

TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING

Town Hall

06/15/2004

7:00 P.M.

Present: Supervisor Holbrook
Council Members Lasker, Maloney, Mandia & Nowicki
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

Supervisor Holbrook declared the Special Town Board Meeting open. Assemblage saluted the Flag.

RESOLUTION NO. (528-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, by Resolution No. 807-2002 adopted September 24, 2002 and Resolution No. 140-2004 adopted January 27, 2004, the Town Board has supported the introduction of Home Rule legislation to be sponsored by Senator Thomas P. Morahan and Assemblyman Alexander Gromack, which would authorize the alienation by transfer of a parcel of land located within Germonds Park and designated as park land on the application of Sprint Spectrum LP, for permission to erect a much needed wireless communication facility on said park land provided other municipal lands are converted to park land in exchange and provided that reasonable compensation is provided by the applicant for such alienation, and

WHEREAS, by Resolution No. 140-2004, adopted on January 27, 2004, the Town Board authorized and directed Jose Simoes, Town Planner, to act as agent for the Board with respect to SEQRA review of the proposed Home Rule legislation, and his report dated May 25, 2004, has been received and duly considered by the Town Board;

NOW, THEREFORE, be it RESOLVED, that based upon the May 25, 2004 report of Jose Simoes, acting as staff to the Town Board as lead agency, it is hereby determined that this action is as Unlisted Action which requires no further notification, and the Town Board hereby further determines that enactment of the Home Rule legislation referred to herein shall not have any significant impact on the environment provided the conditions set forth in said report are implemented by agreement on consent of Sprint Spectrum LP in mitigation of potential adverse environmental impacts, and that no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required for this action, and be it

FURTHER RESOLVED, that the Town Board hereby supports the Home Rule legislation introduced by Senator Morahan and Assemblyman Gromack, Senate Bill No. S.7407-B and Assembly Bill No. A.11412-B, intended to authorize the substitution and conversion of 1.319 acres of municipally owned land adjacent to Germonds Park, West Nyack, New York, to park lands in exchange for authorization to transfer an equivalent sized parcel located within Germonds Park for use by the applicant to install a cell tower with the result that there shall be no diminution of the amount of parkland held for the benefit of residents of the Town of Clarkstown, which parcels are more particularly described in the legislation referred to herein, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to execute a Home Rule Request concerning Senate Bill No. S.7407-B and Assembly Bill No. A.11412-B, which provides for alienation of park lands and conversion of other lands as described herein and which shall permit the installation contemplated at a location where it would best serve the public interest, and be it

RESOLUTION NO. (528-2004) CONT.

FURTHER RESOLVED, that the lease or other transfer referred to herein shall be subject to further resolution of the Town Board.

On roll call the vote was as follows:

Councilwoman Lasker Yes
 Councilman Maloney Yes
 Councilman Mandia Yes
 Councilwoman Nowicki Yes
 Supervisor Holbrook Yes

There being no further business and no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted the Town Board Meeting was adjourned at 7:02 p.m.

Respectfully submitted,



Patricia Sheridan
Town Clerk