

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

03/15/2011

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. Assemblage saluted the flag. Town Clerk read the roll call.

PROMOTION CEREMONY: Appointment of Michael R. Sullivan, to Clarkstown Police Chief and appointment of Anthony Ovchinnikoff to Police Captain.

Police Chaplain David Lothrop served as Master of Ceremony. He welcomed Wayne Ballard, Superintendent of Highways and Loretta Raimone, Receiver of Taxes. Representing Rockland Count Sheriff's Department were Sheriff James Kralik and Chief of Patrol, Louis Falco. Representing the Clarkstown Police Benevolent Association were Dave Trois, President; Detective Earl Lorence, Vice President; Police Officer Joseph Donnary, Secretary; Sgt. Joe Reiter, Treasurer and Christopher Brigando, Sargeant at Arms. Representing Clarkstown were Capt. Robert Mahon and retired chief, Peter Noonan. Also in attendance were Haverstraw Police Chief Charles Miller, Ramapo Police Chief Peter Brower, Stony Point Police Chief Patrick Brophy, Orangetown Police Chief Kevin Nulty, South Nyack/Grandview Police Chief Robert Van Cura, and Piermont Police Chief Michael O'Shea. Representing New York State Police was Lieutenant Mike Greco. The Clarkstown Police Honor Guard presented the colors and members of the Rockland County Emerald Society performed. Retired Police Chief, Peter Noonan, led the assemblage in the Pledge of Allegiance. A moment of silence was observed for those in our military and for those serving in law enforcement who have died or been injured as well as for the victims of the recent earthquake and tsunami in Japan.

Retired Chief Peter Noonan thanked the Town Board, the police, community volunteers, and the other police chiefs in the county for their support during his term as chief. He welcomed the family and friends of Michael Sullivan and Anthony Ovchinnikoff to tonight's ceremony and wished them both the best.

Rev. Lothrop introduced Michael Sullivan and the Town Board voted unanimously on his appointment to the position of Police Chief. Capt. Sullivan was joined by his wife, Eileen, his parents Flip and Karen and his sons, Michael and Christopher. Michael's father, a retired Clarkstown Police Lieutenant, held the bible as Supervisor Gromack swore in the new Police Chief.

Rev. Lothrop introduced Anthony Ovchinnikoff and the Town Board voted unanimously on his appointment to the position of Police Captain. Lt. Ovchinnikoff was joined by his wife, Liz, daughter, Sarah, sons Christopher and Michael and father, Larry. Anthony's daughter held the bible as Co. Borelli swore in the new Police Captain.

Chief Michael Sullivan was invited to speak. He thanked everyone for coming, the other Chiefs of Police, the District Attorney, the Sheriff and all the other dignitaries. He thanked Rev. Lothrop, the Emerald Society Band, the Clarkstown Honor Guard, and the volunteer Fire Department and he congratulated Capt. Ovchinnikoff. He thanked the Town Board for his appointment. He thanked all of the other Clarkstown employees outside of law enforcement that he has worked with during the past few years. He thanked his father, retired Lt. Flip Sullivan and retired chief, Peter Noonan. He talked of the young men and women coming on the force today and about how much is required of them in today's world and he is confident that the Clarkstown Police Department is as ready and able as any police department in the world because they pride themselves not

on fixing yesterday’s problems but on anticipating and preparing for tomorrow’s. He acknowledged and appreciated the community support that has allowed the Clarkstown Police Department to reach this level of professionalism. He stated that tonight is not about his appointment, rather about the men and women of the police department that are on the front lines everyday. He ended his comments by reading an Irish blessing applicable to the men and women in public safety today.

Dave Trois, President Clarkstown Police Benevolent Association, congratulated retired Police Chief, Peter Noonan. He congratulated Chief Sullivan and Captain Ovchinnikoff and expressed support for their appointments.

Jesse Malowitz, representing Senator David Carlucci and Dan Moscato, representing Assemblyman Ken Zebrowski, made presentations to Chief Sullivan and Captain Ovchinnikoff.

Supervisor Gromack and each member of the Town Board thanked all in attendance and congratulated and thanked Retired Chief Peter Noonan for his service. They also congratulated Chief Sullivan and Captain Ovchinnikoff on their appointments. They all spoke of the excellence and professionalism of the Clarkstown Police Department. This concluded the special presentation.

Supervisor opened the Town Board Meeting to public comments regarding agenda items.

Amy Durbin, Congers

Asked for an explanation of Item #15, side letter of agreement.

Town Attorney Mele explained that this was regarding a clarification of the PBA contract about the total number of sick days that could be accumulated and the total that could be cashed out per year. The contract always called for a certain maximum number of days and there was some ambiguity as to how many could be cashed out during the year. It is in the Town’s benefit that more be cashed out earlier rather than upon retirement, so this side letter allows for cash outs earlier on so that there are not as many cash outs at the higher rate at retirement.

Steven Levine, Congers

Questioned Item #2A, Site Agreement with New Cingular Wireless; Item # 5, Procomm Systems Default and Item #12B, Renovations to Fire Inspector’s office.

Regarding Item #2A, Town Attorney Mele explained there is already a wireless communications tower in Germonds Park. This just allows adding an antenna to an already existing tower and it will generate revenue to the Town on an annual basis. Regarding Item #5 this is the company that installed some of the wiring and equipment on our emergency communications tower on Mountainview Ave.; we are still having problems that have not been rectified. Regarding Item #12B, the Fire Inspector’s office was one of the last remnants of Town Hall that have yet to undergo any renovations. This is only authorizing us to go out to bid; we won’t know what the costs are until we go out to bid.

RESOLUTION NO. (98-2011)
Co. Lasker offered and Co. Borelli seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #08068 Police Chief –Police Department – which contains the name of Michael R. Sullivan,

RESOLUTION NO. (98-2011) continued

NOW, therefore, be it

RESOLVED, that Michael R. Sullivan, 3 Elmsford Drive, New City, New York – is hereby appointed to the position of (permanent) Police Chief – Clarkstown Police Department – effective and retroactive to February 27, 2011 – at a salary which will be determined upon the agreement and the signing of the new contract between the Town Board and Chief of Police Michael R. Sullivan.

On roll call the vote was as follows:

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

RESOLUTION NO. (99-2011)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #09109 Police Captain Police Department – which contains the name of Anthony Ovchinnikoff,

NOW, therefore, be it

RESOLVED, that Anthony Ovchinnikoff, 2 Arlington Drive, Harriman, New York – is hereby appointed to the position of (contingent-permanent) Police Captain – Clarkstown Police Department – effective and retroactive to February 27, 2011 – at a salary which will be determined upon the agreement and the signing of the new contract between the Town Board, the Police Chief and Police Captain Anthony Ovchinnikoff.

On roll call the vote was as follows:

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

RESOLUTION NO. (100-2011)

Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that the Town Board Minutes of February 8, 2011 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (101-2011)
Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, the discontinuance of park lands identified for use for wireless communication purposes has been authorized by Chapter 542, Laws of the State of New York, approved by the Governor on September 28, 2004, and

WHEREAS, the Town of Clarkstown entered into a site agreement with Sprint Spectrum, which provides for the lease of approximately 5916 Sq. Ft. of land formerly part of Germonds Park for the construction and maintenance of a cell tower together with an easement for access and utilities (Sprint Site ID No. NY26XC375), and

WHEREAS, NEW CINGULAR WIRELESS PCS, LLC has submitted a request to lease a part of the premises for the construction and maintenance of an antenna on the tower maintained by Sprint along with associated storage facilities;

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of Deputy Town Attorney Daniel N. Kraushaar, the Supervisor is hereby authorized to execute a site lease agreement with NEW CINGULAR WIRELESS PCS, LLC, in a form approved by the Town Attorney, which provides for payment of \$1,265.33 per month to the Town of Clarkstown, subject to NEW CINGULAR WIRELESS PCS, LLC complying with the following conditions:

1. Insurance certificate naming Town as additional insured in the amount of \$1,000,000/\$2,000,000;
2. Security deposit in the amount of \$10,000.00, in a form approved by the Town Attorney's Office, as security for the removal of the Tenant's facilities;
3. A check in the amount of \$1,000 made payable to the Town of Clarkstown for the "Option Fee" provided in Section 1(a) of the lease;
4. A check in the sum of \$1,000 payable to Town of Clarkstown as a signing bonus for a lease fully executed by March 20, 2011 as provided for in Section 18 (n) of the Lease;
5. A check in the amount of \$5,000 made payable to the Town of Clarkstown within ten business days of Tenant receiving two copies of the fully executed lease as and for the "administrative and filing fee" provided in Section 19 of the aforementioned Site Lease Agreement.

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. (102-2011)
Co. Lasker offered and Co. Hoehmann seconded

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 United Hospice of Rockland site plan (33.12-2-8), United Hospice of Rockland, Inc. has 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;

RESOLUTION NO. (102-2011) continued

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to execute the 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 United Hospice of Rockland, Inc. in connection with the United Hospice of Rockland 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. LaskerYes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner Yes
- Supervisor Gromack Yes

RESOLUTION NO. (103-2011)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, the Director of Automated Systems has recommended to the Town Board technological improvements which are necessary to establish a secure offsite disaster recovery facility for critical data, and

WHEREAS, the Director of Automated Systems sought proposals from three (3) qualified firms to provide this service, and

WHEREAS, Frontline Data Services, Inc. has submitted a proposal which the Director of Automated Systems has determined acceptable in terms of cost and scope,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Frontline Data Services, Inc., 100 Dutch Hill Road, Orangeburg, NY 10962 to provide the necessary technological improvements and monthly off site data storage, and be it

FURTHER RESOLVED, that the total cost for the initial setup and installation shall not exceed \$59,000.00 without further authorization of the Board and shall constitute a proper charge to capital account H-8759-409-0-82-38 funded through the issuance of serial bonds, and be it

FURTHER RESOLVED, that the monthly charge of \$3075.00 shall be a proper charge to account A-1680-409 and that all hardware, software and services shall be purchased via approved current New York State Office of General Services contracts.

On roll call the vote was as follows:

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

RESOLUTION NO. (104-2011)
Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, the Rockland County Youth Bureau has created a Rockland Environmental Corps which is staffed with Americorps members to participate in a service-oriented, educational and environmentally beneficial program and it has proposed to provide Americorps members under the direction of the Town Planner to participate in the collection of data for application within the Town of Clarkstown Geographic Information System (GIS) and work related to the implementation Town of Clarkstown Comprehensive Plan, and

WHEREAS, the Town will require assistance in collecting spatial data in the field and processing and applying this data into the GIS, and

WHEREAS, the Town will require assistance in researching and organizing information to aid in the implementation of the Town of Clarkstown Comprehensive Plan, and

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

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

NOW THEREFORE BE IT RESOLVED that the Supervisor is hereby authorized to enter into an agreement with the County of Rockland County, acting on behalf of the Youth Bureau/Rockland County Americorps, for the calendar year ending August 31, 2011, in a form approved by the Town Attorney, to utilize the service of not more than two (2) Americorps members to participate in the collection of data for application within the Town of Clarkstown Geographic Information System (GIS) and work related to the implementation Town of Clarkstown Comprehensive Plan, for a program total not to exceed 250 service hours for each member at a cost not to exceed \$3,000, and

BE IT FURTHER RESOLVED that said fee shall constitute a proper charge to Account No. B -8020-409.

On roll call the vote was as follows:

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

RESOLUTION NO. (105-2011)
Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, by Resolution No. 80-2011, the Town Board authorized extending the agreement with DeAngelo Brothers Inc. with regard to the Aquatic Vegetation Management Program, and

WHEREAS, the Town Board wishes to clarify how the extension of the agreement will be funded;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 80-2011 to state that the extension price of \$45,444.95 for the 2011 year shall be funded through money in lieu of land as a proper charge to Account No. A-7140-409 and \$45,899.40 for the 2012 year shall be a proper charge to Account No. A-7140-409.

On roll call the vote was as follows:

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

RESOLUTION NO. (106-2011)
Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, by Resolution No. 184-2009, adopted April 21, 2009, the Town entered into an agreement with Orange and Rockland Utilities, Inc. (“O&R”) by which the Town would participate in O&R’s Light-Emitting Diode (“LED”) Street Light Pilot Program to determine the feasibility of installing LED street lights on the O&R system, and

WHEREAS, by Resolution No. 565-2010, adopted November 4, 2010, O&R and the Town entered into an amended agreement extending the term of the agreement from October 8, 2010 until September 30, 2011, and,

WHEREAS, O&R and the Town wish to amend certain conditions of the agreement to include three additional LED street lights on O&R poles on Maple Avenue, New City, New City;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a second amendment to agreement, in a form acceptable to the Town Attorney, with Orange and Rockland Utilities, Inc. to replace an additional three existing street lights with LED street lights on poles which are located on Maple Avenue, New City.

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. (107-2011)
Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, the Chief Fire Safety Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 278 Sec 13, of the Code of the Town of Clarkstown, at

81 SMITH ST.
NANUET, NY 10954
32-B-8.1
64.10-1-2

By the installation of fire lane designations, and

WHEREAS, DAVID J. SORBARO, OWNER OF PROPERTY, has requested the Clarkstown designate said fire lanes;

NOW, THEREFORE BE IT RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Chief Fire Safety Inspector with regard to the installation of conforming fire lane designations be installed by and at the expense of the owner of such property upon there review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

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. (108-2011)
Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, Procomm Systems, Inc. has failed to perform in accordance with the provisions of its contract awarded pursuant to Bid # 31-2007 (Emergency Communications Tower Facility);

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby declares Procomm Systems, Inc. to be in default of its contract, and be it

FURTHER RESOLVED, that the Town Attorney take all necessary steps to proceed against Maintenance Bond No. 4-022-426, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to January 13, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (109-2011)
Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that the resignation by (retirement) of Peter T. Noonan, 11 Atlantic Avenue, Nanuet, New York Police Chief – Clarkstown Police Department – is hereby accepted – effective and retroactive to February 27, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (110-2011)
Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #08034 – Senior Recreation Leader – which contains the name of John F. Walsh Jr.,

NOW, therefore, be it

RESOLVED, that John F. Walsh Jr., 209 Radcliff Drive, Upper Nyack, New York – is hereby appointed (permanent) to the position of Senior Recreation Leader – Parks Board and Recreation Department – (transferring from the Maintenance Department as a Maintenance Helper) – at the current 2011 annual salary of \$49,141., - effective and retroactive to March 14, 2011.

RESOLUTION NO. (110-2011) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (111-2011)

Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that Brian Butrico, 61 Zukor Road, New City, New York – is hereby appointed to the position of Senior Groundswoker – Parks Board and Recreation Department at the current 2011 annual salary of \$41,328., – effective March 16, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (112-2011)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, the Rockland County Personnel Office has certified on January 27, 2011, that the position of Clerk Typist #501075 – can be reclassified to the position of Senior Clerk Typist,

NOW, therefore, be it

RESOLVED, that the position of Clerk Typist – is hereby reclassified to the position of Senior Clerk Typist – Building Department – effective and retroactive to March 14, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (113-2011)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #08079 Senior Clerk Typist - which contains the name of Beth A. Malone,

NOW, therefore, be it

RESOLUTION NO. (113-2011) continued

RESOLVED, that Beth A. Malone, 15 Pine Avenue, Congers, New York – is hereby appointed to the position of (promotional) (permanent) Senior Clerk Typist – Building Department – at the current 2011 annual salary of 45,958., - effective and retroactive to March 14, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (114-2011)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #11061 (NCP T&E)Public Information Specialist – which contains the name of Erika A. Moschetti,

NOW, therefore, be it

RESOLVED, that Erika A. Moschetti, 23 Kenwood Lane, New City, New York – is hereby appointed to the position of (promotional) (permanent) Public Information Specialist – Office of the Town Supervisor – at the current 2011 annual salary of \$85,281., effective and retroactive to March 15, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (115-2011)

Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that Robert Knight, 18 Gilchrest Road, Congers, New York – is hereby reappointed to the position of Member – Historical Review Board – at the 2011 annual salary of \$2,000., - term effective and retroactive to January 1, 2011 and to expire on December 31, 2012.

On roll call the vote was as follows:

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

RESOLUTION NO. (116-2011)
Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that Robert Knight, 18 Gilcrest Road, Congers, New York, is hereby appointed to the position of Chairman – Historical Review Board – to serve without Compensation – for the year 2011 – with such appointment to be effective and retroactive to January 1, 2011 and to expire at 12:01 a.m. on January 1, 2012, and be it,

FURTHER RESOLVED, that Robert Knight, as Chairman of the Historical Review Board, shall be responsible for familiarizing all Historical Review Members with the following provisions of the Town Code: Chapter 18 – Code of Ethics, and be it,

FURTHER RESOLVED, that the Town Clerk is directed to forward a copy of this resolution to Robert Knight at his home address.

On roll call the vote was as follows:

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

RESOLUTION NO. (117-2011)
Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that Lorraine A. Peek, 98 Demarest Mill Road, West Nyack, New York – is hereby reappointed to the position of Member – Historical Review Board – at the 2011 annual salary of \$2,000., - term effective and retroactive to January 1, 2011 and to expire on December 31, 2015.

On roll call the vote was as follows:

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

RESOLUTION NO. (118-2011)
Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that Stephen M. Papas, 159 Waters Edge, Congers, New York – is hereby reappointed to the position of Member – Historical Review Board – at the 2011 annual salary of \$2,000., term effective and retroactive to January 1, 2011 and to expire on December 31, 2014.

On roll call the vote was as follows:

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

RESOLUTION NO. (119-2011)
Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that Jonathan Levine, 220 North Little Tor Road, New City, New York – is hereby reappointed to the position of Member – Historical Review Board – at the 2011 annual salary of \$2,000., - term effective and retroactive to January 1, 2011 and to expire on December 31, 2017.

On roll call the vote was as follows:

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

RESOLUTION NO. (120-2011)
Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that Lawrence Kigler, 25 Roberts Road, New City, New York – is hereby reappointed to the position of Member – Historical Review Board – at the 2011 annual salary of 2,000., - term effective and retroactive to January 1, 2011 and to expire on December 31, 2013.

On roll call the vote was as follows:

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

RESOLUTION NO. (121-2011)
Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that James Palmer, 5 White Birch Court, New City, New York – is hereby reappointed to the position of Member – Historical Review Board – at the 2011 annual salary of \$2,000., - term effective and retroactive to January 1, 2011 and to expire on December 31, 2016.

On roll call the vote was as follows:

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

RESOLUTION NO. (122-2011)
Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that Augustine Paul, 37 Etna Place, Nanuet, New York – is hereby reappointed to the position of Member – Historical Review Board – at the 2011 annual salary of 2,000., term effective and retroactive to January 1, 2011 and to expire on December 31, 2011.

RESOLUTION NO. (122-2011) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (123-2011)

Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that John Fickes, 41 Grandview Avenue, Nanuet, New York – is hereby reappointed to the position of Member – Fire Boards of Appeals – at the 2011 annual salary of \$1,100., - term effective and retroactive to February 28, 2011 and to expire on February 27, 2014.

On roll call the vote was as follows:

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

RESOLUTION NO. (124-2011)

Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that Edward Hewitt, 8A Bittman Lane, New City, New York – is hereby reappointed to the position of Member – Fire Board of Appeals – at the 2011 annual salary of \$1,100., - term effective and retroactive to February 28, 2011 and to expire on February 27, 2014.

On roll call the vote was as follows:

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

RESOLUTION NO. (125-2011)

Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that Charles Caselli, 67 Highway Avenue, Congers, New York – is hereby reappointed to the position of Member – Fire Board of Appeals – at the 2011 annual salary of \$1,100., - term effective and retroactive to March 12, 2011 and to expire on March 11, 2014.

RESOLUTION NO. (125-2011) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (126-2011)

Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that Arthur Smith, 31 Pondview Drive, Congers, New York – is hereby reappointed to the position of Member – Fire Board of Appeals – at the 2011 annual salary of \$1,100., - term effective and retroactive to March 12, 2011 and to expire on March 11, 2014.

On roll call the vote was as follows:

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

RESOLUTION NO. (127-2011)

Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that the resignation by (retirement) of John Carson, 24 Gleason Drive, Thiells, New York – (part time) Municipal Bus Driver – Clarkstown Mini Transportation - is hereby accepted - effective and retroactive to March 11, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (128-2011)

Co. Hausner 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:

MONSEY EXCAVATING, INC.
 P.O. Box 677
 Tallman, New York 10982
 Albert Lepori, President

RESOLUTION NO. (128-2011) continued

JD BACKHOE SERVICE, INC.
3 Route 340
Orangeburg, New York 10962
Joseph D'Auria, Owner

FIRST RATE LANDSCAPING & CONSTRUCTION, INC.
32 Peck Street
West Haverstraw, New York 10993
Stacey E. Heminover, President

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the issuance of a Certificate of Registration to:

- 11-32 MONSEY EXCAVATING, INC.
- 11-33 JD BACKHOE SERVICE, INC.
- 11-34 FIRST RATE LANDSCAPING & CONSTRUCTION, 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. (129-2011)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Town of Clarkstown Police Department is responsible for the Administration of the Clarkstown YOUTH COURT program and

WHEREAS, the State of New York and County of Rockland have each recognized the need to assist local municipalities with such programs through the continuation of Division of Youth funding on a 50/50 funds basis;

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Clarkstown hereby approves and supports the submission of the Clarkstown Police Department's grant application in the amount of Fourteen thousand dollars (\$14,000.00) for 50/50% Division for Youth funding for 2011,and

FURTHER BE IT RESOLVED that the Town of Clarkstown shall provide matching funds equal to or in excess of the monies reimbursed under the aforesaid grant, pursuant to the proposed budget submitted therewith.

On roll call the vote was as follows:

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

RESOLUTION NO. (130-2011)

Co. Lasker offered and Co. Borelli seconded

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

WHEREAS, the following group wishes to continue to adopt the below segment of town road for an additional period of two (2) years, continuing from March 22, 2011 to March 22, 2013, as follows:

Sponsor: Yaboo Fence Company
95 West Nyack Way
West Nyack, NY 10994

Road: .06 mile segment of West Nyack Way
from Route 59 to West Nyack 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 Yaboo Fence Company 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 March 22, 2011 to March 22, 2013, 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 Yaboo Fence Company to remove trash from the roadway.

On roll call the vote was as follows:

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

RESOLUTION NO. (131-2011)

Co. Lasker offered and Co. Borelli seconded

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

WHEREAS, the following group wishes to adopt specified Town location for a two year period beginning March 31, 2011 to March 31, 2013, as follows:

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

RESOLUTION NO. (131-2011) continued

Location: Corner of Lake Road & Kings Highway
Valley Cottage, New York

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying this location, and by removing trash from this location, which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement with the entity referred to herein, for a period of two (2) years beginning March 31, 2011 to March 31, 2013, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above location, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the location.

On roll call the vote was as follows:

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

RESOLUTION NO. (132-2011)

Co. Lasker offered and Co. Hausner seconded

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 Landmark Corporate Park site plan/subdivision (35.14-1-42), Long Clove Business Park Corporation has provided a stormwater control facility maintenance agreement and a deed for road widening on Long Clove Road, Congers, New York, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to execute the 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 and the deed for road widening from Long Clove Business Park Corporation in connection with the Landmark Corporate Park site plan/subdivision and orders them 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. (133-2011)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Clarkstown Superintendent of Recreation and Parks that

BID # 2-2011 – FIREWORKS DISPLAY

is hereby awarded to: ZAMBELLI FIREWORKS
20 SOUTH MERCER STREET
NEW CASTLE, PA 16103

PRINCIPALS: ROBERT J. TURCO

as per their proposed total project cost of \$17,500.00 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
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of General Liability Insurance
- e) Certificate of Fireworks Display Liability Coverage
- f) Certificate of Worker's Compensation Insurance coverage
- g) Certificate of Worker's Disability Insurance coverage

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

On roll call the vote was as follows:

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

RESOLUTION NO. (134-2011)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Clarkstown Superintendent of Recreation and Parks that

BID# 4-2011 – ATHLETIC FIELD AND TURF MAINTENANCE

is hereby awarded to: FIELD PRO ENTERPRISES, LLC
17 WHITMAN PLACE
MONROE, NY 10950

PRINCIPAL: NATALE NUOVO JR.

as per their proposed total cost of \$31,960.00 and be it

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

RESOLUTION NO. (134-2011) continued

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

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

On roll call the vote was as follows:

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

RESOLUTION NO. (135-2011)

Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Clarkstown Superintendent of Recreation and Parks that

BID# 9-2011 – BUS TRANSPORTATION – SENIOR AND YOUTH

is hereby awarded as follows for a period of twelve (12) months with an option to extend for an additional thirty six (36) month period at the discretion of the Town:

ONE DAY LOCAL TRIPS:

PETER BREGA, INC.
 P.O. BOX 152
 VALLEY COTTAGE, NY 10989

PRINCIPAL: RICHARD BREGA
 PETER K. BREGA
 ROBERT BREGA
 DAVID BREGA

SUMMER DAY CAMP ROUTES:

PETER BREGA, INC.
 P.O. BOX 152
 VALLEY COTTAGE, NY 10989

PRINCIPAL: RICHARD BREGA
 PETER K. BREGA
 ROBERT BREGA
 DAVID BREGA

ONE DAY LONG DISTANCE TRIPS:

WEST POINT TOURS, INC.
 P.O. BOX 125
 VAILS GATE, NY 12584

PRINCIPAL: ROBERT BRISMAN
 JAY BRISMAN

as per the price/item list on file in the Purchasing Department and be it

RESOLUTION NO. (135-2011) continued

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

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. (136-2011)

Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Superintendent of Highway that

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

is hereby awarded to TRIUS, INC.
 458 JOHNSON AVENUE
 BOHEMIA, NY 11716
 PRINCIPAL: GARY CERVELLI
 FRANCES CERVELLI

as per their proposed total cost not to exceed \$267,774.00 and be it

FURTHER RESOLVED, that this purchase shall constitute a proper charge to account number H-8762-400-409-0-86-3, and be it

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

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. (137-2011)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Clerk of the Works that

BID # 16-2011 – WEED CONTROL SPRAYING

is hereby awarded to: SECOND NATURE LAWN CARE, INC.
54 CENTER STREET
PEARL RIVER, NY 10965
PRINCIPAL: BRYAN R. BEAUDRY, PRESIDENT

as per their proposed project cost of \$54,080.00 and be it

FURTHER RESOLVED, that the Town shall have the option to extend the agreement an additional three years and be it

FURTHER RESOLVED, that changes in contract prices from 2012 through 2014 shall be based on the Consumer Price Index (CPI) and be it

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

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

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

FURTHER RESOLVED, that this project shall be under the supervision of the Clerk of the Works

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. (138-2011)
Co. Hoehmann offered and Co. Lasker seconded

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

RFP#17-2011 – CANINE HARASSMENT OF CANADIAN GEESE

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

RESOLUTION NO. (138-2011) continued

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. (139-2011)

Co. Hoehmann offered and Co. Lasker seconded

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

BID#18-2011 – RENOVATIONS TO FIRE INSPECTOR’S OFFICE

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. (140-2011)

Co. Hoehmann offered and Co. Lasker seconded

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

BID#19-2011 – SHARON DRIVE DRAINAGE IMPROVEMENTS

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. (141-2011)
Co. Hoehmann offered and Co. Lasker seconded

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

RFP#20-2011 – OPERATION OF FOOD AND REFRESHMENT CONCESSION STANDS AT TOWN PARKS

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. (142-2011)
Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that at the recommendation of Robert S. Berdy, Insurance and Claims Manager, the Supervisor is hereby authorized to purchase through CLG Insurance, insurance coverage for the Mini-Trans bus system of the Town of Clarkstown, including Automobile Liability, Automobile Physical Damage Coverage, and Automobile Excess Liability Coverage, for a period of one year, commencing (retroactively) March 14, 2011 and expiring March 14, 2012, and be it

FURTHER RESOLVED, that the cost of insurance policies shall not exceed \$125,000.00 to be charged to Account No. CS 1910-420.

On roll call the vote was as follows:

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

RESOLUTION NO. (143-2011)
Co. Hausner offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MARCH 15, 2011, AUTHORIZING THE ACQUISITION OF TWO SNOW REMOVAL VEHICLES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$270,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$270,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

RESOLUTION NO. (143-2011) continued

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 acquire two snow removal vehicles. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$270,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$270,000 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 \$270,000 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 Sections 11.00 a. 28 of the Law, is fifteen (15) 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. 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.

(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

RESOLUTION NO. (143-2011) continued

- (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 "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 in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on March 15, 2011, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted March 15, 2011, authorizing the acquisition of two snow removal vehicles, stating the estimated maximum cost thereof is \$270,000, appropriating said amount for such purpose, and authorizing the issuance of \$270,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to acquire two snow removal vehicles; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$270,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$270,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$270,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$270,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

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

RESOLUTION NO. (144-2011)
Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves and authorizes the execution of a certain Side Letter of Agreement between the Town of Clarkstown and the Rockland County Patrolmen’s Benevolent Association, Inc. regarding a clarification of provisions of the Collective Bargaining Agreement related to sick leave accruals.

On roll call the vote was as follows:

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

RESOLUTION NO. (145-2011)
Co. Borelli offered and Co. Hausner seconded

WHEREAS, the Town Board wishes to ensure that all Town employees are properly trained in recognizing and responding to workplace sexual harassment so as to provide a safe and comfortable working environment for all employees and to comply with the most current standards regarding appropriate workplace conduct, and

WHEREAS, PADVA Associates, LLC, a human resource consulting firm with expertise in sexual harassment training and related human resource matters, has submitted a proposal at the Town’s request;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with PADVA Associates, LLC for the purpose of conducting Sexual Harassment Training for the Town of Clarkstown employees, and be it

FURTHER RESOLVED, that the fee for said services shall not exceed the amount of \$8,000 and shall be a proper charge to Account No. CS 1722-409, 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 additional insured.

RESOLUTION NO. (145-2011) 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. (146-2011)

Co. Hoehmann offered and Co. Hausner seconded

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

BID#21-2011 – JOHN DEERE TRACTOR BOOM FLAIL MOWER WITH VARIOUS TIGER MOWER ATTACHMENTS

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. (147-2011)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Townhouse Office Park Nanuet Condominium against The Assessor, The Board of Assessment Review of the Town of Clarkstown, and the Town of Clarkstown, Index No(s).5259/02, 5092/03, 4593/04, 4882/05, 6107/06, 5737/07, 7191/08, 7813/09and 8839/10, affecting parcel designated as Tax Map 57.19-1-24./10 thru 24./640 and more commonly known as 55 Old Nyack Turnpike, Nanuet, New York for the year(s) 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009 and 2010, 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:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 57.19-1-24./10 thru 24./640 be reduced for the year(s) 2002/03 from \$4,550,400.00 to \$3,840,000.00 at a cost to the Town of \$ 10,354.02;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 57.19-1-24./10 thru 24./640 be reduced for the year(s) 2006/07 from \$3,840,000.00 to \$3,200,000.00 at a cost to the Town of \$ 11,918.92;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 57.19-1-24./10 thru 24./640 be reduced for the year(s) 2007/08 from \$3,840,000.00 to \$3,200,000.00 at a cost to the Town of \$ 13,452.72;

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 57.19-1-24./10 thru 24./640 be reduced for the year(s) 2008/09 from \$3,840,000.00 to \$3,200,000.00 at a cost to the Town of \$ 13,046.13;

5. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 57.19-1-24./10 thru 24./640 be reduced for the year(s) 2009/10 from \$3,840,000.00 to \$3,200,000.00 at a cost to the Town of \$ 14,257.54;

6. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 57.19-1-24./10 thru 24./640 be reduced for the year(s) 2010/11 from \$3,840,000.00 to \$3,200,000.00 at a cost to the Town of \$ 15,095.02;

7. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 57.19-1-24./10 thru 24./640 for the year(s) 2003/04, 2004/05 and 2005/06;

8. Reimbursement for the year(s) 2002/03, 2006/07, 2007/08, 2008/09, 2009/20 and 2010/11 on the parcel described as Tax Map 57.19-1-24./10 thru 24./640, 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. (148-2011)
Co. Borelli offered and Co. Hausner seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MARCH 15, 2011, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE GERMONDS PARK BALLFIELD; STATING THE ESTIMATED REVISED MAXIMUM COST THEREOF IS \$465,000; APPROPRIATING \$65,000 IN ADDITION TO THE \$400,000 HERETOFORE APPROPRIATED FOR SUCH PURPOSE; AND AUTHORIZING THE ISSUANCE OF \$65,000 SERIAL BONDS, IN ADDITION TO THE \$400,000 SERIAL BONDS HERETOFORE AUTHORIZED

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 the Germonds Park ball field. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$465,000 and \$65,000 in

RESOLUTION NO. (148-2011) continued

hereby appropriated for such purpose, in addition to the \$400,000 heretofore appropriated. The plan of financing includes the issuance of the \$65,000 serial bonds to finance said additional appropriation, in addition to the \$400,000 serial bonds heretofore authorized pursuant to the bond resolution adopted by the Board of Trustees on January 18, 2011, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any grant funds or other funds received from the United States of America, the State of New York or from any other source in connection with such project are authorized to be expended towards the cost of said project or redemption of the Town's bonds or notes issued therefor, or to be budgeted as an offset to the amounts to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Serial bonds of the Town in the principal amount of \$65,000 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 additional 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 Sections 11.00 a. 19 (c) of the Law, is fifteen (15) 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. 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.

(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:

RESOLUTION NO. (148-2011) continued

- (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 "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 in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on March 15, 2011, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted March 15, 2011, authorizing the construction of improvements to the Germonds Park ball field; stating the estimated revised maximum cost thereof is \$465,000; appropriating \$65,000 in addition to the \$400,000 heretofore appropriated for such purpose; and authorizing the issuance of \$65,000 serial bonds, in addition to the \$400,000 serial bonds heretofore authorized,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct improvements to the Germonds Park ball field; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$465,000; APPROPRIATING \$65,000 for such purpose, in addition to the \$400,000 heretofore appropriated; STATING the plan of financing includes the issuance of the \$65,000 serial bonds to finance said additional appropriation, in addition to the \$400,000 serial bonds heretofore authorized pursuant to the bond resolution adopted by the Board of Trustees on January 18, 2011, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon; and STATING that any grant funds or other funds received from the United States of America, the State of New York or from any other source in connection with such project are authorized to be expended towards the cost of said project or redemption of the Town's bonds or notes issued therefor, or to be budgeted as an offset to the amounts to be collected for the payment of the principal of and interest on said bonds or notes;

SECOND: AUTHORIZING the issuance of \$65,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York to finance said additional appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures

RESOLUTION NO. (148-2011) continued

made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$65,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

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

RESOLUTION NO. (149-2011)

Co. Borelli offered and Co. Hausner seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MARCH 15, 2011, AUTHORIZING THE INSTALLATION OF SURVEILLANCE CAMERAS IN COMMUTER PARKING LOTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$388,000; APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING THE EXPENDITURE OF \$253,000 AVAILABLE TOWN FUNDS AND FUNDS FROM OTHER SOURCES TO PAY A PART OF SAID APPROPRIATION; AND AUTHORIZING THE ISSUANCE OF \$135,000 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF 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 install surveillance cameras in commuter parking lots. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$388,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the expenditure of \$253,000 available Town funds and funds from other sources to pay a part of said appropriation, the issuance of \$135,000 serial bonds of the Town to finance the balance of 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 \$135,000 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 a part of 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. 35 of the Law, is five (5) 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. 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.

(c) The proposed maturity of the bonds authorized by this resolution will not 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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation

RESOLUTION NO. (149-2011) continued

within said Town and hereby designated as the official newspaper of the Town for such publication.

* * *

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. (150-2011)

Co. Hoehmann offered and Co. Lasker seconded

Whereas, culvert #336 as shown on the Town of Clarkstown Comprehensive Drainage Study and located on Phillips Hill Road in New City, New York is in a state of disrepair; and

Whereas, the Clarkstown Department of Environmental Control has inspected said culvert and recommends that it be replaced with a culvert fabricated from steel and/or aluminum structural plate; and

Whereas, current New York State contract Group 37700 - Culvert & Underdrain Pipe Tubing (w/ Arches, Bands & Accessories) - Metal & Plastic Based (Statewide) - Award #21142-RA contains those materials required to fabricate said replacement culvert;

Now, Therefore, Be It Resolved that the Director of the Department of Environmental is hereby authorized to purchase materials from said New York State contract Group 37700 (Award #21142-RA) in an amount not to exceed \$40,000.00 without further resolution of the Town Board of the Town of Clarkstown; and

Be It Further Resolved that this shall be a proper charge to account number H- 8762-409-86-4.

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. (151-2011)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, by Resolution No. 379-2010 adopted by the Town Board on July 20, 2010, Bid No. 38-2008 was awarded to Let It Grow, Inc. (the "Contractor") for Congers Lake North End Boardwalk and Parking Lot for a total contract price of \$1,043,616.13, and

RESOLUTION NO. (151-20110 continued)

WHEREAS, certain unforeseen field conditions require additional work by the Contractor, including clearing of brush, additional survey work, additional curb cuts and extension of sidewalks and curbs, and

WHEREAS, change orders for said work have been submitted by the Contractor in the total amount of \$33,521.42, and

WHEREAS, the change orders have been reviewed by the Superintendent of Recreation and Parks, as well as the project engineer, who have deemed them acceptable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the allowance for this project be increased from the original bid amount of \$1,043,616.13 to \$1,077,137.55 to reflect the additional cost of the change orders, and be it

FURTHER RESOLVED, that this shall continue to be a proper charge to Account No. H-8741-400-409-0-23-2, and be it

FURTHER RESOLVED, that it is the intent of the Town Board that the additional funds allocated for this project shall be funded with the issuance of Serial Bonds.

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. (152-2011)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, by Resolution No. 380-2010 adopted by the Town Board on July 20, 2010, Bid No. 39-2008 was awarded to Let It Grow, Inc. (the "Contractor") for Congers Lake Earthen Dam and Gilchrest Road Dike Improvements for a total contract price of \$2,395,000.00, and

WHEREAS, certain unforeseen field conditions require additional work by the Contractor, including clearing of brush, additional survey work, additional curb cuts and extension of sidewalks and curbs, and

WHEREAS, change orders for said work have been submitted by the Contractor in the total amount of \$70,238.76, and

WHEREAS, the change orders have been reviewed by the Superintendent of Recreation and Parks, as well as the project engineer, who have deemed them acceptable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the allowance for this project be increased from the original bid amount of \$2,395,000.00 to \$2,465,238.76 to reflect the additional cost of the change orders, and be it

FURTHER RESOLVED, that this shall continue to be a proper charge to Account No. H-8741-400-409-0-23-2, and be it

FURTHER RESOLVED, that it is the intent of the Town Board that the additional funds allocated for this project shall be funded with the issuance of Serial Bonds.

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. (153-2011)
Co. Hausner offered and Co. Lasker seconded

WHEREAS, the Town Board wishes to reduce the volume of commercial truck traffic traversing the residential neighborhood of Prospect Street and Grandview Avenue, Nanuet which roads are being used by commercial truck traffic as a shortcut from NYS Route 59 and the NYS Thruway, and

WHEREAS, commercial traffic exiting from Fisher Avenue has been identified as utilizing this short cut, and

WHEREAS, ample signage exists on Grandview Avenue and Prospect Street to notify truck drivers of the regulations,

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to fabricate and install an informational sign at the egress of Fisher Avenue, Nanuet to be posted on the Stop sign post with the following language:

“TRUCKS: LEFT TURN TO MAIN STREET ONLY:
LOCAL TRAFFIC ONLY ON PROSPECT ST WEST”

Or similar language to the same effect pursuant to the discretion of the Superintendent of Highways.

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. (154-2011)
Co. Hausner offered and Co. Borelli seconded

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., John F. Kolka II, 141 Dara Lane, Stony Point, New York Laborer – Sewer Department – is hereby granted a Sick Leave of Absence – at one-half pay – effective March 17, 2011 to April 17, 2011.

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.

Rhea Vogel, New City
Feels very fortunate to live in Clarkstown, one of the safest communities in the United States. Spoke positively about the open space, the revitalizations, the schools and quality of life.

Michael Hirsch, New City
Asked about wires over the Main Street; will they be going underground or will they stay there.

Steve Levine, Congers

When are Town Board meetings going to be televised? Asked about raising filing fees for Zoning Board applications.

Deb Mesibov, West Nyack

Feels fortunate to have an administration that has made solvency a priority. Appreciates that her taxes have remained the same this year as they were last year.

Barry Goldberg, Goshen

Read a statement and submitted documents regarding property at 139 Massachusetts Avenue.

Nicole Doliner, New City

Spoke about the Environmental Summit. It is important to continue to explore ways to save the environment and also to save money. She thanked the Board for sponsoring this summit.

Betty Nussbaum, New City

Spoke about the flooding at Main Street and New Hempstead Road, feels it is related to the culvert there.

Supervisor Gromack explained that with regard to wires on Main Street, we did explore the possibility of burying the wires with O & R but they were unable to accommodate us. The cost of doing that would have been astronomical; one estimate was about \$8 million. As far as the Town Board Meetings being televised, the TV studio is nearly complete and we are now looking at what type of equipment we need and it is our hope that toward the later part of this year or early next year we will be functional. Regarding ZBA fee schedules, we are about 2 months away from finalizing our fee schedules. Regarding flooding problem on Main St. & New Hempstead, we have raised this problem with the County Highway Department. They are aware of the problem and are about to begin a big project; hopefully this will be addressed then.

There being no one further wishing to be heard, on motion of Co. Hausner, seconded by Co. Lasker and unanimously adopted, the Town Board Meeting was adjourned, time: 9:45 P.M.

Respectfully submitted,

Justin Sweet
Town Clerk
