

TOWN OF CLARKSTOWN  
TOWN BOARDMEETING

Town Hall

03/08/2005

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.

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Boy Scouts Russell Giacobbe and Peter Beltramo were awarded a Certificate of Merit for achieving the rank of Eagle Scout. The Town Board congratulated the boys and their families for their accomplishments.

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On motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted the public hearing re: Town Law §280-a(2), vicinity of Old Haverstraw Rd at Chester Ave, Congers, was opened, 8 pm, continued 8:15 pm

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On motion of Co. Mandia seconded by Co. Lasker and unanimously adopted, the public hearing re: Chap 111 Proceeding (Unsafe Buildings) for premises at 69 Rte. 59 Central Nyack was opened, time: 8:16 pm, continued 8:25 pm RESOLUTION 244-2005 ADOPTED

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Supervisor opened the public portion of the meeting.

Martin Bernstein  
New City

He inquired about the Rockland County Consortium Community Development Block Grants, Item 15 – he inquired about Highview Park Subdivision being taken for Open Space, Item 21 – he inquired on who pays for the traffic study being done on Tor Valley, Inc., Items 25 and 26 – asked if the Town needed state approval for the towers, Item 34 – he asked for the total cost of Congers Overlay Renovations, also asked the Town to enforce the 2-hour parking sign on Main Street

Howard Mann  
New City

Spoke regarding the agricultural tax exemption from Smith Farm and he did an independent study and they did not have proper documentation on file with the Assessor

Harry O'Boyle  
Congers

He spoke regarding bulk pick-up and how people are putting bulk out sometimes a month in advance before it is supposed to be picked-up and it makes the Town unsightly.

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RESOLUTION NO. (169-2005)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of February 8, 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. (170-2005)

Co. Mandia offered and Co. Nowicki seconded

WHEREAS, the Chief of Police has advised that Section 837-d of the Executive Law authorizes municipalities to apply for partial reimbursement of expenses incurred for the purchase of "soft body ballistic armor vests" for police officers, and

WHEREAS, the Chief of Police has recommended submission of an application for such reimbursement which may result in an award in the amount of \$2,084.53 to reimburse for expenditures previously made by the Police Department;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an application, pursuant to Section 837-d of the Executive Law, for the partial reimbursement to the Clarkstown Police Department for expenditures incurred for the purchase of "soft body ballistic armor vests" for police officers.

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. (171-2005)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, a Full Environmental Assessment Form has been prepared in compliance with 6NYCRR - Part 617 (SEQR), under authority of the New York State Environmental Conservation Law, to evaluate potential impacts and mitigation measures (if any) resulting from the proposed project, and;

WHEREAS, K. Luke Kalarickal, P.E. acted as agent to the Clarkstown Town Board and circulated the Full Environmental Assessment Form Parts I & II on December 20, 2004 to potential involved and interested agencies, and no interested or involved agencies objected to the Clarkstown Town Board being the Lead Agency for the coordinated review whereby the Clarkstown Town Board is therefore Lead Agency; and

WHEREAS, it has been determined that the proposed project is an UNLISTED action, and;

WHEREAS, the potential beneficial impacts far outweigh any short term environmental impacts, to wit: mitigate potential flooding problems in a residential area and to improve the hydraulic efficiency of the Demarest Mill Road Culvert;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkstown, as lead agency, has determined that the proposed action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

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. (172-2005)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, in accordance with the recommendation of the Traffic & Highway Engineering Consultant, the Town of Clarkstown has been offered conveyance of a permanent easement and a temporary easement on Christian Herald Road, Valley Cottage, New York (59.12-1-11 f/k/a 136-C-10.1) from Jewish Theological Seminary of America;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby accepts the easements and authorizes the Supervisor to execute same and directs them to be recorded in the Rockland County Clerk's Office.

On roll call the vote was as follows:

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

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RESOLUTION NO. (173-2005)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, in accordance with the recommendation of the Department of Environmental Control, with the concurrence of the Superintendent of Highways, Ron-Jill Realty Corp. has agreed to gratuitously convey a Sanitary Sewer Easement, a Drainage Easement and a Conservation Easement to the Town of Clarkstown, as shown on the final plat of Ron-Jill Realty Corp., designated on the Clarkstown Tax Map as 64.6-2-57 (f/k/a 32-A-15.01), and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkstown is hereby authorized to accept said Easements on behalf of the Town of Clarkstown, and orders them recorded in the Office of the Rockland County Clerk at the expense of the grantee.

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. (174-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, in accordance with the requirements of the Planning Board and as a condition of final subdivision/site plan approval by the Planning Board with regard to a

RESOLUTION NO. (174-2005) continued

subdivision/site plan known as "JAWONIO-KATZEN BUILDING" (34.17-1-52 and 43.05-1-9), County of Rockland Industrial Development Agency has tendered a deed to the Town of Clarkstown, dated December 21, 2004, for road widening purposes on Phillips Hill Road, New City, New York, and Jawonio, Inc., has tendered a deed to the Town of Clarkstown, dated January 10, 2005, for road widening purposes on Phillips Hill Road, New City, New York in said subdivision, and

WHEREAS, the Deputy Director of the Department of Environmental Control has recommended acceptance and recording of said Deeds and the Town Attorney has advised that the tendered instruments meet the requirements of the Planning Board and are in recordable form;

NOW, THEREFORE, be it RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the Deeds for road widening purposes and orders same recorded in the Rockland County Clerk's Office at the expense of the grantee.

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. (175-2005)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, the Department of Environmental Control determined that boundary surveys and easements are necessary to complete the Demarest Mill Road Culvert Replacement project; and

WHEREAS, the Department of Environmental Control received three proposals for Surveying work; and

WHEREAS, the Department of Environmental Control has reviewed said proposals.

NOW, THEREFORE, BE IT RESOLVED that, based on said review, the Director of the Department of Environmental Control recommends that the Town Board retain the services of:

Joseph Haller, L.S.  
110 Stage Road  
Monroe, NY 10950

AND BE IT RESOLVED that the current allowance for this project be increased by an amount of \$17,250.00 to cover this work; and

BE IT FURTHER RESOLVED that this shall be a proper charge to account # H 8748 400 409 0 72 1.

RESOLUTION NO. (175-2005) continued

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. (176-2005)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Chapter 109 of the Town Code of the Town of Clarkstown provides that the Town Board may establish permit and other fees for services provided by the Building Department by resolution, and

WHEREAS, the Building Inspector has made recommendation to the Town Board for an increase in certain Building Department fees;

NOW, THEREFORE, be it RESOLVED, that pursuant to Section 109-7 of the Town Code, the fee schedule, a portion of Item A, shall be amended to read as follows:

A.	<u>Permit Type</u>	<u>Fee</u>
	New construction or alteration to existing buildings or structures, accessory buildings, and swimming pool	\$100.00 for the first \$1,000.00 of construction cost, plus \$14.00 for each additional \$1,000.00 of estimated construction cost or fraction thereof.
	<u>Service Requested</u>	<u>Fee</u>
	Use, or change in use or occupancy requiring issuance of a Certificate of Occupancy (no new construction).	\$100.00
	Demolition permit	\$100.00
	Record search request for existence of violations and Certificate of Occupancy	\$150.00

and be it FURTHER RESOLVED, that the fee schedule established herein shall take effect April 1, 2005; and be it

FURTHER RESOLVED, that all other prior resolutions relating to other Building Department fees shall remain in full force and effect.

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. (177-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Rockland Review, with its main office at 26 Snake Hill Road, West Nyack, New York 10954, is hereby designated as a supplemental media for the dissemination of notices of interest to the public in the Town of Clarkstown for the calendar year beginning March 8, 2005, provided that such publication shall not be exclusive or otherwise intended to satisfy legal public notice requirements.

On roll call the vote was as follows:

Councilwoman Lasker . . . . .	No
Councilman Maloney . . . . .	Yes
Councilman Mandia . . . . .	Yes
Councilwoman Nowicki . . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (178-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, Sylvia A. Welch, Ph.D., 170 Hudson Terrace, Piermont, New York, has submitted a proposal dated February 18, 2005, with respect to providing research to identify potential funding sources for various Town sponsored programs, capital projects, and other grant opportunities, and to assist in the preparation of grant applications as requested by the Town;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Sylvia A. Welch, Ph.D., to provide research and grant application services as described in the proposal referred to herein, for a period of one year provided, further, that said agreement shall require that she report directly to and work under the supervision of Sabrina Vargas, Director of Operations for the Supervisor, and be it

FURTHER RESOLVED, that the payment for such services shall be at the rate of \$55.00 per hour, not to exceed \$7,500.00 during the contract term without further authorization of the Town Board, which amounts shall be charged to Account No. A 1010-409.

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. (179-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, Section 18(b) of the Transportation Law provides for the appropriation of funds for the operation of bus transportation systems, and

RESOLUTION NO. (179-2005) continued

WHEREAS, pursuant to Section 119-r of the General Municipal Law and Local Law No. 9-1974, the County of Rockland is authorized to contract for mass transportation services to be rendered to the people of the County of Rockland by a municipality for a fair and reasonable consideration;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into an agreement with the County of Rockland for the period April 1, 2005 to March 31, 2006, in a form satisfactory to the Town Attorney, to provide for the operation of public transportation routes within the Town of Clarkstown.

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. (180-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the County of Rockland and the Town of Clarkstown wish to coordinate bus fares as it relates to cash paying, full fare, adults on the "Transport of Rockland" (TOR) and the "Clarkstown Mini Trans" (CMT), and

WHEREAS, the Town Board of the Town of Clarkstown wishes to participate in the County of Rockland Department of Public Transportation "Super Saver" Discount Program for the Clarkstown Mini Trans;

NOW, THEREFORE, be it RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to provide for the coordination of bus fares as it relates to cash paying, full fare, adults on the Transport of Rockland and the Clarkstown Mini Trans, and for the Town of Clarkstown to participate in the Count's "Super Saver" Discount Program.

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. (181-2005)

Co. Lasker offered and Co. Nowicki 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 (DCJS #LG03038562) to the Town of Clarkstown for \$15,000 to be used for the purchase of ballistic vests for use by the Auxiliary Police Unit, and

RESOLUTION NO. (181-2004) continued

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 (Project No. DCJS #LG03038562), in a form approved by the Town Attorney, to obtain funding in the amount of \$15,000.00, for the purpose of purchasing equipment to be used by the Clarkstown Police Department, for the period April 1, 2005 through September 15, 2006.

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. (182-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, Chief of Police Peter Noonan has recommended renewing an agreement with Frank Garigali, M.D., to provide services to the Clarkstown Police Department as the police surgeon for the calendar year 2005, at the same terms and conditions as the prior agreement;

NOW, THEREFORE, be it RESOLVED, that the Supervisor is authorized to enter into an agreement with Frank Garigali, M.D., as referred to herein, for the period January 1, 2005 to December 31, 2005, upon the same terms and conditions as the prior agreement, and be it

FURTHER RESOLVED, that compensation for said services shall be \$235.00 per physical examination for annual physical examinations for sworn personnel plus the sum of \$1,500.00 per month, all of which shall be charged to Account No. A 3120-409.

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. (183-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, Chief of Police Peter Noonan has recommended renewing an agreement with Michael S. Lippe, M.D., to provide services to the Clarkstown Police Department as the Emergency Health Care Provider pursuant to the Public Health Law Section 3000(B), for the calendar year 2005, at the same terms and conditions as the prior agreement;

RESOLUTION NO. (183-2005) continued

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to enter into an agreement with Michael S. Lippe, M.D., as referred to herein, for the period January 1, 2005 to December 31, 2005, upon the same terms and conditions as the prior agreement, which services are provided without charge to the Town as per Section 3000(B) of the Public Health 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. (184-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, Chief of Police Peter Noonan has advised that the State of New York Governor's Traffic Safety Committee has tendered an amendment to N.Y.S. Comptroller's Contract No. C-001232 awarding to the Clarkstown Police Department the sum of \$57,430.00, to be used for the purchase of equipment which shall enable the Town of Clarkstown to participate in an computer issued ticket and accident report project with the use of electronic ticket and accident software to use electronic ticket and accident reports as primary records in lieu of hand written paper documents for a minimum project term of three years which seeks to improve traffic record systems in New York by the automation of traffic tickets and accidents reports, and

WHEREAS, the Chief of Police has recommended that the Clarkstown Police Department participate in said project and the Town Board wishes to support same;

NOW, THEREFORE, be it RESOLVED, that the Supervisor is hereby authorized to execute the amendment to N.Y.S. Comptroller's Contract No. C-001232 with the State of New York Governor's Safety Committee, in a form approved by the Town Attorney, to obtain funding in the amount of \$57,430.00, for the purpose of purchasing equipment to be used by the Clarkstown Police Department in the project know as "Electronic Ticket and Accident Report Project Grant Application 2004-2005 (Grant Agreement No. TR-4450152).

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. (185-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Charlotte and Mark Quirk have requested a refund of Building Permit fee (No. 03-1500) paid in the amount of \$284.00 for premises located at 10 Hickory Drive, Nanuet, New York, because they have cancelled plans to build an addition to the second floor, and the Building Inspector has recommended a partial refund with retention of a processing review fee of \$206.00;

RESOLUTION NO. (185-2005) continued

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of \$78.00, of the total Building Permit fee paid in the amount of \$284.00, to Charlotte and Mark Quirk, to be charged to Account No. B 02-6-2555-0, subject to receipt and cancellation of the Building Permit.

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. (186-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Scott Silver and Rhonda Silver have requested a refund of Building Permit fee (No. 04-1521) paid in the amount of \$1,052.00 for premises located at 8 Alan Court, New City, New York, because they have cancelled plans to build an addition, and the Building Inspector has recommended a partial refund with retention of a processing review fee of \$120.00;

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of \$932.00, of the total Building Permit fee paid in the amount of \$1,052, to the above applicants, to be charged to Account No. B 02-6-2555-0, subject to receipt and cancellation of the Building Permit.

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. (187-2005)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, certain non-for-profit organizations that have provided services to individuals and groups in the Town of Clarkstown have submitted requests for economic assistance for the year 2005, and

WHEREAS, the applications has been reviewed by the Town Attorney, who has determined that the services provided by the organizations set forth herein is in the public interest and qualifies for expenditure of public funds:

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organizations to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

RESOLUTION NO. (187-2005) continued

FURTHER RESOLVED, that the Town Board shall allocate economic assistance for 2005 to the following non-profit organizations in the following amount:

Albertus Magnus -Project Graduation	\$1,000.00
Big Brothers Big Sisters of Rockland County	\$1,000.00
Clarkstown Baseball Association	\$3,050.00
Clarkstown Community Task Force	\$10,000.00
Clarkstown High School South – Grad Nite 2005	\$2,000.00
Clarkstown High School North – Grad Nite 2005	\$2,000.00
Meals on Wheels Programs & Services of Rockland, Inc.	\$13,000.00
Rockland Center for the Arts, Inc.	\$10,000.00
Rockland County Council for Senior Citizens, Inc.- Foster Grandparent Program	\$1,000.00
Rockland 21 <sup>st</sup> Century Collaborative for Children and Youth	\$10,000.00
Summer Theatre Festival of Clarkstown, Inc.	\$1,000.00
S.T.A.R. Kids	\$3,000.00
Volunteer Counseling Service of Rockland County Inc.	\$1,000.00

AND BE IT FURTHER RESOLVED, that the funds are to assist in providing such services for the calendar year 2005, and shall be charged to Account No. A 8840-424.

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. (188-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Town Board of the Town of Clarkstown wishes to request that the Rockland County Consortium consider several projects for Community Development Block Grant Funding, and

WHEREAS, a public hearing was duly held as required by Federal regulations on January 25, 2005, in the auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and

WHEREAS, the Town Board of the Town of Clarkstown supports each of the projects set forth herein and requests funding for each;

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby requests that the Rockland County Consortium consider Community Development funding in the order of priority as listed below:

1<sup>st</sup> Priority: Town of Clarkstown – Lawrence Street, Nanuet, sidewalk construction and drainage improvement project in the vicinity of New Jersey Transit Railroad tracks.

RESOLUTION NO. (188-2005) continued

2<sup>nd</sup> Priority: Town of Clarkstown - Reconstruction of Valley Road, Drayton Place and Robert Court sidewalks in the vicinity of Nanuet;

3<sup>rd</sup> Priority: Town of Clarkstown - Transportation vehicle to assist in the transport of Senior Citizens from and to various locations with the Town; and

4<sup>th</sup> Priority: Town of Clarkstown - Reconstruction of Second Avenue which would benefit the area residents as well as Head Start of Rockland.

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. (189-2005)

Co. Lasker 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:

“No Truck, Four Ton Limit except for Local Delivery” on Laurel Road at Rte 304, New City, NY.

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. (190-2005)

Co. Lasker 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:

“No Parking Anytime” signs on the turn around located on South Grant, Congers, NY.

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.

RESOLUTION NO. (190-2004) continued

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. (191-2005)

Co. Lasker 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:

“No Truck, Four Ton Limit except for Local Delivery” signs at the following locations:

- On Grandview Avenue at Route 59, Nanuet
- On Prospect Street at Fisher Ave., Nanuet
- On Old Mill Road at Strawtown Rd., West Nyack
- On Grandview at Convent Rd., Nanuet
- On Blue Heron at Pascack Rd., Nanuet
- On Judith St. at Old Nyack Turnpike, Nanuet
- On Charles St. at Old Nyack Turnpike, Nanuet
- On Sherwood Dr. at Old Nyack Turnpike, 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. (192-2005)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Chief Fire Safety Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 278, Sec. 13, of the Code of the Town of Clarkstown, at

Izzy James, LLC  
 84 Rt. 9W  
 Congers, NY 10994

RESOLUTION NO. (192-2005) continued

By the installation of fire lane designations, and

WHEREAS, Isidore J. Castiglia has requested that the Town of Clarkstown designate said fire lanes:

NOW, THEREFORE, BE IT RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Chief Fire Safety Inspector with regard to the installation of conforming fire lane designations be installed by and at the expense of the owner of such property upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

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. (193-2005)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the Town Attorney to solicit proposals from appraisers and to obtain an appraiser to determine the market value of a portion of land designated as Lot "5" as shown on a proposed subdivision map drawn by Atzl, Scatassa & Zigler, PC, entitled "Highview Park," project 3025, drawing No. 1A, and thereafter to select an appraiser to provide such appraisal within a reasonable timeframe and cost, and be it

FURTHER RESOLVED, that the cost of said appraisal 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. (194-2005)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, Tor Valley Inc. and Davies Farm Inc. have supplemented its petition to the Town Board of the Town of Clarkstown, requesting a change of zone from the R-22 District to the LS District for premises described and designated on the Clarkstown Tax Map as Map 51.9-1-50, 51, located at Little Tor Road and New Valley Road, New City, New York, with additional information, and

RESOLUTION NO. (194-2005) continued

WHEREAS, the Town Planner has previously referred such additional information with regard to this matter consisting of traffic and drainage studies, and economic analysis, to the Rockland County Commissioner of Planning;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby confirms the referral of the amended petition to the Rockland County Commissioners of Planning, pursuant to Section 239-l and 239-m of the General Municipal Law and other applicable provisions of law.

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. (195-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Louisa Rose Inc, d/b/a "Mulberry Street Grill," has advised the Town Supervisor by letter dated March 2, 2005, pursuant to Section 64-2(a) of the Alcoholic Beverage Control Law, that said corporation has applied for an on-premises liquor license at 149 South Middletown Road, Nanuet, New York, and

WHEREAS, to expedite processing the license application, Michael A, Guarasci, President of Louisa Rose Inc., has requested that the Town Board waive the thirty day waiting period provided by law, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby waives the thirty day notice requirement contained in Section 62 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding the application of Louisa Rose Inc, d/b/a "Mulberry Street Grill," for a license at premises 149 South Middletown Road, Nanuet, New York.

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. (196-2005)

Co. Nowicki offered and Co. Lasker seconded

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

RESOLUTION NO. (196-2005) continued

CAL MART ENTERPRISES, INC.  
357A Route 59  
West Nyack, NY 10994  
Martin Wortendyke, Vice President

JMK BUILDING CORP.  
301 North Main Street  
New City, NY 10956  
John Knutsen, President

McGANNON EXCAVATING, LLC  
85 North Central Highway  
Garnerville, NY 10993  
Robert McGannon, President

JD BACKHOE  
P.O. Box 342  
Sparkill, NY 10976  
Joseph D'Auria, President

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

- No. 05-13 CAL MART ENTERPRISES, INC.
- 05-17 JMK BUILDING CORP.
- 05-18 McGANNON EXCAVATING, LLC
- 05-19 JD BACKHOE

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. (197-2005)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the Downtown New City Corporation (DNCC) and the Town's Architecture and Landscape Commission (ALC) have reviewed a proposal to install "Welcome" signs throughout the Hamlet of New City as part of a redevelopment and beautification of the Hamlet, and

WHEREAS, the ALC has recommended that only two (2) signs be erected in the following locations as part of the redevelopment plan:

- 1) at the intersection of South Main Street and Route 304, and
- 2) at the northeast corner of the intersection of Germonds Road and Little Tor Road, and

WHEREAS, the DNCC has offered to reimburse the Town for the installation of the aforementioned signs;

RESOLUTION NO. (197-2005) continued

NOW, THEREFORE, be it RESOLVED, that the Town gratefully acknowledges the DNCC agreement to reimburse the Town for the cost of said signs, and be it

FURTHER RESOLVED, that the Purchasing Department is authorized to solicit competitive proposals for the installation of the two (2) aforementioned signs, and be it

FURTHER RESOLVED, that the Town Attorney is authorized to seek the necessary approval for the installation of said signs.

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. (198-2005)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, the Volunteer Counseling Service of Rockland will sponsor a week long series of Gay Pride Rockland activities in the month of June, at the Nyack Center, Nyack, New York, and

WHEREAS, Volunteer Counseling Service has requested that the Town of Clarkstown become, once again, a co-sponsor of this event;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby consents to be listed as a sponsor of the Gay Pride Rockland activities in the month of June, to be held at the Nyack Center, Nyack, New York, at no cost to the Town of Clarkstown.

On roll call the vote was as follows:

- Councilwoman Lasker . . . . . Yes
- Councilman Maloney . . . . . No
- Councilman Mandia . . . . . Yes
- Councilwoman Nowicki . . . . . No
- Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (199-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown Planning Board and the Town Planner, as part of Planning Board's review of proposed Amendment to the Comprehensive Plan and the proposed Zone Change petition of Tor Valley Inc. and Davies Farm Inc., has recommended that John L. Sarna, P.E. be retained to conduct an independent review of the traffic impact study submitted as part of the application referred to herein;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes acceptance of proposal dated March 3, 2005 by John L. Sarna, P.E., to conduct the review described in said proposal on behalf of the Town Board, with his report to be submitted to the Planning Board no later than March 22, 2005, at a cost not to exceed \$1,500.00, which shall be charged to Account No. A 1010-409.

RESOLUTION NO. (199-2005) continued

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. (200-2005)

Co. Nowicki offered and Co. Lasker seconded

Whereas, the Town Board of the Town of Clarkstown has, via resolution #68-2005, previously authorized the Director of the Department of Environmental Control to retain the services of Anchor Fence of Rockland, Inc. to install approximately 200 linear feet of 4-foot high chain link fence as part of the Valley Cottage Drainage Improvements project; and

Whereas, unanticipated field conditions encountered during the installation of said fence resulted in a modification to the line of the fence; and

Whereas, the Department of Environmental Control negotiated an amount with Anchor Fence of Rockland, Inc. to cover the expenses associated with the modification of the line of the fence;

Now, Therefore, Be It Resolved that the amount of Change Order No. 5 be increased by the amount of \$200.00 to a total of \$2,699.00 to reflect said increase; and

Be It Further Resolved that the total cost of the project shall be increased by the same amount to \$864,294.19; and

Be It Further Resolved that this shall be a proper charge to account # H 5111 409 0 4-17.

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. (201-2005)

Co. Lasker offered and Co. Maloney seconded

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

BID #23-2005 – SECURITY GUARD SERVICES – TOWN PARKS

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

RESOLUTION NO. (201-2004) continued

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

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (202-2005)

Co. Lasker offered and Co. Maloney seconded

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

BID #24-2005 – SECURITY GUARD SERVICES – CLARKSTOWN SOLID WASTE FACILITY

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

\*\*\*\*\*

RESOLUTION NO. (203-2005)

Co. Lasker offered and Co. Maloney seconded

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

BID #25-2005 – 2005 SITE MAINTENANCE PROJECT

Bids to be returnable to the office of the deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York by 11:30 a.m. on April 7, 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 Deputy Town Attorney-Purchasing.

RESOLUTION NO. (203-2005) continued

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. (204-2005)

Co. Lasker offered and Co. Maloney seconded

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

BID #26-2005 – 2005 COMMUTER PARKING LOT MAINTENANCE

Bids to be returnable to the office of the deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York by 11:00 a.m. on April 7, 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 Deputy Town Attorney-Purchasing.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (205-2005)

Co. Maloney offered and Co. Lasker seconded

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

BID#68-2004 – EMERGENCY GENERATOR FOR CLARKSTOWN HIGHWAY DEPARTMENT

is hereby awarded to:

FANSHAW INC.  
d/b/a ROCKLAND ELECTRIC  
58 EAST ROUTE 59  
NANUET, NY 10954  
PRINCIPALS: JOHN FANSHAW  
GEORGE FANSHAW

as per their low bid quote of \$103,600.00.

RESOLUTION NO. (205-2005) continued

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. (206-2005)

Co. Maloney offered and Co. Lasker seconded

Resolved, that based upon the recommendation of the Purchasing Department and in concurrence with the Superintendent of Recreation and Parks, that Bid #8-2005 for furnishing Arts & Crafts supplies is hereby awarded as follows:

No bids on items #27, 49, 85 and 100.

The following items were not awarded to the low bidder for the reasons noted:

ITEM#	LOW BID – REASON	AWARD TO
9	S&S – Did not meet specifications	B&B
10	S&S – Did not meet specifications	B&B
12	S&S – Did not meet specifications	J&A
25	S&S – Did not meet specifications	J&A
51	S&S – Did not meet specifications	J&A

1. B&B Crafts, Inc., 175 Allen Blvd., Farmingdale, NY 11735, 631-420-4220  
Principals: Marsha Benson  
For items # 9, 10, 11, 16, 17, 21, 32, 33, 34, 35, 39, 40, 41, 44, 45, 46, 54, 59, 60, 61, 64, 69, 70, 83, 84, 89, 91, 92 and 101 as per specifications at a net bid price of \$721.39.
2. J&A Handy-Crafts, Inc., 165 S. Pennsylvania Ave., Lindenhurst, NY 11757, 631-226-2400 – Principals: Paul Siegelman, Joanne Siegelman.  
For Items # 1, 2, 3, 6, 12, 13, 14, 18, 19, 20, 22, 23, 24, 25, 26, 28, 29, 30, 31, 36, 37, 38, 43, 47, 48, 51, 52, 55, 56, 57, 58, 62, 65, 66, 67, 68, 71, 72, 73, 74, 75, 76, 77, 78, 80, 81, 82, 86, 87, 88, 90, 93, 94, 95, 96, 98 and 99 as per specifications at a net bid price of \$2,306.10.
3. S&S Worldwide, Inc., 75 Mill St., Colchester, CT 06415, 1-800-642-7354  
Principals: Stephen Schwartz, Adam Schwartz, Hy Schwartz.  
For Items # 4, 5, 7, 8, 15, 42, 50, 53, 63, 79 and 97 as per specifications at a net bid price of \$294.23.

Gross Total of all items: \$3,321.72; and be it

Further resolved that this amount be charged against accounts:  
 7310-329 - \$2,040.67  
 7141-329 - \$ 930.69  
 7610-329 - \$ 350.36

RESOLUTION NO. (206-2004) continued

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. (207-2005)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney-Purchasing and Superintendent of Recreation and Parks that

BID#16-2005 – FOOD PROVISIONS FOR TOWN OPERATED REFRESHMENT STANDS

is hereby awarded to:

U. S. FOODSERVICE  
 KEARNY DIVISION  
 849 NEWARK TURNPIKE  
 KEARNY, NJ 07032  
 PRINCIPALS: A PUBLIC CORPORATION

COOKIES AND MORE  
 165 PRICE PARKWAY  
 FARMINGDALE, NY 11735  
 PRINCIPALS: MARK V. ABRUSCATO  
 JANICH TRUST

ROCKLAND BAKERY, INC  
 94 DEMAREST MILL ROAD  
 NANUET, NY 10954  
 PRINCIPALS: IGNAZIO BATTAGLIA  
 PHILLIP BATTAGLIA  
 JOSEPH BATTAGLIA  
 MARIO BATTAGLIA

MULLER DAIRIES  
 P.O. BOX 456  
 FLORIDA, NY 10921  
 PRINCIPALS: WILLIAM J. MULLER

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. (208-2005)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney-Purchasing and Superintendent of Recreation and Parks that

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

is hereby awarded to:

VMQ ICE CREAM DISTRIBUTORS  
56 CRICKETTOWN ROAD  
STONY POINT, NY 10980  
PRINCIPALS: VINCENT QUATTROCCHI

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

On roll call the vote was as follows:

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

RESOLUTION NO. (209-2005)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney-Purchasing and Superintendent of Recreation and Parks that

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

is hereby awarded to:

PEPSI COLA OF THE HUDSON VALLEY  
ONE PEPSI WAY  
NEWBURGH, NY 12550  
PRINCIPALS: A PUBLIC CORPORATION

as per the price/item list below:

Per 5 Gallon Container

Cola.....\$64.50  
Diet Cola.....\$64.50  
Lemon.....\$64.50  
Orange.....\$64.50

Plus \$7.00 Cost Bag In Shell Deposit

Cost of CO2 gas per cylinder \$15.00 + \$75.00 deposit on cylinder  
Size of CO2 cylinder 20 lbs  
Cost of CO2 hook up none

Percent cost increase should contract be extended for one year - 3%.

RESOLUTION NO. (209-2005) continued

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. (210-2005)

Co. Maloney offered and Co. Lasker seconded

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

Bid # 22-2005- Swimming Pool Chemicals

is hereby awarded to: JERSEY CHEMICALS, INC  
 775 RIVER STREET  
 PATERSON, NJ 07524  
 PRINCIPAL: ALAN TAUB

WECHSLER POOL & SUPPLY  
 P.O. BOX 333  
 THOMPSONVILLE, NY 12784  
 PRINCIPALS: MICHAEL TAYLOR  
 WALTER TAYLOR

BEL-AQUA POOL SUPPLY, INC.  
 20 COMMERCE DRIVE  
 NEW ROCHELE, NY 10801  
 PRINCIPALS: MARTIN SILVER  
 SUSAN WISAN

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

On roll call the vote was as follows:

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

RESOLUTION NO. (211-2005)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, by Resolution No. 110-2005 adopted January 25, 2005, the Town Board has supported the introduction of Home Rule legislation to be sponsored by Senator Thomas P. Morahan and Assemblyman Kenneth P. Zebrowski, which would grant the Town of Clarkstown permission to discontinue the use as parkland of the lands more particularly described on Schedule "A" attached, so as to permit said lands to become a site for an Emergency Services Telecommunication Tower with related facilities on a portion of the property commonly known as 400 Christian Herald Road, together with an access road to said facilities, and

RESOLUTION NO. (211-2005) continued

WHEREAS, the Town Board has been notified by Senator Thomas P. Morahan and Assemblyman Kenneth P. Zebrowski that Senate Bill No. S.2044 and Assembly Bill No. A.05219 have been introduced in the Senate and Assembly respectively to provide for the needed Home Rule legislation;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby confirms support of the legislation referred to herein and encourages Senator Morahan and Assemblyman Zebrowski to sponsor said legislation for adoption by the State Legislature in the form reviewed, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to execute the Home Rule Request for Senate Bill No. S. 2044, and Assembly Bill No. A. 05219.

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. (212-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has certified on January 19, 2005 that the position of Maintenance Mechanic I – Parks Board and Recreation Commission – can be reclassified to the position of Maintenance Mechanic II.

Now, therefore, be it RESOLVED, that the position of Maintenance Mechanic I is hereby reclassified to the position of Maintenance Mechanic II – effective March 14, 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. (213-2005)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Louis Presta, 53 Ridge Road, Valley Cottage, New York, to the position of Maintenance Mechanic II – Parks Board and Recreation Commission – at the current 2005 annual salary of \$57,477., effective March 14, 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. (214-2005)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Julius Recine, 27 Reginald Drive, Congers, New York, to the position of Senior Groundswoker – Parks Board and Recreation Commission – at the current 2005 annual salary of \$33,298., effective March 14, 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. (215-2005)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that Ivan Sipilief, 83 Lake Road, Valley Cottage, New York, is hereby appointed to the position of (provisional) Environmental Control Inspector III – Dept. of Environmental Control - at the current 2005 annual salary of \$71,859., effective March 14, 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. (216-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has certified on February 14, 2005 that the position of Clerk (55A) (Non-Competitive) – Town of Clarkstown Police Department - can be created,

Now, therefore, be it RESOLVED, that the position of Clerk (55A) - is hereby created – effective and retroactive March 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. (217-2005)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that Elizabeth J. Kelley, 22 Klein Avenue, West Nyack, New York, is hereby appointed to the position of Clerk (55A) – Town of Clarkstown Police Department - at the current 2005 annual salary of \$35,458., effective and retroactive to March 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

\*\*\*\*\*

RESOLUTION NO. (218-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has certified on February 14, 2005 that the position of Police Captain – Town of Clarkstown Police Department - can be created,

Now, therefore, be it RESOLVED, that the position of Police Captain - is hereby created – effective and retroactive March 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. (219-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Captain (PROM) #02001A – which contains the name of Robert G. Mahon,

Now, therefore, be it RESOLVED, that Robert G. Mahon, 150 Fairview Avenue, Pearl River, New York, is hereby appointed to the position of (permanent) Police Captain – Police Department – at the current salary of \$193,136., effective and retroactive to March 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. (220-2005)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that Jean F. St. Fort, 118 West Eckerson Rd., Spring Valley, New York, is hereby appointed to the position of Municipal Bus Driver (part-time) Clarkstown Mini Trans Department - at the current 2005 hourly rate of \$15.97 effective and retroactive to February 14, 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. (221-2005)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that John Fickes, 41 Grandview Avenue, Nanuet, New York, is hereby reappointed to the position of Member – Fire Board of Appeals – to serve without compensation – term effective and retroactive to February 28, 2005 and to expire on February 27, 2008.

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. (222-2005)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that Edward Hewitt, 8A Bittman Lane, New City, New York, is hereby reappointed to the position of Member – Fire Board of Appeals – to serve without compensation – term effective and retroactive to February 28, 2005 and to expire on February 27, 2008.

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. (227-2005) continued

WHEREAS, upon review of said quotations, the Town Planner recommends that the Town retain Tectonic Engineering to perform the visual resource assessment;

NOW, THEREFORE, BE IT RESOLVED, that the Town is hereby authorized to retain Tectonic Engineering Consultants, PC, 70 Pleasant Hill Road, Mountainville, NY 10953, to perform a visual resource assessment at the proposed Emergency Services Telecommunications Tower site at 400 Christian Herald Road, Valley Cottage, NY, for a total fee not to exceed \$6,000; and be it

FURTHER RESOLVED, that said fee shall constitute a proper charge to account no. 8755-409-0-79-6.

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. (228-2005)

Co. Nowicki offered and Co. Mandia seconded

WHEREAS, Town Board resolution 325-2002 authorized the Director of the Department of Environmental Control to retain AQUATIC ANALYSTS, INC. to provide services related to monitoring and treatment to improve water quality at Congers Lake; and

WHEREAS, the Town Board of the Town of Clarkstown is desirous of having said aquatic vegetation control continued at Congers Lake to improve water quality and prevent the plant growth from engulfing Congers Lake in Congers; and;

WHEREAS, the Town Board of the Town of Clarkstown has directed the Department of Environmental Control to solicit proposals for the removal of the weed growth by means of chemical treatment (copper sulfate) to control algae growth and (sonar) to control aquatic weeds and conduct additional monitoring of the lake, and;

WHEREAS, the Department of Environmental Control has received one proposal in response to its request; and

WHEREAS, the Department of Environmental Control has reviewed the proposal and deems the proposal reasonable in scope and cost;

NOW, THEREFORE, BE IT RESOLVED that, based on said review, the Director of the Department of Environmental Control recommends that the Town Board of the Town of Clarkstown retain the services of:

CLEAN LAKES INCORPORATED  
P.O. Box 447  
Wallkill, New York 12589  
Phone: (845) 895-3802

to apply chemicals to control aquatic vegetation within Congers Lake under the direction of the Department of Environmental Control as per their proposal; and

BE IT FURTHER RESOLVED that the cost of the said work shall not exceed 19,450.00 and shall be a proper charge to account H5111 400 4090 4 21.

RESOLUTION NO. (228-2005) continued

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. (229-2005)

Co. Nowicki offered and Co. Mandia seconded

Whereas Town Board resolution 325-2002 authorized the Director of the Department of Environmental Control to retain AQUATIC ANALYSTS, INC. to provide services related to monitoring and treatment to improve water quality at Swartwout Lake; and

WHEREAS, the Town Board of the Town of Clarkstown is desirous of having said aquatic vegetation control continued at Swartwout Lake to improve water quality and prevent the plant growth from engulfing Swartwout Lake in Congers; and;

WHEREAS, the Town Board of the Town of Clarkstown has directed the Department of Environmental Control to solicit proposals for the removal of the weed growth by means of chemical treatment (copper sulfate) to control algae growth and (sonar) to control aquatic weeds and conduct additional monitoring of the lake, and;

WHEREAS, the Department of Environmental Control has received one proposal in response to its request; and

WHEREAS, the Department of Environmental Control has reviewed the proposal and deems the proposal reasonable in scope and cost;

NOW, THEREFORE, BE IT RESOLVED that, based on said review, the Director of the Department of Environmental Control recommends that the Town Board of the Town of Clarkstown retain the services of:

CLEAN LAKES INCORPORATED  
 P.O. Box 447  
 Wallkill, New York 12589  
 Phone: (845) 895-3802

to apply chemicals to control aquatic vegetation within Swartwout Lake under the direction of the Department of Environmental Control as per their proposal; and

BE IT FURTHER RESOLVED that the cost of the said work shall not exceed \$10,265.00 and shall be a proper charge to account H5111 400 4090 4 20.

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. (230-2005)

Co. Nowicki offered and Co. Mandia seconded

WHEREAS, the Department of Environmental Control solicited proposals, entitled RFP 01-2005, from several qualified engineering firms to prepare drainage analysis, design plans, grading, landscaping plans, construction sequence, and phasing of construction for the South Main Street Improvement Project; and

WHEREAS, the DEC received eight proposals in response to its request;

NOW, THEREFORE, BE IT RESOLVED, that based upon the recommendation of the Director of Environmental Control and the Deputy Town Attorney, Purchasing, that RFP 01-2005 is hereby awarded to:

Maser Consulting, PA  
One Crossfield Avenue  
West Nyack, NY 10994

as per their low bid proposal of \$37,500; and be it

FURTHER RESOLVED, that said award is subject to Maser submitting two executed copies of an agreement, in a form acceptable to the Town Attorney; and be it

FURTHER RESOLVED, that said fee shall constitute a proper charge to account no. H-5111-409-0-4-16.

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. (231-2005)

Co. Nowicki offered and Co. Mandia seconded

WHEREAS, Sterling Environmental Engineering, P.C., currently provides environmental monitoring services at the Clarkstown Sanitary Landfill, and

WHEREAS, the current contract between Sterling Environmental and the town of Clarkstown expires March 27, 2005, and

WHEREAS, Sterling Environmental has made variance application to the New York State Department of Environmental Conservation requesting a reduction in the scope and frequency of the post closure environmental monitoring for the Town's Sanitary Landfill, and

WHEREAS, until this process is complete, the current level of monitoring must continue in accordance with the New York State Department of Environmental Conservation regulations, and

RESOLUTION NO. (231-2005) continued

WHEREAS, Sterling Environmental Engineering, P.C., in accordance with their correspondence dated February 29, 2005, has agreed to continue to provide the required level of monitoring to the Town of Clarkstown at no increase in cost through December 31, 2005.

NOW, THEREFORE, BE IT RESOLVED, that based upon the recommendation of the Deputy Director of Operations, Department of Environmental Control, the current contract between the Town of Clarkstown and Sterling Environmental Engineering, P.C., be extended for the remainder of 2005 terminating on December 31, 2005, and

BE IT FURTHER RESOLVED, that the total cost for monitoring for 2005 shall not exceed \$39,589.95 and shall be a proper charge to account SR 8160 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. (232-2005)

Co. Nowicki offered and Co. Mandia seconded

WHEREAS, the Director of Automated Systems has solicited proposals to prepare design plans and specifications for the installation of a new telecommunications system at the Town of Clarkstown Highway Department; and

WHEREAS, upon review of such proposals, the Director of Automated Systems recommends that the Town retain the services of TelData Consultants, Inc., as per their proposal dated December 21, 2004;

NOW, THEREFORE, BE IT RESOLVED, that the Town is hereby authorized to enter into an agreement, in a form acceptable to the Town Attorney, with TelData Consultants, Inc., 225 West 34<sup>th</sup> Street, New York, NY to develop detailed plans and specifications for a new telecommunications system at the Clarkstown Highway Department; and be it

FURTHER RESOLVED, that the fee for said services shall not exceed \$5000; and be it

FURTHER RESOLVED, that said fee shall constitute a proper charge to account no. A-1680-409.

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. (233-2005)

Co. Nowicki offered and Co. Lasker seconded

Whereas, the stream located at 9 Rochelle Drive in New City lies within an existing drainage easement; and

Whereas, a portion of the stream embankments have eroded, to the point where remedial action is called for; and

Whereas, the Town Board of the Town of Clarkstown is desirous of having this situation rectified; and

Whereas, the Department of Environmental Control has formulated a plan to stabilize this portion of the stream; and

Whereas, the Department of Environmental Control has solicited proposals from five (5) qualified contractors to perform this work in accordance with said plan; and

Whereas, the Department of Environmental Control has received and reviewed proposals to perform this work from all of these qualified contractors and found them to be acceptable; and

Whereas, the lowest cost proposed was submitted by Cusack Landscaping.

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

Cusack Landscaping  
P.O. Box 106  
New City, N.Y. 10956

to perform said work in accordance with their proposal for an amount not to exceed \$11,350.00; and

Be It Further Resolved that this shall be a proper charge to account #H 8755-409-0-79-5.

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. (234-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Town Board Resolution #722-2004 awarded bid #47-2004; New Haven Avenue Drainage Modifications to Cal Mart Enterprises, Inc.; and

WHEREAS, additional drainage is required to prevent flooding in the vicinity of # 21 New Haven Avenue; and

WHEREAS, the following change order has been reviewed by the Department of Environmental Control and found acceptable:

RESOLUTION NO. (234-2005) continued

Installation of 65 l.f. of 12" PVC pipe and flared end section: Cost: \$2,772.00

NOW, THEREFORE, BE IT RESOLVED that the total approved cost for this change order on contract is \$2,772.00; and

BE IT FURTHER RESOLVED that the current budget allowance for this project be increased from \$49,494.00 to \$52,266.00 to reflect the additional cost of this change order on contract; and

BE IT FURTHER RESOLVED that this shall continue to be a proper charge to account #H8754-409-78-28;

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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RESOLUTION NO. (235-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Town Board Resolution #967-2004 authorized the Director of the Department of Environmental control to retain the services of MRJ Excavating, Inc. to install +/- 675' of earth berm along the Virginia Street ROW;

WHEREAS, additional trucking will be required by the contractor to deliver the required material to the site; and

WHEREAS, the Department of Environmental Control has reviewed a change order for this project, described as follows, and found it to be acceptable:

Trucking fee for asphalt delivery from New Jersey (2 days)	
Additional trucking fees for delivery of fill material	\$2,200.00

NOW, THEREFORE, BE IT RESOLVED that the total approved cost for this change order on contract is \$2,200.00; and

BE IT FURTHER RESOLVED that the current budget allowance for this project be increased from \$16,720.00 to \$18,920.00 to reflect the additional cost of the change order; and

BE IT FURTHER RESOLVED that this shall continue to be a proper charge to account H 8754-409-0-78-40

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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RESOLUTION NO. (236-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, IFG Productions, Inc. has requested use of the Town of Clarkstown showmobile on Sunday, May 22, 2005 for a Parade of Unity Year 2005 to celebrate Haitian Flag Day and Ethnic Diversity in Rockland at Spring Valley Memorial Park.

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to IFG Productions to use the Town of Clarkstown showmobile on May 22, 2005 for the above purpose and 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.

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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RESOLUTION NO. (237-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, by Resolution No. 619-2004 the Town Board awarded bid number 48-2003 – Congers Station and Town Square Restoration; and

WHEREAS, Orange and Rockland has advised the eight (8) telephone poles must be either added or relocated as a result of the construction at the site; and

WHEREAS, Orange and Rockland has advised that the cost to remove said poles is \$10, 227.00;

NOW, THEREFORE, BE IT RESOLVED, that the Town is hereby authorized to make payment to Orange and Rockland Utilities in the amount of \$10,227 to compensate them for the cost to move and/or install pole numbers 60791-41932; 60792-41941; 60794-41950; 60795-41961; 60796-41970; 60796-41973;60802-41970; and 60801-41965; and be it

FURTHER RESOLVED, that said fee shall constitute a proper charge to Account No. H8751 409 75 16.

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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RESOLUTION NO. (238-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Director of Automated Systems recommends that computer training be made available to Town personnel;

NOW, THEREFORE, BE IT

RESOLVED, that the Town is hereby authorized to enter into an agreement with the Rockland Board of Cooperative Education (BOCES), in a form approved by the Town Attorney, to provide computer training classes for Town of Clarkstown employees for the period April 1, 2005 through December 31, 2005; and be it

FURTHER RESOLVED, that the fee for said classes shall not exceed \$16,000.00 and shall constitute a proper charge to Account NO. A-1680-414.

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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RESOLUTION NO. (239-2005)

Co. Maloney offered and Co. Lasker seconded

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

BID #11-2005 – 2005 DEMAREST MILL ROAD CULVERT REPLACEMENT

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York at a 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 Department of Environmental Control.

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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RESOLUTION NO. (240-2005)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney-Purchasing and the Director of the Department of Environmental Control that

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

is hereby awarded to:

RHOMBUS ENTERPRISES  
5 SEEGER DRIVE  
NANUET, NY 10954  
PRINCIPALS: MICHELLE CHIAPPA  
JOSEPH CHIAPPA  
MICHAEL CYRULIK  
ERIK CLOUSE

as per their low bid proposal of \$19,200.00 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.

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

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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RESOLUTION NO. (241-2005)

Co. Lasker offered and Co. Mandia seconded

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

BID # 15-2005 – FIRST AID/SAFETY SUPPLIES

RESOLUTION NO. (241-2005) continued

is hereby awarded to: MOORE MEDICAL LLC  
389 JOHN DOWNEY DR  
NEW BRITAIN, CT 06050  
PRINCIPAL: WHOLLY OWNED SUBSIDIARY OF  
MCHESON

NORTHERN SAFETY CO., INC  
P.O. BOX 4250  
UTICA, NY 13504  
PRINCIPAL: A PUBLIC CORPORATION

ZEVCO MEDICAL  
28 W 080 COMMERCIAL AVE  
BARRINGTON, IL 60010  
PRINCIPAL: SHERWIN H. MEYERS

LAERDAL MEDICAL CORPORATION  
167 MYERS CORNERS RD  
WAPPINGERS FALLS, NY 12590  
PRINCIPAL: TORE LAERDAL

as per attached item/price schedule.

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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RESOLUTION NO. (242-2005)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, at the request of the Insurance and Claims Manager Robert Berdy, the W.H. Moulton Company requested proposals for the renewal insurance coverage of the Mini-Trans Bus System of the Town of Clarkstown, and

WHEREAS, the Insurance and Claims Manager has recommended acceptance of the eight bus proposals contained in the March 8, 2005 letter of W.H. Moulton Company, insurance agents;

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby accepts the proposal of Lancer Insurance for liability coverage of \$2,000,000.00, and from General Star Insurance Company for excess liability coverage of \$8,000,000.00, at the total quoted price for the annual premium of \$139,280.00, to be charged to Account No. CS 1910-420.

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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RESOLUTION NO. (243-2005)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that Rev. Bruce W. Woodcock, 108 Castle Heights Avenue, Nyack, New York, is hereby appointed to the position of Member – Board of Ethics – at the current annual salary of \$1,950., term effective March 8, 2005 and to expire on March 7, 2010.

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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RESOLUTION NO. (244-2005)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, by Resolution No. 157-2005, dated February 8, 2005, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 111 of the Code of the Town of Clarkstown affecting property located at 69 Route 59, Central Nyack, New York (Tax Map designation 65.7-5-25 f/k/a 120-B-33), to remove structures from the property which have created a serious fire hazard risk and have become unsafe and dangerous, and a threat to the health and welfare of the community, and

WHEREAS, a public hearing was scheduled and duly held on the 8<sup>th</sup> day of March 2005, after notice and opportunity to be heard at said hearing was provided to the property owners and all interested parties of record, as provided by law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice, pursuant to Chapter 111 of the Code of the Town of Clarkstown, dated October 8, 2005, as reported by the Fire Inspector in his previous reports which are part of the record, have not been corrected, and be it

FURTHER RESOLVED, the Superintendent of Highways, or the Fire Inspector, or the Building Inspector are hereby authorized and directed to enter the subject property and to take all actions which may be reasonably necessary to secure the premises in a safe manner with safety fence if the property owner does not do so within forty-eight (48) hours from notification, and be it

FURTHER RESOLVED, that the expenses incurred by the Superintendent of Highways, the Fire Inspector, the Building Inspector and the Town Attorney with respect to such corrective measures, including the removal of debris and the costs of this proceeding and all other necessary actions, be assessed as a lien against the property, and be it

FURTHER RESOLVED, that the Assessor is hereby directed to assess said sum against the premises set forth above which sum shall be levied and collected in the same manner as provided in Article 15 of Town Law for the levy and collection of a special ad valorem levy, as provided in Section 111-8 of the Town Code, and be it

RESOLUTION NO. (244-2005) continued

FURTHER RESOLVED, that the Town Board hereby retains jurisdiction of this matter on further notice to all interested parties to make whatever further corrective orders as may become necessary to protect the public interest and continues this matter over to the meeting of March 22, 2005.

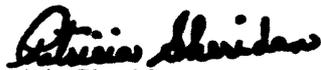
On roll call the vote was as follows

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

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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 Town Board Meeting was closed, time 9:00 P.M.

Respectfully submitted,



Patricia Sheridan  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

03/08/2005

8:00 P.M.

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

Petition of Ronald Mann for use of Town Law §280-a(2) in the vicinity of Old Haverstraw Road at Chester Avenue, Congers

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

Town Attorney explained that you cannot obtain a building permit to build a house unless you have frontage on a Town road. There are three exceptions to that rule that are provided for in Town Law § 280a. One, which is the basis of tonight's hearing, is a petition that seeks to use a map of an unopened street as the basis for accessing a parcel. The application tonight is for a 3 lot subdivision that is coming off of a mapped but unopened street in the sense that, while it appears on the official map, Chester Avenue does not have Town status. The Planning Board has reviewed this and has made its referral to the Town Board with a recommendation that the Town Board consider using Town Law 280 (a) as the authority. The responsibility of the Town Board is determining what reasonable and safe access can be provided and make that determination and to grant permission to the applicant.

He submitted the following report from the Director of Environmental Control for the record:

We have reviewed the subject application and have the following comments:

1. Applicant and any future Owners should be bound to participate in a Road Improvement District and share proportionate cost thereof if required by the Town Board in the future.
2. Applicant and any future Owners shall gratuitously dedicate property as needed for Item 1 above.
3. Chester Avenue should be widened to a width of 24 feet from Old Haverstraw to the westerly side of the proposed driveway for Lot 1, and then taper to meet existing pavement at the west side of Lot 1.
4. Widened section of pavement shall be constructed to Town residential street specification with top course extending the full width of 24 feet.
5. Deteriorated pavement area in the vicinity of Old Haverstraw Road to be reconstructed as directed by Department of Environmental Control.

K. Luke Kalarickal, P.E.  
Director, Environmental Control

Town Attorney also referenced a report submitted to the Town Board from the Building Inspector, Peter Beary which states that several parcels along Chester Avenue in Congers have previously applied for and received Town Law §280(a)-2 approval. He pointed out that each of those properties, in being granted permission to use Chester Avenue as an access, has executed a covenant which requires when, as, and if asked by the Town Board to participate in a road improvement district, they will so participate and also gratuitously dedicate to the Town any needed road widening.

Appearance: Ronald Mann, owner

Stated he is looking to obtain access to the parcel and is willing to take part in any road agreement that the neighbors have. He agreed to shoulder the responsibility of road maintenance for his portion of the road.

Supervisor asked if any one further wished to speak.

Appearance: Ed Ruckel  
Congers

Opposed to making Chester Avenue a public road.

Appearance: James Simmons  
Congers

Stated that Chester Avenue property owners already had an agreement to maintain the road and it was on file in the County Clerk's office.

Appearance: Nick Molinini  
Congers

Asked what would happen if a catastrophic event occurred as Mann was building his subdivision and the result somehow damaged Molinini's home. He also said he thought the Chester Avenue residents should form a new maintenance agreement.

There being no further business and no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted the Public Hearing was closed, time 8:15 P.M.

Respectfully submitted,



Patricia Sheridan  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

03/08/2005

8:16 P.M.

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

Chapter 111 Proceeding (Unsafe Buildings) for premises located at 69Rte. 59, Central Nyack

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

Town Attorney explained the proceeding and stated that the owner was properly notified of this proceeding and had been in contact with the Fire Inspector, Mark Papenmeyer.

Mark Papenmeyer, Fire Inspector, read the following report:

An inspection of the above property was made on 12/29/04. At the time of this inspection, it was found that the property contains two structures. The first is a wood frame house that has the Northwest corner of the building collapsed and open to the elements both at the collapsed area and the roof. The second structure is a detached garage which is 50 or more percent collapsed and cannot be used for the purpose for which it was constructed. The owner of the property is the Estate of Joseph Fazio, Jr. Contact has been made with Lalan J. Axelrod of Larkin, Axelrod, Ingrassia & Tetenbaum, LLP, 356 Meadow Avenue, Newburgh, NY 12550.

Mr. Papenmeyer added that the owner has agreed to clean the property within 30 days. For safety reasons, he recommended a temporary fence be erected to keep people off of the property.

Town Attorney stated that the property owner should erect a security fence within the next day or two, otherwise the Town would have to do it and put a lien against the property for the costs incurred.

The structures are both unsafe, an attractive nuisance for vagrants and trespassers and pose a serious fire hazard and both must be removed with the least possible delay.

Supervisor asked if there was anyone present who wished to speak on this. No one appeared.

There being no further business and no one further wishing to be heard, on motion of Co. Maloney seconded by Co. Mandia and unanimously adopted the Public Hearing will be CONTINUED, time 8:25 P.M.

Respectfully submitted,



Patricia Sheridan  
Town Clerk

(RESOLUTION NO 244-2005 ADOPTED)

TOWN OF CLARKSTOWN SPECIAL MEETING  
CLARKSTOWN MIDDLEWOOD HOUSING  
DEVELOPMENT FUND COMPANY, INC.

Town Hall

03/08/2005

8:00 P.M.

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

On motion of Co. Nowicki seconded by Co. Mandia the special meeting was declared open.

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Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board of the Town of Clarkstown, as Board of Directors of the Clarkstown Middlewood Housing Development Fund Company, Inc., hereby authorizes the signing of the 2004 Financial Statement for the Middlewood Senior Citizens' Complex - HUD Project No. -012-44136-NP-WAH.

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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Respectfully submitted,

*Patricia Sheridan*

Patricia Sheridan  
Town Clerk