TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall 4/05/11 9:30 P.M.

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

The Supervisor declared Town Board meeting opened. Assemblage saluted the flag. The Town Clerk read the roll call.

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The Supervisor opened up the meeting to public comments regarding agenda items.

Amy Durbin, Congers
Asked about Item #8b, and whether it referred to the Stop and Shop that was just built?

The Town Attorney, Amy Mele, confirmed that it was and that the property owners were challenging their assessment for prior years.

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RESOLUTION NO. (155-2011)
Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of March 15, 2011 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

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RESOLUTION NO. (156-2011)
Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, an application has been made by Joy Builders, Inc. that the Town Board and the Superintendent of Highways of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law and Section 273 of Town Law to declare that a certain portion of the highway known as Rte. 45 and Rte. 59 By-Pass, New City, New York, as described in the metes and bounds description attached as Schedule “A,” for the portion of the highway in the Town of Clarkstown, upon the grounds that same has never been constructed or used as a highway by the public and therefore the portion of said road may be deemed abandoned, and

WHEREAS, by Resolution adopted on May 18, 2010, the Town Board directed that the petition be referred to the Rockland County Commissioner of Planning and the Town Planning Board for report and recommendation, and

WHEREAS, by Resolution adopted on June 15, 2010, the Town Board directed that a public hearing be held to determine whether said portion of the Rte. 45 and Rte. 59 By-Pass should be abandoned pursuant to Town Law Section 205 and/or deleted from the Official Map pursuant to Town Law Section 273, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, and said public hearing was duly held at the time and place specified in said notice, and

RESOLUTION NO. (156-2011) continued

WHEREAS, the Town Board closed the public hearing and reserved decision, and

WHEREAS, by Resolution adopted November 23, 2010, the Town Board re-referred this matter to the Clarkstown Planning Board for their report and recommendation, and

WHEREAS, the Clarkstown Planning Board considered the matter at its regularly scheduled meeting on March 2, 2011 and recommended, by memo dated March 7, 2011, that said portion of the Route 45/59 By-Pass, New City, New York, be de-mapped and removed from the Official Map, based on the fact that the Clarkstown Planning Board finds no planning issues strictly related with the proposed de-mapping and offered the following pertaining to the Rockland County GML review:

1. The Planning Board believes the de-mapping of the roadway should occur regardless of the contemplated subdivision,
2. The Planning Board concurs that any remaining mapped portion of the 45/59 bypass in the Town should be de-mapped so that the road is not de-mapped piece-meal as it has been in the past, and

WHEREAS, based upon the report by Principal Planner Jose Simoes dated June 30, 2010, pursuant to SEQRA, the Planning Board finds that this matter is a Type II action under Part 617 of the SEQRA regulations and no further analysis is necessary, which the Board has discussed and considered such report in making its decision herein;

NOW, THEREFORE, be it

RESOLVED, based upon the report by Principal Planner Jose Simoes dated June 30, 2010, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the abandonment shall not have any significant impact on the environment and no further analysis pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that pursuant to Town Law Section 273, the Official Map of the Town of Clarkstown is hereby amended by deleting there from the portion of the Route 45/59 By-Pass, New City, New York, New York, as described in the Schedule “A” attached.

(SEE SCHEDULE A ON FILE IN TOWN CLERK’S OFFICE)

On roll call the vote was as follows:

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

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RESOLUTION NO. (157-2011)
Co. Borelli offered and Co. Hoehmann seconded

WHEREAS, two police officers from the Clarkstown Police Department have been assigned to work at the Rockland County Intelligence Center, throughout the calendar year 2011, and

WHEREAS, the County of Rockland has resolved to reimburse the Town of Clarkstown in the amount of $477,330.00, upon execution of an inter-municipal cooperation agreement between the County of Rockland and the Town of Clarkstown, and

WHEREAS, Chief of Police Michael Sullivan has recommended that the Town enter into such inter-municipal cooperation agreement;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into the inter-municipal cooperation agreement with the County of Rockland, in a form satisfactory to the Town Attorney, which after execution by the County, will result in the payment to the Town of Clarkstown in the amount of $477,330.00, as reimbursement for two members of the Clarkstown Police Department having worked and to work at the Rockland County Intelligence Center Sheriff's Department for the period January 1, 2011 through December 31, 2011.

On roll call the vote was as follows:

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

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RESOLUTION NO. (158-2011)
Co. Borelli 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 Snake Hill Corporation site plan (59.13-1-31), Snake Hill Corporation 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;

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 Snake Hill Corporation in connection with the Snake Hill Corporation 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

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RESOLUTION NO. (159-2011)
Co. Borelli 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 amended site plan map by the Planning Board with regard to the Costco Wholesale site plan (57.15-1-35 and 57.16-1-1), Costco Wholesale Corporation 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;

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 Costco Wholesale Corporation in connection with the Costco Wholesale 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

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RESOLUTION NO. (160-2011)
Co. Lasker offered and Co. Hausner 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 a segment of various town roads for a period of two (2) years, continuing from April 17, 2011 to April 17, 2013, as follows:

Sponsor: Steve's Lawns, Inc.
P.O. Box 692, Monsey, New York 10952

Roads: .66 mile segment of North Pascack Road from Smith Road to Town Line Marker, Nanuet, New York, and

.31 mile segment of Squadron Boulevard from North Main Street to Route 304, New City, New York

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that the Steve's Lawns, Inc. organization will perform a public service in removing trash from above roadways 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, for a period of two (2) years continuing from April 17, 2011 to April 17, 2013, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segments, and to provide and coordinate services by the Steve's Lawns, Inc. organization, to remove trash from the roadways.

RESOLUTION NO. (160-2011) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (161-2011)
Co. Borelli offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown is currently advertising Bid #8-2011 Phillips Hill Road Culvert #336 Replacement; and

WHEREAS, installation of the proposed replacement aluminum box culvert to be supplied by the Town will require concrete footings; and

WHEREAS, in order to expedite the installation of said replacement culvert, the Department of Environmental Control recommends that precast concrete footings be used; and

WHEREAS, the Department of Environmental Control has prepared plans and details for precast concrete footings and has solicited quotes from qualified suppliers to fabricate and deliver precast concrete footings to the project site on Phillips Hill Road in New City; and

WHEREAS, the Department of Environmental Control has received quotes from four (4) qualified precast concrete manufacturers or vendors for said footings; and

WHEREAS the lowest quote was received from S. D. Ireland of Williston, Vermont in the amount of $6,220.00;

NOW, THEREFORE, BE IT RESOLVED that the Director of the Department of Environmental Control is hereby authorized to purchase precast concrete footings from S.D. Ireland Precast Division, 193 Industrial Avenue, Williston, Vermont 05495 in accordance with their proposal in the amount of $6,220.00; and

BE IT FURTHER RESOLVED that this shall constitute a proper charge to account number H-8762-409-86-4; and

BE IT FURTHER RESOLVED that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds; and

BE IT FURTHER RESOLVED that this resolution be effective and retroactive to March 23, 2011.

On roll call the vote was as follows:

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

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RESOLUTION NO. (162-2011)
Co. Borelli offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown is currently soliciting bids for Bid #8-2011 Phillips Hill Road Culvert #336 Replacement project; and

WHEREAS, it is necessary to close a portion of Phillips Hill Road between Mary Ann Lane and Woodland Road and to establish a detour for the purpose of routing traffic around the construction site and back onto Phillips Hill Road; and

WHEREAS, the Department of Environmental Control has prepared a detour plan and determined the signs required to establish said plan in the field in accordance with the New York State Manual of Uniform Traffic Control Devices (MUTCD); and

WHEREAS, the Department of Environmental Control has determined that to expedite the completion of this project, it is advantageous for the Town of Clarkstown to purchase the signs, sign posts and miscellaneous hardware required to establish said detour in the field in accordance with their detour plan; and

WHEREAS, the Clarkstown Highway Department has agreed to install the signs in accordance with said detour plan; and

WHEREAS, the Department of Environmental Control has solicited and received a proposal from Highway Traffic Supply of Pearl River, New York in the amount of $6,820.16 to furnish sixty-four (64) signs, thirty-four (34) sign posts and miscellaneous hardware; and

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

NOW, THEREFORE, BE IT RESOLVED that the Director of the Department of Environmental Control is hereby authorized to purchase sixty-four (64) signs, thirty-four (34) sign posts and miscellaneous hardware from Highway Traffic Supply, 40 W. Washington Ave., Suite D, Pearl River, New York 10965 in accordance with their proposal for an amount not to exceed $6,820.16 without further Town Board resolution; and

BE IT FURTHER RESOLVED that this shall constitute a proper charge to account number H-8762-409-86-4; and

BE IT FURTHER RESOLVED that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds; and

BE IT FURTHER RESOLVED that this resolution be effective and retroactive to March 29, 2011.

On roll call the vote was as follows:

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

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RESOLUTION NO. (163-2011)
Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, the Town Board of the Town of Clarkstown, via Town Board resolution #64-2011, has previously awarded a contract to Pinebrook Industries, Inc. of New City, New York to replace the damaged existing culvert located on Old Haverstraw Road in Congers approximately 250 north of Old Clave Road with a new horizontal elliptical reinforced concrete pipe (HERCP); and

WHEREAS, unanticipated ground conditions required the removal of an existing concrete slab and a portion of an existing concrete headwall found to be in conflict with the location of the new HERCP and not called for in the original scope of work for this project; and

WHEREAS, unsuitable subgrade material was encountered requiring an undercut below the excavation limits called for on the plan and the backfilling of said undercut with 3/4" stone not called for in the original scope of work for this project; and

WHEREAS, the Department of Environmental Control negotiated a price with Pinebrook Industries, Inc. for these additional items of work;

NOW, THEREFORE, BE IT RESOLVED that the budget for this project be increased in the amount of $1,450.00 to reflect the amount of this change order on contract resulting in a final contract amount of $18,875.00 for this project; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account number *H-8761-409-0-86-2*.

On roll call the vote was as follows:

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

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RESOLUTION NO. (164-2011)
Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, via Town Board resolution #150-2011, the Town Board of the Town of Clarkstown has previously authorized the Director of the Department of Environmental Control to purchase materials for the Phillips Hill Road Culvert #336 Replacement project from New York State contract Group 37700 (Award #21142-RA) in an amount not to exceed $40,000.00 without further Town Board resolution; and

WHEREAS, the final accurate accounting for the materials based on a proposal prepared by CONTECH Construction Products, Inc., the supplier of said materials as per the State contract, is in the amount of $54,237.50;

NOW, THEREFORE, BE IT RESOLVED that the amount authorized to purchase said materials be increased $54,237.50 to reflect the actual cost of materials as per New York State contract Group 37700 (Award #21142-RA) required to perform the work; and

BE IT FURTHER RESOLVED that this resolution shall be retroactive and effective to March 23, 2011; and

RESOLUTION NO. (164-2011) continued

BE IT FURTHER RESOLVED that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds; and

BE IT FURTHER RESOLVED that this amount shall represent 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

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RESOLUTION NO. (165-2011)
Co. Lasker offered and Co. Hoehmann seconded

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

NOW, THEREFORE, be it

RESOLVED, that in accordance with Section 64(l3) of the Town Law, the Town Board hereby appropriates the annual sum of $750 ($500 for leasing or rental, and maintenance of meeting facility $250 for patriotic observance) to the following veteran organizations for the year 2011:

Jewish War Veterans of the U.S.A.	- Post 756
Jewish War Veterans of the U.S.A.	- Post 720
Korean War Veterans	- Eagle Chapter
Veterans of Foreign Wars of the U.S.	- Post 8749
Veterans of Foreign Wars of the U.S.	- Post 9215
Vietnam Veterans of America	- Chapter 333

and be it

FURTHER RESOLVED, that claims for such sums shall be made annually by the organization and submitted to the Town Board for audit and disbursement, and be it

FURTHER RESOLVED, that said funds will be charged against 2011 Account No. A 65l0-40l.

On roll call the vote was as follows:

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

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RESOLUTION NO. (166-2011)
Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Congers Storage, 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). 16335/09 and 07801/10, affecting parcel designated as Tax Map 35.20-1-6 and more commonly known as 35 Hemlock Drive, Congers, New York for the year(s) 2009/10 and 2010/11, and

RESOLUTION NO. (166-2011) continue

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 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 35.20-1-6 be reduced for the year(s) 2009-2010 from $2,521,000.00 to $2,394,950.00 at a cost to the Town of $2,808.07;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 35.20-1-6 be reduced for the year(s) 2010-2011 from $2,521,000.00 to $2,394,950.00 at a cost to the Town of $2,973.01;

3. Reimbursement for the year(s) 2009/10 and 2010/11 on the parcel described as Tax Map 35.20-1-6, 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;

4. 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

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RESOLUTION NO. (167-2011)
Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, The Stop & Shop Companies, Inc. v. 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). 5951/06, 5673/07, 7248/08, 6960/09 and 7585/10, affecting parcels designated as Tax Map(s) 43.11-2-38, 43.11-2-40, Tax Map 43.11-2-39, more commonly known as 33 W. Calvary Drive, New City, New York for the year(s) 2006/07, 2007/08, 2008/09, 2009/20 and 2010/11, and Tax Map 43.11-2-41, more commonly known as 180-186 North Main Street, New City, New York, for the year(s) 2006/07, 2007/08, 2008/09, 2009/20 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 Clarkstown School District, who believe the best interests of the Town and the School District are being served;

RESOLUTION NO. (167-2011) 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 43.11-2-39 be reduced for the year(s) 2006-20007, from $411,800.00 to $345,900.00 at a cost to the Town of $1,227.28;

2. . The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.11-2-39 be reduced for the year(s) 2007-2008 from $411,800.00 to $321,200.00 at a cost to the Town of $1,904.40;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.11-2-39 be reduced for the year(s) 2008-2009 from $411,800.00 to $350,000.00 at a cost to the Town of $1,259.77;

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.11-2-39 be reduced for the year(s) 2009-2010 from $411,800.00 to $376,800.00 at a cost to the Town of $779.71;

5. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map Tax Map 43.11-2-39 for the year(s) 2010-2011;

6. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.11-2-41 be reduced for the year(s) 2006-20007, from $2,494,700.00 to $1,995,800.00 at a cost to the Town of $9,291.17;

7. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.11-2-41 be reduced for the year(s) 2007-2008 from $2,494,700.00 to $1,883,500.00 at a cost to the Town of $12,847.35;

8. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.11-2-41 be reduced for the year(s) 2008-2009 from $2,494,700.00 to $1,983,300.00 at a cost to the Town of $10,424.67;

9. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.11-2-41 be reduced for the year(s) 2009-2010 from $2,343,900.00 to $2,015,800.00 at a cost to the Town of $7,309.22;

10. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.11-2-41 be reduced for the year(s) 2010-2011 from $2,343,900.00 to $2,144,700.00 at a cost to the Town of $ 4,698.33;

11. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map Tax Map(s) 43.11-2-38 and 43.11-2-40 for the year(s) 2006/07, 2007/08, 2008/09, 2009/20 and 2010/11;

12. Reimbursement for the year(s) 2006/07, 2007/08, 2008/09 and 2009/10, on the parcel described as Tax Map 43.11-2-39, 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;

13. Reimbursement for the year(s) 2006/07, 2007/08, 2008/09, 2009/10 and 2010/11, on the parcel described as Tax Map 43.11-2-41, 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;

14. 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

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RESOLUTION NO. (168-2011)
Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Vista Properties LLC v. The Town of Clarkstown, its Assessor and Board of Assessment Review of the Town of Clarkstown, Index No(s). 4752/01; 5659/07; 6488/08; 6369/09 and 6705/10, affecting parcels designated as Tax Map(s) 63.12-3-45**;** 58.10-2-60 and 65.7-3-52**,** and more commonly known as 183-189 Main Street – Nanuet School District; 208 Ludvigh Road - Clarkstown Schools and 298 Route 59, Clarkstown Schools, New York for the year(s) 2001/02; 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 and Clarkstown School Districts, who believe the best interests of the Town and the School Districts 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 63.12-3-45 be reduced for the year(s) 2001/02 from $359,000.00 to $305,000.00 at a cost to the Town of $779.45;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 63.12-3-45 be reduced for the year(s) 2007/08 from $359,000.00 to $229,200.00 at a cost to the Town of $2,728.38;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 63.12-3-45 be reduced for the year(s) 2008/09 from $359,000.00 to $242,500.00 at a cost to the Town of $2,374.80;

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 63.12-3-45 be reduced for the year(s) 2009/10 from $359,000.00 to $251,400.00 at a cost to the Town of $2,397.05;

5. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 63.12-3-45 be reduced for the year(s) 2010/11 from $359,000.00 to $244,000.00 at a cost to the Town of $2,712.39;

6. Reimbursement for the year(s) 2001/02, 2007/08; 2008/09; 2009/10 and 2010/11, on the parcel described as Tax Map 63.12-3-45, 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. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.10-2-60 be reduced for the year(s) 2007/08 from $214,600.00 to $180,300.00 at a cost to the Town of $720.98;

8. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.10-2-60 be reduced for the year(s) 2008/09 from $214,600.00 to $190,800.00 at a cost to the Town of $485.15;

9. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.10-2-60 be reduced for the year(s) 2009/10 from $214,600.00 to $190,700.00 at a cost to the Town of $532.43;

10. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.10-2-60 be reduced for the year(s) 2010/11from $214,600.00 to $183,000.00 at a cost to the Town of $745.32;

11. Reimbursement for the year(s) 2007/08; 2008/09; 2009/10 and 2010/11, on the parcel described as Tax Map 58.10-2-60, 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;

RESOLUTION NO. (168-2011) continued

12. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 65.7-3-52 be reduced for the year(s) 2007/08 from $308,800.00 to $251,100.00 at a cost to the Town of $1,212.85;

13. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 65.7-3-52 be reduced for the year(s) 2008/09 from $308,800.00 to $272,500.00 at a cost to the Town of $739.96;

14. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 65.7-3-52 be reduced for the year(s) 2009/10 from $308,800.00 to $282,500.00 at a cost to the Town of $585.90;

15. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 65.7-3-52 be reduced for the year(s) 2010/11 from $308,800.00 to $274,500.00 at a cost to the Town of $809.00;

16. Reimbursement for the year(s) 2007/08; 2008/09; 2009/10 and 2010/11, on the parcel described as Tax Map 65.7-3-52, 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;

17. 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. (169-2011)
Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Metropolitan 47th LLC v. The Town of Clarkstown, its Assessor and Board of Assessment Review of The Town of Clarkstown, Index No(s). 4750/01; 4751/01; 4753/01; 5219/03; 5220/03; 5221/03; 5658/07; 6505/08; 6386/09 and 6729/10, affecting parcel designated as Tax Map(s) 52.18-2-39 and more commonly known as 9 Pinecrest Drive, Valley Cottage, New York, Nyack School District, for the years 2001/02, 2003/04, 2007/08, 2008/09, 2009/10 and 2010/11; Tax Map(s) 58.10-2-58 and more commonly known as 365 Route 304, Bardonia, New York, Clarkstown School District, for the years 2001/02, 2003/04, 2007/08, 2008/09, 2009/10 and 2010/11, and Tax Map(s) 63.16-3-2 and more commonly known as 257 South Middletown Road, Nanuet, New York, Nanuet School District, for the year(s) 2001/02; 2002/03; 2003/04; 2004/05; 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 Nyack 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. (169-2011) continued

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.18-2-39 be reduced for the year(s) 2001/02 from $315,000.00 to $217,900.00 at a cost to the Town of $1,401.57;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.18-2-39 be reduced for the year(s) 2003/04 from $315,000.00 to $206,300.00 at a cost to the Town of $1,641.29;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.18-2-39 be reduced for the year(s) 2007/08 from $315,000.00 to $193,100.00 at a cost to the Town of $2,562.32;

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.18-2-39 be reduced for the year(s) 2008/09 from $315,000.00 to $204,400.00 at a cost to the Town of $2,254.53;

5. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.18-2-39 be reduced for the year(s) 2009/10 from $315,000.00 to $209,100.00 at a cost to the Town of $2,359.18;

6. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.18-2-39 be reduced for the year(s) 2010/11 from $315,000.00 to $195,200.00 at a cost to the Town of $2,825.60;

7. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.18-2-39 for the year(s) 2002/03; 2004/05; 2005/06 and 2006/07;

8. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.10-2-58 be reduced for the year(s) 2001/02 from $712,100.00 to $531,600.00 at a cost to the Town of $2,605.38;

9. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.10-2-58 be reduced for the year(s) 2003/04 from $712,100.00 to $555,000.00 at a cost to the Town of $2,372.09;

10. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.10-2-58 be reduced for the year(s) 2007/08 from $712,100.00 to $540,800.00 at a cost to the Town of $3,600.70;

11. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.10-2-58 be reduced for the year(s) 2008/09 from $712,100.00 to $572,300.00 at a cost to the Town of $2,849.76;

12. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.10-2-58 be reduced for the year(s) 2009/10 from $712,100.00 to $593,300.00 at a cost to the Town of $2,646.56;

13. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.10-2-58 be reduced for the year(s) 2010/11 from $712,100.00 to $518,500.00 at a cost to the Town of $4,566.24;

14. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.10-2-58 for the year(s) 2002/03; 2004/05; 2005/06 and 2006/07;

15. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 63.16-3-2 be reduced for the year(s) 2001/02 from $431,000.00 to $370,400.00 at a cost to the Town of $874.72;

16. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 63.16-3-2 be reduced for the year(s) 2003/04 from $431,000.00 to $375,000.00 at a cost to the Town of $845.46;

17. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 63.16-3-2 be reduced for the year(s) 2007/08 from $431,000.00 to $280,700.00 at a cost to the Town of $3,159.29;

18. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 63.16-3-2 be reduced for the year(s) 2008/09 from $431,000.00 to $305,200.00 at a cost to the Town of $2,564.38;

19. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 63.16-3-2 be reduced for the year(s) 2009/10 from $431,000.00 to $292,400.00 at a cost to the Town of $3,087.65;

20. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 63.16-3-2 be reduced for the year(s) 2010/11 from $431,000.00 to $286,700.00 at a cost to the Town of $3,403.46;

RESOLUTION NO. (169-2011) continued

21. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 63.16-3-2 for the year(s) 2002/03; 2004/05; 2005/06 and 2006/07;

22. Reimbursement for the year(s) 2001/02; 2003/04; 2007/08; 2008/09; 2009/10 and 2010/11, on the parcels described as Tax Map(s) 52.18-2-30, 58.10-2-58 and 63.16-3-2, 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;

23. 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. (170-2011)
Co. Hausner offered and Co. Hoehmann seconded

RESOLVED, that the resignation of Mary G. Loeffler, 15 Oak Road, New City, New York – Personnel Assistant – Personnel Department – is hereby accepted – effective and retroactive to April 1, 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. (171-2011)
Co. Hausner offered and Co. Hoehmann seconded

RESOLVED, that Penni J. Scaccio, 6 Tor View Avenue, New City, New York – is hereby appointed to the position of (promotional) (provisional) – Principal Account Clerk Office of the Town Comptroller – at the current 2011 annual salary of $67,588., effective and retroactive to April 4, 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. (172-2011)
Co. Hausner offered and Co. Hoehmann seconded

RESOLVED, that Victoria McDermott, 19 Hillside Drive, New City, New York – is hereby appointed to the position of (promotional) (provisional) – Principal Account Clerk Office of the Town Comptroller – at the current 2011 annual salary of $50,100., effective and retroactive to March 28, 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. (173-2011)
Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, the Rockland County Personnel Office has
furnished Certification of Eligibles #07146 Senior Account Clerk Typist – which contains the name of Laura A. Gilroy,

NOW, THEREFORE, BE IT RESOLVED, that Laura A. Gilroy, 40 Pine Street, New City, New York – is hereby appointed to the position of (Contingent-permanent) Senior Account Clerk Typist – Office of the Town Comptroller – at the 2011 annual salary of $37,920., effective and retroactive to March 29, 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. (174-2011)
Co. Hausner offered and Co. Hoehmann seconded

RESOLVED, that the resignation of Dennis Henion, 3 Bellwood Drive, New City, New York – Custodian I – Parks and Recreation Department – is hereby accepted – effective and retroactive to March 25, 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. (175-2011)
Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Department of Environmental Control that

BID #8-2011 - PHILLIPS HILL ROAD CULVERT #336 REPLACEMENT

is hereby awarded to: BOMBARD EXCAVATING CORP
7124 CLARK ROAD
MIDDLE GROVE, NY 12850
PRINCIPALS: GREG BOMBARD
DOUG BOMBARD

in accordance with their bid proposal in the amount of $137,528.62 plus a fifteen (15) percent contingency; 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 Department of Environmental Control; and

BE IT FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8762-409-86-4; and

BE IT FURTHER RESOLVED, that it is the intent of the Town Board to fund this project 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. (176-2011)
Co. Hoehmann 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 a segment of various town roads for a period of two (2) years, continuing from April 17, 2011 to April 17, 2013, as follows:

RESOLUTIN NO. (176-2011) continued

Sponsor: Nazzaro Disposal
441 No. Route 9W
Congers, NY 10920

Road: .68 mile segment of Lakewood Drive, Congers between Route 303 and Route 9W

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that the Nazzaro Disposal organization will perform a public service in removing trash from above roadways 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, for a period of two (2) years continuing from April 17, 2011 to April 17, 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 the Nazzaro Disposal organization, to remove trash from the roadway.

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. (177-2011)
Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, Lee V. De Forest, has requested a leave of absence, without pay, and

WHEREAS, Article XIX, Section I of the Town of Clarkstown Labor Agreement, provides for a leave of absence, without pay,

NOW THEREFORE BE IT RESOLVED that Lee V. De Forest, 22 Old Brick Road, New City, New York – Laborer – Highway Department – is hereby granted a three (3) months leave of absence, without pay, effective and retroactive to April 1, 2011 to July 1, 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. (178-2011)
Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that the resignation of Daniel C. Lettre, 10 Wheeler Place, West Nyack, New York – Senior Groundsworker -Maintenance Department – is hereby accepted – effective and retroactive to April 4, 2011.

RESOLUTION NO. (178-2011) 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. (179-2011)
Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, in 2010 the Department of Justice published revised regulations of the Americans with Disabilities Act of 1990/91, effective March 15, 2011; and

WHEREAS, the Town of Clarkstown wishes to comply with the new regulations at all Town facilities and programs; and

WHEREAS, DCAK-MSA Architecture prepared a Master Plan for the Town's compliance with the 1991 ADA, and has submitted a proposal to complete a Compliance Review for the 2010 ADA, and the Public Works Supervisor has reviewed said proposal and finds it reasonable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to enter into an agreement, in a form approved by the Town Attorney, with DCAK-MSA Architecture to perform a compliance review of the Town's facilities and programs with regard to the regulations of the 2010 Americans with Disability Act, as per their proposal dated March 20, 2011, and be it,

FURTHER RESOLVED, that the fee for this service shall not exceed $39,500 to review Town facilities and shall be a proper charge to Account No. A 1620 409.

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. (180-2011)
Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, to alleviate significant flooding under Denver Drive, New City, in the vicinity of house number 11, the Town wishes to modify/replace an existing culvert and overlying catch basins; and

WHEREAS, H2M Group has submitted a proposal, dated April 1, 2011, to perform engineering services to prepare a topographic survey and evaluation of the culvert size, and prepare final designs, plans and specifications for public bidding in connection with the modification and/or possible replacement of the existing culvert and catch basins, and the Deputy Director of Environmental Control has reviewed the proposal and finds it acceptable in terms of scope and price:

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with H2M, in a form approved by the Town Attorney, to perform engineering services regarding the Denver Drive Drainage Improvement Project, New City, New York, and

FURTHER RESOLVED, that the fee for said work shall not exceed $23,650.00 and will be charged to Account No. H 8762-409-0-86-7, and be it

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

RESOLUTION NO. (180-2011) 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. (181-2011)
Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, to alleviate significant flooding under Denver Drive, New City, in the vicinity of house number 11, the Town wishes to modify/replace an existing culvert and overlying catch basins; and

WHEREAS, H2M Group has submitted a proposal, dated April 1, 2011, to perform engineering services to prepare a topographic survey and evaluation of the culvert size, and prepare final designs, plans and specifications for public bidding in connection with the modification and/or possible replacement of the existing culvert and catch basins, and the Deputy Director of Environmental Control has reviewed the proposal and finds it acceptable in terms of scope and price:

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with H2M, in a form approved by the Town Attorney, to perform engineering services regarding the Denver Drive Drainage Improvement Project, New City, New York, and

FURTHER RESOLVED, that the fee for said work shall not exceed $23,650.00 and will be charged to Account No. H 8762-409-0-86-7, and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project 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

****

The Supervisor opened the meeting for general public comments.

Jim Cropsey, New City
Offered some critiques and suggestions with regard to the New City revitalization plan.

The Supervisor said they would discuss these issues with the consultants.

Steve Levine, Congers
Asked if there was any Open Space money left and whether the Town is still entertaining the purchase of more parcels.

The Supervisor stated that we still had authority to bond additional money for Open Space and Co. Lasker confirmed that additional property was being considered.

Mr. Hobbs, New City
Inquired about the protocol for reinstatement of employees who leave employment and asked if, in the future, employees who have retired will come back and work for the Town.

The Supervisor reiterated that the employees who retired last year and came back temporarily on an hourly basis did so as a benefit to the Town to aid in transition. He didn't anticipate that going forward this would be the protocol, but could not rule out the possibility that there could be a time again when a retiree could come back on a temporary basis if it is beneficial to the Town.

There being no one further wishing to be heard, on motion of Co. Hoehmann, seconded by Co. Borelli and unanimously adopted the Town Board adjourned to Executive Session, time: 10:59 pm.

The Town Board returned from Executive Session and on motion of Co. Hoehman, seconded by Co. Borelli and unanimously adopted, the Town Board Meeting was adjourned, time: 11:55 PM.

Respectfully submitted,

Justin Sweet
Town Clerk