

TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING

Town Hall

9/04/12

9:00 P.M.

Present: Supervisor Alexander J. Gromack
Council Members Frank Borelli & George Hoehmann
Amy Mele, Town Attorney
Justin Sweet, Town Clerk

Absent: Council Members Shirley Lasker and Stephanie Hausner

The Supervisor declared Town Board meeting opened. Assemblage saluted the flag. The Town Clerk read the roll call. The Supervisor opened the meeting for public comments on the agenda, no one appeared

RESOLUTION NO. (425-2012)
Co. Borelli offered and Co. Hoehmann seconded

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, 2012 through June 30, 2013, 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 \$110,132.00 for the School Resource Officers.

Co. Lasker Absent
Co. Borelli Yes
Co. Hoehmann. Yes
Co. Hausner. Absent
Supervisor Gromack Yes

RESOLUTION NO. (426-2012)
Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the resignation by (retirement) of Thomas P. Sheehy, 16 Park Road, Salisbury Mills, New York – Police Officer (Detective) – Clarkstown Police Department – is hereby accepted effective and retroactive to August 25, 2012.

Co. Lasker Absent
Co. Borelli Yes
Co. Hoehmann. Yes
Co. Hausner. Absent
Supervisor Gromack Yes

RESOLUTION NO. (427-2012)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, Rockland Hospitality Associates, LLC furnished to the Town of Clarkstown a Performance Agreement secured by an Assignment of Certificate of Deposit in the amount of \$81,000, to cover the improvements as shown on the approved site plan entitled Rockland Hospitality Associates, LLC, dated 11/19/03, and

WHEREAS, the First Deputy Director of the Department of Environmental Control of the Town of Clarkstown has recommended that said Performance Agreement be reduced to \$66,000, as a portion of the work has been completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that the Performance Agreement secured by an Assignment of Certificate of Deposit in the amount of \$81,000 be reduced to \$66,000.

Co. Lasker	Absent
Co. Borelli	Yes
Co. Hoehmann.	Yes
Co. Hausner.	Absent
Supervisor Gromack	Yes

RESOLUTION NO. (428-2012)

Co. Hoehmann offered and Co. Borelli seconded

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

Two (2) STOP signs and two (2) STOP lines at the following locations:

On Scher Drive at Amber Drive, New City, and

On Amber Drive at Scher Drive, New City.

R1-1 Signs as per the Traffic Sign Handbook for Local Roads, and be it

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

Co. Lasker	Absent
Co. Borelli	Yes
Co. Hoehmann.	Yes
Co. Hausner.	Absent
Supervisor Gromack	Yes

RESOLUTION NO. (429-2012)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, Loran Court, Nanuet, a dead end Cul de Sac off Blauvelt Road, had become a parking refuge for Nanuet High School students due to its proximity to the High School, and

WHEREAS, by Town Board Resolution #381-2008, this situation was resolved with the installation of “No Parking 8AM to 4PM, School Days” signs, and

WHEREAS, the Dead End of Loran Court has become a refuge at other times of the day and evening causing driveway blockages at #'s 17 & 18 Loran Court;

NOW, THEREFORE, be it

RESOLUTION NO. (429-2012) continued

RESOLVED, that the Superintendent of Highways is hereby authorized to install “NO PARKING ANYTIME” signs with opposing arrows in two locations past the driveways of #'s 17 & 18 Loran Court to prohibit parking anytime in the terminus of the Cul-de-Sac, and be it

FURTHER RESOLVED, that the Chief of Police is to be forwarded a copy of this resolution for information and enforcement.

- Co. Lasker Absent
- Co. Borelli Yes
- Co. Hoehmann. Yes
- Co. Hausner. Absent
- Supervisor Gromack Yes

RESOLUTION NO. (430-2012)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that John J. Fredericks, 11 Mein Drive, New City, New York – is hereby appointed to the position of (substitute) Crossing Guard – Police Department – at the 2012 hourly rate of 18.67., per crossing - effective September 4, 2012.

- Co. Lasker Absent
- Co. Borelli Yes
- Co. Hoehmann. Yes
- Co. Hausner. Absent
- Supervisor Gromack Yes

RESOLUTION NO. (431-2012)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that Dennis Malone, 15 Pine Avenue, Congers, New York – is hereby appointed (promotional) (provisional) to the position of Fleet Manager (Town) – Town Garage – at the current annual salary of 93,637., effective and retroactive to September 3, 2012.

- Co. Lasker Absent
- Co. Borelli Yes
- Co. Hoehmann. Yes
- Co. Hausner. Absent
- Supervisor Gromack Yes

RESOLUTION NO. (432-2012)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the resignation of John J. Davidson, 14 Chauncy Street, Congers – (part time) Legal Assistant – Office of the Town Attorney –is hereby accepted – effective and retroactive to August 31, 2012.

- Co. Lasker Absent
- Co. Borelli Yes
- Co. Hoehmann. Yes
- Co. Hausner. Absent
- Supervisor Gromack Yes

RESOLUTION NO. (433-2012)

Co. Borelli offered and Co. Hoehmann seconded

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

WHEREAS, the following group wishes to continue to adopt the below segment of a town road for an additional period of two (2) years, continuing from September 23, 2012 to September 23, 2014, as follows:

Sponsor: Hiep Sanitation
P.O. Box 220
West Nyack, NY 10994

Road: .13 mile segment of Snake Hill Road, from
22 Snake Hill Road to intersection of Crusher
Road, West Nyack, NY 10994;

and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of two (2) years continuing from September 23, 2012 to September 23, 2014, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segment, and to provide and coordinate services by Hiep Sanitation to remove trash from the roadway.

Co. Lasker Absent
Co. Borelli Yes
Co. Hoehmann. Yes
Co. Hausner. Absent
Supervisor Gromack Yes

RESOLUTION NO. (434-2012)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, the Town received \$1,593.45 in D.A.R.E. donations,
NOW THEREFORE BE IT,

RESOLVED, to increase Revenue Account A-01-9-2705-0 (General Fund-Gifts & Donations) and Expense Account A-3230-404-0 (D.A.R.E.-Travel & Meals) by \$1,593.45 and

WHEREAS, various accounts need additional funding,

NOW THEREFORE, be it

RESOLVED, to decrease Account A-1110-459-0 (Justice Ct-EBT Hearings) and increase Account A-1110-204-0 (Justice Ct-Office Machines) by \$8,900 and be it

FURTHER RESOLVED, to decrease Accounts A-3140-293-0 (Canine-Law Enforcement Equipment) by \$300 and A-3140-301-0 (Canine-Food) by \$48.87 and increase A-3140-414-0 (Canine-Schools & Conferences) by \$348.87 and be it

FURTHER RESOLVED, to decrease Accounts A-3989-404-0 (Emergency Operations-Travel & Meals) by \$1,000 and A-3989-417-0 (Emergency Operations-In Service Training) by \$5,000 and increase Account A-3120-414-0 (Police-Schools & Conferences) by \$6,000.

Co. Lasker Absent
Co. Borelli Yes
Co. Hoehmann. Yes
Co. Hausner. Absent
Supervisor Gromack Yes

RESOLUTION NO. (435-2012)

Co. Borelli offered and Co. Hoehmann seconded

WHEREAS, several dead trees exist within a paper street shown on the official map of the Town of Clarkstown as New Jersey Avenue; and

WHEREAS, the Town of Clarkstown Department of Environmental Control has determined that the dead trees pose a threat to adjacent private property; and

WHEREAS, the Department of Environmental Control has solicited proposals from three (3) qualified contractors to perform the required tree removal; and

WHEREAS, the Department of Environmental Control has received three (3) proposals in response to its solicitation; and

WHEREAS, Department of Environmental Control staff has reviewed the low proposal submitted by Northern Tree Service II, Inc. and has found it to be acceptable; and

WHEREAS, the Director of the Department of Environmental Control recommends that the work be awarded to Northern Tree Service II, Inc. for their low proposal of \$2,500.00; and

NOW, THEREFORE, BE IT RESOLVED that the director of Environmental Control is hereby authorized to retain the services of:

*Northern Tree Service II, Inc.
12 Lindberg Road
Stony Point, NY 10980*

to perform this work in accordance with their proposal for an amount not to exceed \$2,500.00; and

FURTHER RESOLVED that this amount shall be a proper charge to account TBD

Co. Lasker Absent
Co. Borelli Yes
Co. Hoehmann. Yes
Co. Hausner. Absent
Supervisor Gromack Yes

RESOLUTION NO. (436-2012)

Co. Hoehmann offered and Co. Borelli seconded

Whereas, the Town Board of the Town of Clarkstown has previously awarded a contract for the subject project to A. Servidone, Inc./B. Anthony Construction Corporation, JV: and

Whereas, the Town of Clarkstown has previously retained McLaren Engineering Group of West Nyack to provide engineering and design services for said project; and

Whereas, field conditions have made it necessary to revise the grading plan along the east and south sides of the project site; and

Whereas, McLaren Engineering Group prepared a revised grading plan to alleviate said field conditions; and

Whereas, the revised grading plan resulted in a significant change in the scope of work for this project; and

Whereas, the Department of Environmental Control solicited a proposal from the contractor to perform the work in accordance with the revised grading plan; and

RESOLUTION NO. (436-2012) continued

Whereas, A. Servidone, Inc./B. Anthony Construction Corporation, JV has provided a proposal in the amount of \$143,806.94 ; and

Whereas, said proposal has been reviewed by the Department of Environmental Control and McLaren Engineering Group and has been found to be acceptable;

Now, Therefore Be It Resolved that the contract amount for the subject project be increased by \$143,806.94 to allow for the increase in the scope of work; and

Be It Further Resolved that said increase be a proper charge to account #H 8755-400-409-0-79-7.

Co. Lasker	Absent
Co. Borelli	Yes
Co. Hoehmann.	Yes
Co. Hausner.	Absent
Supervisor Gromack	Yes

RESOLUTION NO. (437-2012)

Co. Borelli offered and Co. Hoehmann seconded

WHEREAS, the Department of Recreation and Parks has requested the use of funds from money-in-lieu-of-land funds to cover the cost of repairs and improvements to various parks in the Town of Clarkstown, and

WHEREAS, the Town Board desires to utilize these funds to make these repairs and improvements;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the use of money-in-lieu-of-land funds in the amount of \$95,000.

Co. Lasker	Absent
Co. Borelli	Yes
Co. Hoehmann.	Yes
Co. Hausner.	Absent
Supervisor Gromack	Yes

RESOLUTION NO. (438-2012)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, the Comprehensive Plan Implementation Special Board in consultation with and as a result of the corridor study undertaken by Cambridge Systematics, has drafted proposed zoning amendments to Chapter 290, which would add a new zone, "Neighborhood Shopping" to certain areas within the Town which further the goals and objectives of the Town's Comprehensive Plan;

NOW, THEREFORE, be it

RESOLVED, that the proposed local law be referred to the Clarkstown Planning Board for report pursuant to Section 290-33 of the Zoning Local Law of the Town of Clarkstown and to the Rockland County Commissioner of Planning pursuant to Sections 239-1 and 239-m of the General Municipal Law for report, 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 Jose Simoes, Town Planner, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

RESOLUTION NO. (438-2012) continued

Co. Lasker Absent
 Co. Borelli Yes
 Co. Hoehmann. Yes
 Co. Hausner. Absent
 Supervisor Gromack Yes

The Supervisor opened the meeting for general public comments.

Marge Hook, New City
 Questioned Agenda Item 5a, John Fredericks substitute crossing guard, why are we putting a policeman in that position?.

It was explained to Ms. Hook that Mr. Fredericks is a layman, not an officer.

Tom Nimick,
 He feels the new staff position in the Highway department is a misuse of town funds.

Mike Hirsch, New City
 He volunteered to help with Town construction projects

Phil Leiter, Congers
 He expressed his opposition to the 1% surcharge the Town is charging for collecting school taxes.

The Supervisor thanked Mr. Hirsch for offering his services on Town projects. With reference to the 1% surcharge, he stated we are the only Town that has not collected a processing fee and we are all very upset that this is necessary due to costs being transferred from the County back on to the Towns. He clarified that this is a charge to the residents and not the school districts.

A member of the School Board and a deputy superintendent spoke about how this surcharge might negatively affect their efforts to get future school budgets passed.

Supervisor Gromack stated that it would be a good idea to meet with the School Board to discuss this further.

There being no one further wishing to be heard, on motion of Co. Borelli seconded by Co. Hoehmann the Special Town Board meeting was closed, time: 9:15 pm

Respectfully submitted,

Justin Sweet
 Town Clerk