

TOWN OF CLARKSTOWN
TOWN BOARDMEETING

Town Hall

03/22/2005

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.

The Town Board presented Boy Scout Peter Beltramo with the certificate for achieving the rank of Eagle Scout and congratulated Peter and his family on this wonderful accomplishment.

Older Americans' Month
May 2005

Whereas, the Town of Clarkstown is privileged to number among its residents, over seven thousand older Americans, a group which has proven to be vital to the growth and prosperity of our community, and

Whereas, these citizens can be considered a great asset to the Town of Clarkstown, and

Whereas, these men and women provide humor, zest and the wisdom, of their years to enrich all our daily lives, and

Whereas, our indebtedness to our older Americans is impossible to repay, and the Clarkstown Town Board is cognizant of the inherent socioeconomic innovative ways to help alleviate these burdens and, through our older American groups, will solidify our social bond between ourselves and our elderly persons, and

Whereas, we now wish to reaffirm the affection, concern and profound respect we feel for this group of individuals;

Now, therefore, be it resolved, that I, Alexander J. Gromack, Supervisor of the Town of Clarkstown, on the 22nd day of March, do hereby proclaim the month of May as "Older Americans' Month" in the Town of Clarkstown and urge all our residents to join with us in recognizing all our older Americans in an appropriate fashion.

In witness whereof I hereunto set my hand and cause the seal of the Town of Clarkstown to be affixed this 22nd day of March 2005.

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

Supervisor Gromack and the Town Board congratulated Matthew Emma of the Rockland Review for winning an award for poetry in Orlando, Florida. Co. Lasker asked for a copy of one of his poems to be included in the minutes but Mr. Emma did not have one with him. Supervisor opened the public portion of the meeting.

PUBLIC PORTION:

Rosemarie White
West Nyack

Asked when the repair of the roads in her area and replacement of the blacktop curbs will take place

Martin Bernstein
New City

Item 3 – inquired as to whether the Davenport Preserve is town property and also inquired about the cell tower; Item 4 – inquired about the construction improvements to town hall and how much they cost; Item 9 – inquired about the salary correction for part time secretary to the Architecture and Landscape Commission; Item 10 - asked if all the resolutions were for road improvements

He also inquired about the assessments for North New City and said that most people are paying \$700.00 or more for school taxes. He said that this problem will be resolved if both towns will be reassessed at the same time. He also suggested that the Town Board should talk to Christopher St. Lawrence and that we need a County Assessor.

He also spoke regarding the 2-hour parking on Main Street in New City and that the law is not being enforced. He recommended either enforce the law or take the signs down.

Karen Schmidt
Valley Cottage

Spoke regarding the flooding in Birchwood Court and asked when will the corrective work take place

Jack Schmidt
Valley Cottage

He inquired about the dredging of Brega property and if that will help the flooding

RESOLUTION NO. (245-2005)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of March 8, 2005 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (246-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, RONALD MANN, reputed owner of premises described on the Clarkstown Tax Map as 35.19-1-38, commonly known as 191 Old Haverstraw Road, Congers, New York, has petitioned the Town Board of the Town of Clarkstown for permission to utilize a portion of a mapped but undedicated street known as CHESTER AVENUE, to obtain ingress and egress access pursuant to Town Law 280-a (2), for proposed subdivision to create three lots for one family dwellings now built or to be built on the premises referred to herein, and

RESOLUTION NO. (246-2005) CONT.

WHEREAS, the Town Board has referred said petition to the Town of Clarkstown Planning Board for its recommendation and scheduled a public hearing which was held on March 8, 2005, at which time the petitioner and all other persons in interest were heard, and

WHEREAS, the Record of this matter was closed and the Town Board Reserved Decision on March 8, 2005, and

WHEREAS, the Town Board Members have duly considered the comments of all persons in interest, all correspondence and recommendations placed in the Record so that a determination may now be made;

NOW, THEREFORE, be it RESOLVED, that under the provisions of 280-a(2) of the Town Law, the Town Board hereby determines, subject to the conditions and other requirements set forth herein, that a three lot subdivision of the subject property may be approved by the Clarkstown Planning Board so as to allow the lots to utilize a portion of mapped but undedicated CHESTER AVENUE, as and for ingress and egress from the nearest public street, to wit: Old Haverstraw Road, provided that all other applicable regulations regarding subdivision of the premises and Zoning Law provisions are complied with, and said determination is based on the following Findings of Fact by the Town Board:

FINDINGS OF FACT

1. The proposed ingress and egress over undedicated CHESTER AVENUE will have a length of approximately 330± feet westerly from the intersection of said travel way with Old Haverstraw Road, Congers, New York;
2. Old Haverstraw Road is the nearest public street maintained by the Town of Clarkstown;
3. Chester Avenue, including but not limited to that portion which is adjacent to the subject premises, is utilized for access by several existing residences whose owners were present and commented at the public hearing on this matter that they have an informal arrangement whereby the access is maintained collectively at all times to provide adequate, safe, and reasonable access for their respective residence;
4. The Planning Board was requested to make its recommendation regarding applicant's request for permission to access the proposed dwelling pursuant to Town Law 280-a (2), and at its meeting of December 1, 2005, determined that

“the use of Town Law 280-a (2) would be appropriate for this area.”

It further stated: “at present, there are six properties on Chester Avenue to the west of the subject that have used Town Law 280-a (2) with conditions that the owners of the properties agree to participate in any road improvement district, if, as and when, and further agree to gratuitously dedicate to the Town or its designees any property for widening purposed. Further, if applicant is successful in obtaining the use of Town Law 280-a (2), they shall return to the Planning Board for Preliminary and Final review;”
5. That the existing pavement within Chester Avenue, in the vicinity of Old Haverstraw Road, is deteriorated and is in need of reconstruction;
6. That the portion of Chester Avenue to be utilized for access from Old Haverstraw Road by the applicant's proposed subdivision and other interior users is not at present maintained pursuant to any private road maintenance or other shared expense maintenance agreement of record in the Rockland County Clerk's Office;
7. That the current residents utilizing the private right-of-way who spoke at the public hearing appear to be willing to enter into a road maintenance agreement with

RESOLUTION NO. (246-2005) CONT.

the applicant and among themselves, thereby providing an assurance to the Town Board and the Planning Board that a safe and reasonable access will be available to meet the needs of the residences using Chester Avenue;

8. There is presently no petition pending with respect to any proposed road improvement district for the subject mapped but undedicated street, although the residences to the west of the subject premises which obtained permission for access pursuant to Section 280-a (2) Town Law have executed covenants running with the land agreeing to become part of a road improvement district, as, when, and if requested by the Town Board;

9. The Board of Fire Commissioners of the Congers Fire District did not provide its recommendation or any comment regarding the proposed access at or before the public hearing in this matter. The Town Board, on the basis of the Record before it, cannot determine if the existing travel way is sufficient to provide sufficient access for fire department apparatus or other rescue equipment in the event of an emergency;

10. The Director of the Department of Environmental Control for the Town of Clarkstown has examined the existing travel way and recommended imposition of the following conditions and improvements of the subject mapped but undedicated portion of Chester Avenue:

(A) 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;

(B) Applicant and any future owners shall gratuitously dedicate property as needed for Item 10-A mentioned above;

(C) Chester Avenue should be widened to a width of 24 feet from Old Haverstraw Road 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;

(D) Widened section of pavement shall be constructed to Town residential street specification with top course extending the full width of 24 feet, and

(E) Deteriorated pavement area in the vicinity of Old Haverstraw Road to be reconstructed as directed by the Department of Environmental Control.

11. The Director of the Department of Environmental Control did not address the issue of maintenance of this right-of-way with respect to snow removal and repairs that may become necessary, for the time during which the subject access shall remain a private right-of-way;

12. That the access under consideration shall continue to be a private access unless and until a petition for a road improvement district shall be made and accepted by the Town Board, or until such time as the Town Board on its own motion shall determine to create a road improvement district;

13. That the Town Board has no authority to compel the present users of the subject proposed access route to join with the applicant/petitioner in a road maintenance agreement;

NOW, THEREFORE, be it FURTHER RESOLVED, that in accordance with the provisions of Section 280-a (2) of the Town Law, pursuant to recommendations of the Planning Board, the Director of the Department of Environmental Control, and the Record and proceedings had herein, Building Permits for the erection of single family residences may be issued to property owner or owners of the premises, provided however, the premises have obtained final subdivision approval with compliance with all applicable provisions of the Zoning Local Law of the Town of Clarkstown, for premises

RESOLUTION NO. (246-2005) CONT.

designated on the Tax Map as 35.19-1-38, provided further that the owner shall, prior to the issuance of said building permit, execute and record a Declaration of Covenant, in a form satisfactory to the Town Attorney, which shall run with the land and which shall provide the following:

1. That the property owner shall acknowledge that no Town services consisting of maintenance, paving, or snow removal shall be provided along the relevant portions of Chester Avenue;
2. That the declarant owner irrevocably agrees to participate in a road improvement district for any frontage of said premises on any mapped street adjacent to said premises when and if required by the Town Board of the Town of Clarkstown;
3. That the declarant owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the declarant owner in the premises or in any mapped street adjacent to the premises to the designated street line to accomplish the widening of same to fifty feet (50') in width;
4. That the declarant shall obligate the premises upon which any existing or proposed one family residence to be constructed to maintain the right-of-way as part of a shared maintenance agreement in a form approved by the Town Attorney, so that the right-of-way shall be cleared of ice and snow during inclement weather and shall otherwise be repaired and kept free of potholes and other defects at all times, provided however, that nothing herein is intended to prevent the declarant ("applicant") from entering into a shared maintenance agreement, in recordable form, with any others using the right-of-way, so as to obligate all such users to pay their fair share of required maintenance and repair costs, but in lieu thereof, the declarant property owner or his successors in interest shall be obliged to perform such services;
5. That any deed of conveyance for the subject premises shall recite that the conveyance is subject to the Declaration of Covenant provided herein, and shall be subject to same whether or not such recitation is included in the deed;
6. That any Certificate of Occupancy issued for said premises shall be conditioned upon observance and shall recite that it is subject to the Declaration of Covenant provided for herein,

and be it FURTHER RESOLVED, that prior to the issuance of any Building Permit or Certificate of Occupancy for any existing dwelling on a reduced lot size, the petitioner shall provide the Director of the Department of Environmental Control with an acceptable plan for the improvement of Chester Avenue, so as to meet all of the requirements and the recommendations of the Director of the Department of Environmental Control which has been made part of this approval and which has been incorporated herein as a Finding by the Town Board, and be it

FURTHER RESOLVED, that petitioner shall provide the Clarkstown Panning Board, prior to final approval of the subdivision map, the written approval of the Board of Fire Commissioners of the Congers Fire District stating that its emergency equipment may safely utilize the travel way as proposed to be improved, should any emergency need arise, and be it

FURTHER RESOLVED, that the approval granted hereby for the use of Town Law 280-a (2) shall be incorporated by an appropriate map note which shall state a synopsis of the conditions upon which such approval has been granted and set forth the recording data for the required Declaration of Covenants and for any shared maintenance agreement which may affect access to the subject premises, and be it

FURTHER RESOLVED, that the petitioner shall comply with all other requirements of the Building Department and the Department of Environmental Control

RESOLUTION NO. (246-2005) CONT.

with respect to the construction of any proposed dwelling units and the improvement of its environs.

On roll call the vote was as follows:

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

RESOLUTION NO. (247-2005)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, Orange & Rockland Utilities, the holder of a grant of right-of-way or easement for an electric transmission tower(s) over and through property owned by the Town of Clarkstown known as the Davenport Preserve, has requested permission to permit the installation of cellular telephone transmission equipment on its existing equipment, and

WHEREAS, the right-of-way or easement is limited to use as an electric transmission installation, and predates the Town's ownership of the subject property, and

WHEREAS, the Town Board wishes to consider granting permission for the installation of cellular transmission equipment but is aware that the subject premises is designated as parkland, and

WHEREAS, in order for this property to be utilized as requested, permission to alienate parkland is needed from the New York State legislature and Governor, in the form of adoption of special home rule legislation;

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 authorize the siting of cellular telephone transmission facilities within an existing electric transmission right-of-way or easement on property known as the Davenport Preserve, located at 416 Buena Vista Road, New City, New York, which property is designated as parkland and may not be alienated pursuant to Article 9 of the New York State Constitution without the adoption of special State statute, 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:

Co. Lasker	No
Co. Maloney	Yes
Co. Mandia	Yes
Co. Nowicki	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (248-2005)

Co. Maloney offered and Co. Mandia seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct improvements to the Town Hall, including any ancillary or related work required in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,475,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,475,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$2,475,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a) (2) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation

RESOLUTION NO. (248-2005) CONT.

notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "THE JOURNAL-NEWS," a newspaper 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, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on March 22, 2005, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted March 22, 2005, authorizing the construction of improvements to the Town Hall, stating the estimated maximum cost thereof is \$2,475,000, appropriating said amount therefor, and authorizing the issuance of \$2,475,000 serial bonds of said Town to finance said appropriation," an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct improvements to the Town Hall, including any ancillary or related work required in connection therewith; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$2,475,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$2,475,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$2,475,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$2,475,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

RESOLUTION NO. (248-2005) CONT.

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: March 22, 2005
Patricia Sheridan
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper(s) referred to in Section 7 hereof, and hereby designated the official newspaper(s) for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (249-2005)

Co. Maloney offered and Co. Mandia seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct improvements to the Lake Nanuet Pool, including any ancillary or related work required in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$7,255,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$7,255,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$7,255,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 19 (c) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which

RESOLUTION NO. (249-2005) CONT.

said bonds are authorized, or for such expenditures made before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "THE JOURNAL-NEWS," a newspaper 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, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on March 22, 2005, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted March 22, 2005, authorizing the construction of improvements to the Lake Nanuet Pool, stating the estimated maximum cost thereof is \$7,255,000, appropriating said

RESOLUTION NO. (249-2005) CONT.

amount therefor, and authorizing the issuance of \$7,255,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct improvements to the Lake Nanuet Pool, including any ancillary or related work required in connection therewith; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$7,255,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$7,255,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$7,255,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$7,255,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: March 22, 2005

Patricia Sheridan

Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper(s) referred to in Section 7 hereof, and hereby designated the official newspaper(s) for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (250-2005)

Co. Lasker offered and Co. Maloney seconded

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

TRAVCON, INC.
375 Kings Highway
Valley Cottage, NY 10989
Vincent Travaglini, President

PAUL BITTS CO.
9 Germonds Road
New City, NY 10956
Paul Bitts, President

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

No. 05-20 TRAVCON, INC.
05-21 PAUL BITTS CO.

On roll call the vote was as follows:

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

RESOLUTION NO. (251-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, Town Board resolution 228-2005 authorized the Director of the Department of Environmental Control to retain CLEAN LAKES INCORPORATED to provide services related to monitoring and treatment to improve water quality at Congers Lake; and

WHEREAS, the Comptroller's Office indicated that the account number was incorrect; and

NOW, THEREFORE, BE IT RESOLVED that the cost of the said work shall be a proper charge to account A 8090-409-0.

On roll call the vote was as follows:

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

RESOLUTION NO. (252-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, Town Board resolution 229-2005 authorized the Director of the Department of Environmental Control to retain CLEAN LAKES INCORPORATED to provide services related to monitoring and treatment to improve water quality at Swartwout Lake; and

WHEREAS, the Comptroller's Office indicated that the account number was incorrect; and

NOW, THEREFORE, BE IT RESOLVED that the cost of the said work shall be a proper charge to account A 8090-409-0.

On roll call the vote was as follows:

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

RESOLUTION NO. (253-2005)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED that Resolution #207-2005 dated March 8, 2005 is hereby corrected as follows:

Proposal E

*Iced Tea – individual 1 pt.	Guzzler	20 oz.	\$0.65/ea.
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Awarded to Cookies & More:

*Bottled Water – (1 pt.) plastic bottles	Poland Spring	32/16.9 oz.	\$7.05/cs
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On roll call the vote was as follows:

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

RESOLUTION NO. (254-2005)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the below group wishes to adopt a segment of a town road for a period of two (2) years, beginning March 22, 2005 to March 22, 2007, as follows:

RESOLUTION NO. (254-2005) CONT.

Sponsor: Yaboo Fence Company
95 West Nyack Way
West Nyack, NY 10994

Road: .06 mile segment of West Nyack Way
from Route 59 to West Nyack Road
West Nyack, NY 10994

and WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Yaboo Fence Company will perform a public service in removing trash from the above roadway which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement, for a period of two (2) years beginning March 22, 2005 to March 22, 2007, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt the above segment, and to provide and coordinate services by Yaboo Fence Company, to remove trash from the roadways.

On roll call the vote was as follows:

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

RESOLUTION NO. (255-2005)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the below-named participant wishes to adopt an additional segment of road under the same terms and conditions of its present Adopt-A-Road Agreement, expiring April 9, 2006, as follows:

Sponsor: Alexander Brothers Automotive Inc.
712 West Nyack Road
West Nyack, NY 10994

Roads: .06 mile segment of West Nyack Road from
Strawtown Road and Sickletown Road east to
Western Highway, West Nyack, NY 10994

and WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Alexander Brothers Automotive Inc. will perform a public service in removing trash from above roadways that would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to include the above additional segment in the Alexander Brothers Automotive, Inc., Adopt-A-Road Agreement which expires April 9, 2006, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P.,

RESOLUTION NO. (255-2005) CONT.

Superintendent of Highways, and to provide and coordinate services by Alexander Brothers Automotive Inc., to remove trash from the roadways.

On roll call the vote was as follows:

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

RESOLUTION NO. (256-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a complaint by Mr. Raymond Murphy of 5 Lindbergh Lane, New City regarding dog walkers violating Town Code Chapter 125-4F (Nuisance by failure to clean up) in the area of the intersection of Red Hill Road and Lindbergh Lane, New City, was referred to Code & Zoning Enforcement Officer Joel J. Epstein on February 23, 2005 by Clarkstown Animal Control Officer Patricia Coleman, and

WHEREAS, an investigation by Code Officer Epstein and interview with Mr. Murphy revealed the complaint to be substantiated, and

WHEREAS, Mr. Murphy, in addition to the warnings issued by Animal Control Officer Coleman to the resident dog owners, has requested controlling signage to better notify errant dog walkers and better protect Link Elementary School walkers,

NOW, THEREFORE, be it RESOLVED, that based on the recommendation of the Code & Zoning Enforcement Officer and the Animal Control Officer, that the Superintendent of Highways is hereby directed to install a 'Dog Waste Prohibited' sign at the intersection of Lindbergh Lane and Red Hill Road, New City near the sidewalk in front of Lot 51.9-2-40 (5 Lindbergh Lane).

On roll call the vote was as follows:

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

RESOLUTION NO. (257-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the 2005 Salary Schedule, adopted at the January 4, 2005 reorganizational meeting, is hereby amended to reflect the "corrected annual salary" of \$5,000., for Rita Maklin – Secretary (part-time) to the Architectural and Landscape Commission – effective and retroactive January 1, 2005.

RESOLUTION NO. (257-2005) CONT.

On roll call the vote was as follows:

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

RESOLUTION NO. (258-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Charles Caselli, 67 Highway Avenue, Congers, New York, is hereby reappointed to the position of Member – Fire Board of Appeals – to serve without compensation – term effective March 12, 2005 and to expire on March 11, 2008.

On roll call the vote was as follows:

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

RESOLUTION NO. (259-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Arthur Smith, 31 Pondview Drive, Congers, New York, is hereby reappointed to the position of Member – Fire Board of Appeals – to serve without compensation – term effective March 12, 2005 and to expire on March 11, 2008.

On roll call the vote was as follows:

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

RESOLUTION NO. (260-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the resignation (by retirement) of Raymond A. DeForest, III, 22 Old Brick Road, New City, New York – Solid Waste Facility Attendant – Solid Waste Facility – is hereby accepted – effective and retroactive to March 8, 2005.

On roll call the vote was as follows:

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

RESOLUTION NO. (261-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on March 16, 2005 that the position of Senior Clerk #0835 – Personnel Office – can be reclassified to the position of Senior Clerk Typist,

Now, therefore, be it RESOLVED, that the position of Senior Clerk is hereby reclassified to the position of Senior Clerk Typist – Town of Clarkstown Personnel Office – effective and retroactive to March 21, 2005.

On roll call the vote was as follows:

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

RESOLUTION NO. (262-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Frances H. Hunt, 10 Jolen Drive, New City, New York, is hereby appointed to the position of (Provisional) (PROM) Senior Clerk Typist – Town of Clarkstown Personnel Office – at the current 2005 annual salary of \$44,091.

On roll call the vote was as follows:

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

RESOLUTION NO. (263-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Lieutenant (Prom) #02004A which contains the name of Glenn Dietrich,

Now, therefore, be it RESOLVED, that Glenn Dietrich, 5 Hillside Drive, New City, New York, is hereby appointed to the (contingent-permanent) position of Police Lieutenant – Town of Clarkstown Police Department – at the current annual salary of \$131,890., effective and retroactive to March 21, 2005.

On roll call the vote was as follows:

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

RESOLUTION NO. (264-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Luigi Gabrielli, 2 Hannah Lane, Valley Cottage, New York, is hereby appointed to the position of (part-time) Municipal Bus Driver - Mini Trans Department - at the current 2005 hourly rate of \$15.97 - effective March 23, 2005.

On roll call the vote was as follows:
Co. Lasker Yes
Co. Maloney Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Gromack Yes

RESOLUTION NO. (265-2005)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Cottage Avenue, Nanuet, be determined to be a capital improvement, and.

WHEREAS, Cottage Avenue, Nanuet, is in such disrepair that it requires reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Cottage Avenue, Nanuet

Paving:	237	tons @ \$ 65.00	=	\$15,405.00
Raising Structures:	7	@ \$ 345.00 each	=	2,415.00
Pipe:	350	linear ft. @ \$11.50	=	4,025.00
New Catch Basins:	2	units @ \$675.00	=	<u>1,350.00</u>
				\$23,195.00

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2005 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$23,195.00 is hereby determined to be a proper charge to capital account # H 8755-409-0-79-10, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:
Co. Lasker Yes
Co. Maloney Yes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor Gromack Yes

RESOLUTION NO. (266-2005)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Hovencamp Avenue, Nanuet, be determined to be a capital improvement, and.

WHEREAS, Hovencamp Avenue, Nanuet, is in such disrepair that it requires reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Hovencamp Avenue, Nanuet

Paving:	188	tons @ \$ 65.00	=	\$12,220.00
Raising Structures:	11	@ \$ 345.00 each	=	3,795.00
Pipe:	260	linear ft. @ \$11.50	=	2,990.00
New Catch Basins:	2	units @ \$675.00	=	<u>1,350.00</u>
				\$20,355.00

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2005 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$20,355.00 is hereby determined to be a proper charge to capital account # H 8755-409-0-79-10, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (267-2005)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Irion Drive, New City, be determined to be a capital improvement, and.

WHEREAS, Irion Drive, New City, is in such disrepair that it requires reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

RESOLUTION NO. (267-2005) CONT.

Irion Drive, New City

Paving:	511	tons @ \$ 65.00	= \$33,215.00
Raising Structures:	14	@ \$ 345.00 each	= 4,830.00
Pipe:	150	linear ft. @ \$11.50	= 1,725.00
New Catch Basins:	2	units @ \$675.00	= <u>1,350.00</u>
			\$41,120.00

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2005 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$41,120.00 is hereby determined to be a proper charge to capital account # H 8755-409-0-79-10, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (268-2005)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Jockey Lane, New City, be determined to be a capital improvement, and.

WHEREAS, Jockey Lane, New City, is in such disrepair that it requires reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Jockey Lane, New City

Paving:	475	tons @ \$ 65.00	= \$30,875.00
Raising Structures:	18	@ \$ 345.00 each	= 6,210.00
Pipe:	150	linear ft. @ \$11.50	= <u>1,725.00</u>
			\$38,810.00

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated

RESOLUTION NO. (268-2005) CONT.

Polyethylene Pipe and Underdrain Tubing, Bid #22-2005 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$38,810.00 is hereby determined to be a proper charge to capital account # H 8755-409-0-79-10, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (269-2005)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Maple Avenue, West Nyack, be determined to be a capital improvement, and.

WHEREAS, Maple Avenue, West Nyack, is in such disrepair that it requires reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Maple Avenue, West Nyack

Paving:	313 tons @ \$ 65.00	= \$20,345.00
Raising Structures:	10 @ \$ 345.00 each	= 3,450.00
Pipe:	560 linear ft. @ \$11.50	= 6,440.00
New Catch Basins:	4 units @ \$675.00	= <u>2,700.00</u>
		\$32,935.00

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2005 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$32,935.00 is hereby determined to be a proper charge to capital account # H 8755-409-0-79-10, and it is the intent of the Board that this is to be funded by serial bonds.

RESOLUTION NO. (269-2005) CONT.

On roll call the vote was as follows:

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

RESOLUTION NO. (270-2005)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Pacific Avenue, Nanuet, be determined to be a capital improvement, and.

WHEREAS, Pacific Avenue, Nanuet, is in such disrepair that it requires reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Pacific Avenue, Nanuet

Paving:	260 tons @ \$ 65.00	= \$16,900.00
Raising Structures:	4 @ \$ 345.00 each	= 1,380.00
Pipe:	345 linear ft. @ \$11.50	= 3,967.50
New Catch Basins:	2 units @ \$675.00	= <u>1,350.00</u>
		\$23,597.50

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2005 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$23,597.50 is hereby determined to be a proper charge to capital account # H 8755-409-0-79-10, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (271-2005)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Sunrise Avenue, New City, be determined to be a capital improvement, and.

WHEREAS, Sunrise Avenue, New City, is in such disrepair that it requires reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Sunrise Avenue, New City

Paving:	370 tons @ \$ 65.00	= \$24,050.00
Raising Structures:	13 @ \$ 345.00 each	= 4,485.00
Pipe:	325 linear ft. @ \$11.50	= 3,737.50
New Catch Basins:	3 units @ \$675.00	= <u>2,025.00</u>
		\$34,297.50

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2005 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$34,297.50 is hereby determined to be a proper charge to capital account # H 8755-409-0-79-10, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (272-2005)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Trotters Trail, New City, be determined to be a capital improvement, and.

WHEREAS, Trotters Trail, New City, is in such disrepair that it requires reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

RESOLUTION NO. (272-2005) CONT.

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Trotters Trail, New City

Paving:	830 tons @ \$ 65.00	= \$53,950.00
Raising Structures:	23 @ \$ 345.00 each	= 7,935.00
Pipe:	150 linear ft. @ \$11.50	= 1,725.00
New Catch Basins:	4 units @ \$675.00	= <u>2,700.00</u>
		\$66,310.00

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2005 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$66,310.00 is hereby determined to be a proper charge to capital account # H 8755-409-0-79-10, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (273-2005)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Twin Elms Lane, New City, be determined to be a capital improvement, and.

WHEREAS, Twin Elms Lane, New City, is in such disrepair that it requires reconstruction and installation of new piping, catch basins, and resurfacing, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Twin Elms Lane, New City

Paving:	838 tons @ \$ 65.00	= \$54,470.00
Raising Structures:	16 @ \$ 345.00 each	= 5,520.00
Pipe:	400 linear ft. @ \$11.50	= 4,600.00
New Catch Basins:	4 units @ \$675.00	= <u>2,700.00</u>
		\$67,290.00

RESOLUTION NO. (273-2005) CONT.

and WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing, Bid #22-2005 Roadway Resurfacing, and Clarkstown Highway Department yard inventory from Bid #43-2002;

NOW THEREFORE, be it RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$67,290.00 is hereby determined to be a proper charge to capital account # H 8755-409-0-79-10, and it is the intent of the Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (274-2005)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown has received \$4,644.62 from D.A.R.E donations, \$49,800 from Seized Property and \$474.00 from the Child Passenger Safety Program,

NOW THEREFORE BE IT, RESOLVED, to increase Account's A-01-9-2705-0 (Gifts & Donations) and A-3230-319-0 (D.A.R.E.-Misc Supplies) by \$4,644.62 and increase Account's A-01-11-4320-0 (Seized Property) and A-3120-203-0 (Police-Motor Vehicles) by \$49,800 and increase Account's A-01-9-2705-0 (Gifts & Donations) and A-3120-319-0 (Police-Misc Supplies) by \$474.00 and,

WHEREAS, various departments need additional funding,

NOW THEREFORE BE IT, RESOLVED, to decrease B-8020-204-0 (Planning-Office Machines) and increase B-8020-460-4 (Planning-Cell Phones) by \$500 and be it,

FURTHER RESOLVED, to decrease A-1910-404-0 (Insurance & Claims-Telephones) and increase A-1910-219-0 (Insurance & Claims-Misc Equipment) by \$1,000 and be it,

FURTHER RESOLVED, to decrease A-1010-114-0 (Councilmen-P/T Salaries) and increase A-1010-204-0 (Councilmen-Office Machines) by \$1,909.

On roll call the vote was as follows:

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

RESOLUTION NO. (275-2005)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, in accordance with the requirements of the Planning Board and as a condition of final approval of Mountainview Avenue North and South Site Plan (59.11-2-29), MTV Estates, Inc. and Jack Levy have provided a declaration with respect to the relocation of a fire hydrant and a restrictive covenant/maintenance agreement with respect to pond maintenance to the Town of Clarkstown, in a form approved by the Town Attorney, and

WHEREAS, the Town Attorney has recommended acceptance and recording of said Declarations;

NOW, THEREFORE, be it RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts said Declarations from MTV Estates, Inc. and Jack Levy and orders same recorded in the Rockland County Clerk's Office, at the expense of the declarants.

On roll call the vote was as follows:

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

RESOLUTION NO. (276-2005)

Co. Maloney offered and Co. Lasker seconded

Whereas, the Town Board of the Town of Clarkstown is desirous of having drainage improvements made to the Central Nyack area of the Town; and

Whereas, the Department of Environmental Control has solicited proposals from seven (7) qualified engineering/surveying firms to provide the 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 five (5) 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 proposal in the amount of \$74,200.00, said amount not to be increased without additional Town Board resolution; and

Be It Further Resolved that it is the intent of the Town Board that this project shall be funded by serial bonds; and

Be It Further Resolved that this shall be a proper charge to account number H 8755 - 409
- 79 - 7.

RESOLUTION NO. (276-2005) CONT.

On roll call the vote was as follows:

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

RESOLUTION NO. (277-2005)

Co. Nowicki offered and Co. Mandia seconded

WHEREAS, the New York State Department of Environmental Conservation requires that specific tasks be performed in connection with the formal closure of spill no. 97-12343 at the Town of Clarkstown Highway Department, 12 Seeger Drive, Nanuet, New York; and

WHEREAS, HydroEnvironmental Solutions, Inc. has submitted a proposal to complete the well abandonment in accordance with the New York State Department of Environmental Conservation's protocol; and

WHEREAS, the Superintendent of Highways recommends acceptance of said proposal;

NOW, THEREFORE be it RESOLVED, that the Town is hereby authorized to enter into an agreement with HydroEnvironmental Solutions, Inc., 293 Route 100, Suite 205, Somers, NY, in a form acceptable to the Town Attorney, to complete the well abandonment and formal closure of spill no. 97-12343 as per their proposal dated February 16, 2005, at a cost not to exceed \$4,307.50; and be it

FURTHER RESOLVED, that the cost of said services shall constitute a proper charge to account no. H 5116409 211.

On roll call the vote was as follows:

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

RESOLUTION NO. (278-2005)

Co. Nowicki offered and Co. Mandia seconded

WHEREAS, the Clarkstown Central School District has created a Community Task Force which has played an active role in developing community efforts for the prevention of alcohol, tobacco, and drug abuse and programs to combat youth violence for the youth in the Town of Clarkstown, and

WHEREAS, the Clarkstown Community Task Force has requested the Town Board to support its grant application to the drug-free communities support program by agreeing to provide in kind Police Department services to support its programs;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an Agreement/Memorandum of understanding with the Clarkstown Central School District, on behalf of its Clarkstown Community Task Force,

RESOLUTION NO. (278-2005) CONT.

in a form approved by the Town Attorney, to authorize the Police Department to provide, in kind, services to assist the Task Force on its initiatives ranging from alcohol, tobacco, drug prevention education and awareness programs, and alcohol free alternatives, and be it

FURTHER RESOLVED, that the Town of Clarkstown reaffirms its intentions to provide funding not to exceed \$10,000.00, for the fiscal period January 1, 2005 to December 31, 2005, which funding shall be used for the Task Force's educational programs in the Town of Clarkstown.

On roll call the vote was as follows:

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

RESOLUTION NO. (279-2005)

Co. Lasker offered and Co. Nowicki 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

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

Association for the Visually Impaired, Inc.	\$1,000.00
Camp Venture	\$5,000.00
Home Aids of Rockland	\$1,500.00
Martin Luther King Center	\$10,000.00
Nanuet High School PTSA: Project Graduation	\$2,500.00
Nyack High School PTSA	\$2,500.00
Rockland Family Shelter	\$1,500.00
Volunteer Counseling Service of Rockland County Inc.	\$1,500.00

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:

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

RESOLUTION NO. (280-2005)

Co. Nowicki offered and Co. Mandia seconded

RESOLVED, that Resolution No. 187-2005, adopted by the Town Board on March 8, 2005, is hereby amended that the Town Board shall allocate \$2,500 in economic assistance for the year 2005 to each of the following non-profit organizations:

- Clarkstown High School South – Grad Nite 2005
- Clarkstown High School North – Grad Nite 2005

On roll call the vote was as follows:

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

RESOLUTION NO. (281-2005)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, silt has deposited in a section of streambed within a town easement resulting in a flooding condition in the vicinity of 131 Blauvelt Road, Nanuet; and

WHEREAS, The Department of Environmental Control has solicited proposals from five (5) qualified contractors to remove the silt from the streambed; and

WHEREAS, The Department of Environmental Control has reviewed the low proposal submitted by MRJ Excavating, Inc. and has found it to be acceptable; and

WHEREAS, the Director of the Department of Environmental Control recommends that the work be awarded to MRJ Excavating, Inc. for their low proposal of \$4,550.00; and

NOW, THEREFORE, BE IT RESOLVED that the Director of Environmental Control is hereby authorized to retain the services of MRJ Excavating, 7 Beaver Court, New City, New York 10956 to perform this work in accordance with their proposal for an amount not to exceed \$4,550.00; and

BE IT FURTHER RESOLVED that it is the intent of the Town Board that this project shall be funded by serial bonds; and

FURTHER RESOLVED that this amount shall be a proper charge to account #H 8755 409 0 79 9.

On roll call the vote was as follows:

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

RESOLUTION NO. (282-2005)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, an existing groundwater condition in the vicinity of 28 London Terrace is creating a hazardous icing condition on the Town ROW; and

WHEREAS, the Department of Environmental Control has prepared a plan to ameliorate the existing groundwater condition; and

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

WHEREAS, Department of Environmental Control staff has reviewed the low proposal submitted by Ascape Landscaping & Construction Corp. and has found it to be acceptable; and

WHEREAS, the Director of the Department of Environmental Control recommends that the work be awarded to Ascape Landscaping & Construction Corp. for their low proposal of \$16,991.00; and

NOW, THEREFORE, BE IT RESOLVED that the director of Environmental Control is hereby authorized to retain the services of Ascape Landscaping & Construction Corp., 634 route 303, Blauvelt, NY 10913 to perform this work in accordance with their proposal for an amount not to exceed \$16,991.00; and

BE IT FURTHER RESOLVED that it is the intent of the Town Board that this project shall be funded by serial bonds; and

FURTHER RESOLVED that this amount shall be a proper charge to account #H 8755 409 0 79 8.

On roll call the vote was as follows:

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

RESOLUTION NO. (283-2005)

Co. Maloney offered and Co. Nowicki seconded

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

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

is hereby awarded to:

ASCAPE LANDSCAPE
634 ROUTE 303
BLAUVELT, NY 10913
PRINCIPALS: STUART CHAITIN

as per their low bid proposal of \$53,736.00 and be it

RESOLUTION NO. (283-2005) CONT.

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 Certificate of Contractor’s Liability and Property Damage Coverage, including a Save Harmless Clause
- d) Certificate of Automobile Liability Coverage
- e) Certificate of Worker’s Compensation
- 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 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

RESOLUTION NO. (284-2005)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that Alexander J. Gromack, Supervisor, Ken Seltman, Director of Finance and Edward J. Duer, Comptroller, are hereby authorized to attend the New York State Government Finance Officers Association conference from April 6, 2005 through April 8, 2005 in Albany, New York, and

BE IT FURTHER RESOLVED, that the total cost of \$160.00 per person for such conference, and other reasonable expenses for tolls, travel, lodging and meals shall be charges to Appropriation Account A 1010-414 (Schools and Conferences).

On roll call the vote was as follows:

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

RESOLUTION NO. (285-2005)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, the residential properties located at #783, #785 and #786 Sequoia Road, Valley Cottage, New York experience back flow of raw sewage into the residence under certain uncontrollable circumstances caused by the surcharging of municipal sewer mains, and

WHEREAS, the installation of check valves on the sanitary sewer house connection will prevent the backflow of raw sewage into the residence, and

WHEREAS, the Deputy Director of Operations of the Department of Environmental Control has requested proposals from three (3) qualified sewer contractors registered to work on the Town's sewer system, and

WHEREAS, two (2) qualified proposals were received for the required work, and

WHEREAS, all work associated with the installation of the check valves will performed either within existing Town sanitary sewer easements.

NOW, THEREFORE, BE IT RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Environmental Construction, Inc, P.O. Box 563, Stony Point, New York 10980 for the installation of the check valves for #783, #785 and #786 Sequoia Road, Valley Cottage, New York in accordance with thier proposal dated March 21, 2005, and

BE IT FURTHER RESOLVED, that the cost for the check valve installations shall not exceed \$13,400.00 and shall be a proper charge to capital account H 8755 409 0 79 12, and

BE IT FURTHER RESOLVED, that it is the intent of the Town Board that this project shall be funded through serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (286-2005)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, the residential properties located at #764, #765, #766 and #767 Birchwood Court, Valley Cottage, New York experience back flow of raw sewage into the residence under certain uncontrollable circumstances caused by the surcharging of municipal sewer mains, and

WHEREAS, the installation of check valves on the sanitary sewer house connection will prevent the backflow of raw sewage into the residence, and

WHEREAS, the Deputy Director of Operations of the Department of Environmental Control has requested proposals from three (3) qualified sewer contractors registered to work on the Town's sewer system, and

WHEREAS, two (2) qualified proposals were received for the required work, and

RESOLUTION NO. (286-2005) CONT.

WHEREAS, all work associated with the installation of the check valves will performed either within the Town's Right-of-Way or within existing Town sanitary sewer easements.

NOW, THEREFORE, BE IT RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Environmental Construction, Inc, P.O. Box 563, Stony Point, New York 10980 for the installation of the check valves for #764, #765, #766 and #767 Birchwood Court, Valley Cottage, New York in accordance with their proposal dated March 21, 2005, and

BE IT FURTHER RESOLVED, that the cost for the check valve installations shall not exceed \$17,200.00 and shall be a proper charge to capital account H 8755 409 0 79 11, and

BE IT FURTHER RESOLVED, that it is the intent of the Town Board that this project shall be funded through serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (287-2005)

Co. Nowicki 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 a 69 Route 59, Central Nyack, New York (Tax Map designation 65.7-5-25), 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 8th 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, and

WHEREAS, by Resolution No. 244-2005, dated March 8, 2005, the Town Board of the Town of Clarkstown determined that the premises had to be immediately secured in a safe manner with safety fencing, and the unsafe structures had to be demolished and removed within thirty days;

NOW, THEREFORE, be it RESOLVED, that in furtherance of the March 11, 2005, report of the Chief Fire Safety Inspector Mark Papenmeyer, the required safety fencing has been timely installed and additional safeguards have been taken to protect and warn the public to the satisfaction of Chief Papenmeyer, and be it

FURTHER RESOLVED, that the Superintendent of Highways, or the Fire Inspector, or the Building Inspector are hereby authorized and directed to enter the subject property on April 8, 2005, and to take all actions which may be reasonably necessary to demolish and remove the structures from the property which have created a serious fire hazard risk and have become unsafe and dangerous, and a threat to the health, safety and welfare of the community, and be it

RESOLUTION NO. (287-2005) CONT.

FURTHER RESOLVED, that all the expenses incurred by the Superintendent of Highways, the Fire Inspector, the Building Inspector and Town Attorney with respect to such corrective measures including 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

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 April 12, 2005.

On roll call the vote was as follows:

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

There being no further business and no one further wishing to be heard, on motion of Co. Lasker, seconded by Co. Nowicki and unanimously adopted, the Town Board Meeting was closed, time 8:40 P.M.

Respectfully submitted,



Patricia Sheridan
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

03/22/2005

8:05 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 69 Route 59, Central Nyack

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

The Town Attorney said that the property has been secured and should be cleared by the end of the month. He however recommended that the public hearing be kept open in case of unexpected difficulties and be continued on April 12.

There being no further business and no one further wishing to be heard, on motion of Co. Lasker, seconded by Co. Nowicki and unanimously adopted, the Town Board Meeting will be continued on April 12, time 8:07 P.M.

Respectfully submitted,



Patricia Sheridan
Town Clerk

(RESOLUTION NO. 287-2005 ADOPTED)