

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

12/5/2006

8:00 P.M.

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

Absent: Council Members Maloney, Mandia

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

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Public Hearing #1 re: Proposed local law to amend Chapter 262 (Taxation) of the Town Code. On motion of Co. Nowicki, seconded by Co. Lasker, hearing opened 8:00 P.M. On motion of Co. Lasker, seconded by Co. Nowicki, RESOLUTION NO. (794-2006) unanimously adopted.

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Public Hearing #2 re: Request of Jewish Community Center Corp. for 6 month extension to obtain site plan approval from the Planning Board. On motion of Co. Lasker, seconded by Co. Nowicki, hearing opened 8:02 P.M. On motion of Co. Lasker, seconded by Co. Nowicki, RESOLUTION NO. (795-2006) unanimously adopted.

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Public Hearing #3 re: Request of Cambridge Press to amend Zoning Local dealing with uses in the LO Zoning District. On motion of Co. Nowicki, seconded by Co. Lasker, hearing opened 8:04 P.M. On motion of Co. Nowicki, seconded by Co. Lasker, RESOLUTION NO. (796-2006) continued to December 29, 2006.

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Public Hearing #4 re: Proposed local law to amend Chapter 290 (Zoning) of the Town Code to remove reference to Massage Establishments as being regulated under the Adult Entertainment Uses section; Massage Establishments will thereafter be regulated by virtue of the adoption of a separate and distinct local law On motion of Co. Nowicki, seconded by Co. Lasker, hearing opened 8:30 P.M. On motion of Co. Nowicki, seconded by Co. Lasker, RESOLUTION NO. (797-2006) unanimously adopted.

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Public Hearing #5 re: Proposed local law to require business licenses for Massage Establishments On motion of Co. Lasker, seconded by Co. Nowicki, hearing opened 8:35 P.M On motion of Co. Lasker, seconded by Co. Nowicki, RESOLUTION NO. (798-2006) unanimously adopted.

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Supervisor opened the meeting to public comments regarding agenda items, with no one wishing to be heard

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RESOLUTION NO. (794-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 17 – 2006

WHEREAS, a proposed local law entitled,

“AMENDMENT TO CHAPTER 262 (TAXATION) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

was introduced by Councilperson Maloney, at a Town Board meeting held on October 17, 2006, and WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on October 17, 2006, directed that a public hearing be held on December 5, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on November 21, 2006, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on October 17, 2006, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on December 5, 2006; NOW, THEREFORE, be it

RESOLVED, that Local Law No. 17 – 2006 entitled:

“AMENDMENT TO CHAPTER 262 (TAXATION) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

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

On roll call the vote was as follows

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

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Co. Lasker offered and Co. Nowicki seconded

RESOLUTION AMENDING RESOLUTION NO. 557-2005 JEWISH COMMUNITY CENTER CORP. – MAP 58.19-1-11

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on November 14, 2006, provided for a public hearing on December 5, 2006, 8:00 P.M., to consider the application of Jewish Community Center Corp. to amend Condition One of Resolution No. 557-2005 (zone change of parcel known as lot 58.19-1-11, to allow for an additional six months to obtain site plan approval from the Clarkstown Planning Board, and WHEREAS, notice of public hearing was duly published as required by law, and the public hearing was commenced at the time and place specified in the notice;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Condition One of Resolution No. 557-2005 granting Jewish Community Center Corp., applicant/property owner, an additional six months to obtain site plan approval from the Clarkstown Planning Board.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Absent  
Co. Mandia. . . . . Absent  
Co. Nowicki. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (796-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE CONTINUANCE OF A PUBLIC HEARING WITH RESPECT TO PETITION OF CAMBRIDGE PRESS TO AMEND THE ZONING LOCAL LAW DEALING WITH USES IN THE LO ZONING DISTRICT

WHEREAS, Cambridge Press has petitioned the Town Board of the Town of Clarkstown for a text amendment to the provisions of Section 290-12 and 290-11A, Table 8 of the Zoning Local Law of the Town of Clarkstown, to allow for broader distribution center uses than that currently permitted, and

WHEREAS, the Clarkstown Planning Board and the Rockland County Planning Department have provided reports to the Town which reports recommend certain revisions to the proposed local law, and

WHEREAS, by Resolution No. 732-2006, adopted on October 17, 2006, the Town Board directed the Town Attorney to prepare an amended text amendment addressing the comments of the Clarkstown Planning Board and the Rockland County Planning Department, and

WHEREAS, the amended text amendment was placed on the desk of the Town Board members on November 20, 2006, and

WHEREAS, the Town Board has not yet received a report, pursuant to SEQRA from its Planning Consultant;

NOW, THEREFORE, be it

RESOLVED, that this public hearing, pursuant to §20 of the Municipal Home Rule Law, shall be continued on December 29, 2006, at 12:00 noon, or as soon thereafter as possible, to be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, and be it

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

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Absent  
Co. Mandia. . . . . Absent  
Co. Nowicki. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (797-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 18 – 2006

WHEREAS, a proposed local law entitled,

“A LOCAL LAW TO AMEND CHAPTER 290 (ZONING LOCAL LAW) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN” (Deleting references to Massage Establishments)

was introduced by Councilman Mandia, at a Town Board meeting held on November 8, 2006, and WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on November 8, directed that a public hearing be held on December 5, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and WHEREAS, notice of said hearing was duly prepared and published in the Journal News on November 21, 2006, and WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown on December 5, 2006, and WHEREAS, the Town Board referred the proposed local law to the Town of Clarkstown Planning Board pursuant to Chapter 290-33 and to the Rockland County Planning Department pursuant to GML Section 239 l and m, and WHEREAS, the Rockland County Planning Department recommended approval by letter dated November 27, 2006, and WHEREAS, the Town of Clarkstown Planning Board recommended that the Town Board adopt said law by resolution passed November 8, 2006, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on November 8, 2006, and  
WHEREAS, the Town Board of the Town of Clarkstown has reviewed the report prepared its consultant Robert Geneslaw, pursuant to SEQRA, and which the Board has discussed and considered in making its decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the November 22, 2006 report of Robert Geneslaw, acting as staff to the Town Board as lead agency, it is hereby determined that the proposed local law is a Type II action and shall not have any significant impact on the environment and no further processing is necessary pursuant to SEQRA, and be it

FURTHER RESOLVED, that Local Law No. 18 – 2006 entitled:

“A LOCAL LAW TO AMEND CHAPTER 290 (ZONING LOCAL LAW) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN” is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

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

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RESOLUTION NO. (798-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 19 – 2006

WHEREAS, a proposed local law entitled,

“A LOCAL LAW FOR BUSINESS LICENSE REQUIRED FOR MASSAGE ESTABLISHMENTS”

was introduced by Councilwoman Lasker, at a Town Board meeting held on October 17, 2006, and  
WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on October 17, 2006, directed that a public hearing be held on December 5, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and  
WHEREAS, notice of said hearing was duly prepared and published in the Journal News on November 21, 2006, and  
WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown on December 5, 2006, and  
WHEREAS, the Town Board referred the proposed local law to the Town of Clarkstown Planning Board pursuant to Chapter 290-33 and to the Rockland County Planning Department pursuant to GML Section 239 l and m, and  
WHEREAS, the Rockland County Planning Department recommended approval by letter dated October 27, 2006, and  
WHEREAS, the Town of Clarkstown Planning Board recommended that the Town Board adopt said law by resolution passed November 8, 2006, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on November 21, 2006, and  
WHEREAS, the Town Board of the Town of Clarkstown has reviewed the report prepared by its consultant Dennis M. Letson, Deputy Director of Environmental Control, pursuant to SEQRA, and which the Board has discussed and considered in making its decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the November 28, 2006 report of Dennis M. Letson, acting as staff to the Town Board as lead agency for SEQRA review, it is hereby determined that the proposed local law falls within the parameters of Section 617.5(c)(24) of the SEQR Regulations (inspections or licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession), and is a Type II action which requires no additional review under the provisions of SEQR, and be it

FURTHER RESOLVED, that Local Law No. 19 – 2006 entitled:

“A LOCAL LAW FOR BUSINESS LICENSE REQUIRED FOR MASSAGE ESTABLISHMENTS”

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

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

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

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RESOLUTION NO. (799-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that the Town Board Minutes of November 14, 2006 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows

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

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Co. Nowicki offered and Co. Lasker seconded

**WHEREAS**, pursuant to Section 115 of the Town Law, the Comptroller is hereby authorized to amend the 2006 budget for transferring unexpended balances of appropriations among various accounts, and by increasing and decreasing revenue accounts for the purpose of balancing all funds,

**THEREFORE, BE IT**

**RESOLVED**, that the 2006 budget is hereby amended.

On roll call the vote was as follows

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

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RESOLUTION NO. (801-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION ACCEPTING EASEMENT REGARDING INSERRA/SHOP RITE SUPERMARKET SITE PLAN (65.5-2-5)

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 site plan known as INSERRA SUPERMARKET (65.5-2-5), Oster Apartments, LLC has provided an Easement for general municipal purposes and temporary construction, dated August 29, 2005, and

WHEREAS, the Department of Environmental Control has recommended acceptance of said conveyance; 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 an Easement from Oster Apartments, LLC in connection with the Inserra Supermarket, and orders it recorded in the Rockland County Clerk's Office at the expense of the grantor, and this resolution shall be retroactive to November 28, 2006.

On roll call the vote was as follows

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

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RESOLUTION NO. (802-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING REDUCTION IN PERFORMANCE BOND (CHRISTOPHER HOMES SUBDIVISION - 64.13-2-4)

WHEREAS, Christopher Minehan furnished to the Town of Clarkstown a Performance Bond secured by an Assignment of Certificate of Deposit No. 0092-0001630406-3 in the amount of \$70,600.00, to cover common infrastructure improvements and other facilities as shown on the final plat of Christopher Homes, which was filed in the Rockland County Clerk's Office on May 11, 2006, and

WHEREAS, the Deputy Director of the Department of Environmental Control of the Town of Clarkstown has recommended that said Performance Bond be reduced to \$15,810.00, as much of the work has been completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that the Performance Bond in the amount of \$70,600.00 be reduced to \$15,810.00.

On roll call the vote was as follows

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

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RESOLUTION NO. (803-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND(SISTERS OF CHARITY NEW YORK- 63.11-1-13 F/K/A 4-A-6)

RESOLVED, that based upon the recommendation and report of the Deputy Director of the Department of Environmental Control, the Performance Bond secured by Money Market Account No. 0049404073 in the amount of \$198,250.00, which was furnished to the Town by the Sisters of Charity for public improvements in connection with Sisters of Charity New York Site Plan (Seton Village) designated on the Clarkstown Tax Map as 63.11-1-13 (f/k/a 4-A-6), 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 . . . . . Yes  
Co. Maloney . . . . . Absent  
Co. Mandia . . . . . Absent  
Co. Nowicki . . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (804-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE McLAREN ENGINEERING GROUP REGARDING THE HACKENSACK RIVER NATURAL AREA IMPROVEMENT AND FLOOD MANAGEMENT PROJECT

WHEREAS, the Department of Environmental Control requested proposals for the review and verification of analysis and construction documents prepared for the Hackensack River Natural Area Improvement and Flood Management Project, and

WHEREAS, a proposal has been received from the McLaren Engineering Group (Malcom G. McLaren, P.E.) dated October 3, 2006, which proposal was reviewed by the Director of the Department of Environmental Control and found to be reasonable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the McLaren Engineering Group (Malcom G. McLaren, P.E.), 100 Snake Hill Road, West Nyack, New York, in a form satisfactory to the Town Attorney, to provide professional engineering services in connection with the Hackensack River Natural Area Improvement and Flood Management Project per their October 3, 2006 proposal, and be it FURTHER RESOLVED, that the cost of said services shall not exceed \$62,000.00 and shall constitute a proper charged to Account No. H 7186-400-409-0-59-1.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Absent  
Co. Mandia . . . . . Absent  
Co. Nowicki . . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (805-2006)

Co. Lasker offered and Co. Nowicki seconded

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH PARTNERS IN SAFETY, INC. CONCERNING THE DRUG AND ALCOHOL TESTING PROGRAM

WHEREAS, PARTNERS IN SAFETY, INC. has submitted a proposal for the renewal of an agreement with the Town of Clarkstown, to provide alcohol and drug testing of safety-sensitive employees, including transportation employees and those holding commercial driver's licenses, and

WHEREAS, John W. Coyle, Safety Manager, has recommended acceptance of said proposal;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a renewal agreement, in a form satisfactory to the Town Attorney, with Partners in Safety, Inc., 800 Route 17M, Middletown, New York, for the period commencing January 1, 2007 and terminating on December 31, 2007, to provide alcohol and drug testing of safety-sensitive employees, including transportation employees and those holding commercial driver's licenses, and be it

FURTHER RESOLVED, that the agreement shall provide for contract indemnification and professional and other liability insurance coverage, as required by the Town Attorney, and be it

FURTHER RESOLVED, that the fee for the year 2007, for such services, shall be \$4,002.00, with additional hourly fees in accordance with said proposal dated October 30, 2006, which fees shall be charged to Account No. A 9000-409.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Absent  
Co. Mandia . . . . . Absent  
Co. Nowicki . . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (806-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING AN AGREEMENT WITH HY SHUSTER TO PROVIDE CONSULTANT SERVICES CONCERNING THE TOWN HALL TV STUDIO

WHEREAS, pursuant to the terms of the Franchise Agreement between the Town of Clarkstown and Verizon, Verizon is providing funds for the purchase of audio-visual equipment, and

WHEREAS, a proposal has been received from Hy Shuster, 7 Gallop Court, New City, New York, dated November 20, 2006, to provide consulting services with regard to the design and layout of such audio-visual equipment, which proposal was reviewed by the Town Attorney and found to be reasonable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Hy Shuster, in a form satisfactory to the Town Attorney, to provide consulting services with regard to the design and layout of audio-visual equipment, per his proposal of November 20, 2006, and be it

FURTHER RESOLVED, that the cost of said services shall not exceed \$4,500.00, and shall constitute a proper charge to Account No. H 8757-409-0-81-34.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Absent  
Co. Mandia. . . . . Absent  
Co. Nowicki. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (807-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ACCEPT A GRANT FOR EQUIPMENT FOR THE CLARKSTOWN POLICE DEPARTMENT

WHEREAS, the Chief of Police, Peter Noonan, has advised that the New York State Division of Criminal Justice Services (NYSDCJS) has tendered a contract award (Project # BJ06-1097-D00) to the Clarkstown Police Department for the amount of \$85,000.00 to be used for the purchase of power source and emergency wireless equipment to update the Police Department's system, and

WHEREAS, the Town of Clarkstown shall contribute \$9,444.00 in matching funds towards the grant, and

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

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services (Project # BJ06-1097-D00), in a form approved by the Town Attorney, to obtain funding in the amount of \$85,000.00, for the purpose of purchasing equipment to be used by the Clarkstown Police Department, and be it

FURTHER RESOLVED, that the Town of Clarkstown shall contribute \$9,444.00 in matching funds towards the grant.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Absent  
Co. Mandia. . . . . Absent  
Co. Nowicki. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (808-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ACCEPT A GRANT FOR EQUIPMENT FOR THE CLARKSTOWN POLICE DEPARTMENT

WHEREAS, the Chief of Police, Peter Noonan, has advised that the New York State Division of Criminal Justice Services (NYSDCJS) has tendered a contract award (Project #BJ06-1052-D00) (DCJS #BJ05906430) to the Clarkstown Police Department for the amount of \$100,000.00 to be used for the purchase of a GPS Tracking System and other equipment, and

WHEREAS, the Town of Clarkstown shall contribute \$11,111.00 in matching funds towards the grant, and

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

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services (Project # BJ06-1052-D00) (DCJS #BJ05906430), in a form approved by the Town Attorney, to obtain funding in the amount of \$100,000.00, for the purpose of purchasing equipment to be used by the Clarkstown Police Department, and be it

FURTHER RESOLVED, that the Town of Clarkstown shall contribute \$11,111.00 in matching funds towards the grant.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Absent  
Co. Mandia. . . . . Absent  
Co. Nowicki. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (809-2006)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Town of Clarkstown solicited bids for Bid #40-2006 – ONE CHEVROLET 2500 4 X 4 CAB AND CHASSIS ¾ TON TRUCK FOR THE DOG WARDEN and

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

WHEREAS, the low bidder, Gallagher Truck Center, Inc. advised the Town of Clarkstown that they were no longer in business as of November 15, 2006 and has requested permission to withdraw its bid without penalty; and WHEREAS, the Deputy Town Attorney, Purchasing has reviewed Gallagher Truck Center's request to withdraw their bid and recommend that the Town Board grant its request to withdraw its bid without penalty; now therefore BE IT RESOLVED, that based upon the recommendation of the Deputy Town Attorney – Purchasing that

BID #40-2006 – ONE CHEVROLET 2500 4 X 4 CAB AND CHASSIS ¾ TON TRUCK FOR THE DOG WARDEN

is hereby awarded to: WEST HAVERSTRAW CHEVROLET, INC.  
DBA: ROCKLAND COUNTY CHEVROLET BUICK  
51 ROUTE 9W  
WEST HAVERSTRAW, NY 10993  
PRINCIPALS: C. ALBANESE, SR.  
C. ALBANESE, JR.

as per their second lowest bid proposal of \$28,500.00.

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Absent  
Co. Mandia. . . . . Absent  
Co. Nowicki. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (810-2006)

Co. Lasker offered and Co. Nowicki seconded

AMENDING RESOLUTION NO. 654-06

WHEREAS, Resolution No. 654-06, adopted October 17, 2006, authorized the installation of "No Parking Here to Corner" signs on the south side of Orchard Street at Main Street, Nanuet, New York and on the north side of Orchard Street at Main Street, Nanuet, New York, and

WHEREAS, the Highway Department has requested clarification for the placement of these signs, NOW, THEREFORE, be it

RESOLVED, that Resolution 654-06 is hereby amended to provide that the Superintendent of Highways is authorized to install:

"No Parking Here to Corner" signs (per Sec. 221.5, P1-4 signs of the NYS DOT Manual of Uniform Traffic Control Devices). The first sign: on the South side of Orchard Street at East of Main Street, Nanuet, NY. The second sign: on the South side of Orchard Street at West of Main Street, Nanuet, NY. These signs should be erected 20 ft. from the corner, and be it

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

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Absent  
Co. Mandia. . . . . Absent  
Co. Nowicki. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (811-2006)

Co. Lasker offered and Co. Nowicki 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:

Additional "Town Speed 30 MPH" signs on West Nyack Road, West Nyack, New York, as per sec. 212.3, R2-1 signs of the NYS MUTCD.

Erect one sign on the northside of West Nyack, Rd. 75 ft. West of Crosfield Avenue.

Erect two signs on the north and south sides of West Nyack Road 400 ft. East of Parkway Drive

and be it

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

On roll call the vote was as follows

Co. Lasker . . . . . Yes  
Co. Maloney . . . . . Absent  
Co. Mandia. . . . . Absent  
Co. Nowicki. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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Co. Lasker offered and Co. Nowicki 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:

Two signs to read "No Parking 8:00 A.M. to 4:00 P.M. Monday – Friday School Days" on the southside of Oxford Court, New City as per sec. 221.5, P1-4 signs of the NYS MUTCD.

Remove the three signs on Wendover Lane, New City that read, "No Parking 10:00 A.M. to 2:00 P.M. Monday – Friday School Days" and replace them with signs to read, "No Parking 8:00 A.M. to 4:00 P.M. Monday – Friday. School Days". Erect these signs on both sides of Wendover Lane, New City

and be it

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

On roll call the vote was as follows

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

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RESOLUTION NO. (813-2006)

Co. Lasker 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

SMK-LAKE ROAD  
47 LAKE ROAD  
CONGERS, NY 10920  
(127-D-21) (44.15-3-60)

By the installation of Fire lane designations, and

WHEREAS, SEAN KEENAN requested that the Town of Clarkstown designate said fire lanes.  
NOW, THEREFORE, BE IT

RESOLVED, that the pursuant to said Local Law 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 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. Lasker . . . . .	Yes
Co. Maloney . . . . .	Absent
Co. Mandia. . . . .	Absent
Co. Nowicki. . . . .	Yes
Supervisor Gromack . . . . .	Yes

\*\*\*\*\*

RESOLUTION NO. (814-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that the resignation of Gary Mann Municipal Bus Driver (part-time) – Clarkstown Mini-Trans - is hereby accepted – effective and retroactive to November 4, 2006 - at the close of the business day.

On roll call the vote was as follows

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

\*\*\*\*\*

RESOLUTION NO. (815-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that the resignation (by retirement) of Charles F. Connington, Superintendent of Recreation and Parks – Parks Board and Recreation Commission - is hereby accepted – effective and retroactive to November 25, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (816-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, based upon the recommendation of the Clarkstown Parks Board and Recreation Commission and the Supt. of Recreation and Parks that the following 2007 part-time salaries be established:

<b>PART-TIME</b>	<b>2007 <u>MINIMUM</u></b>	<b>2007 Proposed <u>MAXIMUM</u></b>
Recreation Aide.....	\$ 7.15/hr.	\$18.00/hr.
Recreation Assistant.....	\$ 7.15/hr.	\$18.00/hr.
Recreation Leader.....	\$10.00/hr.	\$25.00/hr.
Recreation Specialist.....	\$10.00/session	\$60.00/session
Refreshment Stand Attendant I .....	\$ 7.15/hr.	\$12.00/hr.
Refreshment Stand Attendant II.....	\$ 9.00/hr.	\$18.00/hr.
Lifeguard.....	\$10.00/hr.	\$15.00/hr.
Head Lifeguard.....	\$13.00/hr.	\$16.00/hr.
Water Safety Instructor.....	\$12.00/hr.	\$14.00/hr.
Laborer-Student.....	\$ 8.00/hr.	\$13.00/hr.
Groundswoker .....	\$10.00/hr.	\$15.00/hr.
Custodial Worker (Seasonal) .....	\$ 7.15/hr.	\$20.00/hr.
<b><u>2007 CONTRACT</u></b>		
Senior Citizen's Leader (Part-time) Frank DiMaria		<b>\$35,698.</b>
Swim Area Supervisor (Seasonal) Nicole Hutter		<b>\$14,483.</b>
Senior Recreation Leader (Seasonal) (Camps/playgrounds) James Nash		<b>\$11,993.</b>
Senior Recreation Activity Specialist (Seasonal) (Arts & Crafts) – Soledad Nieves		<b>\$4,234.</b>
Senior Recreation Activity Specialist (Seasonal) (Sr. Show) - Ann Slingsby		<b>\$9,733.</b>

On roll call the vote was as follows

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

RESOLUTION NO. (817-2006)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has certified on July 28, 2006 that the position of Senior Clerk Typist – Office of the Town Clerk - can be created,  
Now, therefore, be it  
RESOLVED, that the position of Senior Clerk Typist – Office of the Town Clerk – is hereby created – effective and retroactive to November 13, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (818-2006)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #05083 Senior Clerk Typist - which contains the name of Joanne Castaldo,

Now, therefore, be it

RESOLVED, that Joanne Castaldo is hereby appointed to the position of (permanent) Senior Clerk Typist – Office of the Town Clerk – at the current annual salary of \$45,855., effective and retroactive to November 13, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (819-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Laborer Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Richard Ippolito, 18 Westlyn Drive, Bardonia, New York, Motor Equipment Operator II – Highway Department – is hereby granted an extension of his Sick Leave of Absence – at one-half pay – effective and retroactive to November 18, 2006 to December 18, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (820-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., John Fay, 317 Brewery Road, West Nyack, New York, Laborer – Highway Department – is hereby granted an extension of his Sick Leave of Absence – at one-half pay – effective and retroactive to November 18, 2006 to December 18, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (821-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that Deirdre Farmer, 11 Franklin Avenue, Apt 3, Pearl River, New York – Payroll Clerk and Data Entry Operator – Police Department – is hereby granted, as per her request, a leave without pay, pursuant to the Family and Medical Leave Act - effective and retroactive to November 9, 2006 to January 2, 2007.

On roll call the vote was as follows

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

RESOLUTION NO. (822-2006)

Co. Lasker offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #04200 Police Officer – which contains the name of Richard Von Ronn,

Now, therefore, be it

RESOLVED, that Richard Von Ronn – is hereby appointed to the (permanent) position of Police Officer Clarkstown Police Department – at the current 2006 annual salary of \$48,019., effective and retroactive to October 30, 2006.

On roll call the vote was as follows

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

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of John P. Booth to the position of Motor Equipment Operator I – Highway Department – at the current 2006 annual salary of \$36,154., effective and retroactive to November 20, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (824-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Rocco M. Russo to the position of Motor Equipment Operator I – Highway Department – at the current 2006 annual salary of \$36,154., effective and retroactive to November 27, 2006.

On roll call the vote was as follows

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

RESOLUTION NO. (825-2006)

Co. Lasker offered and Co. Nowicki seconded

Whereas, the Superintendent of Recreation and Parks has submitted his resignation for purposes of retirement; and  
Whereas, the Town Board seeks to undertake a search for a successor; and  
Whereas, it has been determined that during the interim no temporary replacement will be hired as it is anticipated that the search will be completed in a reasonable period of time; and  
Whereas, the Town Board has determined that some level of day-to-day direction will be needed during this interim period and has determined that the Chairman of the Recreation and Parks Commission is the appropriate individual to provide such direction.  
Now therefore be it resolved, that the Town Board of the Town of Clarkstown hereby appoints Rudy Damonti to serve in the place of the Superintendent of Recreation and Parks during the interim period as needed until a successor is appointed; and  
Be it further resolved, that Mr. Damonti shall be a paid a stipend of \$3,000.00 per month in addition to any other Currently existing compensation for these additional services.

On roll call the vote was as follows

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

RESOLUTION NO. (826-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION PURSUANT TO GENERAL MUNICIPAL LAW §104-b ESTABLISHING PURCHASING GUIDELINES

WHEREAS, Section 104-b of the General Municipal Law requires that goods and services which are not required to be procured pursuant to competitive bidding be procured in a manner so as to assure the prudent and economical use of public monies and under circumstances so as to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost, as well as to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, this Resolution is adopted pursuant to Section 104-b of the General Municipal Law to establish procedures governing all procurements of goods and services which are not required to be pursuant to the competitive bidding requirements of Section 103 of the General Municipal Law or are otherwise exempt from competitive bidding by any other general, special or local law and  
WHEREAS, by Chapter 47 of the Town Code, the Town Board has established the Department of Purchasing and created the position of Authorized Purchasing Agent with the authority to make all purchases and contracts for material, supplies and equipment, and also contracts for the rental of service equipment for the Town and any Town department, office or agency, and  
WHEREAS, said local law requires that no claim shall be paid without the requisition or delivery receipt prescribed by the Authorized Purchasing Agent;  
NOW, THEREFORE, be it  
RESOLVED, that the procedure for the purchase of goods, services and rental of equipment, where competitive bidding is not required by law, shall be as follows:

RESOLUTION NO. (826-2006) continued

1. All purchases of goods, services and rental of equipment by all departments of Town governments shall continue to be made under the supervision, guidance, and control of the Authorized Purchasing Agent.
2. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or public works contract. The guidance of the Department of Purchasing shall be sought with regard to any questions which may arise. Generally speaking, all purchase contracts \$10,000.00 and over, and all public works contracts \$20,000.00 and over, are subject to competitive bidding pursuant to section 103 of the General Municipal Law. All other purchase contracts or public works contracts which are not subject to competitive bidding shall be made by purchase order issued by the Director of Purchasing. The purchase order shall be documented by containing reference to verbal or written quotes fro vendors which establish how the decision to purchase was arrived at.
3. The following guidelines shall be used for all purchases of goods and services which are not required to be competitively bid:
  - A. Purchases for commodities, equipment, supplies, materials and services in the amount of \$3,000.00 or less shall be awarded at the discretion of the Authorized Purchasing Agent; purchases more than \$3,000.00 up to and including \$10,000.00 shall require a minimum of three written or electronic quotes. All purchases more than \$10,000.00 shall be competitively bid.
  - B. Purchases that are defined as public works projects in the amount of \$10,000.00 or less shall be awarded at the discretion of the Authorized Purchasing Agent; purchases more than \$10,000.00 up to and including \$20,000.00 shall require a minimum of three written or electronic quotes. All purchases more than \$20,000.00 shall be competitively bid.
  - C. Rental Contract \$10,000.00 and over shall be supported by at least three written or electronic quotes or responses to request for proposal from competitive sources.
  - D. A good-faith effort must be made to obtain the required number of quotations or proposals. Where there is insufficient interest among vendors to meet the criteria established above, a memo documenting the efforts shall be kept in the Purchasing Department with the record of the transaction.
  - E. Proper documentation shall be required when an award is made to a proposer not offering the lowest quote. All procurements shall be obtained from the lowest responsible and responsive vendor meeting the Town's requirements.
4. The Authorized Purchasing Agent shall not approve for payment any claim or invoice which does not evidence observation of the policy set forth herein.
5. The Authorized Purchasing Agent is hereby authorized, empowered, and directed to promulgate such rules and regulations necessary and appropriate for the implementation and enforcement of any provisions of Section 104-b of the New York State General Municipal Law.
6. This policy shall be deemed effective January 1, 2007 and replace resolution 356-1994.

On roll call the vote was as follows

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

RESOLUTION NO. (827-2006)

Co. Nowicki offered and Co. Lasker seconded

**RESOLVED**, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:

**BID #56-2006 – PINE STREET CHANNEL RESTORATION**

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by \_\_\_\_\_(A.M.) (P.M.) on TO BE DETERMINED at which time bids will be opened and read, and be it **FURTHER RESOLVED**, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Purchasing Department

On roll call the vote was as follows

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

RESOLUTION NO. (828-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT THAT WILL EXTEND THE CURRENT LEASE WITH KEEP ROCKLAND BEAUTIFUL, INC. FOR USE OF A PORTION OF THE FORMER CLARKSTOWN POLICE STATION FOR AN ADDITIONAL ONE (1) YEAR PERIOD

RESOLUTION NO. (828-2006) continued

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement that will extend the current Lease Agreement with KEEP ROCKLAND BEAUTIFUL, INC., dated December 23, 2005, in a form approved by the Town Attorney, for rental of two (2) rooms on the first floor of the former Clarkstown Police Station located at 10 Maple Avenue, New City, New York 10956, consisting of 500 sq. ft. of space, for a one (1) year period, with a ninety (90) day termination clause, commencing December 1, 2006 to November 30, 2007, at an annual rental of \$9,000.00, payable in equal monthly installments of \$750.00, in advance of the first day of each month.

On roll call the vote was as follows

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

RESOLUTION NO. (829-2006)

Co. Nowicki offered and Co. Lasker seconded

**RESOLUTION INCREASING THE SCOPE OF WORK ASSOCIATED WITH IMPROVEMENTS TO A PORTION OF BUENA VISTA ROAD IN NEW CITY, NEW YORK**

*Whereas*, the Town Board of the Town of Clarkstown has via Resolution #558-2004 previously authorized the Director of the Department of Environmental Control to retain the services of Maser Consulting P.A. to perform engineering, surveying and design services for the purpose of alleviating adverse drainage conditions on that portion of Buena Vista Road running from Beatrice Lane to the existing culvert located just north of McLeod Terrace; and

*Whereas*, the consultant has determined that it is necessary to re-profile and reconstruct that portion of Buena Vista Road to facilitate the improvements required to alleviate said adverse drainage conditions; and

*Whereas*, the Department of Environmental Control has reviewed the consultant’s findings and concurs with the proposed increase in the scope of work for this project; and

*Whereas*, the Department of Environmental Control has solicited a proposal from Maser Consulting P.A. for the increase in services associated with the revised scope of work; and

*Whereas*, the Department of Environmental Control, following negotiations with the consultant, finds the proposal for the additional work to be acceptable;

*Now, Therefore, Be It Resolved* that the Town Board of the Town of Clarkstown authorizes an increase in the allotment for this project in the amount of **\$18,425.00** for a new total of **\$40,925.00** to cover the costs associated with the increase in the scope of 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 . . . . . Absent  
Co. Mandia . . . . . Absent  
Co. Nowicki . . . . . Yes  
Supervisor Gromack . . . . . Yes  
\*\*\*\*\*

RESOLUTION NO. (830-2006)

Co. Lasker offered and Co. Nowicki seconded

**RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, “A LOCAL LAW AMENDING LOCAL LAW NO. 2-1974 AS AMENDED CREATION OF THE AAR (ACTIVE ADULT RESIDENTIAL ZONING DISTRICT)”**

WHEREAS, Councilperson 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 290 (ZONING) OF THE TOWN OF THE TOWN OF CLARKSTOWN”

and

WHEREAS, the purpose of this local law is to provide housing to accommodate a range of independent living accommodations for active adults and create housing or provide financial resources to assist income eligible active adults to obtain or retain housing. The Town of Clarkstown recognizes that our senior citizen population is largely comprised of individuals within limited or fixed incomes who, given present market conditions, find it increasingly difficult to acquire and/or maintain a signal family home. The AAR zone is intended to require the provision of affordable housing as a portion of age-restricted housing development in the community and to implement the affordable housing goals, policies and objectives set forth in the Town Comprehensive Plan. The AAR zone is intended to address a range of housing needs by encouraging a range of housing types, locations and sizes. This zone is intended for areas of the Town where local services necessary to support active adults are immediately available. It is the intent that complexes within the zone be clustered so as to minimize the impact on the environment. A proposed active adult community must be compatible with the existing scale of development nearby and be consistent with the recommendations of the Housing Advisory Board report and the Town Development Plan as adopted by the Clarkstown Planning Board on August 16, 1966, and the Comprehensive Plan update as adopted by the Planning Board and Ad Hoc Committee on June 30, 1999, and adopted by the Town Board on September 28, 1999. This local law is enacted in accordance with the provisions of §261-b and §272-a of the Town Law of the State of New York;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on February 13, 2007, at 8:00 p.m. or as soon thereafter as possible, relative to such proposed local law, and be it

RESOLUTION NO. (830-2006) continued

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk, and be it FURTHER RESOLVED, that the proposed local law is hereby referred to the Rockland County Commissioner of Planning and the 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 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 the firm of Tim Miller Associates 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 . . . . . Yes  
Co. Maloney . . . . . Absent  
Co. Mandia. . . . . Absent  
Co. Nowicki. . . . . Yes  
Supervisor Gromack . . . . . Yes  
\*\*\*\*\*

RESOLUTION NO. (831-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION REOPENING A PUBLIC HEARING TO CONSIDER AMENDMENT TO THE TOWN OF CLARKSTOWN COMPREHENSIVE PLAN REGARDING HOSPICE RESIDENCES

WHEREAS, the Town Board held a public hearing on September 19, 2006, for the purpose of which was to consider whether to amend the Town of Clarkstown Comprehensive Plan to allow for hospice residences in certain zones, and

WHEREAS, the Town Board approved the proposed changes to the Comprehensive Plan by Resolution No. 582-2006, and

WHEREAS, subsequent to the public hearing and adoption of the Comprehensive Plan Amendment, it was discovered that the Short Form EAF required by NYCRR 617.6(a)(3) was not in the Town's official file, and

WHEREAS, the proposed amendment to the Comprehensive Plan was referred to the Clarkstown Planning Board for its review and recommendations, and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of General Municipal Law and other applicable provisions of law, and

WHEREAS, the Town's Planning Consultant, Robert Geneslaw, acting as agent for the Town Board pursuant to SEQRA, has prepared a Short Form EAF for consideration by the Town Board;

NOW, THEREFORE, be it

RESOLVED, that the public hearing, pursuant to §20 of the Municipal Home Rule Law, held September 19, 2006 and closed by the Town Board on same date shall be re-opened to allow the Town Board to consider the EAF prepared by its Planning Consultant, and be it

FURTHER RESOLVED, that this hearing shall be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on January 23, 2007, at 8:00 p.m. or as soon thereafter as possible, relative to such Amendment to the Comprehensive Plan, and be it

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

On roll call the vote was as follows

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

RESOLUTION NO. (832-2006)

Co. Lasker offered and Co. Nowicki seconded

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

BID #4-2007 – SECURITY GUARD SERVICES – SOLID WASTE FACILITY

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue, New City, New York by \_\_\_\_\_(A.M.) (P.M.) on TO BE DETERMINED at which time bids will be opened and read, and be it FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Purchasing Department

On roll call the vote was as follows

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

RESOLUTION NO. (833-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent that

BID #54-2006 – FURNITURE FOR TOWN HALL RENOVATIONS

is hereby awarded to: NEW CONCEPT OFFICE SUPPLY GROUP
301 GREENWOOD AVENUE
MIDLAND PARK, NJ 07432
PRINCIPALS: GLENN MILLER
LARRY ROTH
JONATHAN MERRITT

as per their low bid proposal of \$39,073.00.

On roll call the vote was as follows

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

RESOLUTION NO. (834-2006)

Co. Nowicki offered and Co. Lasker seconded

WHEREAS, Daniel C. Lettre has requested a leave of absence, without pay, and
WHEREAS, Article XIX, Section 1 of the Town of Clarkstown Labor Agreement, provides for a leave of
absence, without pay,
Now, therefore, be it

RESOLVED, that Daniel C. Lettre, 3 Amethyst Court, West Nyack, New York – Senior Groundswoker – is
hereby granted a six (6) month leave of absence, without pay, effective December 4, 2006 to June 4, 2007.

On roll call the vote was as follows

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

RESOLUTION NO. (835-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION AUTHORIZING STRATEGIC BUSINESS SERVICES, INC. TO PREPARE TRIAL
APPRAISALS ON JAY GROSSMAN, ET AL. AND GBR ONE CROSFIELD LIMITED LIABILITY
COMPANY, ET AL.(64.8-3-7.1, 7.2, 7.3)

WHEREAS, Jay Grossman, Richard A. Grossman, Ronald S. Friedman and GBR One Crosfield Limited
Liability Company, GBR Three Crosfield Limited Liability Company, GBR Two Crosfield Limited Liability
Company have commenced tax certiorari proceedings against the Town of Clarkstown affecting three parcels
designated as Map 64.8, Block 3, Lots 7.1, 7.2, 7.3 (formerly known as 7-B-13.1, 13.2, 13.3) and more commonly
known as 1 and 2 Crosfield Avenue and 2 Centerock Road, West Nyack, New York, for the years 2002/03,
2003/04, 2004/05, 2005/06 and 2006/07, and

WHEREAS, it is desirable to have a trial appraisal prepared for each parcel for the purpose of negotiating
and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Strategic Business Services, Inc. be retained for the purpose of preparing three trial
appraisals at a total fee not to exceed \$20,000; and such fee shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows

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

RESOLUTION NO. (836-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION AUTHORIZING STRATEGIC BUSINESS SERVICES, INC. TO PREPARE APPRAISALS ON
OLY REALTY ONE, LLC AND LS ONE BORROWER, LLC (57.67-1-1.1)

WHEREAS, Oly Realty One, LLC and LS One Borrower, LLC have commenced tax certiorari proceedings
against the Town of Clarkstown affecting parcel designated as Map 57.67, Block 1, Lot 1.1 and more commonly
known as 100 Spring Valley Market Place, Spring Valley, New York for the years 2004/05, 2005/06 and 2006/07,
and

RESOLUTION NO. (836-2006) continued

WHEREAS, it is desirable to have a preliminary appraisal and a trial appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Strategic Business Services, Inc. be retained for the purpose of preparing a preliminary appraisal and a trial appraisal at a total fee not to exceed \$17,000; and such fee shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows

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

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RESOLUTION NO. (837-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AGREEMENT WITH ROBERT GENESLAW CO.

WHEREAS, the Town of Clarkstown is currently considering adopting an amendment to its Wireless Communications Facilities Law (Chapter 251); and

WHEREAS, the Town of Clarkstown previously declared itself as lead agent with respect to SEQRA review of this action; and

WHEREAS, the Town Attorney solicited a proposal from its Planning Consultant, Robert Geneslaw, to act as its agent with respect to such SEQRA review; and

WHEREAS, the Town Planner and the Town Attorney have reviewed the proposal of Robert Geneslaw Co., and found said proposal to be reasonable in terms of scope and price;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, with Robert Geneslaw Co., to provide professional planning services in connection with the SEQRA review of the proposed amendment to Chapter 251 their December 5, 2006 proposal; and be it

FURTHER RESOLVED, that the fees for said services shall not exceed \$15,000.00 without further authorization from the Town Board, and shall constitute a proper charge to account no.B-8020-409-0 (Planning – Fees for Services).

On roll call the vote was as follows

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

\*\*\*\*\*

RESOLUTION NO. (838-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ACCEPT A GRANT FOR Uniforms FOR THE CLARKSTOWN POLICE HONOR GUARD

WHEREAS, the Chief of Police, Peter Noonan, has advised that the New York State Division of Criminal Justice Services has tendered a contract award (Project # JG06-1319-D00) to the Clarkstown Police Department for the amount of \$5,000.00 to be used for the purchase of Uniforms For The Honor Guard, and

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

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services (Project # JG06-1319-D00), in a form approved by the Town Attorney, to obtain funding in the amount of \$5,000.00, for the purpose of purchasing Uniforms For the Clarkstown Police Department Honor Guard.

On roll call the vote was as follows

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

\*\*\*\*\*

RESOLUTION NO. (839-2006)

Co. Lasker offered and Co. Nowicki seconded

RESOLUTION AUTHORIZING FIRE LANE DESIGNATIONS AT JAWONIO EARLY LEARNING CENTER

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 Clarkstown, at

RESOLUTION NO. (839-2006) continued

JAWONIO EARLY LEARNING CENTER

155 PHILLIPS HILL RD.  
NEW CITY, NY 10956  
(41-A-14.3) (34.17-1-52)

By the installation of fire lane designated, and

**WHEREAS**, KEN BERGER 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 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. Lasker . . . . . Yes  
Co. Maloney . . . . . Absent  
Co. Mandia . . . . . Absent  
Co. Nowicki . . . . . Yes  
Supervisor Gromack . . . . . Yes  
\*\*\*\*\*

RESOLUTION NO. (840-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW TO AMEND CHAPTER 290-32 (ZONING) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

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

"A LOCAL LAW TO AMEND CHAPTER 290-32 (ZONING) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"  
and

WHEREAS, the purpose of this local law is amend Chapter 290-32 (Zoning) of the Town Code of the Town of Clarkstown, to create the position of Vice Chairman, Zoning Board of Appeals;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on December 29, 2006, at 12:00 noon 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 the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk, and be it

FURTHER RESOLVED, RESOLVED, that the proposed local law is hereby referred to the Rockland County Commissioner of Planning for report pursuant to Section 239-l and 239-m of the General Municipal Law and other applicable provisions of law.

On roll call the vote was as follows

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

RESOLUTION NO. (841-2006)

Co. Nowicki offered and Co. Lasker seconded

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW TO AMEND CHAPTER 5 (ARCHITECTURE AND LANDSCAPE COMMISSION) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

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

"A LOCAL LAW TO AMEND CHAPTER 5 (ARCHITECTURE AND LANDSCAPE COMMISSION) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"  
and

WHEREAS, the purpose of this local law is amend Chapter 5 (Architecture and Landscape Commission) of the Town Code of the Town of Clarkstown, to create the position of Vice Chairman;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on December 29, 2006, at 12:00 noon 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 the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

On roll call the vote was as follows

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

The Supervisor opened the meeting for general public comments.  
Steven Levine- Congers

There is an illegal landfill in my neighborhood. I received a letter. Was this from the Supervisor or the whole Town Board? Supervisor Gromack responded that the letter was from the Supervisor.

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On motion of Co. Lasker, seconded by Co. Nowicki, and unanimously adopted, Town Board Meeting was closed 9:18PM

Respectfully submitted,

David Carlucci  
Town Clerk

Town Hall

12/5/2006

8:00 P.M.

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

Absent: Council Members Maloney, Mandia

Public Hearing #1 re: Proposed local law to amend Chapter 262 (Taxation) of the Town Code.

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On motion of Co. Nowicki, seconded by Co. Lasker, hearing opened 8:00 P.M. On motion of Co. Lasker, seconded by Co. Nowicki, RESOLUTION NO. (794-2006) unanimously adopted.

There being no one wishing to be heard, on motion of Co. Lasker, seconded by Co. Nowicki, and unanimously adopted, the public hearing was closed 8:01 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (794-2006)

Town Hall

12/5/2006

8:02 P.M.

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

Absent: Council Members Maloney, Mandia

Public Hearing #2 re: Request of Jewish Community Center Corp. for 6 month extension to obtain site plan approval from the Planning Board.

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On motion of Co. Lasker, seconded by Co. Nowicki, hearing opened 8:02 P.M. On motion of Co. Lasker, seconded by Co. Nowicki, RESOLUTION NO. (795-2006) unanimously adopted.

Amy Mele- Town Attorney  
Gave an overview of the proposal.

Don Tracy- Attorney representing the Jewish Community Center Corp.  
Submitted an Affidavit of Service and an Affidavit of Posting, (on file with Town Clerk). Urged the Town Board to approve the proposal.

There being no one wishing to be further heard, on motion of Co. Lasker, seconded by Co. Nowicki, and unanimously adopted, the public hearing was closed 8:04 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (795-2006)

Town Hall

12/5/2006

8:04 P.M.

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

Absent: Council Members Maloney, Mandia

Public Hearing #3 re: Request of Cambridge Press to amend Zoning Local dealing with uses in the LO Zoning District.

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On motion of Co. Nowicki, seconded by Co. Lasker, hearing opened 8:04 P.M. On motion of Co. Nowicki, seconded by Co. Lasker, RESOLUTION NO. (796-2006) continued to December 29, 2006.

Amy Mele- Town Attorney

Gave an overview of the proposal. The Town Board will not be in a position to vote on this tonight, as an adequate SECOR review is not complete.

Joe Simoes- Town Planner

Provided the findings of the Planning Board.

Don Tracy- Attorney representing Cambridge Press

Stated the amendment would make the zoning less restrictive and would bring the town \$557,000 a year in tax revenue.

Steven Silverberg- Attorney representing owner of property at 389 West Nyack Rd.

Submitted a letter to the Town Board, (on file with Town Clerk).

There being no one wishing to be further heard, on motion of Co. Nowicki, seconded by Co. Lasker, the public hearing was continued to December 29, 2006.

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (796-2006)

Town Hall

12/5/2006

8:30 P.M.

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

Absent: Council Members Maloney, Mandia

Public Hearing #4 re: Proposed local law to amend Chapter 290 (Zoning) of the Town Code to remove reference to Massage Establishments as being regulated under the Adult Entertainment Uses section; Massage Establishments will thereafter be regulated by virtue of the adoption of a separate and distinct local law.

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On motion of Co. Nowicki, seconded by Co. Lasker, hearing opened 8:30 P.M. On motion of Co. Nowicki, seconded by Co. Lasker, RESOLUTION NO. (797-2006) unanimously adopted.

Amy Mele- Town Attorney

Gave an overview of the proposal. Stated there are reputable Massage Establishments. This law is for housekeeping purposes. Suggested that those who wish to speak about the new licensing law, do so in the public hearing to follow next.

There being no one wishing to be further heard, on motion of Co. Nowicki, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:35 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (797-2006)

Town Hall

12/5/2006

8:35 P.M.

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

Absent: Council Members Maloney, Mandia

Public Hearing #5 re: Proposed local law to require business licenses for Massage Establishments

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On motion of Co. Lasker, seconded by Co. Nowicki, hearing opened 8:35 P.M On motion of Co. Lasker, seconded by Co. Nowicki, RESOLUTION NO. (798-2006) unanimously adopted.

Jeff Millman- Deputy Town Attorney

Provided a history of why the law was drafted. This is a quality of life issue. Every establishment that performs massages will have to be able to show licenses and permits. If they do not have credentials, then we can bring them before our local justice court. If the establishment is not legal, then they should not be in our town. There will be no fee for this license because we do not want to punish the massage therapists.

Amy Mele- Town Attorney

The necessary agencies have reviewed the law and saw it in compliance.

Joe Simoes- Town Planner

Stated the review by the Planning Board was fine.

The Supervisor opened the meeting for public comments.

Ed Day- County Legislator

Submitted a letter in favor of the law, (on file with Town Clerk).

Carol Rosh- New City, Licensed Massage Therapist

I have been fighting this with the state to have a license. I find it hard to believe that it is not required more. The proliferation of illegal businesses hurts professional therapists. Licensing is not enough; it must be enforced. We should hold the landlords responsible, as well.

Co. Nowicki-

Asked whether we have enough code enforcers for enforcement and if penalties are enough to close businesses.

Co. Lasker-

Asked whether we can do more to go after landlords responsible, more than just taking away their C.O.'s?

Jeff Millman- Deputy Town Attorney

To have landlords profiting from illegal massage businesses will hurt legitimate massage businesses.

Jessica Callishaw- West Nyack, Licensed Massage Therapist

Spoke in support of the law.

Amy Levitson- New City, Licensed Massage Therapist

Owners must be held accountable. The only thing to make it [prostitution] go away, is to make it less profitable for them. Asked if she will have to get a Clarkstown license, then a Nyack license? Deputy Town Attorney Jeff Millman answered that the law is comprehensive and massage therapists will get an identification card.

Co. Lasker-

Asked whether it will be a long process to get the offenders closed? The landlord should have more responsibility.

Jeff Millman- Deputy Town Attorney

There is no fee for the license. For offenders without the identification card, we will have them in court within two weeks and it will take from three to five months to get them closed. Massage Establishments will be periodically inspected.

George Remult- New City

The law is a great idea. Can there be fines for the landlord?

Steven Levine- Congers

New York City had this problem. They did what Deputy Town Attorney Jeff Millman is suggesting, to give zone enforcement and the police more tools. NYC closed them down, not on a criminal basis, but on zoning violations. NYC has a joint task force of zoning and police. The most effective deterrent is zoning ordinances. Word will hit the street that you can't do this in Clarkstown.

Peter Vitro- New City, President- Little Tor Civic Association

We support what you are doing. We need to make this as painless as possible for legitimate people.

Muriel Lyn Morgan- Blauvelt, Licensed Massage Therapist

You should have to have the I.D. when applying for a C.O.

Carol Rosh- New City, Licensed Massage Therapist

We should have a joint task force.

There being no one wishing to be further heard, on motion of Co. Lasker, seconded by Co. Nowicki, and unanimously adopted, the public hearing was closed 9:12 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk