

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

8/2/11

8:00 P.M.

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

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

RESOLUTION NO. (413-2011)
Co. Hausner offered and Co. Hoehmann seconded

RESOLUTION OF TOWN OF CLARKSTOWN, IN THE
COUNTY OF ROCKLAND, NEW YORK, ADOPTED
AUGUST 2, 2011, CALLING FOR A PUBLIC HEARING
REGARDING THE PROPOSED ISSUANCE OF TAX-
EXEMPT OBLIGATIONS BY THE TOWN OF
CLARKSTOWN TO BE USED TO PROVIDE
FACILITIES TO BE USED BY THE CONGERS-
VALLEY COTTAGE AMBULANCE CORPS. AND
DETERMINING OTHER MATTERS IN CONNECTION
THEREWITH

Recitals

WHEREAS, the Town of Clarkstown, in the County of Rockland, New York (the "Town") proposes to finance the construction of a new headquarters building (the "Project") for use by the Congers-Valley Cottage Ambulance Corps. (the "Ambulance Corps."), an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), pursuant to a lease between the Town and the Ambulance Corps., for the purpose of providing ambulance services to the Congers-Valley Cottage Ambulance District (the "District"), pursuant to a written agreement between the District and the Ambulance Corps.; and

WHEREAS, the Project has been authorized pursuant to proceedings heretofore had under Section 202-b of the Town Law; and

WHEREAS, the Town proposes to finance the Project by the issuance of tax-exempt obligations in an aggregate principal amount not to exceed \$4,000,000 pursuant to the provisions of, among others, Sections 103, 141 and 145 of the Code (the "Bonds"); and

WHEREAS, pursuant to Section 147(f) of the Code, public approval of the issuance of certain tax-exempt obligations, such as the Bonds, is required to be given by the applicable elected representative of the Town, after a public hearing following reasonable public notice;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF
CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

Section 1. The Town Board of the Town shall hold a public hearing at 12:00 Noon (Local Time) on August 22, 2011, at the Town Hall, Andrew Jackson Room, 10 Maple Avenue, New City, New York, to discuss the proposed plan of financing for the Project and the issuance of the Bonds by the Town to finance the Project.

Section 2. The Town Clerk of the Town is hereby authorized and directed to give notice of such public hearing by publishing, at least fourteen (14) days prior to the date of such public hearing, in "*The Journal News*," a newspaper having a general circulation within the Town, and posting on the bulletin board maintained by the Town Clerk pursuant to Section 30(6) of the Town Law, a Notice in substantially the following form:

NOTICE OF PUBLIC HEARING
THE TOWN OF CLARKSTOWN,
IN THE COUNTY OF ROCKLAND,
NEW YORK

AUGUST 22, 2011

NOTICE IS HEREBY GIVEN that the Town of Clarkstown (the "Town"), in the County of Rockland, New York, will hold a public hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") at 12:00 Noon (Local Time) on August 22, 2011 at the Town Hall, Andrew Jackson Room, 10 Maple Avenue, New City, New York, to discuss the proposed plan of financing for the construction of an approximately 9,400 square foot new headquarters building to be located at 122 Kings Highway, Congers, New York (the "Project"), for the use by the Congers-Valley Cottage Ambulance Corps. (the "Ambulance Corps."), a non-profit corporation described in Section 501(c)(3) of the Code existing under the laws of the State of New York, for purposes of providing ambulance services in the Congers-Valley Cottage Ambulance District (the "District"), pursuant to a written agreement between the District and the Ambulance Corps., and the issuance of tax-exempt bonds by the Town in the aggregate principal amount not to exceed \$4,000,000 (the "Bonds") to finance the cost of the Project. The Town will be the owner of the Project and the Ambulance Corps. will be the user of the Project pursuant to a lease agreement between the Town and the Ambulance Corps. The Bonds will be general obligations of the Town, containing a pledge of the faith and credit of the Town but payable in the first instance from assessments upon real property within the District.

Approval of the issuance of the Bonds by the Supervisor of the Town, as the applicable elected representative, is necessary in order for the interest on the Bonds to be excluded from gross income for federal income tax purposes under the Code.

Written comments can be sent to Office of the Town Attorney 10 Maple Avenue, New City, New York no later than August 19, 2011. Materials related to the issuance of the Bonds and the Project are available for inspection at the Office of the Town Attorney 10 Maple Avenue, New City, New York from 9:00 a.m. to 5:00 p.m. on any business day preceding the hearing and at the hearing. Further information may be requested from the Amy Mele, at the above address or by calling (845) 639-2060.

At the hearing, members of the public may appear in person to make or give oral or written comments in favor of or in opposition to the issuance of the Bonds or the location and nature of the Project. Handicapped persons who require assistance in attending the hearing or in furnishing comments should contact the Town at (845) 639-2060 to request such assistance.

By Order of the Town Board of the Town.

Justin Sweet
Town Clerk

Section 3. The Supervisor of the Town is hereby authorized to approve the issuance of the Bonds for the Project after said public hearing is duly called and held and if, after hearing the evidence presented at the public hearing, it is determined that the issuance of the Bonds should be approved, the Supervisor of the Town shall prepare and deliver to the Town Board an executed copy of an Approval Certificate in substantially the following form:

APPROVAL OF THE SUPERVISOR OF THE
TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK,
FOR THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS
BY THE TOWN OF CLARKSTOWN, NEW YORK

WHEREAS, the Town of Clarkstown, in the County of Rockland, New York (the "Town") proposes to finance the construction of a new headquarters building (the "Project") for use by the Congers-Valley Cottage Ambulance Corps. (the "Ambulance Corps."), an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), pursuant to a lease between the Town and the Ambulance Corps., for the purpose of providing ambulance services in the Congers-Valley Cottage Ambulance District (the "District"), pursuant to a written agreement between the District and the Ambulance Corps., and such Project has been authorized pursuant to proceedings heretofore had under Section 202-b of the Town Law; and

WHEREAS, the Town proposes to finance the Project by the issuance of tax-exempt obligations in an aggregate principal amount not to exceed \$4,000,000 pursuant to the provisions of, among others, Sections 103, 141 and 145 of the Code (the "Bonds"); and

WHEREAS, pursuant to Section 147(f) of the Code, public approval of the issuance of certain tax-exempt obligations, such as the Bonds, is required to be given by the applicable elected representative of the Town, after a public hearing following reasonable public notice;

NOW, THEREFORE, a public hearing on the proposed issuance of the Bonds having been duly called and held, and all those in favor thereof and those opposed thereto having had an opportunity to be heard at such public hearing, a report of such hearing having been duly made, appropriate findings and any appropriate certification or determination of the Project need having been provided, the issuance of the Bonds to finance the Project described in the Schedule is hereby approved.

SCHEDULE

AMOUNT OF
OBLIGATIONS:

Not to exceed \$4,000,000

PROJECT AND
DESCRIPTION:

Construction of an approximately 9,400 square foot new headquarters building to be located at 122 Kings Highway, Congers, New York (the "Project"), for the use by the Congers-Valley Cottage Ambulance Corps. (the "Ambulance Corps."), an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), pursuant to a lease between the Town and the Ambulance Corps., for the purpose of providing ambulance services in the Congers-Valley Cottage Ambulance District (the "District"), pursuant to a written agreement between the District and the Ambulance Corps.

NATURE OF
OBLIGATION:

The Bonds shall be general obligations of the Town, containing a pledge of the faith and credit of the Town but payable in the first instance from assessments upon real property within the District.

Alexander Gromack
Supervisor, Town of Clarkstown

Section 4. This resolution shall take effect immediately.

* * *

On roll call the vote was as follows:

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

RESOLUTION NO. (414-2011)
Co. Hausner offered and Co. Borelli seconded

RESOLVED, that the resignation of Rabbi Joshua Gruenberg, 308 Front Street, Upper Nyack, NY 10960 – Member – Board of Ethics – is hereby accepted – effective and retroactive to June 30, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (415-2011)
Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #10064 Highway Maintenance Supervisor I – which contains the name of Robert C. Kaminski,

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Robert C. Kaminski, 24 Feller Court, Suffern, New York –to the (permanent) (promotional) position of Highway Maintenance Supervisor I – Highway Department – at the 2011 annual salary of \$79,171., effective and retroactive to August 1, 2011

On roll call the vote was as follows:

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

RESOLUTION NO. (416-2011)
Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that in accordance with the provisions of the Collective Bargaining Agreement between the Town of Clarkstown and the CSEA, the employment of Douglas DeMarsico is hereby terminated effective as of July 18, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (417-2011)
Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, RO-DYLL Realty LLC has submitted a petition to the Town Board of the Town of Clarkstown for a Special Permit, pursuant to Section 151 of the Town Code of the Town of Clarkstown, to grant a Special Permit to allow three one-bedroom apartments above retail space. The property is located at 44-46 Lake Road, Congers, New York, and is located within the Congers Overlay District. The property is designated on the Clarkstown Tax Map as 44.15-3-10;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to Chapters 151 and 290-17 of the Zoning Local Law of the Town of Clarkstown, shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on September 20, 2011, or as soon thereafter as possible, to consider the petition of RO-DYLL Realty LLC relative to said Special Permit, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (418-2011)
Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, the Fuel Stations at the Clarkstown Police Department and Clarkstown Highway Department are currently undergoing renovations and,
WHEREAS, in the course of performing the renovations, it was determined by the Superintendent of Highways to have a dual pump system and vapor recovery system housed in one unit, and supplemental engineering review for a total increase of approximately \$12,450, and
WHEREAS, American Petroleum Equipment and Construction Company, Inc. (APECCO) submitted a proposal to modify the gasoline dispenser to accept a balanced stage II vapor recovery system, and
WHEREAS, the cost of the additional work is \$3,823.19
NOW THEREFORE BE IT,

RESOLUTION NO. (418-2011) continued

RESOLVED, that Change Order #2, Gasoline Dispenser, for Bid 16A-2009 is approved for the additional cost of \$3,823.19 and \$12,450 for additional site improvements and installation of a dual pump system for a total project cost of approximately \$366,145 and BE IT FURTHER RESOLVED, that said additional cost shall be a proper charge to Account No. H-8759-409-0-83-17.

On roll call the vote was as follows:

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

RESOLUTION NO. (419-2011)

Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, the Town of Clarkstown acquired an easement many years ago from the previous owners of property now known as Camelot Subdivision, Section V when the Town undertook a Townwide sewer installation project, and

WHEREAS, in accordance with a subsequently designed and approved building lot, the developer of the Camelot Subdivision, Section V has requested permission to relocate the sewer pipe on Lot 20 in Section V, and

WHEREAS, the Deputy Director of the Department of Environmental Control found there would be no adverse impact on the Town sewer system and recommends abandoning the existing sewer easement over Lot 20 and acquiring a new sewer easement over Lot 20 in a different location than that shown on the filed subdivision map from the current owner of the property, Price Construction, LLC, in a form approved by the Town Attorney;

NOW, THEREFORE, be it

RESOLVED, the Supervisor is hereby authorized to execute a sanitary sewer easement agreement abandoning the existing easement over Lot 20 in Section V of the Camelot Subdivision and extinguishing the Town's interest in that location, and creating a new sanitary sewer easement over Lot 20 in the revised location, and be it

FURTHER RESOLVED, that the Town Board hereby accepts the aforementioned sanitary sewer easement from Price Construction, LLC and orders said easement to be recorded in the Rockland County Clerk's Office at the expense of the grantor.

On roll call the vote was as follows:

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

RESOLUTION NO. (420-2011)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, Section 93-2(A) of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown, and

RESOLUTIN NO. (420-2011) continued

WHEREAS, the Congers-Valley Cottage Rotary Club wishes to obtain a permit from the Town Board to dispense alcohol at the Italian Festival to be held on Town property, the Congers Train Station, 20 Burnside Avenue, Congers, New York, on October 2, 2011 with a rain date of October 16, 2011;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission

for the Congers-Valley Cottage Rotary Club to dispense alcoholic beverages at 20 Burnside Avenue, Congers, New York, in accordance with and subject to Section 93-2(A) of the Town Code of the Town of Clarkstown, and be it

FURTHER RESOLVED, that this Resolution shall constitute the permit.

On roll call the vote was as follows:

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

RESOLUTION NO. (421-2011)

Co. Hoehmann 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 continue to adopt the below segment of town road for an additional period of two (2) years, continuing from August 1, 2011 to August 1, 2013, as follows:

Sponsor: Dr. Paul M. Lentini, Bardonia Chiropractic
28 Bardonia Road
Bardonia, NY 10954

Road: 0.7 mile segment of Bardonia Road, from
Route 304 to Germonds Road
Bardonia/West Nyack, NY

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program in that said group 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 August 1, 2011 to August 1, 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 above named to remove trash from the roadway.

RESOLUTION NO. (421-2011) continued

* * *

On roll call the vote was as follows:

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

RESOLUTION NO. (422-2011)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Town wishes to renew an Agreement with Community Energy, Inc. to provide a portion of the Town's energy needs by procuring pollution-free wind power, and

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Community Energy, Inc., in a form acceptable to the Town Attorney, for the period June 1, 2011 through May 31, 2012, to provide a portion of the Town's energy needs by procuring pollution-free wind power; and be it

FURTHER RESOLVED, that the price for 146 MWh shall be \$20.00 per MWh for a total of \$2,920.00 for the first six months and the price for 104 MWh shall be \$20.00 per MWh for a total of \$2,080.00, for the remaining six months, for a total not to exceed \$5,000.00, and shall be a proper charge to Account No. A 1620 461, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to June 1, 2011.

On roll call the vote was as follows:

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

RESOLUTION NO. (423-2011)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, Doug Nguyen, President of DKOANH, Inc. d/b/a Wasabi Grill, has advised the Town Clerk by letter dated July 29, 2011, pursuant to Section 64-2(a) of the Alcoholic Beverage Control Law, that DKOANH, Inc. d/b/a Wasabi Grill has applied for an on-premises liquor license at 195 South Main Street, New City, New York, and

WHEREAS, to expedite processing said corporation's license application, Doug Nguyen has requested that the Town Board waive the thirty day waiting period provided by law, and

WHEREAS, the Town Board does not intend to comment upon such application;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby waives the thirty day notice requirement contained in Section 64 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding the application of DKOANH, Inc. d/b/a Wasabi Grill for a license at premises located at 195 South Main Street, New City, New York.

RESOLUTION NO. (423-2011)

On roll call the vote was as follows:

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

RESOLUTION NO. (424-2011)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, Ronald S. Koppelman, Esq., attorney for D & D’s Inc. d/b/a D & D’s, has advised the Town Clerk by letter dated July 29, 2011, pursuant to Section 64-2(a) of the Alcoholic Beverage Control Law, that D & D’s Inc. d/b/a D & D’s has applied for an on-premises liquor license at 191-195 South Main Street, New City, New York, and

WHEREAS, to expedite processing said corporation’s license application, Ronald S. Koppelman, Esq. has requested that the Town Board waive the thirty day waiting period provided by law, and

WHEREAS, the Town Board does not intend to comment upon such application; NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby waives the thirty day notice requirement contained in Section 64 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding the application of D & D’s Inc. d/b/a D & D’s for a license at premises located at 191-195 South Main Street, New City, New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (425-2011)

Co. Borelli offered and Co. Hoehmann seconded

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

BID #31-2011 – CENTRAL NYACK DRAINAGE IMPROVEMENT PROJECT

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by 11:00 (A.M.) on OCT. 12, 2011 at which time bids will be opened and read, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (426-2011)
Co. Borelli offered and Co. Hoehmann seconded

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

BID #31-2011 – CENTRAL NYACK DRAINAGE IMPROVEMENT PROJECT

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by 11:00 (A.M.) on OCT. 12, 2011 at which time bids will be opened and read, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (427-2011)
Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that Resolution No. 663-1999, adopted September 14, 1999, be rescinded at the request of the Highway Department; and be it

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

“No Parking Anytime” signs per the NYS DOT Manual of Traffic Control Devices, Sec.221.5 signs with arrows, on the south side of Schriever Lane, New City, 200 feet from Main Street westbound to the back edge of the parking lot.

And be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (428-2011)
Co. Borelli offered and Co. Hoehmann seconded

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

A “Stop” sign and a “Stop” Line on Pine Street at Willow Avenue, Central Nyack, as per sec. 211 sign R-1A of the NYS DOT’s Manual of Uniform Traffic Control Devices.

RESOLUTION NO. (428-2011)

AND BE IT FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways for implementation.

On roll call the vote was as follows:

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

RESOLUTION NO. (429-2011)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install: "No Turn On Red" signs at each approach to the intersection of Waldron Avenue and West Broadway, Central Nyack, as per Sec. 213.3 of the NYS DOT Manual of Uniform Traffic Control Devices, sign R3-7.

AND BE IT FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways for implementation.

On roll call the vote was as follows:

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

RESOLUTION NO. (430-2011)

Co. Borelli offered and Co. Hoehmann seconded

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as South Mountain Properties LLC (26.19-1-24), the Planning Board of the Town of Clarkstown requested a conservation easement and a deed for road widening purposes along South Mountain Road, New City, New York, and

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

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Deputy Director of the Department of Environmental Control of the Town of Clarkstown, a conservation easement dated June 21, 2011 and a deed dated May 19, 2011 from South Mountain Properties, LLC to the Town of Clarkstown, gratuitously conveying a conservation easement and a strip of land along South Mountain Road, New City, New York, are hereby accepted and ordered recorded in the Rockland County Clerk's Office at the expense of the grantor.

On roll call the vote was as follows:

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

RESOLUTION NO. (431-2011)
Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, the Town of Clarkstown maintains an official Zoning Map in accordance with the provisions of Town Law Section 264; and

WHEREAS, the Town had, in the past, delegated the authority to make changes to the Zoning Map to the Rockland County Department of Planning’s GIS Department; and

WHEREAS, the Town has established its own GIS Coordinator who is fully capable of maintaining the Zoning Map in electronic format and making changes thereto when directed; and

WHEREAS, due to the inherent margin of error associated with older mapping techniques, as the Zoning Map was revised over time, certain errors and/or discrepancies exist on the current Zoning Map; and

WHEREAS, the Town Board wishes to rectify said errors and resolve said discrepancies and avail itself of the latest state of the art mapping technologies; and

WHEREAS, in order to accomplish this goal, the Town Board desires to create a Zoning Map Committee;

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby establishes a Zoning Map committee, consisting of the Building Inspector, Town Planner and Town Attorney; and be it

FURTHER RESOLVED, that the Town Planner and Town Attorney shall act in an advisory capacity to the Building Inspector, who shall make the ultimate determination as to whether an error or discrepancy exists and how said error or discrepancy shall be corrected; and be it

FURTHER RESOLVED, that the Zoning Map Committee shall report to the Town Board as needed to make recommendations as to rectifying errors or discrepancies on the Zoning Map; and be it

FURTHER RESOLVED, that the GIS Coordinator is hereby authorized to make changes to the Zoning Map and the Official Map as authorized by the Town Board.

On roll call the vote was as follows:

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

RESOLUTION NO. (432-2011)
Co. Borelli offered and Co. Hoehmann seconded

WHEREAS, H2M Group conducted a feasibility study for the SOUTH MAIN STREET REVITALIZATION – PHASE 3, and

WHEREAS, said study concluded that a Project Labor Agreement was recommended for said project;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the inclusion of a Project Labor Agreement for the following public works project:

BID NO. 27-2011
 SOUTH MAIN STREET REVITALIZATION – PHASE 3

On roll call the vote was as follows:

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

There being no one further wishing to be heard on motion of Co. Hausner, seconded by Co. Hoehmann, the Town Board Meeting was adjourned, time: 8:28 p.m.

Respectfully submitted,

Justin Sweet
Town Clerk