

CLARKSTOWN TOWN BOARD & SPRING VALLEY VILLAGE BOARD  
JOINT MEETING

Town Hall

01/25/2005

7:00 P.M.

Present from the Town of Clarkstown

Supervisor Alex J. Gromack  
Council Members Lasker, Maloney, Mandia & Nowicki  
Marsha Coopersmith, Deputy Town Attorney  
Patricia Sheridan, Town Clerk

Present from the Village of Spring Valley:

Mayor George O. Darden  
Deputy Mayor Philip Rosenthal  
Trustees Brown, Jasmin & Desmaret  
Village Attorney, Bruce Levine  
Sheri Scott, Village Clerk

RE: Petition of Ramazan Sevim for annexation of a portion of his lands into the Village of Spring Valley from the Town of Clarkstown

Assemblage saluted the flag. Deputy Town Attorney, Marsha Coopersmith, asked that one person be designated to conduct the meeting. Supervisor Gromack opened the meeting.

Town Clerk, Patricia Sheridan, called the roll for Clarkstown and Village Clerk, Sheri Scott, called the roll for Spring Valley. Town Clerk read the notice calling Public Hearing and testified as to proper posting and publication.

Supervisor Gromack invited the petitioner's attorney to address the Board on this matter.

Appearance: Myron Mandel  
Attorney representing Ramazan Sevim

He explained that the petitioner wished to modernize his gas station and intended to continue to use it as a gas station. A small portion of the property belongs to Clarkstown, no more than one-quarter of a acre in size, and is surrounded by property located in the Village of Spring Valley. They have heard no objections from anyone concerning an annexation that can only make sense. He also stated that this annexation complied with the State Law. The granting of this annexation is in the overall public interest. It certainly is of no value to the Town of Clarkstown.

Joe Simoes, Clarkstown Town Planner, made a presentation showing the area on the map, which was to be annexed. He explained that all the surrounding property was located in the Village of Spring Valley. His recommendation was that this was a positive move for both municipalities.

Appearance: David Fried  
Rockland County Legislator

He stated he was in support of the issue and felt it was a good move.

Clarkstown Police Chief Noonan state he was in favor of this. Having that one island in Spring Valley makes it difficult to police.

Supervisor Gromack asked if there was anyone from the public wishing to be heard. No one appeared.

Deputy Town Attorney stated that all of the adjoining property owners, the fire districts, ambulance and the Thruway have been contacted. She read the following letter from the Nanuet Community Ambulance Corp into the record:

Dear Ms. Coopersmith:

The Nanuet Community ambulance corps currently serves the subject location since it is located in the unincorporated area of the Town of Clarkstown.

Although the corps may have had occasion to be called thereto in the past, we have no specific record. Nor is there any recollection of unusual EMS activity there. Consequently we felt that

there will be no substantial impact either on our corps or on the EMS service which will cover the property should annexation occur.

Sincerely yours,  
Jon Bangs, President

Ms. Coopersmith added that basically, what this Board has to determine is whether or not this annexation is in the overall public benefit for the communities.

There being no one further wishing be heard, on motion of Co Maloney, seconded by Co. Nowicki; and on motion of Deputy Mayor Rosenthal, seconded by Trustee Jasmin the public hearing was closed, RESOLUTION NO. 70-2005 ADOPTED.

RESOLUTION NO. (70-2005)

Co. Maloney offered and Co. Nowicki seconded and  
Dep. Mayor Rosenthal offered and trustee Jasmin

WHEREAS, a petition from RAMAZAN SEVIM, pursuant to Article 17 of the General Municipal Law, was presented to the Town Board on November 9, 2004, for the annexation of certain territory in the Town of Clarkstown to the Village of Spring Valley, said territory being designated on the Clarkstown Tax Map as 57.14-1-1, and being described in said petition which is annexed hereto as Exhibit "A", and

WHEREAS, a Joint Hearing of the Town Board of the Town of Clarkstown and the Village Board of Trustees of the Village of Spring Valley, was duly held on said petition for annexation, according to the law in such cases made and provided, at the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on January 25, 2005, at 7:00 p.m., at which time all parties interested in the matter were heard and all objections presented, and

WHEREAS, the Town Board of the Town of Clarkstown has received a report pursuant to SEQRA from our consultant Jose Simoes, Town Planner, which the Board has discussed and considered in making their decision herein, and

WHEREAS, the Town Board of the Town of Clarkstown has duly considered said petition and the evidence presented at said hearing;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown finds as follows:

That the aforesaid petition for annexation substantially complies in form and content with Article 17 of the General Municipal Law.

That the proposed annexation of certain territory in the Town of Clarkstown to the Village of Spring Valley as described in the aforesaid petition is in the over-all public interest, because the area concerned is wholly surrounded by the Village of Spring Valley, the redevelopment of the property is subject to the Village planning process, and the said annexation will provide for more efficient delivering of municipal services of the subject property, and be it

FURTHER RESOLVED, that a copy of this resolution containing the Findings of Fact and determination of the Town Board of the Town of Clarkstown be forwarded by the Clarkstown Town Clerk to the Village Clerk of the Village of Spring Valley, and be it

FURTHER RESOLVED, that the determination be made part of the record of this proceeding on file in the office of the Town Clerk of the Town of Clarkstown upon its adoption;

NOW, THEREFORE, it is

ORDERED, that the consent and approval of the Town Board of the Town of Clarkstown is hereby given to the annexation of the territory now situated in the Town of Clarkstown and designated on the Clarkstown Tax Map as 57.14-1-1, to the Village of Spring Valley.

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SCHEDULE A (description of premises)  
Amended

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village of Spring Valley, Town of Ramapo and Town of Clarkstown, County of Rockland and State of New York, bounded and described as follows:

BEGINNING at a concrete monument at the intersection of the Northerly line of New York State Highway Route 59 and the easterly line of Dutch Lane, said point being the Southwest corner of the property running thence;

- N 44° 02' 40" W distance of 15.56 feet to a point thence;
- N 09° 27' 40" W distance of 66.42 feet to a point thence;
- N 02° 16' 00" W distance of 30.99 feet to a point thence;
- S 67° 50' 00" E distance of 140.00 feet to a point thence;
- S 02° 16' 00" E distance of 100.05 feet to a point thence;
- N 62° 32' 00" W distance of 0.56 feet to a point thence;
- N 67° 50' 13" W distance of 118.94 feet to a point and or place of BEGINNING.

Containing an area of 12,395 sq. ft. or 0.2845 acres = WHOLE TRACT  
.21 acres = TO BE ANNEXED

EXCEPTED ARE ALL LANDS ALREADY IN THE VILLAGE OF SPRING VALLEY

On roll call the vote was as follows

- Co. Lasker ..... Yes
- Co. Maloney ..... Yes
- Co. Mandia ..... Yes
- Co. Nowicki ..... Yes
- Supervisor Gromack ..... Yes

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- Mayor Darden ..... Yes
- Dep. Mayor Rosenthal ..... Yes
- Trustee Brown ..... Yes
- Trustee Desmaret ..... Yes
- Trustee Jasmin ..... Yes

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The meeting was closed at 7:30 p.m.

Respectfully submitted,

*Patricia Sheridan*

Patricia Sheridan  
Town Clerk

TOWN OF CLARKSTOWN  
TOWN BOARDMEETING

Town Hall

01/25/2005

8:00 P.M.

Present: Supervisor Alexander 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.  
Supervisor opened the public portion of the meeting.

Karen Tarapata  
Upper Nyack  
Item 3 - commended the board for interest in open space and she presented the  
Supervisor with a booklet containing a list of open space recommendations and asked the  
Supervisor to look through the book and see the properties which were recommended

Martin Bernstein  
Said that Town people voted for 22 million to purchase open space and he thought the  
Town Board should consider appointing a committee to zero in on what parcels should  
get priority

Caty Laignel  
Blue Rock School, West Nyack  
Item 4B - Recommended against no parking and said that the school has implemented  
certain changes to create more spaces for parking

Peter J. Monroe  
Clarkstown Police  
Item 4B - "No parking" signs are necessary because of the narrow road, especially when  
there is a snow pile, there is no room for emergency vehicles

Joe Simoes  
Town Planner  
Item 4B - Said that Blue Rock School came before the TAC regarding a 2-storey addition  
on November 3, 2004 and asked if they knew how much parking would have to be added  
in order to do any kind of expansion, also said that the board needs to know when work  
will be starting

Peter Beary  
Building Inspector  
Item 4B - Said that if the additional parking will be less than 10 spaces, they can go to the  
Building Inspector for approval, and if it will be more than 10 spaces, they can go before  
the Planning Board

Steven Knowlton  
Blue Rock School, West Nyack  
Item 4B - Said the "No Parking" sign should be put on both sides of the road to alleviate  
problems

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RESOLUTION NO. (71-2005)

Co. Maloney offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD  
ADOPTING LOCAL LAW NO. 1 - 2005

RESOLUTION NO. (71-2005) CONT.

WHEREAS, a proposed local law entitled,

A Local Law to Amend Chapter 200, "Parking" of the Town Code of the Town of Clarkstown"

was introduced by Councilman Maloney, at a Town Board meeting held on November 23, 2004, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on November 23, 2004, directed that a public hearing be held on December 14, 2004, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on December 8, 2004, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on December 7, 2004, and revised local law on December 21, 2004, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on December 14, 2004, and such meeting was continued on January 25, 2005;

NOW, THEREFORE, be it RESOLVED, that Local Law No. 1 - 2005 entitled:

A Local Law to Amend Chapter 200, "Parking" of the Town Code of the Town of Clarkstown"

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

- Alexander J. Gromack, Supervisor . . . . Yes
- John R. Maloney, Councilman . . . . . Yes
- Ralph F. Mandia, Councilman . . . . . Yes
- Shirley Lasker, Councilwoman . . . . . Yes
- Catherine M. Nowicki, Councilwoman . . . Yes

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

On roll call the vote was as follows:

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

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RESOLUTION NO. (72-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, by Resolution adopted on August 12, 2003, on Motion of the Town Board of the Town of Clarkstown, the Director of Environmental Control was authorized to make an estimate of expenses to establish a road improvement district for premises fronting on GLEN EAGLES COURT, New City, New York, for a frontage distance of approximately 510' lineal feet, and

## RESOLUTION NO. (72-2005) CONT.

WHEREAS, by report dated September 19, 2003, last revised December 2, 2004, the Director of Environmental Control duly presented to the Town Board an estimate of cost of the proposed project, and

WHEREAS, by resolution/Order adopted on August 12, 2003, the Town Board ordered that a public hearing be held on September 23, 2003, at 8:00 P.M., or as soon thereafter as possible, to consider the creation of such road improvement district, and

WHEREAS, by resolution/Order adopted on December 14, 2004, the Town Board ordered another public hearing be held on January 25, 2005, at 8:00 P.M., or as soon thereafter as possible, to consider the creation of such road improvement district, and

WHEREAS, copies of said Orders were duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly meet and consider the matter of construction of said improvement, and heard all persons interested in the subject thereof who appeared at such time and place concerning same, and

WHEREAS, at the Town Board Meetings of September 23, 2003 and January 25, 2005, the Town Board duly considered the creation of such road improvement district, and

WHEREAS, the maximum amount proposed to be expended for the improvement as described in the estimate of the Director of Environmental Control is \$63,549.60, and

WHEREAS, the Town Board of the Town of Clarkstown has received a Short Environmental Assessment For pursuant to SEQRA, from our consultant K. Luke Kalarickal, Director of Environmental Control, which the Board has discussed and considered such report in making their decision herein;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby determines from the evidence offered at the public hearing and all documents made part of the record that it is in the public interest to make the said improvement, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown, does hereby authorize and approve the improvement of a portion of GLEN EAGLES COURT, New City, for a frontage distance of approximately 510' lineal feet, and be it

FURTHER RESOLVED, that the maximum amount to be expended for the said improvement is \$63,549.60, and be it

FURTHER RESOLVED, that the Director of Environmental Control shall survey, and cause to be surveyed, the above described portion of GLEN EAGLES COURT, New City, New York, and establish the lines and grades thereof, and file copies of such survey and a profile of the grade in the office of the Town Clarkstown of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Director of Environmental Control is authorized and directed, after completion of the survey work described herein, to prepare the project plans for completion by the Department of Highway personnel, and thereafter to oversee the work required for such improvement, and be it

FURTHER RESOLVED, that the Director of Environmental Control is authorized and directed to apportion the cost of the project for a assessment against the benefited parcels using a benefited property formula so that all parcels having primary access to the improved road shall equally share in the cost to improve the roadway, and for a lesser contribution by other benefited properties not having primary access, and be it

RESOLUTION NO. (72-2005) CONT.

FURTHER RESOLVED, that primary access be defined as the use of the said improved road for ingress and egress to such property or to parking areas maintained on property, and be it

FURTHER RESOLVED, that based upon the report of Director of Environmental Control, dated January 25, 2005, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the proposed road improvement project referred to herein shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that pursuant to Section 200 (10) of the Town Law, this resolution is subject to permissive referendum, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown, shall within ten (10) days after the adoption of this resolution cause a Notice to be published in full in the Journal News, a newspaper published in West Nyack, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law.

On roll call the vote was as follows:

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

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RESOLUTION NO. (73-2005)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, a proposed local law to amend Chapter 254 (Subdivision of Land) and Chapter 246 (Site Plan Review) of the Town Code of the Town of Clarkstown, was introduced by Councilman Ralph F. Mandia, at a Town Board meeting held on December 30, 2004, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on December 30, 2004, directed that a public hearing be held on January 25, 2005, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on January 10, 2005, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on January 5, 2005, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on January 25, 2005;

NOW, THEREFORE, be it RESOLVED, that Local Law No. 2 – 2005, to amend Chapter 254 (Subdivision of Land) and Chapter 246 (Site Plan Review) of the Town Code of the Town of Clarkstown, is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

RESOLUTION NO. (73-2005) CONT.

Alexander J. Gromack, Supervisor . . . . Yes  
 John R. Maloney, Councilman . . . . .Yes  
 Ralph F. Mandia, Councilman . . . . . Yes  
 Shirley Lasker, Councilwoman . . . . .Yes  
 Catherine M. Nowicki, Councilwoman . . .Yes

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

On roll call the vote was as follows:

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

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RESOLUTION NO. (74-2005)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, a proposed local law entitled,

“A Local Law to Amend the Procedure for Appointment of Members  
 of the Alarm Users Review Board established by Chapter 91,  
 Clarkstown Town Code

was introduced by Councilman Ralph F. Mandia, at a Town Board meeting held on December 30, 2004, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on December 30, 2004, directed that a public hearing be held on January 25, 2005, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on January 10, 2005, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on December 30, 2004, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on January 25, 2005, and

NOW, THEREFORE, be it RESOLVED, that Local Law No. 3 – 2005 entitled:

“A Local Law to Amend the Procedure for Appointment of Members  
 of the Alarm Users Review Board established by Chapter 91,  
 Clarkstown Town Code

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

Alexander J. Gromack, Supervisor . . . . Yes  
 John R. Maloney, Councilman . . . . .Yes  
 Ralph F. Mandia, Councilman . . . . . Yes  
 Shirley Lasker, Councilwoman . . . . .Yes  
 Catherine M. Nowicki, Councilwoman . . .Yes

RESOLUTION NO. (74-2005) CONT.

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

On roll call the vote was as follows:

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

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RESOLUTION NO. (75-2005) – Number Not Used

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RESOLUTION NO. (76-2005)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that the Town Board Minutes of December 30, 2004 and January 4, 2005 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

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RESOLUTION NO. (77-2005)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Clarkstown has been advised that the Rockland Economic Development Corporation (REDC) is developing a web site which is intended to assist businesses with permit acquisitions, and

WHEREAS, the Town Board believes this effort to assist in business is a worthy cause and in the best interests of the public at large;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes and directs Town official to cooperate as much as is reasonably practicable with the Rockland Economic Development Corporation in its efforts to develop a web site to assist businesses with permit acquisitions.

On roll call the vote was as follows:

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

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RESOLUTION NO. (78-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the historical house located at 312 Strawtown Road, West Nyack, New York, is owned by the Town of Clarkstown, and is being rented to Carolyn F. MacDonald, and

WHEREAS, the Town Board wishes to have the house reappraised to assess the fair market rental value;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Town Board to hire Scott Shedler, d/b/a Lawrence & Shedler Appraisals, to appraise the property located at 312 Strawtown Road, West Nyack, New York, to assess the fair market rental value of the house, and be it

FURTHER RESOLVED, that the fee for such work shall not exceed \$550.00 and shall be charged to Account No. A 1420-409, and be it

FURTHER RESOLVED, that this resolution be retroactive to January 7, 2005.

On roll call the vote was as follows:

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

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RESOLUTION NO. (79-2005)

Co. Nowicki offered and Co. Maloney 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 "Dead End" sign on Spring Brook Rd. at Forest Brook Rd., Nanuet

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (80-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Town Board hereby authorizes Wayne T. Ballard, Superintendent of Highways, to install the following sign:

RESOLUTION NO. (80-2005) CONT.

“No Parking Anytime” signs (Section 221.5 P1-1) on the east and west side of Demarest Mill Road along the entire frontage of the Blue Rock School, West Nyack, New York

And be it FURTHER RESOLVED, that the Town Clerk be directed to forward a copy of this resolution to Wayne T. Ballard, Superintendent of Highways, for implementation.

On roll call the vote was as follows:

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

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RESOLUTION NO. (81-2005)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that the Town Board hereby authorizes Amy Wagner-Mele, Deputy Town Attorney, to attend a seminar concerning the Construction Lien Law, which is being sponsored by Lorman Education Services, and held at the Downtown Conference Center, Pace University, New York, New York, on February 9, 2005, and be it

FURTHER RESOLVED, that the fee of for said seminar \$339.00, plus travel expenses, shall be charged to Account No. A 1010-414.

On roll call the vote was as follows:

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

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RESOLUTION NO. (82-2005)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that the Assessor, Cathy Conklin, Supervising Real Property Appraiser, Robert Davies, Real Property Appraiser, Dawn Mauro, Assessing Clerk II, Susan Longo, Data Collectors, James Molinaro Jr., Charmaine Kurisko, & Kathleen Kiernan are hereby authorized to attend the following courses sponsored by the New York State Assessor’s Association and the New York State Office of Real Property Services for continuing education credits:

- |                       |   |
|-----------------------|---|
| July 17-22, 2005      | Seminar on Appraising<br>Cornell University<br>Ithaca, New York |
| September 11-14, 2005 | Annual Conference<br>Assessment Administration<br>Rochester, NY |

Registration Fee to be approximately \$480.00 per person

RESOLUTION NO. (82-2005) CONT.

FURTHER RESOLVED, that the registration fees and all reasonable expenses shall be proper charges against Account No. 1010-414.

On roll call the vote was as follows:

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

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RESOLUTION NO. (83-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, by proposal dated January 10, 2005, American Appraisal Associates has proposed to renew its contract with the Town to provide fixed asset inventory and insurance appraisal for the Year 2004, and

WHEREAS, Edward J. Duer, Comptroller, has recommended acceptance of said proposal;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with, American Appraisal Associates, in a form approved by the Town Attorney, to provide fixed assets inventory and insurance appraisal to the Town of Clarkstown for the Year 2004, and be it

FURTHER RESOLVED, that the fee for said services shall not exceed \$2,100.00 and shall be charged to Account No. A 1315-409, and be it

FURTHER RESOLVED, that this resolution is retroactive to January 10, 2005.

On roll call the vote was as follows:

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

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RESOLUTION NO. (84-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, pursuant to resolution adopted by the Town Board on September 14, 2004, Daniel N. Kraushaar, Deputy Town Attorney, has solicited proposals from experts in the field of cell tower leasing, and recommends acceptance of proposal dated October 15, 2005, from Ira M. Emanuel, P.C., 4 Laurel Road, New City, New York;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Ira E. Emanuel, P.C., in a form approved by the Town Attorney, to provide services in the field of cell tower leasing, and be it

FURTHER RESOLVED, that said services shall be performed at an hourly rate of \$165.00, plus disbursements, to be paid on a monthly basis, for a total fee not exceed the

RESOLUTION NO. (84-2005) CONT.

sum of \$5,000.00 without further authorization of the Town Board, which shall be charged to Account No. A 1420-439.

On roll call the vote was as follows:

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

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RESOLUTION NO. (85-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Chief of Police, Peter Noonan, has advised that the New York State Division of Criminal Justice Services has tendered a contract award regarding (DCJS #NC02870430) to the Clarkstown Police Department for narcotics control in the amount of \$18,749.00, to be used to update live scan fingerprinting system, and

WHEREAS, the Chief of Police has recommended that the Clarkstown Police Department accept said grant;

NOW, THEREFORE, be it RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services (DCJS #NC02870430), in a form approved by the Town Attorney, to obtain funding in the amount of \$18,749.00, for the purpose of narcotics control by the Clarkstown Police Department, for the period October 1, 2004 through September 20, 2005, and be it

FURTHER RESOLVED, that this resolution is made retroactive to January 3, 2005.

On roll call the vote was as follows:

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

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RESOLUTION NO. (86-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Chamber of Commerce Nyacks has requested use of the Town of Clarkstown showmobile on Saturday, October 29, 2005 to be held at the Municipal lot at Cedar and Main Streets in Nyack;

NOW, THEREFORE, BE IT RESOLVED, that permission is hereby granted to the Chamber of Commerce Nyacks to use the Town of Clarkstown showmobile on Saturday, October 29, 2005 for closing ceremonies after Halloween Parade, subject to the provision of the necessary insurance policies;

FURTHER RESOLVED, that the Town Board hereby waives the fee for the use of the Town of Clarkstown Showmobile.

RESOLUTION NO. (86-2005) CONT.

On roll call the vote was as follows:

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

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RESOLUTION NO. (87-2005)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, pursuant to resolution No. 480-2004, the Town Board awarded Bid No. 30A-2004 to Cal Mart Enterprises at total project cost of \$108,679; and

WHEREAS, during the course of construction, certain electrical conduits and cables were damaged due to the fact that their location was not identified on the contract drawings; and

WHEREAS, the architect has determined that the damaged electrical cables constitute an emergency situation requiring immediate repair; and

WHEREAS, due to the emergent nature of the situation, only one quote was obtained, which the architect and the Department of Parks and Recreation deemed reasonable;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Director of the Department of Environmental Control to retain the services of

Eagle Electric  
 110 W. Crooked Hill Rd.  
 Pearl River, NY 10965

to perform emergency electrical repairs to the primary electrical conduit at the site in accordance with their proposal for an amount not to exceed \$3,745.00 as set forth in change order GC-1; and

BE IT FURTHER RESOLVED that the total cost of the project shall be increased from \$108,679 to \$112,424 to reflect the cost of this change order; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account H 8754-400-409-0-78-4.

On roll call the vote was as follows:

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

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RESOLUTION NO. (88-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, based upon the recommendation of the Clarkstown Parks Board and Recreation Commission and the Supt. of Recreation and Parks that the following 2005 part-time salaries be established:

<u>PART-TIME</u>	<u>2005 PROPOSED MINIMUM</u>	<u>2005 PROPOSED MAXIMUM</u>
Recreation Aide	\$ 6.50/hr.	\$18.00/hr.
Recreation Assistant	\$ 6.50/hr.	\$18.00/hr.
Recreation Leader	\$10.00/hr.	\$25.00/hr.
Recreation Specialist	\$10.00/session	\$60.00/session
Refreshment Stand Attendant I	\$ 6.50/hr.	\$12.00/hr.
Refreshment Stand Attendant II	\$ 7.50/hr.	\$15.00/hr.
Lifeguard	\$10.00/hr	\$15.00/hr.
Head Lifeguard	\$13.00/hr	\$16.00/hr.
Water Safety Instructor	\$12.00/hr	\$14.00/hr.
Laborer-Student	\$ 8.00/hr	\$13.00/hr.
Groundswoker (L)	\$10.00/hr	\$15.00/hr.
Custodial Worker (Seasonal) (L)	\$ 6.50/hr.	\$20.00/hr.
		<u>2005 CONTRACT</u>
Senior Citizen's Leader (Part-time) Frank DiMaria		\$33,325.00
Swim Area Supervisor (Seasonal) Nicole Hunter		\$13,520.00
Senior Recreation Leader (Seasonal) (Camps/playgrounds) James Nash		\$11,195.00
Senior Recreation Activity Specialist (Seasonal) (Arts & Crafts) – Soledad Nieves		\$3,952.00
Senior Recreation Activity Specialist (Seasonal) (Sr. Show) – Ann Slingsby		\$9,085.00

On roll call the vote was as follows:

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

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RESOLUTION NO. (89-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Victor Vitale, 608 West Nyack Road, is hereby appointed to the position of Member – Sanitation Commission – at the current 2005 annual salary of \$3,000., term effective and retroactive to January 24, 2005 and to expire on January 23, 2010.

RESOLUTION NO. (89-2005) CONT.

On roll call the vote was as follows:

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

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RESOLUTION NO. (90-2005)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that Paul Murray, 71 Hall Avenue, New City, New York, is hereby reappointed to the position of Member – Sanitation Commission – at the current 2005 annual salary of \$3,000., term effective February 6, 2005 and to expire on February 5, 2010.

On roll call the vote was as follows:

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

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RESOLUTION NO. (91-2005)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that George A. Nugent, 107 Lake Road, Valley Cottage, New York, is hereby reappointed to the position of Member – Sanitation Commission – at the current 2005 annual salary of \$3,000., term effective and retroactive to March 1, 2005 and to expire on February 28, 2010.

On roll call the vote was as follows:

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

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RESOLUTION NO. (92-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has certified on January 11, 2005 that the position of Police Officer - can be created,

NOW, therefore, be it RESOLVED, that the position of Police Officer – Clarkstown Police Department – is hereby created – effective January 26, 2005.

RESOLUTION NO. (92-2005) CONT.

On roll call the vote was as follows:

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

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RESOLUTION NO. (93-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #00220 Police Officer which contains the name of William V. Oliver,

Now therefore, be it RESOLVED, that William V. Oliver, 5 Muir Lane, New City, New York, is hereby appointed to the (permanent) position of Police Officer – Town of Clarkstown Police Department – at the current 2005 annual salary of \$53,378., effective and retroactive to January 24, 2005.

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. (94-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has certified on January 11, 2005 that the position of Senior Groundswoker - can be created,

NOW, therefore, be it RESOLVED, that the position of Senior Groundswoker – Parks Board and Recreation Commission – is hereby created – effective January 25, 2005.

On roll call the vote was as follows:

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

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RESOLUTION NO. (95-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #04111 Information Services Specialist I (Police Department)- which contains the name of Daniel O. Novotny,

RESOLUTION NO. (95-2005) CONT.

Now, therefore, be it RESOLVED, that Daniel O. Novotny, 34 Sunset View Drive, West Nyack, New York, is hereby appointed to the (Contingent Permanent) position of Information Services Specialist I (Police Department)– Town of Clarkstown Police Department – at the current 2005 annual salary of 47,182., effective & retroactive January 10, 2005.

On roll call the vote was as follows:

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

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RESOLUTION NO. (96-2005)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that the Town Board hereby directs the Personnel Assistant to prepare the necessary personnel forms (P.O.27) to establish an additional five (5) positions of Police Officer, and be it

FURTHER RESOLVED, that the proper papers be forwarded to the Rockland County Personnel Office for classification.

On roll call the vote was as follows:

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

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RESOLUTION NO. (97-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #00220 Police Officer which contains the name of Christopher S. Kelly,

Now, therefore, be it RESOLVED, that Christopher S. Kelly, 22 Eldor Ave, New City, New York, is hereby appointed to the (permanent) position of Police Officer – Town of Clarkstown Police Department – at the current 2005 annual salary of \$53,378., effective and retroactive to January 24, 2005.

On roll call the vote was as follows:

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

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RESOLUTION NO. (98-2005)

Co. Lasker offered and Co. Maloney seconded

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

BID #8-2005 – ARTS & CRAFTS SUPPLIES

Bids to be returnable to the office of the Purchasing Department, 10 Maple Avenue, New City, New York by (time and 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

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RESOLUTION NO. (99-2005)

Co. Lasker offered and Co. Maloney seconded

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

BID #15-2005 – FIRST AID SUPPLIES

Bids to be returnable to the office of the Purchasing Department, 10 Maple Avenue, New City, New York by (time and 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

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RESOLUTION NO. (100-2005)

Co. Lasker offered and Co. Maloney seconded

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

BID #16-2005 – FOOD PROVISIONS & TOWN REFRESHMENTS

RESOLUTION NO. (100-2005) CONT.

Bids to be returnable to the office of the Purchasing Department, 10 Maple Avenue, New City, New York by (time and 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

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RESOLUTION NO. (101-2005)

Co. Lasker offered and Co. Maloney seconded

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

BID #14-2005 – STREAM CHANNEL IMPROVEMENTS VICINITY OF OLD HEMPSTEAD ROAD

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York by (time and 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

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RESOLUTION NO. (102-2005)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown solicited competitive bids for Bid #41-2004 – Schuck Drainage Improvements; and

WHEREAS, the apparent low bidder, with a proposed price of \$60,000.00, was WJL Equities Corporation; and

WHEREAS, WJL Equities subsequently requested, in writing, that their bid be withdrawn due to their failure to incorporate approximately \$50,000 in cost into their bid price; and

RESOLUTION NO. (102-2005) CONT.

WHEREAS, the Director, Environmental Control and the Deputy Town Attorney, Purchasing, recommend that the Town of Clarkstown allow WJL Equities to withdraw their bid and further recommend that the bid be awarded to the second lowest bidder;

NOW, THEREFORE, BE IT RESOLVED, that based upon the recommendation of the Deputy Town Attorney-Purchasing that

**BID #41-2004 – SCHUCK DRAINAGE IMPROVEMENTS**

is hereby awarded to:

58A JVD INDUSTRIES LTD  
261 W. LINCOLN AVENUE  
MOUNT VERNON, NY 10550  
PRINCIPALS: JOHN DEL BENE

as per their proposed cost of \$102, 267.00 and be it FURTHER RESOLVED, that said award is subject to the receipt by the Deputy Town Attorney-Purchasing of the following:

- a) Signed Contract Documents – two 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 Clause
- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker’s Compensation
- g) Certificate of Worker’s Disability Insurance coverage

The Town Of Clarkstown must be named as co-insured party on all liability policies, as they pertain to the project awarded.

FURTHER RESOLVED, that this project shall be under the supervision of the Department of Environmental Control.

On roll call the vote was as follows:

Councilwoman Lasker . . . . . Yes  
 Councilman Maloney . . . . . Yes  
 Councilman Mandia . . . . . Yes  
 Councilwoman Nowicki . . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (103-2005)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Resolution #103-2005 is amended as follows,

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

**BID #66-2004 – SECOND & THIRD FLOOR TOWN HALL RENOVATIONS**

is hereby awarded to:

General Construction – LORENCIN CONTRACTING CORP  
17 SCHRIEVER LANE  
NEW CITY, NY 10956  
PRINCIPALS: LORRAINE DINARDI

RESOLUTION NO. (103-2005) CONT.

as per their low bid proposal of \$1,532,000.00

Mechanical & Plumbing – PEARL RIVER PLUMBING, HEATING & ELECTRIC d/b/a BERTUSSI'S  
60-70 DEXTER PLAZA  
PEARL RIVER, NY 10965  
PRINCIPALS: THOMAS P. BERTUSSI  
LOUIS BERTUSSI  
JOHN W. BERTUSSI

as per their low bid proposal of \$175,842.00

Electrical Contract - NABER ELECTRIC  
5 SCHUMAN ROAD  
MILLWOOD, NY 10546  
PRINCIPALS: ALAN I. NABER  
JAMES J. MULLEN

as per their low bid proposal of \$445,000.00 and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Deputy Town Attorney-Purchasing of the following:

- a) Signed Contract Documents – two 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 Clause
- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker's Compensation
- g) Certificate of Worker's Disability Insurance coverage

The Town Of Clarkstown must be named as co-insured party on all liability policies, as they pertain to the project awarded.

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (104-2005)

Co. Mandia offered and Co. Maloney seconded

Resolved, based upon the recommendation of the Director of Purchasing and in concurrence with the Superintendent of Recreation and Parks, that the bid furnishing athletic and recreation supplies is hereby awarded to the following low bidders who have met the specifications:

Bid #5-2005 Athletic and Recreation Supplies

ARC Sports, 487 Federal Road, Brookfield, CT, 06804 for items #1, 2, 4, 6, 13, 31, 37, 38, 40, 45, 116, 118, 119, 120, 121, 122, 123, 124, 127 and 128, as per specifications at a net bid price of \$3,874.70.

RESOLUTION NO. (104-2005) CONT.

Bel-Aqua Pool Supply, Inc., 20 Commerce Drive, New Rochelle, NY 10801 for item #134, as per specifications at a net bid price of \$1,273.30.

Flaghouse, 601 Flaghouse Drive, Hasbrouck Heights, NJ, 07604 for items #42, 53, 55, 66, 77, 78, 79, 81, 82, 93, 94, 95, 96, 98, 99, 100, 101, 102, 110, 135 and 136, as per specifications at a net bid price \$1,970.49.

Kenmar Shirts, 1578 White Plains Road, Bronx, NY 10462 for item #143, as per specifications at a net bid price of \$4,025.88.

Mainly Monograms, 260 West Nyack Road, West Nyack, NY 10994 for items #144, 145, 148, 150, 151, 154, 155, 157, 158, 160, 165, 166, 167, 168, 169, 170 and 171 as per specifications at a net bid price of \$12,635.80.

Passon's Sports (Sports Supply Group), P.O. Box 49, Jenkintown, PA 19046 for items #3, 9, 10, 12, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 32, 33, 41, 43, 46, 47, 48, 50, 52, 54, 64, 65, 68, 70, 71, 72, 73, 74, 75, 76, 80, 83, 84, 85, 86, 89, 90, 91, 92, 97, 104, 105, 106, 107, 108, 109, 113, 132 and 133 as per specifications at a net bid price of \$5,740.13.

Pop Tops, 10 Plymouth Drive, South Easton, MA 02375 for items #44, 137, 138, 139, 140, 141, 142, 146, 147, 149, 152, 159, 161, 162, 163, 164 and 172 as per specifications at a net bid price of \$13,755.84.

S&S Worldwide, 75 Mill Street, Colchester, CT 06415 for items #7, 8, 11, 14, 24, 25, 34, 35, 36, 49, 51, 56, 57, 58, 59, 60, 61, 62, 67, 69, 87, 88, 111, 112, 114, 115, 117, 125, 126, 129 and 130 as per specifications at a net bid price of \$1,980.60.

Gross Total for all items: \$45,256.74

Further resolved, that this amount \$45,256.74 be charged against accounts:

7140-222	\$ 996.78
7140-307	1,143.37
7141-222	1,186.33
7141-307	990.72
7141-329	3,261.16
7180-307	8,433.64
7180-329	1,984.21
7210-307	294.00
7310-222	949.74
7310-307	19,389.47
7310-329	6,307.76
7620-329	319.56

On roll call the vote was as follows:

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

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RESOLUTION NO. (105-2005)

Co. Mandia offered and Co. Maloney seconded

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

**BID #6-2005 – JANITORIAL/MAINTENANCE SUPPLIES**

is hereby awarded to:

**E. A. MORSE & CO  
11-25 HARDING STREET  
MIDDLETOWN, NY 10940  
PRINCIPALS: CANDACE MORSE DEPEW  
CARL D. MORSE  
EMERSON A. MORSE III  
THOMAS S. MORSE**

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**

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RESOLUTION NO. (106-2005)

Co. Mandia offered and Co. Maloney seconded

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

**BID#10-2005 – CHRISTIAN HERALD ROAD DRAINAGE  
IMPROVEMNTS**

is hereby awarded to:

**UPSTATE CONCRETE & MASONRY  
449 WEST MOMBASHA ROAD  
MONROE, NY 10950  
PRINCIPALS: ANGELO TONDO**

as per their low bid proposal of \$41,345.00 and be it FURTHER RESOLVED, that said award is subject to the receipt by the Deputy Town Attorney-Purchasing of the following:

- a) Signed Contract Documents – two sets
- b) Performance Bond – 100% of the 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 Clause
- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker’s Compensation
- g) Certificate of Worker’s Disability Insurance Coverage

The Town of Clarkstown must be named as co-insured party on all liability policies, as they pertain to the project awarded.

RESOLUTION NO. (106-2005) CONT.

FURTHER RESOLVED, that this project shall be under the supervision of the Environmental Control Department.

On roll call the vote was as follows:

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

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RESOLUTION NO. (107-2005)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the following have applied for Certificates of Registration pursuant to Section 236-48 of the Town Code of the Town of Clarkstown:

PHOENIX EXCAVATORS  
 62 Rose Road  
 West Nyack, NY 10994  
 Michael Moucadie, President

ALBERT LEPORI  
 18 Laura Drive  
 Airmont, NY 10952  
 Albert Lepori, President

RONALD TARIGO  
 5 Crosscreek Lane  
 Stony Point, NY 10980  
 Ronald Tarigo, President

PHILIP M. SCALA  
 277 Old Mill Road  
 Valley Cottage, NY 10989  
 Philip M. Scala, President

W. HARRIS & SON  
 37 No. Washington Avenue  
 Pearl River, NY 10965  
 Timothy Harris, President

VICTOR P. ZUGIBE  
 66 W. Railroad Avenue  
 Garnerville, NY 10923  
 Victor P. Zugibe, President

RINO PAVING & CONSTRUCTION  
 400 Route 17  
 Tuxedo, NY 10987  
 Robert Rino, President

RR PLUMBING SERVICES  
 190 Sawmill River Road  
 Hawthorne, NY 10531  
 Terence O'Shea, President

A. SASSO PLUMBING CORP.  
 49 Woodhaven Road  
 New City, NY 10956  
 Michael Sasso, President

EDWARD DeLEONARDIS  
 EXCAVATING  
 328 Fulle Drive  
 Valley Cottage, NY 10989  
 Edward DeLeonardis, Pres.

RONALD FILERA LANDSCAPE  
 CONTRACTORS  
 85 Red Schoolhouse Road  
 Chestnut Ridge, NY 10977  
 Ronald Filera, President

DANNY CLAPP  
 LANDSCAPING, INC.  
 59 Schriever Lane  
 New City, NY 10956  
 Danny Clapp, President

KEVIN STOKES EXCAVATING, INC.  
 P.O. Box 812  
 Pearl River, NY 10965  
 Kevin Stokes, President

NOW, THEREFORE, be it RESOLVED, that the following Certificates of Registration be issued:

RESOLUTION NO. (107-2005) CONT.

- No. 05-01 PHOENIX EXCAVATORS
- 05-02 RONALD TARIGO
- 05-03 W. HARRIS & SON
- 05-04 RINO PAVING & CONSTRUCTION
- 05-05 A. SASSO PLUMBING CORP.
- 05-06 RONALD FILERA LANDSCAPE CONTRACTORS
- 05-07 KEVIN STOKES EXCAVATING, INC.
- 05-08 ALBERT LEPORI
- 05-09 PHILIP M. SCALA
- 05-10 VICTOR P. ZUGIBE
- 05-11 RR PLUMBING SERVICES
- 05-12 EDWARD DeLEONARDIS EXCAVATING
- 05-14 DANNY CLAPP LANDSCAPING, INC.

On roll call the vote was as follows:

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

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RESOLUTION NO. (108-2005)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Iron Mountain Records Mgmt., Inc. v. The Board of Assessors and the Board of Assessment Review of the Town of Clarkstown, Index No(s). 4704/02, 4603/03 and 4178/04, affecting parcel(s) designated as Map 57.19, Block 2, Lot 2, and more commonly known as 99 South Pascack Road, Nanuet, New York for the year(s) 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 East Ramapo Central 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 57.19, Block 2, Lot 2 be reduced for the year(s) 2003/04 from \$1,156,700 to \$1,098,865 at a cost to the Town of \$866.58;
2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 57.19, Block 2, Lot 2 be reduced for the year(s) 2004/05 from \$1,156,700 to \$1,041,030 at a cost to the Town of \$2,005.99;
3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 57.19, Block 2, Lot 2 will not be reduced for the year(s) 2002/03;
4. Reimbursement for the year(s) 2003/04 and 2004/05 on the parcel described as Map 57.19, Block 2, Lot 2, as stated above, be made within sixty (60) days, without

RESOLUTION NO. (108-2005) CONT.

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. 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 and the Assessor for the Town of Clarkstown are 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. (109-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, RONALD MANN, as owner, has petitioned the Town Board for permission to apply Town Law 280-a(2) for permission to obtain access to proposed three lot subdivision for premises known as Tax Map No. 35.19-1-38, by utilizing a mapped by undeveloped street shown on the Official Map of the Town of Clarkstown as "Chester Avenue" without having any obligation to improve said access as a public street, and

WHEREAS, the Clarkstown Planning Board has recommended the Town Board apply the provisions of Town Law 280-a(2), and

WHEREAS, the Town Board has determined to schedule a public hearing on notice to adjacent property owners;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby schedules a public hearing for March 8, 2005, at 8:00 p.m., or as soon thereafter as possible, at the Town Hall Auditorium, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the applicant shall adhere to the notice requirements pursuant to Section 290-33 (C) of the Zoning Local Law of the Town Code, and provide proof of mailing said notice to property owners within five hundred feet of affected property on or before the date of the public hearing, and be it

FURTHER RESOLVED, that the petition is hereby referred to the Rockland County Commissioner of Planning, the Clarkstown Director of Environmental Control and Building Inspector for review and written recommendation as to the appropriate infrastructure to be required and for a method whereby such improvements may be maintained by the property owners using Chester Avenue for access to their properties.

RESOLUTION NO. (109-2005) 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. (110-2005)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, for over two years the Town has been actively searching for a site upon which to place a wireless communication facility upon which police, fire, emergency services, state police and homeland security communication equipment would be located, and

WHEREAS, it is imperative to site these facilities in close proximity to the Palisades Center, and

WHEREAS, Morton Leifer, Electronic Communications Specialist, has recommended that a 185± foot tower with associated facilities be located on property owned by the Town located at 400 Christian Herald Road (Instrument No. 2002-00067667), and

WHEREAS, a review of the deed for this property by Planning Board Attorney, Daniel N. Kraushaar, revealed that said property was acquired pursuant to the Town of Clarkstown Open Space Initiative as parklands, and

WHEREAS, in order for this property to be utilized for the siting of the emergency wireless communication facility a Home Rule Request seeking the right to alienate the property would have to be sought and received by the Town Board of the Town of Clarkstown from the New York State Assembly and the New York State Senate;

NOW, THEREFORE, be it RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to submit to the New York State Legislature on behalf of the Town of Clarkstown, a Home Rule Request for permission to site and Emergency Services Telecommunication Tower with related facilities on a portion of property on 400 Christian Herald Road, along with an access road to said facilities, as provided in Article IX of the New York State Constitution, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agent, and Jose Simoes, Town Planner, is hereby authorized and directed to act as agent for the Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to send copies of this resolution to State Senator Thomas Morahan and State Assemblyman Kenneth Zebrowski.

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. (111-2005)

Co. Nowicki offered and Co. maloney seconded

WHEREAS, it is necessary for the Town of Clarkstown to obtain actuarial services for compliance with GASB 10 (Government Accounting Standards Board) for fiscal year ending December 31, 2004, and

WHEREAS, Financial Risk Analysts, 27 Hartford Turnpike, Vernon, CT, is an actuarial consulting firm providing services to public entities related to self-insurance and GASB 10 and,

WHEREAS, Edward J. Duer, Comptroller, has reviewed the proposal referred to herein and recommended acceptance of same;;

NOW, THEREFORE, be it RESOLVED, that Supervisor Alexander J. Gromack is hereby authorized to enter into an agreement for one year with Financial Risk Analysts, in a form acceptable to the Town Attorney, at a cost not to exceed \$6,700.00, plus reasonable out-of-pocket expenses.

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. (112-2005)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, two (2) police officers from the Clarkstown Police Department were assigned throughout calendar year 2004 to work at the Rockland County Intelligence Center, and

WHEREAS, by Resolution No. 633 of 2004, the County of Rockland did resolve on December 20, 2004, to reimburse the Town of Clarkstown in the amount of \$127,986.00, upon execution of an intermunicipal cooperation agreement between the County of Rockland, the Sheriff's Department and the Town of Clarkstown, and

WHEREAS, Chief of Police Peter Noonan has recommended that the Town enter into such intermunicipal cooperation agreement with the County of Rockland and the Sheriff's Department,

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into the intermunicipal cooperation agreement with the County of Rockland and the Sheriff's Department, in a form satisfactory to the Town Attorney which, after execution by the County and the Sheriff, will result in the payment to the Town of Clarkstown in the amount of \$127,986.00, as reimbursement for two (2) members of the Clarkstown Police Department having worked at the Rockland County Intelligence Center from January 1, 2004 through December 31, 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. (113-2005)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, the Town has received a proposal from Lawler, Matusky & Skelly Engineers, LLP regarding recommended additional environmental investigation of premises known as 63.11-2-2 (Bonnabel), and located at 160 South Pascack Road, Nanuet, New York, and

WHEREAS, the Director of Environmental Control has recommended acceptance of said proposal dated December 22, 2004 from Lawler, Matusky & Skelly Engineers, LLP, for supervision of an additional Phase II Environmental Site Assessment;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Lawler, Matusky & Skelly Engineers, LLP, to provide engineering services to the Town with respect to property known as 63.11-2-2, Nanuet, New York, as stated in the proposal referred to herein, and be it

FURTHER RESOLVED, that the total cost for these services shall be \$3,500.00 and said fee shall be charged to Account No. H 8750-409-0-74-1.

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. (114-2005)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, The Department of Environmental Control requires additional rubber tire wheel loaders to process leaves at the Route 59 Composting Facility, and

WHEREAS, the initial period of rentals was for the leaf collection season commencing on or about November 1, 2004 through January 31, 2005, and

WHEREAS, the rental machines are required for an additional three (3) months in order to provide the DEC time to prepare and solicit proposals for new machines, and

NOW, THEREFORE, BE IT RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to extend the rental period for two (2) rubber tire wheel loaders from H.O Penn Machinery Company, Inc., 783 Bloomingberg Road, Bloomingberg, New York 12721, with their consent, at a cost of \$7,000 per month (which represents no increase in cost over the current lease), and

BE IT FURTHER RESOLVED, that only a rental agreement shall terminate on April 30, 2005; and

BE IT FURTHER RESOLVED, that the cost for the rental shall continue to be a proper charge 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. (115-2005)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, the Town Board has retained the engineering firm of the H2M Group firm to analyze and report with recommendations regarding options it has with respect to continued operation of the Solid Waste Facility Transfer Station, and

WHEREAS, in support of such efforts the Town Attorney has recommended that special counsel be retained to review and report upon the Town Board's legal options which are available pursuant to Section 120-W GML, and he has obtained and had recommended acceptance of a proposal by Hiscock & Barclay, LLP, dated January 19, 2005;

NOW, THEREFORE, be it RESOLVED, that the Town Attorney is hereby authorized and directed to enter into the retainer agreement provided by Hiscock & Barclay with their proposal dated January 19, 2005, and be it

FURTHER RESOLVED, that all fees billed pursuant to this resolution shall be charged to Account No. A 1420-409.

On roll call the vote was as follows:

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

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RESOLUTION NO. (116-2005)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, the Town Board has previously expressed interest in acquiring premises presently known as the Lake Road Gasoline Station on Lake Road in the hamlet center of Congers, New York, for the purpose of providing direct access to Congers Lake Park and a proposed Congers Lake Parkway Project, and

WHEREAS, Investigation of this property has disclosed that the premises has environmental contamination which would be very costly to remediate, and

WHEREAS, New York State has established an environmental restoration remediation program which could provide up to 90% reimbursement for on-site remediation cost and facilitate acquisition of the property through the use of Eminent Domain Procedures, and

WHEREAS, a proposal has been obtained from Hiscock & Barclay, LLP, to provide special counsel services to assist in the acquisition, remediation and reimbursement of Town Expenses using the procedures of the New York State Environmental Restoration Program, which proposal has been recommended for acceptance by the Town Attorney;

NOW, THEREFORE, be it RESOLVED, that the Supervisor is hereby authorized to accept the proposal of Hiscock & Barclay, LLP, as described in its letter of January 14, 2005, and be it

FURTHER RESOLVED, that any expenses pursuant to this resolution shall be charged to Account No. A 1420-409.

RESOLUTION NO. (116-2005) 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. (117-2005)

Co. Maloney offered and Co. Mandia seconded

Whereas, the Town Board of the Town of Clarkstown is desirous of having drainage improvements made to the Quaspeck Park area of Valley Cottage; and

Whereas, the Department of Environmental Control has solicited proposals from five (5) qualified engineering/surveying firms to provide professional engineering, surveying, drainage analysis and design services necessary to produce the construction plans, specifications and other requirements associated with this project; and

Whereas, the Department of Environmental Control has received three (3) proposals in response to its solicitation; and

Whereas, the Department of Environmental Control has reviewed said proposals and found them to be acceptable;

Now, Therefore, Be It Resolved that the Director of the Department of Environmental Control is hereby authorized to retain the services of the

**McLaren Engineering Group**  
**100 Snake Hill Road**  
**West Nyack, New York 10994**

to perform said work in accordance with their low bid proposal in the amount of \$95,000.00, said amount not to be increased without additional Town Board resolution; and

Be It Further Resolved that this shall be a proper charge to account number H 8755 - 409 - 0 - 79 - 1.

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. (118-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #00220 Police Officer which contains the name of Michael Baisley,

Now therefore, be it RESOLVED, that Michael Baisley, Police Officer, 93 Village Green, Bardonia, New York, is hereby appointed to the (permanent) position of

RESOLUTION NO. (118-2005) CONT.

Police Officer - Town of Clarkstown Police Department - at the current non-certified 2005 annual salary of \$44,482., effective February 7, 2005.

On roll call the vote was as follows:

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

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RESOLUTION NO. (119-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, certain punch list work consisting of site clean-up, removal of tree stumps, installation of fencing and/or gates, correction of minor ponding, and stabilization of slope was not completed in a satisfactory manner, and

WHEREAS, the Town of Clarkstown is holding cash escrow from Versailles at Nanuet, LLC in the sum of \$54,989.60 and from New Clarkstown Properties, LLC in the sum of \$13,352.80, to guarantee the satisfactory completion of said work, and

WHEREAS, by letter dated October 25, 2004 the Department of Environmental Control notified New Clarkstown Properties, LLC that failure to complete said work, may result in the defaulting of escrow deposits, and

WHEREAS, by letter dated January 11, 2005 the Department of Environmental Control again notified New Clarkstown Properties, LLC that failure to complete said work, would result in the defaulting of escrow deposits, and

WHEREAS, to date New Clarkstown Properties, LLC has failed to complete the work,

NOW THEREFORE BE IT RESOLVED, that the Town of Clarkstown hereby declares the sum of \$54,989.60 deposited by Versailles at Nanuet, LLC and the sum of \$13,352.80 deposited by New Clarkstown Properties, LLC to be in default, and

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Director of Environmental Control to provide a report detailing the work that needs to be done and a cost estimate for completion of same, and be it

FURTHER RESOLVED, that this matter is referred to Deputy Town Attorney Amy Wagner-Mele for preparation of bids and/or solicitation of proposals from contractors as required by law.

On roll call the vote was as follows:

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

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RESOLUTION NO. (120-2005)

Co. Nowicki offered and Co. Lasker seconded

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

BID #13-2005 - PHILLIPS LANE LOW-FLOW CHANNEL

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 (A.M.) on March 3, 2005 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 Department of Environmental Control.

On roll call the vote was as follows:

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

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RESOLUTION NO. (121-2005)

Co. Nowicki offered and Co. Lasker seconded

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

BID #17-2005 - HIGHWAY DEPARTMENT INTEGRATED WORK MANAGEMENT SOFTWARE

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York (time and 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 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

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RESOLUTION NO. (122-2005)

Co. Nowicki offered and Co. Lasker seconded

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

BID #18-2005 - ICE CREAM FOR TOWN SUMMER REFRESHMENT STANDS

RESOLUTION NO. (122-2005) CONT.

Bids to be returnable to the office of the Purchasing Department, 10 Maple Avenue, New City, New York (time and 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

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RESOLUTION NO. (123-2005)

Co. Nowicki offered and Co. Lasker seconded

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

BID #19-2005 – CARBONATED SOFT DRINKS FOR TOWN SUMMER REFRESHMENT STANDS

Bids to be returnable to the office of the Purchasing Department, 10 Maple Avenue, New City, New York (time and 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

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RESOLUTION NO. (124-2005)

Co. Maloney offered and Co. Mandia seconded

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

BID #50-2004 - BRANCHVILLE ROAD DRAINAGE IMPROVEMENTS

Is hereby awarded to:

PIPE-CON, INC.  
 111 WILLIAMSBURGH COURT  
 NEWBURGH, NEW YORK 12550  
 PRINCIPAL: KRISTI RAYKOV

RESOLUTION NO. (124-2005) CONT.

as per their low bid proposal of \$131,344.00 and be it

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

- a) Signed Contract Documents – two (2) sets
- b) Performance Bond – 100% of project cost
- c) Labor and Materials Payment Bond – 100% of proposed project cost
- d) Certificate of Contractors Liability, Property Damage Coverage, including a Save Harmless Clause
- e) Certificate of Worker’s Compensation Insurance Coverage
- f) Certificate of Worker’s Disability Insurance Coverage

The Town of Clarkstown must be named as co-insured party on all liability policies, as they pertain to the project award, and be it

FURTHER RESOLVED, that the costs associated with the project shall be a proper charge to account # H 8749 409 0 78-5.

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. (125-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Director of Purchasing that

**BID #4-2005 – PAPER & PLASTIC SUPPLIES**

is hereby awarded to: SOFCO DIVISION US FOODSERVICE  
 702 POTENTIAL PARKWAY  
 SCOTIA, N.Y. 12302  
 PRINCIPAL: A PUBLIC CORPORATION

MT. ELLIS PAPER CO  
 P.O. BOX 4083  
 NEW WINDSOR, NY 12553  
 PRINCIPALS: GARY PERKINS  
 LARRY PERKINS

BORDA PRODUCTS  
 80 BRUCKNER BLVD.  
 BRONX, NY 10454  
 PRINCIPALS: ZOLTAN WIEDER  
 DAVID BORDER

CENTRAL POLY CORP  
 18 DONALDSON PLACE  
 LINDEN, NJ 07036

RESOLUTION NO. (125-2005) CONT.

PRINCIPALS: ANDREW HOFFER  
AGNES SERHOFER

ALL AMERICAN POLY  
40 TURNER PLACE  
PISCATAWAY, NJ 08854

PRINCIPAL: JACK KLEIN

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

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RESOLUTION NO. (126-2005)

Co. Lasker offered and Co. Maloney seconded

Whereas, Town Board Resolution #247-2003 awarded Bid #12-2003; Congers  
Downtown Improvements to WJL Equities Corporation; and

Whereas, the budget allowance for this project has been amended by Town Board  
resolutions 929-2003, 684-2004 and 698-2004 to reflect the change orders on contract  
approved to date by the Department of Environmental Control; and

Whereas, WJL Equities submitted prices for the additional work which has been  
reviewed by the Department of Environmental Control and recommends the additional  
work as per attached letters from WJL Equities Corporation be approved by the Town  
Board as Change Order Numbers 7 and 8.

CO #7 the property owner at 7 South Harrison requested a vinyl fence be installed  
for safety along the top of the retaining wall to replace the existing dense hedge  
removed during construction. The contractor submitted a proposal to install the  
vinyl fence along the top of the wall at 7 South Harrison Avenue. The proposal  
was reviewed by the Department of Environmental Control and determined to be  
reasonable. The cost to complete these changes is \$6,300.00;

CO #8 Installation of Signage - The Clarkstown Highway Department originally  
agreed to manufacture the required signs in their sign shop and install them along  
Lake Road, however due to current work load they are not able to manufacture or  
install the signs. The contractor submitted a proposal to provide and install the  
signs required along Lake Road. The proposal was reviewed by the Department  
of Environmental Control and determined to be reasonable. The cost to complete  
these changes is \$10,373.00;

Credit for CO 2. Change Order #2 (Resolution 929-2003) was for the contractor  
to continue working through the winter months and bill accordingly per time  
worked. Due to severe weather conditions, the contractor did not work for seven  
days. The credit due as a result of these changes is (-\$7962.50)

Now, Therefore, Be It Resolved that the total approved costs of changes for this project  
for Change Order #2, 7, and 8 is \$8,710.50 and,

RESOLUTION NO. (126-2005) CONT.

Be It Further Resolve that the current allowance for this project be increased to \$2,145,549.22 to reflect the additional cost of the change orders; and,

Be It Further Resolved that this shall be a proper charge to account #H 8752 409 0 76 28.

On roll call the vote was as follows:

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

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RESOLUTION NO. (127-2005)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the resignation of Captain Vincent White for the purpose of retirement effective March 31, 2005.

On roll call the vote was as follows:

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

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There being no further business and no one further wishing to be heard, on motion of Co. Lasker, seconded by Co. Maloney and unanimously adopted, the Town Board Meeting was closed in memory of firefighters from Rockland County who lost their lives and in honor of firefighters who were seriously injured, time 9:00 P.M.

Respectfully submitted,



Patricia Sheridan  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

01/25/2005

8:00 P.M.

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

Proposed local law to amend Chapter 200 of the Clarkstown Town Code (Parking)

On motion of Co. Maloney and seconded by Co. Lasker the public hearing was continued.

Bill Ryan  
Nanuet

Said that overnight parking could be a problem if not regulated carefully to a specific area and should be limited to not more than 3 cars.

Ed Day  
New City

He said that overnight parking is a good idea because when he was a police officer in the city and had to work the midnight shift he had to carpool because it was difficult to park.

Martin Bernstein  
New City

He said he is in favor of long term parking for not more than 3 or 4 cars per lot.

The Supervisor said that there would be a limit to 3 or 4 cars per lot based on the discretion of the Superintendent of Highways who will determine what will be reasonable so as not to affect snow plowing during Winter.

There being no further business and no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Lasker and unanimously adopted the Public Hearing was closed and resolution was adopted, time: 8:10 P.M.

Respectfully submitted,



Patricia Sheridan  
Town Clerk

RESOLUTION NO. 71-2005 ADOPTED

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

01/25/2005

8:10 P.M.

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

Road Improvement Project for All or a Portion of Glen Eagles Court, New City

On motion of Co. Maloney and seconded by Co. Lasker the public hearing was opened. The Town Clerk read the notice and testified to as to its proper posting and publication.

Bozena Fishbein (presented the following statement)  
New City

This proposal was petitioned for by the residents who use this road. Work was done on costs and improvements by the DEC without our knowledge of it before this hearing notice was sent to us a couple of weeks ago; yet we are expected to contribute to the costs. The Lot Map you see does not show the reality of Lot 6. The proposal states we are benefiting. This can hardly be the truth. This is vacant land on the opposite side of the Hackensack River from our home on the North side, where we must maintain our driveway of some 700 feet to South Mountain Road. I appreciate that those living on Lots 2,3,4 and 5 want to see the town take over Glen Eagle. Since it is on their request and for their benefit they should bear the cost. The property on Lot 6 on which we pay taxes is providing open space woodlands. It is a watershed area with part in conservation easement. It carries the Rockland County Sewer Line to which developed Lots are connected. But most importantly my appeal is that Lot 6 takes all the drainage from Glen Eagles Court and all four developed Lots on it. The 24" sanitary drainage pipe from the developed lots and the road cross Lot 6 and empties directly on to it, causing a large part of the Lot to be continuously under water (stagnant at that). This condition inflicts further punishment for us living in a flood plain. It is a very real price we alone pay and that should be payment enough for maintaining the road. I have spoken to Mr. Letson about anticipated work, my concerns about removal of bushes and trees and underdrains etc. He has assured me that there will be another look at the plan.

Co. Mandia inquired as to whether people from So. Mountain Rd. would have access to Glen Eagles Ct.

Burt Steinberg  
New City

He said that he had submitted information to the Town Attorney's Office and the road will improve the value of vacant lot and that the residents of Glen Eagles Court did not set the fee.

Hallie Coletta  
New City

She said that the improvement will not benefit her and she does not wish to pay. She also said her land cannot be subdivided.

Co. Nowicki said that Ms. Coletta could write to Dennis Letson in the Department of Environmental Control to have her name removed from the project.

The Town Attorney read the following inter-office memorandum from Dennis Letson:

"Pursuant to the direction of the Board, we have prepared bid documents for the road improvement district for Glen Eagles Court, New City. The cost estimate for the project is \$63,549.60, copy attached. There is escrow being held for roadway top course, from various depositors, in the total amount of \$13,600.00 which should be available to offset

the cost to the homeowners resulting in a net cost of \$49,946.60. The Comptrollers Office is preparing a list of the escrow funds on deposit.

We recommend that the capital cost for the improvements be distributed to the properties which would gain benefit from this improvement as follows: (Lot Type, Tax Lot Number, Cost Without Offset, Cost With Offset enumerated)

This results in 5.5 total shares to contribute to the improvement resulting in the values shown above. The benefited parcels are shown on the map attached.

By copy of this memorandum we ask the Town Attorney to schedule any required hearings on this matter, and the Comptroller to determine the possible bond payments necessary to recover the project cost.”

Co. Nowicki said she does not see how Ms. Coletta will benefit from the road improvement.

The Town Attorney said that the improvement could change the access to Ms. Coletta's parcel and could have the benefit of town maintenance

Ed Duer explained that the road improvement could be bonded over 15 years and cost will depend on the rate of the bond.

The Supervisor confirmed that there are 4 owners presently living in Glen Eagles Court. The Town Attorney said that 5 lots will benefit directly from the improvement.

Mr. Fishbine asked what recourse he has because he gets water because his property is in a flood plain.

Mr. Steinberg said that he objects to the cost of the improvement.

The Supervisor said that the Department of Environmental Control will look into this.

There being no further business and no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Lasker and unanimously adopted the Public Hearing was closed and resolution was adopted, time: 8:30 P.M.

Respectfully submitted,



Patricia Sheridan  
Town Clerk

RESOLUTION NO. 72-2005 ADOPTED

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

01/25/2005

8:30 P.M.

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

Proposed Local Law: Implement Fee Schedule as Recommended by the Planning Board,  
Chapter 254 (Subdivision of Land) and Chapter 246 (Site Plan Review) of the Town  
Code

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On motion of Co. Mandia and seconded by Co. Maloney, the public hearing was opened.  
The Town Clerk read the notice and testified to as to its proper posting and publication.

There being no further business and no one further wishing to be heard, on motion of Co.  
Mandia, seconded by Co. Maloney and unanimously adopted the Public Hearing was  
closed and resolution was adopted, time: 8:31 P.M.

Respectfully submitted,



Patricia Sheridan  
Town Clerk

RESOLUTION NO. 73-2005 ADOPTED

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

01/25/2005

8:31 P.M.

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

Proposed Local Law: Amend the Procedure for Appointment of Members of the Alarm  
Users Review

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On motion of Co. Mandia and seconded by Co. Lasker, the public hearing was opened.  
The Town Clerk read the notice and testified to as to its proper posting and publication.

There being no further business and no one further wishing to be heard, on motion of Co.  
Mandia, seconded by Co. Lasker and unanimously adopted the Public Hearing was  
closed and resolution was adopted, time: 8:32 P.M.

Respectfully submitted,



Patricia Sheridan  
Town Clerk

RESOLUTION NO. 74-2005 ADOPTED

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

01/25/2005

8:33 P.M.

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

Re: Community Development Block Grant Funding

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On motion of Co. Maloney and seconded by Co. Lasker, the public hearing was opened.

There being no further business and no one further wishing to be heard, on motion of Co. Mandia and seconded by Co. Maloney, the Public Hearing was closed, time: 8:35 P.M.

Respectfully submitted,

  
Patricia Sheridan  
Town Clerk

ABF810