

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

01/24/2006

8:00 P.M.

Present: Supervisor Alexander J. Gromack
Council Members Maloney, Mandia, Lasker, & Nowicki
Amy Mele, Town Attorney
David Carlucci, Town Clerk

On motion of Co. Maloney seconded by Co. Mandia the Town Board Meeting was opened.
Assemblage saluted the flag.

Public Hearing re: Rockland County Consortium for Community Development Block Grants,
opened 8:05, closed 8:07.

Supervisor opened the public portion of the meeting regarding agenda items.

Ed Brancatti, Deputy District Director
U.S. Rep. Nita Lowey's office

Stated he would attend more Town Board Meetings and would be available to speak with
residents who wanted help from Rep. Lowey's office, (Phone# (914) 428-1707).

Marilyn Schauder
Valley Cottage

Stated that she was opposed to truck weight signs on Kings Highway being changed from 3 ton
weight limit to 10 tons.

Anne Long
Valley Cottage

Also stated that truck weight limit should not be increased, especially near Tilcon property.

RESOLUTION NO. (55-2006)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Town Board Minutes of December 30, 2005 and January 4, 2006 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. (56-2006)

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:

RONALD TARIGO
33 Crosscreek Road
Stony Point, NY 10980
Ronald J. Tarigo, President

MICHAEL SASSO
49 Woodhaven Drive
New City, NY 10956
Michael Sasso, President

PHILIP M. SCALA & SON, INC.
P.O. Box 499
Valley Cottage, NY 10989
Philip M. Scala, President

RR PLUMBING SERVICES CO.
D/B/A ROTO-ROOTER
190 Saw Mill River Road
Hawthorne, NY 10532
Terence R. O'Shea, President

W. HARRIS & SON, INC.
37 W. Washington Ave.
Pearl River, NY 10965
Bill Harris, President

McGANNON EXCAVATING, LLC
127 Route 303
Valley Cottage, NY 10989
Robert McGannon, President

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

JD BACKHOE
3 Route 340
Orangeburg, NY 10962
Joseph D'Auria, President

MRJ EXCAVATING, INC.
7 Beaver Court
New City, NY 10956
Michael Rickli, Jr., President

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

RESOLUTION NO. (56-2006) continued

JMK BUILDING CORP.
301 North Main Street, Suite #1
New City, NY 10956
John Knutsen, President

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

DeSIMONE & SONS, INC.
35 Madison Avenue
Garnerville, NY 10923
Paul DeSimone, President

NOW, THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

- No. 06-01 RONALD TARIGO
- 06-02 PHILIP M. SCALA & SON, INC.
- 06-04 W. HARRIS & SON, INC.
- 06-05 RONALD FILERA LANDSCAPE CONTRACTORS LLC
- 06-06 MICHAEL SASSO
- 06-07 RR PLUMBING SERVICES CO. D/B/A ROTO-ROOTER
- 06-08 McGANNON EXCAVATING, LLC
- 06-09 JD BACKHOE
- 06-10 MRJ EXCAVATING, INC.
- 06-12 TRAVCON, INC.
- 06-13 JMK BUILDING CORP.
- 06-03 KEVIN STOKES EXCAVATING, INC.
- 06-14 DeSIMONE & SONS, INC.

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. (57-2006)

Co. Mandia offered and Co. Nowicki seconded

WHEREAS, Caliber Builders Corporation provided the Town with the required \$500.00 fee associated with petition for a zone change, and

WHEREAS, this entity amended its petition and provided the Town with an additional fee of \$500.00 (Check No. 26058), and

WHEREAS, the Town Attorney has recommended that \$500.00 should be refunded to Caliber Builders due to the fact that there are no legal requirements for an additional fee for an amended petition;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Town Attorney, the Town Board hereby authorizes a refund of \$500.00 to the Town to Caliber Builders Corporation.

RESOLUTION NO. (57-2006) continued

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. (58-2006)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Domenic Monteleone has requested a refund of Building Permit fee (No. 05-642) paid in the amount of \$646.00 for premises located at 5 East Evergreen, New City, New York, and

WHEREAS, the property owner has advised that he has cancelled plans to build and has withdrawn his application for a Building Permit, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$90.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of \$556.00, of the total Building Permit fee paid in the amount of \$646.00, to Domenic Monteleone, to be charged to Account No. B 02-6-2555-0, subject to receipt and cancellation of the Building Permit.

On roll call the vote was as follows

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

RESOLUTION NO. (59-2006)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Paula and Cathy Kilgallen have requested a refund of Building Permit fee (No. 05-481) paid in the amount of \$1,868.00 for premises located at 505 Kings Highway, Valley Cottage, New York, and

WHEREAS, the property owners have advised that due to unforeseen circumstances, they could not build as expected and have withdrawn the application for a Building Permit, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$190.00;

NOW, THEREFORE, be it

RESOLUTION NO. (59-2006) continued

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of \$1,678.00, of the total Building Permit fee paid in the amount of \$1,868.00, to Paul and Cathy Kilgallen, to be charged to Account No. B 02-6-2555-0, subject to receipt and cancellation of the Building Permit.

On roll call the vote was as follows

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

RESOLUTION NO. (60-2006)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, David Goldberg has requested a refund of Building Permit fee (No. 05-902) paid in the amount of \$226.00 for premises located at 29 Fay Road, New City, New York, and

WHEREAS, the property owner has advised that they have cancelled plans to build and 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 \$100.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of \$126.00, of the total Building Permit fee paid in the amount of \$226.00, to David Goldberg, to be charged to Account No. B 02-6-2555-0, subject to receipt and cancellation of the Building Permit.

On roll call the vote was as follows

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

RESOLUTION NO. (61-2006)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Craig and Tracy Fishiel have requested a refund of Building Permit fee (No. 05-1487) paid in the amount of \$1,108.00 for premises located at 138 Germonds Road, West Nyack, New York, and

WHEREAS, the property owners have advised that they have cancelled plans to build and withdraw their application for a Building Permit, and

RESOLUTION NO. (61-2006) continued

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$190.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of \$918.00, of the total Building Permit fee paid in the amount of \$1,108.00, to Craig and Tracy Fishiel, to be charged to Account No. B 02-6-2555-0, subject to receipt and cancellation of the Building Permit.

On roll call the vote was as follows

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

RESOLUTION NO. (62-2006)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, in accordance with the recommendation of the Department of Environmental Control, the Town of Clarkstown wishes to accept and record drainage and sewer easements in connection with the Kill Von Beaste Drainage Improvement Project in Valley Cottage, New York;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept easements concerning said Project for the following properties and orders them recorded in the Rockland County Clerk's Office at the Town's expense:

Thomas & Susan Sharkey
681 Cottage Lane
Valley Cottage, NY 10989
Tax Map Designation: 52.18-2-25

Raymond & Margaret Livingston
269 Maple Road
Valley Cottage, NY 10989
Tax Map Designation: 52.18-2-8

Oscar E. Lagos
Esperanza Torres-Nunez
7 Miller Road
Valley Cottage, NY 10989
Tax Map Designation: 52.18-2-19

Chung Bin Yim
Choi Yoon Hi
9 Miller Road
Valley Cottage, NY 10989
Tax Map Designation: 52.18-2-21

Ernesto & Rise Fullon
3 Miller Road
Valley Cottage, NY 10989
Tax Map Designation: 52.18-2-17

Brega Company
Route 303
Valley Cottage, NY 10989
Tax Map Designation: 52.19-1-1

Janet Morris
678 Cottage Lane
Valley Cottage, NY 10989
Tax Map Designation: 52.18-2-30

Aberlando & Antonia Armada
680 Cottage Lane
Valley Cottage, NY 10989
Tax Map Designation: 52.18-2-29

RESOLUTION NO. (62-2006) continued

Gary Davis
443 Kings Highway
Valley Cottage, NY 10989
Tax Map Designation: 52.18-2-24

Maria A. Nakazawa
450 Kings Highway
Valley Cottage, NY 10989
Tax Map Designation: 52.18-2-22

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. (63-2006)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, in accordance with the recommendation of the Deputy Director of the Department of Environmental Control and with the concurrence of the Superintendent of Recreation and Parks, Shlomo Associates and Developers, Ltd. have agreed to gratuitously convey a Deed for general municipal purposes, a Conservation Easement and a Drainage Easement to the Town of Clarkstown, as shown on the final plat of Lakeview Estates I, designated on the Clarkstown Tax Map as 52.07-2-49, and Lakeview Estates II, designated on the Clarkstown Tax Map as 52.11-2-12, and

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

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to accept said Deed, Conservation Easement and Drainage Easement on behalf of the Town of Clarkstown, and be it

FURTHER RESOLVED, that said Deed and Easements shall be recorded in the Office of the Rockland County Clerk at the expense of the grantor.

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. (64-2006)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, as a condition to the approval of the final map with regard to a site plan known as St. Paul's Roman Catholic Church, designated on the Clarkstown Tax Map as 44.16-1-52, 56 and 57, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Friend Street and Fisher Avenue, Congers, New York, and a sanitary sewer easement, and

RESOLUTION NO. (64-2006) continued

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

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Deputy Director of the Department of Environmental Control of the Town of Clarkstown, with the concurrence of the Superintendent of Highways, deed dated December 6, 2005 from St. Paul's Roman Catholic Church to the Town of Clarkstown, gratuitously conveying a strip of land along Friend Street and Fisher Avenue, Congers, New York, and sanitary sewer easement dated December 6, 2005 are hereby accepted and ordered recorded in the Rockland County Clerk's Office at the expense of the grantor.

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. (65-2006)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, based upon the recommendation of the Department of Environmental Control and as a condition to the approval of the final map by the Planning Board with regard to a subdivision known as ROSEMARY H. GREANY (58.16-1-59), Sylvia L. Greany, as executrix for the Estate of Rosemary H. Greany, has provided a Deed for road widening purposes in the vicinity of Germonds Road, West Nyack, New York dated August 1, 2005 and a Drainage Easement dated August 1, 2005 to the Town of Clarkstown, and

WHEREAS, the Deputy Director of the Department of Environmental Control has recommended acceptance of said conveyances, with no objection from the Superintendent of Highways; and the Town Attorney has advised that all documents are in proper legal form;

NOW, THEREFORE be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts said Deed for road widening purposes and Drainage Easement, and orders them recorded in the Rockland County Clerk's Office at the expense of the grantor.

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. (66-2006)

Co. Lasker 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:

“No Parking Here To Corner” sign (see sec. 221.5 a P1-9 sign per the MUCTD) on the Westside of South Main Street 30 feet from where the Paramedic Service driveway intersects South Main St., Nanuet.

and be it

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

On roll call the vote was as follows

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

RESOLUTION NO. (67-2006) WAS NOT USED.

Proposed Resolution Tabled.

RESOLUTION NO. (68-2006)

Co. Lasker 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 authorized to install:

RESOLUTION NO. (68-2006) continued

"One Hour Parking" signs along certain portions of Strawtown Road, West Nyack, New York. The signs to be erected are to conform with Section 221.6 of the NYS DOT MUTCD. The first to be erected on the Westside of Strawtown Road, 30 ft. South of Maple Avenue, an arrow "Left". See P2-2 sign.

The second sign with an arrow "Right" to be erected on the Westside of Strawtown Road, 30 ft. North of West Nyack Road, West Nyack. See P2-2 sign.

The third sign, a "One Hour Parking" sign, with double arrows to be erected midway between the first two "One Hour Parking" signs. See P2-3 sign.

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

RESOLUTION NO. (69-2006)

Co. Lasker 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:

"No Parking Anytime" signs with advisory arrows, to be erected on the eastside of Burnside Avenue beginning at the corner of Congers Lake Road, Congers, NY, and extending 50 ft. North (see Sec. 221.5 a P1-5 sign per the NYS DOT Manual of Uniform Traffic Control Devices)

A "Stop" sign and a "Stop line", to be erected on the Westside of Burnside Avenue at Congers Lake Road, Congers, NY (see Sec. 211.2 a R-1-1A sign per the NYS DOT 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	Yes
Co. Maloney	Yes
Co. Mandia.	Yes
Co. Nowicki.	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (70-2006)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown has via resolution #822-2005, previously authorized the Director of the Department of Environmental Control to retain the services of Miller Pipeline Corporation of South River, New Jersey to perform test holes for the purpose of locating existing underground utilities in order to complete the design for the subject project; and

WHEREAS, the amount specified in resolution #822-2005 was based on an estimate of two days required to complete the work; and

WHEREAS, field conditions and the number of test holes required as specified by Maser Consulting, P.A., the Town's design consultant for this project, resulted in the need for a third day to complete the work; and

WHEREAS, based on the rates quoted in Miller Pipeline Corporation's original proposal, the cost for the third day's work results in an increase of \$1,550.00 over the original \$5,000.00 allotted for this work;

NOW, THEREFORE, BE IT RESOLVED, that the allotment for this work be increased to \$6,550.00 to cover the costs associated with the additional day's work; and

BE IT FURTHER RESOLVED, that this shall be a proper charge to account #H 8754 – 409 – 0 – 78 – 26.

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. (71-2006)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, by Resolution No. 474-2005, adopted by the Town Board on May 31, 2005, the Town Board accepted the roads and improvements in the Twin Pond Park Subdivision, identified as 124-A-1, and

WHEREAS, the lineal footage of Virginia Street, Pennsylvania Avenue and Wach's Way were incorrectly stated;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 474-2005 is hereby amended to correct the lineal footage of the following roads:

Virginia Street	1,032 L.F.
Pennsylvania Avenue	690 L.F.
Wach's Way	452 L.F.

RESOLUTION NO. (71-2006) continued

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. (72-2006)

Co. Nowicki offered and Co. Lasker seconded

Whereas, the Town Board of the Town of Clarkstown is desirous in eliminating the overhead utility lines in connection with the West Nyack Improvement Project.

Whereas, responding to a request for proposals from the Purchasing Department, H2M GROUP submitted a proposal dated May 26, 2005 to provide engineering services for the electrical analysis and recommendations regarding the elimination of the utility lines for the West Nyack Downtown Improvements; and

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

Now, Therefore, Be It Resolved that the Director of the Department of Environmental Control is hereby authorized to enter into an agreement with

H2M GROUP
 575 Broad Hollow Road
 Melville, NY 11747

in a form satisfactory to the Town Attorney, to provide engineering services for the West Nyack Downtown Improvements in accordance with their proposal; and

Be It Further Resolved that the fee for said services shall not exceed \$45,000.00 without further resolution of the Town Board; and

Be it Further Resolved, that this resolution shall be retroactive to June 14, 2005; and

Be It Further Resolved that this shall be a proper charge to account number *H 8755-409-0-79-21*

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. (73-2006)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, Clarkstown Police Chief Peter Noonan has advised that the State of New York Governor’s Traffic Safety Committee of the Department of Motor Vehicles, has approved a grant application from the Clarkstown Police Department (Grant No. PT-4450143), for the purpose of participating in the “Selective Traffic Enforcement Program (STEP)” for the period from October 1, 2005 through September 30, 2006, and

WHEREAS, the State shall provide \$6,900 to the Town of Clarkstown for said purposes;

NOW, THEREFORE, be it

RESOLVED, that on the recommendation of Clarkstown Police Chief Peter Noonan, the Town Board hereby authorizes the Supervisor to enter into an agreement with the State of New York, Governor’s Traffic Safety Committee, Department of Motor Vehicles, in a form approved by the Town Attorney, to accept a grant award of \$6,900 on behalf of the Clarkstown Police Department, for the purpose of participating in the “Selective Traffic Enforcement Program (STEP)” for the period from October 1, 2005 through September 30, 2006.

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. (74-2006)

Co. Nowicki offered and Co. Lasker 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 adopt a segment of various town roads for a period of two (2) years, beginning December 12, 2005 to December 12, 2007, as follows:

Sponsor: Circle Collision Center
1 Orchard Street
Nanuet, NY 10954

Road: .6 mile segment of Prospect Street from
intersection of Main Street to Grandview Avenue
Nanuet, NY 10954

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said Circle Collision Center, will perform a public service in removing trash from 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 December 12,

2005 to December 12, 2007, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segment, and to provide and coordinate services by Circle Collision Center, 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. (75-2006)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS the County of Rockland proposes to reconstruct Middletown Road between the north entrance to the Nanuet Mall and Church Street, Nanuet, New York, and

WHEREAS, the Town of Clarkstown and the County of Rockland wish to enter into an agreement for reimbursement of funds to be expended by the County for the installation of certain amenities which were requested by the Town in connection with the reconstruction;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into an Inter-municipal agreement pursuant to General Municipal Law Article G-5 with the County of Rockland, in a form approved by the Town Attorney, authorizing the Town to reimburse the County of Rockland for the installation of certain amenities in connection with the reconstruction of Middletown Road, in the Nanuet Business District, and be it

FURTHER RESOLVED, that reimbursement pursuant to agreement shall not exceed \$500,000.00 without further authorization from the Town Board, and shall constitute a proper charge to Account No. H-8753-409-0-77-4.

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. (76-2006)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, Chief of Police Peter Noonan has recommended renewing an agreement with Rev. David Lothrop, to provide services to the Clarkstown Police Department as Police Chaplain for the calendar year 2006;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to enter into an agreement with Rev. David Lothrop, in a form satisfactory to the Town Attorney, for the period January 1, 2006 to December 31, 2006 and be it

FURTHER RESOLVED, that compensation for said services shall be \$8,500 per year, and compensation for mileage at the approved rate not to exceed \$3,000 for the calendar year 2006, all of which shall be charged to Account No. A 3120-409.

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. (77-2006)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, environmental monitoring services at the Clarkstown Sanitary Landfill, are required in accordance with the requirements of the NYSDEC, and

WHEREAS, the current Consultant contract for environmental monitoring services expired on December 31, 2005, and

WHEREAS, the Department of Environmental Control has solicited proposals from three (3) qualified engineering firms for the services required by the Environmental and Facility Monitoring Plan dated April 20, 2005, and

WHEREAS, the Department received three (3) proposals for the environmental monitoring services, and

WHEREAS, the proposal submitted by the H2M Group, 575 Broad Hollow Road, Melville, New York was found to be the lowest cost.

NOW, THEREFORE, BE IT

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control, the Supervisor is hereby authorized to enter into an agreement, in a form acceptable to the Town Attorney, retaining the services of the H2M Group, 575 Broad Hollow Road, Melville, New York in accordance with their proposal dated January 16, 2006 and the Environmental and Facility Monitoring Plan at the following cost:

	2006 - \$13,620.00
	2007 - \$14,164.80
	2008 - \$14,731.29
	2009 - \$15,320.65
	2010 - \$15,933.47
Total	\$73,770.21(5 year period), and

BE IT FURTHER RESOLVED, that the costs for monitoring shall be a proper charge to account SR 8160 409.

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. (78-2006)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, Robert Stritmater, Director of Automated Systems, has recommended the renewal of a Software Maintenance Agreement with the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with New World Systems, in a form approved by the Town Attorney, to provide Software Maintenance to the Town of Clarkstown computer system for the period January 1, 2006 through December 31, 2008, and be it

FURTHER RESOLVED, that the fee for said services shall not exceed the total of \$89,760.00 for the three years, and be it

FURTHER RESOLVED, that the fee for said services shall be charged to Account No. A 1680-409.

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. (79-2006)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown herein called the "Municipality," after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that certain work, as described in the State Contract, herein called the "Project" is desirable, in the public interest, and is required in order to study and/or implement the local project or program, and

WHEREAS, under Chapter 53, Section 1, of the Laws of 2005, relating to the Local Assistance Budget, the Legislature has authorized financial assistance to localities for services and expenses related to local projects, programs and studies by means of a written agreement, and

WHEREAS, the Municipality has examined and duly considered Chapter 55, Section 1, of the Laws of 2005, relating to the Local Assistance budget and deems it to be in the public interest and benefit under this law to enter into a contract;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into an agreement with the New York State Department of Environmental Conservation, and to act as the official representative in connection with any contracts between the Municipality and the State, in a form approved by the Town Attorney, and to provide such additional information, as may be required, and be it

FURTHER RESOLVED, that the Town Clerk shall send one certified copy of this resolution to the New York State Department of Environmental Conservation, Albany, New York, together with the State Contract, and be it

RESOLUTION NO. (79-2006) continued

FURTHER RESOLVED, that this resolution shall take effect immediately.

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. (80-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the resignation of Patricia Kwong– Secretarial Assistant I (Information Processing) – Highway Department – is hereby accepted – effective and retroactive to January 13, 2006 – at the close of the business day.

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. (81-2006)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that Harold E. Straut is hereby transferred from the position of (part time) Assistant Fire Safety Inspector to the position of (full-time) Assistant Fire Safety Inspector – Building Department – at the current 2006 annual salary of \$46,959., - effective and retroactive to January 2, 2006.

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. (82-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that Christopher C. Wagner, – is hereby appointed to the position of (provisional) Environmental Control Inspector II – Department of Environmental Control – at the current 2006 annual salary of \$54,695., effective and retroactive to January 23, 2006.

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. (83-2006)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has certified on November 09, 2005 that the position of Public Information Specialist – Office of the Town Supervisor -can be created,

Now, therefore, be it

RESOLVED, that the position of Public Information Specialist – Office of the Town Supervisor Office - is hereby created – effective January 25, 2006 and be it,

FURTHER RESOLVED, that the grade for the position of Public Information Specialist is hereby established at a grade 27, and be it,

FURTHER RESOLVED, that the position of Senior Stenographer #500225 – Office of the Town Supervisor – is hereby abolished – effective January 25, 2006.

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. (84-2006)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that Angelo A. Liso is hereby appointed to the position of Custodial Worker (part time) – Maintenance Department – at the current 2006 hourly rate of \$12.50 – effective and retroactive to January 3, 2006.

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. (85-2006)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #05115A Police Sergeant (Prom) which contains the name of James S. Fay,

Now, therefore, be it

RESOLVED, that James S. Fay is hereby appointed to the position of (Contingent-Permanent) Police Sergeant (Prom) – Police Department – at the current annual salary of \$118,127., effective and retroactive to January 20, 2006.

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. (86-2006)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Town Attorney and Transit Supervisor that

BID#88-2005 – 2006 FORD GLAVAL E450 BUS FOR THE CLARKSTOWN MINI TRANS DEPARTMENT

is hereby awarded to:

PRIORITY VAN SALES, INC
 107 SUNRISE HIGHWAY
 AMITYVILLE, NY 11701
 PRINCIPALS: VINCENT INZERILLI

as per their low bid quote of \$49,890.00

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. (87-2006)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Purchasing Department and the Director of Environmental Control that

RESOLUTION NO. (87-2006) continued

BID#10-2006 – 396 PLEASANT HILL DRIVE DRAINAGE PROJECT

is hereby awarded to:

PINE BROOK INDUSTRIES
P.O. BOX 723
NEW CITY, NY 10956
PRINCIPALS: ROCCO DIMATTEO

as per their low bid proposal of \$ 24,835.00 and be it

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

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. (88-2006)

Co. Lasker offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Highway and Traffic Consulting Engineer and the Superintendent of Highways that

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

is hereby awarded to:

HIGH PEAKS FENCE
127 HOLLAND DRIVE
WEST NYACK, NY 10994
PRINCIPALS: MATTHEW GEDEIKO JR.

as per their low bid proposal of \$477,278.10 and be it

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

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

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

RESOLUTION NO. (88-2006) continued

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

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. (89-2006)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, §11-c of the Domestic Relations Law provides for the appointment by the Town Board of a Marriage Officer who shall have the authority to solemnize a marriage;

NOW, THEREFORE, be it

RESOLVED, that David Carlucci, Town Clerk, is hereby appointed a Marriage Officer for the Town of Clarkstown, for a term to commence immediately and terminating on December 31, 2006, at the pleasure of the Town Board, without compensation.

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. (90-2006)

Co. Lasker offered and Co. Maloney seconded

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

"AMENDMENT TO CHAPTER 91: BURGLAR ALARM DEVICE CONTROL OF THE CODE OF THE TOWN OF CLARKSTOWN"

and

WHEREAS, this proposed local law is intended to change the composition of the 3-member Alarm Users Review Board;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on March 21, 2006 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 said Clerk.

RESOLUTION NO. (90-2006) continued

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. (91-2006)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, the Chief of Police, Peter Noonan, has recommended that the following school(s) and conference(s) 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>
Range Master Certification Course for Law Enforcement	\$1,900.00
FBI Basic Police Sniper School	No Tuition
Nat'l Tactical Officers Association S.W.A.T. Supervision & Command Decision Making Training Course	\$1,260.00

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 school(s) and conference(s) as approved hereby.

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. (92-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby authorizes the placement of a centerfold advertisement for the Town of Clarkstown in the American Heart Association's brochure for the American Heart Walk to take place on May 21, 2006, and be it

FURTHER RESOLVED, that the fee for such advertisement shall not exceed the sum of \$1,000.00 which shall be charged to Account No. A 6410-405.

RESOLUTION NO. (92-2006) continued

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. (93-2006)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown (the "Town") and the Clarkstown Recycling Center, Inc. (the "Company") are parties to a Solid Waste Disposal Service Agreement and Site Lease Agreement dated May 18, 1990 (together with amendments thereto, the "Agreement"), and

WHEREAS, said agreements, as amended, provide for the contract term to end on April 30, 2006, and

WHEREAS, the Town is in the process of preparing a Request for Proposals pursuant to General Municipal Law Section 120-w, and is analyzing other options with respect to the operation of the Transfer Station, and

WHEREAS, in order to ensure the continued and uninterrupted operation of the Solid Waste Disposal Facility and to protect the health and safety of the Town residents living in close proximity to the facility, the Town wishes to amend the Agreement to provide for an eight month extension, and

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized and directed to prepare an amendment to the Agreement which shall take effect on May 1, 2006 and shall terminate on December 31, 2006 (the "Extension Period"), and which shall further provide that the Contractor shall be paid the current service fee of \$67.00 per ton of municipal solid waste for the months of May and June 2006, \$68.00 per ton for the months of July, August, September and October, and \$68.50 per ton for the months of November and December 2006, and be it

FURTHER RESOLVED, that all other provisions of the Agreement shall remain in full force and effect.

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. (94-2006)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the County of Rockland Executive has submitted a "Shared Municipal Services Incentive Grant Program Application" to the New York State Department of State in the amount of \$1,356,000.00, and

RESOLUTION NO. (94-2006) continued

WHEREAS, the New York State Department of State has advised the County that the County and local Municipalities may submit an application for grants to cover the costs associated with shared services, and that, in order to be eligible for such funding, it is necessary that the County and co-applicant Municipalities, which have joined the County in its application, pass a resolution in support of the application, and

WHEREAS, the Rockland County Radio Committee, whose membership consists of representatives from Rockland’s Police, Fire and EMS agencies, has recommended the County pursue the implementation of a Countywide Interoperable Public Safety Communication Network, to be shared by all of the Rockland County’s first responders, and

WHEREAS, the County Executive and the Legislature of Rockland County has approved a Capital Project 1860, for the implementation of a Countywide Interoperable Public Safety Communications Network, and this project will “provide the local share, equal to ten percent of the grant award,” and

WHEREAS, the Town of Clarkstown recognizes the need for a reliable communications system to be shared by our emergency services first responders, and

WHEREAS, the Town of Clarkstown recognizes that the improvement of the County’s Public Safety Communications System will have a direct impact on the health, safety and welfare of the citizens of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown is in full support of the Rockland County Executive’s submission of an application for “Shared Municipal Services Incentive Grant Program” funding, pursuant to the requirements established by the New York State Department of State, and the County Executive is hereby “authorized to act on behalf of the Town of Clarkstown, as the lead applicant contact person to execute all financial and/or administrative processes related to this application.”

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. (95-2006)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Red Knights NY 18 (Rockland) Motorcycle Club has requested use of the Town of Clarkstown showmobile on Sunday, September 24, 2006, rain date of October 1st from 12 Noon to 6:00 pm for a motorcycle poker run to raise funds for a yet to be determined possible firefighter and/or family in need,

NOW, THEREFORE, BE IT RESOLVED, that permission is hereby granted to the Red Knights NY 18 (Rockland) Motorcycle Club to use the Town of Clarkstown showmobile on Sunday, September 24, 2006 for the above purpose and subject to the provision of the necessary insurance policies .

FURTHER RESOLVED, that the Town Board hereby waives the fee for the use of the Town of Clarkstown Showmobile on Sunday, September 24, 2006.

RESOLUTION NO. (95-2006) continued

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. (96-2006)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes the Town Attorney to take all necessary steps, including commencing litigation, against Deborah A. Cifuni and Thomas J. Cifuni on behalf of the Town of Clarkstown to reimburse the Town for damages paid pursuant to Section 207-c of General Municipal Law, and be it

FURTHER RESOLVED, that this resolution is hereby made retroactive to January 18, 2006.

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. (97-2006)

Co. Lasker offered and Co. Mandia seconded

Whereas, an adverse drainage condition exists in the rear yards of #10, #14, and #18 Westlyn Drive in New City, New York; and

Whereas, the Department of Environmental Control has inspected this problem and determined that the condition is due to runoff coming from a parcel owned by the Town of Clarkstown; and

Whereas, the Department of Environmental Control has formulated a plan to install certain drainage improvements on lands belonging to the Town of Clarkstown to alleviate said condition; and

Whereas, the Department of Environmental Control has solicited proposals from eight (8) qualified contractors to perform this work in accordance with their plan; and

Whereas, the Department of Environmental Control has received five (5) responses to their solicitation; and

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

RESOLUTION NO. (97-2006) continued

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

Danny Clapp Landscaping, Inc.
59 Schriever Lane
New City, New York 10956

to perform said improvements as per the aforementioned plan in accordance with their lowest responsible proposal of \$19,556.00; and

Be It Further Resolved that this shall be a proper charge to an account to be determined at a later date as directed by the Town Comptroller's Office.

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. (98-2006)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, on April 12, 2004, by resolution 353-2004, the Board did authorize the replacement of culvert number 505 Christian Herald Road in Valley Cottage, and

WHEREAS, in the course of replacement, it was determined that the widening of the inlet channel would require the removal of significant trees on the adjacent private property and regrading of the embankment, and

WHEREAS, the Contractor submitted a change order in the amount of \$3,815.58 to install stone filling to preserve the embankment and existing trees, and

WHEREAS, said change order was reviewed by the Deputy Director of the Department of Environmental Control, was found to be of a reasonable amount to perform said work, and

NOW THEREFORE, BE IT RESOLVED that the Town Board does hereby authorize the additional expenditure of \$3,815.58 for stone filling at Culvert Number 505 at Christian Herald Road retroactive to and effective 8/4/04, and

BE IT FURTHER RESOLVED that the amount shall be a proper charge to account number H 8749 409-0-78-6.

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. (99-2006)

Co. Nowicki offered and Co. Lasker seconded

Whereas, the Town Board of the Town of Clarkstown has previously, by resolution #117-2005, awarded a contract to McLaren Engineering Group of West Nyack to provide professional engineering services for the subject drainage project; and

Whereas, McLaren Engineering Group has recommended measures not included in the original scope of work for this project to alleviate the adverse drainage conditions that currently exist in the Quaspeck Park area of Valley Cottage; and

Whereas, the Department of Environmental Control has solicited a proposal from McLaren Engineering Group to perform a Feasibility Study and Drainage Analysis for the purpose of diverting surface runoff emanating from the area adjacent to and west of the Quaspeck Park region; and

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

Now, Therefore, be it

Resolved that the allowance for engineering services for the Quaspeck Park Storm Drain Project be increased by \$27,000.00 to a new total of \$121,000.00 to account for the increase in the scope of the work; and be it

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

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. (100-2006)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Open Space Selection Committee was created in 2005 to review, study and make recommendations to the Town Board with regard to the establishment of objective guidelines for selecting properties for the Open Space Initiative Program, and

WHEREAS, the Open Space Selection Committee has submitted its recommendations to the Town Board;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby accepts the Committee's report dated January 12, 2006, and adopts the Guidelines recommended by the Open Space Selection Committee, and be it

FURTHER RESOLVED, that the Town Board hereby establishes the Open Space Advisory Committee to evaluate potential open space acquisitions within the guidelines, and make recommendations to the Town Board with respect to the Open Space Initiative Program. The Committee shall consist of representatives of the Supervisor's Office (the Director of Finance), the Town Board (the Constituent Services Coordinator/Senior Citizen Liaison), Parks

RESOLUTION NO. (100-2006) continued

Board and Recreation Department (the Superintendent of Parks & Recreation) the Department of Environmental Control (the Director of DEC), the Planning Department (the Town Planner), the Comptroller, the Planning Board Chairperson, the Town Attorney (to act as Chairperson) and a Deputy Town Attorney (as assigned by the Town Attorney).

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. (101-2006)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the existing underground communication lines at the Town of Clarkstown Solid Waste Facility have failed due to age and adverse ground conditions, and

WHEREAS, the communication lines serve as the direct link between the Solid Waste Facility and other departments of the Town of Clarkstown, and

WHEREAS, the Town of Clarkstown is currently undertaking a feasibility study for a new maintenance building at the Solid Waste Facility that will incorporate new underground communication lines, and

WHEREAS, communication lines at the Solid Waste Facility must be re-established immediately to maintain operation of the facility, and

WHEREAS, the Deputy Director of Operations has recommended an interim course of action to re-establish the communication lines at the Solid Waste Facility, and

WHEREAS, the Town has solicited a proposal from a contractor qualified to work on a closed landfill for the excavation, backfilling, installation of utility poles and underground conduit in connection with the re-establishment of the communication lines, which proposal was found to be reasonable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that based on the recommendation of the Director of the Department of Environmental Control, the Supervisor is hereby authorized to retain the services of Cal Mart Enterprises, 357A Route 59, West Nyack, New York 10994 to perform the excavation, backfilling, installation of utility poles and underground conduit in connection with the re-establishment of the communication lines, and be it

FURTHER RESOLVED, that the cost for the excavation, backfilling, installation of utility poles and underground conduit in connection with the re-establishment of the communication lines shall not exceed \$15,200.00, and be it

FURTHER RESOLVED, that said fees shall constitute a proper charge to Account. No. H-8755-409-0-79-44.

RESOLUTION NO. (101-2006) continued

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. (102-2006)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the existing underground communication lines at the Town of Clarkstown Solid Waste Facility have failed due to age and adverse ground conditions, and

WHEREAS, the communication lines serve as the direct link between the Solid Waste Facility and other departments of the Town of Clarkstown, and

WHEREAS, the Town of Clarkstown is currently undertaking a feasibility study for a new maintenance building at the Solid Waste Facility that will incorporate new underground communication lines, and

WHEREAS, communication lines at the Solid Waste Facility must be re-established immediately to maintain operation of the facility, and

WHEREAS, the Deputy Director of Operations has recommended an interim course of action to re-establish the communication lines at the Solid Waste Facility, and

WHEREAS, the Town has solicited a proposal from a contractor qualified to work on a closed landfill for the installation of all wiring in connection with the re-establishment of the communication lines, which proposal was found to be reasonable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that based on the recommendation of the Director of the Department of Environmental Control, the Supervisor is hereby authorized to retain the services of Parker Electric, Inc., 264A Orange Turnpike, Sloatsburg, New York 10974, for the installation of all wiring in connection with the re-establishment of the communication lines, and be it

FURTHER RESOLVED, that the cost for the installation of all wiring in connection with the re-establishment of the communication lines shall not exceed \$17,300.00, and be it

FURTHER RESOLVED, that said fees shall constitute a proper charge to Account No. H-8755-409-0-79-44.

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. (103-2006)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, on February 2003, the Town Board adopted a resolution securing a less-than-fee interest in 458 undeveloped acres owned by United Water New York and its subsidiaries, and

WHEREAS, section 247 of the General Municipal Law authorizes the Town of Clarkstown to acquire such interests in real property for the preservation of open space and of environmentally sensitive areas, as the GML defines those terms, and

WHEREAS, those open spaces were protected by means of a deed of conservation easement, and

WHEREAS, a legal problem forced the parties to limit the term of that easement to one year, and a two year extension, during which time the parties hoped to cure the problem, and

WHEREAS, more time is needed to accomplish the needed result, and

WHEREAS, United Water New York has offered to extend the term of the easement so that the legal difficulty can be overcome;

NOW, THEREFORE, be it

RESOLVED, that the Town Board finds that it will conserve and protect the public health, safety and general welfare if it so extends the easement, and be it

FURTHER RESOLVED, that the Town Board hereby schedules a public hearing for that proposed extension, to be held on February 14, 2006, at 8:00 p.m., at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of this hearing and that the Town Clerk shall advertise it according to law.

On roll call the vote was as follows

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

Supervisor opened the floor for general public comments.

Anne Long
Valley Cottage

Stated that Town’s recent crackdown on signs posted on public rights of way, “Operation Clean Sweep”, was harmful to real estate brokers. Suggested the law be amended as real estate brokers needed to post “open house” signs.

June Stokes
West Nyack

Also commented on “Operation Clean Sweep” saying the Town should have notified businesses before removing signs.

Roberta Bangs
New City Real Estate Broker

Suggested having a discussion between County and Town officials and Clarkstown brokers to come up with a compromise.

Anne Marie Smith
Congers, NY
Spoke against "operation clean sweep."

John Ninivaggi
Congers, NY
Also opposed to the crackdown on signs.

Supervisor commented that the law states that the signs have to be removed fairly, without discriminating. He would be happy to meet with Board of Realtors to talk about signs on private property, a separate issue from signs posted on public property. Zoning Enforcement Officer Joel Epstein stated the signs must be set back 25 feet from the road.

George Runelt
New City
Wanted to know what the remedy was for signs at bus stops and opposed gas pumps at Stop & Shop facility.

Barbara Rubin
New City Broker
In addition to expressing opposition to operation clean sweep she also said the deer population is becoming hazardous and the Town should curb it.

There being no further business and no one further wishing to be heard, on motion of Co. Maloney seconded by Co. Lasker and unanimously adopted, the Town Board Meeting was closed, time: 9:18 pm.

Respectfully submitted,

David Carlucci
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

01/24/2006

8:05 P.M.

Present: Supervisor Alexander J. Gromack
Council Members Maloney, Mandia, Lasker, & Nowicki
Amy Mele, Town Attorney
David Carlucci, Town Clerk

RE: Rockland County Consortium for Community Development Block Grants

On motion of Co.Maloney, seconded by Co. Lasker and unanimously adopted, the Public Hearing was opened.

Supervisor read the notice that a “Consortium of Rockland County Towns and Villages has joined together to file as an ‘Urban County’ for 2006 Community Block Grant funds under the U.S. Housing and Community Development Acts and its amendments.

The primary objective of the U.S. Act is the development of viable urban communities through the elimination of blight and improvement of community facilities and expanding economic activities principally for low and moderate-income persons.”

The Supervisor opened the floor for comments, but there being no one wishing to be heard, , on motion of Co. Maloney, seconded by Co. Lasker and unanimously adopted, the public hearing was closed, time: 8:07 P.M.

Respectfully submitted,

David Carlucci
Town Clerk