

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

11/9/2004

8:00 P.M.

Present: Supervisor Alex J. Gromack
Council Members Lasker, Maloney, Mandia & Nowicki
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

Supervisor declared the Town Board Meeting open. Assemblage saluted the Flag. Certificate of Award for achieving the rank of Eagle Scout was presented to Daniel Palmeri of Boy Scout Troop 33, Nanuet. Supervisor opened the public portion of the meeting.

Martin Bernstein
New City

Asked where 8 Worthington Court (item 2) is and about Caliber Builders, Inc. (item 11)

RESOLUTION NO. (860-2004)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Town Board Minutes of October 26, 2004 and November 3, 2004 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (861-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the parcel of property encumbered with a conservation easement, known as Tax Map 64.19-4-10, 8 Worthington Court, West Nyack, is owned by the County of Rockland as a result of tax delinquency, and

WHEREAS, John Noto, Real Property Tax Office of the County of Rockland, has advised the Town that property owners of 4 Worthington Court have proposed to acquire the parcel and merge it with their own lot, and Mr. Noto wishes to obtain the Town Board's recommendation to this proposal, and

WHEREAS, the Town believes that this sale and the merger with adjacent property is an appropriate way to reduce the likelihood of future tax delinquency;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby supports the sale of parcel known as 64.19-4-10 to the abutting property owner.

RESOLUTION NO. (861-2004) CONT.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (862-2004)

Co. Mandia offered and Co. Maloney seconded

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

WHEREAS, the Chairman and Superintendent of Recreation and Parks have reviewed the request from the Congers/Valley Cottage Rotary for permission to dispense alcoholic beverages at the Congers Community Center pursuant to Section 93-2(A) and 2(B) of the Clarkstown Town Code and have recommended approval of said request,

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby grants permission to the Congers/Valley Cottage Rotary to dispense beer and wine in accordance with and subject to Section 93-2(A) and 2(B) of the Town Code for:

Congers/Valley Cottage Rotary
 Saturday, November 23, 2004
 Congers Community Center – Auditorium
 Gilchrest Road
 Congers, NY 10920

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (863-2004)

Co. Lasker offered and Co. Nowicki seconded

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

Bid #3-2005 – Printing of Town Envelopes and Stationery

Bids to be returnable to Purchasing Department, 10 Maple Avenue, New City, New York by 11:00 a.m. on November 30, 2004 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.

RESOLUTION NO. (863-2004) CONT.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (864-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown has received \$50,000 from State Farm Insurance Company for damaged Mini-Trans buses,

THEREFORE BE IT, RESOLVED, to increase Account's H-15-8-2680-0 (Capital-Insurance Recoveries) and H-8753-409-0-77-21 (Capital-Purchase of Mini-Trans Buses) for \$50,000 and

WHEREAS, various accounts need additional funding,

THEREFORE BE IT, RESOLVED, to decrease A-1330-110-0 (Receiver of Taxes- Salaries) and increase A-1330-313-0 (Receiver of Taxes-Office Supplies) by \$500 and be it,

FURTHER RESOLVED, to decrease A-1620-199 (Maintenance-Vacation Buybacks) by \$1500 and A-1620-408-0 (Maintenance-Bldg Repairs) by \$21,000 and increase A-1620-114-0 (Maintenance-Part Time) by \$5,500 and A-1620-306-0 (Maintenance-Supplies) by \$15,000 and A-1620-307-0 (Maintenance-Uniforms) by \$2,000 and be it;

FURTHER RESOLVED, to decrease A-1990-505-0 (Contingency-Other Costs) by \$46,100 and increase A-8090-409-0 (Control of Aquatic Pests-Fees for Services) by \$22,034 and A-8511-409-0 (Community Beautification-Fees for Services) by \$24,066 and be it;

FURTHER RESOLVED, to decrease A-3120-203-0 (Police-Motor Vehicles) by \$33,188.22 and increase A-3120-438-0 (Police-Maintenance Agreements) by \$33,188.22.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (865-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, there exists a vacancy in the Office of the Town Supervisor – Senior Clerk Typist #500918 – due to the transfer of Stacey Lakis, and

WHEREAS, the Town Board is desirous of filling the position of Senior Clerk Typist in the Office of the Town Supervisor, and

RESOLUTION NO. (865-2004) CONT.

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #02089 Senior Clerk Typist which contains the name of Lia M. Wanamaker,

Now, therefore, be it RESOLVED, that Lia M. Wanamaker, 573 Babbling Brook Lane, Valley Cottage, New York, is hereby appointed to the position of Senior Clerk Typist, Office of the Town Supervisor, at the current 2004 annual salary of \$32,654., effective November 22, 2004.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (866-2004)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the resignation of Gary Siegel, 14 Green Bower Lane, New City, New York – (part-time) Assistant Fire Safety Inspector – Building Department – is hereby accepted – effective November 19, 2004.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (867-2004)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #03201 Police Radio Dispatcher (CAD) – Town of Clarkstown Police Department – which contains the name of Jason DiSalvo,

Now therefore, be it RESOLVED, that Jason DiSalvo, 7 Lamborn Avenue, Congers, New York, is hereby appointed to the position of Police Radio Dispatcher (CAD) – Town of Clarkstown Police Department – at the current 2004 annual salary of \$43,416., effective November 22, 2004.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (868-2004)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, it is in the public interest to install one (1) fire hydrant within the right of way of Schuyler Road at its intersection with Francis Place in Central Nyack to provide for better fire protection; and

WHEREAS, the estimated cost for such installation by the Nyack Board of Water Commissioners is eighty-five dollars (\$85.00) per quarter;

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute an agreement with the Nyack Board of Water Commissioners for the installation of a fire hydrant at the intersection of Schuyler Road and Francis Place, Central Nyack at a cost not to exceed eighty-five (\$85.00) per quarter which shall be charged against the Central Nyack Water District Account.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (869-2004)

Co. Maloney offered and Co. Mandia seconded

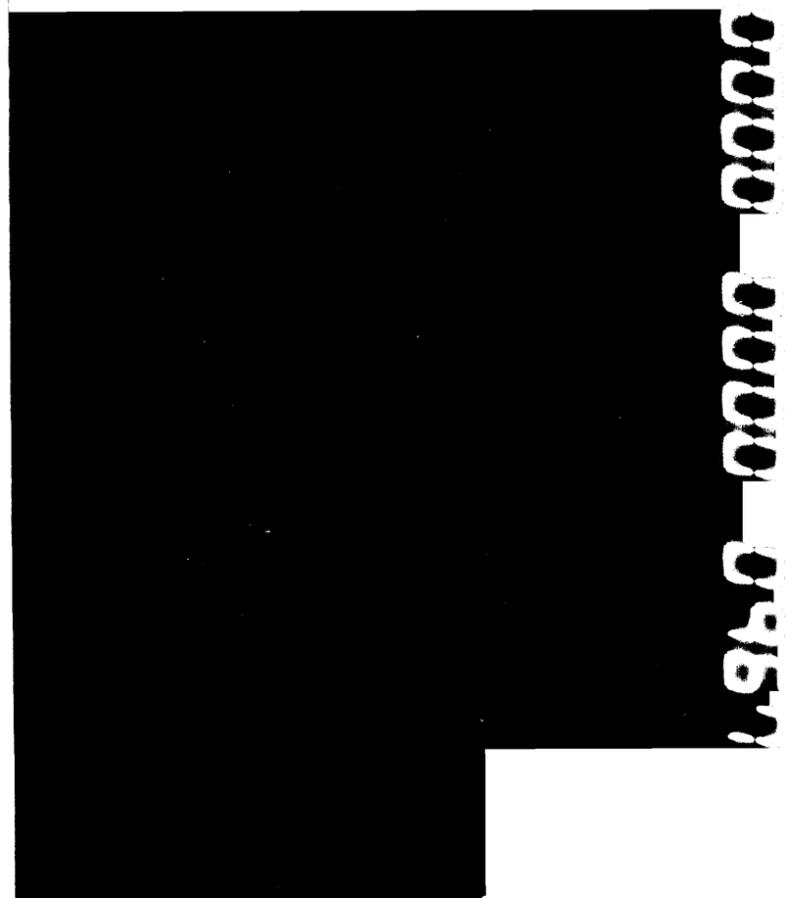
WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, WALD REALTY CO., #2 LLC V. TOWN OF CLARKSTOWN, ITS ASSESSOR AND BOARD OF ASSESSMENT REVIEW, Index No(s). 4165/98, 4091/99, 4102/00, 4076/01, 4557/02, 4375/03 and 4253/04, affecting parcel(s) designated as Map 64.6, Block 1, Lot 10, (f/k/a 32-B-1.2) and more commonly known as 25 Smith Street, Nanuet, New York for the year(s) 1998/99, 1999/00, 2000/01, 2001/02, 2002/03, 2003/04 and 2004/05, and

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

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

NOW, THEREFORE, be it RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 64.6, Block 1, Lot 10 be reduced for the year(s) 2001/02 from \$1,700,000 to \$1,633,900 at a cost to the Town of \$954.10;
2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 64.6, Block 1, Lot 10 be reduced for the year(s) 2002/03 from \$2,056,175 to \$2,000,000 at a cost to the Town of \$818.75;
3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 64.6, Block 1, Lot 10 be reduced for the year(s) 2003/04 from \$2,174,900 to \$2,000,000 at a cost to the Town of \$2,620.65;



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RESOLUTION NO. (869-2004) CONT.

4. Reimbursement for the year(s) 2001/02, 2002/03 and 2003/04 on the parcel described as Map 64.6, Block 1, Lot 10, as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

5. The proceedings commenced by the petitioner respecting Map 64.6, Block 1, Lot 10 be discontinued for the year(s) 1998/99, 1999/00, 2000/01 and 2004/05;

6. 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:

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

RESOLUTION NO. (870-2004)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney-Purchasing that

Bid #1-2005 – Office Supplies

is hereby awarded to: Corporate Express
400 Long Beach Blvd.
Stratford, CT 06615
Principal: A Public Corporation

New City Office Supply
190 Lawlins Park
Wyckoff, NJ 07481
Principal: Larry Roth

Fern Office Supply
2D Melnick Drive
Monsey, NY 10952
Principal: A Public Corporation

as per attached item/price schedule (on file with the Office of the Town Clerk).

On roll call the vote was as follows:

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

RESOLUTION NO. (871-2004)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney-Purchasing that

Bid #2-2005 – Photocopier/Facsimile Supplies

is hereby awarded to:

O.P.G.
140 58th Street
Brooklyn, NY 11220
Principals: Don Thompson
Dan Schwebe

Canon Business Solutions – East Inc.
300 Commerce Square Blvd.
Burlington, NJ 08016
Principals: A Public Corporation

Northern Business Systems
575 Corporate Drive
Mahwah, NJ 07430
Principals: Eugene McGillicuddy

New City Office Supply
190 Lawlins Park
Wyckoff, NJ 07481
Principals: Glenn Miller
Larry Roth

Supply-Saver Corporation
1324 Wyckoff Road
Neptune, NJ 07753
Principals: Laurence L. Jones
Bradley L. Jones

Atlantic Business Products
828 South Broadway
Tarrytown, NY 10591
Principals: Larry Weiss

as per the attached price/item list (on file with the Office of the Town Clerk).

On roll call the vote was as follows:

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

RESOLUTION NO. (872-2004)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Deputy Town Attorney-Purchasing is hereby authorized to advertise for bids for:

Bid #5-2005 – Athletic and Recreation Supplies

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue,

New City, New York by 11:00 a.m. on December 2, 2004 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 Deputy Town Attorney-Purchasing.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (873-2004)

Co. Maloney offered and Co. Lasker seconded

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

Bid #68-2004 – Emergency Generator For Clarkstown Highway Department

Bids to be returnable to Purchasing Department, 10 Maple Avenue, New City, New York by 10:30 a.m. on (date 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 Clarkstown Purchasing Department.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (874-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, by resolution dated August 17, 2004, the Town Board referred the petition of Caliber Builders Incorporated to the Town of Clarkstown Planning Board for review and recommendation, and by report dated November 5, 2004 the Planning Board has requested an additional ninety day period to complete its review and to make a

RESOLUTION NO. (874-2004) CONT.

recommendation regarding such zone change and any necessary Amendment to the Comprehensive Plan;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby provides the Clarkstown Planning Board with an additional ninety days to complete its review of the zone change application and Amendment to the Comprehensive Plan, pursuant to Section 290-33A(2) of the Town Code.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (875-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Goldkirch Partners I, L.P. had furnished to the Town of Clarkstown a Letter of Credit in the amount of \$636,525.00 to secure the completion of the public improvements in the Goldkirch Subdivision, and such Letter of Credit had been reduced pursuant to resolution dated February 12, 1991, to \$260,000.00, and

WHEREAS, the Deputy Director of Environmental Control has recommended that said Letter of Credit now issued by M&T Bank, in the amount of \$260,000.00, be further reduced to \$111,000.00, as much of the required improvements have been completed, and

WHEREAS, the Deputy Director has also recommended that a security escrow deposit of \$34,000.00 be posted to secure the future installation of sidewalks, which cannot at the present time be installed without risk of damage when future construction activity shall occur;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the reduction of Letter of Credit No. 8123 from \$260,000.00 to \$77,000.00, and be it

FURTHER RESOVLED, that this resolution is subject to the posting of a cash security deposit in the amount of \$34,000.00 to secure the future installation of required sidewalks in the Goldkirch Subdivision.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (876-2004)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, by report dated November 4, 2004, the Building Inspector and Fire Inspector have advised the Town Board that premises located at 117 Rose Road, West

RESOLUTION NO. (876-2004) CONT.

Nyack, New York, Tax Map designation 64.11-1-3.1, reputedly owned by Thomas Jordan and Elizabeth Jordan, has become a fire and safety hazard, a nuisance and a threat to the health and welfare of the community in that the premises is unoccupied, not secured from entry, and has a large amount of combustible garbage, debris and other material which has created a very serious fire hazard risk, and

WHEREAS, the Building Inspector had duly issued his Order #04-29 on October 15, 2004 to the record property owner to secure said structure and remove all combustibles within said structure, and re-inspection made on November 3, 2004 has disclosed that the condition has not been corrected;

NOW, THEREFORE, be it RESOLVED, pursuant to Chapter 111 of the Code of the Town of Clarkstown, the Town Board hereby determines that the subject premises is unsafe and dangerous and must be secured and all combustibles removed in accordance with the Order of the Building Inspector and the property owner is hereby Ordered to comply with the directive of the Building Inspector and the Fire Inspector, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 111 of the Code of the Town of Clarkstown to secure compliance by the property owner or any other person having a vested or contingent interest in said premises which is reputedly owned by Thomas and Elizabeth Jordan, and be it

FURTHER RESOLVED, that the Town Attorney prepare and serve notice for a public hearing to be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on December 14, 2004, at 8:00 P.M., or as soon thereafter as possible, providing that service of Notice as required by Section 111-6 of the Town Code is made, at which time the property owner and all persons in interest shall be heard.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (877-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the Town of Clarkstown operates a facility for the disposal of and processing of various yard wastes, concrete and asphalt at its Solid Waste Facility, Route 303, West Nyack, New York, and

WHEREAS, pursuant to Section 248-6 of the Clarkstown Town Code, the Town Board by resolution may set fees for disposal of acceptable waste at Town operated disposal facilities, and

WHEREAS, the Director the of the Department of Environmental Control has recommended revised tipping fees be approved to reflect the increased costs of processing such materials;

NOW, THERFORE, be it RESOLVED, that the Town Board hereby establishes revised tipping fees for disposal of the following commodities at the Town's Solid Waste Facility as follows:

RESOLUTION NO. (877-2004) CONT.

- Commodity 1202 (Leaves) - \$37.00 per ton
- Commodity 1212 (Brush) - \$54.00 per ton
- Commodity 1213 (Chipped Brush) - \$37.00 per ton
- Commodity 1222 (Grass) - \$62.00 per ton
- Commodity 1223 (Mixed Yard Waste) - \$95.00 per ton
- Commodity 1224 (Stumps) - \$75.00 per ton
- Commodity 1302 (Brick, Roll Off Container) - \$70.00 per load
- Commodity 1303 (Concrete, Roll Off Container) - \$70.00 per load
- Commodity 1312 (Brick, Mason Dump, 2 CY) - \$30.00 per load
- Commodity 1313 (Concrete, Mason Dump, 2CY) - \$30.00 per load
- Commodity 1316 (Brick, Mason Dump 4 CY) - \$40.00 per load
- Commodity 1317 (Concrete, Mason Dump, 4 CY) - \$40.00 per load
- Commodity 1322 (Brick, 6 Wheel / Tandem Dump) - \$60.00 per load
- Commodity 1323 (Concrete, 6 Wheel / Tandem Dump) - \$60.00 per load
- Commodity 1332 (Brick, Trailer) - \$105.00 per load
- Commodity 1333 (Concrete, Trailer) - \$105.00 per load
- Commodity 1343 (Asphalt, Roll Off Container) - \$70.00 per load
- Commodity 1353 (Asphalt, Mason Dump, 2 CY) - \$30.00 per load
- Commodity 1354 (Asphalt, Mason Dump, 4 CY) - 40.00 per load
- Commodity 1363 (Asphalt, 6 Wheel / Tandem Dump) - \$60.00 per load
- Commodity 1373 (Asphalt Trailer) - \$105.00 per load,

and be it FURTHER RESOLVED, that the above fees are effective December 1, 2004.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (878-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Rental Agreement for the Extec 500s Turbo Screening Plant at the Solid Waste Facility expired on March 25, 2003; and

WHEREAS, the Solid Waste Facility has continued to utilize the machine since the expiration of the rental agreement; and

WHEREAS, the Rental Agreement contained a provision which provides the Town with an option to purchase the machine at a fair market value at the conclusion of the lease term; and

WHEREAS, the Extec 500s Turbo Screening Plant is an essential piece of equipment used for the processing and screening of the recycled concrete and asphalt at the Solid Waste Facility, and

WHEREAS, the Deputy Director of Operations has obtained a buyout cost from Organic Recycling Inc. for \$70,000.00, and

WHEREAS, the Deputy Director of Operations has obtained an appraisal from Extec Northeast, PO Box 787, Yonkers, New York 10704 verifying that the fair market value of the machine equals \$70,000.00; and

RESOLUTION NO. (878-2004) CONT.

WHEREAS, the Deputy Director of Operations believes that the purchase of the machine would be in the best interest of the Town and its constituents;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to retroactively extend the rental agreement with Organic Recycling, Inc., 117 A Route 303, Tappan, New York 10983 for a period of nineteen (19) months from March 25, 2003 through November 25, 2004, for the monthly rate of \$3,171.41 and

BE IT FURTHER RESOLVED that the Director of the Department of Environmental Control is hereby authorized to purchase the Extec 5000 S Turbo Screening Plant for the buyout amount of \$70,000.00, and

BE IT FURTHER RESOLVED that the cost for the purchase of the screening plant shall be charged to account SR 8160 443.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack Yes

RESOLUTION NO. (879-2004)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Planning Board requires a deed for widening part of West Clarkstown Road as a condition to its approving the final map of the "Posenato Subdivision", designated 50.20-4-1 on the town tax map; and

WHEREAS the applicant has offered a conveyance for the purpose; and

WHEREAS, the Director of Environmental Control has recommended acceptance of the conveyance; and

WHEREAS the Town Attorney has determined that the conveyance and its related documents meet the requirements of the Planning Board and of the law;

NOW, THEREFORE, be it RESOLVED, that upon the recommendation of the Director of Environmental Control, with the concurrence of the Superintendent of Highways, and subject to receipt from the applicants of the recording fees, the deed, dated August 23, 2004 offered by applicants Robert A. Posenato and Dawn M. Posenato to the Town of Clarkstown, gratuitously conveying a strip of land along West Clarkstown Road, New City, New York, is hereby accepted and ordered to be recorded in the Rockland County Clerk's Office.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Nowicki Yes
- Supervisor Gromack 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 closed, time 8:30 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Patricia Sheridan".

Patricia Sheridan
Town Clerk