

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

02/08/2011

8:00 P.M.

Present: Supervisor Alexander J. Gromack
Council members Lasker, Borelli, Hausner & Hoehmann
Amy Mele, Town Attorney
Justin Sweet, Town Clerk

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

Supervisor introduced Jeremy Mann, representing Congresswoman Nita Lowey's office and recognized the presence of Assemblyman Ken Zebrowski.

SPECIAL PRESENTATION: Pride of Clarkstown Awards

Co. Hoehman thanked the committee members Scott Milich, David Kaminski, Dorie McMmaster, Irene Ryan, Don Ritch and Shirley Washington. He also thanked Paula Tobin for all her work with the committee. He mentioned that Clarkstown was honored by Keep Rockland Beautiful with the 2010 Beautification Award for the Pride of Clarkstown Committee. He explained that late Councilman Ralph Mandia had the wisdom to recommend to the Town Board that our community would benefit by recognizing property owners who go the extra mile and thus the Pride of Clarkstown was born. This annual effort recognizes property owners for their efforts and serves as a living memorial to Ralph's memory. He then presented a video tape featuring former Councilman Mandia.

Scott Milich, Committee Chairman, stated that this evening marks the 5th anniversary of the Pride of Clarkstown presentation which recognizes outstanding commercial properties in our community nominated by individuals and civic organizations. In addition to the Town Board and Committee members, he thanked Glass Roots who helped design and create the plaques for the winners, Wayne Ballard, Joel Epstein, John Coyle and Paula Tobin. Awards were presented to the following recipients:

Professional Office Category: Braunfotel & Frendel, LLC
Adopt a Spot Category: Curti's Landscaping, Inc.
Food/Hospitality Category: Dellwood Country Club
Industrial Building Category: Ferguson Landscape & Construction, Ltd.
Shopping Center/Retail Category: Lowe's Nanuet
Service Business Category: Portables Unlimited
Small Business Category: Town and Country Landscape Corp.
Non-Profit Organization Category: West Nyack Fire Engine Company #1

Public Hearing #1 re: Petition of Proposed Local Law entitled: "A Local Law to Abolish the Office of the Receiver of Taxes and Consolidate the Duties with the Office of the Assessor of the Town of Clarkstown". On motion of Co. Lasker, seconded by Co. Hoehmann, hearing opened 8:45 P.M. On motion of Co. Hoehmann, seconded by Co. Borelli, and unanimously adopted, the public hearing was closed 8:48 P.M.
RESOLUTION NO. (68-2011) adopted.

Supervisor opened the meeting to public comments regarding agenda items.

Guy Gervasi, West Nyack
Questioned Item #2, are promotions due to increased responsibilities?

Stephen Levine, Congers
Asked for clarification on Item 9, defaulting performance bond.

Supervisor Gromack

Regarding Item #2, stated that there are no new positions being created and that these promotions are a result of individuals either working out of title or assuming further responsibilities that qualify them for another title.

Town Attorney Mele

Explained that Item #9 allows Town to default on the performance bond in the Davies Farm Subdivision, however, they met with the developer today who promised to issue a new letter of credit securing those performance obligations prior to March 1.

RESOLUTION NO. (68-2011)

Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION OF THE TOWN BOARD
ADOPTING LOCAL LAW NO. – 2011

WHEREAS, a proposed local law entitled,

"A LOCAL LAW TO ABOLISH THE OFFICE OF THE RECEIVER OF TAXES AND CONSOLIDATE THE DUTIES WITH THE OFFICE OF THE ASSESSOR OF THE TOWN OF CLARKSTOWN"

was introduced by Councilman Frank Borelli, at a Town Board meeting held on December 29, 2010, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on December 29, 2010, directed that a public hearing be held on February 8, 2011, 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 January 28, 2011, 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 January 31, 2011;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. – 2011 entitled:

"A LOCAL LAW TO ABOLISH THE OFFICE OF THE RECEIVER OF TAXES AND CONSOLIDATE THE DUTIES WITH THE OFFICE OF THE ASSESSOR OF THE TOWN OF CLARKSTOWN"

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

Co. LaskerYes
Co. Borelli Yes
Co. Hoehmann Yes
Co. Hausner Yes
Supervisor Gromack Yes

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

RESOLUTION NO. (69-2011)

Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that the Town Board Minutes of January 4, 2011 and January 18, 2011 are hereby accepted as submitted by the Town Clerk.

RESOLUTION NO. (69-2011) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (70-2011)

Co. Hausner offered and Co. Borelli seconded

RESOLVED, that Richard Cummings, 69 Montgomery Street, Goshen, New York 10924 – is hereby appointed to the promotional) (provisional) position of Coordinator, Dispatch-Related Services – Police Department – at the current 2011 salary of \$90,503., - effective February 14, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (71-2011)

Co. Hausner offered and Co. Borelli seconded

RESOLVED, that Margarita A. Sandoval, 5 North Fairview, Nanuet, New York – is hereby appointed to the position of (provisional) Records Clerk Typist (Law Enforcement) – Police Department – at the current 2011 salary of \$54,724, -effective February 14, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (72-2011)

Co. Hausner offered and Co. Borelli seconded

RESOLVED, that Linda E. Willows, 12 Susan Drive, New City, New York – is hereby appointed to the (promotional) (provisional) position of Senior Records Clerk Typist (Law Enforcement) – at the current 2011 salary of \$65,062., – effective February 14, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (73-2011)

Co. Hausner offered and Co. Borelli seconded

RESOLVED, that Elizabeth A. Kelly, 3 Edgebrook Court, New City, New York – is hereby appointed to the (promotional)(provisional) position of Principal Clerk Typist – Department of Environmental Control – at the current 2011 salary of \$57,177., - effective February 14, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (74-2011)

Co. Hausner offered and Co. Borelli seconded

RESOLVED, that Erika A. Moschetti, 23 Kenwood Lane, New City, New York – is hereby appointed to the position of (promotional) (provisional) – Public Information Specialist -Office of the Town Supervisor – at the current 2011 salary of \$85,281., - effective February 14, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (75-2011)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #10100 (Promotional) Personnel Clerk – which contains the name of Frances H. Hunt,

NOW, therefore, be it

RESOLVED, that Frances H. Hunt, 10 Jolen Drive, New City, New York – is hereby appointed to the position of (permanent) Personnel Clerk – Personnel Department – at the current annual salary of \$70,850., - effective and retroactive to January 21, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (76-2011)
Co. Borelli offered and Co. Lasker seconded

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

ID#12-2011 – MAINTENANCE AND REPAIR OF TRAFFIC SIGNALS
AND PEDESTRIAN CONTROL DEVICES

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at _____ 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 Purchasing Department.

On roll call the vote was as follows:

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

RESOLUTION NO. (77-2011)
Co. Borelli offered and Co. Lasker seconded

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

BID#13-2011 – MAINTENANCE AND REPAIR OF STREETScape LIGHTS

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at _____ 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 Purchasing Department.

On roll call the vote was as follows:

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

RESOLUTION NO. (78-2011)
Co. Borelli offered and Co. Lasker seconded

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

BID#15-2011 – TWO (2) PRINOTH MUNICIPAL VEHICLE MODEL SW 4S

RESOLUTION NO. (78-2011) continued

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at _____ 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 Purchasing Department.

On roll call the vote was as follows:

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

RESOLUTION NO. (79-2011)

Co. Lasker offered and Co. Hausner seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR IMPLEMENTING A TOWN PROGRAM THAT WILL PROMOTE CONTROL OF THE CANADIAN GEESE POPULATION

WHEREAS, the Town has previously contracted with wildlife control specialist Thomas J. Maglaras of Nuisance Wildlife Control Agents to implement a program to egg addle Canadian Geese sites throughout the Town under a License granted to the Town by the USDA Wildlife Services in order to promote control of the Canadian Geese population, and

WHEREAS, the Town has received a proposal for a 2011 Canadian Geese Program from Nuisance Wildlife Control Agents, and its past programs have been most successful, and the proposed fee is found to be reasonable along past years' proposals.

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with wildlife control specialist Thomas J. Maglaras, satisfactory to the Town Attorney, to implement a Town program for the control of the Canadian Geese Population during 2011, including a License Agreement with United Water New York Inc., to enter upon its property during implementation of the program, and to take all steps necessary for the Town of Clarkstown to comply with all applicable State and Federal regulations; and be it

FURTHER RESOLVED, that all reasonable expenses in connection with the use of a wildlife control specialist to carry out the Town of Clarkstown program shall not exceed \$10,200.00 and shall be charged to Account No. A-8090-409-0.

On roll call the vote was as follows:

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

RESOLUTION NO. (80-2011)

Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENDED AGREEMENT WITH DEANGELO BROTHERS, INC. IN CONNECTION WITH Resolution 54-2008

Whereas, Resolution 54-2008 awarded the aquatic vegetation control contract to DeAngelo Brothers Inc. for the Aquatic Vegetation Management Program, and

Whereas, the Town of Clarkstown wishes to exercise the option to extend the agreement at the agreed upon extension price of \$45,444.95 for the 2011 and \$45,899.40 for 2012 starting March 1, 2011 until March 1, 2013;

Now, Therefore be it

Resolved, That the Town Board hereby authorizes the Supervisor to execute an agreement with DeAngelo Brothers Inc., in a form approved by he the Town Attorney, to extend the current agreement from March 1, 2011 until March 1, 2013, and all other provisions of the current agreement shall be in full force and effect, at the agreed upon extension price of \$45,444.95 for the 2011 and \$45,899.40 for 2012.

On roll call the vote was as follows:

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

RESOLUTION NO. (81-2011)

Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, by Resolution No. 299-2008 dated May 13, 2008, subsequently amended by Resolution No. 792-2008 dated December 16, 2008, Resolution No. 113-2009 dated February 10, 2009, Resolution No. 528-2009, dated October 20, 2009, and Resolution No. 460-2010, dated September 14, 2010, the Town Board authorized the Supervisor to enter into an agreement with Cambridge Systematics, 38 East 32nd Street, 7th Floor, New York, New York, 10016, to provide certain professional services in connection with the transportation component of the Town's Comprehensive Plan update, and

WHEREAS, the Town has requested a proposal from Cambridge Systematics to provide additional professional services not included in the original scope for Task II of the project, and

WHEREAS, Cambridge Systematics has submitted a proposal dated December 8, 2010 (the "Proposal"), to provide the additional services requested, which the Town Planner has reviewed and found reasonable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an amendment to the contract with Cambridge Systematics to provide additional professional services as per the Proposal, which agreement shall provide among other things, authorization to perform Phase II, Tasks 3,4,5,7 & 8 for the SR-303/304 corridor as well as coordinating land use/zoning recommendations with Rockland County, NYSDOT and NYS Thruway Authority, and be it

FURTHER RESOLVED, that the fee for these additional services shall not exceed the sum of \$112,765, and shall constitute a proper charge to Account No. A-8021-409, and be it

RESOLUTION NO. (81-2011) continued

FURTHER RESOLVED that the Town Board hereby directs the Town Attorney’s Office and the Planning Department to pursue grant funding to offset the cost of the project from organizations, including but not limited to the N.Y.S. Department of Transportation and New York State Metropolitan Transportation Council.

On roll call the vote was as follows:

Co. LaskerYes
Co. Borelli Yes
Co. Hoehmann Yes
Co. Hausner Yes
Supervisor Gromack Yes

RESOLUTION NO. (82-2011)

Co. Hoehmann offered and Co. Borelli 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:

CARMELO SCAFFIDI & SONS BLACKTOPPING, INC.
26 Dickens Street
Stony Point, New York 10980
Eduardo D. Scaffidi, Vice-President

AMERICAN MINUTEMEN SEWER & DRAIN
P. O. Box 2005
New City, New York 10956
Joseph Simonetti, President

CAL MART ENTERPRISES, INC.
4 Burts Road
Congers, New York 10920
Martin Wortendyke, Vice-President

DANNY CLAPP LANDSCAPING, INC.
P.O. Box 222
West Nyack, New York 10994
Daniel Clapp, President

RAINES & WELSH & SONS CONTRACTORS, INC.
P.O. Box 85
Thiells, New York 10984
Thomas Welsh, President

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the issuance of a Certificate of Registration to:

- 11-24 CARMELO SCAFFIDI & SONS BLACKTOPPING, INC.
- 11-25 AMERICAN MINUTEMEN SEWER & DRAIN
- 11-29 CAL MART ENTERPRISES, INC.
- 11-30 DANNY CLAPP LANDSCAPING, INC.
- 11-31 RAINES & WELSH & SONS CONTRACTORS, INC.

On roll call the vote was as follows:

Co. LaskerYes
Co. Borelli Yes
Co. Hoehmann Yes
Co. Hausner Yes
Supervisor Gromack Yes

RESOLUTION NO. (83-2011)
Co. Lasker offered and Co. Borelli seconded

WHEREAS, as a condition to the approval of the final map with regard to a site plan known as United Hospice of Rockland Site Plan (33.12-2-8), United Hospice of Rockland, Inc. provided a deed for road widening and conservation easement to the Town of Clarkstown, 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 January 27, 2011 and a conservation easement dated November 2, 2010 from United Hospice of Rockland, Inc. to the Town of Clarkstown are hereby accepted and ordered recorded in the Rockland County Clerk's Office at the expense of the grantor.

On roll call the vote was as follows:

Co. LaskerYes
Co. Borelli Yes
Co. Hoehmann Yes
Co. Hausner Yes
Supervisor Gromack Yes

RESOLUTION NO. (84-2011)
Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, GLW Developers, LLC obtained approval for the subdivision known as "Davies Farm LLC, Phase II" and as a condition of subdivision approval GLW Developers, LLC., as developer and obligor, provided the Town of Clarkstown with a Letter of Credit No. 2318 from Provident Bank in the principal amount of \$581,884.25, together with its Developer's Performance Bond, to secure completion of the public and other required improvements, and

WHEREAS, Provident Bank amended said Letter of Credit on August 4, 2010 to reflect a firm expiration date of March 1, 2011, and

WHEREAS, by letter dated August 10, 2010, Deputy Town Attorney Daniel N. Kraushaar advised Provident Bank that this amendment was unacceptable and requested a revised amendment consistent with the original letter of credit, to which there was no response, and

WHEREAS, the Deputy Director of the Department of Environmental Control has advised that the developer has failed to faithfully complete its obligations during the two (2) year time period pursuant to the terms of the Developer's Performance Bond and that the letter of credit is still required to secure completion of said obligations, and

WHEREAS, the Deputy Director of the Department of Environmental Control has recommended that the developer be declared in default of its Developer's Performance Bond and that all reasonable steps be taken to secure completion of the improvements by drawing against Letter of Credit No. 2318 the full amount of \$581,884.25 to be held pending completion of the remaining items by the developer or, if necessary, by the Town's contractors in the discretion of the Town Department of Environmental Control;

NOW, THEREFORE, be it

RESOLVED, that unless GLW Developers, LLC provides a renewal of Letter of Credit No. 2318 by February 18, 2011 which includes language making said letter of credit automatically renewable consistent with the original Letter of Credit No. 2318, GLW Developers, LLC, as developer and obligor, is hereby declared in default of its Developer's Performance Bond to complete the public and other required improvements in the Davies Farm LLC, Phase II Subdivision, and the Town Attorney is hereby authorized and directed to take all necessary steps to obtain funds deemed necessary to complete the required public improvements by drawing against Letter of Credit No. 2318 in the principal amount of \$581,884.25, and be it

RESOLUTION NO. (84-2011) continued

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

On roll call the vote was as follows:

Co. LaskerYes
Co. Borelli Yes
Co. Hoehmann Yes
Co. Hausner Yes
Supervisor Gromack Yes

RESOLUTION NO. (85-2011)

Co. Lasker offered and Co. Hausner seconded

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

BID#16-2011 – WEED CONTROL SPRAYING

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at _____ 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 Purchasing Department.

On roll call the vote was as follows:

Co. LaskerYes
Co. Borelli Yes
Co. Hoehmann Yes
Co. Hausner Yes
Supervisor Gromack Yes

RESOLUTION NO. (86-2011)

Co. Lasker offered and Co. Hoehmann 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:

"No Parking Anytime" signs with arrows as per the Manual of Uniform Traffic Control Devices Sec. 221.5, P1-1 signs

1. On the southside of Rockland Avenue, Nanuet, from the dead end of the street East to the first driveway (#29 Rockland Avenue).
2. On the northside of Rockland Avenue, Nanuet, from the dead end of the street East to the first driveway (#28 Rockland Avenue).
3. In the middle of the dead end of Rockland Avenue, Nanuet.

and be it

RESOLUTION NO. (86-2011) continued

FURTHER RESOLVED, that the Town Clerk be directed to forward a copy of this resolution to the Superintendent of Highways, Wayne Ballard, P.E., C.S.P., for implementation.

On roll call the vote was as follows:

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

RESOLUTION NO. (87-2011)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, Yaron and Julie D. Globus, owners of premises located at 12 Beaumont Drive, New City, New York and more particularly described as Tax Map 34.6-3-46, have installed a fence within a Town drainage easement, and

WHEREAS, Dennis M. Letson, P.E., First Deputy Director of the Department of Environmental Control, has investigated this matter and has advised that the encroachment described herein may remain provided the Town retains the right to order the encroachment removed, and the Town Attorney has advised that a revocable license agreement may be used to effectuate such arrangement;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a revocable license agreement with the property owners, in a recordable form approved by the Town Attorney, granting a license terminable on ten (10) days written notice, to authorize the fence to remain in the Town's drainage easement, located at 12 Beaumont Drive, New City, New York and more particularly described as Tax Map 34.6-3-46, and be it

FURTHER RESOLVED, that such agreement shall also provide that the property owners or successors shall indemnify and save harmless the Town of Clarkstown from any and all claims, or causes of action, or any liability against the Town of Clarkstown, arising out of the encroachment or license to maintain same.

On roll call the vote was as follows:

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

RESOLUTION NO. (88-2011)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, by Resolution No. 604-2006, the Town Board authorized the Supervisor to enter into an agreement with Mayo, Lynch and Associates to provide professional engineering services and to prepare plans in connection with the Congers Lake North End Boardwalk; and

WHEREAS, by Resolution No. 439-2007, the Town Board authorized the Supervisor to enter into an agreement with Mayo, Lynch and Associates to provide professional engineering services in connection with the Congers Lake Dam; and

WHEREAS, Mayo, Lynch and Associates, Inc. has provided a proposal, dated January 18, 2011, to provide Construction Administration services which the Superintendent of Recreation and Parks has reviewed and found reasonable in terms of scope and price;

RESOLUTION NO. (88-2011) continued

NOW, THEREFORE, be it

RESOLVED that the Supervisor is hereby authorized to enter into an agreement with Mayo, Lynch and Associates, Inc./ L+C Design Consultants, PC (MLA), in a form approved by the Town Attorney, to provide continued professional engineering and design services during the construction phase of Congers Lake Earthen Dam and Gilchrist Road Dike Improvements and Congers Lake North End Trailway and Parking Lot projects as per their proposal, and be it

FURTHER RESOLVED, that the fee for services in connection with the Congers Lake Earthen Dam and Gilchrist Road Dike Improvements shall not exceed the sum of \$123,040.00 and shall be a proper charge to Account No. H8741-409-0-23-2, and be it

FURTHER RESOLVED, that the fee for services in connection with the Congers Lake North End Trailway and Parking Lot project shall not exceed the sum of \$109,540.00 and shall be a proper charge to Account No. H8736-409-0-67-19.

On roll call the vote was as follows:

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

RESOLUTION NO. (89-2011)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, the TOWN OF CLARKSTOWN, herein called the "Municipality," after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachment for the CLARKSTOWN SANITARY LANDFILL, Site No. 344001, herein called the "Project," is desirable, is in the public interest, and is required in order to implement the Project, and

WHEREAS, Article 27-1313 of the Environmental Conservation Law (ECL) authorizes State assistance to municipalities for Inactive Hazardous Waste Disposal Site Remedial Program Municipal Assistance projects by means of a State Assistance Contract (SAC) and the Municipality deems it to be in the public interest and benefit under this law to enter into contract therewith;

NOW, THEREFORE, be it resolved by the TOWN BOARD OF THE TOWN OF CLARKSTOWN:

- (1) That Alexander J. Gromack, Supervisor of the Town of Clarkstown, is the representative authorized to act in behalf of the Municipality in all matters related to this project. The representative is authorized to make application, execute the State Assistance Contract, sign requests for reimbursement and submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project.
- (2) That the Municipality understands it is responsible for 100% of the eligible incurred costs of the Project in the first instance and must submit appropriate payment request to be reimbursed for an amount not to exceed 75% of the eligible incurred costs of the Project resulting in the Municipality ultimately funding its share of the eligible incurred costs.

On roll call the vote was as follows:

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

RESOLUTION NO. (90-2011)
Co. Hoehmann offered and Co. Borelli seconded

RESOLUTION AUTHORIZING AN AGREEMENT WITH
HUDSON MICROIMAGING, INC. FOR A RECORDS
DIGITIZATION PROJECT IN THE CLARKSTOWN JUSTICE COURT

WHEREAS, the Town has been awarded a Grant from the New York State Education Department for digitization of records in the Clarkstown Justice Court System, and

WHEREAS, Hudson Microimaging, Inc. has previously satisfactorily completed a microfilm project for the records collections in the Clarkstown Justice Court, and

WHEREAS, Hudson Microimaging, Inc has made a proposal dated January 4, 2011 for the digitization of Clarkstown Justice Court records project.

NOW THEREFORE, BE IT RESOLVED that based upon the recommendation of the Clarkstown Justice Court Clerk, the Supervisor is hereby authorized to enter into an agreement with Hudson Microimaging, Inc. as per their total project cost not to exceed the amount of \$6,170.04, and be it

FURTHER RESOLVED, that this shall constitute a proper charge to account number H8758-409-0-82-37.

On roll call the vote was as follows:

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

RESOLUTION NO. (91-2011)
Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING DAYS INN
(Tax Map(s) 57.19-1-21 & 25)

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, DAYS INN against THE BOARD OF ASSESSORS AND/OR THE ASSESSOR OF THE TOWN OF CLARKSTOWN AND THE BOARD OF ASSESSMENT REVIEW, Index No(s). 5919/2007, 7099/2008, 6788/2009 and 7630/2010, affecting parcel designated as Tax Map 57.19-1-21 & 25, and more commonly known as 367 Route 59 West, Nanuet, New York, for the year(s) 2007/2008, 2008/2009, 2009/2010, 2010/2011, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice pursuant to Section 727 of Real Property Tax Law of the State of New York and without costs on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the East Ramapo School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it
RESOLVED, that:

RESOLUTION NO. (91-2011) continued

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 57.19-1-21 be reduced for the year(s) 2007/08 from \$329,400.00 to \$296,500.00 at a cost to the Town of \$691.55;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 57.19-1-21 be reduced for the year(s) 2008/09 from \$329,400.00 to \$304,700.00 at a cost to the Town of \$503.50;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 57.19-1-21 be reduced for the year(s) 2009/10 from \$329,400.00 to \$303,000.00 at a cost to the Town of \$588.12;

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 57.19-1-21 be reduced for the year(s) 2010/11 from \$329,400.00 to \$312,900.00 at a cost to the Town of \$389.17;

5. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 57.19-1-21 for the year(s) 2006/07;

6. Reimbursement for the year(s) 2007/08; 2008/09; 2009/10 and 2010/11 on the parcel described as Tax Map 57.19-1-21, as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

7. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 57.19-1-25 for the year(s) 2007/08; 2008/09; 2009/10 and 2010/11;

8. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and Tax Certiorari Counsel for the Town of Clarkstown is authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows:

Co. LaskerYes
Co. Borelli Yes
Co. Hoehmann Yes
Co. Hausner Yes
Supervisor Gromack Yes

RESOLUTION NO. (92-2011)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, WW. SOUTH MAIN LLC against THE ASSESSOR OF THE TOWN OF CLARKSTOWN, THE BOARD OF REVIEW OF THE TOWN OF CLARKSTOWN and THE TOWN OF CLARKSTOWN, Index No(s). 5774/07, 6867/08, 6893/09 and 7939/10, affecting parcel designated as Tax Map 51.7-1-13 and more commonly known as 270 South Main Street, New City, New York for the year(s) 2005/06; 2006/07; 2007/08; 2008/09; 2009/10 and 2010/11, and 280 SOUTH MAIN LLC against THE ASSESSOR OF THE TOWN OF CLARKSTOWN, THE BOARD OF REVIEW OF THE TOWN OF CLARKSTOWN and THE TOWN OF CLARKSTOWN, Index No(s). 4958/05, 5506/06, affecting parcel designated as Tax Map 51.7-1-14 and more commonly known as 280-300 South Main Street, New City, New York, for the year(s) 2005/06; 2006/07; 2007/08; 2008/09; 2009/10 and 2010/11, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice pursuant to Section 727 of Real Property Tax Law of the State of New York and without costs on the terms and conditions set forth herein, and

RESOLUTION NO. (92-2011) continued

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Clarkstown School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it
RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 51.7-1-13 be reduced for the year(s) 2007/08; 2008/09; 2009/10 and 2010/11 from \$179,200.00 to \$170,250.00 at a combined cost to the Town of \$781.05;

2. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 51.7-1-13 for the year(s) 2005/06 and 2006/07;

3. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 51.7-1-14 for the year(s) 2005/06; 2006/07; 2007/08; 2008/09, 2009/10 and 2010/11;

4. Reimbursement for the year(s) 2007/08; 2008/09, 2009/10 and 2010/11, on the parcels described as Tax Map 51.7-1-13 as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

5. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and Tax Certiorari Counsel for the Town of Clarkstown is authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows:

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

RESOLUTION NO. (93-2011)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, American Continental Properties, Inc./Rockland Center Assoc. LLC c/o American Continental Properties, Inc. and Rockland Center Associates, LLC against The Assessor, The Board of Assessors and The Board of Assessment Review of The Town of Clarkstown and The Town of Clarkstown, Index No(s). 4845/05, 5931/06, 5702/07, 7233/08, 6953/09 and 7546/10, affecting parcels designated as Tax Map(s) 64.5-2-26 and 64.5-2-26.3, and more commonly known as 205-255 E. Route 59, Nanuet, New York for the year(s) 2005/06 2006/07, 2007/08, 2008/09, 2009/10 and 2010/11, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice pursuant to Section 727 of Real Property Tax Law of the State of New York and without costs on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Nanuet Union Free School District, who believe the best interests of the Town and the School District are being served;

RESOLUTION NO. (93-2011)continued

NOW, THEREFORE, be it
RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 64.5-2-26 be reduced for the year(s) 2006/07 from \$10,019,100.00 to \$8,976,730.00 at a cost to the Town of \$19,412.38;
2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 64.5-2-26 be reduced for the year(s) 2007/08 from \$10,019,100.00 to \$8,664,019.00 at a cost to the Town of \$28,483.63;
3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 64.5-2-26 be reduced for the year(s) 2008/09 from \$10,019,100.00 to \$8,924,611.00 at a cost to the Town of \$22,310.69;
4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 64.5-2-26 be reduced for the year(s) 2009/10 from \$10,019,100.00 to \$8, 924,611.00 at a cost to the Town of \$24,382.37;
5. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 64.5-2-26 be reduced for the year(s) 2010/10 from \$10,019,100.00 to \$8,299,200.00 at a cost to the Town of \$40,565.51;
6. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 64.5-2-26 for the year(s) 2005/06;
7. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 64.5-2-26.3 for the year(s) 2005/06; 2006/07; 2007/08; 2008/09; 2009/10, and 2010/11;
8. Reimbursement for the year(s) 2006 through 2011 on the parcel described as Tax Map 64.5-2-26, as stated above, be made within ninety (90) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;
9. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and Tax Certiorari Counsel for the Town of Clarkstown is authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows:

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

RESOLUTION NO. (94-2011)

Co. Borelli offered and Co. Hausner seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXTEND THE SERVICE AGREEMENT FOR ENVIRONMENTAL MONITORING AT THE CLARKSTOWN SANITARY LANDFILL, WEST NYACK, NEW YORK

WHEREAS, H2M Architects and Engineers, currently provides environmental monitoring services at the Clarkstown Sanitary Landfill, and

WHEREAS, the current contract between H2M Architects and Engineers and the Town of Clarkstown expired December 31, 2010, and

RESOLUTION NO. (94-2011) continued

WHEREAS, H2M Architects and Engineers has submitted a proposal dated October 15, 2010 for an extension of the current contract through December 2015, and

WHEREAS, the proposal provides for a three and one half percent (3 ½%) increase from January 2011 through December 2011 and a three percent (3%) increase per year for each successive year of the contract, and

WHEREAS, the Deputy Director of Operations for the Department of Environmental Control has reviewed the proposal and finds it to be acceptable.

NOW, THEREFORE, BE IT

RESOLVED, that based upon the recommendation of the Deputy Director of Operations, Department of Environmental Control, that the current contract between the Town of Clarkstown and H2M Architects and Engineers, 175 Pinelawn Road, Suite 308, Melville, NY 11747, be extended to December 31, 2015, and

BE IT FURTHER RESOLVED, that the total cost for the monitoring services shall be as follows and shall be a proper charge to account SR 8160 409.

January 1,2011 through December 31, 2011	\$16,590.00
January 1,2012 through December 31, 2012	\$17,087.70
January 1,2013 through December 31, 2013	\$17,600.33
January 1,2014 through December 31, 2014	\$18,128.34
January 1,2015 through December 31, 2015	\$ 18,672.19

On roll call the vote was as follows:

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

RESOLUTION NO. (95-2011)

Co. Hausner offered and Co. Hoehmann seconded

STANDARD WORK DAY and REPORTING RESOLUTION

BE IT RESOLVED, that the Town of Clarkstown hereby established the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body.

Title	Name	Social Security Number (Last 4 digits) On File	Registration Number On File	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (Based on Record of Activities)
APPOINTED OFFICIALS							
Deputy Town Attorney	Keith J. Cornell	"	"	7	05/10/10 – 12/31/11	Y	N/A

RESOLUTION NO. (95-2011) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (96-2011)

Co. Hoehmann offered and Co. Lasker seconded

RESOLUTION AUTHORIZING EXECUTION AND ACCEPTANCE OF
 STORMWATER MAINTENANCE AGREEMENT REGARDING
 ORANGE & ROCKLAND UTILITIES-SNAKE HILL SUBSTATION SITE PLAN
 (59.13-1-33 & 36)

WHEREAS, based upon the recommendation of the Department of Environmental Control and as a condition to the approval of the final map by the Planning Board with regard to the Orange & Rockland Utilities-Snake Hill Substation site plan (59.13-1-33 & 36), Tilcon New York, Inc., as owner, and Orange & Rockland Utilities, as grantee of easement, have provided a stormwater control facility maintenance agreement, and

WHEREAS, the Department of Environmental Control has recommended acceptance of said conveyance; and the Town Attorney has advised that the document is in proper legal form;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to execute said stormwater control facility maintenance agreement, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the stormwater control facility maintenance agreement from Tilcon New York, Inc., as owner, and Orange & Rockland Utilities, as grantee of easement, in connection with the Orange & Rockland Utilities-Snake Hill Substation site plan and orders it recorded in the Rockland County Clerk's Office, subject to the receipt of recording fees.

On roll call the vote was as follows:

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

RESOLUTION NO. (97-2011)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Town has received \$217,557 from the County of Rockland as part of its share of Seized Funds,

NOW THEREFORE BE IT RESOLVED, to increase Revenue Account A-01-11-4320-0 (General Fund-seized Property) by \$217,557 and Budgetary Accounts A-3120-203-0 (Police-Motor Vehicles) by \$187, 557 and A-3120-293-0 (Police-Law Enforcement Equipment) by \$30,000.

RESOLUTION NO. (97-2011) continued

On roll call the vote was as follows:

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

The Supervisor opened the meeting for general public comments.

Mike Hoffman

He is on the Board of West Nyack Little League and he thanked the Board for funding the expansion of the field at Germonds Park.

Kevin Hobbs, New City

Submitted a prepared statement with questions about the retirees who had been rehired in the Comptroller's office, about design defects for South Main Street, about increased liability due to South Main Street revitalization and the cost of snow removal there and about the cost of color glossy mailings. He also asked why the Clerk of the Works does not attend Town Board meetings.

Guy Gervasi, West Nyack

Questioned the salary of the Deputy Supervisor, Deputy Comptroller, Advisory Board Vice Chairmen, and the Director of the Senior Citizen Show.

Steven Levine, Congers

Thanked Wayne Ballard and the highway department for an outstanding job this winter. He asked if the Town Board has considered more energy efficient vehicles and asked if we have looked into reevaluating the \$50 Zoning Board fee.

Alex Rusiecki, New City

He expressed his gratitude for the zero percent increase in the budget. Supports the residential apartment units proposed for the businesses on Main Street.

Amy Durbin, Congers

Clarkstown Taxpayers applauds consolidation of Receiver and Assessor Offices but feels further consolidation is necessary. Suggested consolidation of town garages and said Clerk of the Works, Maintenance and Environmental Control should also consolidated. Asked if this had been considered.

Marge Hook, New City

Since Hi Tor animal care center will no longer accept wildlife from the Clarkstown Animal Control Officer, she feels the fees paid to them by Clarkstown should now be reduced. She expressed concerns about police having to be called upon to shoot animals suspected of having rabies, rather than having the animal transported to the animal center for disposition.

Barry Golberg, Goshen

Read and submitted a letter regarding documents relating to property at 139 and 141 Massachusetts Avenue.

Supervisor Gromack

Thanked Mr. Hoffman for his comments about the Germonds Park baseball field.

Regarding Mr. Hobbs question on Item #1, there are still 2 part time people working out of Comptroller's office, the other individuals that were filling in for people that resigned with the early retirement are no longer on the payroll. He does not believe there are any design defects on South Main Street, everything that we have heard is that it has turned

out to be a beautiful project. As far as increased liability, our insurance policy has not gone up due to this project. As far as additional snow removal costs, this was covered by overall snow removal budget and there were no additional costs because of this project. On March 31 there will be an open meeting to discuss Phase II of the project. Regarding the mailings with pictures, he feels it is important to get information out to the public and to let people know who their Town officials are. As far as Department Head attending Town Board meetings, usually they attend the meeting based on his request that they be here in case there are specific questions they may have to answer. If there is a subject that would require the Clerk of the Works to be at the meeting he would be notified and he would be in attendance.

Regarding Mr. Gervasi's questions, Town Board members are working in excess of 35 hours, and the Deputy Supervisor has additional responsibilities above and beyond the council position. The Deputy Comptroller position was a result of consolidating another position which resulted in a reduction in costs. Regarding the three vice-chairmen, two have been grandfathered in and the other one was just appointed at no additional compensation. As far as the two that are compensated, once they are grandfathered out, we will not refill with paid positions. Regarding John Maloney, director of Senior Citizen show, he has taken over this position which has been a paid position for 35 years and he works much more than 40 days at this. Regarding hidden items in the budget, there are no hidden items, if it is in the budget you can find it.

In regard to Mr. Levine's suggestion regarding hybrid vehicles, we have purchased some and, when we have to replace vehicles, where we can get energy efficient vehicles, we will. The \$50 fee for ZBA is something that is currently being looked at as part of the consolidated fee schedule.

He thanked Mr. Rusieck who spoke about the zero percent budget increase and recognized his support for the proposed residential units on Main Street.

He addressed Ms. Durbin's comments on consolidation stating that the Town has looked at further consolidations, there are studies being done, and he feels there will be more opportunities to save in that area.

Town Attorney Mele

Addressed Ms. Hook's comments regarding the Hi Tor Animal Shelter and stated she will be addressing the issues raised during the new contract negotiations.

Supervisor Gromack

Thanked the Receiver of Taxes, Loretta Raimone, and her staff for their support and participation with regard to the consolidation process.

He assured Mr. Goldberg that he is welcome to come to the meetings however, if he feels he has been wronged by the Town, he should address it in court. He reiterated that the Town would not be giving him compensation unless ordered to do so by a judge.

There being no one further wishing to speak, on motion of Co. Hoehmann, seconded by Co. Lasker and unanimously adopted, the Town Board adjourned to Executive Session. At the conclusion of the Executive Session the Town Board returned and on motion of Co. Hoehman seconded by Co. Lasker the Town Board Meeting was closed, time: 9:45 P.M.

Respectfully submitted,

Justin Sweet
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

2/08/11

8:45 P.M

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

RE: Proposed Local Law entitled Petition of Proposed Local Law entitled: "A Local Law to Abolish the Office of the Receiver of Taxes and Consolidate the Duties with the Office of the Assessor of the Town of Clarkstown".

Town Clerk read notice of public hearing. On motion of Co. Lasker , seconded by Co. Hoehmann, the public hearing was declared open.

The Town Attorney explained that as part of this Board's continuing effort toward consolidation an opportunity was identified to consolidate the Office of the Receiver of Taxes with the Office of the Assessor. The consolidation would not occur until the end of the Receiver of Taxes term of office. Abolishing of an elected office is subject to a mandatory referendum so this local law simply states that the local law will be subject to mandatory referendum at the next regularly scheduled general election on November 8, 2011 and will take effect upon the following conditions:

- 1 The vote of the majority of the qualified electors voting in the general election
- 2 The filing with the office of Secretary of State.
- 3 The effective date of January 1, 2014

The local law can be voted on tonight with the caveat that it will not be come effective until those three conditions are met.

Supervisor opened the meeting for public comment.

Steve Levine, Congers

He supports consolidation but expressed concerns for the civil servants working for the Receiver's Office. He hoped they would not be laid off but would be incorporated into whatever new department is in place.

Supervisor explained that there is a committee in place to work out the mechanics of the consolidation.

There being no one further wishing to be heard, on motion of Co. Hoehmann, seconded by Co. Borelli and unanimously adopted, the public hearing was closed, time: 8:48 P.M.

(RESOLUTION NO.68-2011 adopted.)

Respectfully submitted,

Justin Sweet
Town Clerk