



Town of Clarkstown

Town Board Meeting

~ Minutes ~

10 Maple Avenue
New City, NY 10956
www.clarkstownclerk.com

David Carlucci
(845) 639-2010

Tuesday, June, 13, 2006

8:00 PM

Town Hall Auditorium

I. Call to Order

8:00 PM Meeting called to order on June 13, 2006 at Town Hall Auditorium, 10 Maple Avenue, New City, NY.

Attendee Name	Organization	Title	Status	Arrived
Shirley Lasker	Town of Clarkstown	Councilwoman	Present	
John Maloney	Town of Clarkstown	Councilman	Present	
Ralph Mandia	Town of Clarkstown	Councilman	Present	
Catherine Nowicki	Town of Clarkstown	Councilwoman	Present	
Alexander Gromack	Town of Clarkstown	Supervisor	Present	
Amy Mele	Town of Clarkstown	Town Attorney	Present	
David Carlucci	Town of Clarkstown	Town Clerk	Present	

II. Special Presentation: Clarkstown Police PBA Scholarship Winners were honored.

Presentation was given by:
Police Officer Joseph Knarich, the President of the Clarkstown PBA, and Detective Eileen Malloy.

The following students were scholarship recipients:

Laura Armstrong Dana Roscoe
Danielle Romano Daniel Rausa
Seth Mosner Timothy Woolley
Michael Cerrato Jeannine Robinson
Mary Curran Nicole Caselli
Kaitlin Dietrich Brian Quinn
Elizabeth Mahoney

III. Youth Court Graduation

Presentation given by Detective Eileen Malloy, Captain Robert Mahon, and Pat Barad to honor the following students of the 36th Graduating Class of the Youth Court:

Michael Barnett Milan Lipstein
Matthew Beiber Lori Neuberger
Chad Bernstein Jennifer Papo
Michael Bonner Seth Rosenstein
Lindsay Cohen Michael Sanchez
Alex Condoluci Jason Segall
Giancarlo Cullaro Ian Solomon
Christopher Iseman Molly Spellman
Leena Jube Jonathan Wolper

IV. Public Hearings

1. RE: PROPOSED LOCAL LAW AMENDING LOCAL LAW No. 8-1979 (CHAPTER 47-PURCHASING, DEPARTMENT OF), ON MOTION OF Co. MANDIA, SECONDED BY Co. LASKER, OPENED 8:22. ON MOTION OF Co.

RESULT:	CLOSED [UNANIMOUS]
MOVER:	Catherine Nowicki, Councilwoman
SECONDER:	Shirley Lasker, Councilwoman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki

2. PETITION FOR EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT No. 1 TO INCLUDE PHILLIPS HILL FARM SUBDIVISION. ON MOTION OF Co. NOWICKI, SECONDED BY Co. LASKER, OPENED 8:23.

RESULT:	CLOSED [UNANIMOUS]
MOVER:	Catherine Nowicki, Councilwoman
SECONDER:	John Maloney, Councilman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki

V. Opening Public Comments

Supervisor opened the meeting to public comments regarding agenda items.

Steve Levine- Congers

Regarding agenda item #5, he inquired what costs were incurred thus far for the Congers Station

Restoration. He also wanted to know how much of the fee goes towards the architects.

Town Attorney Amy Mele replied that the amount was about \$180,000.00.

Regarding agenda item #8, the waiver of the 30-day notice for a liquor license for Café Tu Tu

Tango, he asked what are we waiving and if this were typical? Amy Mele explained that this is simply

waiving a notice that Clarkstown requires, because the establishment made a request to do so, having

missed the deadline. The actual permit; however, is granted by the state; Clarkstown merely waived the 30-day notice.

Supervisor Gromack said that it is typical, in that the Alcohol & Beverage Commission of New York State regulates the liquor licenses. They do the background checks and provide final approval.

Regarding agenda item #15, he asserted that commercial equipment should not be allowed to be

stored in residential areas and feels there should be a public hearing about this.

Amy Mele responded that local landscapers have requested a location to store commercial vehicles, but under the current law, they can't be stored in residential areas. This resolution is to establish a temporary exploratory committee to discuss the situation. Co. Lasker assured that we are trying to get the commercial trucks out of residential areas.

Martin Bernstein- New City

He inquired about agenda item #5 and the total cost of the Congers Train Station. Co. Mandia stated it was three million dollars to build and one million to buy. About agenda item #15, he asked if this is being enforced. Have you got them out?

Supervisor Gromack responded that we have not gotten them out and that enforcement alone is not the answer. Town Planner Joe Simoes stated any type of truck or equipment needs to be stored on a site with a building on it, even in M districts. Mr. Bernstein inquired about the potential of using the garbage dump as a site. The Supervisor informed him there is no land available at the dump. For agenda item #21a, he wanted to know why we are not looking to help people who really need it, because people 55 and older are not elderly.

Joe Schlimer- West Nyack

He had questions about agenda item #15.

VI. Resolutions

**RESOLUTION 2006-378**

Item # 6.1

ADOPTED

DOC ID: 1000

**Resolution of the Town Board Adopting Local Law No. 10 –
2006**

WHEREAS, a proposed local law entitled,
"A LOCAL LAW TO AMEND LOCAL LAW NO. 8-1979 (CHAPTER 47-PURCHASING,
DEPARTMENT OF) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"
was introduced by Councilperson Maloney, at a Town Board meeting held on May 9, 2006,
and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on May 9,
2006, directed that a public hearing be held on June 13, 2006, 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
June 1, 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 May 1, 2006, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on June
13, 2006;

Every agenda item can have comments that may be added in the Agenda Wizard or a History can be displayed which summarizes all past actions and meetings with comments. Every agenda item can have comments that may be added in the Agenda Wizard or a History can be displayed which summarizes all past actions and meetings with comments.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Catherine Nowicki, Councilwoman
SECONDER: Shirley Lasker, Councilwoman
AYES: Gromack, Maloney, Mandia, Lasker, Nowicki



RESOLUTION 2006-379

Item # 6.2

ADOPTED

DOC ID: 1001

THE CLARKSTOWN CONSOLIDATED ORDER WATER SUPPLY DISTRICT #1 to Include: EXTENDING DISTRICT PHILLIPS HILL FARM SUBDIVISION In the Town of Clarkstown Rockland County, New York

BEFORE THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, ROCKLAND COUNTY OF ROCKLAND

In the Matter of the Petition for Extension of THE CLARKSTOWN CONSOLIDATED ORDER WATER SUPPLY DISTRICT #1 to Include: EXTENDING DISTRICT PHILLIPS HILL FARM SUBDIVISION In the Town of Clarkstown Rockland County, New York

A Petition in this matter for the EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT #1 of the Town of Clarkstown excluding any portion already in an existing district, having been duly adopted by the Town Board on the 23rd day of May 2006, for the hearing of all persons interested in the matter on the 13th day of June, 2006, at 8:00 PM EST, at the Board Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York and a Public Hearing by the said Town Board having been duly held at such time and place, and it having been duly resolved and determined, following such hearing, that the Petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all property and property owners within the proposed extension were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, that there has been and will be no cost to the Town of Clarkstown pursuant to such extension, that no state owned lands are part of the extended district, or if state owned lands are part of the extension, they consist of less than ten percent of such extended district, and it having been then and there further duly resolved that the creation of such extension as proposed be approved, it is hereby ORDERED, that the CLARKSTOWN

CONSOLIDATED WATER SUPPLY DISTRICT #1 of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town of Clarkstown: (Description Attached)

Every agenda item can have comments that may be added in the Agenda Wizard or a History can be displayed which summarizes all past actions and meetings with comments. Every agenda item can have comments that may be added in the Agenda Wizard or a History can be displayed which summarizes all past actions and meetings with comments.

Attachments:

SampleAttachment

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Catherine Nowicki, Councilwoman
SECONDER:	John Maloney, Councilman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki



RESOLUTION 2006-380

Item # 6.3

ADOPTED

DOC ID: 1002

Town Board Minutes of May 23, 2006

RESOLVED, that the Town Board Minutes of May 23, 2006 are hereby accepted as submitted by the Town Clerk.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Maloney, Councilman
SECONDER:	Shirley Lasker, Councilwoman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki

**RESOLUTION 2006-381**

Item # 6.4

ADOPTED

DOC ID: 1003

**Resolution of the Town Board of the Town of Clarkstown
Endorsing The application of Camp Venture, Inc., for a Grant
Under the Hudson River Estuary management Act, for a
Project Known As "Camp Venture Hudson River Estuary
interpretive Center"**

WHEREAS, CAMP VENTURE, INC. is applying to the Hudson River Estuary Management Program of the New York State Department of Environmental Conservation for a grant under the Environmental Protection Fund or Hudson River Estuary Management Act (ECL 11-0306) for a project to be located at the Camp Venture Academy, Rockland Lake, New York, a site located within the territorial jurisdiction of this Town Board, and WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the approval/endorsement of the governing body of the municipality in which the project will be located;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby does approve and endorse the application of CAMP VENTURE, INC. for a grant under the Hudson River Estuary Management Act, for a project known as "CAMP VENTURE HUDSON RIVER ESTUARY INTERPRETIVE CENTER," which is located within the Town of Clarkstown.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Catherine Nowicki, Councilwoman
SECONDER:	Shirley Lasker, Councilwoman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki

**RESOLUTION 2006-382**

Item # 6.5

ADOPTED

DOC ID: 1004

Resolution Establishing Schedule for Administering Room Reservations

WHEREAS, The Clarkstown Town Hall parking spaces are limited in number and all available spaces are needed during business hours for employees and others doing business at Town Hall, and

WHEREAS, it is in the best interests of Clarkstown residents to have priority over non-residents with regard to the use of Town Hall;

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk is hereby authorized to use the following schedule for administering meeting room reservations: During the hours between 9:00 a.m. and 5:00 p.m., only in-house meetings may be held in Town Hall. The Supervisor may, in his discretion, waive this prohibition upon request. On the evenings of Monday through Thursday, during the hours between 5:30 p.m. and 11:00 p.m., the following rules apply:

1. Civic or non-profit organizations with a total membership roll comprised of at least 60% Clarkstown residents may use the Auditorium and any other available meeting room as designated by the Town Clerk, at no charge.
2. Civic or non-profit organizations with a total membership roll comprised of less than 60% Clarkstown residents may use the Auditorium for a fee of \$100.00 and any other meeting room designated by the Town Clerk, for a fee of \$50.00, payable at least 24 hours in advance.
3. Departments, committees, or agencies of the County of Rockland, the State of New York, or the Federal Government may use the Auditorium and any other meeting room designated by the Town Clerk, free of charge.
4. On Friday evenings and on weekends, custodial charges will be charged in addition to the above- mentioned rates.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Maloney, Councilman
SECONDER:	Shirley Lasker, Councilwoman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki



RESOLUTION 2006-383

Item # 6.6

ADOPTED

DOC ID: 1005

Resolution Authorizing the Supervisor to Enter Into a Renewal Agreement concerning Town of Clarkstown "Adopt-A-Road" Program

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 the following segments of various town roads for an additional period of two (2) years, beginning May 14, 2006 to May 14, 2008, as follows:

Sponsor: Hiep Sanitation
 P. O. Box 90
 West Nyack, NY 10994
 Road: .13 mile segment of Snake Hill Road from
 22 Snake Hill Road to intersection of
 Crusher Road, West Nyack, NY 10994

and,

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of two (2) years beginning May 14, 2006 to May 14, 2008, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segments, and to provide and coordinate services by Hiep Sanitation, to remove trash from the roadways.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shirley Lasker, Councilwoman
SECONDER:	John Maloney, Councilman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki



RESOLUTION 2006-384

Item # 6.7

ADOPTED

DOC ID: 1006

Resolution Authorizing the Supervisor to Enter Into an Agreement Concerning The town of Clarkstown "Adopt-A-Spot" Program

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 adopt specified Town locations for a period of two (2) years, beginning June 13, 2006 to June 12, 2008, as follows:

Sponsor: Carter's Insurance Agency, LLC
 22 S. Madison Avenue
 P. O. Box 88
 Spring Valley, NY 10977
 Location: Forest Glen Court and N. Pascack Road
 Nanuet, NY 10954

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying these locations, and by removing trash from these locations, which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement with the entity referred to herein, for a period of two (2) years beginning June 13, 2006 to June 12, 2008, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above location, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the location.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shirley Lasker, Councilwoman
SECONDER:	John Maloney, Councilman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki

**RESOLUTION 2006-386**

Item # 6.8

ADOPTED

DOC ID: 1008

Resolution Adjusting and Approving Additional Payment to Alberto & Associates for the Congers Railroad Station Restoration and Congers Hamlet Green Project

WHEREAS, by Resolution Nos. 909-2002 and 141-2004, Alberto & Associates, Inc. were retained to provide architectural services for the design of the Congers Railroad Station Restoration and Hamlet Green Project, in Congers, New York; and

WHEREAS, Alberto & Associates, Inc. has provided additional services outside the scope of their agreement with the Town, and submitted a bill for \$900.12 for their services and reimbursable expenses;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the sum of \$900.12, as set forth on invoice dated March 31, 2006, be paid to Alberto & Associates, which sum shall be charged to Account No. H 8751-409-0-75-16.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Catherine Nowicki, Councilwoman
SECONDER:	Shirley Lasker, Councilwoman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki

**RESOLUTION 2006-387****ADOPTED**

Item # 6.9

DOC ID: 1009

Bid #14-2006 - 2006 Roadway Resurfacing Program

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

BID #14-2006 - 2006 ROADWAY RESURFACING PROGRAM
is hereby awarded to: TILCON NEW YORK INC.
162 OLD MILL ROAD
WEST NYACK, NY 10994

PRINCIPALS: A PUBLIC CORPORATION
as per their proposed total project cost of \$1,368,611.00 and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Purchasing Department of the following:

- a) Signed Contract Documents - four sets
- b) Performance Bond - 100% of 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 Agreement
- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker's Compensation insurance coverage
- g) Certificate of Worker's Disability Insurance coverage

and be it

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Maloney, Councilman
SECONDER:	Shirley Lasker, Councilwoman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki

**RESOLUTION 2006-388**

ADOPTED

Item # 6.10

DOC ID: 1010

Bid #15-2006 - 2006 Concrete Curb and Sidewalk Replacement Program

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

BID #15-2006 - 2006 CONCRETE CURB AND SIDEWALK REPLACEMENT PROGRAM

is hereby awarded to: BELLVISTA CONSTRUCTION CORP.

P.O. BOX 753

ARDSLEY, NY 10502

PRINCIPALS: YOLANDA DE SANTIS

JOSEPH DE SANTIS

as per their proposed total project cost of \$382,610.00 and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Purchasing Department of the following:

- a) Signed Contract Documents - four sets
- b) Performance Bond - 100% of 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 Agreement
- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker's Compensation insurance coverage
- 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.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Maloney, Councilman
SECONDER:	Shirley Lasker, Councilwoman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki



RESOLUTION 2006-393

Item # 6.11

ADOPTED

DOC ID: 1015

Resolution Waiving the Notice Requirement In Section 64 of the New York State Abc law with Respect to a Liquor License for “Cafe Tu Tu Tango”

WHEREAS, Gerard Daly, General Manager of “Cafe Tu Tu Tango,” 4532 Palisades Center Drive, Space G-40I, West Nyack, New York, has advised that he intends to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality, and

WHEREAS, the notice required by Section 64-2(a) ABC Law may be waived by the Town Board, and

WHEREAS, the Clarkstown Town Board does not intend to comment upon the application referred to herein;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby waives the thirty day notice requirement contained in Section 64 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding the application of Gerard Daly, General Manager of “Cafe Tu Tu Tango,” for a liquor license at the premises referred to herein.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Catherine Nowicki, Councilwoman
SECONDER:	Shirley Lasker, Councilwoman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki

VII. Amendments



RESOLUTION 2006-385

Item # 7.1

ADOPTED

DOC ID: 1007

Amending Resolution No. 373-2006 Authorizing the Supervisor to Enter Into An agreement Concerning the Town of Clarkstown "Adopt-A-Spot" Program

AMENDING RESOLUTION NO. 373-2006 AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT CONCERNING THE TOWN OF CLARKSTOWN "ADOPT-A-SPOT" PROGRAM

WHEREAS, Resolution No. 373-2006 adopted May 23, 2006, naming Aldan Press as a Sponsor, is hereby amended as follows, and

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 groups wishes to adopt specified Town locations for a period of two (2) years, beginning May 10, 2006 to May 9, 2008, as follows:

Sponsor: Clarkstown Sunrise Rotary
 P. O. 9292
 Bardonia, NY 10954
 Location: West Nyack Road and corner of West Nyack Way
 West Nyack, NY 10994

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying these locations, and by removing trash from these locations, which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement with the entity referred to herein, for a period of two (2) years beginning May 10, 2006 to May 9, 2008, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above location, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the location.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shirley Lasker, Councilwoman
SECONDER:	John Maloney, Councilman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki

**RESOLUTION 2006-389**

Item # 7.2

ADOPTED

DOC ID: 1011

**Amendment to Resolution No. 210-2006 Resolution
Authorizing the Cost Of reconstruction of Zukor Road, New
City to be Treated As a Capital Project**

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Zukor Road, New City of Town Board Resolution No. 210-2006 be increased from \$184,721.25 to \$241,297.25, to reflect the increase in the bid price of asphalt

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the increased cost of \$56,576.00 for asphalt is hereby determined to be a proper charge to Capital Account No. H-8757-409-81-8, and it is the intent of the Board that this is to be funded by serial bonds.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Maloney, Councilman
SECONDER:	Ralph Mandia, Councilman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki

**RESOLUTION 2006-390**

Item # 7.3

ADOPTED

DOC ID: 1012

**Amendment to Resolution No. 211-2006 Resolution
Authorizing the Cost of Reconstruction Of burnside Avenue,
Congers to be Treated As a Capital Project**

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Burnside Avenue, Congers of Town Board Resolution No. 211-2006 be increased from \$95,852.50 to \$106,868.50, to reflect the increase in the bid price of asphalt

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the increased cost of \$11,016.00 for asphalt is hereby determined to be a proper charge to Capital Account No. H-8757-409-81-8, and it is the intent of the Board that this is to be funded by serial bonds.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Maloney, Councilman
SECONDER:	Ralph Mandia, Councilman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki

**RESOLUTION 2006-391**

Item # 7.4

ADOPTED

DOC ID: 1013

**Amendment to Resolution No. 212-2006 Resolution
Authorizing the Cost of Reconstruction Of cottage Lane,
Valley Cottage to be Treated As a Capital Project**

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Cottage Lane, Valley Cottage of Town Board Resolution No. 212-2006 be increased from \$39,812.50 to \$52,052.50, to reflect the increase in the bid price of asphalt

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the increased cost of \$12,240.00 for asphalt is hereby determined to be a proper charge to Capital Account No. H-8757-409-81-8, and it is the intent of the Board that this is to be funded by serial bonds.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Maloney, Councilman
SECONDER:	Ralph Mandia, Councilman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki

**RESOLUTION 2006-392**

Item # 7.5

ADOPTED

DOC ID: 1014

**Amendment to Resolution No. 213-2006 Resolution
Authorizing the Cost of Reconstruction of Boxberger Lane,
Valley Cottage to be Treated As a Capital Project**

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage project on Boxberger Lane, Valley Cottage of Town Board Resolution No. 213-2006 be increased from \$38,487.50 to \$50,727.50, to reflect the increase in the bid price of asphalt

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the increased cost of \$12,240.00 for asphalt is hereby determined to be a proper charge to Capital Account No. H-8757-409-81-8, and it is the intent of the Board that this is to be funded by serial bonds.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Maloney, Councilman
SECONDER:	Ralph Mandia, Councilman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki

**RESOLUTION 2006-394**

Item # 7.6

ADOPTED

DOC ID: 1016

Amending Resolution No. 163-2006

WHEREAS, Resolution No. 163-2006 adopted on March 21, 2006 authorized the installation of "No Parking" signs on Strawtown Road between Wendover Lane and Oxford Court, New City, and

WHEREAS, this parking restriction is only needed during school hours,

Now Therefore Be It

RESOLVED, that Resolution No. 163-2006 is hereby amended to read:

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 From 8:00 a.m. to 4:00 p.m. Monday - Friday" signs with directional arrows on Strawtown Road between Wendover Lane and Oxford Court, New City, New York (see §221.5 P1-4 signs as per the NYS DOT Manual of Uniform Devices), and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward copies of this resolution to Wayne T. Ballard, PE, CSP, Superintendent of Highways and to Clarkstown Police Chief Peter Noonan for enforcement purposes.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Maloney, Councilman
SECONDER:	Shirley Lasker, Councilwoman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki



RESOLUTION 2006-395

Item # 7.7

ADOPTED

DOC ID: 1017

Resolution Amending Resolution No. 93, Authorizing Amendment to Solid Waste Disposal Services Agreement and Site Lease Agreement Between the Town of Clarkstown and Clarkstown Recycling Center, Inc.

WHEREAS, Resolution No. 93 adopted by the Town Board on January 24, 2006, is hereby amended as follows:

"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 month of May, \$68.00 per ton for the months of June, 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."

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alexander Gromack, John Maloney
SECONDER:	Shirley Lasker, Councilwoman
AYES:	Gromack, Maloney, Mandia, Lasker, Nowicki

VIII. Closing Public Comments

The Supervisor opened the meeting for general public comments.

Martin Bernstein- New City

Spoke in opposition to real estate signs being removed, in regards to Operation Clean Sweep.

Every place in the country uses the signs to sell properties. This started with political signs.

He gave the

Board a warning, recalling that realtors were responsible for former Governor Cuomo's loss.

Supervisor Gromack reiterated that this had nothing to do with political signs. All signs are treated equally that are left in the public right of way. This started because the community wanted us to clean up the town.

Mr. Schmidt- Valley Cottage

Hurricane season is upon us, so where are we with Kill Von Beaste? I have sandbags on the back

of my property, but the water is on my side. Are they going to leave it?

The Supervisor advised that in about 10 days, we should have a recommendation from the DEC. He also inquired about digging going on on Birchwood Court. Superintendent of Highways said he would look into it.

George Hoehmann- Nanuet He thanked the Board for the grant for the estuary program and for the adopt-a-spot.

Steven Levine- Congers I want to create a 35 foot hill on my back yard. Do I need any permits for fill operations?

Amy Mele- There is an application for fill permits.

Steven Levine-What kind of enforcement action could be taken without a permit?

Amy Mele - \$250 a day, \$750 for a second offense.

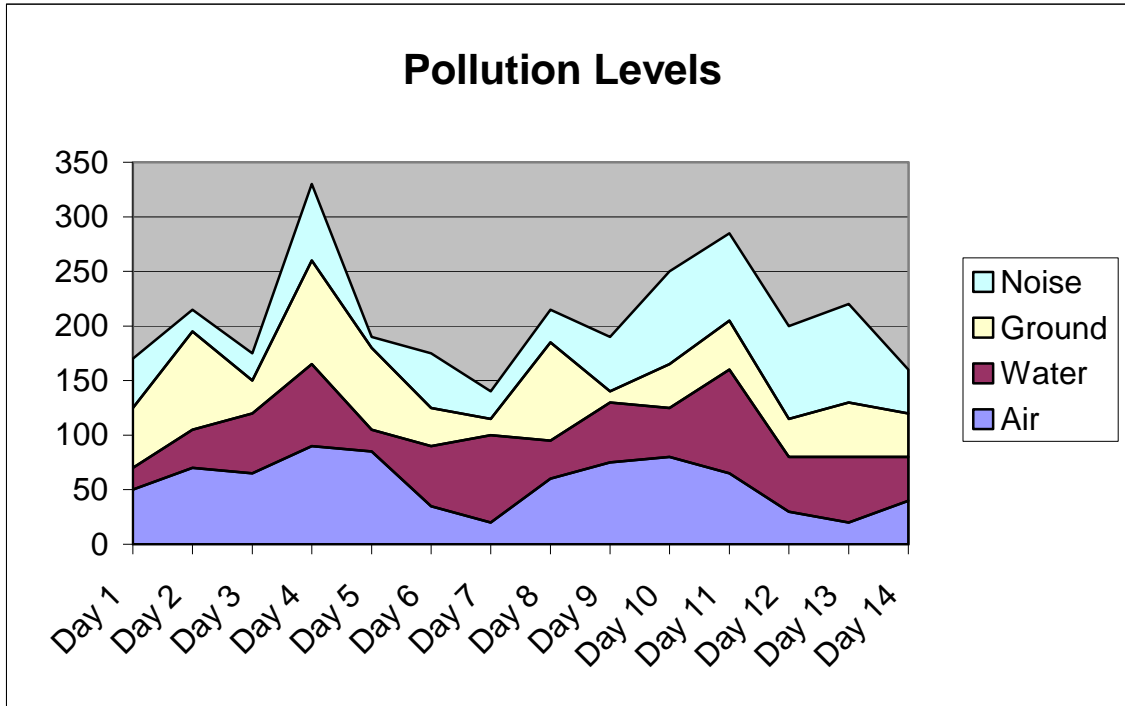
Steven Levine-There should be an independent testing lab test for the materials dumped.

There being no one wishing to be heard further, the meeting for general public comments was closed, on

motion of Co. Lasker, seconded by Co. Maloney, 9:07PM.

The Supervisor asked those present to partake in a moment of silence in the memory of Zippy Fleisher.

Pollution Analysis - May 2006



	Pollution Levels			
	Air	Water	Ground	Noise
Day 1	50	20	55	45
Day 2	70	35	90	20
Day 3	65	55	30	25
Day 4	90	75	95	70
Day 5	85	20	75	10
Day 6	35	55	35	50
Day 7	20	80	15	25
Day 8	60	35	90	30
Day 9	75	55	10	50
Day 10	80	45	40	85
Day 11	65	95	45	80
Day 12	30	50	35	85
Day 13	20	60	50	90
Day 14	40	40	40	40