

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

7/22/08

8:08 P.M.

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

Supervisor declared Town Board meeting opened.

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Public Hearing #1 re: Continuation from 5/13/08 Proposed Local Law amending Chapter 246 (Site Plan Review) of the Town Code to allow the Town to charge fee to cover maintenance of retention basins. On motion of Co. Lasker, seconded by Co. Borelli, hearing opened 8:10 P.M. On motion of Co. Lasker, seconded by Co. Maloney, and unanimously adopted, the public hearing was closed 8:10 P.M. RESOLUTION NO. (451-2008)

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Public Hearing #2 re: Proposed Local Law amending Chapter 149 (Garbage, Rubbish and Refuse) of the Town Code of the Town of Clarkstown. On motion of Co. Lasker, seconded by Co. Mandia, hearing opened 8:10 P.M. On motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:12 P.M. RESOLUTION NO. (452-2008)

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Public Hearing #3 re: Proposed Local Law amending Chapter 290 of the Zoning Local Law of the Town of Clarkstown with respect to the M Zone. On motion of Co. Lasker, seconded by Co. Borelli, hearing opened 8:12 P.M. On motion of Co. Lasker, seconded by Co. Maloney, and unanimously adopted, the public hearing was closed 8:25 P.M. RESOLUTION NO. (453-2008)

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Public Hearing #4 re: Proposed Local Law amending Chapter 216 (Property Maintenance) of the Town Code of the Town of Clarkstown. On motion of Co. Maloney, seconded by Co. Borelli, hearing opened 8:25 P.M. On motion of Co. Maloney, seconded by Co. Mandia, and unanimously adopted, the public hearing was continued to August 26, 2008. RESOLUTION NO. (454-2008)

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Public Hearing #5 re: Authorizing the Town Attorney to Institute Chapter 216 Proceeding (22 Clark Drive, Nanuet). On motion of Co. Maloney, seconded by Co. Borelli, hearing opened 8:26 P.M. On motion of Co. Maloney, seconded by Co. Mandia, the public hearing was closed 8:30 P.M.

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

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RESOLUTION NO. (451-2008)  
Co. Lasker offered and Co. Maloney seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 6 – 2008

WHEREAS, a proposed local law entitled,

“A LOCAL LAW AMENDING CHAPTER 246 (SITE PLAN REVIEW)  
OF THE CODE OF THE TOWN OF CLARKSTOWN”

was introduced by Councilperson Shirley Lasker, at a Town Board meeting held on March 11, 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, 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, which hearing was held on said date and continued on June 17, 2008 and July 22, 2008, and WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on May 3, 2008, June 2, 2008, and July 8, 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 June 9, 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 June 25, 2008, and WHEREAS, the Town of Clarkstown Planning Board, by memo dated June 13, 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 Environmental Control, 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 April 30, 2008 report of Luke Kalarickal, Director of Environmental Control, acting as staff to the Town Board as lead agency, it is hereby determined that the proposed action is a Type II action under SEQRA, and shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that Local Law No. 6 – 2008 entitled:

“A LOCAL LAW AMENDING CHAPTER 246 (SITE PLAN REVIEW)  
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:

RESOLUTION NO. (451-2008) continued

- Alexander J. Gromack, Supervisor . . . Yes
- John R. Maloney, Councilman . . . . . Yes
- Ralph F. Mandia, Councilman . . . . . Yes
- Shirley Lasker, Councilwoman . . . . . Yes
- Frank Borelli, Councilman . . . . . 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.

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RESOLUTION NO. (452-2008)

Co. Lasker offered and Co. Mandia seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 7 – 2008

WHEREAS, a proposed local law entitled,

“A LOCAL LAW AMENDING CHAPTER 149 (GARBAGE, RUBBISH AND REFUSE) OF THE CODE OF THE TOWN OF CLARKSTOWN’

was introduced by Councilman John R. Maloney, at a Town Board meeting held on June 17, 2008, and

WHEREAS, the purpose of this Local Law is to increase the penalties for offenses, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on June 17, 2008, directed that a public hearing be held on July 22, 2008, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, which hearing was held on said date, and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on July 8, 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 June 12, 2008, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the report dated July 8, 2008 prepared by Dennis Letson, Deputy Director of Environmental Control, 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 July 8, 2008 report of Dennis Letson, Deputy Director of Environmental Control, acting as staff to the Town Board as lead agency, it is hereby determined that the proposed action is a Type II action under SEQRA, and shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that Local Law No. 7 – 2008 entitled:

“A LOCAL LAW AMENDING CHAPTER 149 (GARBAGE, RUBBISH AND REFUSE) 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:

- Alexander J. Gromack, Supervisor . . . Yes
- John R. Maloney, Councilman . . . . . Yes
- Ralph F. Mandia, Councilman . . . . . Yes
- Shirley Lasker, Councilwoman . . . . . Yes
- Frank Borelli, Councilman . . . . . 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.

On roll call the vote was as follows

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

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RESOLUTION NO. (453-2008)

Co. Lasker offered and Co. Borelli seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 8 – 2008

WHEREAS, a proposed local law entitled,

“A LOCAL LAW AMENDING CHAPTER 290 OF THE ZONING LOCAL LAW OF THE TOWN OF CLARKSTOWN” was introduced by Councilwoman Shirley Lasker, at a Town Board meeting held on June 17, 2008, which law would amend Chapter 290-3 and 290-11A to include Cultural Centers in the M Zone, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on June 17, 2008, directed that a public hearing be held on July 22, 2008, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on July 8, 2008, and

WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown on July 22, 2008, and

WHEREAS, by Resolution dated March 11, 2008, the Town Board referred the proposed local law to the Town of Clarkstown Planning Board pursuant to Chapter 290-33 and to the Rockland County Planning Department pursuant to GML Section 239 l and m, and

WHEREAS, the Rockland County Planning Department recommended approval by letter dated March 26, 2008, and noted that the use must be subject to specific bulk requirements, and

WHEREAS, the Town of Clarkstown Planning Board, by memo dated June 23, 2008, recommended approval of the proposed local law, and

RESOLUTION NO. (453-2008) 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 July 1, 2008, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the Long Form EAF submitted by the Petitioner and EAF and accompanying narrative dated July 21, 2008, (a copy of which is attached to this resolution) 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 Long Form EAF submitted by the Petitioner and accompanying narrative dated July 21, 2008 prepared by Robert Geneslaw, acting as staff to the Town Board as lead agency, it is hereby determined that the proposed action is a Type I action under SEQRA, however, for the reasons set forth in Robert Geneslaw's memo the inclusion of Cultural Centers in the M Zone 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 the Rockland County Planning Department's comment has been addressed, in that the bulk requirements for the M Zone shall apply to Cultural Centers, and be it

FURTHER RESOLVED, that Local Law No. 8 – 2008, entitled:

“A LOCAL LAW AMENDING CHAPTER 290 OF THE ZONING LOCAL LAW OF THE TOWN OF CLARKSTOWN”

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

- Alexander J. Gromack, Supervisor . . . Yes
- John R. Maloney, Councilman . . . . .Yes
- Ralph F. Mandia, Councilman . . . . . Yes
- Shirley Lasker, Councilwoman . . . . . Yes
- Frank Borelli, Councilman . . . . . . . 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.

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RESOLUTION NO. (454-2008)

Co. Maloney offered and Co. Borelli seconded

RESOLUTION AUTHORIZING THE CONTINUATION OF A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, “A LOCAL LAW AMENDING CHAPTER 216 (PROPERTY MAINTENANCE) OF THE CODE OF THE TOWN OF CLARKSTOWN”

WHEREAS, the Town Board held a public hearing on July 22, 2008, to consider a proposed Local Law to Amend Chapter 216 (Property Maintenance) of the Code of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that in order for the Town Board to consider comments from the public, review SEQRA, and provide the Town Attorney's Office and the Building Department sufficient time to review the proposed Local Law, the Town Board shall continue the public hearing concerning the proposed Local Law to Amend Chapter 216 (Property Maintenance) on August 26, 2008, at 8:00 p.m., at the Clarkstown Town Hall Auditorium, 10 Maple Avenue, New City, New York.

On roll call the vote was as follows

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

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RESOLUTION NO. (455-2008) intentionally not used

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RESOLUTION NO. (456-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of June 17, 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

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RESOLUTION NO. (457-2008)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, UNDERWOOD PICTURES, INC. has requested permission to film in the Town of Clarkstown, on July 1, 2008.

NOW, THEREFORE, be it

RESOLVED, that Underwood Pictures, Inc., 244 Fifth Avenue, Suite 2090, New York, NY 10001, is hereby authorized to film a Commercial, on Tuesday, July 1, 2008 between the approximate hours of 7:00 am to 7:00 pm at Office Depot, 135 East Route 59, Nanuet, NY 10954 upon the following conditions:

RESOLUTION NO. (457-2008) continued

- (1) Permittee obtains permission from named party to film at the above mentioned sites;
- (2) A permit fee of \$250.00 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 7:00 am, Tuesday, July 1, 2008 and deemed the Filming Permit.

On roll call the vote was as follows

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

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RESOLUTION NO. (458-2008)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, HUNGRY MAN PRODUCTIONS has requested permission to film in the Town of Clarkstown, on July 2, 2008.

NOW, THEREFORE, be it

RESOLVED, that Hungry Man Productions, 160 Varick Street, 10<sup>th</sup> Floor, New York, NY 10013, is hereby authorized to film a Public Service Announcement, on Wednesday, July 2, 2008 between the approximate hours of 6:30 am to 10:30 pm at Clarkstown High School South, 31 Demarest Mill Road, West Nyack, NY 10994 upon the following conditions:

- (1) Permittee obtains permission from named party to film at the above mentioned sites;
- (2) A permit fee of \$250.00 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 6:30 am, Wednesday, July 2, 2008 and deemed the Filming Permit.

On roll call the vote was as follows

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

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RESOLUTION NO. (459-2008)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, SMUGGLER has requested permission to film in the Town of Clarkstown, on July 13, 2008.

NOW, THEREFORE, be it

RESOLVED, that Smuggler, 184 5<sup>th</sup> Avenue, New York, NY 10010, is hereby authorized to film a Volkswagon Commercial, on Sunday, July 13, 2008 between the approximate hours of 7:00 am and 9:00 pm at Volkswagon Dealership, 115 Route 59, Nyack, NY 10960 upon the following conditions:

- (1) Permittee obtains permission from named party to film at the above mentioned sites;
- (2) A permit fee of \$250.00 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;

RESOLUTION NO. (459-2008) continued

- (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 7:00 am, Sunday, July 13, 2008 and deemed the Filming Permit.

On roll call the vote was as follows

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

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RESOLUTION NO. (460-2008)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, MacGUFFIN FILMS LIMITED, a production company, has requested permission to film in the Town of Clarkstown, on July 23 and 24, 2008.

NOW, THEREFORE, be it

RESOLVED, that MacGuffin Films Limited , of 411 Lafayette Street, New York, New York 10003, is hereby authorized to film a Papa John's Commercial, on July 23 and 24, 2008 between the approximate hours of 6:00 am and 9:00 pm at 259 Sickletown Road and 10 East Avenue, West Nyack, NY 10994 upon the following conditions:

- (1) Permittee obtains permission from named party to film at the above mentioned sites;
- (2) A permit fee of \$250.00 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 deemed the Filming Permit.

On roll call the vote was as follows

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

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RESOLUTION NO. (461-2008)

Co. Borelli offered and Co. Maloney seconded

RESOLUTION SCHEDULING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING CHAPTER 262 (TAXATION) OF THE CODE OF THE TOWN OF CLARKSTOWN"

WHEREAS, Councilperson Borelli, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled "A Local Law Amending Chapter 262 (TAXATION) of the Code of the Town of Clarkstown," and

WHEREAS, the purpose of this local law is to amend Article V, Alternative Veterans Exemption, Section 262-15, to increase the maximum exemption allowable in Subdivision 2(a), (b) and (c) to \$54,000.00, \$36,000.00 and \$180,000.00, respectively;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held in the Auditorium of Clarkstown Town Hall, 10 Maple Avenue, New City, New York on August 26, 2008 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

RESOLUTION NO. (461-2008) continued

On roll call the vote was as follows

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

Supervisor Gromack congratulated the veterans in attendance, stating this resolution passed the first step establishing the setting of a public hearing on august 26th, where the law will be adopted formally.

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RESOLUTION NO. (462-2008)

Co. Lasker offered and Co. Mandia seconded

**RESOLUTION SCHEDULING A PUBLIC HEARING ON A ROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING CHAPTER 109 (BUILDING CONSTRUCTION ADMINISTRATION) OF THE CODE OF THE TOWN OF CLARKSTOWN"**

WHEREAS, Councilperson Lasker, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled "A LOCAL LAW AMENDING CHAPTER 109 ((BUILDING CONSTRUCTION ADMINISTRATION) OF THE CODE OF THE TOWN OF CLARKSTOWN," and

WHEREAS, the purpose of this local law is to require new one or two family dwellings and multiple single family dwellings (townhouses) of three or less stories, built to achieve a Home Energy Rating Score established pursuant to the National Home Energy Rating Technical Guidelines;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held in the Auditorium of Clarkstown Town Hall, 10 Maple Avenue, New City, New York on August 26, 2008 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

On roll call the vote was as follows

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

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RESOLUTION NO. (463-2008)

Co. Mandia offered and Co. Lasker seconded

**RESOLUTION AUTHORIZING AN AGEEMENT WITH KORN ROSENBAUM LLP FOR AUDITING SERVICES FOR THE YEARS 2008 and 2009**

WHEREAS, a proposal has been received from Korn Rosembaum LLP, certified public accounts, dated June 30, 2008, to continue providing auditing services to the Town of Clarksown, and

WHEREAS, Edward J. Duer, Town Comptroller, has advised that past experience with this firm has proven satisfactory;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form satisfactory to the Town Attorney, with Korn Rosenbaum LLP, Certified Public Accountants, with offices at Palisades Office Park, 26 Firemen's Memorial Drive, Pomona, New York, for auditing services for the years ending December 31, 2008 and December 31, 2009, and be it

FURTHER RESOLVED, that the fee for such services shall not exceed the amount of \$50,125.00, which shall be charged to Account No. A 1320-409, and be it

FURTHE RESOLVED, that said agreement shall provide, among other provisions requested 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

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RESOLUTION NO. (464-2008)

Co. Mandia offered and Co. Lasker seconded

**RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE FOR FUNDING THE COPS 2008 TECHNOLOGY PROGRAM**

RESOLUTION NO. (464-2008) continued

WHEREAS, the Clarkstown Police Department is applying for a federal grant from the U.S. Department of Justice, Office of Community Policing (COPS 2008 Technology Program) (OMB#4040-0004) (SF-424), for the purpose of purchasing equipment necessary for the Centralized Communications Center at the Clarkstown Police Department, and

WHEREAS, the Town of Clarkstown is eligible to apply for such funding in the amount of \$98,505.00; NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute all documents necessary to make application for the grant award, for the purpose of purchasing equipment necessary for the Centralized Communications Center at the Clarkstown Police Department.

On roll call the vote was as follows

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

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RESOLUTION NO. (465-2008)

Co. Mandia offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE CLARKSTOWN CENTRAL SCHOOL DISTRICT FOR THE SCHOOL RESOURCE OFFICER PROGRAM FOR THE 2008-2009 SCHOOL TERM

WHEREAS, a School Resource Officer Program has been proposed for the Clarkstown Central School District; and WHEREAS, the Board of Education of the Clarkstown Central School District and the Clarkstown Police Department desire to provide law enforcement services of three (3) police officers to be assigned to the school district on a full time basis as the School Resource Officers.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of the Clarkstown Central School District, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of three (3) police officers to the Clarkstown Central School District on a full time basis, for the period September 1, 2008 through June 30, 2009, and be it

FURTHER RESOLVED, that the agreement shall provide, along with other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it FURTHER RESOLVED, that this resolution is subject to the financial contribution of the Clarkstown Central School District to the Town of Clarkstown in the amount of \$92,691.00 for the School Resource Officers.

On roll call the vote was as follows

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

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RESOLUTION NO. (466-2008)

Co. Mandia offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE NANUET SCHOOL DISTRICT FOR THE SCHOOL RESOURCE OFFICER PROGRAM FOR THE 2008-2009 SCHOOL TERM

WHEREAS, a School Resource Officer Program has been proposed for the Nanuet School District; and WHEREAS, the Board of Education of the Nanuet School District and the Clarkstown Police Department desire to provide law enforcement services of one (1) police officer to be assigned to the school district on a full time basis as the School Resource Officer.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of the Nanuet School District, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of one (1) police officer to the Nanuet School District on a full time basis, for the period September 1, 2008 through June 30, 2009, and be it

FURTHER RESOLVED, that the agreement shall provide, along with other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it FURTHER RESOLVED, that this resolution is subject to the financial contribution of the Nanuet School District to the Town of Clarkstown in the amount of \$31,063.00 for the School Resource Officer.

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. (467-2008)  
Co. Mandia offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE NYACK SCHOOL DISTRICT FOR THE SCHOOL RESOURCE OFFICER PROGRAM FOR THE 2008-2009 SCHOOL TERM

WHEREAS, a School Resource Officer Program has been proposed for the Nyack School District; and WHEREAS, the Board of Education of the Nyack School District and the Clarkstown Police Department desire to provide law enforcement services of one (1) police officer to be assigned to the school district on a full time basis as the School Resource Officer.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of the Nyack School District, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of one (1) police officer to the Nyack School District on a full time basis, for the period September 1, 2008 through June 30, 2009, and be it

FURTHER RESOLVED, that the agreement shall provide, along with other provisions required by the Town

Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it

FURTHER RESOLVED, that this resolution is subject to the financial contribution of the Nyack School District to the Town of Clarkstown in the amount of \$32,758.00 for the School Resource Officer.

On roll call the vote was as follows

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

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RESOLUTION NO. (468-2008)  
Co. Mandia offered and Co. Lasker seconded

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 (retroactively) on July 1, 2008 and shall continue through June 30, 2009 shall not exceed \$4,800.00.

On roll call the vote was as follows

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

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RESOLUTION NO. (469-2008)  
Co. Mandia offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH DCAK ARCHITECTURE TO PROVIDE SERVICES FOR THE RENOVATION OF THE POLICE EMERGENCY COMMUNICATIONS CENTER

WHEREAS, the Clerk of the Works has solicited proposals from architects to provide architectural and engineering services with respect to the proposed renovations to the Police Emergency Communications Center, and recommends the hiring of DCAK Architects to provide said services pursuant to its proposal dated July 17, 2008;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a contract with DCAK Architects, in a form approved by the Town Attorney, to provide the necessary architectural and engineering services for the renovation of the Police Emergency Communications Center, and be it

FURTHER RESOLVED, that the agreed upon fee shall be a fixed sum for all necessary services which shall not exceed \$104,000.00 standard reimbursable expenses, and shall be charged to Account No. H 8759-409-0-83-19, 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.

RESOLUTION NO. (469-2008) continued

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Co. Mandia. . . . . Yes  
 Co. Borelli. . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (470-2008)

Co. Mandia offered and Co. Lasker seconded

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE  
 CLARKSTOWN POLICE DEPARTMENT AND PROPERTYROOM.COM

WHEREAS, Lt. Steven Morgan of the Clarkstown Police Department (“CPD”) has recommended that the CPD enter into an Agreement with PropertyRoom.com in order to dispose of property in the CPD evidence room (“designated property”) that may be legally disposed of under the Criminal Procedure Law, and WHEREAS, PropertyRoom.com will pickup, store and list the designated property on its internet site at no cost to the CPD, and

WHEREAS, the CPD will be credited with 50% of the first \$1,000 of the net proceeds of the sale of portable property items and 75% of the amount above \$1,000 of such net proceeds and further credited with 70% of the net proceeds for the sale of large items (e.g., cars, trucks, boats, and bulk lots of bicycles), and

WHEREAS, the term of the Agreement is three (3) years and further provides for annual extensions thereafter, at the option of either party;

NOW, THEREFORE, be it

RESOLVED that based upon the recommendation of Lt. Steven Morgan of the CPD, the Supervisor is hereby authorized to enter into an Agreement with PropertyRoom.com for the disposal of designated property held by the CPD in accordance with the requirements of the Criminal Procedure Law, such Agreement to be for a term of three (3) years, with annual extensions thereafter at the option of the CPD.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Co. Mandia. . . . . Yes  
 Co. Borelli. . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (471-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AMENDING RESOLUTION NO. 364 – 2008 APPROVING ZONE CHANGE REQUEST FOR ORCHARD RIDGE LLC, REDISTRICTING PROPERTY FROM THE MF-2 AND LIO DISTRICTS TO THE AAR DISTRICT

RESOLVED, that Resolution No. 364 – 2008, adopted by the Town Board on June 17, 2008 authorizing a zone change for property owned by Orchard Ridge LLC, Congers, New York, is hereby amended to correct a typographical error relating to the map designation in the Third Resolved Clause, which shall read as follows:

“FURTHER RESOLVED, that for reasons of public health, safety and welfare, the Zoning Local Law of the Town of Clarkstown be and it hereby is amended by redistricting the property designated on the Clarkstown Tax Map as 35.19-2-17, 35.19-2-18, 35.19-2-19 and 35.19-2-20, and 44.07-2-10, 44.07—2-10.1, and 44.07-2-10.2, situate in the Hamlet of Congers, from the MF-2 and LIO- Districts to the AAR District, which is described on the attached Schedule “A” provided, however, that such zone change shall be subject to the following conditions:

1. The maximum number of units to be developed under the zone shall be three hundred and twenty (320), subject to site plan constraints;
2. The applicant shall submit an overall site plan for approval by the Planning Board;
3. The applicant shall pay a fee in the amount of \$63.00 per unit, for a total sum of \$20,160.00 for 320 units, pursuant to Section 290-7.1F(3);
4. Subject to required NYSDEC approval, the applicant shall design and install at its own cost and expense a recreational walking trail as depicted on its proposed site plan;
5. The applicant shall design and install at its own cost and expense a bus shelter at the bus stop location contiguous to the project site;
6. The applicant shall execute a developers performance agreement, in a form acceptable to the Town Attorney, and a Letter of Credit in a sum to be determined by the Town Department of Environmental Control, to assurance compliance with Items above.
7. The Planning Board shall ensure, in connection with final site plan approval, compliance with the limitations on occupancy set forth in Section 290-7.1G(1)-(3);
8. The applicant shall pay to the Town money-in-lieu-of-land based on the actual number of units/bedrooms that may be approved by the Town Planning Board consistent with the Clarkstown 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. (472-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING ACCEPTANCE OF DRAINAGE EASEMENTS CONCERNING NEW JERSEY AVENUE LOW FLOW CHANNEL DRAINAGE IMPROVEMENT PROJECT IN CONGERS, NEW YORK

WHEREAS, the Department of Environmental Control is preparing plans for New Jersey Avenue Low Flow Channel Drainage Improvement Project in Congers, New York, and

WHEREAS, in accordance with the recommendation of the Department of Environmental Control, the Town of Clarkstown wishes to accept and record drainage easements in connection with said project;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept easements, in a form approved by the Town Attorney, concerning New Jersey Avenue Low Flow Channel Drainage Improvement Project for the following properties and orders them recorded in the Rockland County Clerk's Office at the Town's expense:

Brent & Charina Tupa  
9 New Jersey Avenue  
Congers, New York 10920  
Tax Map Designation: 52.08-2-51

Dennis L. Coyle  
40 Wisconsin Avenue  
Congers, NY 10920  
Tax Map Designation: 52.08-2-53

Abraham V. Plathottam  
3 New Jersey Avenue  
Congers, NY 10920  
Tax Map Designation: 52.08-2-50

Muhammed & Maher S. Hossain  
17 Quaspeck Road  
Congers, NY 10920  
Tax Map Designation: 52.08-2-47

On roll call the vote was as follows

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

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RESOLUTION NO. (473-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERINTENDENT OF HIGHWAYS TO INSTALL A SECOND NO PARKING SIGN ON MAIN STREET, NANUET, NEW YORK

WHEREAS, the Nanuet Community Ambulance Corps at 202 Main Street, Nanuet, has advised the Town that since the revitalization of downtown Nanuet, one of their two parking spaces reserved for ambulance personnel was inadvertently eliminated, and

WHEREAS, the Nanuet Community Ambulance Corps has requested that the second "No Parking, Space Reserved For Emergency Ambulance Personnel" sign be re-installed south of their building;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes Wayne T. Ballard, Superintendent of Highways, to install a "No Parking, Space Reserved For Emergency Ambulance Personnel" sign on Main Street, Nanuet, south of the driveway for the Nanuet Community Ambulance Corps at 202 Main Street, Nanuet.

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

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RESOLUTION NO. (474-2008)  
Co. Maloney offered and Co. Lasker seconded

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

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

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 08-32 TURCO GOLF, INC.

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. (475-2008)  
Co. Maloney offered and Co. Borelli seconded

RESOLUTION AMENDING A FEE SCHEDULE FOR SITE PLAN REVIEW

WHEREAS, Chapter 246 (Site Plan Review), 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 site 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 site plan review, as recommended by the Departmental of Environmental Control, as follows:

SITE PLAN REGULATIONS

Applicant or developer is required to pay \$3,300 per pond to the Town prior to Chairman's endorsement of the site plan for an site plan subdivision which constructs stormwater management facilities, to provide for the initial ten years of inspections of those facilities.

In the alternative to this requirement, the Town could impose an inspection and reporting requirement into the site plan regulations which should provide for the Town to receive copies of all inspection reports and be able to take remedial action in the event the requirement is not fulfilled by the owner.

On roll call the vote was as follows

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

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RESOLUTION NO. (476-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF CLARKSTOWN ESTABLISHING THE BASE PERCENTAGES, CURRENT PERCENTAGES AND CURRENT BASE PROPORTIONS FOR CERTIFICATION TO NEW YORK STATE OFFICE OF REAL PROPERTY SERVICES

RESOLVED, that the Town Board of the Town of Clarkstown, in accordance with the provisions of Section 1903 of the Real Property Tax Law, hereby establishes the base percentages, current percentages and current base proportions for the levy of taxes on the 2008 Assessment Roll for the Town of Clarkstown, and be it FURTHER RESOLVED, that said figures for percentages and proportions are attached, (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

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RESOLUTION NO. (477-2008)  
Co. Maloney offered and Co. Mandia seconded

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF CLARKSTOWN ESTABLISHING THE ADJUSTED BASE PROPORTIONS FOR CERTIFICATION TO THE STATE BOARD OF REAL PROPERTY SERVICES

RESOLVED, that the Town Board of the Town of Clarkstown, in accordance with the provisions of Section 1903 of the Real Property Tax Law, hereby establishes the adjusted base proportions for the levy of taxes on the 2008 Assessment Roll for the Town of Clarkstown, and be it

FURTHER RESOLVED, that said figures for such proportions are attached , (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

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RESOLUTION NO. (478-2008)  
Co. Mandia offered and Co. Lasker seconded

RESOLVED, that the resignation (by retirement) of Ricky W. Roscoe, Police Officer – Clarkstown Police Department – is hereby accepted – effective and retroactive to June 28, 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. (479-2008)  
Co. Mandia offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has certified on May 14, 2008 that the position of Street Construction Inspector #500342 – (encumbered by Jeffrey Lawrence) – can be reclassified to the position of Street Construction Inspector II,

NOW therefore, be it

RESOLVED, that the position of Street Construction Inspector – Highway Department – is hereby reclassified to the position of Street Construction Inspector II – effective and retroactive to July 21, 2008 - and be it,

FURTHER RESOLVED, that the grade for the position of Street Construction Inspector II – Highway Department - is hereby established at a grade 28.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Yes  
Co. Mandia. . . . . Yes  
Co. Borelli... . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (480-2008)  
Co. Mandia offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highway of Jeffrey Lawrence to the position of (provisional) Street Construction Inspector II – Highway Department - at the current 2008 annual salary of \$75,469., - effective and retroactive to July 21, 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. (481-2008)  
Co. Mandia offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has certified on June 4, 2008 that the position of Groundswoker - Maintenance Department – can be created,

NOW, therefore, be it

RESOLVED, that he position of Groundswoker – Maintenance Department – is hereby created – effective and retroactive to July 21, 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. (482-2008)  
Co. Mandia offered and Co. Lasker seconded

RESOLVED, that Michael DeMaio is hereby appointed to the position of Groundswoker – Maintenance Department - at the current 2008 annual salary of \$39,465., - effective and retroactive to July 21, 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. (483-2008)  
Co. Mandia offered and Co. Lasker seconded

RESOLVED, that Sheila Fergus-Mellon, is hereby appointed to the position of (part time) Clerk Typist - Town Justice Department – at the 2008 hourly rate of \$29.00., effective and retroactive to June 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. (484-2008)  
Co. Mandia offered and Co. Lasker seconded

WHEREAS, John J. Kelly has requested an extension of his leave of absence, without pay, and  
WHEREAS, Article XIX, Section I of the Town of Clarkstown Labor Agreement provides for an extension  
of a leave of absence, without pay,  
NOW, therefore, be it

RESOLVED, that John J. Kelly -Laborer – Highway Department – is hereby granted a three (3) month  
extension of his leave of absence, without pay, effective and retroactive to July 4, 2008 to October 4, 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. (485-2008)  
Co. Mandia offered and Co. Lasker seconded

WHEREAS, Janeen Valentin-Eisler, has requested a leave of absence, without pay, and  
WHEREAS, Article XIX, Section 1 of the Town of Clarkstown Labor Agreement provides for a leave of  
absence, without pay,  
NOW, therefore, be it

RESOLVED, that Janeen Valentin-Eisler – Senior Recreation Leader – Parks Board and Recreation  
Commission – is hereby granted a three (3) month leave of absence, without pay, effective and retroactive to June  
24, 2008 to September 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. (486-2008)  
Co. Mandia offered and Co. Lasker seconded

RESOLVED, that Gaetano U. Massa is hereby reappointed to the position of Member - Zoning Board of  
Appeals – at the 2008 annual salary of \$5,500., term effective and retroactive to July 13, 2008 to July 12, 2013.

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. (487-2008)  
Co. Mandia offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has certified on July 17, 2008 that the position of  
Maintenance Supervisor – Maintenance Department – can be created,  
NOW, therefore, be it

RESOLVED, that the position of Maintenance Supervisor -Maintenance Department – is hereby created –  
effective July 23, 2008, and be it

FURTHER RESOLVED, that the grade for the position of Maintenance Supervisor – is hereby established  
at a grade 28.

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. (488-2008)  
Co. Mandia offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has certified on July 17, 2008 that the position of  
Laborer – Maintenance Department – can be created,  
NOW, therefore, be it

RESOLVED, that the position of Laborer – Maintenance Department – is hereby created – effective to July  
23, 2008.

RESOLUTION NO. (488-2008) continued

On roll call the vote was as follows

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

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RESOLUTION NO. (489-2008)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves the terms and conditions of a Stipulation of Agreement between the Town and Irene Nathanson and authorizes the Chief of Police to execute same and to take all actions required therein.

On roll call the vote was as follows

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

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RESOLUTION NO. (490-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION ACCEPTING DEED FOR EXTENSION AND ALIGNMENT OF CENTEROCK ROAD, WEST NYACK (NEW YORK SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS – 64.08-3-7.4)

RESOLVED, that upon the recommendations of the Director of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, a deed from New York SMSA Limited Partnership, dated September 26, 1997, conveying a parcel for an extension and alignment of Centerock Road, West Nyack, New York to the Town of Clarkstown as shown on the Final Site Plan of New York SMSA Limited Partnership d/b/a Verizon Wireless is hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk’s Office; subject to receipt of recording fees and an updated title report showing clear title.

On roll call the vote was as follows

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

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RESOLUTION NO. (491-2008)

Co. Maloney offered and Co. Mandia seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JULY 22, 2008, AUTHORIZING THE CONSTRUCTION OF VARIOUS DRAINAGE IMPROVEMENTS AND RELATED WORK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$60,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$60,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the “Town”), is hereby authorized to construct various drainage improvements and related work. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$60,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$60,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$60,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance said appropriation.

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

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

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

RESOLUTION NO. (491-2008) continued

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

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

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

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

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

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

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

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

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

On roll call the vote was as follows

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

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RESOLUTION NO. (492-2008)

Co. Maloney offered and Co. Mandia seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JULY 22, 2008, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO TOWN HALL ELEVATORS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$230,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$230,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct improvements to Town Hall elevators. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$230,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$230,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$230,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 13 of the Law, is ten (10) years.

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

RESOLUTION NO. (492-2008) continued

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

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

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

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

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

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

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

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

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

On roll call the vote was as follows

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

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RESOLUTION NO. (493-2008)

Co. Lasker offered and Co. Borelli seconded

RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF TWO "BUSINESS DISTRICT" WITH ARROW SIGNS IN THE MUNICIPAL PARKING LOT LOCATED ON NEW LAKE ROAD AS PART OF THE VALLEY COTTAGE DOWNTOWN IMPROVEMENT PROJECT-PHASE II

Whereas, the Town Board of the Town of Clarkstown has received requests from residents and the Valley Cottage Civic Association to have signs installed in the municipal parking lot located on New Lake Road in Valley Cottage as part of the Valley Cottage Downtown Improvement project directing people to the business district; and

Whereas, in response to these requests, the Supervisor's office has directed the Clarkstown Highway Department to obtain a proposal from American Woodcarving, LLC of Wayne, New Jersey to fabricate and install two (2) "Business District" with arrow signs (including aluminum sign posts) in close proximity to the walkways leading from the parking lot to Old Lake Road; and

Whereas, the Clarkstown Highway Department has obtained said proposal and, upon review, finds it to be acceptable;

Now, Therefore, Be It Resolved that, based on the recommendation of the Department of Environmental Control, the Town Board of the Town of Clarkstown authorizes a change order on contract to Bid #72-2005 Valley Cottage Downtown Improvements – Phase II for the purchase and installation of two (2) 18" x 12" HDPE "Business District" with arrow signs with aluminum sign posts from American Woodcarving, L.L.C. in accordance with their proposal for the amount of \$962.00; and

Be It Further Resolved that said amount shall not be increased without further resolution of the Town Board of the Town of Clarkstown; and

Be It Further Resolved that the budget allowance for this project be increased to \$3,729,101.53 to reflect the cost of this change order on contract; and

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

RESOLUTION NO. (493-2008) continued

On roll call the vote was as follows  
 Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Co. Mandia. . . . . Yes  
 Co. Borelli... . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (494-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL CONTROL TO RETAIN THE SERVICES OF CAL MART CONSTRUCTION CORP. TO REPAIR A SEWER HOUSE CONNECTION IN THE VICINITY OF 3 GILCHREST ROAD, CONGERS

WHEREAS, Orange & Rockland Utilities damaged the sewer spur servicing 3 Gilchrest Road while lowering an existing gas main to allow for the installation of a new drainage culvert; and  
 WHEREAS, #3 Gilchrest Road was left without sewer service as a result of the sewer break; and  
 WHEREAS, the Department of Environmental Control retained the services of Cal Mart Construction Corp. to make an emergency repair to the damaged sewer; and  
 WHEREAS, the cost of the repair was reviewed by the Department of Environmental Control and found to be acceptable; and

NOW, THEREFORE, BE IT RESOLVED, that the Director of the Department of Environmental Control recommends that the work be awarded retroactive to

Cal Mart Construction Corp., 4 Burts Road, Congers, NY 10920

BE IT FURTHER RESOLVED that the cost of said work shall not exceed \$2,419.86 and shall be a proper charge to account #H 8758 409 0 82 23.

On roll call the vote was as follows  
 Co. Lasker . . . . . Yes  
 Co. Maloney . . . . . Yes  
 Co. Mandia. . . . . Yes  
 Co. Borelli... . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (495-2008)  
Co. Lasker offered and Co. Mandia seconded

RESOLUTION REGARDING CHAPTER 216 PROCEEDING (22 CLARK DRIVE, NANUET – 57.11-1-64)

WHEREAS, by Resolution No. 414-2008, dated June 17, 2008, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 216 of the Code of the Town of Clarkstown affecting property located at 22 Clark Drive, Nanuet, New York (Tax Map designation 57.11-1-64 f/k/a 7-A-3.23), to remove debris consisting of, but not limited to, refuse and uncut and dead grass from the premises which have created a serious nuisance and hazard and litter and have become unsafe and dangerous, and a threat to the health and welfare of the community, and

WHEREAS, a public hearing was scheduled and duly held on the 22<sup>nd</sup> day of July 2008, after notice and opportunity to be heard at said hearing was provided to the property owners and all interested parties of record, as provided by law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby determines that the conditions complained of in the Orders and Notices, pursuant to Chapter 216 of the Code of the Town of Clarkstown, dated December 6, 2007 and April 23, 2008, as reported by the Code Enforcement Officers in their previous reports which are part of the record, and the updated report dated July 16, 2008 from the Code Enforcement Officers have not been corrected and the house appears to be abandoned, and be it

FURTHER RESOLVED, the Superintendent of Highways, or the Fire Inspector, or the Building Inspector are hereby authorized and directed to enter the subject property and to take all actions, which may be reasonably necessary to remove the conditions set forth herein and to remediate the premises in a safe manner in the event the violations are not removed, and be it

FURTHER RESOLVED, that the expenses incurred by the Superintendent of Highways, or the Fire Inspector, or the Building Inspector and the Town Attorney with respect to such corrective measures, including the removal of litter and debris and providing landscaping maintenance and any other necessary measures to alleviate any open hazard or nuisance at the subject property, be assessed as a lien against the property, and be it

FURTHER RESOLVED, that 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 216-8 of the Town Code, and be it

FURTHER RESOLVED, that the Town Board hereby retains jurisdiction of this matter on further notice to all interested parties to make whatever further corrective orders as may become necessary to protect the public interest.

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. (496-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:  
BID #32-2008 – DUSTMAN LANE ROAD IMPROVEMENTS  
Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York  
\_\_\_\_\_ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it  
FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the  
Clarkstown Department of Environmental Control 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

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RESOLUTION NO. (497-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:  
BID #33-2008 – #28 CRAGMERE OVAL STREAM CHANNEL STABILIZATION  
Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York  
\_\_\_\_\_ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it  
FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the  
Clarkstown Department of Environmental Control 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

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RESOLUTION NO. (498-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:  
BID #34-2008 – MAPLE AVENUE NEW CITY DRAIN LINE REPLACEMENT  
Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York  
\_\_\_\_\_ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it  
FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the  
Clarkstown Department of Environmental Control 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

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RESOLUTION NO. (499-2008)  
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 #31-2008 – S. LITTLE TOR ROAD DRAINAGE REPAIR

is hereby awarded to: BELLEVILLE LANDSCAPING INC., 84 N. ROUTE 9W,SUITE D, CONGERS, NY 10920

PRINCIPALS: JAMES, MIELE, PRESIDENT &  
ISIDORE CASTIGLIA, VICE PRESIDENT

as per their proposed total cost not to exceed \$43,500.00, and be it

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

- a) Signed Contract Documents – four sets
- b) Performance Bond - 100% of project cost
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of Contractor's Liability and Property Damage Coverage, including a Save Harmless Agreement
- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker's Compensation insurance coverage
- g) Certificate of Worker's Disability Insurance coverage

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

FURTHER RESOLVED, that said award shall constitute a proper charge to account # H-8759-400-409-0-83-23 not  
to exceed \$43,500.00 and be it

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

RESOLUTION NO. (499-2008) continued

On roll call the vote was as follows

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

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RESOLUTION NO. (500-2008)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO INSTITUTE A PROCEEDING AGAINST  
 INNOVATIONS OF ROCKLAND, INC., D/B/A INNOVATIONS IN RENOVATIONS, DJMB  
 CONSTRUCTION CORP., D/B/A INNOVATIONS IN RENOVATIONS AND JOAN R. MILLER-CAHN

RESOLVED, that the Town Board hereby authorizes the Town Attorney to take all necessary steps, including commencing litigation, against Innovations of Rockland, Inc., D/B/A Innovations in Renovations, DJMB Construction Corp., D/B/A Innovations in Renovations and Joan R. Miller-Cahn on behalf of the Town of Clarkstown to collect tipping fees for use of the Solid Waste Facility.

On roll call the vote was as follows

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

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RESOLUTION NO. (501-2008)

Co. Lasker offered and Co. Borelli seconded

RESOLUTION AUTHORIZING A CHANGE ORDER ON CONTRACT FOR ENGINEERING SERVICES  
 RELATING TO THE VIRGINIA STREET/CAROLINA DRIVE DRAINAGE IMPROVEMENTS PROJECT

Whereas, the Town of Clarkstown has, via Town Board resolution #755-2005, retained HAKS Engineers and Surveyors of New York, New York to perform engineering services relating to the Virginia Street/Carolina Drive Drainage Improvements project; and

Whereas, a change in the scope of work for the design of this project finds it necessary to have soil percolation tests performed at three (3) locations along Virginia Street; and

Whereas, these tests were not included in the original scope of engineering services to be provided by the consultant; and

Whereas, the Department of Environmental Control has solicited a proposal from HAKS Engineers and Surveyors in the amount of \$1,450.00 to have these tests performed by a sub-contractor under their direct supervision; and

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

Now, Therefore Be It Resolved that the allowance for engineering services for the Virginian Street/Carolina Drive Drainage Improvements project be increased from \$37,500.00 to \$38,950.00 to reflect the costs associated with the necessary additional testing; and

Be It Further Resolved that this shall be a proper charge to account #H-8755-409-0-79-34.

On roll call the vote was as follows

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

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RESOLUTION NO. (502-2008)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION AUTHORIZING THE DIRECTOR OF ENVIRONMENTAL CONTROL TO EXECUTE CONTRACTS WITH  
 THE ROCKLAND COUNTY HEALTH DEPARTMENT FOR MOSQUITO CONTROL SERVICES

WHEREAS, the Town is required to operate and maintain stormwater management structures under the terms of the NYSDEC MS4 discharge permit, and

WHEREAS, said maintenance includes control of mosquitoes and mosquito breeding in accordance with the Rockland County Sanitary Code, and

WHEREAS, the Director of the Department of Environmental Control has been designated as the Stormwater Management Program Coordinator and Stormwater Management Officer for the Town of Clarkstown, and

WHEREAS, the Rockland County Health Department offers complete mosquito control services for stormwater management structures,

NOW THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the Director of the Department of Environmental Control to execute contracts with the Rockland County Health Department for mosquito control services related for stormwater management structures as needed, and be it further

RESOLVED that the fee for such services shall be charged to Account No. A-8730-409.

RESOLUTION NO. (502-2008) continued

On roll call the vote was as follows

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

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RESOLUTION NO. (503-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION SCHEDULING A PUBLIC HEARING ON A ROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING CHAPTER 125 (DOGS AND OTHER ANIMALS) OF THE CODE OF THE TOWN OF CLARKSTOWN"

WHEREAS, Councilperson Lasker, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled "A LOCAL LAW AMENDING CHAPTER 125 (DOGS AND OTHER ANIMALS) OF THE CODE OF THE TOWN OF CLARKSTOWN," and

WHEREAS, the purpose of this local law is to include a definition of habitual barking, amend restrictions, fees for seizure of dogs and penalties for offenses;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held in the Auditorium of Clarkstown Town Hall, 10 Maple Avenue, New City, New York on August 26, 2008 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

On roll call the vote was as follows

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

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RESOLUTION NO. (504-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION SETTING A PUBLIC HEARING AND REFERRING TO THE ROCKLAND COUNTY COMMISSIONER OF PLANNING, AND THE CLARKSTOWN PLANNING BOARD, THE PETITION OF STEPHEN GIORDANO, FOR A SPECIAL PERMIT TO ALLOW TWO APARTMENTS OVER RETAIL SPACE IN THE VALLEY COTTAGE HAMLET CENTER OVERLAY DISTRICT

WHEREAS, Stephen Giordano has submitted an amended petitioned the Town Board of the Town of Clarkstown for a Special Permit, pursuant to Section 151 of the Town Code of the Town of Clarkstown, to grant a Special Permit to allow two - one bedroom apartments above retail space. The property is located at 17 Old Lake Road, Valley Cottage, New York, and is located within the Valley Cottage Hamlet Center Overlay District. The property is designated on the Clarkstown Tax Map as 59.07-1-7;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to Chapters 151 and 290-17 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 August 26, 2008, or as soon thereafter as possible, to consider the petition of Stephen Giordano 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 by law and file proof thereof in the Office of the Town Clerk, and be it

FURTHER RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for its review and recommendations, to the Rockland County Commissioner of Planning, and to 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.

On roll call the vote was as follows

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

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RESOLUTION NO. (505-2008)  
Co. Lasker offered and Co. Maloney seconded

RESOLUTION REFERRING AND SCHEDULING A PUBLIC HEARING ON A ROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING CHAPTER 146 (FLOOD DAMAGE PREVENTION) OF THE CODE OF THE TOWN OF CLARKSTOWN"

WHEREAS, Councilperson Lasker, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled "A LOCAL LAW AMENDING CHAPTER 146 (FLOOD DAMAGE PREVENTION) OF THE CODE OF THE TOWN OF CLARKSTOWN," and

WHEREAS, the purpose of this local law is to include in Chapter 146-6A the latest map revisions as a basis for establishing areas of special flood hazard;

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held in the Auditorium of Clarkstown Town Hall, 10 Maple Avenue, New City, New York on August 26, 2008 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

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

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RESOLUTION NO. (506-2008)  
Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING THE CONTINUATION OF A PUBLIC HEARING ON A ROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING CHAPTER 216 (PROPERTY MAINTENANCE) OF THE CODE OF THE TOWN OF CLARKSTOWN"

WHEREAS, the Town Board held a public hearing on July 22, 2008, to consider a proposed Local Law to Amend Chapter 216 (Property Maintenance) of the Code of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that in order for the Town Board to consider comments from the public, review SEQRA, and provide the Town Attorney's Office and the Building Department sufficient time to review the proposed Local Law, the Town Board shall continue the public hearing concerning the proposed Local Law to Amend Chapter 216 (Property Maintenance) on August 26, 2008, at 8:00 p.m., at the Clarkstown Town Hall Auditorium, 10 Maple Avenue, New City, New York.

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

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RESOLUTION NO. (507-2008)  
Co. Lasker offered and Co. Maloney seconded

RESOLUTION OF THE TOWN BOARD REFERRING AND SETTING A PUBLIC HEARING TO REOPEN HEARING ON ZONE CHANGE PETITION OF PONDVIEW, LLC, FOR PROPERTY DESIGNATED AS MAP 58.19-1-9

WHEREAS, pursuant to Resolution 913-2002, adopted on November 12, 2002, the Town Board adopted a zone change for Pondview, LLC, for property designated as Map 58.19-1-9, from the LO District to R-15 District, and WHEREAS, the zone change was conditioned upon, among other things, (a) the Petitioner installing a traffic light at the intersection of Demarest Mill Road and West Nyack Road, and (b) that the property be encumbered with an obligation that the Petitioner construct a 4,000 square foot building shell in accordance with the reasonable requirements of the Clarkstown Central School District, and

WHEREAS, subsequent to granting the zone change, Eden Park Homes LLC has received approval from the Town Board to construct thirty-four (34) patio homes under the Town's Active Adult Residence ("AAR") Zone, and

WHEREAS, as a condition to the AAR development, the Town required the installation of a four phase traffic signal at the intersection of Demarest Avenue and West Nyack Road, and

WHEREAS, Pondview LLC and Eden Park Homes LLC have agreed to share the cost of the traffic signal on a 50/50 basis, and

WHEREAS, also subsequent to the zone change, the Clarkstown Central School District has advised that, in lieu of the building shell (which will require additional capital investment on the part of the district) it would prefer Eden Park Homes LLC to perform certain construction services with an approximate value equal to the value of the building shell, and

WHEREAS, the Town wishes to revise the zone change conditions to recognize these subsequent events and memorialize the agreements as recited above;

NOW, THEREFORE, be it

RESOLUTION NO. (507-2008) continued

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 August 26, 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 Town Attorney shall ensure compliance 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 Clarkstown Planning Board pursuant to Section 290-33 of the Zoning Local Law of the Town of Clarkstown, and 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 Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

On roll call the vote was as follows

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

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RESOLUTION NO. (508-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION REFERRING AND SETTING A PUBLIC HEARING REGARDING A PETITION FOR ROAD ABANDONMENT AND/OR DEMAPPING OF LONG CLOVE ROAD, CONGERS, NEW YORK

WHEREAS, an amended application dated July 9, 2008 has been made by Long Clove Business Park Corp, that the Town Board and the Superintendent of Highways of the Town of Clarkstown take action pursuant to Section 273 of the Town Law to declare that a certain portion of Long Clove Road, Congers, New York, as described in the metes and bounds description attached as Schedule "A," be abandoned, closed and removed from the Official Map of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

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

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

FURTHER RESOLVED, that the Superintendent of Highways is hereby requested to investigate the allegations contained in the petition of Long Clove Business Park Corp. and to render his recommendation to the Town Board on or before August 18, 2008, and be it

FURTHER RESOLVED, that a public hearing shall be held in the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, on August 26, 2008, at 8:00 P.M., or as soon thereafter as possible, pursuant to Section 273 of the Town Law, and be it

FURTHER RESOLVED, that the Town Attorney provide such notices to other municipalities as may be required by the General Municipal Law, and to prepare notice of such statutory hearing, and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk, and be it

FURTHER RESOLVED, that the applicant shall fulfill the additional requirements of Section 290-33(C) of the Zoning Local Law of the Town of Clarkstown regarding the posting of additional notice of said public hearing and mailing of notice to property owners of record within five hundred feet of the affected property, and filing of its affidavit of compliance with the Town Clerk on or before August 22, 2008.

On roll call the vote was as follows

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

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RESOLUTION NO. (509-2008)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION RESCINDING RESOLUTION NO. 352-2008 DEFAULTING LETTERS OF CREDIT AND PERFORMANCE BOND ON THE PONDVIEW ESTATES SUBDIVISION AND ZONE CHANGE

RESOLUTION NO. (509-2008) continued

WHEREAS, the Town Board adopted Resolution No. 352-2008 on May 13, 2008 defaulting Letters of Credit and Performance Bond regarding the Pondview Estates Subdivision and the Pondview Zone Change, and authorizing the Town Department of Environmental Control to prepare plans for completion of the required work, and WHEREAS, Pondview, LLC brought an action in the Supreme Court, Index No. 4851-08, against the Town with regard to that resolution, and

WHEREAS, the parties have agreed to a So Ordered Stipulation of Settlement signed by Judge Weiner on July 9, 2008, wherein, among other items, the Town agreed that the May 13, 2008 Town Board resolution defaulting the Letters of Credit and Performance Bond, specifically Irrevocable Letter of Credit #2124 issued by Provident Bank in the sum of \$310,600.00, would be rescinded at the next Town Board regular meeting following the date of the execution of the stipulation between the parties, and

WHEREAS, the Stipulation of Settlement was executed by the parties;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 352-2008, adopted on May 13, 2008, is hereby rescinded.

On roll call the vote was as follows

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

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RESOLUTION NO. (510-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING REFUND OF BUILDING PERMIT FEE TO STEVEN M. GARBATOW FOR PROPERTY KNOWN AS MAP NO. 43.13-3-38

WHEREAS, Steven M. Garbatow, has requested a refund of Building Permit Fee (No. 07-742) paid in the amount of \$1,460.00 for property located at 12 Woodbine Road, New City, New York, more particularly described as Tax Map No. 43.13-3-38, and

WHEREAS, Mr. Garbatow has advised that the proposed project has been cancelled, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$160.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of \$1,300.00, of the total Building Permit fee paid in the amount of \$1,460.00, to Steven M. Garbatow, to be charged to Account No. B 02-6-2555-0, subject to receipt and cancellation of the Building Permit.

On roll call the vote was as follows

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

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RESOLUTION NO. (511-2008)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Robert Stritmater, Director of Automated Systems has recommended that the Town of Clarkstown ("Town") enter into a Major Accounts Agreement/HR/Benefits Solution Addendum with Automated Data Processing, Inc. ("ADP") to allow the use of ADP Human Resources/Benefits web-based software solution for the Town Personnel Department, and

WHEREAS, the cost of the software is \$49,258.26 per year, which amount represents a 10% discount over the regular cost of \$54,731.40 per year, and

WHEREAS, there is a one time implementation fee of \$9,600.00 for HR Benefits Solution Basic Software and HR Benefit 1st Carrier Connect-Health software;

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of Robert Stritmater, Director of Automated Systems, the Supervisor is hereby authorized to enter into a Major Accounts Agreement/HR/Benefits Solution Addendum with ADP.

On roll call the vote was as follows

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

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RESOLUTION NO. (512-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE  
ROBERT GENESLAW CO. FOR PLANNING SERVICES FOR THE PERIOD 8/1/08 TO 12/31/08

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the ROBERT GENESLAW CO., in a form satisfactory to the Town Attorney, to continue to provide planning consultant services to the Town of Clarkstown, for the period from August 1, 2008 through December 31, 2008, and be it FURTHER RESOLVED, that the agreement 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, and be it FURTHER RESOLVED, that the compensation of Robert Geneslaw Co. for such services shall be \$4,166.00 per month for a total compensation of \$20,830.00, which amount shall be charged to Account No. B-8020-409.

On roll call the vote was as follows

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

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RESOLUTION NO. (513-2008)  
Co. Maloney offered and Co. Mandia seconded

RESOLUTION AMENDING RESOLUTION NO. 439-2007 – AGREEMENT WITH MAYO, LYNCH &  
ASSOCIATES CONCERNING CONGERS LAKE DAM

WHEREAS, by Resolution No. 439-2007, adopted by the Town Board on July 24, 2007, the Town Board authorized the Supervisor to enter into an agreement to retain Mayo, Lynch & Associates to perform professional engineering services for the Town in connection with the Congers Lake Dam, and

WHEREAS, Mayo, Lynch & Associates has solicited proposals to provide Geotechnical Investigations at various locations regarding the Congers Lake Trailway at an additional cost of \$48,255;

NOW, THEREFORE, be it

RESOLVED, Resolution No. 439-2007 is hereby amended to authorize the Supervisor to enter into an agreement with Mayo, Lynch & Associates to retain said firms for the additional Geotechnical Investigation work for a total fee not to exceed \$65,000, which fee shall be charged to Account No. H 8741 409-0-23-2.

On roll call the vote was as follows

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

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RESOLUTION NO. (514-2008)  
Co. Lasker offered and Co. Borelli seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent that  
BID #29-2008 – HIGHWAY SIGNING AND ROAD MAINTENANCE SUPPLIES

is hereby awarded to:	CHEMUNG SUPPLY CORP. P.O. BOX 527 ELMIRA, NY 14902	FLINT TRADING, INC. 115 TODD CT. THOMASVILLE, NC 27360
PRINCIPAL:	MYRA S. STEMERMAN MARC P. STENERMAN	PRINCIPAL: MATT SOULE STEVE VETTER
	CUSTOM PRODUCTS CORP. P.O. BOX 54091 JACKSON, MS 39288-4091	OSBURN ASSOCIATES, INC. P.O. BOX 912 LOGAN, OH 43138
PRINCIPAL:	DENNIS PERKINS HAL PERKINS MAY BENTON GARY PENDERGRASS LEO TICKNER	PRINCIPAL: HARRY O'BURN DONNA OSBURN MARK OSBURN JEFF OSBURN
	GARDEN STATE HIGHWAY PRODUCTS, INC. 1740 E. OAK ROAD VINELAND, NJ 08361	3M CENTER BLDG. 225-5S-08 BOX 33225 ST. PAUL, MN 55133-3225
PRINCIPAL:	SHARON L. GREEN ROBERT A. GREEN	PRINCIPAL: A PUBLIC CORPORATION

RESOLUTION NO. (514-2008) continued

VULCAN SIGNS  
P.O. BOX 1850  
FOLEY, AL 36536-1850

PRINCIPAL: AN EMPLOYEE OWNED COMPANY  
as per attached item/price schedule.

On roll call the vote was as follows

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

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RESOLUTION NO. (515-2008)

Co. Lasker offered and Co. Borelli seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney- Purchasing, the Superintendent of Highways and the Project Engineer that  
BID #26-2008 – MAINTENANCE AND REPAIR OF TRAFFIC SIGNALS, PEDESTRIAN CONTROL DEVICES AND STREETScape LIGHTS

is hereby awarded to: VERDE ELECTRIC MAINTENANCE CORP.  
89 EDISON AVENUE  
MT VERNON, NY 10550

PRINCIPALS: GIULIO C. MONACO, PRESIDENT

as per their proposed total project cost of \$147,540.00 for Part I, and as per the attached unit pricing schedule for Parts II, III and IV, and be it

FURTHER RESOLVED, that the duration of the Contract shall be twelve months, and may be extended on a yearly basis for up to two additional years by mutual agreement between the Town and the Contractor with a proposed cost escalation per cent for possible subsequent annual contract extension of 4.5% per annum, 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

and be it

FURTHER RESOLVED, that 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 the cost of said project shall not exceed \$318,769.00 without further authorization of the Town Board.

On roll call the vote was as follows

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

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RESOLUTION NO. (516-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING PURCHASE OF AERATORS AT TWIN PONDS AND A BRUSH MOWER

WHEREAS, the Superintendent of Recreation and Parks has recommended the need for aerators at Twin Ponds and a Brush Mower.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Recreation and Parks to install aerators at Twin Ponds and purchase a Brush Mower for a cost not to exceed \$30,000.00; and be it

FURTHER RESOLVED, that the purchase and installation of said equipment shall be procured pursuant to GML Section 103 and 104-b; and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund the improvements through the Money in Lieu of Land Account.

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. (517-2008)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION ACCEPTING DEEDS FOR ROAD WIDENING OVCHINNIKOFF SUBDIVISION (44.20-2-56, 58, 59 & 60)

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as Ovchinnikoff (44.20-2-56, 58, 59 & 60), the Planning Board of the Town of Clarkstown requested deeds for road widening purposes along Highway Avenue, Congers, New York, and

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

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Deputy Director of the Department of Environmental Control of the Town of Clarkstown, a deed dated April 3, 2004 from Illarion Ovchinnikoff to the Town of Clarkstown and a deed dated April 7, 2004 from Joseph A. Gannon to the Town of Clarkstown gratuitously conveying strips of land along Highway Avenue, Congers, New York, are hereby accepted and ordered recorded in the Rockland County Clerk's Office at the expense of the grantors.

On roll call the vote was as follows

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

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RESOLUTION NO. (518-2008)  
Co. Lasker offered and Co. Borelli seconded

RESOLUTION SCHEDULING A PUBLIC HEARING ON A ROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW CREATING CHAPTER 20 (FILMING) OF THE CODE OF THE TOWN OF CLARKSTOWN"

WHEREAS, Councilperson Lasker, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled "A LOCAL LAW CREATING CHAPTER 20 (FILMING) OF THE CODE OF THE TOWN OF CLARKSTOWN," and

WHEREAS, the purpose of this local law is to codify the Town's requirements for filming within the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held in the Auditorium of Clarkstown Town Hall, 10 Maple Avenue, New City, New York on September 23, 2008 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

On roll call the vote was as follows

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

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RESOLUTION NO. (519-2008)  
Co. Lasker offered and Co. Borelli 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, submitted a petition to the Town Board of the Town of Clarkstown, requesting a change of zone from the LIO District to the AAR District for premises designated on the Clarkstown Tax Map as 35.19-2-16, a portion of Tax Map 35.19-2-15, and a portion of Meola Road, a private road; and requesting change of zone from the LIO District to the LS District for Tax Map 35.19-2-14, and a portion of Tax Map 35.19-2-15; and requesting change of zone from the AAR District to the LS District for a portion of Tax Map 44.07-2-10.01, located at Old Orchard Lane and Meola Road, Congers, New York, and

WHEREAS, the purpose of the requested zone changes is to (1) incorporate certain parcels that the Petitioner has contracted to acquire into Petitioner's larger parcel which the Town Board previously designated as AAR; and (2) create a LS zone parcel adjacent to the AAR Zone parcel to allow for additional retail and office space proximate to the previously approved AAR development;

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 September 23, 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

RESOLUTION NO. (519-2008) continued

the Town Clerk prior to said hearing, and be it

RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board pursuant to Section 290-33 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 Section 239-l and 239-m of the General Municipal Law and other applicable provisions of law, and be it

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

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

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

On roll call the vote was as follows

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

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RESOLUTION NO. (520-2008)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that John Sullivan is hereby appointed to the position of Member – Zoning Board of Appeals – at the current 2008 annual salary of 5,500., term effective July 23, 2008 and to expire on July 22, 2013.

On roll call the vote was as follows

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

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RESOLUTION NO. (521-2008)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that John Sullivan is hereby appointed to the position of Vice Chairman – Zoning Board of Appeals – at the current 2008 annual salary of 1,500., term effective July 23, 2008 and to expire at 12:01 a.m. on January 1, 2009.

On roll call the vote was as follows

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

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RESOLUTION NO. (522-2008)

Co. Lasker offered and Co. Borelli seconded

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

BID #35-2008 – TRAILER MOUNTED FLUID PUMP

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

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

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RESOLUTION NO. (523-2008)

Co. Lasker offered and Co. Borelli seconded

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

BID #36-2008 – INSTALLATION OF DRY HYDRANT KLEIN AVENUE DETENTION POND

RESOLUTION NO. (523-2008) continued

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York  
\_\_\_\_\_ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it  
FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the  
Clarkstown Department of Environmental Control 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

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RESOLUTION NO. (524-2008)

Co. Maloney offered and Co. Borelli seconded

RESOLUTION AUTHORIZING DRAINAGE MODIFICATIONS IN CONNECTION WITH “Foxwood Road  
Drainage Improvements” FOR 15 FOXWOOD DRIVE WEST NYACK, NEW YORK

WHEREAS, the Town Board per Resolution # 444-2006 awarded construction Bid #59-2005 “Foxwood  
Road Drainage Improvements” to Ascape Landscape & Construction Corp, and, drainage modifications to an  
existing structure are necessary within the stream channel, and:

WHEREAS, it is necessary that the drainage structure be modified to improve stream flow; and,

WHEREAS, the Department of Environmental Control has solicited proposals from qualified contractors to  
perform said drainage work and, of these, the proposal from

Ascape Landscape & Construction Corp, 634 Route 303, Blauvelt, NY 10913

is for the lowest amount;

NOW, THEREFORE, BE IT RESOLVED that the Director of the Department of Environmental Control is  
hereby authorized to hire to perform the necessary work in accordance with the requirements of the Department of  
Environmental Control; and

BE IT FURTHER RESOLVED that the total amount allocated for said project shall be increased by  
\$3,250.00 to \$ 72,386.04 and shall be a proper charge of #H 8757-409-0-81-21.

On roll call the vote was as follows

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

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RESOLUTION NO. (525-2008)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE RELEASE OF  
MAINTENANCE BONDS (CAMELOT SUBDIVISION, SECTIONS 3 & 4 – 78-A-7+)

WHEREAS, Price Construction, LLC furnished to the Town of Clarkstown Maintenance Bonds  
secured by Letter of Credit No. 2237 in the amount of \$16,544.50 and Letter of Credit No. 2238 in the amount of  
\$26,827.00 to guaranty the road(s) and improvements in the Camelot Subdivision, Sections 3 & 4 (78-A-7+), as  
shown on the final plat of Camelot Subdivision, Section 3, which was filed in the Rockland County Clerk’s Office  
on December 2, 1988, and as shown on the final plat of Camelot Subdivision, Section 4, which was filed in the  
Rockland County Clerk’s Office on March 17, 1998, and

WHEREAS, the Deputy Director of Environmental Control of the Town of Clarkstown, with the  
concurrence of the Superintendent of Highways, has advised that the security may be released, as the work has been  
completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that Maintenance Bonds in the amounts of \$16,544.50 and \$26,827.00, in  
connection with the dedication of the road(s) and improvements in a subdivision known as Camelot, Sections 3 and  
4 are hereby terminated; and said Letters of Credit may be released to the guarantor.

On roll call the vote was as follows

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

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RESOLUTION NO. (526-2008)  
Co. Maloney offered and Co. Mandia seconded

RESOLUTION APPROVING TERMS AND CONDITIONS OF EMPLOYMENT  
FOR CAPTAIN ROBERT MAHON

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves and ratifies the terms and conditions of employment for Captain Robert Mahon for the years 2008 and 2009 as more fully set forth in correspondence to Captain Mahon from the Town Supervisor dated July 21, 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. (527-2008)  
Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received \$5,000 from Tilcon New York, \$2,000 from The Hartford, \$2,000 from Provident Bank and \$9,755.64 from the County or Rockland,

NOW THEREFORE BE IT,

RESOLVED, to increase Revenue Account A-01-9-2705-0 (General-Gifts & Donations) and Expense Account A-7620-409-0 by \$9,000 and be it

FURTHER RESOLVED, to increase Revenue Account A-01-11-4845-0 (General Fund-Homeland Security) and Expense Account A-3120-111-0 (Police-Overtime) by \$9,755.64 and

WHEREAS, various expense accounts require additional funding,

NOW THEREFORE BE IT,

FURTHER RESOLVED, to decrease Account A-1010-409-0 (Councilman-Fees for Services) by \$2,000 and increase Accounts A-1010-328-0 (Councilman-Books & Publications) by \$600 and Account A-1010-460-0 (Councilman-Cellular Phones) by \$1,400 and be it,

FURTHER RESOLVED, to decrease Account A-7180-424-0 (Swimming Facilities-Contractual Expenses) and increase Account A-7180-329-0 (Swimming Facilities-Rec. Supplies) by \$800 and be it,

FURTHER RESOLVED, to decrease Account A-7520-319-0 (Historical Review Bd-Misc Supplies) and increase Account A-7520-414-0 (Historical Review Bd-Schools & Conferences) by \$60.

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 with no one wishing to be heard.

On motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, Town Board Meeting was closed 8:40 P.M.

Respectfully submitted,

Pamela Sitomer  
Deputy Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING #1

Town Hall

7/22/08

8:10 P.M.

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

Re: Continuation from 5/13/08 Proposed Local Law amending Chapter 246 (Site Plan Review) of the Town Code to allow the Town to charge fee to cover maintenance of retention basins

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On motion of Co. Lasker, seconded by Co. Borelli, hearing opened 8:10 P.M.

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

There being no one wishing to be heard, on motion of Co. Lasker, seconded by Co. Maloney, and unanimously adopted, the public hearing was closed 8:10 P.M. RESOLUTION NO. (451-2008)

Respectfully submitted,

Pamela Sitomer  
Deputy Town Clerk

RESOLUTION NO. (451-2008)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #2

Town Hall

7/22/08

8:10 P.M.

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

Re: Proposed Local Law amending Chapter 149 (Garbage, Rubbish and Refuse) of the Town Code of the Town of Clarkstown.

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On motion of Co. Lasker, seconded by Co. Mandia, hearing opened 8:10 P.M.

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

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 8:12 P.M. RESOLUTION NO. (452-2008)

Respectfully submitted,

Pamela Sitomer  
Deputy Town Clerk

RESOLUTION NO. (452-2008)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #3

Town Hall

7/22/08

8:12 P.M.

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

Re: Proposed Local Law amending Chapter 290 of the Zoning Local Law of the Town of Clarkstown with respect to the M Zone.

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On motion of Co. Lasker, seconded by Co. Borelli, hearing opened 8:12 P.M.

Amy Mele- Town Attorney

Gave an overview of the proposal and provided the recommendations of Consultant Robert Geneslaw and the Rockland and Clarkstown Planning Boards, (on file with Town Clerk).

Bruce Broadley- West Nyack

Asked if the proposal concerned non-profit or for profit organizations.

Amy Mele- Town Attorney

Stated the provision calls for not for profit organizations. Provided a definition for the term "Cultural Center," as stipulated in the proposal.

Bruce Broadley- West Nyack

Stated his concerns about organizations that are tax exempt, saying the tax burden should be spread out and directed back to the homeowners. Asked why information about the proposed local laws is not on the web site.

Amy Mele- Town Attorney

Advised that Town Clerk David Carlucci brought an initiative to place proposed local laws onto the Town Clerk's web site, where they can be found. Regarding the tax exempt comment, the impetus for this proposal was that Niles Davies was going to donate a portion of his property off Route 304, which is currently in agricultural use and does not generate much by the way of taxes, to the Rockland Center for the Arts. They would probably move from their West Nyack property, which in turn, would generate taxes.

Albert Kaiser- Attorney representing the Rockland Center for the Arts

Stated his client was happy with the current draft of the law, which would allow the Rockland Center for the Arts to be able to proceed with their plans.

Juliann Ramos- Director of the Rockland Center for the Arts

Stated she was present to answer anyone's questions.

There being no one wishing to be further heard, on motion of Co. Lasker, seconded by Co. Maloney, and unanimously adopted, the public hearing was closed 8:25 P.M. RESOLUTION NO. (453-2008)

Respectfully submitted,

Pamela Sitomer  
Deputy Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING #4

Town Hall

7/22/08

8:25 P.M.

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

Re: Proposed Local Law amending Chapter 216 (Property Maintenance) of the Town Code of the Town of Clarkstown.

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On motion of Co. Maloney, seconded by Co. Borelli, hearing opened 8:25 P.M.

Amy Mele- Town Attorney

Stated this proposal is in response to a growing problem in Clarkstown of property foreclosures and abandoned properties which are not properly maintained. The law would allow the Building Inspector to enter upon property and do as he sees fit to protect the health, safety, and welfare of our residents and charge back those costs to the property owner. Asked the Town Board to continue the public hearing to the August meeting.

There being no one wishing to be heard, on motion of Co. Maloney, seconded by Co. Mandia, and unanimously adopted, the public hearing was continued to August 26, 2008. RESOLUTION NO. (454-2008)

Respectfully submitted,

Pamela Sitomer  
Deputy Town Clerk

RESOLUTION NO. (454-2008)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #5

Town Hall

7/22/08

8:26 P.M.

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

Re: Authorizing the Town Attorney to Institute Chapter 216 Proceeding (22 Clark Drive, Nanuet).

\*\*\*\*\*

On motion of Co. Maloney, seconded by Co. Borelli, hearing opened 8:26 P.M.

Josephine Burke- Nanuet

Stated she appreciates what is being done by the town, but it has been one and a half years since the property was vacated. Visitors cannot believe the condition of the property and she stated maybe she should stop paying taxes.

Irene Saccende- Code Enforcer and Officer with the Building Department

Gave an overview of the property's condition and submitted a copy of the violation notice, (on file with Town Clerk). Stated that the Building Department and the various agencies that have been working on this realize that the residents of Clark Drive have been very patient, but the financiers of the property are not local, so it was difficult getting results. Advised the Building Department is extremely happy about the law, so that they can enter property and maintain it for the benefit of the surrounding homeowners.

Co. Lasker

Advised that a lien will be put on the property while the town is maintaining it to cover any costs that the town incurs.

There being no one wishing to be heard, on motion of Co. Maloney, seconded by Co. Mandia, the public hearing was closed 8:30 P.M.

Respectfully submitted,

Pamela Sitomer  
Deputy Town Clerk

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

Town Hall

7/22/08

8:40 P.M.

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

On motion of Co. Maloney, seconded by Co. Lasker the special meeting was declared open, on motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, the meeting was closed, time: 8:41 P.M.

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

RESOLUTION AUTHORIZING AWARD OF CONTRACT TO K-BINET, INC. FOR REPLACEMENT OF KITCHENS FOR THE MIDDLEWOOD SENIOR CITIZEN HOUSING PROJECT

WHEREAS, The Board of Directors of the Clarkstown Middlewood HDFC are interested in replacing kitchens at Middlewood Senior Citizens Housing Project; and

WHEREAS, DCAK Architecture, P.C. provided drawings and specifications for replacement of the 99 kitchens for 97 standard residence kitchens, the kitchen in the Superintendent's apartment, and the kitchen in the Community Room, and,

WHEREAS, K-BINET, INC. has submitted a bid reflecting a total price of \$341,202 for cabinets and Unit Pricing of \$7 for VCT Tile per square foot and Unit Pricing of \$10 per square foot for subflooring, and

WHEREAS, DCAK Architecture, P.C.. has recommended acceptance of the bid.

NOW, THEREFORE, be it

RESOLVED, that ARCO MANAGEMENT is hereby authorized to enter into a contract with K-BINET, INC., subject to review and approval of Paul K. Schofield, Esq., and U.S. Department of Housing and Urban Development, to replace the 97 standard kitchens, the kitchen in the Superintendent's apartment, and the kitchen in the Community Room.

Respectfully submitted,

Pamela Sitomer  
Deputy Town Clerk