

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

11/01/2005

8:00 P.M.

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

Supervisor declared Town Board Meeting opened. Assemblage saluted the flag.

Public Hearing: Request of St. Paul's Church and Gabrielson for abandonment of Allen Street, Congers and amendment to the official map, opened 8:00 p.m., closed 8:10 p.m., Resolution No. 792-2005 adopted.

RESOLUTION NO. (792-2005)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, on the petition of Arthur Mastrolia, on behalf of St. Paul's Roman Catholic Church and Michele Gabrielson and Eric Gabrielson, the Town Board of the Town of Clarkstown by resolution adopted on October 11, 2005 provided for a public hearing on November 1, 2005, at 8:00 P.M., to consider the abandonment pursuant to Section 205 of the Highway Law and the deletion from the Official Map of the Town of Clarkstown, pursuant to Section 273 of the Town Law, of a portion of Allen Street, Congers, New York, as described in Schedule "A" attached, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, and said public hearing was duly held at the time and place specified in said notice, and

WHEREAS, the Town Board of the Town of Clarkstown has received a report dated October 26, 2005 from its consultant, Robert Geneslaw, with respect to SEQRA review, which the Board has discussed and considered in making the decision herein;

NOW, THEREFORE, be it RESOLVED, that based upon the report of Robert Geneslaw, dated October 26, 2005, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the proposed declaration of abandonment is a Type II action which requires no further environmental assessment and, therefore, no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that the public rights to traverse a portion of the road as described in the attached Schedule "A" is hereby declared abandoned by the Town Board and Superintendent of Highways pursuant to Section 205 of the Highway Law, and be it

FURTHER RESOLVED, that the Official Map of the Town of Clarkstown is hereby amended by deleting therefrom the portion of Allen Street, Congers, New York, as described in the Schedule "A" attached, and be it

FURTHER RESOLVED, that the Certificate of Abandonment executed by the Superintendent of Highways and members of the Town Board is hereby ordered to be recorded in the Rockland County Clerk's Office and filed in the Town Clerk's office. (Schedule "A" is on file with the Office of the Town Clerk.)

On roll call the vote was as follows:

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

RESOLUTION NO. (793-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board Minutes of October 11, 2005 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (794-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

A "Stop" sign and a "Stop" line on Spruce Lane at Brookhill Drive, West Nyack, (Per Sec. 211.3 an R1-1A sign of the NYS Manual of Uniform Traffic Control Devices)

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:

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

RESOLUTION NO. (795-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

A "Stop" sign and "Stop" line on Scarlett Court, at Second Street, New City, (Per Sec. 211.3 an R1-1A sign of the NYS Manual of Uniform Traffic Control Devices)

NOTE: Paint the "Stop" line close to the pavement alignment at Second Street.

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:

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

RESOLUTION NO. (796-2005)

Co. Maloney offered and Co. Mandia 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:

Signs to read, "Trucks 4 Tons Weight Limit Except for Local Delivery" (Per Sec. 233.8 a W3-30 sign of the NYS Manual of Uniform Traffic Control Devices) to be erected on the southside of Old Mill Road, east of Strawtown Road, West Nyack.

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:

Co. LaskerAbsent
Co. MaloneyYes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor GromackYes

RESOLUTION NO. (797-2005)

Co. Maloney offered and Co. Nowicki 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

Clarkstown Executive Park
618 Corporate Way
Valley Cottage, NY 10989
124-C-27/2 (52.15-1-84.2)

By the installation of fire lane designations, and

WHEREAS, Uri Sasson 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:

Co. LaskerAbsent
Co. MaloneyYes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor GromackYes

RESOLUTION NO. (798-2005)

Co. Maloney offered and Co. Nowicki 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

RESOLUTION NO. (798-2005) CONT.

IVAX PHARMACEUTICALS, NY, LLC
77 BRENNER DRIVE
CONGERS, NY 10920
128-A-22.2 (44.7-2-12)

By the installation of fire lane designations, and

WHEREAS, Robert P. Dructor 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:

Co. LaskerAbsent
Co. MaloneyYes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor GromackYes

RESOLUTION NO. (799-2005)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 236-48 of the Town Code of the Town of Clarkstown:

BRUCE RIFFLARD
17 Park Road
Stony Point, NY 10980
Bruce Riffard, President

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

No. 05-25 BRUCE RIFFLARD

On roll call the vote was as follows:

Co. LaskerAbsent
Co. MaloneyYes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor GromackYes

RESOLUTION NO. (800-2005)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, Price Construction, LLC furnished to the Town of Clarkstown two Letters of Credit totaling \$41,000.00 (Letter of Credit No.1848 in the amount of \$24,000.00 and Letter of Credit No.1882 in the amount of \$17,000.00) to secure the completion of improvements in the Sussex at Gramercy Park site plan, as shown on the final plat of Sussex at Nanuet (14-B-10+), which was filed in the Rockland County Clerk's Office on May 14, 1982, and

WHEREAS, the Deputy Director of Environmental Control of the Town of Clarkstown, without objection by the Superintendent of Highways, has advised that the security may be released, as the work has been completed to Town specifications;

RESOLUTION NO. (800-2005) CONT.

NOW, THEREFORE, be it RESOLVED, that said Letters of Credit totaling \$41,000.00 may be released to the guarantor.

On roll call the vote was as follows:

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

RESOLUTION NO. (801-2005)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Jerry Slamka and Julie Slamka have requested a refund of Building Permit fee (No. 05-959) paid in the amount of \$1,976.00 for premises located at 1 Ardsley Drive, New City, New York, because they have cancelled plans to renovate their house and seek to withdraw their application for a Building Permit, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$200.00;

NOW, THEREFORE, be it RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of \$1,776.00, of the total Building Permit fee paid in the amount of \$1,976.00, to Jerry Slamka and Julie Slamka, to be charged to Account No. B 02-6-2555-0, subject to receipt and cancellation of Building Permit No. 05-959.

On roll call the vote was as follows:

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

RESOLUTION NO. (802-2005)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown solicited competitive bids for Bid 48-2005 – 2005 Guide Rail and Culvert Rail Installation; and

WHEREAS, the Town received two bids in response to its solicitation; and

WHEREAS, the low bid was significantly higher than the engineer's estimate; and

WHEREAS, certain other prospective bidders did not receive the bid package due to a postal delay; and

WHEREAS, based on the foregoing, the Town's traffic engineer recommends that the Town re-bid the project;

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

BID#48A-2005 – 2005 GUIDE RAIL & CULVERT RAIL INSTALLATION

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York (time and date to be determined) at which time bids will be opened and read, and be it

RESOLUTION NO. (802-2005) CONT.

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:

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

RESOLUTION NO. (803-2005)

Co. Mandia offered and Co. Maloney seconded

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

BID#82-2005 – HIGHWAY DEPARTMENT SALT DOME AND PLOW SHOP REPAIRS

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York (time and date to be determined) at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Deputy Town Attorney-Purchasing.

On roll call the vote was as follows:

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

RESOLUTION NO. (804-2005)

Co. Mandia offered and Co. Maloney seconded

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

BID#1-2006 – OFFICE AND COMPUTER SUPPLIES

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York (time and date to be determined) at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Deputy Town Attorney-Purchasing.

On roll call the vote was as follows:

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

RESOLUTION NO. (805-2005)

Co. Mandia offered and Co. Maloney seconded

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

BID #2-2006 – PRINTING OF TOWN ENVELOPES AND STATIONERY

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York (date and time to be determined) at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Deputy Town Attorney-Purchasing.

On roll call the vote was as follows:

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

RESOLUTION NO. (806-2005)

Co. Mandia offered and Co. Maloney seconded

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

BID #3-2006 – PAPER AND PLASTIC SUPPLIES

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York (time and date to be determined) at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Deputy Town Attorney-Purchasing.

On roll call the vote was as follows:

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

RESOLUTION NO. (807-2005)

Co. Mandia offered and Co. Maloney seconded

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

BID #4-2006 – JANITORIAL AND MAINTENANCE SUPPLIES

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York (time and date to be determined) at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Deputy Town Attorney-Purchasing.

RESOLUTION NO. (807-2005) CONT.

On roll call the vote was as follows:

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

RESOLUTION NO. (808-2005)

Co. Mandia offered and Co. Maloney seconded

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

BID #5-2006 -- ATHLETIC AND RECREATION SUPPLIES

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York (time and date to be determined) at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Deputy Town Attorney-Purchasing.

On roll call the vote was as follows:

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

RESOLUTION NO. (809-2005)

Co. Mandia offered and Co. Maloney seconded

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

BID#83-2005 -- (3) RUBBER WHEEL LOADERS - SWF

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York (time and date to be determined) at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Deputy Town Attorney-Purchasing.

On roll call the vote was as follows:

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

RESOLUTION NO. (810-2005)

Co. Mandia offered and Co. Maloney seconded

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

BID#84-2005 – (1) TRACK EXCAVATOR WITH GRAPPLE - SWF

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York (time and date to be determined) at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Deputy Town Attorney-Purchasing.

On roll call the vote was as follows:

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

RESOLUTION NO. (811-2005)

Co. Mandia offered and Co. Maloney seconded

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

BID#85-2005 – (1) FRONTIER WIND ROW TURNER - SWF

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York (time and date to be determined) at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Deputy Town Attorney-Purchasing.

On roll call the vote was as follows:

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

RESOLUTION NO. (812-2005)

Co. Mandia offered and Co. Maloney seconded

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

BID#86-2005 – (1) ROLL OFF TRUCK - SWF

Bids to be returnable to the office of the Deputy Town Attorney-Purchasing, 10 Maple Avenue, New City, New York (time and date to be determined) at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Deputy Town Attorney-Purchasing.

RESOLUTION NO. (812-2005) CONT.

On roll call the vote was as follows:

Co. LaskerAbsent
 Co. MaloneyYes
 Co. Mandia Yes
 Co. Nowicki Yes
 Supervisor GromackYes

RESOLUTION NO. (813-2005)

Co. Nowicki offered and Co. Mandia 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 following group wishes to continue to participate in the Adopt-A-Road Program and adopt three (3) segments of various town roads for an additional period of two (2) years beginning October 1, 2005 to October 1, 2007, as follows:

Sponsor: Spotless Powercleaning Systems, Inc.
 85 West Nyack Road
 Nanuet, NY 10954

Roads: .41 mile segment of Casper Hill Road from
 Crusher Road to Route 303
 Valley Cottage;

and

1.24 mile segment of Mountainview Avenue from
 Christian Herald Road to Mountainview Condominiums
 Valley Cottage;

and

.44 mile segment of Demarest Mill Road from
 Germonds Road to Dead End of Demarest Mill Road
 West Nyack;

and WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Spotless Powercleaning Systems, Inc., will perform a public service in removing trash from the above roadways, 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 a renewal agreement, for a period of two (2) years beginning October 1, 2005 to October 1, 2007, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt said segments, and to provide and coordinate services by Spotless Powercleaning Systems, Inc., to remove trash from the roadways.

On roll call the vote was as follows:

Co. LaskerAbsent
 Co. MaloneyYes
 Co. Mandia Yes
 Co. Nowicki Yes
 Supervisor GromackYes

RESOLUTION NO. (814-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the fire and burglar alarm systems in Town-owned buildings and facilities are currently monitored by several different alarm companies; and

WHEREAS, the Town safety Coordinator has recommended that the Town consolidate, to the extent possible, its burglar and fire alarm monitoring with one contractor; and

WHEREAS, the Purchasing Department solicited proposals from qualified monitoring companies to provide such monitoring services; and

WHEREAS, the Purchasing Department received two proposals in response to its solicitation;

NOW, THEREFORE, BE IT RESOLVED, that, based on the recommendation of the Town Safety Coordinator and the Deputy Town Attorney, Purchasing, the Town of Clarkstown is hereby authorized to enter into an agreement, in a form acceptable to the Town Attorney, with Intercounty Alarm Systems, 200 Route 303 Valley Cottage, New York, to provide monthly monitoring as per their low bid proposal of:

- Monthly 44 Control Monitoring (15 locations) = \$50 per location
- Monthly Burglar Alarm Monitoring = \$20 per location
- Security System Panel Upgrade (Vista 20P Control Panel and Alpha Keypad) = \$200 per location, as needed

and be it FURTHER RESOLVED, that said costs shall include quarterly fire alarm inspections and reports as required by the AHJ.

On roll call the vote was as follows:

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

RESOLUTION NO. (815-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown Town Board finds that power generation from polluting, non-renewable resources such as oil and coal has resulted in serious human health impairments such as heart and lung disease and negative impacts on wildlife, plants, and the natural environment including acid rain and urban smog and fossil fuel dependence has become a factor in conflicts over the world's dwindling non-renewable resources; and

WHEREAS, the Town Board acknowledges the public has become more aware of energy issues and the consequences resulting from our energy choices; and

WHEREAS, the Town Board wishes to adopt an energy conservation strategy to reduce the serious negative impacts caused by fossil fuels used for energy generation; and

WHEREAS, the Town Board recognizes further that the use of clean, renewable energy sources such as wind, solar, ocean, geothermal and hydro, has many benefits including in-state and in-county production opportunities such as local use of solar technology, minimal environmental impacts, increased income for local producers including small farm interests, economic development support and dramatic air quality improvements; and

WHEREAS, increasing local demand for clean, renewable energy production helps to redirect regional, state and national energy policies; and

WHEREAS, the Town Board believes that leadership at the local municipal level is essential in achieving fundamental policy change;

RESOLUTION NO. (815-2005) CONT.

WHEREAS, in furtherance of this goal, the Town Board directed the Purchasing Department to research the availability of "green power" sources; and

WHEREAS, the Purchasing Department has received a proposal from Community Energy, Inc., the sole provider of wind energy in our region, to provide a percentage of the Town's total energy needs from wind power;

NOW THEREFORE BE IT RESOLVED, that The Town of Clarkstown is hereby authorized to enter into a contract, in a form acceptable to the Town Attorney, with Community Energy, Inc. which shall provide that 10% of the Town's energy needs (or approximately 744,242 kilowatt hours) shall be met by procuring pollution-free wind power; and be it

FURTHER RESOLVED, that the contract shall be for a 5 year term, with the option to increase the percentage wind power purchased at no additional cost, and shall cap the per kilowatt hour cost at no more than \$.0205/kWh.

On roll call the vote was as follows:

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

RESOLUTION NO. (816-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown Solid Waste Facility is in need of new offices, vehicle and equipment storage areas and vehicle maintenance areas, and

WHEREAS, the proposed site for the new office and storage areas is located on organic soils and has significant settlement issues; and

WHEREAS, the Town proposes to conduct a architectural/engineering study to determine whether the proposed development at the site is feasible, and, if so, a preliminary cost estimate for construction; and

WHEREAS, the Clerk of the Works has solicited proposals from qualified firms to conduct said feasibility study;

NOW, THEREFORE, BE IT RESOLVED, that, based on the recommendation of the Clerk of the Works and the Deputy Town Attorney, Purchasing, that the Town is hereby authorized to enter into an agreement, in a form acceptable to the Town Attorney, with DCAK Architecture to perform a feasibility study as per their September 8, 2005 proposal; and be it

FURTHER RESOLVED, that the cost of the study, which shall not exceed \$14,500 without further authorization from the Town Board, shall constitute a proper charge to account no. H-8755-409-79-38; and be it

FURTHER RESOLVED, that the fee for said study shall be credited entirely to the A/E fee for the project, if approved.

On roll call the vote was as follows:

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

RESOLUTION NO. (819-2005) CONT.

4) Stream crossing/pedestrian access way	\$ 470.00
5) New sewer service	\$4,127.00
6) Extended asphalt paving limits due to sewer work	\$ 886.00
7) Downstream cleanup and silt removal	\$ 429.00
8) Additional structural concrete to raise profile of roadway	\$1,375.00
9) Stone placed along stream embankment in order to stabilize existing slope	\$1,738.00
10) 15% overhead and profit	\$2,850.99
11) Credit for stream work not completed due to NYSDEC requirements of permit	-\$3,650.00

NOW, THEREFORE, BE IT RESOLVED that the total approved amount of change order #3 shall not exceed \$18,207.59; and

BE IT FURTHER RESOLVED that the allowance for this project be increased from \$191,979.00 to \$210,186.59 to reflect the additional cost of change order #3; and

BE IT FURTHER RESOLVED that this shall continue to be a proper charge to account H 8752 409 0 76 2.

On roll call the vote was as follows:

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

RESOLUTION NO. (820-2005)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, by Resolution No. 340-2005, adopted April 12, 2005, the Town Board authorized the Supervisor to enter into an agreement with Byne Graphics to provide certain graphic design services for a total cost not to exceed \$10,000 unless authorized by the Town Board; and

WHEREAS, additional services are required which will likely exceed the \$10,000 limitation by year end;

NOW, THEREFORE BE IT RESOLVED, that Resolution 340-2005 is hereby amended in part as follows:

RESOLVED, that the cost of said services shall not exceed \$15,000 for the 2005 calendar year without further authorization from the Town Board.

On roll call the vote was as follows:

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

RESOLUTION NO. (821-2005)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation and report of the Deputy Director of the Department of Environmental Control with no objection from the Superintendent of Highways, the Performance Bond secured by an Assignment of Savings No. 278604516301 in the amount of \$110,000.00, which was furnished to the Town by Christopher Linen and John Crowley for public improvements in connection with C. Linen and J. Crowley Subdivision, designated on the Clarkstown Tax Map as 59-2-34, may be released as all the required work has been completed to the satisfaction of the Department of Environmental Control and the Performance Bond is no longer required.

On roll call the vote was as follows:

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

RESOLUTION NO. (822-2005)

Co. Maloney offered and Co. Mandia seconded

Whereas, the Town of Clarkstown is desirous of installing drainage improvements on a portion of Buena Vista Road in New City; and

Whereas, the Town Board of the Town of Clarkstown has previously awarded a contract to Maser Consulting P.A. of West Nyack, New York for engineering and surveying services for this project; and

Whereas, Maser Consulting P.A. has notified the Department of Environmental Control that it is necessary to have test holes dug for the purpose of locating existing underground utilities in order to complete the design of the proposed improvements; and

Whereas, Maser Consulting P.A. has recommended the use of specialized equipment for the purpose of performing the excavation of the test holes; and

Whereas, Maser Consulting P.A. solicited proposals from qualified contractors with access to said specialized equipment and recommends acceptance of the proposal by Miller Pipeline Corporation to perform said work; and

Whereas, the Department of Environmental Control has reviewed this proposal and finds it to be acceptable in terms of scope and cost;

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

Miller Pipeline Corporation
378 Whitehead Avenue
South River, New Jersey 08882

to provide services in accordance with the rates provided in their proposal for an amount not to exceed \$5,000.00 without further Town Board resolution; and

Be It Further Resolved that this work shall be a proper charge to account #H 8754 - 409 - 0 - 78 - 26.

On roll call the vote was as follows:

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

RESOLUTION NO. (823-2005)

Co. Nowicki offered and Co. Mandia seconded

Whereas, accumulated sediment within the retention basin located within an existing Town drainage easement at 401 Phillips Hill Road, New City has reduced the capacity of the retention basin resulting in an adverse drainage condition; and

Whereas the Department of Environmental Control has solicited proposals from five qualified contractors to remove and dispose of the sediment restoring the integrity of the retention basin; and

Whereas, the Department of Environmental Control has reviewed the 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

Environmental Construction, Inc.
P.O. Box 563
Stony Point, New York 10980

to perform said work in accordance with their proposal, said proposal being the lowest received for this project, in the amount of \$10,500.00; and

Be It Further Resolved that this shall be a proper charge to account #H 8752-409-0-76-21.

On roll call the vote was as follows:

Co. LaskerAbsent
Co. MaloneyYes
Co. Mandia.....Yes
Co. Nowicki.....Yes
Supervisor GromackYes

RESOLUTION NO. (824-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown having entered into a cooperative agreement with the County of Rockland and the State of New York to purchase the Cropsey Farm, Tax Map 51.10-3-1 pursuant to Resolution No. 624-2005 dated August 23, 2005 and adopted by the Town Board, and

WHEREAS, pursuant to the joint municipal obligations under State Environmental Quality Review Act (SEQRA) to conduct a review of the proposed property, the County of Rockland has assumed the function of lead agency for the SEQRA review pursuant to County resolution dated February 28, 2003, and

WHEREAS, the County of Rockland served on the Town their SEQRA review and has determined the proposed purchase of the Cropsey Farm will not have a significant environmental impact and had taken a Negative Declaration determination, and

WHEREAS, the Town Board having authorized Robert Geneslaw, Planning Consultant, to review the County's SEQRA review and said review has occurred, and

WHEREAS, Robert Geneslaw, Planning Consultant, is recommending the Town Board of the Town of Clarkstown adopt the Negative Declaration prepare by the County by resolution so the Town of Clarkstown meets its responsibility under SEQRA;

NOW, THEREFORE, be it RESOLVED, that based upon the SEQRA report prepared by the County of Rockland, dated March 17, 2003, and the review of said SEQRA report by Robert Geneslaw, Planning Consultant, acting as staff to the Town Board of the Town of Clarkstown for the purchase of the Cropsey Farm as Open Space, designated on the Clarkstown Tax Map as Map 51.10-3-1, wherein he recommends that the Town Board adopt the negative declaration prepared by the County, and the Town Board hereby determines that the matter is an unlisted action, that approval will not result in any significant impact on the environment, and that no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required.

RESOLUTION NO. (824-2005) CONT.

On roll call the vote was as follows:

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

RESOLUTION NO. (825-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, F.B. NANUET II L.L.C. V. THE BOARD OF ASSESSORS AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN, Index No(s). 4687/01, 5125/02, 5070/03, 4536/04 and 5021/05, affecting parcel(s) designated as Map 57.20, Block 1, Lot 5.2, and more commonly known as 250 Route 59, Nanuet, New York for the year(s) 2001/02, 2002/03, 2003/04, 2004/05 and 2005/06, and

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

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

NOW, THEREFORE, be it RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 57.20, Block 1, Lot 5.2 be reduced for the year(s) 2002/03 and 2003/04 from \$1,269,000.00 to \$1,136,000.00 at a cost to the Town of \$3,946.66;
2. Reimbursement for the year(s) 2002/03 and 2003/04 on the parcel described as Map 57.20, Block 1, Lot 5.2, as stated above, be made within ninety (90) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;
3. The proceedings commenced by the petitioner respecting Map 57.20, Block 1, Lot 5.2 be discontinued for the year(s) 2001/02, 2004/05 and 2005/06;
4. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and Tax Certiorari Counsel for the Town of Clarkstown is authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows:

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

RESOLUTION NO. (826-2005)

Co. Nowicki offered and Co. Mandia seconded

WHEREAS, NORA GIACHETTI AND VITO GIACHETTI, as owner, has been referred to the Town Board to seek approval to apply the provisions of Town Law 280-a(2) to obtain permission for issuance of a Building Permit for proposed one-family residence on premises known as Tax Map No. 33.16-2-38, by utilizing a mapped but non Town maintained road which is shown on the Official Map of the Town of Clarkstown as "BROOK ROAD," which right-of-way shall remain private in nature and not become a public street, and

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

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

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby schedules a public hearing for December 13, 2005, at 8:00 p.m., or as soon thereafter as possible, at the Town Hall Auditorium, 10 Maple Avenue, New City, New York, and be it

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

FURTHER RESOLVED, that the applicant shall submit on or before the date for the public hearing a report with certification from a qualified engineer establishing that the proposed right-of-way, as constituted, or to be improved, shall provide a means for safe and reasonable access for all anticipated users, including emergency vehicles, and be it

FURTHER RESOLVED, that the petition is hereby referred to the Rockland County Commissioner of Planning, the Clarkstown Director of Environmental Control and Building Inspector for review and written recommendation as to the appropriate infrastructure to be required and for a method whereby such improvements may be maintained by the property owners using Brook Road for access to their properties, 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 agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

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

RESOLUTION NO. (827-2005)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that the resignation of Gloria Kraus, 5-H Church Lane, Valley Cottage, New York - (Part-time) Clerk - Office of the Town Supervisor - is hereby accepted - effective and retroactive to October 6, 2005, at the close of the business day.

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

RESOLUTION NO. (828-2005)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that Josephine Walsh, 209 Radcliff Drive, Upper Nyack, New York, is hereby appointed to the position of Clerk (Part-time) – Office of the Town Supervisor – at the current 2005 hourly rate of \$13.00 – effective and retroactive to October 3, 2005.

On roll call the vote was as follows:

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

RESOLUTION NO. (829-2005)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that the resignation of Ivan Sipilief, 83 Lake Road, Valley Cottage, New York – Environmental Control Inspector III – Dept. of Environmental Control, is hereby accepted – effective October 28, 2005 – at the close of the business day.

On roll call the vote was as follows:

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

RESOLUTION NO. (830-2005)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby acknowledges the action of the Clarkstown Parks Board and Recreation Commission in accepting the resignation of John C. Yaciuk pursuant to Article XXIII (2) (a) of the Collective Bargaining Agreement between the Town and the Town of Clarkstown Unit of CSEA, Inc. effective and retroactive to July 14, 2005.

On roll call the vote was as follows:

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

RESOLUTION NO. (831-2005)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has certified on October 19, 2005 that the position of Assistant Maintenance Mechanic #0567 – Parks Board and Recreation Commission – can be reclassified to the position of Maintenance Mechanic I,

Now, therefore, be it RESOLVED, that the position of Assistant Maintenance Mechanic #0567 is hereby reclassified to the position of Maintenance Mechanic I – Parks Board and Recreation Commission – effective November 7, 2005.

RESOLUTION NO. (831-2005) CONT.

On roll call the vote was as follows:
 Co. LaskerAbsent
 Co. MaloneyYes
 Co. Mandia Yes
 Co. Nowicki Yes
 Supervisor GromackYes

RESOLUTION NO. (832-2005)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of James F. Baccaglioni, 80 Maureen Drive, Middletown, New York, to the position of Maintenance Mechanic I – Parks Board and Recreation Commission – at the current 2005 annual salary of \$59,490., effective November 7, 2005.

On roll call the vote was as follows:
 Co. LaskerAbsent
 Co. MaloneyYes
 Co. Mandia Yes
 Co. Nowicki Yes
 Supervisor GromackYes

RESOLUTION NO. (833-2005)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has certified on October 19, 2005 that the position of Clerk Typist (Part-time) – Building Department – can be created,

Now, therefore, be it RESOLVED, that the position of Clerk Typist (Part-time) – Building Department – is hereby created – effective November 14, 2005.

On roll call the vote was as follows:
 Co. LaskerAbsent
 Co. MaloneyYes
 Co. Mandia Yes
 Co. Nowicki Yes
 Supervisor GromackYes

RESOLUTION NO. (834-2005)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has certified on July 19, 2005 that the position of Secretary to Planning Board can be created,

Now, therefore, be it RESOLVED, that the position of Secretary to Planning Board – is hereby created – effective January 1, 2006.

On roll call the vote was as follows:
 Co. LaskerAbsent
 Co. MaloneyYes
 Co. Mandia Yes
 Co. Nowicki Yes
 Supervisor GromackYes

RESOLUTION NO. (835-2005)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that Rosalie A. Cautillo, 439 Country Club Lane, Pomona, New York, is hereby appointed to the position of Secretary to Planning Board (Part-time) - at the current 2006 annual salary of \$10,000 effective January 1, 2006.

On roll call the vote was as follows:

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

RESOLUTION NO. (836-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town has received \$37,500.00 from the State of NY Department of Environmental Conservation,

NOW THEREFORE BE IT, RESOLVED, to increase Revenue Account H-15-10-3993-0 (Capital Projects-State Aid) and Expense Account H-8755-409-0-79-13 (Capital Projects-West Nyack Storm Drain Analysis Study) by \$37,500.00 and

WHEREAS, various accounts require additional funding,

NOW THEREFORE BE IT, RESOLVED, to decrease A1620-408-0 (Bldg & Maintenance-Repairs) and increase A-1620-306-0 (Bldg & Maintenance-Supplies) by \$10,000 and be it,

FURTHER RESOLVED, to decrease SR-8160-409-0 (Sanitation-Fees for Services) by \$50,000 and increase SR-8160-111-0 (Sanitation-Overtime) by \$45,000 and SR-8160-114-0 (Sanitation-Part Time) by \$5,000 and be it,

FURTHER RESOLVED, to decrease SR-8160-443-0 (Sanitation-Equipment Rental) and increase SR-8160-311-0 (Sanitation-Gasoline) by \$15,000 and be it,

FURTHER RESOLVED, to decrease A-7620-409-0 (Recreation/Adult Activities-Fees for Services) and increase A-7140-409-0 (Recreation/Parks & Playgrounds-Fees for Services) by \$1,000.

On roll call the vote was as follows:

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

RESOLUTION NO. (837-2005)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, the Chief of Police Peter Noonan has recommended that the following schools and conferences be approved for the training and professional education of members of the Clarkstown Police Department;

Now, therefore, it is RESOLVED, that the Supervisor is hereby authorized to approve the recommended training schools as follows:

	<u>Tuition</u>
NATIA Training	No Tuition
New York State Police K-9 Officer Recertification Course	No Tuition
Detecting Blood & Body Fluids in Crime Scene Investigations (1) Officer	\$ 195.00
TASER X26 Advanced TASER M26 Instructor 3 Officers	\$ 530.00
NYSPIN Advisory Committee Meeting 2 Dispatchers	\$ 70.00
FBI Basic Police Sniper School 2 Officers	No Tuition
NYSTARS "Fraudulent Accident Investigations" 6 Officers	\$ 300.00
"Leading to Greatness" Seminar 8 Officers	\$1,494.00

BE IT FURTHER RESOLVED, that the Chief of Police is hereby authorized to select and recommend those members of the Department who shall be permitted to attend the schools and conferences as approved hereby.

On roll call the vote was as follows:

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

RESOLUTION NO. (838-2005)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Councilman Ralph Mandia, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled,

"A LOCAL LAW TO AMEND CHAPTER 240 (SHOPPING CENTER PARKING AREAS) OF THE CODE OF THE TOWN OF CLARKSTOWN,"

and WHEREAS, the proposed local law is to amend and update Chapter 240 to increase enforcement provisions regarding repairs and maintenance of Shopping Center Parking Areas in the Town which include Retail Sales and Service Establishments with five (5) or more parking spaces and to install a program requiring the placement of litter receptacles at certain intervals and the daily policing of litter to prevent its migration to the streetscapes, landscapes and storm sewer systems of the Town, as well as the general community appearance upgrade associated with this maintenance program;

NOW, THEREFORE, be it FURTHER RESOLVED, that a public hearing, pursuant to Chapter 20 of the Municipal Home Rule Law, be held at the Auditorium of Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on December 13, 2005 at 8:00 p.m. or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause same to be published and posted as aforesaid and file proof thereof in the office of the Town Clerk, and be it

RESOLUTION NO. (838-2005) CONT.

FURTHER RESOLVED, that the proposed local law is hereby referred to the Planning Board of the Town of Clarkstown for a report pursuant to Section 290-33(A) of the Zoning Local Law of the Town of Clarkstown and to the Rockland County Commissioner of Planning and any other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, that the Town Board refers this proposed local law to the following for their input and report: the Zoning Administrator, the Building Inspector, the Director of Environmental Control and the Superintendent of Highways, 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 agency and Robert Geneslaw, Planning Consultant, is hereby directed to act as agent for the Town Board with respect to SEQRA review.

On roll call the vote was as follows:

Co. LaskerAbsent
Co. MaloneyYes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor GromackYes

RESOLUTION NO. (839-2005)

Co. Maloney offered and Co. Mandia seconded

Whereas, the Town Board of the Town of Clarkstown is desirous of installing landscaping and providing drainage improvements to the water course referred hereunto as the Strathmore Creek; and

Whereas, the Department of Environmental Control is in the process of finalizing the plans and specifications for the Strathmore Creek Landscaping and Drainage Project;

Now, Therefore, Be It Resolved that the Director of Purchasing is hereby authorized to advertise for bids for:

Strathmore Creek Remediation Phase II
Bid # 87-2005

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York at a date and time to be announced.

On roll call the vote was as follows:

Co. LaskerAbsent
Co. MaloneyYes
Co. Mandia Yes
Co. Nowicki Yes
Supervisor GromackYes

RESOLUTION NO. (840-2005)

Co. Maloney offered and Co. Mandia seconded

Whereas, the Lower Hudson Coalition of Conservation Districts and Hudson Valley regional Council are sponsoring a Stormwater Conference in Beacon, NY, and

Whereas, the registration is \$75.00 per fee per attendee, and

Now therefore be it resolved, that Richard Westervelt and Ronald Haelen form the Department of Environmental Control be authorized to attend the conference on November 9, 2005 , and

RESOLUTION NO. (840-2005) CONT.

Be it further resolved that the \$150.00 fee shall be charged to the account A 1010 414 and paid to:

Greene Co. SWCD
58 New Ridge Road
Greenville, New York 12083

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

RESOLUTION NO. (841-2005)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a seminar on Radioactive Waste Detection and Disposal is planned for November 2, 2005, Albany, New York, and

WHEREAS, the seminar will discuss NYSDEC Part 360 related to the detection and disposal of radioactive wastes at solid waste transfer facilities and landfills.

NOW, THEREFORE, BE IT RESOLVED, that Ralph A. Lauria, Deputy Director, - Operations, DEC is hereby authorized to attend the Radioactive Waste Detection and Disposal Seminar, November 2, 2005 at the Desmond Hotel and Conference Center, Albany New York, and

BE IT FURTHER RESOLVED, that the cost for attending the conference is \$45.00, and

BE IT FURTHER RESOLVED, that the total cost for attending the conference shall not exceed \$45.00 and shall be a proper charge to account A 1010 414.

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

RESOLUTION NO. (842-2005)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, the County of Rockland, through the Sheriff's Department, has tendered a contract award to the Town of Clarkstown Police Department for participation in the State Homeland Security Program INTEL Unit during Orange Alert and the Republican National Convention for operational overtime, in the amount of \$8,442.00;

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 obtain funding in the amount of \$8,442.00, for participation in the State Homeland Security Program INTEL Unit during Orange Alert and the Republican National Convention for operational overtime, for the period September 1, 2004 through November 30, 2005.

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

RESOLUTION NO. (843-2005)

Co. Nowicki offered and Co. Maloney seconded

WHEREAS, the County of Rockland, through the Sheriff's Department, has tendered a contract award to the Town of Clarkstown Police Department for participation in the State Homeland Security Program (C.I.R.T. program), in the amount of \$33,474.40;

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 obtain funding in the amount of \$33,474.40, for participation in the State Homeland Security Program (C.I.R.T. program), for overtime, for the period September 1, 2004 through November 30, 2005.

On roll call the vote was as follows:

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

RESOLUTION NO. (844-2005)

Co. Mandia offered and Co. Nowicki seconded

RESOLVED, that the Town Board hereby authorizes and directs the Zoning Administrator to take all steps necessary to enforce compliance with M.V.E. Development Corp.'s site plan, including, if necessary, commencing an action in the Supreme Court, Rockland County, New York.

On roll call the vote was as follows:

Co. Lasker	.....	Absent
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. Mandia, seconded by Co. Maloney, and unanimously adopted the meeting was closed, time 8:20 p.m.

Respectfully submitted,



Patricia Sheridan
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

11/01/2005

8:00 P.M.

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

Request of St. Paul's Church and Gabrielson for Abandonment of Allen Street, Congers and Amendment to the Official Map

On motion of Co. Mandia and seconded by Co. Maloney, the public hearing was opened. The Town Clerk read the notice calling the Public Hearing.

Jim Freeman, Esq., Counsel for St. Paul's Church

The church seeks the abandonment of Allen Street which has never been opened and never been used a street and forms part of the parking lot for St. Paul's. The Gabrielsons who own the adjoining property are in unison with the church in seeking the abandonment. The Solicitos who also live on Allen Street have no feeling against closing it. Mr. Atzl will provide the affidavits of posting and mailing.

Robert Motto

36 Friend St., Congers

He was concerned about the low flow channel that runs from Lakewood to Fisher in Allen and goes under Fisher to Allen to the church parking lot, and whether the abandonment will affect the drainage.

Jose Simoes

Town Planner

He said that the abandonment of Allen Street will not have any impact on the drainage.

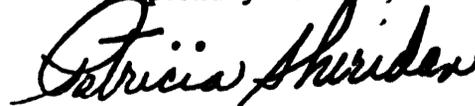
John Costa

Town Attorney

He said this involves a 2-fold issue. The 1st issue is with the participation of the Superintendent of Highways by executing a Certificate of Abandonment stating that the road had not been used for the last 6 years and it was not a right of way for the public. The 2nd issue was the amendment to the official map of the Town of Clarkstown which can be accomplished under Town Law Sec. 273. This street appears on the official map and the Town Board now will determine to eliminate the street after declaring the rights of the public being abandoned. The Rockland County Planning Board in their October 28, 2005 memorandum said that this was a matter for local determination. The report of Robert Geneslaw, acting as agent for the Town Board with respect to the SEQRA review, states that this is a type 2 action and no further processing is required regarding this matter. He also said that the Town Board can act on the matter but the affidavits of posting and mailing have to be submitted by the applicant otherwise the action of the Town Board would be defective.

There being no further business and no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Nowicki and unanimously adopted, the public hearing is closed, time 8:10 P.M.

Respectfully submitted,



Pat Sheridan
Town Clerk

(RESOLUTION NO. 792-2005 ADOPTED)