TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall 07/07/2015 8:00 pm

Present: Supervisor Alexander J. Gromack
Council Members Shirley Lasker, Frank Borelli,
& Stephanie Hausner
Dan Kraushaar, Deputy Town Attorney
Justin Sweet, Town Clerk
Absent: Council Member George Hoehmann

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Supervisor declared the Town Board meeting opened. Assemblage saluted the flag. The Town Clerk called the roll.

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On motion of Co. Lasker seconded by Co. Hausner the Public Hearing re: Approving the Final Map of the West Nyack Fire District was opened, time: 8:01 pm, closed, 8:03 pm.

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The Supervisor opened the meeting for comments on the agenda.

Steven Levine, Congers
He thanked the Board for Item # 7, lien on property located on Massachusetts Avenue.

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RESOLUTION NO. (224-2015)
Co. Lasker offered and Co. Hausner seconded

WHEREAS, Town Law § 176(5) requires fire districts to prepare a map showing the exact boundaries of the fire district, and

WHEREAS, the West Nyack Fire District has complied with the provisions of Town Law § 176(5), and

WHEREAS, the West Nyack Fire District has provided the Town Board of the Town of Clarkstown, New York with the proposed map and legal description as well as proof of service upon adjacent fire districts of the proposed map and description, and

WHEREAS, the Town Board has been advised and believes that no objections to the proposed map and description have been filed, and

WHEREAS, notice of public hearing was duly published and posted as required by law, and said public hearing was duly held at the time and place specified in said notice at which hearing no objections to the boundaries were heard;

NOW, THEREFORE, be it

RESOLVED, as follows:

1. That the proposed map and legal description of the West Nyack Fire District is hereby approved.
2. The Town Clerk, pursuant to Town Law § 176(5) is directed to notify the adjacent fire districts of the filing and approval of said map.
3. That the Town Clerk is further directed to file a certified copy of the map in the Office of the Rockland County Clerk as well as to publish a notice of the filing of said map in the official newspaper of the Town of Clarkstown.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (225-2015)
Co. Lasker offered and Co. Hausner seconded

RESOLVED, that the Town Board Minutes of June 9, 2015 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (226-2015)

RESOLVED, that the Town Board of the Town of Clarkstown, in accordance with the provisions of Section l903 of the Real Property Tax Law, hereby establishes the base percentages, current percentages and current base proportions for the levy of taxes on the 2015 Assessment Roll for the Town of Clarkstown, and be it

FURTHER RESOLVED, that said figures for percentages and proportions are attached.

(On file in Town Clerk's Office)

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (227-2015)
Co. Lasker offered and Co. Hausner seconded

RESOLVED, that the Town Board of the Town of Clarkstown, in accordance with the provisions of Section l903 of the Real Property Tax Law, hereby establishes the adjusted base proportions for the levy of taxes on the 2015 Assessment Roll for the Town of Clarkstown, and be it

FURTHER RESOLVED, that said figures for such proportions are attached.

(On File in Town Clerk's office)

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (228-2015)
Co. Hausner offered and Co. Lasker seconded

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

BID#20-2015 – GERMONDS POOL COMPLEX RENOVATIONS – PHASE II

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at _____ A.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 Purchasing Department.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes
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RESOLUTION NO. (229-2015)
Co. Lasker offered and Co. Hausner seconded

WHEREAS, a question arose as to whether or not Jeremy Lane, West Nyack is a private road or a Town road, and

WHEREAS, upon investigation by the Town Attorney, the Town Planner and the Director of the Department of Environmental Control, it was determined that there was never any dedication of Jeremy Lane to the Town of Clarkstown, and

WHEREAS, Jeremy Lane was included on the Official Map as a public road in error and should have been identified as a private road on the Official Map;

NOW, THEREFORE be it

RESOLVED, that the Town Board hereby authorizes and directs that the error on the Official Map be corrected to remove Jeremy Lane, West Nyack from the Official Map, and be it

FURTHER RESOLVED, that the GIS Coordinator is hereby authorized and directed to make the necessary correction to the Official Map.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes
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RESOLUTION NO. (230-2015)
Co. Hausner offered and Co. Borelli seconded

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as Landau Estates (52.15-1-16), the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Ridge Road, Valley Cottage, New York, and a Declaration of Covenants for road maintenance, and

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

RESOLUTION NO. (230-2015) continued

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the First Deputy Director of the Department of Environmental Control of the Town of Clarkstown, deed dated February 27, 2015 from Jason Ruffo to the Town of Clarkstown, gratuitously conveying a strip of land along Ridge Road, Valley Cottage, New York, and Declaration of Covenants dated February 27, 2015 from Jason Ruffo for road maintenance in connection with the Landau Estates Subdivision are hereby accepted and ordered recorded in the Rockland County Clerk's Office at the expense of the grantor.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes
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RESOLUTION NO. (231-2015)
Co. Hausner offered and Co. Lasker seconded

WHEREAS, by resolution dated September 25, 2001, the Town Board issued a decision, findings of fact and order (hereinafter referred to as "Decision") pursuant to Chapter 216 of the Town Code of the Town of Clarkstown with reference to the premises known as Tax Map 52.8-3-53.1 and Tax Map 52.8-3-53.2 (commonly known as 139 Massachusetts Avenue and 141 Massachusetts Avenue, Congers, New York) which were owned by BARRY GOLDBERG and LINDA GOLDBERG, and

WHEREAS, said Decision ordered the removal of fill material placed on said property for the reason that same constituted a nuisance, hazard and litter as defined in Chapter 216 and that all costs from the Chapter 216 proceeding, the costs of preparing any further necessary reports or investigation, and the removal shall be charged and assessed against the record owners of the property, and

WHEREAS, the Town commenced a declaratory action against BARRY GOLDBERG and LINDA GOLDBERG in the Rockland County Supreme Court under Index No. 2002-004430 seeking permission to enter the premises lawfully for the purpose of abating the nuisance, hazard and litter and granting the costs associated with the Town Code Chapter 216 proceeding and the costs associated with the abatement of the property as a lien against the Goldberg properties, and

WHEREAS, by a decision and order dated November 9, 2013, Thomas E. Walsh, II, A.J.S.C granted the Town's motion for summary judgment permitting the Town to enter the premises and ordered the costs of the remediation of the property to be a lien on the subject premises, and

WHEREAS, the Town has repeatedly requested that the Goldbergs abate the subject properties and the Goldbergs have failed to comply, and

WHEREAS, Lawler, Matusky & Skelly Engineers, LLP provided engineering consulting and testing services and prepared a remediation plan with respect to the subject property for a total cost of approximately $24,197.28, and

WHEREAS, Henningson, Durham & Richardson Architecture Engineering PC (hereinafter "HDR), as the successor to Lawler, Matusky & Skelly Engineers, LLP, also provided engineering consulting services such as the preparation of bid specifications, overseeing the removal of the fill material and preparing a final engineering report, which the Town has paid HDR $25,089.46 to date for this project, and

WHEREAS, by resolution dated May 6, 2014, the Town Board publicly solicited bids for the removal of the said fill material pursuant to Bid # 19-2014 entitled "Massachusetts Avenue Debris Removal," and

WHEREAS, by resolution dated August 5, 2014, the Town Board awarded bid # 19-2014 to the lowest responsible bidder Cal Mart Enterprises, Inc. ("Cal Mart") for the sum of $368,368.00 plus 10% contingency, and the Town has paid Cal Mart $282,092.32 to date for this project, and

RESOLUTION NO. (231-2015) continued

WHEREAS, Barry Goldberg had requested information relating to Bid #19-2014 on September 25, 2014 and the Town responded to the request on October 1, 2014, and

WHEREAS, the costs to date of the fill/debris removal is $331,379.06, which consists of the following:

Lawler, Matusky & Skelly Engineers, LLP	$24,197.28
Henningson, Durham & Richardson Architecture Engineering PC	25,089.46
Cal Mart Enterprises	282,092.32
Total	$331,379.06,

and

WHEREAS, the debris removal is almost complete in which a total of 6,690 ton of debris and unsuitable material was removed from the two premises, and

WHEREAS, since Barry Goldberg is no longer the owner of 139 Massachusetts Avenue (Tax Map 52.08-3-53.1), it is necessary to allocate the cost of the remediation between the properties, and

WHEREAS, Dennis M. Letson, P.E., First Deputy Director of Environmental Control by a memo dated June 15, 2015 has recommended that the most equitable allocation of costs to the two properties is by relative width of the individual lots to the total width of the two lots combined as follows: Lot 52.08-3-53.1 is approximately 72.5 feet in width and Lot 52.08-3-53.2 is approximately 98.9 feet in width as shown on the Rockland County GIS data, for a total width of 171.4 feet; therefore, Lot 52.08-3-53.1 represents 42.3%, and Lot 52.08-3-53.2 represents 57.7% of the total width;

NOW, THEREFORE, be it

RESOLVED, that based on the recommendation of the First Deputy Director of Environmental Control, the Town Board has determined that the most equitable allocation of the costs of the clean-up is by relative width of the Town properties and, therefore, the relative cost of the work to date associated with Lot 52.08-3-53.2 is $191,205.72 (57.7% of the $331,379.06) and that this amount shall be charged as a lien and assessed against Lot 52.08-3-53.2 (141 Massachusetts Avenue), and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the Town Attorney to take all necessary actions to perfect this lien and charge the aforementioned property on which it is levied, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to June 16, 2015.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (232-2015)
Co. Lasker offered and Co. Hausner seconded

WHEREAS, based upon the recommendation of the Department of Environmental Control and as a condition to the approval of the final map by the Planning Board with regard to the CRH Realty IX, LLC site plan (tax map 64.08-3-7.3), CRH Realty IX, LLC has provided a stormwater control facility maintenance agreement to the Town, and

WHEREAS, the First Deputy Director of the Department of Environmental Control has recommended acceptance of said conveyance; and the Town Attorney has advised that the document is in proper legal form;

NOW, THEREFORE, be it

RESOLUTION NO. (232-2015) continued

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to execute the stormwater control facility maintenance agreement, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the stormwater control facility maintenance agreement from CRH Realty IX, LLC in connection with the CRH Realty IX, LLC site plan and orders it recorded in the Rockland County Clerk's Office, subject to the receipt of recording fees.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (233-2015)
Co. Hausner offered and Co. Lasker seconded

WHEREAS, a resident of Kings Highway, Congers, NY 10920 in the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community; and

WHEREAS, a physical survey of the surrounding property directly affected by this proposed lighting was conducted by the Department of Environmental Control; and

WHEREAS, the Department of Environmental Control has requested and has received a proposal from Orange and Rockland Utilities indicating the cost involved to provide electric facilities on pole #60614/41466;

NOW, THEREFORE BE IT RESOLVED, that the Town of Clarkstown hereby accepts the proposal from Orange and Rockland Utilities, Inc. for street lighting at the following location:

1. Install one 5,800 lumen 70 watt sodium vapor streetlight on Pole #60614/41466 located at the south-west corner of # 193 Kings Highway, Congers.

A*ND BE IT FURTHER RESOLVED*, that the installation of this municipal street light shall be at no cost to the Town of Clarkstown, and that an annual charge for basic fuel delivery, which charge shall include maintenance of this street lighting equipment, will be at $14.56 per month ($174.72 per year) for each sodium vapor fixture, plus market supply and fuel adjustment charge, which shall be charged to Acct. #SL 5182 461.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes
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RESOLUTION NO. (234-2015)
Co. Lasker offered and Co Borelli seconded

WHEREAS, Raymond Hutter has requested a refund of Building Permit Fee No. 14-1035 paid in the amount of $636.00 for property located at 7 Lansdale Road, New City, New York, more particularly described as Tax Map No. 43.6-1-2, because the job was postponed indefinitely, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of $130.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund in the amount of $506.00, which is the $636.00 Building Permit fee that was paid, minus the processing fee, to Raymond and Simone Hutter, 7 Lansdale Road, New City, New York, to be charged to Account No. B-02-6-2555-0.

RESOLUTION NO. (234-2015) continued

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (235-2015)
Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Michael Melton, 6 Truman Drive, Stony Point, New York – is hereby appointed (permanent) to the position of Groundskeeper II – Building Maintenance – at the current 2015 annual salary of $64,680 - effective June 12, 2015.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (236-2015)
Co. Hausner offered and Co. Lasker seconded

RESOLVED, that the reappointment of Rabbi Jill Hackell, 33 Brookline Way, New City, New York – Member – Board of Ethics – at the annual salary of $2,270. - is hereby accepted effective June 27, 2015 thru June 26, 2020.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (237-2015)
Co. Hausner offered and Co. Lasker seconded

RESOLVED, that the reappointment of Rev. Bruce Woodcock, 108 Castle Heights Avenue, Upper Nyack - New York – Member – Board of Ethics – at the annual salary of $2,270. - is hereby accepted effective and retroactive to March 8, 2015 thru March 7, 2020.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes
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RESOLUTION NO. (238-2015)
Co. Lasker offered and Co. Hausner seconded

Whereas, the Town Board of the Town of Clarkstown has previously, by resolution #271-2013, awarded a contract to McLaren Engineering Group of West Nyack, New York to provide construction administration services and resident engineering services for the Central Nyack Drainage Improvement Project – Phase II; and
Whereas, design modifications and unanticipated utility conflicts have increased the scope of work for said resident engineering services beyond that covered by the original contract; and
Whereas, the Department of Environmental Control has received a proposal from McLaren Engineering Group for the increase in services associated with the increase in the scope of work; and
Whereas, the Department of Environmental Control has reviewed said proposal and finds it to be acceptable in terms of scope and price;
Now, Therefore, Be It Resolved that the allowance for resident engineering services for the Central Nyack Drainage Improvement Project – Phase II be increased by an amount not to exceed ***$30,000.00*** to a new total of ***$455,050.00*** without further Town Board resolution; and
Be It Further Resolved that said increase in fees shall be reimbursed within the allocated contingency for this project; and
Be It Further Resolved that this increase shall constitute a proper charge to account number ***H-8755-400-409-0-79-7***.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (239-2015)
Co. Hausner offered and Co. Lasker seconded

WHEREAS, EUGENE L. PRINCIPE and DONNA E. PRINCIPE, owners of premises located at 44 Waters Edge, Congers, New York and more particularly described as Tax Map 44.14-1-51, have installed landscaping, shed, fence and block retaining wall within Town sanitary sewer and drainage easements, and

WHEREAS, Dennis M. Letson, PE, First Deputy Director of the Department of Environmental Control, has investigated this matter and has advised that the encroachments described herein may remain provided the Town retains the right to order the encroachments removed, and the Town Attorney has advised that a revocable license agreement may be used to effectuate such arrangement;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a revocable license agreement with the property owners, in a recordable form approved by the Town Attorney, granting a license terminable on ten (l0) days written notice, to authorize the landscaping, shed, fence and block retaining wall to remain in the Town's sanitary sewer and drainage easements, located at 44 Waters Edge, Congers, New York and more particularly described as Tax Map 44.14-1-51, and be it

FURTHER RESOLVED, that such agreement shall also provide that the property owners or successors shall indemnify and save harmless the Town of Clarkstown from any and all claims, or causes of action, or any liability against the Town of Clarkstown, arising out of the encroachment or license to maintain same.

RESOLUTION NO. (239-2015) continued

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (240-2015)
Co. Lasker offered and Co Borelli seconded

REFUNDING BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JULY 7, 2015, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID TOWN, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED $8,400,000 FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF REFUNDING BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED $8,400,000 TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS RELATIVE THERETO

Recitals

WHEREAS, the Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), has heretofore issued on July 26, 2007 its $16,569,000 Public Improvement Serial Bonds-2007 (the "2007 Bonds"), which are currently outstanding in the principal amount of $7,300,000 (the "Outstanding Bonds"), which mature on June 15 in each of the years and in the principal amounts and bear interest payable semiannually on June 15 and December 15 in each year to maturity, as follows:

Year of Maturity	Principal Amount	Interest Rate
2016	$900,000	4.25%
2017	900,000	4.25
2018	800,000	4.25
2019	800,000	4.25
2020	800,000	4.25
2021	800,000	4.25
2022	800,000	4.25
2023	300,000	4.25
2024	300,000	4-3/8
2025	300,000	4-3/8
2026	300,000	4-3/8
2027	300,000	4-3/8

WHEREAS, the 2007 Bonds maturing on or after June 15, 2018 are subject to redemption prior to maturity, at the option of the Town, on June 15, 2017 and thereafter, in whole or in part, and if in part, in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at par, plus accrued interest to the date of redemption; and

WHEREAS, Sections 90.00 and 90.10 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), authorize the Town to refund all or a portion of the outstanding unredeemed maturities of the

RESOLUTION NO. (240-2015) continued

Outstanding Bonds by the issuance of new bonds, the issuance of which will result in present value debt service savings for the Town, and the Town Board has determined that it may be advantageous to refund all or a portion of the Outstanding Bonds; and

WHEREAS, in order effectuate the refunding, it is now necessary to adopt this Refunding Bond Resolution;

NOW, THEREFORE, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, NEW YORK (by the favorable vote of at least two-thirds of all the members of said Town Board), AS FOLLOWS:

Section 1. In this resolution, the following definitions apply, unless a different meaning clearly appears from the context:

(a) "Bond To Be Refunded" or "Bonds To Be Refunded" means all or any portion of the Outstanding Bonds, as shall be determined in accordance with Section 8 hereof.

(b) "Escrow Contract" means the contract to be entered into by and between the Town and the Escrow Holder pursuant to Section 10 hereof.

(c) "Escrow Holder" means the bank or trust company designated as such pursuant to Section 10 hereof.

(d) "Outstanding Bonds" shall mean the outstanding unredeemed maturities of the 2007 Bonds.

(e) "Present Value Savings" means the dollar savings which result from the issuance of the Refunding Bonds computed by discounting the principal and interest payments on both the Refunding Bonds and the Bonds To Be Refunded from the respective maturities thereof to the date of issue of the Refunding Bonds at a rate equal to the effective interest cost of the Refunding Bonds. The effective interest cost of the Refunding Bonds shall be that rate which is arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the Refunding Bonds from the maturity dates thereof to the date of issue of the Refunding Bonds and to the agreed upon price including estimated accrued interest.

(f) "Redemption Dates" mean June 15, 2017 and any date thereafter, as shall be determined by the Supervisor in accordance with Section 8.

(g) "Refunding Bond" or "Refunding Bonds" means all or a portion of the $8,400,000 Refunding Serial Bonds-2015 of the Town of Clarkstown, authorized to be issued pursuant to Section 2 hereof.

(h) "Refunding Bond Amount Limitation" means an amount of Refunding Bonds which does not exceed the principal amount of Bonds To Be Refunded plus the aggregate amount of unmatured interest payable on such Bonds To Be Refunded, to and including the applicable Redemption Date, plus redemption premiums payable on such Bonds To Be Refunded as of such Redemption Date, as hereinabove referred to in the Recitals hereof, plus costs and expenses incidental to the issuance of the Refunding Bonds including the development of the Refunding Financial Plan, and of executing and performing the terms and conditions of the Escrow Contract and all fees and charges of the Escrow Holder as referred to in Section 10 hereof.

Section 2. The Town Board of the Town (herein called the "Town Board"), hereby authorizes the refunding of the Bonds To Be Refunded, and appropriates an amount not to exceed $8,400,000 to accomplish such refunding. The plan of financing said appropriation includes the issuance of the Refunding Bonds in the principal amount of not to exceed $8,400,000 and the levy and collection of a tax upon all the taxable real property within the

RESOLUTION NO. (240-2015) continued

Town to pay the principal of and interest on said Refunding Bonds as the same shall become due and payable. Bonds of the Town in the maximum principal amount of $8,400,000 and designated substantially as "REFUNDING SERIAL BONDS-2015" are hereby authorized to be issued pursuant to the provisions of the Law. The proposed financial plan for the refunding in the form attached hereto as **Exhibit A** (the "Refunding Financial Plan") prepared for the Town by its Financial Advisor, Munistat Services, Inc., and hereby accepted and approved, includes the deposit of all the proceeds of said Refunding Bonds with an Escrow Holder pursuant to an Escrow Contract as authorized in Section 10 hereof, the payment of all costs incurred by the Town in connection with said refunding from such proceeds and, to the extent required, the investment of a portion of such proceeds by the Escrow Holder in certain obligations. The principal of and interest on such investments, together with the balance of such proceeds to be held uninvested, if any, shall be sufficient to pay (i) the principal of and interest on the Bonds To Be Refunded becoming due and payable on and prior to each applicable Redemption Date and (ii) the principal of and premium on the Bonds To Be Refunded which are to be called for redemption prior to maturity on any such Redemption Date.

Section 3. The Bonds To Be Refunded referred to in Section 1 hereof are all or a portion of the Outstanding Bonds issued pursuant to various bond resolutions duly adopted by the Town Board on their respective dates, authorizing the issuance of bonds of the Town to finance various purposes of the Town. In accordance with the Refunding Financial Plan, the Refunding Bonds authorized in the aggregate principal amount of not to exceed $8,400,000 shall mature in amounts and at dates to be determined. The Supervisor, the chief fiscal officer of the Town, is hereby authorized to approve all details of the Refunding Financial Plan not contained herein.

Section 4. The issuance of the Refunding Bonds will not exceed the Refunding Bond Amount Limitation. The Refunding Bonds shall mature not later than the maximum period of probable usefulness ("PPU") permitted by law at the time of original issuance of the Bonds to be Refunded, as set forth in **Exhibit B** annexed hereto and hereby made a part hereof, for the objects or purposes financed with the proceeds of the Bonds to be Refunded, commencing at the date of issuance of the first bond or bond anticipation note issued in anticipation of the sale of such bonds.

Section 5. The aggregate amount of estimated Present Value Savings is set forth in the proposed Refunding Financial Plan attached hereto as **Exhibit A**, computed in accordance with subdivision two of paragraph b of Section 90.10 of the Law. Said Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount, and will mature, be of such terms and bear such interest as set forth therein. The Town Board recognizes that the principal amount of the Refunding Bonds, the maturities, terms and interest rates, the provisions, if any, for the redemption thereof prior to maturity, and whether or not any or all of the Refunding Bonds will be insured, and the resulting present value savings, may vary from such assumptions and that the Refunding Financial Plan may vary from that attached hereto as **Exhibit A**.

Section 6. The Refunding Bonds may be sold at public or private sale.

(a) If the Bonds are sold at private sale, the Supervisor, as the chief fiscal officer of the Town, is hereby authorized to execute a purchase contract on behalf of the Town for the sale of said Refunding Bonds, provided that the terms and conditions of such sale shall be approved by the State Comptroller.

(b) In the event that the Refunding Bonds are sold at public sale pursuant to Section 57.00 of the Law, the Supervisor is hereby authorized and direct to prepare or have prepared a Notice of Sale, a summary of which shall be published at least once in (a) "THE BOND BUYER," published in the City of New York and (b) the official newspaper(s) of the Town having general circulation within said Town, not less than five (5) nor more than thirty (30) days prior to the date of said sale. A copy of such notice shall be sent not less than eight (8) nor more than thirty (30) days prior to the date of said sale to (1) the State Comptroller, Albany, New York 12236; (2) at least two banks or trust companies having a place of business in the county in which the Town is located, or, if only one bank is located in such County, then to such bank and to at least two banks or trust companies having a place of business in an adjoining county; (3) "THE BOND BUYER," 1 State Street Plaza, New York, New York 10004; and (4) at least 10 bond dealers.

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(c) Prior to the issuance of the Refunding Bonds, the Supervisor shall file with the Town Board all requisite certifications, including a certificate approved by the State Comptroller setting forth the Present Value Savings to the Town resulting from the issuance of the Refunding Bonds. In connection with such sale, the Town authorizes the preparation of an Official Statement and approves its use in connection with such sale, and further consents to the distribution of a Preliminary Official Statement prior to the date said Official Statement is distributed. The Supervisor is hereby further authorized and directed to take any and all actions necessary to accomplish said refunding, and to execute any contracts and agreements for the purchase of and payment for services rendered or to be rendered to the Town in connection with said refunding, including the preparation of the Refunding Financial Plan referred to in Section 2 hereof.

Section 7. Each of the Refunding Bonds authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Law and said Refunding Bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Refunding Bonds and provision shall be made annually in the budget of the Town for (a) the amortization and redemption of the Refunding Bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 21.00 of the Law with respect to the issuance of bonds having substantially level or declining annual debt service, and Sections 50.00, 56.00 to 60.00, 90.00, 90.10 and 168.00 of the Law, the powers and duties of the Town Board relative to determining the amount of Bonds To Be Refunded, prescribing the terms, form and contents and as to the sale and issuance of the Refunding Bonds, and executing a tax certificate relative thereto, and as to executing the Escrow Contract described in Section 10, the Official Statement referred to in Section 6 and any contracts for credit enhancements in connection with the issuance of the Refunding Bonds and any other certificates and agreements, as to making elections to call in and redeem all or a portion of the Bonds to be Refunded, and as to any determinations relating to the investment of the proceeds of the Refunding Bonds, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 9. The validity of the Refunding Bonds authorized by this resolution may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 10. Prior to the issuance of the Refunding Bonds, the Town shall contract with a bank or trust company located and authorized to do business in New York State, for the purpose of having such bank or trust company act as the Escrow Holder of the proceeds, inclusive of any premium from the sale of the Refunding Bonds, together with all income derived from the investment of such proceeds. Such Escrow Contract shall contain such terms and conditions as shall be necessary in order to accomplish the Refunding Financial Plan, including provisions authorizing the Escrow Holder, without further authorization or direction from the Town, except as otherwise provided therein, (a) to make all required payments of principal, interest and redemption premiums to the appropriate paying agent with respect to the Bonds To Be Refunded, (b) to pay costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the Refunding Financial Plan, and costs and expenses relating to the execution and performance of the terms and conditions of the Escrow Contract and all of its fees and charges as the Escrow Holder, (c) at the appropriate time or times to cause to be given on behalf of the Town the notice of redemption authorized to be given pursuant to

RESOLUTION NO. (240-2015) continued

Section 13 hereof, and (d) to invest the monies held by it consistent with the provisions of the Refunding Financial Plan. The Escrow Contract shall be irrevocable and shall constitute a covenant with the holders of the Refunding Bonds.

Section 11. The proceeds, inclusive of any premium, from the sale of the Refunding Bonds, immediately upon receipt shall be placed in escrow by the Town with the Escrow Holder in accordance with the Escrow Contract. All moneys held by the Escrow Holder, if invested, shall be invested only in direct obligations of the United States of America or in obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations shall mature or be subject to redemption at the option of the holder thereof not later than the respective dates when such moneys will be required to make payments in accordance with the Refunding Financial Plan. Any such moneys remaining in the custody of the Escrow Holder after the full execution of the Escrow Contract shall be returned to the Town and shall be applied by the Town only to the payment of the principal of or interest on the Refunding Bonds then outstanding.

Section 12. That portion of such proceeds from the sale of the Refunding Bonds, together with interest earned thereon, which shall be required for the payment of the principal of and interest on the Bonds To Be Refunded, including any redemption premiums, in accordance with the Refunding Financial Plan, shall be irrevocably committed and pledged to such purpose and the holders of the Bonds To Be Refunded shall have a lien upon such moneys and the investments thereof held by the Escrow Holder. All interest earned from the investment of such moneys which is not required for such payment of principal of and interest on the Bonds To Be Refunded shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunding Bonds, or such portion or series thereof as shall be required by the Refunding Financial Plan, and the holders of such Refunding Bonds shall have a lien upon such moneys held by the Escrow Holder. The pledges and liens provided for herein shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder shall immediately be subject thereto without any further act. Such pledges and liens shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the Town irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledges and liens, need be filed or recorded.

Section 13. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Law, the Town Board hereby elects to call in and redeem all or a portion of the Bonds To Be Refunded which are subject to prior redemption according to their terms on the Redemption Date, as shall be determined by the Supervisor in accordance with Section 8 hereof. The sum to be paid therefor on the applicable Redemption Date shall be the par value thereof, the accrued interest to such Redemption Date and the redemption premiums, if any. The Escrow Holder is hereby authorized and directed to cause a notice of such call for redemption to be given in the name of the Town by mailing such notice at least thirty days prior to such Redemption Date, and in accordance with the terms appearing in the Bonds to be Refunded, to the registered holders of the Bonds To Be Refunded which are to be called in and redeemed. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Bonds To Be Refunded which are to be called in and redeemed in accordance herewith and the direction to the Escrow Holder to cause notice thereof to be given as provided in this Section shall become irrevocable and the provisions of this Section shall constitute a covenant with the holders, from time to time, of the Refunding Bonds, provided that this Section may be amended from time to time as may be necessary to comply with the publication requirements of paragraph a of Section 53.00 of the Law, as the same may be amended from time to time.

Section 14. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "*The Journal-News*," a newspaper having general circulation in the Town and hereby designated the official newspaper of said Town for such publication.

(Exhibit A on file in Town Clerk's office)

RESOLUTION NO. (240-2015) continued

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (241-2015)
Co. Lasker offered and Co. Hausner seconded

WHEREAS, the County of Rockland and the Town of Clarkstown wish to coordinate bus fares as it relates to cash paying full fare adults on the “Transport of Rockland” (TOR) and the “Clarkstown Mini Trans” (CMT), and

WHEREAS, the Town Board of the Town of Clarkstown wishes to participate in the County of Rockland Department of Public Transportation “Super Saver” Discount Program for the Clarkstown Mini Trans;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to provide for the coordination of bus fares as it relates to cash paying full fare adults on the Transport of Rockland and the Clarkstown Mini Trans, and for the Town of Clarkstown to participate in the County’s “Super Saver” Discount Program, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to April 3, 2015.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes
****

RESOLUTION NO. (242-2015)
Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Special Board has recommended a proposed local law regarding solar power regulation and a permitting process, and

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

"A LOCAL LAW CONCERNING SOLAR POWER REGULATION",

and

WHEREAS, the proposed local law is to create a new chapter in the Town Code of the Town of Clarkstown to promote the accommodation for applications for solar system installations and to provide a process for regulating the installation of solar energy systems with regard to design, permits and safety;

NOW, THEREFORE, be it

RESOLVED, that the proposed local law be referred to the Clarkstown Planning Board for report pursuant to Section 290-33 of the Zoning Local Law of the Town of Clarkstown and to the Rockland County Commissioner of Planning pursuant to Sections 239-1 and 239-m of the General Municipal Law for report, 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 Jose Simoes, Principal Planner for the Town of Clarkstown, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

RESOLUTION NO. (242-2015) continued

FURTHER RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on August 11, 2015 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

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

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (243-2015)
Co. Lasker offered and Co. Hausner seconded

WHEREAS, Med3000, Inc. acts as the service organization for the Town of Clarkstown to process insurance claims for basic and advanced life support services provided by volunteer ambulance corps and Rockland Paramedic Service, Inc.and

WHEREAS, it is necessary that the Town of Clarkstown have a limited scope audit to obtain reasonable assurance that Med3000, Inc. has the necessary controls and procedures in place to provide reliance that the billing is proper,

WHEREAS, Korn Rosenbaum LLP has submitted a proposal dated 5/22/15 to perform such audit, which the Comptroller finds reasonable in scope and price,

THEREFORE, BE IT,

RESOLVED, that Supervisor Gromack is hereby authorized to enter into an agreement, in a form satisfactory to the Town Attorney, with Korn Rosenbaum, LLP Certified Public Accountants, with offices at Palisades Office Park, 26 Firemen's Memorial Drive, Pomona, New York, for a cost not to exceed $5,000, to perform the limited scope audit referred to herein, as described in a proposal dated May 22, 2015.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (244-2015)
Co. Lasker offered and Co Borelli seconded

WHEREAS, Clarkstown Police Lieutenant Steve Morgan has advised that the State of New York Governor's Traffic Safety Committee of the Department of Motor Vehicles has awarded a grant to the Town of Clarkstown Police Department (CPS-2015-Clarkstown Town PD-00124-(044)) for the purpose of participating in the "Child Passenger Safety Program" for the period from October 1, 2014 through September 30, 2015, and

WHEREAS, THE State shall provide $2,400.00 to the Town of Clarkstown for said purposes;

NOW, THEREFORE, be it

RESOLUTION NO. (244-2015) continued

RESOLVED, that, on the recommendation of Clarkstown Police Lieutenant Steve Morgan, the Town Board hereby authorizes the Supervisor to accept a grant award of $2,400.00 from the State of New York, Governor's Traffic Safety Committee, Department of Motor Vehicles for participation by the Town of Clarkstown Police Department in the "Child Passenger Safety Program" for the period October 1, 2014 through September 30, 2015.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (245-2015)
Co. Lasker offered and Co Borelli seconded

WHEREAS, Clarkstown Police Lieutenant Steve Morgan has advised that the State of New York Governor's Traffic Safety Committee of the Department of Motor Vehicles has awarded a grant to the Town of Clarkstown Police Department for the purpose of participating in the "Police Traffic Services Program," which has a goal of increasing seat belt usage and reducing aggressive, speeding, distracted and other dangerous driving behaviors in an effort to reduce serious injury and death from traffic crashes, and

WHEREAS, THE State shall provide $20,020.00 to the Town of Clarkstown for said purposes;

NOW, THEREFORE, be it

RESOLVED, that, on the recommendation of Clarkstown Police Lieutenant Steve Morgan, the Town Board hereby authorizes the Supervisor to accept a grant award of $20,020.00 for the Town of Clarkstown Police Department to participate in the "Police Traffic Services Program."

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (246-2015)
Co. Hausner offered and Co. Borelli seconded

RESOLVED, that the resignation (by retirement) of James Landry, 14 Anderson Road, Pomona, New York, - Police Officer -Clarkstown Police Department – is hereby accepted effective and retroactive to June 30, 2015.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (247-2015)
Co. Hausner offered and Co. Borelli seconded

RESOLVED, that the resignation (by retirement) of Elsie Coyne , 30 Kimberly Lane, Pomona, New York – Sr. Clerk Typist - Purchasing Department - is hereby accepted effective and retroactive to June 30, 2015.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (248-2015)
Co. Hausner offered and Co. Lasker seconded

WHEREAS, the Building Inspector performs routine Town-wide inspections of the vacant, foreclosed, and/or abandoned properties in Clarkstown, and

WHEREAS, the owners or responsible parties of the following properties have failed to perform required lawn and landscape maintenance pursuant to Town of Clarkstown Town Code Chapter 216-4, (Property Maintenance, Landscaping Maintenance), and

WHEREAS, appropriate diligence by Code Officials including, but not limited to, appropriate notice and posting, has been performed as required pursuant to Chapter 216-9(A), and

WHEREAS, the properties currently in violation are identified as follows:
358 N. Little Tor Road, New City (34.13-2-22 fka 42-A-1.8)
5 Templar Court, New City (50.20-4-65 fka 165-A-4.25)
73 New Clarkstown Road, Nanuet (57.7-5-67/1 fka 165-A-3.59)
8 N. Lexow Avenue, Nanuet (63.8-2-38 fka 162-G-17)
8 Grace Street, Nanuet (64.5-2-33 fka 32-B-71)
345 Deer Track, Valley Cottage (52.14-1-40 fka 110-A-34)
12 Tempo Road, New City (42.8-2-91 fka 170-A-18.6)
1 Badger Street, New City (43.17-1-14 fka 20-C-87.55)
212 Strawtown Road, New City (52.5-1-39 fka 76-B-7.5)
192 Massachusetts Avenue, New City (52.12-1-37 fka 139-B-16.1)
434 W. Clarkstown Road, New City (50.20-3-25 fka 17-B-21.1);

NOW, THEREFORE, be it

RESOLVED, that subject to a reasonable grace period and final re-inspection, the Town Board hereby authorizes the Building Inspector, retroactive to May 1, 2015, to arrange for the appropriate property maintenance through the tasking of available Town forces, subcontractors or agents to perform the required trimming of grass, weeds, trees and shrubs, as well as other property maintenance issues, on the above properties along with any and/or all associated debris removal, throughout the 2015 mowing and growing season, after which a bill of costs will be submitted to said office for the purpose of levying said costs incurred by the Town as a property tax lien on the property by the Town Assessor.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (249-2015)
Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Town of Clarkstown and Clarkstown Police Department intend to enhance security through installation of a license plate reader program installed at various sites around the Town of Clarkstown, and

WHEREAS, officers from the Clarkstown Police Department and the Rockland County Intelligence Led Policing & Prosecution Center have been exploring the options available and vetting various potential vendors for sufficient expertise, longevity and credible references, and

WHEREAS, the Police Department advises that LINSTAR, Inc., in conjunction with its subcontractor NDI Recognition Systems, offers the lowest overall cost and strongest reputation in the region for reliability and quality of hardware, software, and support, and

WHEREAS, LINSTAR, through NDI Recognition Systems, has submitted a proposal, dated May 31, 2015, to provide hardware, software, and first year support for the license plate reader program, at a cost of approximately $744,220.18, to be funded through a combination of grants and asset forfeiture proceeds, and

WHEREAS, the Chief of Police has reviewed the proposal and finds it 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 LINSTAR, Inc., 430 Lawrence Bell Drive, Buffalo, NY 14221,
In a form approved by the Town Attorney, to provide hardware, software, and first year support for the license plate reader program, and be it

FURTHER RESOLVED, that the cost shall not exceed $744,220.18, and be it

FURTHER RESOLVED, that it is the intent of the Town Board that this project shall be funded by grants and asset forfeiture funds.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (250-2015)
Co. Lasker offered and Co Borelli seconded

WHEREAS, the New York State Department of Transportation (NYSDOT) is engaging in a project known as “Rockland Lake-Long Clove” which involves road widening and drainage improvements to portions of Route 9W, and

WHEREAS, the NYSDOT has chosen to exercise their eminent domain powers to acquire “De Minimus” takings of properties which may or may not be owned by the Town of Clarkstown to effectuate their project, and

WHEREAS, the NYSDOT has valued those takings in the amount of $1,075.00 and supplied the Town with comparable sales of vacant parcels to justify how they arrived at this sum, and

WHEREAS, the NYSDOT has provided the Town with an “Agreement for Advance Payment” which allows for the acceptance of said sum, plus interest;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to execute the “Agreement for Advance Payment” with the Commissioner of Transportation of the State of New York (Payee ID# 146002126) and any other documents which may be required to effectuate payment of same.

RESOLUTION NO. (250-2015) continued

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (251-2015)
Co. Lasker offered and Co. Hausner seconded

WHEREAS, based upon the recommendation of the Department of Environmental Control and as a condition to the approval of the final map by the Planning Board with regard to the St. Anthony's Church Site Plan (58.17-1-35), the Church of St. Anthony has provided a sewer easement and conservation easements to the Town, and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the sewer easement and conservation easements from the Church of St. Anthony in connection with the St. Anthony's Church Site Plan and orders them recorded in the Rockland County Clerk's Office, subject to the receipt of the recording fees.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes
****

RESOLUTION NO. (252-2015)
Co. Hausner offered and Co. Borelli seconded

WHEREAS, Lupe Martinez, Liquor License Specialist, for Liquorlicense.com, has advised the Town by letter dated July 6, 2015, pursuant to Section 64-2(a) of the Alcoholic Beverage Control Law, that Texas De Brazil (Nyack) Corporation has applied for an on-premises liquor license at 1584 Palisades Center Drive, West Nyack, New York, and

WHEREAS, to expedite processing said corporation's license application, Lupe Martinez has requested that the Town Board waive the thirty day waiting period provided by law, and

WHEREAS, the Town Board does not intend to comment upon such application;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby waives the thirty day notice requirement contained in Section 64 of the Alcoholic Beverage Control Law, and states that it does not intend to offer any comments regarding the application of Texas De Brazil (Nyack) Corporation for a license at premises located at 1584 Palisades Center Drive, West Nyack, New York.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes
****

RESOLUTION NO. (253-2015)
Co. Lasker offered and Co. Hausner seconded

WHEREAS, various Expense accounts require additional funding,
NOW, THEREFORE BE IT,
RESOLVED, to decrease A-8730-432-0 (Environmental Control-Minor Maintenance Projects) and increase A-8730-204-0 (Environmental Control-Office Machines) by $1,200 and be it
FURTHER RESOLVED, to decrease Account DA-5130-219-0 (Highway/Machinery-Misc Equipment) and increase Account DA-5140-380 (Highway/Snow- Paint Supplies) by $5,000 and be it
FURTHER RESOLVED, to decrease DB-5110-110-0 (Highway-Salaries) and increase DB-5110-230-0 (Highway-Communications Equipment) by $60,000 and be it
FURTHER RESOLVED, to decrease Account SR-8160-409-0 (Sanitation-Fees for Services) by $14,000 and increase Account's SR-8160-381-0 (Sanitation-Bituminous by $8,000 and SR-8160-382 (Sanitation-Stone & Sand) by $6,000.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (254-2015)
Co. Lasker offered and Co. Hausner seconded

WHEREAS, the Highway Department is in need of Highway Department truck radios, and,
WHEREAS, Goosetown Communications has submitted a proposal to provide and service such equipment at a cost of $291,000.00 over a five-year period, and
WHEREAS, Wayne T. Ballard, Superintendent of Highways, has reviewed the proposal and finds it 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 Goosetown Communications, 58 North Harrison Avenue, Congers, New York 10920, to provide and service truck radios for the Clarkstown Highway Department, and be it
FURTHER RESOLVED, that the cost shall not exceed $291,000.00 over a five-year period, and shall constitute a proper charge to Account No. DB-5110-230-0.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Abstained
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (255-2015)
Co. Hausner offered and Co. Borelli seconded

WHEREAS, Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs and activities conducted by the U.S. Department of Housing and Urban Development (HUD) or by grantees that receive financial assistance from HUD, and

RESOLUTION NO. (255-2015) continued

WHEREAS, Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires adoption of grievance procedures to address complaints of those who feel they may have been discriminated against on the basis of disability and also requires the provision of notice of said grievance procedures, and

WHEREAS, it is the policy of the ***Town of Clarkstown*** not to discriminate against any individual, person, or group on the basis of disability and the intent of the ***Town*** to address any complaints that may arise pursuant to Section 504,

NOW, THEREFORE, BE IT RESOLVED that the ***Town Board of the Town of Clarkstown*** does hereby adopt by resolution internal grievance procedures (the "Procedure") providing for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 of the U.S. Department of Health and Human Services regulations implementing the Act, and

BE IT FURTHER RESOLVED, that the ***Town of Clarkstown*** does hereby designate the ***Office of the Town Attorney*** as the Grievance Coordinator who shall be responsible for receiving and addressing complaints pursuant to the Procedure adopted hereby and attached hereto, and

BE IT FINALLY RESOLVED, that the ***Town of Clarkstown*** will place its employees, the public, and potential beneficiaries of certain federal public programs on notice by undertaking certain actions that will include, but may not be limited to (1) providing a copy of the grievance procedure to its employees, (2) putting the public on notice by placing a notice in the ***Town's*** official newspaper, posting of notices in the ***Town's*** offices and facilities, placing notices in the ***Town's*** publications, and/or distribution of memoranda or other written communications subsequent to adoption of this Procedure, (3) placing copies of the Procedure in the ***Office of the Town Attorney and the Personnel Department*** for review and dissemination, and (4) adding language to federal program brochures to insure all potential program beneficiaries are aware of the ***Town of Clarkstown's*** adopted grievance procedures.

BACKGROUND: Section 504 of the Rehabilitation Act of 1973 (the "Act") as amended prohibits discrimination on the basis of disability in programs and activities conducted by HUD or that receive financial assistance from HUD. This includes the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program funded by HUD, administered by the Governor's Office of Storm Recovery (GOSR), and under which the ***Town of Clarkstown*** has received financial assistance. The Act specifically provides that no qualified individual shall, solely by reason of his or her handicap, be excluded from program participation, including employment, be denied program benefits, or be subjected to discrimination. The Americans with Disabilities Act of 1990 (ADA) established provisions for assuring equality of opportunity, full participation, independent living, and self-sufficiency of disabled persons relative to employment, benefits and services, accommodations, commercial facilities, and multi-family housing.

SECTION 504 POLICY/COMPLIANCE: Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires the adoption and notice/publication of ADA grievance procedures for municipalities with 15 or more employees, Sections 8.53 and 8.54, respectively. Therefore, be it known that it is the policy of the ***Town of Clarkstown*** not to discriminate on the basis of disability. Towards that end, the ***Town of Clarkstown*** has adopted by resolution an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. The subject law and implementing regulations may be examined in the ***Office of the Town Attorney***. The ***Office of the Town Attorney*** for the ***Town of Clarkstown*** has been designated to coordinate the efforts of the ***Town of Clarkstown*** with respect to Section 504 compliance. This information can also be accessed on the Internet at the following address: http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/sect504. The ***Office of the Town Attorney*** is located at ***Town of Clarkstown, 10 Maple Avenue, New City, New York***. The Section 504 Coordinator can be reached at ***845-639-2060.***

RESOLUTION NO. (255-2015) continued

GRIEVANCE PROCEDURE: Any person who believes he or she has been subjected to discrimination on the basis of disability may file a grievance under the procedure adopted by the ***Town of Clarkstown*** outlined below.

- Grievances must be submitted to the Section 504 Coordinator within 60 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.

- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.

- The Section 504 Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of the ***Town of Clarkstown*** relating to such grievances.

- The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.

- The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the ***Office of the Town Supervisor*** within 15 days of receiving the Section 504 Coordinator's decision. The ***Town Supervisor*** shall issue a written decision in response to the appeal no later than 30 days after its filing.

- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

The ***Town of Clarkstown*** will make appropriate arrangements to ensure that disabled persons are provided accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

It is against the law for the ***Town of Clarkstown*** to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes
****

RESOLUTION NO. (256-2015)
Co. Hausner offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown was heavily impacted by Hurricane Irene, Tropical Storm Lee and Superstorm Sandy; and

WHEREAS, the Town of Clarkstown wishes to enter into a subrecipient agreement to receive New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) funds, as administered by the Governor's Office of Storm Recovery (GOSR) of the New York State Housing Trust Fund Corporation (HTFC) to assist in addressing unmet needs from either Hurricane Irene, Tropical Storm Lee, or Superstorm Sandy; and

RESOLUTION NO. (256-2015) continued

WHEREAS, participation in the New York State CDBG-DR Program requires the adoption and implementation of a Citizen Participation Plan to comply with Section 508 of the Housing and Community Development Act of 1974, as amended, and an Affirmative Action Plan to meet the Equal Employment Opportunity (EEO) requirements of Executive Order 11246 and other program policies; and

WHEREAS, the purpose of the Affirmative Action Plan is to prohibit workplace employment discrimination on the basis of age, race, color, religion, gender, creed, national origin, physical or mental disability, marital status, veteran status, disabled veteran status, or status as a member of any other protected group or activity; and

WHEREAS, the purpose of the Citizen Participation Plan is to provide for and encourage citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Clarkstown that the Supervisor is authorized to execute said Subrecipient Agreement with the Housing Trust Fund Recovery, through the Governor's Office of Storm Recovery, and any other agreements and documents necessary to facilitate and process said grant funds, and that the attached Citizen Participation Plan and Affirmative Action Plan be hereby officially adopted for implementation in the New York State Community Development Block Grant Disaster Recovery Program.

Dated: July 7, 2015

NEW YORK STATE
GOVERNOR'S OFFICE OF STORM RECOVERY (GOSR)
COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY PROGRAM

CITIZEN PARTICIPATION PLAN

The Town of Clarkstown has adopted the following Citizen Participation Plan to meet the citizen participation requirements of Section 508 of the Housing and Community Development Act of 1974, as amended, and the program policies of the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program.

The Town of Clarkstown is committed through adoption of this plan to the full and total involvement of all residents of the community in the composition, implementation, and assessment of its Community Development Block Grant-Disaster Recovery (CDBG-DR) Program. Attempts will be made to reach all citizens, with particular emphasis on participation by persons of low and moderate income, residents of slum and blighted areas, and of areas in which funds are proposed to be used. A copy of this plan will be made available to the public upon request.

As part of the citizen participation requirements and to maximize citizen interaction, the Town of Clarkstown shall:

1) Provide citizens with reasonable and timely access to local meetings, information, and records relating to the State's proposed method of distribution, as required by the Secretary of Housing and Urban Development, and relating to the actual use of funds under Title I of the Housing and Community Development Act of 1974, as amended;

2) When applicable, provide for public hearings and respond to proposals and questions at all stages of the community development program. These hearings will consist of the development of needs and proposed activities and review of program performance. These hearings will be held after adequate notice, a minimum of five (5) calendar days, at times and locations convenient to potential or actual beneficiaries with accommodations for persons with disabilities;

RESOLUTION NO. (256-2015) continued

3) Provide for and encourage citizen participation with particular emphasis on participation by persons of low and moderate income and residents of slum and blighted areas as well as those affected by the proposed project;

4) Provide technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals;

5) Where applicable, identify how the needs of non-English speaking residents will be met in the case of public hearings; and

6) Provide for a formal written procedure that will accommodate a timely written response, within fifteen (15) days where practicable, to written complaints and grievances.

I. PUBLIC HEARINGS

If a public hearing is held to obtain citizen input, notices informing citizens of any public hearings will appear in the official newspaper or in a newspaper having general circulation within the municipality of Town of Clarkstown, a minimum of five (5) calendar days prior to the hearing. In addition, notices will also be posted publicly in municipal office buildings and the hearing will be publicized through local community organizations, and/or posting of information in LMI areas. Hearings will be held at times and locations convenient to potential or actual beneficiaries with accommodations for individuals with disabilities and non-English speaking persons. Whenever possible, these hearings will be held within or near the LMI areas, at times affording participation by the most affected residents.

Written minutes of the hearings and an attendance roster will be maintained by the Town of Clarkstown.

II. APPLICATION

1. Seven (7) calendar days, at a minimum, prior to the scheduled submittal of the application for project funding through the NY Rising Community Reconstruction Program or Infrastructure Program, a notice shall appear in the official newspaper, if applicable, or in a newspaper having general circulation within the municipality, informing the citizens of the following:

   a. Proposed submittal date of the application;

   b. Proposed objectives;

   c. Proposed activities;

   d. Location of proposed activities;

   e. Dollar amount of proposed activities; and

   f. Location and hours the application is available for review.

   In addition, the notice shall state "all citizens, particularly persons of low and moderate income and residents of slum and blighted areas as well as those affected by the proposed project, are encouraged to review the proposed application and submit any written comments on the application to:

   Office of the Town Attorney
   Town of Clarkstown
   10 Maple Avenue
   New City, New York 10956”

RESOLUTION NO. (256-2015) continued

2. The public notice will also state that the following information is available:

    a. The amount of funds, including program income, available for proposed community development disaster recovery activities for the current fiscal year;

    b. The range of CDBG-DR activities that may be undertaken,

    c. The estimated amount of CDBG-DR funds proposed to be used for activities that will meet the national objective of benefitting low and moderate income persons; and

    d. The plan(s) designated for minimizing displacement of persons as a result of activities assisted with such funds and the benefits to be provided by the Town of Clarkstown to persons actually displaced as a result of such activities.

3. In addition, the application will be published on the Town of Clarkstown's website.

Comments received, along with the response, will be incorporated in the application to the New York State Governor's Office of Storm Recovery (GOSR) or the application will be withdrawn if necessary.

III. <u>AMENDMENTS</u>

Program amendments, which substantially alter the CDBG-DR project from that approved in the original application, shall not be submitted to the State without publication of notice in the official newspaper, if applicable, or in a newspaper having general circulation within the municipality, informing citizens of the following:

a. Proposed submittal date of the amendment;

b. Proposed objectives;

c. Proposed activities;

d. Location of proposed activities;

e. Dollar amount of proposed activities; and

f. Location and hours the application is available for review.

In addition, the notice shall state "all citizens, particularly persons of low and moderate income and residents of slum and blighted areas as well as those affected by the proposed project, are encouraged to review the proposed application and submit any written comments on the application to:

Office of the Town Attorney
Town of Clarkstown
10 Maple Avenue
New City, New York 10956"

Any comments received including the responses will be submitted with the request for the amendment.

Citizens may, at any time, contact GOSR directly to register comments, objections, or complaints concerning the subrecipient's CDBG-DR application(s), amendment(s), and/or performance. Citizens are encouraged, however, to attempt to resolve any complaints at the local level as outlined above prior to contacting GOSR.

RESOLUTION NO. (256-2015) continued

IV. CONSIDERATION OF OBJECTION TO APPLICATION OR AMENDMENT

Persons wishing to object to approval of an application or amendment by the State may make such objection known to:

New York State
Governor's Office of Storm Recovery
25 Beaver Street
Post Office Box 230
New York, New York 10004
Email: citizenparticipation@stormrecovery.ny.gov

V. LIMITED ENGLISH PROFICIENCY

Whenever a significant number of persons and/or residents of blighted neighborhoods communicate with a primary language other than English attend public hearings, the Town of Clarkstown will provide an interpreter for dissemination of information to them provided the Town of Clarkstown is given sufficient notification of three (3) calendar day(s). Documents will be available in the appropriate languages for the geographic area served by the Town of Clarkstown.

VI. TECHNICAL ASSISTANCE

Technical assistance may be provided directly by the Town of Clarkstown to any citizen, particularly to low and moderate income persons, residents of blighted neighborhoods and minorities, who request assistance in the development of proposals and statement of views concerning the CDBG-DR Program. Local officials will conduct informational meetings with the residents of the low to moderate income areas if a written request is received by the Town of Clarkstown with at least a one (1) week notification. The persons who conduct the technical assistance meetings will disseminate information on the program and answer all pertinent questions.

VII. TIMELY ACCESS AND ADEQUATE INFORMATION

The Town of Clarkstown shall provide timely disclosure of records, information and documents related to the CDBG-DR program activities. Documents will be made available for copying upon request at the Office of the Town Attorney, Monday thru Friday**,** 9:00 a.m. thru 4:00 p.m. Such documents may include the following:

1. All meetings and promotional materials;

2. Records of hearings and meetings;

3. All key documents, including prior applications, letters, grant agreements, citizen participation plans, and proposed applications;

4. Copies of the regulations (final statements) concerning the program; and,

5. Documents regarding other important requirements, such as Procurement Procedures, Fair Housing, Equal Employment Opportunity, Uniform Act, Labor Provisions, and Environmental Procedures.

VIII. CITIZEN COMPLAINT PROCEDURE

SECTION 1

It is the policy of the Town of Clarkstown to review all complaints received.

SECTION 2

The following procedures will be followed on all complaints received by the Town of Clarkstown:

1. The complainant shall notify the Office of the Town Attorney of the complaint. The initial complaint may be expressed orally or by written correspondence.

RESOLUTION NO. (256-2015) continued

2. The Town Attorney will notify the Chief Elected Official or designated representative of the complaint within three (3) working days.

3. The Chief Elected Official or designated representative will investigate the complaint and will report the findings to the Town Attorney within five (5) working days.

4. The Office of the Town Attorney will notify the complainant of the findings of the Chief Elected Official or designated representative in writing or by telephone within five (5) working days.

5. If the complainant is aggrieved by the decision, he must forward the complaint in writing (if previously submitted orally) to the Office of the Town Attorney who will forward the complaint and all actions taken by the Chief Elected Official or designated representative to the appropriate committee for its review. This will be accomplished within thirty (30) working days of receipt of the written complaint.

6. The reviewing committee will have fifteen (15) working days to review the complaint and forward its decision to the complainant in writing.

7. If the complainant is aggrieved with the decision of the committee, he must notify the Office of the Town Supervisor in writing that he desires to be afforded a hearing by the Town Board. The complainant will be placed on the next regularly scheduled agenda. The Town Supervisor will notify the complainant in writing of the date of the hearing.

8. The complainant must bring all relevant data, witnesses, etc., to the hearing. The Town Board, at the hearing, will review the complaint and forward within fifteen (15) days a certified copy of the minutes of the meeting at which the hearing was conducted and a decision was rendered to the complainant. If a decision is not reached at the hearing, the Town Supervisor will inform complainant of an appropriate date to expect a response. Within five (5) working days of reaching a decision, the complainant will be notified in writing of the decision.

SECTION 3

All citizen complaints relative to Fair Housing/Equal Opportunity violations alleging discrimination shall be forwarded for disposition to the:

Fair Housing Complaints
New York State
Office of the Attorney General
Civil Rights Bureau
120 Broadway
New York, New York 10271
(212) 416-8250 (Voice)
(800) 788-9898 (TDD)
Email: civil.rights@ag.ny.gov
Website: www.ag.ny.gov

Complaints of Discrimination
New York State
Division of Human Rights
One Fordham Plaza, 4th Floor
Bronx, New York 10458
(718) 741-8300 (Voice & TDD)
Website: www.dhr.state.ny.us

SECTION 4

The Town of Clarkstown will maintain a file for the purpose of keeping reports of complaints.

RESOLUTION NO. (256-2015) continued

SECTION 5
This policy does not invalidate nor supersede the personnel or other policies of the Town of Clarkstown which are currently adopted, but is intended to serve as a guide for complaints.

SECTION 6
This policy may be amended by a majority vote at any of the Town of Clarkstown's regularly scheduled meetings.

ADOPTION

This Citizen Participation Plan was adopted by the Town of Clarkstown in regular session on the 7th day of July, 2015 under Resolution No. _____.

NEW YORK STATE
GOVERNOR'S OFFICE OF STORM RECOVERY (GOSR)
COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CDBG-DR) PROGRAM

AFFIRMATIVE ACTION PLAN

The Town of Clarkstown has adopted the following Affirmative Action Plan to meet the Equal Employment Opportunity (EEO) requirements of Executive Order 11246 and the program policies of the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program. Executive Order 11246 prohibits federal contractors and subcontractors from engaging in workplace employment discrimination on the basis of age, race, color, religion, gender, creed, national origin, physical or mental disability, marital status, veteran status, disabled veteran status, or status as a member of any other protected group or activity.

1) The Town of Clarkstown is committed to equal employment opportunity and as part of its Affirmative Action Plan shall:

   a) Recruit, hire, upgrade, train, and promote in all job classifications, without regard to age, race, color, religion, gender, creed, national origin, physical or mental disability, marital status, veteran status, disabled veteran status, or status as a member of any other protected group or activity.

   b) Base employment decisions on the principles of equal employment opportunity, and with the intent to further the Town of Clarkstown's commitment to affirmative action;

   c) Ensure that all terms and conditions of employment such as compensation, benefits, layoff, return from layoff, training, educational tuition assistance, and social and recreation programs, shall be administered without regard to age, race, color, religion, gender, creed, national origin, physical or mental disability, marital status, veteran status, disabled veteran status, or status as a member of any other protected group or activity.

   d) Ensure that promotion decisions will be made in accordance with the principles of affirmative action by imposing only valid requirements for promotional opportunities;

   e) Take action to prevent harassment or intimidation of all employees, particularly those encompassed by the Town of Clarkstown's affirmative action efforts.

2) The Town of Clarkstown will post the federal EEO Poster in a conspicuous location.

3) In all solicitations or advertisements for employment, the Town of Clarkstown shall state that all qualified applicants will receive consideration for employment without regard to age, race, color, religion, gender, creed, national origin, physical or mental disability, marital status, veteran status, disabled veteran status, or status as a member of any other protected group or activity.

RESOLUTION NO. (256-2015) continued

4) The Town of Clarkstown will maintain written employment records to demonstrate compliance with Executive Order 11246.

5) The Town of Clarkstown will pursue opportunities to recruit and develop qualified job candidates to avoid employment barriers and to ensure equal opportunity for candidates.

6) The Town of Clarkstown's Affirmative Action Plan will be posted on the Town Attorney's Office and Personnel Department's web pages at www.clarkstown.org.

7) The Office of the Town Attorney has been assigned responsibility for the implementation and administration of this Affirmative Action Plan.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes
Co. Borelli . . . . . Yes
Co. Hoehmann . . . . . Absent
Co. Hausner . . . . . Yes
Supervisor Gromack . . . . . Yes

****

The Supervisor opened the meeting for general public comments.

Rick Tannenbaum, Valley Cottage
Spoke about the barn on the Traphagen property and submitted exhibits (on file in Town Clerk's Office.)

Orin Getz, New City
Spoke about Highway repairs and submitted an exhibit (on file in Town Clerk's office).

Steven Levine, Congers
Spoke about landfill on properties adjoining his.

There being no one further wishing to be heard, on motion of Co. Hausner seconded by Co. Lasker the Town Board moved into Executive Session to discuss personnel and CSEA matters, time: 8:16 pm.

On motion of Co. Hausner seconded by Co. Lasker the Town Board exited Executive Session, time, 8:38 pm.
On motion of Co. Hausner seconded by Co. Lasker the Town Board meeting was adjourned, time: 8:39 pm.

Respectfully submitted,

Justin Sweet
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall 07/07/2015 8:01 pm

Present: Supervisor Alexander J. Gromack
Council Members Shirley Lasker, Frank Borelli,
& Stephanie Hausner
George Hoehmann, absent
Dan Kraushaar, Deputy Town Attorney
Justin Sweet, Town Clerk

RE: Approving the Final Map of the West Nyack Fire District

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The Supervisor asked if there was anyone wishing to speak on this matter. No one appeared.

On motion of Co. Hausner seconded by Co. Borelli, the public hearing was closed,
time: 8:03 pm.

Respectfully submitted,

Justin Sweet
Town Clerk