On roll call the vote was as follows

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

RESOLUTION NO. (321-2008)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #07148 Computer Operator (Mid-Range System) – Data Processing Department – which contains the name of Christopher J. Alvarado, Now, therefore, be it

RESOLVED, that Christopher J. Alvarado is hereby appointed to the position of (permanent) Computer Operator (Mid-Range System) – Data Processing Department – at the current 2008 annual salary of \$39,465., effective and retroactive to May 9, 2008.

On roll call the vote was as follows

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

RESOLUTION NO. (322-2008)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board adopts the following schedule of pay rate increases for Office Worker Students and Laborer Students effective May 27, 2008.

Year Round High School Student (Office Worker Students)	Salary Increase: \$.50 per hour.
Year Round College Students (Office Worker Students) and Laborer Students	Salary Increase: \$.75 per hour.
Returning Seasonal College Students:	
Office Worker Students	\$.75 per hour.
Laborer Students	\$.75 per hour.
Office Worker Students starting salary (High School)	\$7.50 to \$8.50 hr.
Office Worker Students starting salary (College)	\$9.00 to \$11.00 hr.
Laborer Students (Over 18 years of age)	\$9.00 to \$11.00 hr.

On roll call the vote was as follows

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

RESOLUTION NO. (323-2008)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Karen Amatuzzo is hereby appointed to the position of Member – Traffic and Traffic Fire Safety Advisory Board – (to fill the unexpired term of Frank Sparaco) – at the current 2008 annual salary of \$2,700., - term effective May 26, 2008 and to expire on December 31, 2009.

On roll call the vote was as follows

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

RESOLUTION NO. (324-2008)

Co. Maloney offered and Co. Lasker seconded

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

BID # 8-2008 – SECURITY GUARD SERVICES – TOWN PARKS

is hereby awarded to: PEC GROUP OF NEW YORK, INC., 123 ROMBOUT AVENUE, BEACON, NY 12508
PRINCIPAL: PAULINE CHAHALES

as per their proposed total cost of \$16.54 per hour per guard and be it

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

RESOLUTION NO. (324-2008) continued

- 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. Mandia Yes
 Co. Borelli Yes
 Supervisor Gromack Yes

RESOLUTION NO. (325-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney – Purchasing that
 BID #18-2008 – GROUNDSKEEPING/LANDSCAPE SUPPLIES

is hereby awarded to:

LESCO, INC.
 1301 EAST 9TH STREET
 SUITE 1300
 CLEVELAND, OH 44114-1849
 PRINCIPALS: A PUBLIC CORPORATION

POLLACK PAINT INDUSTRIES, INC.
 119 WOODWORTH AVENUE
 YONKERS, NY 10701
 PRINCIPALS: ROBERT M POLLACK

PENNINGTON SEED, INC.
 9327 US ROUTE 1 SUITE J
 LAUREL, MD 20723
 PRINCIPALS: A PUBLIC CORPORATION

THE TERRE COMPANY OF NEW JERSEY, INC.
 206 DELLAWANNA AVENUE
 CLIFTON, NJ 07014
 PRINCIPALS: WILLIAM B. FEURY, THOMAS FEURY

as per the attached item/price schedule

BID #18-2008 AWARD SUMMARY - GROUNDSKEEPING/LANDSCAPE SUPPLIES

ITEM

NO.	ITEM DESCRIPTION	UNIT PRICE	AWARD
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FERTILIZERS

1 WEED & FEED, Premium Blended granular turf type fertilizer containing 50% organic nitrogen (20-3-10), slow release as above with Trimec broadleaf herbicide for broad spectrum weed control, as per TERRE WEED N FEED

(A)	5,000 SF bag	\$ NO BID	NO AWARD
(B)	10,000 SF bag	\$21.00	TERRE CO.
(C)	15,500 SF bag	\$NO BID	NO AWARD

OFFERING _____

2 FERTILIZER AND CRABGRASSPREVENTER (mini-prill) 19-03-07 with 86% Pendamethilyn 30% S.C.U. as per Lesco #18-2008000101, 50 lb. bag covers 12,000 sq. ft.

12,000 SF bag \$ 18.80* LESCO

OFFERING #088501 PRE-M. 86% 19-3-7 50%PPSCU 50 LB./BAG

3 WINTER FERTILIZER 32-05-07, 25% slow release nitrogen (SCU), 5% guaranteed analysis, 32% nitrogen, 5% ammonium phosphate, 7% muriate of potash as per Lesco #18-2008007552, 50 lb. bag covers 16,000 sq. ft.

16,000 SF bag \$ 19.46* LESCO

OFFERING#007532 32-5-7 25% PPSCU 50 LB./BAG

4 STARTER LAWN FERTILIZER18-24-12 AS PER LESCO #18-2008016420

5,000 SF bag	\$ NO BID	NO AWARD
12,000 SF bag	\$ 28.31*	LESCO
14,000 SF bag	\$ 24.47	POLLACK PAINT

LESCO - #016420 18-24-12 25%PPSCU 50 LB./BAG

OFFERING POLLACK PAINT - #11269 JONATHAN GREEN PRO GREEN STARTER FERTILIZER

5 FERTILIZER SPIKES per Ross or Jobes

15-7-6	\$ 38.36/CS.*	LESCO
11-5-7	\$ NO BID	NO AWARD

case (specify quantity)/pk APPROX. 150 STALKS PER 40 LB. BOX

OFFERING#001090 16-10-9 LESCO TREE STAKES 40 LB./BOX

GRASS SEED-(ALL GRASS SEED MIXTURES MUST BE CERTIFIED)

6 Turf Type Rye grass blend containing advantage or line drive & Legacy II Turf Type Perennial Rye grasses in a three-way certified blend with apron fungicide for prevention and control of premium endophyte level over 90%

As per Lesco Double Eagle Blend Supreme

50lb. Bag \$ 58.00 PENNINGTON SEED

OFFERING PENNINGTON SUNRISE PRIMO

*PRICES FIRM UNTIL 6.30.08

RESOLUTION NO. (325-2008) continued

- 7 PREMIUM ATHLETIC & FAIRWAY MIX
 70% premium Kentucky blue grasses Dawn, Penn Pro, Shamrock or wildwood.
 30% premium turf type perennial rye grasses
 As per Lesco Athletic & Fairway Mix
 50lb. Bag \$ 72.00 LESCO
 OFFERING #001689 LESCO PARK & ATHLETIC MIX
CHEMICALS
 8 Non Selective - post emergence herbicide, Monsanto "Roundup" (no substitutes)- gallons,dry pack
 25 pks per box
 dry pack \$ 320.00/CS.** LESCO
 OFFERING #069312 ROUNDUP QUICK PRO 6.8 LBS.X 4/CS.
 **PRICE FIRM UNTIL 08.01.08

- 9 Bee, Wasp, and Hornet Spray, 14 oz Aerosol can 12 ft spray reach -Ortho or equal
 cs/12 \$ 57.00 LESCO
 OFFERING #084191 LESCO WASP & HORNET PLUS 17.5 OZ.X 12/CS.
 10 Dylox (trichlorphon) 6.2% grub control
 30 lb. bag \$ 28.31 TERRE CO.
 OFFERING DYLOX 6.2%

ITEM NO.	ITEM DESCRIPTION	PROPOSED COST	AWARD
11	Transfilm - Antidesiccant 2 1/2 gal	\$ 77.00	LESCO
	OFFERING #859076 TRANSFILM 2.5 GL X 2/CS.		
12	Pelletized Gypsum - 50 lb bag analysis: Calcium sulfate 64.9% Calcium 22.6 Sulfur 15.3 Water Sol. Binder 2.0 max Moisture 1.0 max Sieve - 100% passing #18-2008 8 mesh 50% passing #18-2008100 mesh	\$ 8.21 /bag	LESCO
	OFFERING #089860 CAL-SUL GYPSUM GC 50 LB. BAG		
13	Limestone - Agricultural, pelletized 50 lb. bag	\$ 5.00	LESCO
	OFFERING#008979 LIMESTONE PELL DOLMITE 50 LB. BAG		
14	INSECTICIDE: GRUB PREVENTION 30 LB. Bag Merit. 5G% insecticide As per Lesco Item #18-2008024777 Covers 22,000 sq. ft.	\$ 51.62	TERRE CO.
	OFFERING ZENITH 5% (SAME AS MERIT)		
15	FUNGICIDE: BAYLETON 1.0% TURF FUNGICIDE 40 LB. Bag As per Lesco Item #18-2008015102 Covers 12,000 sq. ft. (Curative) 13,300 preventative	\$ 89.00	LESCO
	OFFERING #015102 BAYLETON 1G 40 LB. BAG		

ITEM NO.	ITEM DESCRIPTION	UNIT PRICE	AWARD
MISC.			
16	Shredded Southern Cedar Bark 3 cu ft bale	\$ NO BID	NO AWARD
	OFFERING		
17	Pine Bark Nuggets 3 cu ft Pine Bark Mini Nuggets 3 cu ft	\$ NO BID	NO AWARD
	OFFERING		
18	Peat Moss - Canadian Spaghnum, Compressed 4 cu ft bale 6 cu ft bale	\$ NO BID	NO AWARD
	OFFERING		
19	Salt Hay or Straw 50 lb bale	\$ NO BID	NO AWARD
	OFFERING		
20	Athletic field line marking powder non-caustic per LimeCrest Guideline 50 lb bag	\$ 4.87	POLLACK PAINT
	OFFERINGIMERYYS #10 WHITE 50 LB. BAG		
21	Play Sand 50 lb bag	\$ 4.84	POLLACK PAINT
	OFFERING QUIKRETE 50 LB. BAG		
22	Athletic Field Water Absorbent Compound - as per "Turface" only no substitutes (A) REGULAR (B) QUICK DRY	\$ 8.24 \$ 8.65	PENNINGTON SEED PENNINGTON SEED
	OFFERINGTURFACE MVP & TURFACE QUICK DRY 50#		
23	Rock Salt - #18-20081 50 lb. Bags for de-icing parking lots	\$ 4.74	POLLACK PAINT
	Calcium chloride 50 lb. bags for de-icing concrete surfaces	\$ 12.88	POLLACK PAINT

RESOLUTION NO. (325-2008) continued

GENERAL LANDSCAPE/GROUNDSKEEPING SUPPLY CATALOG/PRICE LIST

LESCO WWW.LESCO.COM 4% Discount of Published Prices

PENNINGTON SEED NO CATALOG OFFERING – NO DISCOUNT

POLLACK PAINT JONATHAN GREEN CATALOG, VPI EQUIPMENT CATALOG – NO DISCOUNT

TERRE CO. TERRE 2008 CATALOG – NO DISCOUNT

(E) LIQUID LAWN CHEMICALS (CHEMIGATION)

Germonds Park and Zukor Park - The following chemicals will be used in conjunction with our irrigation system which is known as Chemigation. All of the following chemicals will be awarded to a single vendor. In addition to the bid award, the successful vendor must provide the following:

- a) Free soil analysis; (2) one in April, one in September.
- b) On-site consultation as needed from the manufacturer's representative, minimum (4) times a year.
- c) Set up a one year program on the proper application of the chemicals.

25 Non-Ionic, SOIL PENETRANT, non-burning, improves fertilizers effectiveness, carries nutrients to root system also to be compatible with biostimulants. It penetrates to the root, breaking down surface tension for more uniform wetting of treated areas. Active ingredients: contains 4.4% silicone; physical properties: boiling point 197 degrees F, PH:7.3 H2O solubility complete, flashpoint non-flammable, and odorless. Directions for use: 2 gallons per acre as per opti-gro Soil-aide (55 gal containers).

OFFERING _____ \$ NO BID _____ NO AWARD

26 FERTILIZERS, Starter solution liquid fertilizer. Guaranteed analysis: total nitrogen 5.0% ammoniacal nitrogen. Available phosphate (P2 O5) 20%. Soluble potash (K2O) 10.0%; Physical properties: boiling point 210 degrees F; PH:7.2 H2O solubility complete, non-viscous, non-flammable; Directions for use: 7 gal. per acre as per opti-gro, Flourish 5-20-10 (55 gal. Containers).

OFFERING _____ \$ NO BID _____ NO AWARD

27 FERTILIZER, High nitrogen fertilizer for promoting top growth and fast greening of all types of athletic fields. Guaranteed analysis: (Total nitrogen 32%) 7.89% Ammoniacal Nitrogen, 7.89% Nitrate Nitrogen, 16.22% Urea Nitrogen. Physical Properties: boiling point 225 degrees F, PH 6.8. H2O solubility: complete, non-viscous, non-flammable. As per opti-gro, Liqui-cellerate 32-0-0 (55 gal. Containers).

OFFERING _____ \$ NO BID _____ NO AWARD

28 FUNGICIDE, specially blended with sulfur. Guaranteed analysis: Total nitrogen (N) 16.0% 16% urea 1 nitrogen, available phosphate (P2 O5) 4.0% Soluable potash (K2O) 8.0% sulfur (combined a 5) 2.0%. Physical Properties; boiling point: 210 degrees F non-flammable ph: 3.3. As per opti-gro strong lawn liquid fertilizer 16-4-8 (55 gal. containers).

OFFERING _____ \$ NO BID _____ NO AWARD

29 FERTILIZER- Liquid 15-10-5 a 3:2:1 ratio (N) stimulates top growth, phosphorus for vigorous root development. Potassium for stalk formation. Guaranteed Analysis: Total nitrogen (N) 15.00%, 2.0% ammoniacal nitrogen, 13.00% urea nitrogen. Available phosphate (P2 O5) 10.00% soluble potash (k2o) 5.00% as per opti-gro Emerald Turf 15-10-5 (55 gal. containers).

OFFERING _____ \$ NO BID _____ NO AWARD

30 HIGH POTASSIUM LIQUID FERTILIZER, Extreme weather formula increases resistance to cold weather, helps fight plant disease. Produces strong, healthier stalks. Guaranteed analysis 20.0% soluble potash derived from potassium carbonate. Physical properties: boiling point 214 degrees F, PH, 12.2, H2O solubility complete. Acceptable to use with chemigation. As per opti-gro duralizer 0-0-20

OFFERING _____ \$ NO BID _____ NO AWARD

31 FUNGICIDE, lawn and ornamental, broad spectrum control, protects against a wide variety of fungal diseases. Active ingredients: 1-(4-chlorophenoxy)-3, 3-dimethyl-1 (1H-1,2,4,-triazol-1-yl)- 2-butanone .88% as per opti-gro, fungisol.

OFFERING _____ \$ NO BID _____ NO AWARD

On roll call the vote was as follows

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

RESOLUTION NO. (326-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent that
 BID#22-2008 – PAPER AND PLASTICS SUPPLIES

is hereby awarded to:

- | | |
|--|--|
| PERKINS PAPER
206 WEMBLY ROAD
NEW WINDSOR, NY 12553
PRINCIPALS: GARY PERKINS
LARRY PERKINS
ALAN PERKINS | BORAX PAPER PRODUCTS
1390 SPOFFORD AVENUE
BRONX, NY 10474
PRINCIPALS: MARC BORAK
STEVEN DENMARK
PHYLLIS BORAK |
| APPCO PAPER & PLASTICS CORP.
3949 AUSTIN BLVD
ISLAND PARK, NY 11558
PRINCIPALS: RICHARD LILLIEN
LLEWELLYN LILLIEN
IRA LILLIEN | CENTRAL POLY CORP
18 DONALDSON PLACE
P.O. BOX 4097
LINDEN, NJ 07036
PRINCIPALS: ANDREW HOFFER
AGNES SERHOFER |

RESOLUTION NO. (326-2008) continued
 STRAUSS PAPER COMPANY
 10 SLATER DTREET
 PORT CHESTER, NY 10573
 PRINCIPALS: STEWART STRAUSS, JOYCE STRAUSS-JONAP
 as per the attached price/item list , (on file with Town Clerk).

On roll call the vote was as follows

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

RESOLUTION NO. (327-2008)
 Co. Maloney offered and Co. Lasker seconded

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

BID # 23-2008 – BROOKSIDE AVENUE DRAINAGE IMPROVEMENTS

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

PRINCIPAL: CARL WORTENDYKE, MARTIN WORTENDYKE, PETER WORTENDYKE

as per their proposed project cost not to exceed \$75,057.00 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-8759-400-409-0-83-14 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. Mandia. Yes
 Co. Borelli... Yes
 Supervisor Gromack Yes

RESOLUTION NO. (328-2008)
 Co. Maloney offered and Co. Lasker seconded

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

RFP #10-2008 – LICENSE TO OPERATE A KAYAK PROGRAM AT CONGERS LAKE MEMORIAL PARK is hereby awarded to: MOUNTAIN VALLEY GUIDES LLC., 18 PEPPERMINT LANE, NEWBURGH, NY 12553

PRINCIPAL: WILLIAM GARRISON

as per their proposed annual fee, payable to the Town of Clarkstown, of \$1,000.00 and be it

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

- a) Signed Contract Documents – four sets
- b) Certificate of Commercial Liability
- c) Certificate of Commercial Automobile Liability Coverage
- d) Certificate of Worker's Compensation insurance coverage

The Town of Clarkstown must be named as additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that this project shall be under the supervision of the Superintendent of Recreation and Parks

On roll call the vote was as follows

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

RESOLUTION NO. (329-2008)
Co. Maloney offered and Co. Lasker seconded

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

BID # 44-2007 – CAST IRON CURB INLETS, FRAMES AND GRATES

is hereby awarded to: CAMPBELL FOUNDRY, 800 BERGEN STREET, HARRISON, NJ 07029

PRINCIPAL: JOHN CAMPBELL

as per the attached item/price schedule , (on file with Town Clerk).

On roll call the vote was as follows

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

RESOLUTION NO. (330-2008)
Co. Lasker offered and Co. Borelli seconded

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

BID #25-2008 – DOWNTOWN NEW CITY REVITALIZATION PROJECT

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

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Department of Purchasing upon payment of the prescribed fee.

On roll call the vote was as follows

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

RESOLUTION NO. (331-2008)
Co. Lasker offered and Co. Borelli seconded

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

BID #26-2008 – MAINTENANCE AND REPAIR OF TRAFFIC SIGNALS,
PEDESTRIAN CONTROL DEVICES AND STREETSCAPE LIGHTS

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.

On roll call the vote was as follows

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

RESOLUTION NO. (332-2008)
Co. Lasker offered and Co. Borelli seconded

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

BID #27-2008 – GUIDERAIL SYSTEM AND INSTALLATION FOR WEST STREET,

CENTRAL NYACK AND SOUTH GREENBUSH ROAD, WEST NYACK

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.

On roll call the vote was as follows

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

RESOLUTION NO. (333-2008)
Co. Borelli offered and Co. Maloney seconded

WHEREAS, the residents of Deerfoot 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:

Deerfoot Lane, New City (Install one (1) -70-watt-5,800 sodium vapor street light on Pole #59968/41675)
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. Mandia. Yes
Co. Borelli... Yes
Supervisor Gromack Yes

RESOLUTION NO. (334-2008)
Co. Mandia offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL CONTROL TO RETAIN THE SERVICES OF A CONSULTING ENGINEERING FIRM TO PERFORM ENGINEERING AND SURVEYING SERVICES FOR BATHOMETRIC SURVEY, TOPOGRAPHIC SURVEY, DRAINAGE ANALYSIS AND DESIGN FOR THE KILL VON BEASTE STREAM IMPROVEMENTS, HEATON'S POND SPILLWAY IMPROVEMENTS AND HEATON'S POND DREDGING

Whereas, The Town of Clarkstown Department of Environmental Control proposals from qualified consulting engineering/surveying firms to provide services in connection with the preparation of a topographic survey, drainage analysis, design, cost estimate, construction plans, specifications and the preparation of necessary drainage easements for the construction, modifications and/or improvements to the existing topography, streams and storm drain system to alleviate adverse drainage conditions located in Valley Cottage, New York. The length of the project within the Kill Von Beaste including Heaton's Pond is approximately 2500 linear feet which extends from 100 feet upstream of the culvert improvements at Kings Highway and Miller Road to 150 feet downstream of Heaton's Pond Spillway. In addition, survey shall include 200 feet upstream of the unnamed stream which flows into Heaton's Pond.

Whereas, the Department of Environmental Control has received five (5) proposals in response to its solicitation; and

Whereas, the Department of Environmental Control has reviewed said proposals and recommends acceptance of the low bid proposal;

Now, Therefore, Be It Resolved that the Director of the Department of Environmental Control is hereby authorized to enter into an agreement with Greater Hudson Valley Engineering & Land Surveying, PC, 233 Lafayette Avenue, Suite M-1, Suffern, NY 10901 in a form satisfactory to the Town Attorney, to provide engineering services for the West Nyack Downtown Improvements in accordance with their proposal; and

Be It Further Resolved that the fee for said services shall not exceed \$85,499 without further resolution of the Town Board; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account # H 8759 409 0 83 16

On roll call the vote was as follows

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

RESOLUTION NO. (335-2008)
Co. Lasker offered and Co. Maloney seconded

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

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

KJS HAULING & HOME IMPROVEMENT, INC., 95 Maple Avenue, New City, NY 10956
Keith Schepis, President

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 08-29 KJS HAULING & HOME IMPROVEMENT, INC.

RESOLUTION NO. (335-2008) continued

On roll call the vote was as follows

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

RESOLUTION NO. (336-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION APPROVING A SIDE LETTER OF AGREEMENT BETWEEN CIVIL SERVICE
 EMPLOYEES ASSOCIATION, INC. AND THE TOWN

RESOLVED, that the Town Board of the Town of Clarkstown hereby ratifies and approves a Side Letter of Agreement between the Civil Service Employees Association, Inc., Town of Clarkstown Unit and the Town dated May 13, 2008.

SIDE LETTER OF AGREEMENT

WHEREAS, the Town of Clarkstown (hereinafter the "Town") and the Civil Service Employee Association, Inc. Town of Clarkstown Unit are parties to a collective bargaining agreement covering the period January 1, 2007 to December 31, 2011, and

WHEREAS, the parties seek to reach an agreement with regard to terms and conditions of employment relative to the unique circumstances pertaining to MEO II Joseph Caoli notwithstanding the provisions of the collective bargaining agreement, and

WHEREAS, the parties have discussed the terms and conditions which they believe are fair and equitable given the unique circumstances which are not to be considered a precedent with regard to any past or future employees;

NOW, THEREFORE, it is hereby agreed by and between the parties as follows:

1. Joseph Caoli shall be afforded sick leave over and above his accruals covering the period of his absence commencing April 23, 2008 and ending upon his return to work or May 31, 2008, whichever comes first. All payments made to Mr. Caoli as a result of his claim made for workers' compensation benefits, if successful, shall be payable to the Town of Clarkstown for any days for which sick leave has been provided pursuant to this Agreement. The sick leave afforded Mr. Caoli pursuant to this Agreement shall not be repaid by Mr. Caoli. Mr. Caoli's insurance benefits shall be continued consistent with the terms of the collective bargaining agreement for the period of time covered by this Agreement.

2. It is understood and agreed that this Agreement constitutes an agreement with regard to terms and conditions for Mr. Caoli only. It is understood and agreed that the Agreement does not constitute a precedent with regard to any prior, present or future employees.

3. This Agreement is subject to ratification and approval by the Town Board of the Town of Clarkstown.

On roll call the vote was as follows

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

RESOLUTION NO. (337-2008)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, the Town Board, on its own motion, pursuant to Section 200 of the Town Law, shall consider a road improvement project for a portion of a street known as DUSTMAN LANE, Bardonia, New York, which is located east of Amanda Lane and west of Route 304, and shall schedule a public hearing to consider said road improvement project, which improvements shall consist of pavement, curbs, and sidewalks benefiting properties shown on the Clarkstown Tax Map as 58.14-1-50 (owned by Bardonia Realty Group, LLC, 167-169 Route 304 Bardonia, New York), and Tax Map 58.14-1-51 (owned by Casmac Associates, LLC, 159 Route 304, Bardonia, New York), and the approximate total length of said road is 300 feet of roadway, and approximately 600 lineal feet of frontage;

NOW, THEREFORE, be it

ORDERED, that a public hearing pursuant to Sections 264 and 265 of the Town Law to be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, on June 17, 2008, at 8:00 p.m., or as soon thereafter as possible, relative to the proposed road improvement, and it is FURTHER ORDERED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the official newspaper of the Town as aforesaid and file proof thereof in the office of the Town Clerk, to post a copy of same on the sign-board of the Town of Clarkstown, as well as conspicuously in five (5) public places along Dustman Lane, in the time and manner required by law, and it is

FURTHER ORDERED, that the amount to be expended for the improvement shall include the cost of the proceeding to acquire so much land as may be necessary to lay out such road as well as all other associated clerical, legal, surveying and engineering costs involved in any and all proceedings related to the acquisition of land pursuant to Town Law Section 200-12, and be it

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

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized and directed to

RESOLUTION NO. (337-2008) continued

prepare a cost estimate for the necessary road improvement of DUSTMAN LANE, Bardonia, New York, to be presented at the time of the public hearing on June 17, 2008, and be it FURTHER RESOLVED, that the Director of the Department of Environmental Control is hereby authorized and directed to prepare preliminary and definite plans as and when necessary.

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

RESOLUTION NO. (338-2008)

Co. Lasker offered and Co. Mandia seconded

RESOLUTION OF THE TOWN BOARD SETTING A PUBLIC HEARING REGARDING PETITION OF ORCHARD RIDGE, LLC, FOR A CHANGE OF ZONE

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

NOW, THEREFORE, be it on the

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law, shall be held, pursuant to Sections 264 and 265 of the Town Law, at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on June 17, 2008, at 8:00 p.m., and be it

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

FURTHER RESOLVED, that the Petitioner shall comply with Section 290-33(C) of the Zoning Local Law with respect to notice of public hearing to abutting property owners of record, and file proof of mailing such notice with the Town Clerk prior to said hearing.

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

RESOLUTION NO. (339-2008)

Co. Lasker offered and Co. Mandia seconded

RESOLUTION OF THE TOWN BOARD SETTING A PUBLIC HEARING REGARDING PETITION OF EDEN PARK HOMES LLC, FOR A CHANGE OF ZONE

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

NOW, THEREFORE, be it on the

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law, shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on June 17, 2008, at 8:00 p.m., and be it

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

FURTHER RESOLVED, that the Petitioner shall comply with Section 290-33(C) of the Zoning Local Law with respect to notice of public hearing to abutting property owners of record, and file proof of mailing such notice with the Town Clerk prior to said hearing, and be it

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

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

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

RESOLUTION NO. (340-2008)
Co. Lasker offered and Co. Maloney seconded

RESOLUTION OF THE TOWN BOARD ADOPTING A NEGATIVE DECLARATION PURSUANT TO SEQRA, CONCERNING STREETScape IMPROVEMENTS FOR NEW CITY, NEW YORK

WHEREAS, the Town of Clarkstown Town Board is administering the development of the South Main Street Streetscape Revitalization Plan for New City hereinafter referred to as the "Proposed Action"; and
WHEREAS, the Proposed Action will involve streetscape improvements that will include, but are not limited to the following: landscape treatments, parking improvements, relocation of overhead utilities, sidewalk and pedestrian improvements, and traffic calming measures; and
WHEREAS, on February 12, 2008, the Town Board declared its intent to act as Lead Agency for the coordinated environmental review of the Proposed Action and authorized work to begin on the State Environmental Quality Review Act (SEQRA) to determine the environmental impact of the Proposed Action; and, the Project has been determined to be an unlisted action under SEQRA, and was determined to not have a significant adverse impact on the environment; and
WHEREAS, on March 20, 2008, the Town Board authorized the distribution of the completed Environmental Assessment Form (EAF) and attachments to all involved agencies and interested parties; and
WHEREAS, on April 9, 2008, the New York State Office of Parks, Recreation and Historic Preservation issued a letter regarding their review of the EAF, and determined in that letter that the Proposed Action would have no adverse impact on the environment within their jurisdiction; and
WHEREAS, on April 15, 2008, the Town Board declared itself Lead Agency with respect to the coordinated environmental review of the Proposed Action; and
WHEREAS, the Town of Clarkstown Town Board has considered all public comments on the Proposed Action; has reviewed the Full EAF documentation and the criteria for determining environmental significance of this unlisted action, thoroughly analyzed the action and has found no potentially significant adverse impacts to the environment for adopting the plan;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown Town Board hereby determines the Proposed Action for streetscape improvements to New City, will not result in any significant adverse impact on the environment; and that it has reviewed and hereby accepts the negative declaration statement; and, therefore the negative declaration will be filed, distributed, and published under the requirements of 6 NYCRR Part §617.7(b).

On roll call the vote was as follows

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

RESOLUTION NO. (341-2008)
Co. Maloney offered and Co. Lasker seconded

RESOLUTION APPROPRIATING FUNDS TO VETERAN ORGANIZATIONS

WHEREAS, certain veteran organizations have requested monetary assistance from the Town of Clarkstown to defray rent costs, provided 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 \$750.00 (\$500.00 for leasing, rental, and maintenance of meeting facility and \$250.00 for patriotic observance) to the following veteran organizations for the year 2008:
American Legion Naurashank - Post 794
Jewish War Veterans of the U.S.A. - Post 720
Jewish War Veterans of the U.S.A. - Post 756
Korean War Veterans - Eagle Chapter
Veterans Memorial Association of Congers
Veterans of Foreign Wars of the U.S. - Post 8749
Vietnam Veterans of America - Chapter 333
West Nyack Memorial Post - Post 126
and be it

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

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

On roll call the vote was as follows

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

RESOLUTION NO. (342-2008)
Co. Borelli offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR
ECONOMIC ASSISTANCE FOR THE YEAR 2008

WHEREAS, certain non-for-profit organizations that have provided services to individuals and groups in the Town of Clarkstown have submitted requests for economic assistance for the year 2008, and

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

NOW, THEREFORE, be it

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

FUTHER RESOLVED, that the Town Board shall allocate economic assistance for 2008 to the following non-profit organizations in the following amount:

Albertus Magnus – Project Graduation	\$ 750.00
Association for the Visually Impaired, Inc.	\$ 500.00
Big Brothers Big Sisters of Rockland	\$ 960.00
Camp Venture, Inc.	\$ 2,500.00
CANDLE	\$15,000.00
Clarkstown Baseball Association	\$ 2,500.00
Clarkstown Community Task Force	\$ 3,400.00
Clarkstown Family Resource Center	\$ 3,400.00
Clarkstown High School North – Project Graduation	\$ 1,500.00
Clarkstown High School South – Project Graduation	\$ 1,500.00
Friends of Rockland Lake	\$ 1,000.00
Historical Society of Rockland	\$ 2,500.00
Home Aides of Rockland, Inc.	\$ 750.00
Jawanio, Inc	\$ 2,500.00
Keep Rockland Beautiful	\$ 2,000.00
Literacy Volunteers of Rockland County	\$ 1,000.00
Martin Luther King Multi Purpose Center, Inc.	\$ 3,400.00
Meals on Wheels	\$ 4,500.00
Nanuet High School – Project Graduation	\$ 1,200.00
New Beginnings Dignity Services, Inc.	\$ 1,000.00
Nyack High School – Project Graduation	\$ 1,200.00
People to People	\$ 585.00
Rockland Center for the Arts, Inc.	\$ 3,000.00
Rockland Holocaust Museum & Study Center	\$ 2,000.00
Rockland Community College Retired and Senior Volunteer Program (RSVP)	\$ 1,000.00
Rockland Community College Senior Citizen Club	\$ 2,500.00
Rockland County Council for Senior Citizens, Inc.	
Foster Grandparent Program	\$ 1,000.00
Rockland Family Shelter	\$ 1,000.00
Summer Theatre Festival of Clarkstown, Inc.	\$ 1,500.00
Volunteer Counseling Service of Rockland County, Inc.	\$ 500.00
United Hospice of Rockland	\$ 1,000.00
West Nyack Little League	\$ 1,500.00

and be it

FURTHER RESOLVED, that the funds to assist in providing such services for the calendar year 2008 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (343-2008)
Co. Borelli offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR
ECONOMIC ASSISTANCE FOR THE YEAR 2008

WHEREAS, certain non-for-profit organizations that have provided services to individuals and groups in the Town of Clarkstown have submitted requests for economic assistance for the year 2008, and

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

NOW, THEREFORE, be it

RESOLUTION NO. (343-2008) continued

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

FUTHER RESOLVED, that the Town Board shall allocate economic assistance for 2008 to the following non-profit organization in the following amount:

Rockland Holocaust Museum & Study Center \$2,000.00

and be it

FURTHER RESOLVED, that the funds to assist in providing such services for the calendar year 2008 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (344-2008)

Co. Borelli offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR ECONOMIC ASSISTANCE FOR THE YEAR 2008

WHEREAS, certain non-for-profit organizations that have provided services to individuals and groups in the Town of Clarkstown have submitted requests for economic assistance for the year 2008, and

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

NOW, THEREFORE, be it

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

FUTHER RESOLVED, that the Town Board shall allocate economic assistance for 2008 to the following non-profit organization in the following amount:

Rockland JCC-Y \$1,500.00

and be it

FURTHER RESOLVED, that the funds to assist in providing such services for the calendar year 2008 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (345-2008)

Co. Borelli offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR ECONOMIC ASSISTANCE FOR THE YEAR 2008

WHEREAS, certain non-for-profit organizations that have provided services to individuals and groups in the Town of Clarkstown have submitted requests for economic assistance for the year 2008, and

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

NOW, THEREFORE, be it

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

FUTHER RESOLVED, that the Town Board shall allocate economic assistance for 2008 to the following non-profit organization in the following amount:

STAR Kids \$2,500.00

and be it

FURTHER RESOLVED, that the funds to assist in providing such services for the calendar year 2008 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (346-2008)
Co. Borelli offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR ECONOMIC ASSISTANCE FOR THE YEAR 2008

WHEREAS, certain non-for-profit organizations that have provided services to individuals and groups in the Town of Clarkstown have submitted requests for economic assistance for the year 2008, and WHEREAS, the applications have been reviewed by the Director of Finance and the Town Attorney, who have determined that the services provided by the organizations set forth herein is in the public interest and qualifies for expenditure of public funds:

NOW, THEREFORE, be it

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

FUTHER RESOLVED, that the Town Board shall allocate economic assistance for 2008 to the following non-profit organization in the following amount:

T.O.U.C.H. of Rockland County, Inc. \$2,500.00

and be it

FURTHER RESOLVED, that the funds to assist in providing such services for the calendar year 2008 and shall be charged to Account No. A 8840-424.

On roll call the vote was as follows

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

RESOLUTION NO. (347-2008)
Co. Lasker offered and Co. Borelli seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for: BID #28-2008 – CONSTRUCTION OF A CONNECTING THROUGH ROAD – MEDICAL PARK DRIVE TO CROSFIELD AVENUE, WEST NYACK

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.

On roll call the vote was as follows

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

RESOLUTION NO. (348-2008)
Co. Mandia offered and Co. Borelli seconded

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

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:

- 1. Ralph F. Mandia, Town Board Liaison
- 2. Scott Milich, Chairman
- 3. David Kaminski
- 4. Dorie McMaster
- 5. Donald Ritch
- 6. Irene Ryan
- 7. Shirley Washington

and

WHEREAS, the Town Board wishes to re-establish the Committee for the year 2008;

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 \$1,500.00 to the committee to conduct the contest, prepare award certificate and for incidental expenses, which shall be a proper charge to Account No. A 1010-409.

On roll call the vote was as follows

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

RESOLUTION NO. (349-2008)
Co. Lasker offered and Co. Borelli seconded

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

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

WHEREAS, the Chief of Police has recommended submission of several applications for such reimbursement which may result in an award in the amount of \$2,704.45 to reimburse for expenditures previously made by the Police Department;

NOW, THEREFORE, be it

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

On roll call the vote was as follows

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

RESOLUTION NO. (350-2008)
Co. Maloney offered and Co. Lasker seconded

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

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into an agreement with the County of Rockland, acting on behalf of the Youth Bureau/Rockland County Americorps, for the calendar year ending August 31, 2008, to participate in the Rockland County Youth Bureau's litter patrol service program utilizing the service of not more than four Americorps members, for a program total not to exceed 250 service hours for each member at a cost not to exceed \$4,880.00, to be charged to Account No. DB 5110-409-0, and be it

FURTHER RESOLVED, that this resolution is retroactive to April 15, 2008.

On roll call the vote was as follows

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

RESOLUTION NO. (351-2008)
Co. Lasker offered and Co. Maloney seconded

RESOLUTION GRANTING PERMISSION TO THE COYLE INSURANCE AGENCY OF CONGERS TO DISPENSE ALCOHOLIC BEVERAGES AT THEIR ANNIVERSARY CELEBRATION AT THE CONGERS TRAIN DEPOT PARK, CONGERS, NEW YORK

WHEREAS, Section 93-2(A) of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown, and

WHEREAS, The Coyle Insurance Agency of Congers wishes to obtain a permit from the Parks Board and Recreation Commission to hold an event in the Town of Clarkstown at the Congers Train Depot Park, Congers, New York, on June 12, 2008, and

WHEREAS, the permittee has requested permission to dispense alcoholic beverages on the occasion;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to The Coyle Insurance Agency of Congers to dispense alcoholic beverages in accordance with and subject to Section 93-2(A) of the Town Code of the Town of

RESOLUTION NO. (351-2008) continued

Clarkstown, for an event which shall be held in the Town of Clarkstown at the Congers Train Depot Park, Congers, New York, on June 12, 2008, from 5:00 p.m. to 8:00 p.m.

On roll call the vote was as follows

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

RESOLUTION NO. (352-2008)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION DEFAULTING LETTERS OF CREDIT AND PERFORMANCE BOND ON THE PONDVIEW ESTATES SUBDIVISION AND ZONE CHANGE WEST NYACK (58.19-1-9)

WHEREAS, Pondview, LLC obtained zone change for property and approval for the subdivision known as the Pondview Estates Subdivision, filed in the Rockland County Clerk's Office on March 2, 2005 as Map No. 7739, and WHEREAS, as a condition of subdivision approval, Pondview, LLC, as owner and obligor, provided the Town of Clarkstown with two (2) Irrevocable Letters of Credit (No. 2115 in the principal amount of \$400,000.00 and No. 2125 in the principal amount of \$310,600.00) totaling \$710,600.00, together with its Developer's Performance Bond and Municipal Developers Agreement to secure completion of the public and other required improvements in connection with Pondview Estates Subdivision and zone change, and

WHEREAS, the Deputy Director of the Department of Environmental Control has advised that the developer has failed to faithfully complete its obligations after repeated requests and notification to do so, and has recommended that the developer be declared in default of its performance bond and developers municipal agreement and that all reasonable steps be taken to secure completion of the improvements by drawing against both Letters of Credit the full amount of \$710,600.00 to be held pending calculation by the Department of Environmental Control of the amount deemed necessary to complete the remaining items;

NOW, THEREFORE, be it

RESOLVED, that Pondview, LLC, as owner and obligor, is hereby declared in default of its performance bond and municipal developers agreement to complete the public and other required improvements in the Pondview Estates Subdivision and zone change and the Town Attorney is hereby authorized and directed to take all necessary steps to obtain funds deemed necessary to complete the required public improvements by drawing against both Letters of Credit (No. 2115 in the principal amount of \$400,000.00 and No. 2125 in the principal amount of \$310,600.00) for a total amount of \$710,600.00, and be it

FURTHER RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to prepare plans and specifications for completion of the required work and to obtain a contractor or contractors in accordance with all requirements of law to complete the required improvements.

On roll call the vote was as follows

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

RESOLUTION NO. (353-2008)

Co. Lasker offered and Co. Borelli seconded

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

BID #29-2008 – HIGHWAY SIGNING AND ROAD MAINTENANCE SUPPLIES

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

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

On roll call the vote was as follows

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

RESOLUTION NO. (354-2008)

Co. Borelli offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

Two (2) Signs to read, "Weight Limit 4 Tons Except for Local Delivery" (See Sec. 215.1 an R5-1 sign per the NYS DOT MUTCD) One (1) to be erected at north end of Parkway Road, and One (1) to be erected at Brook Hill Drive north of Cambridge Entry Driveway;

RESOLUTION NO. (354-2008) continued
and

One (1) sign to read, "No Right Turn" (See Sec. 213.2, an R3-2 sign per the NYS DOT MUTCD) to be erected at Cambridge Entry Driveway Outbound;
and

One (1) sign to read, "No Left Turn" (See Sec. 213.2, an R3-1 sign per the NYS DOT MUTCD) to be erected at Brook Hill Drive Southbound at Cambridge Entry Driveway ;
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. Mandia.	Yes
Co. Borelli.	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (355-2008)
Co. Lasker offered and Co. Maloney seconded

**RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER
INTO AN AGREEMENT WITH CLARKSTOWN HEATING A/C & PLUMBING**

WHEREAS, the Director of Automated Systems has advised that three Liebert Environmental Control Units (two located in Town Hall Computer Room, and one in the Police Department UPS Room) require preventative maintenance, and

WHEREAS, Director of Automated Systems has solicited proposals from four vendors and recommends acceptance of the low bid proposal from CLARKSTOWN HEATING A/C & PLUMBING, to provide professional services for said preventative maintenance of machines;

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 CLARKSTOWN HEATING A/C & PLUMBING, Pearl River, New York, to provide professional services to maintain the three machines, as outlined in its proposal letter, for the period of one year, and be it FURTHER RESOLVED, that the fee for said services shall not exceed \$4,350.00, and shall constitute a proper charge to Account No. A 1680-438.

On roll call the vote was as follows

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

RESOLUTION NO. (356-2008)
Co. Maloney offered and Co. Borelli seconded

RESOLUTION AMENDING A FEE SCHEDULE FOR SUBDIVISION REVIEW

WHEREAS, Chapter 254 (Subdivision of Land), as amended by Local Law No. 2-2005, adopted by the Town Board on January 25, 2005, provides for fees established for various aspects of subdivision plan approval processing may be revised from time to time by resolution of the Town Board so as to conform to current costs for processing site plan and subdivision applications, and the Department of Environmental Control has recommended such revisions by memo dated March 4, 2008;

NOW, THEREFORE, be it

RESOLVED, the Town Board hereby establishes the revised fee schedule for subdivision review, as recommended by the Departmental of Environmental Control, as follows:

SUBDIVISION REGULATIONS

Developers are required to pay \$4,050 per lot to the Town prior to Chairman's endorsement of the subdivision plat for any subdivision which constructs stormwater management facilities to be dedicated to the Town, the equivalent of ten years of initial maintenance.

The maintenance guarantee for stormwater management structures must be extended to a period of five years, so that adequate time to observe proper function is allowed.

Developers are required to pay \$1,105 per lot to the Town prior to Chairman's endorsement of the subdivision plat for any subdivision which utilizes individual lot stormwater management facilities, to provide for ten years of inspections of those facilities.

On roll call the vote was as follows

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

RESOLUTION NO. (357-2008)
Co. Maloney offered and Co. Borelli seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH N.J. TRANSIT FOR REIMBURSEMENT FOR LANDSCAPING PROJECT AT ROCKLAND AVENUE, NANUET, NEW YORK

WHEREAS, NJ Transit and the Town of Clarkstown wish to cooperate to achieve the objective of providing for the safe and efficient movement of commuter railroad traffic along the Pascack Valley Line; and
WHEREAS, upon the recommendation of the Director of the Department of Environmental Control, Bid #41,2007 was awarded to Pat Scanlan Landscaping, Inc. for design , material and labor costs for the planting of a 'natural barrier' at the railroad siding project in Nanuet, New York; and
WHEREAS, New Jersey Transit agreed to reimburse the Town of Clarkstown for the costs of this project; and
WHEREAS, Pat Scanlan Landscaping completed the work and submitted Invoice No.140771115, in the amount of \$13,670.00 which amount was paid by the Town of Clarkstown on November 19, 2007;
NOW, THEREFORE, be it
RESOLVED, that the Supervisor is authorized to enter into an Agreement with NJ Transit Corporation, in a form approved by the Town Attorney, in which NJ Transit agrees to reimburse the Town of Clarkstown for the work performed by Pat Scanlan Landscaping, Inc. in the sum of \$13,670.00.

On roll call the vote was as follows

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

RESOLUTION NO. (358-2008)
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING AN AGREEMENT WITH H2M GROUP TO PROVIDE ENGINEERING SERVICES CONCERNING TWO FUEL STATION UPGRADES

WHEREAS, Edward J. Lettre, Clerk of the Works, has solicited proposals from engineers with respect to updating two fuel stations at the Highway Department and Police Department, and
WHEREAS, the H2M Group has submitted a proposal dated May 12, 2008, to provide such engineering services, and Edward Lettre recommends the hiring of this firm;
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 engineering services regarding the upgrade of two fuel stations at the Highway Department and the Police Department, pursuant to its proposal dated May 12, 2008, and be it
FURTHER RESOLVED, that the fee for said work shall not exceed \$37,250.00 and will be charged to Account No. H 8759-409-0-83-17.

On roll call the vote was as follows

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

RESOLUTION NO. (359-2008)
Co. Borelli offered and Co. Mandia seconded

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

WHEREAS, as the result of negotiations between the Supervisor and the Chairman of the ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY ("RCSWMA"), the Town has offered to sell and the RCSWMA has offered to purchase the Clarkstown Transfer Station, including the land upon which the transfer station is situate and the equipment and personal property located upon or affixed to the land, and the assigning of all of the Town's adjacent or neighboring property interests, including leases, license agreement(s) and/or easements, either pertaining to, facilitating and/or necessary for the operation of the transfer station; and
WHEREAS, contemporaneous to the sale and conveyance of the Town's interest-in-fee to the transfer station, the parties shall also enter into a Host Community agreement, whereby the Town shall receive, among other things, payment of fees for each ton of solid waste, construction and demolition material and yard waste received at the transfer station and the French Farms location (together, the real estate transaction and Host Community Agreement are hereinafter referred to as the "Proposed Action"); and
WHEREAS, by resolution adopted on February 12, 2008 (Resolution No. 132), the Town Board declared its intent to act as lead agency for the coordinated review of the Proposed Action; and

RESOLUTION NO. (359-2008) continued

WHEREAS, Luke Kalarickal, the Town’s Director of Environmental Control, has completed and submitted for the Board’s consideration his SEQRA review and findings concerning the impact of the contemplated conveyance upon the environment, which the Board has considered in making its determination herein; and
 WHEREAS, on April 11, 2008, the Town distributed the completed Environmental Assessment Form (EAF) and attachments to all involved agencies and interested parties, and
 WHEREAS, the Proposed Action was discussed at the Town Board’s regularly scheduled Workshop Sessions on February 5, 2008, March 4, 2008, April 8, 2008, and May 6, 2008;
 NOW, THEREFORE, be it
 RESOLVED, that the Town Board hereby determines that the Proposed Action is an unlisted action and will not result in any significant adverse impact on the environment; and be it
 FURTHER RESOLVED, that the Town Board hereby accepts the negative declaration statement; and directs that the negative declaration be filed, distributed and published under the requirements of NYCRR Part §617.7(6), and be it
 FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a contract of sale with the RCSWMA, in a form approved by the Town Attorney, to convey in fee the land, buildings and appurtenances comprising the Clarkstown Transfer Station for the sum of Fifteen Million (\$15,000,000.00) Dollars; and be it
 FURTHER RESOLVED, that contemporaneous to the conveyance of the Clarkstown Transfer Station to the RCSWMA, the Town Board authorizes the Supervisor to enter into a Community Host Agreement with the RCSWMA for an initial term of thirty (30) years providing, inter alia, for the payment of host community fees to the Town of Clarkstown for each ton of solid waste, construction and demolition materials and yard waste delivered to the Clarkstown Transfer Station and/or the French Farms location; and be it
 FURTHER RESOLVED, that this resolution is subject to permissive referendum as provided in Town Law §64(2).

On roll call the vote was as follows

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

RESOLUTION NO. (360-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION REFERRING AND SETTING A PUBLIC HEARING ON AN APPLICATION
 OF CAMBRIDGE UNIVERSITY PRESS FOR A SPECIAL PERMIT

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

NOW, THEREFORE, be it

RESOLVED, that the revised Petition from Cambridge University Press is hereby referred to the Clarkstown Planning Board and the Rockland County Planning Department for their review and recommendations, and to other municipalities and governmental bodies as required by Sections 239-l and 239-m of the General Municipal Law, and other applicable provisions of law, and be it

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

RESOLVED, that a public hearing, pursuant to Section 290 of the Zoning Local Law of the Town of Clarkstown, shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on June 17, 2008, at 8:00 P.M., to consider the application of Cambridge University Press, relative to said Special Permit, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided, and be it

FURTHER RESOLVED, that the Petitioner shall comply with Section 290-33(C) of the Zoning Local Law with respect to notice of public hearing to abutting property owners of record, and file proof of mailing such notice with the Town Clerk prior to said hearing.

On roll call the vote was as follows

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

RESOLUTION NO. (361-2008)

Co. Lasker offered and Co. Borelli seconded

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO RETAIN HOCHERMAN, TORTORELLA &
 WEKSTEIN, LLP TO EVALUATE THE POSSIBLE ACQUISITION OF DELLWOOD GOLF COURSE

RESOLUTION NO. (361-2008) continued

WHEREAS, the fee owners of Dellwood golf course have requested that the Town commence negotiations regarding the possible acquisition of the Dellwood Golf Course for use as a public golf course; and

WHEREAS, the Town Attorney has recommended that the Town Board retain outside counsel to conduct such negotiations; and

WHEREAS, the Town Board wishes to retain Hocherman, Tortorella & Wekstein, LLP, 1 North Broadway, White Plains, New York, to provide professional services in connection with such negotiations;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney is hereby authorized to retain Hocherman, Tortorella & Wekstein to negotiate with the owners of the Dellwood golf course parcel regarding the possible acquisition of the property for public use; and be it

FURTHER RESOLVED, that the fee for said services shall constitute a proper charge to the Town Attorney's fees for services line.

On roll call the vote was as follows

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

The Supervisor opened the meeting for general public comments.

Steven Levine- Congers

Spoke about issues regarding property on Massachusetts Avenue and asked the Town Board if they had any further information on the property's status. Mr. Levine was directed to contact Deputy Town Attorney Paul Schofield, who would be able to provide further information. Asked if there was any response about soil testing at a Nanuet property. The Town Board responded that there was no response as yet.

Kevin Casey- Star Kids Volunteer

Thanked the Town Board and said he was grateful for their support of the Star Kids Program.

On motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, Town Board Meeting was closed 9:40 P.M.

Respectfully submitted,

David Carlucci
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING #1

Town Hall

5/13/08

8:18 P.M.

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

Re: Proposed Local Law amending Chapter 290 (Zoning) of the Town Code Re: Hospice Residence

On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:18 P.M.

Amy Mele- Town Attorney
Gave an overview of the proposal.

Dan Richmond- Attorney for Residential Association for the Preservation of the Rural Rockland Environment
Spoke about group's commitment to environmental preservation and asked the Town Board to postpone this matter.

Steven Levine- Congers
Stated the matter should be referred, because it is Type 1. The town needs to look at where the hospice would be located, parking, and traffic, especially in a residential area.

There being no one wishing to be further heard, on motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:27 P.M. RESOLUTION NO. (288-2008)

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (288-2008)

TOWN OF CLARKSTOWN
PUBLIC HEARING #2

Town Hall

5/13/08

8: 27 P.M.

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

Re: Proposed Local Law amending Chapter 208 (Peddling & Soliciting) of the Code of the Town of Clarkstown.

On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:27 P.M.

Amy Mele- Town Attorney

Gave an overview of the proposal to update the law.

There being no one wishing to be heard, on motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:29 P.M. RESOLUTION NO. (289-2008)

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (289-2008)

TOWN OF CLARKSTOWN
PUBLIC HEARING #3

Town Hall

5/13/08

8:29 P.M.

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

Re: Proposed Local Law amending Chapter 246 (Site Plan Review) of the Code of the Town of Clarkstown.

On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:29 P.M.

Amy Mele- Town Attorney

Gave an overview of the proposal, stating this is a sister public hearing to public hearing #5 and that both hearings involve the future maintenance of detention basins. It is recommended that the public hearing be continued to June 17, 2008.

There being no one wishing to be further heard, on motion of Co. Maloney, seconded by Co. Mandia, and unanimously adopted, the public hearing was continued to June 17, 2008. RESOLUTION NO. (290-2008)

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (290-2008)

TOWN OF CLARKSTOWN
PUBLIC HEARING #4

Town Hall

5/13/08

8:31 P.M.

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

Re: Proposed Local Law amending Chapter 278 (Vehicles & Traffic) of the Code of the Town of Clarkstown.

On motion of Co. Lasker, seconded by Co. Maloney, hearing opened 8:31 P.M.

Amy Mele- Town Attorney

Stated the Proposed Local Law is intended to update the Town Code and to keep up with the state law.

There being no one wishing to be heard, on motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:33 P.M. RESOLUTION NO. (291-2008)

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (291-2008)

TOWN OF CLARKSTOWN
PUBLIC HEARING #5

Town Hall

5/13/08

8:33 P.M.

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

Re: Proposed Local Law amending Chapter 254 (Subdivision of Land) of the Code of the Town of Clarkstown.

On motion of Co. Maloney, seconded by Co. Mandia, hearing opened 8:33 P.M.

Amy Mele- Town Attorney
Gave an overview of the proposal.

There being no one wishing to be further heard, on motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:36 P.M. RESOLUTION NO. (292-2008)

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (292-2008)

TOWN OF CLARKSTOWN
PUBLIC HEARING #6

Town Hall

5/13/08

8:36 P.M.

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

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

On motion of Co. Mandia, seconded by Co. Maloney, hearing opened 8:36 P.M

Amy Mele- Town Attorney

Stated this is a continuation of a public hearing concerning Chapter 111 Proceedings (Unsafe Buildings). Due to the fact the building is no longer in violation and considered unsafe, it is recommended that the Town Board discontinue the Chapter 111 proceedings.

There being no one wishing to be further heard, on motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:38 P.M. RESOLUTION NO. (293-2008)

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (293-2008)

TOWN OF CLARKSTOWN
PUBLIC HEARING #7

Town Hall

5/13/08

8:38 P.M.

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

Re: Petition of Bradley Corporate Park for abandonment of connector road from Western Highway to Route 303.

On motion of Co. Lasker, seconded by Co. Mandia, hearing opened 8:38 P.M.

Amy Mele- Town Attorney
Gave an overview of the proposal.

Joe Simoes- Town Planner
Gave an overview of the proposal.

Steven Levine- Congers
Stated that this proposal would be cutting off a potential remedy to help the problem on Doscher Avenue.
We should leave it to explore our options. Maybe down the road the town would be able to do something.

There being no one wishing to be further heard, on motion of Co. Maloney, seconded by Co. Lasker, and
unanimously adopted, the public hearing was closed 8:46 P.M. RESOLUTION NO. (294-2008)

Respectfully submitted,

David Carlucci
Town Clerk

RESOLUTION NO. (294-2008)