

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

05/23/2006

8:00 P.M.

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

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

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SPECIAL PROCLAMATION: Supervisor announced proclamation declaring June 4, 2006 to be Martin Bernstein Day. The Town Board congratulated Mr. Bernstein. Co. Lasker offered and Co. Mandia seconded.

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PRESENTATION OF FINDINGS: Proposed Emergency Services Communications Tower

Ken Seltman- Director of Finance  
Provided an overview of the analysis that was performed by the Town of Clarkstown.

Chief Peter Noonan- Chief of Police  
Clarkstown is the only town in the county that does not have a sole tower dedicated to emergency services. It would be irresponsible to not improve our radio system before disaster strikes.

Morton Leifer- Clarkstown Police Department Electronic Communication Specialist  
Provided an overview of the Needs Assessment and Initial Site Feasibility Analysis (on file with Town Clerk).

Sara A. Lethbridge- Representitive from Tectonic Engineering & Surveying Consulstants, P.C.  
Gave a presentation of findings of Visual Resource Assessment (on file with Town Clerk).

Joe Simoes- Town Planner  
Gave an overview of the study on the proposed installation of the Emergency Services Communications Tower.

Amy Mele- Town Attorney  
Asked Mr. Simoes if the study was as stringent as other applicants might go through. Mr. Simoes declared that the Town of Clarkstown went above and beyond what most municipalities would go through.

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Supervisor opened the meeting to public comments regarding Proposed Emergency Services Communications Tower, 8:45P.M.

Kristen DiGiovanni- Valley Cottage  
Said the tower would benefit everyone in Clarkstown, but that it would be across from her home. Brought pictures indicating where the tower would be visible from her home. She said the water tower would not shield the view and that there was some misinformation in the report. She asked why the Muslim Trust Property was not considered more desirable than the United Water Property.

Supervisor Gromack explained that the Muslim Trust Property was significantly more expensive. United Water was prepared to charge the Town one dollar a year for the usage of the property for the tower.

Gordon W. Wren Jr.-Director of Fire and Emergency Services of Rockland County  
The Clarkstown Police Department has tremendous talent, which is shown through the quality of their investigations. The topography in Clarkstown presents challenges, especially in Upper Nyack. To not act now would be irresponsible. Urged the Board to approve the tower.

Robert VanCura- President, Police Chiefs Association of Rockland County  
The tower is vital to the public safety of Clarkstown. The time is now.

Marvin Baum- Valley Cottage  
I will be personally impacted as a resident of Mountainview Condominiums, but this truly was the best location for the tower. I support the tower, but I urge the Board to minimize the visual impact of the tower.

Raymond Florida- Executive Director of Rockland Paramedic Services, Inc.  
There are many occasions when the signal drops and we can't get in touch with each other to receive lifesaving orders.

Larry Berkowitz- Volunteer Fireman  
Spoke in favor of the tower.

Rick DiGiovanni- Valley Cottage  
Lives in the Astri Town Houses which will be affected by the towers and is concerned whether the town used all options in the study.

Nick Rusiecki- Captain, Congers-Valley Cottage Ambulance Corps Inc.  
We are regularly unable to communicate with units. We are endangering residents by not having a tower. We support the tower.

Warren Grodin- Valley Cottage  
Last year, when the issue was discussed, there was talk about multiple towers and not one big tower. The Town Planner responded that multiple site solutions were examined, but they would only be 10-15 feet shorter than the proposed single tower. Mr. Grodin also question why the Visual Impact Study was done during a time of year when the foliage was the thickest. He asked if there would be additions to the tower. Morton Leifer said there would be thin, white poles added that would act as antennas.

Joseph Knarich- President, Clarkstown Police Patrolmen’s Benevolent Association  
The number one function of a government is to protect its residents. The town will help do that.

Bill McCue- New City  
Wanted to know how the height of 185 feet was decided for the tower and felt it was not high enough. Morton Leifer stated that, although 210 feet would be preferable, we did not wish to have the tower be illuminated, due to the residential area it would be located in. By keeping it at 185 feet, illumination would not be required.

Katherine Tsetsekos- Valley Cottage  
I live 300 feet from the water tower and my children are going to be exposed. I have no idea what to do. What are the safety effects to my children? Morton Leifer stated the federal government does not allow us to consider health concerns, but he does consider them. He has spent the better part of his career trying to place cell towers as far away from residences as possible. There will be ten antennas on the tower. The radiation we would be producing is less than 8% of the standards that they allow for safety.

Cyril P. Kerr- President, Rockland County Patrolmen’s Benevolent Association, which represents 600 officers  
Spoke in favor of construction of the tower. Urged the Board to support this, so that no officer’s name would have to be added to a memorial due to faulty and inadequate radio communications.

Michelle Miller- Valley Cottage  
I appreciate what EMS does for us, but what will the town do to compensate the people effected by the tower? What do you do for the properties affected? We have to hire an attorney to fight the town to get our money back. The supervisor responded that we have done everything possible to make sure the people in this town are protected.

Steve Tsetsekos- Valley Cottage  
Inquired as to whether we could still negotiate with the Muslim Trust.

Supervisor Gromack thanked the residents, the emergency services personnel, the consultants, Mr. Simoes, and Mr. Leifer for their comments. There being no one wishing to be further heard, the public comment portion of the meeting was closed 9:48P.M.

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Supervisor opened the meeting to public comments regarding agenda items, with no one wishing to be heard.

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RESOLUTION NO. (344-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of May 9, 2006 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. Nowicki. . . . . Yes  
Supervisor Gromack . . . . . Yes

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Co. Lasker offered and Co. Maloney seconded

RESOLUTION OF THE TOWN BOARD DETERMINING A NEGATIVE DECLARATION WITH RESPECT TO THE INSTALLATION OF AN EMERGENCY SERVICES COMMUNICATION FACILITY ON UNITED WATER PROPERTY (491 Mountainview Avenue, Valley Cottage) TAX MAP 59.15-1-7

WHEREAS, the Town Board adopted Resolution No. 110-2005 on January 25, 2005, authorizing Simoes, Town Planner, to act as agent for the Town Board with respect to SEQRA review dealing with the installation of an "Emergency Services Communication Facility," and

WHEREAS, the Town Board of the Town of Clarkstown has received a memorandum report dated May 17, 2006, pursuant to SEQRA, from our consultant Jose Simoes, Town Planner, which the Board has discussed and considered such report in making its decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the memorandum by Jose Simoes, Town Planner, the Emergency Service Wireless Telecommunications Facility Alternate Site Analysis prepared by Web2Waves Wireless, the Visual Resource Evaluation prepared by Tectonic Engineering & Surveying Consultants, P.C., and memoranda from Morton Leifer, PE, all of which have been considered by the Board in making its determination, the Town Board hereby determines that:

1. Siting the "Emergency Services Communications Facility" at the proposed site will provide the best radio frequency coverage for the Town's emergency responders;
2. The proposed site is not in close proximity to residential areas or schools and is consistent with the current use of the property;
3. The proposed facility is in compliance with FCC regulations concerning potential radio frequency exposure;
4. Installation of the structure will not have a significant impact on viewsheds or surrounding areas, and

be it

FURTHER RESOLVED, that based upon the foregoing findings, the Town Board hereby determines that the proposed installation of an "Emergency Services Communication Facility" at 491 Mountainview Avenue, Valley Cottage, New York, Tax Map 59.15-1-7, will not result in any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required.

On roll call the vote was as follows

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

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RESOLUTION NO. (346-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO  
A LEASE AGREEMENT WITH UNITED WATER NEW YORK

WHEREAS, the Town of Clarkstown wishes to install an "Emergency Services Communication Facility" on property owned by United Water New York, 491 Mountainview Avenue, Valley Cottage, New York, which property is designated on the Clarkstown Tax Map as 59.15-1-7, and

WHEREAS, United Water New York and the Town of Clarkstown have agreed to enter into a lease agreement for this purpose;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a lease agreement with United Water New York, in a form approved by the Town Attorney, granting a lease agreement to the Town for a term of 25 years at a cost of \$1.00 per year, for the purpose of installing and maintaining an "Emergency Services Communication Facility" on property located at 491 Mountainview Avenue, Valley Cottage, New York.

On roll call the vote was as follows

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

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Co. Nowicki offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE DIRECTOR OF ENVIRONMENTAL CONTROL TO SOLICIT FOR PROPOSALS WITH RESPECT TO THE PROPOSED EMERGENCY SERVICES COMMUNICATION FACILITY

RESOLVED, that the Town Board hereby authorizes K. Luke Kalarickal, Director of the Department of Environmental Control, to solicit proposals to complete the final design, and prepare bid specifications for, the Emergency Services Communication Facility.

On roll call the vote was as follows

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

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RESOLUTION NO. (348-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BID

RESOLVED, that the Deputy Town Attorney for Purchasing is hereby authorized to advertise for the following bid:

BID NO. 32 - 2006 EMERGENCY SERVICES COMMUNICATION TOWER

Bids to be returnable to the office of the Deputy Town Attorney for Purchasing, Town of Clarkstown, 10 Maple Avenue, New City, New York, by 11:00 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. Nowicki . . . . . Yes  
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (349-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND CONCERNING THE ROCKLAND COUNTY PUBLIC SAFETY COMMUNICATIONS SYSTEM

WHEREAS, the County of Rockland Legislature has approved Capital Project #1860, in order to establish the Rockland County Public Safety Communications System, and

WHEREAS, the County of Rockland intends to bond the entire cost of this project, approximately \$40,000,000.00, of which \$10,000,000.00 is for equipment for providers, the cost of which is to be split fifty percent (50%) between the County and the various subscribers within the Towns and Villages (i.e. police, ambulance and fire), and

WHEREAS, the Town Board believes that this project is vital to protect the safety of the citizens 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, in a form approved by the Town Attorney, which shall provide that the County shall purchase the communication equipment required in order for the Town's emergency responders to access the Rockland County Public Safety Communications System, and be it

FURTHER RESOLVED, that the Town shall reimburse the County for fifty percent (50%) cost of said equipment, and be it

FURTHER RESOLVED, that the agreement shall provide for repayment over a five year period.

On roll call the vote was as follows

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

Co. Lasker offered and Co. Maloney seconded

Whereas, the Rockland County Feis has requested use of the Town of Clarkstown showmobile on Sunday, July 16, 2006 from 8:00 AM – 8:00PM for conducting 2 Masses, Singing & Language Competitions, and Band Performance at the Anthony Wayne Pool area.

NOW, THEREFORE, BET IT

RESOLVED, that permission is hereby granted to the Rockland Feis to use the Town of Clarkstown showmobile on Sunday, July 16, 2006 for the above purpose and subject to the provision of the necessary insurance policies,

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

On roll call the vote was as follows

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

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RESOLUTION NO. (351-2006)

Co. Nowicki offered and Co. Lasker seconded

**RESOLUTION AUTHORIZING PRODUCTION COMPANY TO FILM IN THE TOWN OF CLARKSTOWN**

WHEREAS, **Hungry Man, Inc.**, a production company, has requested permission to film in Clarkstown, on May 11, 2006.

NOW, THEREFORE, be it

RESOLVED, that **Hungry Man, Inc.**, of 428 Broadway, 5<sup>th</sup> Floor, New York, NY 10013, is hereby authorized to film an **“Earthlink” TV commercial** in the Town of Clarkstown, at **a private residence located at 254 Sickletown Road, West Nyack, New York 10994**, between the hours of 6:00 A.M. and 8:00 P.M., on Thursday, May 11, 2006, upon the following conditions:

- (1) Permittee obtains permission from named party to film at the above mentioned site;
- (2) A permit fee of \$250.00 per day shall be paid by Permittee;
- (3) The Town shall be named as an additional insured on a Certificate of Insurance providing for not less than \$1,000,000.00 combined single limit for automobile liability and general public liability;
- (4) Permittee shall provide proof of Workers’ Compensation and Disability Insurance as required by New York law;
- (5) Permittee shall agree in writing to indemnify and hold the Town of Clarkstown harmless from any and all claims, actions at law, liability, damages or injuries which may result from the permitted activity;
- (6) Permittee shall post a cash security deposit of not less than \$1,000.00 prior to the commencement of any filming activities;
- (7) Permittee shall pay for all required police protection, if any, as determined by the Chief of Police, which shall be reimbursed at a rate equal to the actual hourly cost, including fringe benefits, to the Town; and
- (8) Permittee shall not utilize public property for any filming, or storage of equipment, or parking of vehicles; however, if public property is used, Permittee shall pay a fee of \$250.00 per hour, for a minimum of two (2) hours, or \$750.00 per day; and be it

FURTHER RESOLVED, that this resolution shall be retroactive from May 11<sup>th</sup>, 2006 and deemed the Filming Permit.

On roll call the vote was as follows

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

Co. Nowicki offered and Co. Lasker seconded

**RESOLUTION AUTHORIZING PRODUCTION COMPANY  
TO FILM IN THE TOWN OF CLARKSTOWN**

WHEREAS, "Hill Holliday, Connors, Cosmopulos, Inc." a production company, has requested permission to film in Clarkstown, on May 23, 2006.

NOW, THEREFORE, be it

RESOLVED, that Hill Holliday, Connors, Cosmopulos, Inc., of 622 Third Avenue, New York, NY 10017, is hereby authorized to film in the Town of Clarkstown, at the Verizon Storefront, Palisades Center Mall Store, 1000 Palisades Center Drive, West Nyack, NY 10994, between the hours of 12:00 pm and 2:00 pm, on Tuesday, May 23, 2006. upon the following conditions:

- (1) Permittee obtains permission from named party to film at the above mentioned site;
- (2) A permit fee of \$250.00 per day shall be paid by Permittee;
- (3) The Town shall be named as an additional insured on a Certificate of Insurance providing for not less than \$1,000,000.00 combined single limit for automobile liability and general public liability;
- (4) Permittee shall provide proof of Workers' Compensation and Disability Insurance as required by New York law;
- (5) Permittee shall agree in writing to indemnify and hold the Town of Clarkstown harmless from any and all claims, actions at law, liability, damages or injuries which may result from the permitted activity;
- (6) Permittee shall post a cash security deposit of not less than \$1,000.00 prior to the commencement of any filming activities;
- (7) Permittee shall pay for all required police protection, if any, as determined by the Chief of Police, which shall be reimbursed at a rate equal to the actual hourly cost, including fringe benefits, to the Town; and
- (8) Permittee shall not utilize public property for any filming, or storage of equipment, or parking of vehicles; however, if public property is used, Permittee shall pay a fee of \$250.00 per hour, for a minimum of two (2) hours, or \$750.00 per day; and be it

FURTHER RESOLVED, that this resolution shall be retroactive from 12:00 pm on May 23rd, 2006, and deemed the Filming Permit.

On roll call the vote was as follows

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

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RESOLUTION NO. (353-2006)

Co. Lasker offered and Co. Nowicki seconded

**RESOLUTION AUTHORIZING THE PURCHASE OF EQUIPMENT FOR THE CLARKSTOWN  
HIGHWAY DEPARTMENT**

WHEREAS, the Town Board approved the purchase of equipment on April 4, 2006, by Resolution No. (258-2006).

WHEREAS, it is the desire of the Superintendent of Highways to purchase equipment other than what was described in the aforementioned Resolution. The alternate equipment is described as follows:

**EQUIPMENT**

<u>Quantity</u>	<u>Vehicle</u>	<u>Estimated Cost Per Vehicle</u>	<u>Estimated Total Cost</u>
6	Plow Truck Chassis	\$74,000.00	\$444,000.00
6	Spreader Bodies with Plows for Above Plow Trucks	\$63,000.00	\$378,000.00
2	Compactors	\$89,000.00	\$178,000.00

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the purchase of this equipment versus the equipment described in Resolution No. 258-2006, and be it

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

FURTHER RESOLVED, that the purchase of said equipment, in an amount not to exceed \$1,000,000.00 in the aggregate, shall be charged to Account No. H 8757-409-0-81-11.

On roll call the vote was as follows

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

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RESOLUTION NO. (354-2006)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, Resolution No. 277-2006 was not able to be published and posted in a timely manner consistent with the requirements for proper notification for a Public Hearing, it is hereby amended to read as follows:

At a meeting of the Town Board of the Town of Clarkstown, Rockland County, New City, New York held at the Meeting Room of the Town Hall, 10 Maple Avenue, New City, New York in said Town of Clarkstown on the 9<sup>th</sup> day of May, 2006.

PRESENT:

ALEXANDER J. GROMACK     Supervisor  
JOHN R. MALONEY         Councilman                     ORDER CALLING  
RALPH MANDIA             Councilman                     PUBLIC HEARING  
SHIRLEY LASKER         Councilwoman  
CATHERINE NOWICKI      Councilwoman

IN THE MATTER OF:

PETITION, for the Extension of the Clarkstown Consolidated Water Supply District No. 1 to include all of the area shown and designated as "PHILLIPS HILL FARM SUBDIVISION, TOWN OF CLARKSTOWN, ROCKLAND COUNTY, NEW YORK in the Town of Clarkstown, Rockland County, New York"

WHEREAS, a written Petition dated March 7, 2006, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District in the said Town, to be bounded and described as follows:

(DESCRIPTION on file with Town Clerk)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York in said Town of Clarkstown, on the 13th day of June, 2006 at 8:00 P.M. EST to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other actions as may be required by law or proper in the premises.

On roll call the vote was as follows

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

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Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that Resolution No. (323-2006) - adopted at the Town Board meeting of May 9, 2006 – appointing Douglas DeMarsico to the position of Groundworker (Sesaonal) – is hereby amended to reflect the corrected start date of May 15, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (356-2006)

Co. Lasker offered and Co. Nowicki seconded

**RESOLUTION AUTHORIZING THE RETENTION OF DENKER CACKOVIC ARCHITECTS TO PERFORM ADDITIONAL SERVICES WITH RESPECT TO CERTAIN TOWN HALL RENOVATIONS**

WHEREAS, on March 23, 2004, by Resolution Nos. 171-2003, 409-2003, 168-2004, 277-2004, the Town Board authorized the Supervisor to enter into an agreement with Denker Cackovic Architects, PC to provide architectural services with respect to the renovation of the former police building, and the first, second and third floors of Town Hall;

WHEREAS, the scope of the Town Hall renovations has expanded as a result of certain proposed interior and exterior renovations; and

WHEREAS, Denker Cackovic Architects has provided proposals to perform the additional services with respect to the first, second and third floors of Town Hall and the former police building, including the design of an addition at the rear of the building; for an additional fee, in the aggregate, of \$480,200 (which includes \$305,200 for additional services regarding the first, second and third floors of Town Hall, and \$175,000 for the Town Hall addition) which proposals have been reviewed by the Clerk of the Works and deemed reasonable in terms of scope and price;

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 Denker Cackovic Architects to perform the services outlined above for a fee which shall not exceed \$480,200; and be it

FURTHER RESOLVED, that the Comptroller shall charge the fees to the appropriate capital accounts; and be it

FURTHER RESOLVED, that it is the Town’s intent that the fees for services shall be funded via the issuance of serial bonds.

On roll call the vote was as follows

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

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RESOLUTION NO. (357-2006)

Co. Mandia offered and Co. Maloney seconded

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

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

WHEREAS, the following group wishes to continue to adopt the following segments of various town roads for an additional period of two (2) years, beginning May 14, 2006 to May 14, 2008, as follows:

**Sponsor: McLaren, P.C., Engineering Group  
100 Snake Hill Road  
West Nyack, NY 10994**

**Road: .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 roadways 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, 2006 to May 14, 2008, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segments, and to provide and coordinate services by McLaren, P.C., Engineering Group, to remove trash from the roadways.

On roll call the vote was as follows

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

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RESOLUTION NO. (358-2006)

Co. Mandia offered and Co. Maloney seconded

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

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

WHEREAS, the following group wishes to continue to adopt the following segments of various town roads for an additional period of two (2) years, beginning May 14, 2006 to May 14, 2008, 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 LittleTor 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 Steve Botto, Inc., Landscaping, will perform a public service in removing trash from above roadways 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, 2006 to May 14, 2008, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segments, and to provide and coordinate services by Steve Botto, Inc., Landscaping, to remove trash from the roadways.

On roll call the vote was as follows

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

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Co. Mandia offered and Co. Maloney seconded

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

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

WHEREAS, the following group wishes to continue to adopt the below segments of various town roads for an additional period of two (2) years, beginning April 9, 2006 to April 9, 2008, as follows:

**Sponsor:** Alexander Brothers Automotive Inc.  
712 West Nyack Road  
West Nyack, NY 10994

**Roads:** .40 mile segment of Old Mill Road from  
Strawtown Road to Snake Hill Road  
West Nyack, NY 10994,

and

.06 mile segment of West Nyack Road from  
Strawtown Road and Sickletown Road east to  
Western Highway, West Nyack, NY 10994

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Alexander Brothers Automotive Inc., will perform a public service in removing trash from above roadways 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 April 9, 2006 to April 9, 2008, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segments, and to provide and coordinate services by Alexander Brothers Automotive Inc., to remove trash from the roadways.

On roll call the vote was as follows

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

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RESOLUTION NO. (360-2006)

Co. Mandia offered and Co. Maloney seconded

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

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

WHEREAS, the following group wishes to continue to adopt the following segments of various town roads for an additional period of two (2) years, beginning April 9, 2006 to April 9, 2008, as follows:

**Sponsor:** Nanuet Rotary Club  
P. O. Box 281  
Nanuet, NY 10954

**Roads:** .42 mile segment of College Avenue from  
Route 59 to Church Street  
Nanuet, NY 10954,

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Nanuet Rotary Club, will perform a public service in removing trash from above roadways 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 April 9, 2006 to April 9, 2008, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segments, and to provide and coordinate services by Nanuet Rotary Club, to remove trash from the roadways.

On roll call the vote was as follows

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

\*\*\*\*\*

RESOLUTION NO. (361-2006)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Appointing Certification #04200 Police Officer - which contains the name of Michael W. Ruzkowski,  
Now therefore, be it

RESOLVED, that Michael W. Ruzkowski, is hereby appointed to the position of Police Officer – Police Department - at the current 2006 annual salary of \$48,019., effective and retroactive to May 22, 2006.

On roll call the vote was as follows

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

\*\*\*\*\*

RESOLUTION NO. (362-2006)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town has received \$2,419.76 from D.A.R.E. Donations and \$55,947.10 from the New York State Governors Traffic Safety Committee,

NOW THEREFORE BE IT,

RESOLVED, to increase Revenue Account A-01-9-2770-0 (Gifts & Donations) and Expense Account A-3230-319-0 (D.A.R.E.-Misc Supplies) by \$2,419.76 and be it,

FURTHER RESOLVED, to increase Revenue Account H-15-10-3989-4 (Capital-State Aid) and Expense Account H-8754-409-0-78-7 (Capital Project-Electronic Ticket & Accident Report Equipment) by \$55,947.10 and

WHEREAS, various accounts require additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease A-1420-409-0 (Town Attorney-Fees for Services) and increase A-1420-203-0 (Town Attorney-Motor Vehicles) by \$700 and be it

FURTHER RESOLVED, to decrease A-01-14-2999-0 (General-Unexpended Balance) by \$16,000 and increase Expense Accounts A-1620-209-0 (Bldg Maintenance-Other Equipment) by \$11,000 and A-1640-209-0 (Town Garage-Other Equipment) by \$5,000.

On roll call the vote was as follows

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

\*\*\*\*\*

RESOLUTION NO. (363-2006)

Co. Maloney offered and Co. Mandia seconded

**RESOLUTION AUTHORIZING AGREEMENT WITH ROCKLAND COUNTY YOUTH BUREAU/ROCKLAND ENVIRONMENTAL CORPS (REC) FOR ROADSIDE AND STREAM BANK DEBRIS REMOVAL**

**WHEREAS**, the Rockland County 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 stream banks within the Town of Clarkstown, 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 Supervisor is hereby authorized to enter into a Rockland County Youth Bureau/Rockland Environmental Corps host site agreement for the calendar year ending August 31, 2006, in a form approved by the Town Attorney, to participate in the Rockland County Youth Bureau’s litter patrol service program utilizing the service of not more than four (4) Americorps members for a program total not to exceed 265 service hours for each member at a cost not to exceed \$3,980.00 to be charged to Account No. DB 5110-409-0.

On roll call the vote was as follows

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

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**RESOLUTION NO. (364-2006)**

Co. Maloney offered and Co. Mandia seconded

**RESOLUTION AUTHORIZING SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CENTRAL PARKING SYSTEMS**

**WHEREAS**, in an effort to promote the use of public transportation, and in order to secure adequate parking for the residents of the Town of Clarkstown, the Town Board wishes to continue designating the Nanuet Train Station Parking Lot #1 (adjacent to the MTA Metro North Station) a “resident only” commuter parking lot;

**FURTHER RESOLVED**, that annual commuter parking permits shall be issued free of charge to Town of Clarkstown residents, upon presentation of the resident’s vehicle registration and sufficient proof of residency, on a first come, first serve basis; and be it

**FURTHER RESOLVED**, that the Town is hereby authorized to enter into an agreement, in a form acceptable to the Town Attorney, with Central Parking System to collect applications, administer and issue permits as approved by the Town, and be it

**FURTHER RESOLVED**, that the fee for said services, which shall be for a term of 1 year commencing on July 1, 2006 and shall continue through June 30, 2007 shall not exceed \$5,100.00.

On roll call the vote was as follows

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

\*\*\*\*\*

**RESOLUTION NO. (365-2006)**

Co. Nowicki offered and Co. Lasker seconded

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

BID #24-2006 – SECURITY GUARD SERVICES – TOWN PARKS

is hereby awarded to: ACCURATE SECURITY CO.
66 LONG CLOVE ROAD
CONGERS, NY 10920
PRINCIPALS: JOHN A. SCHASSLER, PRESIDENT

as per their proposed project cost of \$12.34 per guard per hour 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 Contractor's Liability and Property Damage Coverage, including a Save Harmless Agreement
c) Certificate of Automobile Liability Coverage
d) Certificate of Worker's Compensation insurance coverage
e) Certificate of Worker's Disability Insurance coverage

The Town of Clarkstown must be named as co-insured party 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. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (366-2006)

Co. Nowicki offered and Co. Lasker seconded

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

BID #31-2006 – STEEL DECK MOTOR TRUCK SCALE FOR THE CLARKSTOWN SOLID WASTE FACILITY

is hereby awarded to: ATLANTIC SCALE CO., INC.
136 WASHINGTON AVENUE
NUTLEY, NJ 07110
PRINCIPALS: FRED W. ALGIERI, PRESIDENT

as per their proposed project cost of \$48,240.00 and be it

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

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

and be it

FURTHER RESOLVED, that the Town of Clarkstown must be named as co-insured party 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. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

RESOLUTION NO. (367-2006)

Co. Nowicki offered and Co. Lasker seconded

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

**BID#29-2006–SIX (6) DUMP BODIES WITH SALT SPREADING AND LIQUID APPLICATION ATTACHMENTS**

is hereby awarded to:

REED SYSTEMS  
P.O. BOX 209  
ELLENVILLE, NY 12428  
JAMES REED  
JOAN REED

PRINCIPALS:

as per their low bid proposal of \$59,900.00 each with an alternate price for backup warning per their low bid proposal of \$470.00 each for a total cost not to exceed \$362,220.00 and be it

FURTHER RESOLVED, that said award shall constitute a proper charge to account number H-8757-400-409-0-81-11.

On roll call the vote was as follows

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

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RESOLUTION NO. (368-2006)

Co. Maloney offered and Co. Lasker seconded

**RESOLUTION REFERRING APPLICATION TO THE  
ROCKLAND COUNTY AND CLARKSTOWN PLANNING BOARDS**

WHEREAS, MAK Development and the Stop & Shop Supermarket Company LLC has petitioned the Town Board of the Town of Clarkstown for a special permit for the construction of gasoline pumps and a kiosk pursuant to the provisions of Section 290-17(F) and 290-11A, Table 11 of the Zoning Local Law of the Town of Clarkstown, for property located on the corner of North Main Street and Cavalry Drive, New City, New York, designated on the Clarkstown Tax Map as tax lot 43.11-2-38, 39, 40 and 41;

NOW, THEREFORE, be it

RESOLVED, that the special permit application is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33 (A) of the Zoning Local Law of the Town of Clarkstown and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

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

FURTHER RESOLVED, that a public hearing pursuant to said Zoning Local Law shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on June 27, 2006, at 8:00 p.m., or as soon thereafter as possible, to consider 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 by law and file proof thereof in the Office of the Town Clerk.

On roll call the vote was as follows

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

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RESOLUTION NO. (369-2006)

Co. Maloney offered and Co. Lasker seconded

**RESOLUTION REFERRING APPLICATION TO THE  
ROCKLAND COUNTY AND CLARKSTOWN PLANNING BOARDS**

RESOLUTION NO. (369-2006) continued

WHEREAS, Cambridge Press has petitioned the Town Board of the Town of Clarkstown for a text amendment to the provisions of Section 290-12 and 290-11A, Table 8 of the Zoning Ordinance of the Town of Clarkstown, to allow for broader distribution center uses than that currently permitted;

NOW, THEREFORE, be it

RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33 (A) of the Zoning Local Law of the Town of Clarkstown; and be it

FURTHER RESOLVED, that application shall be referred to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, if required, only after the Planning Board makes its report and recommendation to the Town Board, 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 Robert Geneslaw, Planning Consultant is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review; and be it

FURTHER RESOLVED, that Robert Geneslaw shall also review and report to the Town Board whether or not the proposed action, if approved, shall require an amendment to the Town of Clarkstown's Comprehensive Plan.

On roll call the vote was as follows

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

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RESOLUTION NO. (370-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING CHANGE ORDERS FOR BID NO. 53-2004,  
 MODERNIZATION OF LAKE NANUET AND PARK POOL FACILITY

WHEREAS, the Town Board awarded Bid No. 53-2004, Modernization of Lake Nanuet and Park Pool Facility, and

WHEREAS, Charles F. Connington, Superintendent of Recreation and Parks, has approved change orders on contract for the project shown as Schedule "A;"

NOW, THEREFORE, be it

RESOLVED, that the total approved cost for the change orders on contract is \$123,443.37, and be it

FURTHER RESOLVED, that the current budget allowance for this project be increased to \$6,717,916.37, to reflect the additional cost of the change orders on contract, and be it

FURTHER RESOLVED, that this shall be a proper charge to Account No. H 8752-409-76-14.

SCHEDULE "A"

Change orders for Lk. Nanuet

Morris Park Cont.	Orig Contract	\$	6,037,773.00
Frog Slide	\$ 11,741.64	\$	6,049,514.64
Bathroom Wall Repairs	\$ 15,000.00	\$	6,064,514.64
Ornamental Louvers & Gates	\$ 423.50	\$	6,064,938.14
Cold weather Concrete	\$ 11,997.00	\$	6,076,935.14
Water Reducer	\$ 9,520.00	\$	6,086,455.14
Teleflex Check Valve	\$ 1,027.37	\$	6,087,482.51
Posts & rails <b>CREDIT</b>	\$ (4,238.19)	\$	6,083,244.32
Pier Nos 1&2	\$ 3,437.99	\$	6,086,682.31
Waste Line @Bathroom	\$ 7,502.39	\$	6,094,184.70
PVC Water stops	\$ 3,300.00	\$	6,097,484.70
Ceiling Access Doors	\$ 2,283.05	\$	6,099,767.75
Additional Chain fencing	\$ 26,400.00	\$	6,126,167.75
Flooring upgrades	\$ 1,936.50	\$	6,128,104.25
Winterization Drain in B.T.	\$ 3,150.55	\$	6,131,254.80
Rubber safety surface	\$ 2,065.93	\$	6,133,320.73
Hoist Beam	\$ 2,695.00	\$	6,136,015.73
Coping Stones	\$ 15,502.28	\$	6,151,518.01
Fan/louvers/Concession stand	\$ 5,014.93	\$	6,156,532.94
	\$ 118,759.94		

Vardon Mechanical	Orig. Contract	\$	69,200.00
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Triple Compartment Sink	\$ 1,694.00	\$ 70,894.00
Exhaust Fan (Electrical)	\$ 2,989.43	\$ 73,883.43
TOTAL	\$ 123,443.37	

On roll call the vote was as follows

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

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RESOLUTION NO. (371-2006)

Co. Maloney offered and Co. Mandia seconded

**RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH  
 DENKER CACKOVIC ARCHITECTS TO PROVIDE DESIGN SERVICES FOR THE RENOVATION  
 OF THE TOWN HIGHWAY GARAGE**

WHEREAS, Edward J. Lettre, Clerk of the Works, has solicited proposals from architects to provide design services for the renovation and expansion of the Town Highway Garage, the repair of the Highway Department Salt Dome and the re-roofing of the Highway Department Plow Shop; and

WHEREAS, Mr. Lettre recommends the firm of Denker Cackovic Architects to perform the work;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an Agreement, in a form acceptable to the Town Attorney, with Denker Cackovic Architects to provide design services and to prepare specifications for the renovation of the Town Highway Garage; and be it

FURTHER RESOLVED, that the aggregate fees for said work shall not exceed \$166,557, plus standard out of pocket reimbursable expenses, and be it

FURTHER RESOLVED, that the Comptroller shall charge the fees to the appropriate capital accounts; and be it

FURTHER RESOLVED, that it is the Town's intent that the fees for services shall be funded via the issuance of serial bonds.

On roll call the vote was as follows

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

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RESOLUTION NO. (372-2006)

Co. Maloney offered and Co. Lasker seconded

**RESOLUTION AUTHORIZING THE SUPERVISOR TO APPROVE VARIOUS TRAINING  
 SCHOOLS FOR MEMBERS OF THE CLARKSTOWN POLICE DEPARTMENT**

**WHEREAS**, the Chief of Police, Peter Noonan, has recommended that the following schools and conferences be approved for training and professional education of member of the Clarkstown Police Department, **NOW, THEREFORE**, it is

**RESOLVED**, that the Supervisor is hereby authorized to approve the recommended training schools as follows:

<b>HECKLER &amp; KOCH TACTICAL FIREARMS COURSE</b>	Tuition <b>\$11,130.00</b>
<b>NATL INFO OFFICER'S ASSOC ANNUAL TRAIN</b>	<b>\$ 990.00</b>
<b>POLICE SECURITY EXPO</b>	<b>- 0 -</b>
<b>NATL TACTICAL OFFICERS ASSOC DEFENSIVE TACTICS COURSE OF AGGRESSIVE/COMBATIVE SUBJ</b>	<b>\$ 806.00</b>

RESOLUTION NO. (372-2006) continued

**BE IT FURTHER RESOLVED**, that the Chief of Police is hereby authorized to select and recommend those members of the Department who shall be permitted to attend the schools and conferences as approved hereby.

On roll call the vote was as follows

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

\*\*\*\*\*

RESOLUTION NO. (373-2006)

Co. Maloney offered and Co. Lasker seconded

**RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT CONCERNING THE TOWN OF CLARKSTOWN "ADOPT-A-SPOT" PROGRAM**

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

WHEREAS, the following groups wishes to adopt specified Town locations for a period of two (2) years, beginning May 10, 2006 to May 9, 2008, as follows:

**Sponsor: Aldan Press  
57 Bardonia Road  
Bardonia, NY 10954**

**Location: West Nyack Road and corner of West Nyack Way  
West Nyack, NY 10994**

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 these locations, and by removing trash from these locations, which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement with the entity referred to herein, for a period of two (2) years beginning May 10, 2006 to May 9, 2008, 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. Nowicki. . . . . Yes  
Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (374-2006)

Co. Lasker offered and Co. Nowicki seconded

**RESOLUTION APROPRIATING FUNDS TO VETERAN ORGANIZATIONS**

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

NOW, THEREFORE, be it

RESOLVED, that in accordance with Section 64(13) of the Town Law, the Town Board hereby appropriates the annual sum of \$750 (\$500 for leasing or rental, and maintenance of meeting facility \$250 for patriotic observance) to the following veteran organizations for the year 2006:

Clarkstown Memorial Post  
Veterans of Foreign Wars of U.S. - Post 851  
Veterans of Foreign Wars of the U.S. - Post 2607

and be it

RESOLUTION NO. (374-2006) continued

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 2006 Account No. A 6510-401.

On roll call the vote was as follows

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

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RESOLUTION NO. (375-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION ACCEPTING ROAD(S) AND IMPROVEMENTS IN THE TOWN OF CLARKSTOWN (CAMELOT SUBDIVISION, SECTIONS 3 & 4)

RESOLVED, that upon the recommendations of the Director of the Department of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, deeds and easements from: Price Construction, LLC, dated March 23, 2006 and April 12, 2006, conveying the following road(s):

Long Meadow Drive 576 L.F.
Lady Godiva Way 1632 L.F.
King Arthur Court 1674 L.F.

and other public improvements to the Town of Clarkstown in a subdivision as shown on the Final Plat of Camelot, Sections 3 and 4 are hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office, subject to the fulfillment of all requirements in the Agreement regarding "Dedication of Roads and Public Improvements Section 3 and Section 4, Camelot Subdivision" to the satisfaction of the Town Attorney, including, but not limited to inspection report approvals by Tectonic Engineering and Surveying Consultants, PC and the Department of Environmental Control, and be it

FURTHER RESOLVED, that the Performance Bond furnished to the Town by Price Construction, LLC, secured by Bond No. RL0222678, in the amount of \$60,000.00 may be released, subject to the review and approval of all documents by the Town Attorney and the receipt of a Maintenance Guaranty, in a form approved by the Town Attorney, in the amount of \$43,371.50 in the form of cash or cash equivalent.

On roll call the vote was as follows

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

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RESOLUTION NO. (376-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION GRANTING PERMISSION TO LICENSED WINERIES AND/OR LICENSED FARM WINERIES TO DISPENSE ALCOHOLIC BEVERAGES AT THE ROCKLAND COUNTRY FAIR & FARMERS MARKET

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 Downtown New City Corporation and the Rockland Country Fair & Farmers Market wish to obtain a permit from the Parks Board and Recreation Commission for the Rockland Country Fair & Farmers Market to be held in downtown New City on June 11, June 18, June 25 and July 2, 2006, and

WHEREAS, it is anticipated that said not-for-profit farmers market will include as vendors one or more NYS licensed wineries and/or licensed farm wineries; and

WHEREAS, the permittee has requested permission for vendor/wineries to dispense alcoholic beverages on the dates of the farmers market;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to dispense alcoholic beverages, in accordance with and subject to Section 93-2(A) of the Town Code of the Town of Clarkstown, for the Rockland Country Fair & Farmers Market in New City on June 11, June 18, June 25 and July 2, 2006; and it is further

RESOLUTION NO. (376-2006) continued

RESOLVED, that permission to dispense alcoholic beverages is granted only to those vendor wineries which are NYS licensed wineries and/or licensed farm wineries which have furnished to the office of the Clarkstown Town Attorney a true copy of their respective current New York State license(s) as required by the Alcoholic Beverage Control Law, prior to the date(s) that such vendor intends to dispense alcoholic beverages.

On roll call the vote was as follows

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

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RESOLUTION NO. (377-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF APPROPRIATENESS TO UNITED WATER NEW YORK TO ENABLE THE INSTALLATION OF A TRANSMISSION MAIN ON OLD MILL ROAD.

WHEREAS, the Town Board of the Town of Clarkstown determined that Old Mill Road in the Town of Clarkstown should be protected by reason of its significance to the history of the town, county, state and nation; and

WHEREAS, pursuant to Chapter 153 of the Town Code of the Town of Clarkstown, Old Mill Road has been designated as an historic road and neither the Town Board nor the Superintendent of Highways shall alter, improve or otherwise authorize an alteration or improvement to an historic road or portion thereof without reviewing and conforming to the guidelines set forth in Chapter 153; and

WHEREAS, United Water is designing a critical water supply transmission main to help meet Rockland County’s increasing water demand. The proposed project involves the installation of approximately 2900 linear feet of 20-inch transmission main from Lake DeForest Water Treatment plant west along Old Mill Road and then south on Strawtown Road to Demarest Road; and

WHEREAS, road construction for the installation of the 20-inch water line will be confined to five (5) feet on either side of the pipe, and all construction will be confined to the roadway, not disturbing the curb. United Water will restore Old Mill Road to its original condition in a manner that will preserve the historic and scenic features of the road while ensuring the general safety of the traveling public; and

WHEREAS, Section 153-7 (D) of Chapter 153 of the Town Code of the Town of Clarkstown mandates the issuance of a certificate of appropriateness before work can commence on any designated historic road or portion thereof. The Town Board has considered the effect of the proposed work in altering or affecting the historic/scenic features and qualities of the road, and the management needs of the road in light of the general safety and welfare of the traveling public; as well as the relationship between the results of the proposed work and the preservation of Clarkstown’s historical, aesthetic and architectural resources; and

WHEREAS, United Water has agreed to comply with all of the requirements of Chapter 153, and will fully restore the roadway to its original condition upon completion of the work. United Water will document the work and prepare a digital video recording of the roadway before construction commences and after completion and will maintain a full time resident inspector on the project to ensure that all the Town’s requirements are met. United Water has agreed to fully restore any unintentional disturbance to the curb or areas outside the curb and will take particular care with any and all stone walls along the roadway.

NOW, THEREFORE, be it

RESOLVED that a certificate of appropriateness is granted in light of the minimal disturbance to Old Mill Road, and the agreement on behalf of United Water to fully restore the roadway to its original condition; and be it

FURTHER RESOLVED that the Historical Board of the Town of Clarkstown and the Superintendent of Highways of the Town of Clarkstown be kept apprised of all proposed and actual work conducted on Old Mill Road at all times in connection with this project to ensure that the historic/scenic features and qualities of Old Mill Road are preserved.

On roll call the vote was as follows

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

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The Supervisor opened the meeting for general public comments, 9:55P.M.

Roberta Bangs – Nanuet, President of Rockland County Board of Realtors

Asked that a meeting be held again with Board to discuss Operation Clean Sweep, in regards to realtors signs. The realtors are not getting the traffic at open houses, which impacts the value of the houses.

Supervisor stated that we cannot allow one sign and not the other. Town Attorney stated we will try to work out another option.

Anne Long- Valley Cottage (Prudential Rand)

Talked about the political signs for the school board elections being all over the place in Valley Cottage. Her realty signs were taken away at the Dairy Mart on Route 303, though she had permission from the owner to place them there. We need to meet to know what is allowed and what is not. It is our livelihood. In this market, it is tough to sell a house. She asked why Airmont has a law. This was because of political signs [referring to Clarkstown].

Peter Beary -Building Inspector

We do not take signs that are 10 feet from the curb. We do take signs that are in the public right of way.

Amy Mele- Town Attorney

If the Village of Airmont went around and only took certain signs, they would be hit with a lawsuit.

Supervisor Gromack

We picked up thousands of signs, not just political. We wanted to enforce the law across the board.

Co. Lasker

People were complaining that the town was looking shabby. The town is looking better overall.

Marsha Rand- Prudential Rand

This is not a real estate person’s issue, but fewer people are viewing open houses in Clarkstown due to the real estate bubble having burst and Operation Clean Sweep. House values have dropped. Realtors need those signs to conduct business.

Martin Bernstein- New City

What is being done with the signs is improper. Throughout the country, this is how residential real estate is sold.

Joann Merla Profenna- Prudential Rand

Real Estate is an abusive business. In the best of markets, we are viewed as angels. Now we are in a poor market and we need your help. Our signs cost a lot of money. We are independent agents, so when the signs are taken, it is at our own expense to get new ones.

Joe Fanelli- West Nyack

Inquired about drainage work on Foxwood Drive.

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There being no further business and no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, Town Board Meeting was closed, time: 10:30P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

