

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

11/07/2013

7:00 pm

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

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

On motion of Co. Lasker seconded by Co. Hausner the public hearing re: Proposed Local Law to Override the Tax Levy Limit established by General Municipal Law §3-C was opened, time: 7:15 pm, closed, time: 7:34 pm.

RESOLUTION NO. (395-2013) ADOPTED

On motion of Co. Hoehmann seconded by Co. Hausner the Public Hearing re: Proposed Town of Clarkstown Budget for 2014 was opened, time: 7:34 pm, closed, time: 8:40 pm.

RESOLUTION NO. (396-2013) ADOPTED

The Supervisor opened the meeting for public comment on the agenda items.

Steven Levine, Congers
He asked for clarification of Item 25, Authorizing Lease of Real Property.

Richard Sena, Bardonia
He inquired about Item 18C, Appointment of Secretary to Traffic Safety Board.

Marge Hook, New City
She inquired about Item 18 F & G, Appointment and Leave of Absence, Item 30, Open Listing of Town Property and Item 33, Liquor License Notice Waiver. She also asked what was withdrawn on Item 32.

Amy Durbin, Congers
She inquired about Item 29, Affordable Senior Housing and Item 11, Flexible Spending Account.

Regarding Item 11, the Town Attorney explained Flexible Spending Accounts and stated this was extending the opportunity to participate to members of the PBA. Item 25 deals with a lease on a small piece of property by the Nanuet train station currently used for a memorial. Item 29 is a resolution supporting Rockland Housing Action Coalition's looking into a potential site for affordable senior housing in Congers. Item 30 deals with an agreement to hire a brokerage firm to market the Middlewood Senior Housing complex. Item 32 was withdrawn because there was some thought as to whether there would be a continuation of the Public Hearings tonight but it turned out not to be required. Item 33, relates to notice requirements for someone seeking a liquor license and this waiver is done as a matter of course when we don't intend to comment on the matter. The Supervisor explained that Item 18C replaces the secretary who just retired from the Traffic Board. Item 18F is a promotional appointment for a Senior Records Clerk in the Police Department and Item 18G is part of the Family Medical Leave Act that entitles employees to unpaid leave under certain circumstances.

RESOLUTION NO. (395-2013)
Co. Lasker offered and Co. Hausner seconded

WHEREAS, a proposed local law entitled,

"A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY
GENERAL MUNICIPAL LAW § 3-C"

was introduced by the Town Board at a Town Board meeting held on October 1, 2013, and
WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on
October 1, 2013, directed that a public hearing be held on November 7, 2013 at 7:00 p.m., or as
soon thereafter as possible, relative to such proposed local law, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News
on October 28, 2013, and

WHEREAS, a copy of the proposed local law was placed on the desks of the Supervisor
and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New
City, New York, on October 28, 2013;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. – 2013 entitled:

"A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY
GENERAL MUNICIPAL LAW § 3-C"

is hereby ADOPTED and passed by a sixty percent (60%) affirmative vote of the Town Board
of the Town of Clarkstown, the vote for adoption being as follows:

On roll call the vote was as follows:

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

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

RESOLUTION NO. (396-2013)
Co. Lasker offered and Co. Hausner seconded

WHEREAS, a public hearing, pursuant to Town Law Section 108, to consider the Town
of Clarkstown Preliminary Budget for the year 2014, was duly scheduled and noticed for
November 7, 2013 at 7:00 p.m., in the Auditorium of the Clarkstown Town Hall, and

WHEREAS, the Town Board met at the time and place specified in the Notice of the
Public Hearing and heard all persons desiring to be heard;

NOW, THEREFORE, be it

RESOLVED, that such Preliminary Budget, as adjusted, a copy of which is attached
hereto, be and is hereby adopted as the Annual Budget of the Town of Clarkstown for the fiscal
year beginning the 1st day of January, 2014, and that such Budget, as so adopted, be entered in
detail in the proceedings of the Town Board, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown shall prepare
and certify, in duplicate, copies of such Annual Budget as adopted by this Town Board, together
with Assessment Rolls for benefit improvements, if any, adopted pursuant to Section 202-a,
Subd. 2, and Section 231, Subd. 2 of the Town Law, and deliver two copies thereof to the
Supervisor of this Town to be presented by him to the Legislature of Rockland County, pursuant
to Section 115 of the Town Law and other applicable sections of the Town Law.

RESOLUTION NO. (396-2013) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (397-2013)

Co. Lasker offered and Co. Hausner seconded

RESOLVED, that the Town Board Minutes of September 10, 2013 and October 1, 2013 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 Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (398-2013)

Co. Lasker offered and Co. Hausner seconded

WHEREAS, the Official Map Committee has reviewed the Official Map of the Town of Clarkstown and the GIS Coordinator has updated said map to show the addition of new streets in the Town of Clarkstown, and

WHEREAS, the Official Map Committee recommends adoption of the updated Official Map of the Town of Clarkstown pursuant to Section 270 of Town Law;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on December 19, 2013 at 12:00 P.M. (Noon), or as soon thereafter as possible, to consider the adoption of the Official Map of the Town of Clarkstown, which is on file in the Town Clerk’s Office, and be it

FURTHER RESOLVED, that the updated version of the Official Map is hereby referred to the Clarkstown Planning Board for its review and recommendations, and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Jose Simoes, Town Planner, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the same manner provided by law and file proof thereof in the Office of the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (399-2013)
Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Board of Fire Commissioners of the Central Nyack Fire District has requested that the Town Board of the Town of Clarkstown approve the final map of the boundary lines of the Central Nyack Fire District, and

WHEREAS, said map was created by the Rockland County Geographical Information Systems and accepted and approved by the Board of Fire Commissioners of the Central Nyack Fire District;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on December 19, 2013 at 12:00 P.M. (noon), or as soon thereafter as possible, pursuant to Town Law, to consider approving the proposed final map of the boundary lines of the Central Nyack Fire District, and be it

FURTHER RESOLVED, that the Town Attorney prepare said notice of public 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 Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (400-2013)
Co. Hoehmann offered and Co. Borelli seconded

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

BID # 15-2013 – HEREFORD LANE DRAINAGE IMPROVEMENTS

is hereby awarded to: MARINI BROS. CONSTRUCTION CO., INC.
 9 LAFAYETTE STREET
 HACKENSACK, NJ 07601
PRINCIPAL: MIKE DANIELE, PRESIDENT

as per their proposed total project cost not to exceed \$118,000.00 plus 18% contingency 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 additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8766-400-409-0-89-13, and be it

RESOLUTION NO. (400-2013) continued

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds

On roll call the vote was as follows:

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

RESOLUTION NO. (401-2013)

Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Director of Automated Systems that

BID #20-2013 – GENERATOR FOR TOWN HALL – DATA PROCESSING

is hereby awarded to the lowest responsible bidder:

HVS, LLC
 55 RAILROAD AVENUE, BLDG 14N
 GARNERVILLE, NY 10923

PRINCIPALS: GARY CERVELLI

as per their low bid proposal of \$68,500.00 plus a 15% contingency in full accordance with Town of Clarkstown’s specifications and be it

FURTHER RESOLVED, that said award shall constitute a proper charge to account #H-8766-400-409-0-89-12 and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds

On roll call the vote was as follows:

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

RESOLUTION NO. (402-2013)

Co. Hoehmann offered and Co. Borelli seconded

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

BID # 23-2013 – REFUSE PICK-UP SERVICE – TOWN FACILITIES

is hereby awarded to: PAT NAZZARO DISPOSAL, INC.
 441 ROUTE 9W
 CONGERS, NY 10920

PRINCIPAL: PAT NAZZARO, PRESIDENT

as per the price/item schedule on file in the Purchasing Department, and be it

RESOLUTION NO. (402-2013) continued

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 additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it

On roll call the vote was as follows:

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

RESOLUTION NO. (403-2013)

Co. Hoehmann offered and Co. Borelli seconded

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

BID # 24-2013 – LAKE ROAD DRAINAGE & CHANNEL IMPROVEMENTS

is hereby awarded to: GIRLS GONE GREEN, LLC
 617 N. BROADWAY
 UPPER NYACK, NY 10960
 PRINCIPAL: JENNIFER CHAITIN, PRESIDENT

as per their proposed total project cost not to exceed \$189,700.00 plus \$60,000.00 Additional/Alternate for a total of \$249,700.00 plus 18% contingency 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
- h) Evidence that all Contractors/Sub-contractors have entered into an Apprenticeship Agreement which has been registered with and approved by the NYS Commissioner of Labor in accordance with Article 23 of the New York Labor Law.

The Town of Clarkstown must be named as additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8766-400-409-0-89-9, and be it

RESOLUTION NO. (403-2013) continued

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds

On roll call the vote was as follows:

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

RESOLUTION NO. (404-2013)

Co. Hoehmann offered and Co. Borelli seconded

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

BID # 25-2013 – CARLTON COURT DRAINAGE IMPROVEMENTS

is hereby awarded to: M. INGANNAMORTE & SON
 211 LAROCHE AVENUE
 HARRINGTON PARK, NJ 07640

PRINCIPAL: JOHN INGANNAMORTE, PRESIDENT

as per their proposed total project cost not to exceed \$125,000.00 plus 18% contingency 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 additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8766-400-409-0-89-10, and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds

On roll call the vote was as follows:

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

RESOLUTION NO. (405-2013)
Co. Hoehmann offered and Co. Borelli seconded

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

BID # 13-2012 – CURBSIDE RECYCLING COLLECTION

is hereby awarded to: CHARLES CAPASSO & SONS CARTING, INC.
65 GRASSY POINT ROAD
STONY POINT, NY 10980
PRINCIPAL: CHARLES CAPASSO, PRESIDENT

as per their proposed low bid price of \$5.10 per unit for the duration of the contract from January 1, 2014 through December 31, 2017 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 additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that project shall be under the supervision of the Department of Environmental Control.

On roll call the vote was as follows:

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

RESOLUTION NO. (406-2013)
Co. Hausner offered and Co. Hoehmann seconded

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

BID#1-2014 – ATHLETIC AND RECREATION SUPPLIES

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.

RESOLUTION NO. (406-2013) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (407-2013)

Co. Hausner offered and Co. Hoehmann seconded

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

BID#2-2014 – FIREWORKS DISPLAY

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 Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (408-2013)

Co. Hausner offered and Co. Hoehmann seconded

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

BID#3-2014 – POOL CHEMICALS

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 Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (409-2013)
Co. Hausner offered and Co. Hoehmann seconded

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

BID#4-2014 – ATHLETIC FIELD AND TURF MAINTENANCE

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 Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (410-2013)
Co. Hausner offered and Co. Hoehmann seconded

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

BID#5-2014 – GROUNDSKEEPING AND LANDSCAPE SUPPLIES

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 Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (411-2013)
Co. Hausner offered and Co. Hoehmann seconded

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

BID#6-2014 – FIRST AID/SAFETY SUPPLIES

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

RESOLUTION NO. (411-2013) continued

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 Yes
 - Co. Hausner. Yes
 - Supervisor Gromack Yes
- *****

RESOLUTION NO. (412-2013)

Co. Hausner offered and Co. Hoehmann seconded

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

RFP#7-2014 – OPERATION OF FOOD& REFRESHMENT CONCESSION STANDS AT TOWN PARKS

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 Yes
 - Co. Hausner. Yes
 - Supervisor Gromack Yes
- *****

RESOLUTION NO. (413-2013)

Co. Hausner offered and Co. Hoehmann seconded

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

BID#8-2014 – WORK CLOTHING

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 Yes
 - Co. Hausner. Yes
 - Supervisor Gromack Yes
- *****

RESOLUTION NO. (414-2013)
Co. Hausner offered and Co. Hoehmann seconded

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

BID#9-2014 – HIGHWAY SIGNING AND ROAD MAINTENANCE SUPPLIES

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 Yes
 - Co. Hausner. Yes
 - Supervisor Gromack Yes
- *****

RESOLUTION NO. (415-2013)
Co. Hausner offered and Co. Hoehmann seconded

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

BID#10-2014 – 2014 ROADWAY RESURFACING PROGRAM

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 Yes
 - Co. Hausner. Yes
 - Supervisor Gromack Yes
- *****

RESOLUTION NO. (416-2013)
Co. Hausner offered and Co. Hoehmann seconded

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

BID#11-2014 – 2014 CONCRETE CURB AND SIDEWALK REPLACEMENT

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

RESOLUTION NO. (416-2013) continued

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 Yes
Co. Hausner. Yes
Supervisor Gromack Yes

RESOLUTION NO. (417-2013)

Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, by Resolution #92-2013 the Town Board authorized advertising for bids for Bid #13-2013 –Cavalry Drive and North Main Street, New City – Audible Pedestrian Signals and Detectors with Tactile Arrows and Locator Tones and

WHEREAS, bids were to be received by the Purchasing Department on September 26, 2013 by 11:00 a.m. and

WHEREAS, the Town is rejecting all bids received, now therefore be it

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

BID #13A-2013 – CAVALRY DRIVE AND NORTH MAIN STREET, NEW CITY
AUDIBLE PEDESTRIAN
SIGNALS AND DETECTORS WITH TACTILE ARROWS AND LOCATOR TONES

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

On roll call the vote was as follows:

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

RESOLUTION NO. (418-2013)

Co. Lasker offered and Co Borelli seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control, United Water New York is hereby authorized to install the following hydrants in conjunction with Hydrant Investigation No. 12994,

HYDRANTS . X11657H, X11658H, X11659H, X11660H & X11817H

(ALL LOCATED THROUGHOUT NEW SUBDIVISION, WOLFE
LANDING)

RESOLUTION NO. (418-2013) continued

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Vincent Narciso, Chief Fire Safety Inspector.

On roll call the vote was as follows:

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

RESOLUTION NO. (419-2013)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Clarkstown Police Department SWAT team wishes to use presently unoccupied property, known as the "John Perry House," located at 295 Blue Hill Road, Pearl River, NY, and owned by the Town of Orangetown, for Special Weapons and Tactical training on Wednesday, November 6, 2013, and

WHEREAS, the Town of Clarkstown wishes to enter into a license agreement, the term of which shall be one day, with the Town of Orangetown to permit the Clarkstown Police Department SWAT team to use the "John Perry House" for Special Weapons and Tactical training;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a license agreement with the Town of Orangetown, in a form approved by the Town Attorney, for use of the Town of Orangetown's "John Perry House" by the Clarkstown Police for Special Weapons and Tactical training for one day; and be it

FURTHER RESOLVED, that said authorization is hereby made retroactive to October 30, 2013.

On roll call the vote was as follows:

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

RESOLUTION NO. (420-2013)

Co. Lasker offered and Co. Hausner seconded

WHEREAS, Town employee, Vincent Cautillo has been absent from work in excess of one (1) year after the use of his available accruals, and

WHEREAS, Mr. Cautillo has been provided all of the opportunities available pursuant to Civil Service Law § 71 applicable to employees who are absent from service;

NOW, THEREFORE, be it

RESOLVED, that effective as of October 3, 2013, the employment of Vincent Cautillo is hereby terminated in accordance with Civil Service Law § 71.

On roll call the vote was as follows:

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

RESOLUTION NO. (421-2013)
Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, in accordance with the requirements of the Planning Board and as a condition of final site plan approval by the Planning Board with regard to a site plan known as "PALISADES VOLVO" (Tax Map 65.10-1-5, 6, 7 & 8), HVA Realty, LLC has tendered a deed to the Town of Clarkstown, dated April 16, 2013, for future road widening purposes on Greenbush Road, West Nyack, New York, and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the Deed for road widening purposes from HVA Realty, LLC and orders same 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 Yes
Co. Hausner. Yes
Supervisor Gromack Yes

RESOLUTION NO. (422-2013)
Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Town of Clarkstown, through its payroll service, wishes to extend use of a flexible spending account to members of the Rockland County Patrolmen’s Benevolent Association, Inc. Collective Bargaining Unit at no cost to the Town, and

WHEREAS, by encouraging the use of flexible spending accounts, the Town has the opportunity to save money through a reduction in the payroll tax;

NOW, THEREFORE be it

RESOLVED, that the Town shall extend the ability to use a flexible spending account in accordance with the requirements of the Town’s payroll service to any eligible member of the Rockland County Patrolmen’s Benevolent Association, Inc. Collective Bargaining Unit.

On roll call the vote was as follows:

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

RESOLUTION NO. (423-2013)
Co. Lasker offered and Co. Hausner seconded

WHEREAS, Genesis Ceballos, representative for Tequila Sal Y Limon III Inc., has advised the Town by letter dated October 18, 2013, pursuant to Section 64-2(a) of the Alcoholic Beverage Control Law, that Tequila Sal Y Limon III Inc. has applied for an on-premises liquor license at 195 South Main Street, Unit E, New City, New York, and

WHEREAS, to expedite processing said corporation’s license application, Genesis Ceballos 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

RESOLUTION NO. (423-2013) continued

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 Tequila Sal Y Limon III Inc. for a license at premises located at 195 South Main Street, Unit E, New City, New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (424-2013)

Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, by Resolution No. 299-2008 dated May 13, 2008, and subsequently amended by Resolutions Nos. 792-2008, 113-2009, 528-2009, 460-2010, 81-2011, 679-2011, and 554-2012, dated December 16, 2008, February 10, 2009, October 20, 2009, September 14, 2010, February 8, 2011, December 29, 2011 and November 20, 2012, respectively, the Town Board authorized the Supervisor to enter into an agreement with Cambridge Systematics, 38 East 32nd Street, 7th Floor, New York, NY 10016 to provide certain professional services in connection with the transportation component of the Town’s Comprehensive Plan, and

WHEREAS, Cambridge Systematics has submitted a proposal dated October 17, 2013 (the "Proposal"), summarizing modifications requested for FY2014, which the Town Planner has reviewed and found reasonable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an amendment to the contract with Cambridge Systematics to provide additional funding, as per the Proposal, which agreement shall provide authorization to perform Tasks 4, 5, 7 & 8 for the NYSDOT Route 59 West corridor and the Nanuet Hamlet Center, and be it

FURTHER RESOLVED, that the fee for these additional services for FY-2014 shall not exceed the sum of \$97,915.00, and shall constitute a proper charge to Account No. A-8021-409, and be it

FURTHER RESOLVED that the Town Board hereby directs the Town Attorney’s Office and the Planning Department to pursue grant funding to offset the cost of the project from organizations, including but not limited to the N.Y.S. Department of Transportation and New York State Metropolitan Transportation Council.

On roll call the vote was as follows:

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

RESOLUTION NO. (425-2013)

Co. Hoehmann offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED NOVEMBER 7, 2013, AUTHORIZING THE ACQUISITION OF A GENERATOR FOR TOWN HALL DATA PROCESSING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$80,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$80,000 TO FINANCE SAID

NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to acquire a generator for Town Hall data processing. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$80,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$80,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$80,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance a part of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by 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 bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

RESOLUTION NO. (425-2013) continued

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, 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 7. 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 a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

On roll call the vote was as follows:

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

RESOLUTION NO. (426-2013)

Co. Hoehmann offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED NOVEMBER 7, 2013, AUTHORIZING THE PREPARATION OF PLANS AND SPECIFICATIONS IN CONNECTION WITH THE PROPOSED INSTALLATION OF SOLAR PANELS AT THE CLARKSTOWN LANDFILL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$80,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$80,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to prepare plans and specifications in connection with the proposed installation of solar panels at the Clarkstown landfill. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$80,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$80,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$80,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance a part of said appropriation.

RESOLUTION NO. (426-2013) continued

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by 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 bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, 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 7. 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 a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

* * *

RESOLUTION NO. (426-2013) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (427-2013)

Co. Hoehmann offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED NOVEMBER 7, 2013, AUTHORIZING THE CONSTRUCTION OF DRAINAGE IMPROVEMENTS ON WINDGATE DRIVE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$72,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$72,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct drainage improvements on Windgate Drive. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof is \$72,000 and said amount is hereby appropriated for such purpose. The aggregate estimated maximum cost of the project is \$154,000, including the \$82,000 appropriated in November 2012. The plan of financing includes the issuance of \$72,000 serial bonds to finance said additional appropriation, in addition to the \$82,000 serial bonds heretofore authorized as part of the bond resolution adopted by the Town Board on November 20, 2012, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$72,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said additional appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal

RESOLUTION NO. (427-2013) continued

and interest by 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 bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, 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 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "*The Journal-News*," a newspaper having general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on November 7, 2013, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted November 7, 2013, authorizing the construction of drainage improvements on Windgate Drive, stating the estimated maximum cost thereof is \$72,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of \$72,000 to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct drainage improvements on Windgate Drive; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$154,000; APPROPRIATING \$72,000 for such purpose, in addition to the \$82,000 heretofore appropriated; STATING the plan of financing includes the issuance of \$72,000 serial bonds to finance said additional appropriation, in addition to the \$82,000 serial bonds heretofore authorized pursuant to the bond resolution adopted by the Town Board on November 20, 2012, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon;

RESOLUTION NO. (427-2013) continued

SECOND: AUTHORIZING the issuance of bonds of the Town in the principal amount of \$72,000 pursuant to the Local Finance Law of the State of New York to finance said additional appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (428-2013)
Co. Hoehmann offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED NOVEMBER 7, 2013, AUTHORIZING THE CONSTRUCTION OF DRAINAGE IMPROVEMENTS ON HEREFORD LANE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$140,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$140,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct drainage improvements on

RESOLUTION NO. (428-2013) continued

Hereford Lane. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$140,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Town in the principal amount of \$140,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$140,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by 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 bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, 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.

RESOLUTION NO. (428-2013) continued

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "*The Journal-News*," a newspaper having general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on November 7, 2013, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted November 7, 2013, authorizing the construction of drainage improvements on Hereford Lane, stating the estimated maximum cost thereof is \$140,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$140,000 to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct drainage improvements on Hereford Lane; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$140,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds of the Town in the principal amount of \$140,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds of the Town in the principal amount of \$140,000 pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

RESOLUTION NO. (428-2013) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (429-2013)

Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Town Board meetings and the Town Board Workshop meetings, for the year 2014, shall be held at the Clarkstown Town Hall on Tuesday nights, except where noted, on the following days:

*WORKSHOP MEETINGS
7:30 P.M. - Room 301

TOWN BOARD MEETINGS
 8:00 P.M. – Auditorium
(Except where noted)

January - 14	January - 2 (Reorganization)(Thurs)
February - 11	February - 4
March - 18	March - 4
April - 1	April - 8
May - 20	May - 6
June - 24	June - 10
July - 22	July - 1
August - No Meeting	August - 5
Sept. - 23	September - 9
October - 21	September - 30
**November - 6 (Thurs @ 7:30 pm)	**November - 6 (Thurs @ 7 pm)
December - 2	December - 18 (Thurs @ 12 Noon)

* Police Department matters will be discussed at the Workshop Meetings.

** The November 6, 2014 Meeting will be a combination of Town Board Meeting and Workshop.

On roll call the vote was as follows:

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

RESOLUTION NO. (430-2013)

Co. Lasker offered and Co. Hoehmann 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 subdivision known as Sky Drive (26.18-1-4), Konstantinos Paxos and Phyllis Paxos have provided two (2) conservation easements and 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 the conveyances;

NOW, THEREFORE, be it

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 conservation easements, dated October 29, 2013, and the stormwater control facility maintenance agreement from Konstantinos Paxos and Phyllis Paxos, subject to approval as to form of the easements by the Town Attorney, and when approved, orders said conveyances recorded in the Rockland County Clerk’s Office at the expense of the grantor/applicant.

On roll call the vote was as follows:

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

RESOLUTION NO. (431-2013)

Co. Lasker offered and Co. Hoehmann seconded

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

“A Local Law Amending Chapter 290 (Zoning) of the Local Laws of the Town of Clarkstown with respect to Senior Citizen Congregate Housing and Assisted Care”

and

WHEREAS, the proposed local law is to amend Section 290 of the Town of Clarkstown Zoning Code to allow for a text amendment to Sections 290-3 and 290-17-O with respect to senior citizen congregate housing and assisted care living quarters;

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, Town Planner, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

On roll call the vote was as follows:

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

RESOLUTION NO. (432-2013)
Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that Stacy Kuo, 4 Vailshire Circle, Nanuet, New York – is hereby appointed to the position of Legal Stenographer (promotional) (provisional) – Office of the Town Attorney - at the current 2013 annual salary of \$42,998., effective November 7, 2013.

On roll call the vote was as follows:

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

RESOLUTION NO. (433-2013)
Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that Racquel Guzman, 85 Grand Avenue, 1st Floor, Pearl River, New York – is hereby appointed to the (promotional)(provisional) position of Principal Purchasing Clerk Typist – Purchasing Department – at the current annual salary of \$64,885., effective November 7, 2013.

On roll call the vote was as follows:

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

RESOLUTION NO. (434-2013)
Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that Catherine Oteri, 46 Bluebird Drive, Congers, New York – is hereby appointed to the position of Secretary – Traffic & Traffic Fire Safety Advisory Board - at the current 2013 annual salary of \$3,400., effective November 7, 2013.

On roll call the vote was as follows:

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

RESOLUTION NO. (435-2013)
Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that Matthew E. D’Ambrosio, 56 Foltim Way, Congers, New York – is hereby appointed to the position of Crossing Guard (substitute) – Police Department – at the current 2013 rate of \$19.04 per crossing – effective and retroactive to November 4, 2013.

RESOLUTION NO. (435-2013) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (436-2013)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, the Rockland County Personnel Office has certified on September 10, 2013 that the position of Data Entry Operator I #500683 (encumbered by Pierre Llamas) can be reclassified to the position of Computer Installation Assistant - Police Department.

NOW, therefore, be it

RESOLVED, that the position of Data Entry Operator I – Police Department is hereby abolished and reclassified to the position of Computer Installation Assistant – Police Department – effective October 7, 2013.

FURTHER RESOLVED, that Pierre Llamas, 32 Whitman St, Congers, New York – is hereby appointed (promotional) (permanent) to the position of Computer Installation Assistant – Police Department – at the current 2013 annual salary of \$52,124., effective and retroactive to October 7, 2013.

On roll call the vote was as follows:

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

RESOLUTION NO. (437-2013)

Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #13079 (NCP T&E) Senior Records Clerk Typist (Law Enforcement) – Police Department – which contains the name of Margarita A. Sandoval,

NOW, therefore, be it

RESOLVED, that Margarita A. Sandoval, 5 North Fairview, Nanuet, New York – is hereby appointed to the (promotional) (permanent) position of Senior Records Clerk Typist – Police Department - at the current 2013 annual salary of \$64,974., effective November 7, 2013.

On roll call the vote was as follows:

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

RESOLUTION NO. (438-2013)
Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that Margarita A. Sandoval, 5 North Fairview, Nanuet, New York – Senior Records Clerk Typist (Law Enforcement) – Police Department – is hereby granted, as per her request, a leave pursuant to the Family and Medical Leave Act – effective and retroactive to October 3, 2013.

On roll call the vote was as follows:

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

RESOLUTION NO. (439-2013)
Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that Allyson Delo, 10 Glenmere Road, Chester, New York – Senior Recreation Leader – Parks and Recreation – is hereby granted, as per her request, a leave pursuant to the Family and Medical Leave Act – effective and retroactive to October 15, 2013.

On roll call the vote was as follows:

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

RESOLUTION NO. (440-2013)
Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that Doris Quinones, 49 Leonard Street, Haverstraw, New York – Police Radio Dispatcher (CAD) – \Clarkstown Police Department – is hereby granted, as per her request, a leave sporadically, pursuant to the Family and Medical Leave Act – effective November 7, 2013.

On roll call the vote was as follows:

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

RESOLUTION NO. (441-2013)
Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that the resignation of Arthur G. Jackson, 7 Beauregard Terrace, Congers, New York – Member – Zoning Board of Appeals – is hereby accepted – effective and retroactive to September 30, 2013.

RESOLUTION NO. (441-2013) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (442-2013)

Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that the resignation of John A. Miele, 26 Tamarac Ave., New City, New York - Member – Traffic & Traffic Fire Safety Advisory Board – is hereby accepted – effective and retroactive to October 31, 2013.

FURTHER RESOLVED, that John A. Miele is hereby appointed to the position of Member – Zoning Board of Appeals – to fill the unexpired term of Arthur Jackson - at the current 2013 annual salary of \$5,700., effective November 7, 2013 and to expire on January 6, 2015.

On roll call the vote was as follows:

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

RESOLUTION NO. (443-2013)

Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that the resignation of Matthew T. Katchmar, 39 Forest Glen Road, Valley Cottage, New York - Member – Citizen’s Advisory Board – is hereby accepted – effective on November 6, 2013.

FURTHER RESOLVED, that Matthew T. Katchmar is hereby appointed to the position of Member – Traffic & Traffic Fire Safety Advisory Board – to fill the unexpired term of John Miele - at the current 2013 annual salary of \$2,800., effective November 7, 2013 and to expire on March 31, 2014.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli No
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (444-2013)

Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that the resignation of John E. Perrotta III, 418 Christian Herald, Valley Cottage, New York – Member – Alarm Users Review Board – is hereby accepted – effective on November 6, 2013.

RESOLUTION NO. (444-2013) continued

FURTHER RESOLVED, that John E. Perrotta III is hereby appointed to the position of Member – Traffic & Traffic Fire Safety Advisory Board – to fill the unexpired term of Norman Peachey - at the current 2013 annual salary of \$2,800., effective November 7, 2013 and to expire on March 31, 2015.

On roll call the vote was as follows:

- Co. Lasker Yes
- Co. Borelli No
- Co. Hoehmann Yes
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (445-2013)

Co. Lasker offered and Co. Hoehmann seconded

RESOLVED, that Brian Tesseyman, 6 Kelvin Court, Nanuet, New York – is hereby appointed to the position of – Chairman – Parks Board and Recreation Commission (to fill the unexpired term of Rudy Damonti) – term effective and retroactive to May 2, 2013 and to expire on December 31, 2013 at the current 2013 annual salary of \$775.

On roll call the vote was as follows:

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

RESOLUTION NO. (446-2013)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled Wald Realty Co. #4 LLC v. The Town of Clarkstown, its Assessor and Board of Assessment Review of The Town of Clarkstown, Index No(s). 6361/09, 6697/10, 4982/11, 033546/12 and 033422/13, affecting parcel designated as Tax Map No. 63.12-3-36 and more commonly known as 161 Main Street, Nanuet, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

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

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 63.12-3-36 be reduced for the year(s) 2009/10 and 2012/13 from \$259,000 to \$194,300 at a total cost to the Town of \$3,139.06;
2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 63.12-3-36 be reduced for the year(s) 2010/11 and 2011/12 from \$259,000 to \$181,300 at a total cost to the Town of \$3,744.38;
3. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 63.12-3-36 for the year(s) 2013/14;

RESOLUTION NO. (446-2013) continued

4. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13 on the parcel described as Tax Map No. 63.12-3-36, as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

5. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (447-2013)

Co. Lasker offered and Co. Hoehmann 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-2014-Clarkstown Town PD-00139-(044)) for the purpose of participating in the “Child Passenger Safety Program” for the period from October 1, 2013 through September 30, 2014, and

WHEREAS, THE State shall provide \$2,500.00 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 enter into an agreement with the State of New York, Governor’s Traffic Safety Committee, Department of Motor Vehicles, in a form approved by the Town Attorney, to accept a grant award of \$2,500.00 for the purpose of participating in the “Child Passenger Safety Program” for the period October 1, 2013 through September 30, 2014, by the Town of Clarkstown Police Department.

On roll call the vote was as follows:

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

RESOLUTION NO. (448-2013)

Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, an investigation by the Traffic & Traffic Fire Safety Advisory Board revealed that Knollwood Court where it terminates into Waters Edge, Valley Cottage has been used as a short cut and that an increased intensity of traffic has been noted, and

WHEREAS, there is currently no regulating signage to indicate that this is a “T” intersection and that traffic must stop prior to entering the straightaway Waters Edge,

NOW, THEREFORE be it RESOLVED that the Town Board hereby authorizes the Superintendent of Highways to install the following signs:

RESOLUTION NO. (448-2013) continued

- 1.) a STOP sign and stop line on the north side of Knollwood Court
- 2.) a "T" intersection sign (MUTCD W2-4) on the north side of Knollwood Court
- 3.) a STOP AHEAD sign (MUTCD W3-1) on the north side of Knollwood Court

all signage to be installed between Russet Road and Waters Edge in the appropriate locations per the MUTCD Manual, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded by the Town Clerk to the Superintendent of Highways for implementation and the Chief of Police for enforcement.

On roll call the vote was as follows:

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

RESOLUTION NO. (449-2013)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, Resolution #285-2013 adopted by the Town Board on July 2, 2013 regarding the installation of parking restrictive signage in the hamlet of Rockland Lake contained irregularities and,

WHEREAS, a follow up investigation by the Traffic and Traffic Fire Safety Advisory Board was conducted to revisit the matter,

NOW THEREFORE be it RESOLVED, that the Town Board hereby rescinds Resolution #285-2013 in its entirety.

On roll call the vote was as follows:

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

RESOLUTION NO. (450-2013)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, the Traffic and Traffic Fire Safety Board has revisited the parking restriction issue on the Town roads in the northeast portion of Rockland Lake State Park, and

WHEREAS, the concerns of the residents of Collyer Avenue regarding ingress, egress and emergency vehicle access have been determined to be valid,

NOW THEREFORE be it RESOLVED, that the Superintendent of Highways is hereby authorized to install "NO PARKING" signs per NYS DOT MUTCD, Sec 221.5 on both sides of Collyer Avenue, Hamlet of Rockland Lake and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded by the Town Clerk to the Superintendent of Highways for implementation and the Chief of Police for enforcement.

On roll call the vote was as follows:

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

RESOLUTION NO. (451-2013)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, residents of the area of Williams Street, New City have identified a hazard due to parking near the intersection of Williams Street and S. Little Tor Road, New City, and,

WHEREAS, an investigation was conducted by the Code & Zoning Enforcement Officer including an interview with the residents of 3 Williams Street whereby it was determined that appropriate restrictive signage would be useful,

NOW THEREFORE be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install a "No Parking Here to Corner" sign per NYS DOT MUTCD Manual with arrow to the west on the south side of Williams Street approximately twenty-five (25) feet east of the intersection with S. Little Tor Road, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded by the Town Clerk to the Superintendent of Highways for implementation and the Chief of Police for enforcement.

On roll call the vote was as follows:

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

RESOLUTION NO. (452-2013)

Co. Lasker offered and Co Borelli seconded

WHEREAS, the site of the Veterans' Memorial located at the Nanuet Train Station (Lot 13-D-28), Nanuet, NY, is owned by the New Jersey Transit Corporation; and

WHEREAS, the New Jersey Transit Corporation has agreed to lease the aforesaid site to the Town for a term of ten (10) years commencing on September 1, 2013 and ending on August 31, 2023, for a fee;

NOW, THEREFORE, be it

RESOLVED, in accordance with the authority provided in Town Law Section 64(2), the Town Board authorizes and directs the Supervisor to enter into a lease agreement with New Jersey Transit Corporation for the premises identified on the Tax Map of the Town of Clarkstown as Lot 13-D-28, which lease agreement will commence on September 1, 2013 and end on August 31, 2023, for a fee as set forth on the attached fee schedule, due and payable on the first day of the license year; and be it

FURTHER RESOLVED, that this Resolution shall be retroactive to September 25, 2013, and said fee shall be a proper charge to Account No. A-6510-401.

SCHEDULE "A"

Fee:

The Fee for the License Area is as follows: (all compensation is payable annually)

Table with 2 columns: License Year, Annual Minimum Base. Rows 1-10 with values ranging from \$300.00 to \$374.66.

RESOLUTION NO. (452-2013) continued

Charges are due and payable on the first day of License Year in advance, commencing on September 1, 2013. All checks shall be made payable to NJ TRANSIT Corporation and shall be mailed to Post Office Box 1549, Newark, New Jersey 07101-1549.

On roll call the vote was as follows:

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

RESOLUTION NO. (453-2013)

Co. Borelli offered and Co. Lasker seconded

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

BID # 12-2012 – RESIDENTIAL REFUSE AND BULK COLLECTION SERVICES FOR ONE, TWO AND THREE FAMILY HOMES IN THE UNINCORPORATED PORTION OF THE TOWN OF CLARKSTOWN

is hereby awarded to: CLARKSTOWN CARTING ASSOCIATION, INC.
 142 ROUTE 9W
 CONGERS, NY 10920

PRINCIPAL: PAT NAZZARO, PRESIDENT

as per their proposed low bid prices as follows for the duration of the contract from September 1, 2013 through August 31, 2018 Garbage Collection (unit price per eligible dwelling unit per month): \$22.72 Bulk Waste Collection (unit price per eligible dwelling unit per month): \$3.55 Senior Citizen Exemption (unit price per eligible dwelling unit per month): \$10.00 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) Letter of Credit as per specifications
- c) Certificate of Contractor's Liability and Property Damage Coverage, including a Save Harmless Agreement
- d) Certificate of Automobile Liability Coverage
- e) Certificate of Worker's Compensation insurance coverage
- f) Certificate of Worker's Disability Insurance coverage

The Town of Clarkstown must be named as additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that project shall be under the supervision of the Department of Environmental Control.

On roll call the vote was as follows:

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

RESOLUTION NO. (454-2013)

Co. Hausner offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED NOVEMBER 7, 2013, AUTHORIZING THE CONSTRUCTION OF DRAINAGE AND CHANNEL IMPROVEMENTS ON LAKE ROAD, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$295,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$295,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct drainage and channel improvements on Lake Road. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$295,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Town in the principal amount of \$295,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$295,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by 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 bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

RESOLUTION NO. (454-2013) continued

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, 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 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "*The Journal-News*," a newspaper having general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on November 7, 2013, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted November 7, 2013, authorizing the construction of drainage and channel improvements on Lake Road, stating the estimated maximum cost thereof is \$295,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$295,000 to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct drainage and channel improvements on Lake Road; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$295,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds of the Town in the principal amount of \$295,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds of the Town in the principal amount of \$295,000 pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

RESOLUTION NO. (454-2013) continued

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (455-2013)

Co. Hausner offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED NOVEMBER 7, 2013, AUTHORIZING THE CONSTRUCTION OF DRAINAGE IMPROVEMENTS ON CARLTON COURT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$150,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct drainage improvements on Carlton Court. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Town in the principal amount of \$150,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$150,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

RESOLUTION NO. (455-2013) continued

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by 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 bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, 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 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "*The Journal-News*," a newspaper having general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on November 7, 2013, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted November 7, 2013, authorizing the construction of drainage improvements on Carlton Court, stating the estimated maximum cost thereof is \$150,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$150,000 to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct drainage improvements on Carlton Court; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$150,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds of the Town in the principal amount of \$150,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds of the Town in the principal amount of \$150,000 pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (456-2013)
Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Palisades Medical and Professional Office Complex LLC v. The Town of Clarkstown, its Assessor and Board of Assessment Review of the Town of Clarkstown, Index No(s). 6400/09, 7020/10, 30781/11, 34011/12 and 33581/13, affecting parcel designated as Tax Map Nos. 64.7-1-9.1/100, 64.7-1-9.1/200, 64.7-1-9.1/310, 64.7-1-9.1/320, 64.7-1-9.1/400 and 64.7-1-9.1/500, and more commonly known as Two Medical Park Drive, West Nyack, New York, for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

RESOLUTION NO. (456-2013) continued

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

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 64.7-1-9.1/100, be reduced for the year(s) 2009/10 from \$235,860 to \$190,685; for the year(s) 2010/11 from \$251,780 to \$203,130; for the year(s) 2011/12 from \$267,700 to \$215,575; for the year(s) 2012/13 from \$283,620 to \$228,020, at a total cost to the Town of \$4,895.27;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 64.7-1-9.1/200, be reduced for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13 from \$290,100 to \$232,100, at a total cost to the Town of \$5,609.03;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 64.7-1-9.1/310, be reduced for the year(s) 2009/10 from \$299,135 to \$241,870; for the year(s) 2010/11 from \$319,330 to \$257,660; for the year(s) 2011/12 from \$339,525 to \$273,450, and for the year(s) 2012/13 from \$359,720 to \$289,240, at a total cost to the Town of \$6,205.36;

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 64.7-1-9.1/320, be reduced for the year(s) 2009/10 from \$138,745 to \$112,160; for the year(s) 2010/11 from \$145,140 to \$119,480; for the year(s) 2011/12 from \$157,475 to \$126,800, and for the year(s) 2012/13 from \$166,840 to \$134,120, at a total cost to the Town of \$2,810.75;

5. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 64.7-1-9.1/400, be reduced for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13 from \$605,800 to \$484,600, at a total cost to the Town of \$11,720.93;

6. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 64.7-1-9.1/500, be reduced for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13 from \$598,400 to \$478,700, at a total cost to the Town of \$11,575.87;

7. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map Nos. 64.7-1-9.1/100, 64.7-1-9.1/200, 64.7-1-9.1/310, 64.7-1-9.1/320, 64.7-1-9.1/400 and 64.7-1-9.1/500 for the year(s) 2013/14;

8. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13 on the parcel(s) described as Tax Map Nos. 64.7-1-9.1/100, 64.7-1-9.1/200, 64.7-1-9.1/310, 64.7-1-9.1/320, 64.7-1-9.1/400 and 64.7-1-9.1/500, as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

9. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (457-2013)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Rockland Housing Action Coalition, Inc. (the "Applicant") has proposed developing a certain parcel known as "65 Lake Road" designated on the Town of Clarkstown Tax Map Section 44.15, Block 3, Lots 41 and 42.1 in the hamlet of Congers, and

RESOLUTION NO. (457-2013) continued

WHEREAS, at a workshop, the Senior Citizens Director underscored the need for affordable senior housing in the Town of Clarkstown, and the Comprehensive Plan Special Board, as well as its Subcommittee for Senior Housing, have expressed their support for the Project, and

WHEREAS, an amendment to Local Law Chapter 290 was approved on November 10, 2011, which gives the Applicant the right to submit an application to the Town Board for the approval of the proposed development;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby expresses its support for the Project, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute letter/letters of support as may be required by the applicant to secure funding, and be it

FURTHER RESOLVED, after the project receives state funding, the Supervisor will be authorized to enter into a PILOT agreement with the Rockland Housing Action Coalition pursuant to Article 290-17 of the Clarkstown Code, Section O(A). Senior citizen housing, (4) Tax abatements/payment in lieu of taxes (PILOT), and be it

FURTHER RESOLVED, in order to effectuate the development of the Congers Lake Village Square senior rental complex, the Supervisor is authorized to enter into an agreement with the Rockland Housing Action Coalition to sell surplus property in the bed of a mapped street adjacent to the proposed Congers Lake Village Square which will enable the Project to achieve the necessary density to provide affordable rental senior housing, and be it

FURTHER RESOLVED, that nothing set forth in this resolution shall be construed so as to bind the Town Board with respect to future action concerning the Project.

On roll call the vote was as follows:

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

RESOLUTION NO. (458-2013)

Co. Lasker offered and Co Borelli seconded

WHEREAS, the Town owns certain real estate known as Middlewood Senior Citizen Park located at 80 N. Middletown Road, Nanuet, New York (Tax Map: 58.17-1-2), and

WHEREAS, the Town has interviewed several real estate agents for the purpose of selling said property;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Marcus & Millichap Real Estate Investment Services of New York, in a form approved by the Town Attorney, to provide real estate services to the Town with respect to the "Open Listing" of property known as Middlewood Senior Citizen Park located at 80 N. Middletown Road, Nanuet, New York, and be it

FURTHER RESOLVED, that the fee for said services shall be 4% commission if an acceptable purchaser is procured, which sale shall be subject to further approval of the Town Board.

On roll call the vote was as follows:

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

RESOLUTION NO. (459-2013)
Co. Borelli offered and Co. Hausner seconded

Tbe Shops@ Nanuet

WHEREAS, the Chief Fire Safety Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 278 Sec. 13, of the Code of the Town of Clarkstown, at

TD Bank
104 Market St. East
Nanuet NY 10954
14-C-1.3
63.8-3-6,8

By the installation of fire lane designations, and

WHEREAS, Michael Sci, Operations Mgr., has requested that the Town of Clarkstown designate said fire lanes:

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Chief Fire Safety Inspector with regard to the installation of conforming fire lane designations be installed by and at the expense of the owner of such property upon the review and approval of the Traffic and Traffic Fire Safety Advisory board of the Town of Clarkstown.

On roll call the vote was as follows:

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

RESOLUTION NO. (460-2013)
Co. Borelli offered and Co. Hausner seconded

Edward Bertolino

WHEREAS, the Chief Fire Safety Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 278 Sec. 13, of the Code of the Town of Clarkstown, at

Edward Bertolino Property
44-46 Lake Rd. Congers NY 10920
127-P-16
44.15-3-10

By the installation of fire lane designations, and

WHEREAS, Edward Bertolino, Owner, has requested that the Town of Clarkstown designate said fire lanes:

NOW, THEREFORE, be it

RESOLUTION NO. (460-2013) continued

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Chief Fire Safety Inspector with regard to the installation of conforming fire lane designations be installed by and at the expense of the owner of such property upon the review and approval of the Traffic and Traffic Fire Safety Advisory board of the Town of Clarkstown.

On roll call the vote was as follows:

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

RESOLUTION NO. (461-2013)
Co. Borelli offered and Co. Hausner seconded

The Shops@ Nanuet

WHEREAS, the Chief Fire Safety Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 278 Sec. 13, of the Code of the Town of Clarkstown, at

Retail Property Trust
5101 Fashion
Dr, Nanuet
NY 10954
14-C-U
63.8-3-3

By the installation of fire lane designations, and

WHEREAS, Michael Sci, Operations Mgr., has requested that the Town of Clarkstown designate said fire lanes:

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Chief Fire Safety Inspector with regard to the installation of conforming fire lane designations be installed by and at the expense of the Owner of such property upon the review and approval of the Traffic and Traffic Fire Safety Advisory board of the Town of Clarkstown.

On roll call the vote was as follows:

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

RESOLUTION NO. (462-2013)
Co. Lasker offered and Co Borelli seconded

WHEREAS, Ronald S. Koppelman, attorney for Kobe Fusion Inc. d/b/a Kobe, has advised the Town by letter dated November 7, 2013, pursuant to Section 64 of the Alcoholic Beverage Control Law, that Kobe Fusion Inc. d/b/a Kobe has applied for an on-premises liquor license at 195 South Main Street, New City, New York, and

WHEREAS, to expedite processing said corporation’s license application, Mr. Koppelman has requested that the Town Board waive the fifteen (15) day notice of a 500 foot hearing 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 fifteen (15) day notice of the 500 foot hearing 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 Kobe Fusion Inc. d/b/a Kobe for a license at premises located at 195 South Main Street, New City, New York.

On roll call the vote was as follows:

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

Supervisor opened the meeting for general public comments.

Richard Sena, Bardonia
He inquired about the possibility of putting audio minutes on website.

Michael Hull, Bardonia
He asked whether the Highway Constituent Service representative had turned his tapes over to the Board and stated they had been released to other parties.

Steve Levine, Congers
He had questions about the use of the Town Auditorium and he suggested that the Town hire outside engineers to remediate property on Massachusetts Avenue.

Marge Hook, New City
Spoke about lost opportunities for FEMA money, suggested people on various Boards not get paid when they don’t attend meetings and asked whether Co. Borelli needed permission from the Town Board to send his letter to the Attorney General.

Philip DeGaetano, New City
Congratulated all present that had recently been reelected.

Regarding audio minutes on the Town website, the Town Clerk stated we would have to consult with the Data Processing and Purchasing departments regarding costs and feasibility. Regarding the Constituent Service tapes, the Town Attorney stated they have not received them yet. Regarding the use of the auditorium, there is a permit and there are policies in place such as residency requirements and proof of insurance. Regarding Mr. Borelli’s letter, the Supervisor stated he did not need the permission of the other Board members to do this.

There being no one further wishing to be heard, on motion of Co. Lasker seconded by Co. Hausner the Town Board meeting was closed, time: 9:12 p.m.

Respectfully submitted

Justin Sweet
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING #1

Town Hall

11/07/13

7:15 pm

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

Re: Proposed Local Law to Override the Tax Levy Limit established by General Municipal Law §3-C

Town Clerk, Justin Sweet, read the notice of public hearing. On motion of Co. Hausner seconded by Co. Borelli the public hearing was opened.

The Supervisor asked if there was anyone present wishing to speak.

Richard Sena, Bardonia
Read and submitted a statement on campaign funds. (on file in Town Clerk’s Office).

Tom Nimick, New City
Inquired as to what measures have been done to avoid breaking the tax cap.

Steven Levine, Congers
Commented on public works expenditures and salaries.

Alice Lerner, Garnerville
She represents New City Bowl and had questions on the commercial tax rate.

Joe Ciardullo, New City
He had questions on the budget and tax cap override.

George Rumelt, New City
Made a statement on taxation and the tax cap.

Town Attorney Mele explained that the State Law is designed so you cannot vote on the Budget unless you first enact the Local Law to exceed the cap, if the Budget is going to exceed the cap. Many municipalities actually pass this Local Law at the beginning of the year in case they need it; but the local law has to come first. As far as the timing of this hearing, State law requires it must be held no later than the Thursday following the general election and we have held it on this day for the past 20 years. Also, according to State law, the salaries of the elected officials were published in the newspaper in October.

There being no one further wishing to be heard on motion of Co. Lasker, seconded by Co. Hausner the public hearing was closed, time: 7:34 pm.

(RESOLUTION NO. 395-2013 ADOPTED)

Respectfully submitted,

Justin Sweet
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING #2

Town Hall

11/07/13

7:34 pm

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

Re: Proposed Town of Clarkstown Budget for 2014

Town Clerk, Justin Sweet, read the notice of public hearing. On motion of Co. Hoehmann seconded by Co. Hausner the public hearing was opened.

The Supervisor addressed some of the questions brought up at the previous public hearing. Regarding efforts made to avoid breaking the tax cap, he cited the hundreds of thousands of dollars in savings as a result of the consolidation of Receiver and Town Clerk offices. He stated that over the years the workforce has been reduced by 14% which has saved us several million dollars each year. He spoke about other money saving efforts such as exploring a lighting district takeover and solar field in the landfill. He explained funding through money in lieu of land to pay off bonding for the walking trail. Regarding salaries, he explained the contracts the Town has and he spoke about fixed costs such as pensions, etc. over which the Town has no control. He pointed out the reduction in the workforce, consolidation of various offices, economic development, and some wage freezes by elected officials. He spoke about the County of Rockland shifting millions of dollars of expenses to the Town and hoped that under the new County Executive, reimbursement and additional aide would be forthcoming.

The Supervisor opened the meeting for public comment.

Tom Nimick, New City

He raised questions on salaries, bonded indebtedness, constituent service positions and an increase in the Town Clerk's salary.

George Rumelt, New City

Asked for an explanation on bonding and had question regarding revenue from the new mall.

Alice Lerner, Garnerville

She had questions on homestead taxes, union contracts and revenue from the new mall.

Joe Ciardullo, New City

Spoke about budgeting and costs of parts in the Highway Department.

Richard Sena, New City

He had questions on the reserve funds.

Steven Levine, Congers

Made a statement on stringent budgeting measures.

Michael Hull, Bardonia

He spoke about the tax burden on seniors and people on fixed incomes and inquired about a possible audit of parts' costs.

In response to questions regarding plans to reduce debt, Supervisor Gromack spoke about a five year capital plan for infrastructure projects. He spoke about a host of capital projects that have been accomplished in the past few years at a time when interest rates were historically low. Going forward there should be a downward curve in such projects; therefore, the bonded amount will be less. He defended the increase in the Town Clerk's salary citing the tremendous amount of responsibility and increase in hours due to the consolidation and he detailed the hundreds of thousands of dollars in savings to the Town that would result because of this consolidation. Additionally, he stated that the part time line in that office would be reduced by \$35,000 and he entered a motion to do so. On motion of Co. Borelli seconded by Co. Hausner and unanimously adopted, the Board voted to reduce the part time line in the Town Clerk's office by \$35,000. In response to a question about tax revenue from the Shops at Nanuet he explained that according to the tax formula adopted by the County, the County gets 94% and the remaining 6% is divided among the Towns. We are renewing discussion with the County about increasing the share of tax revenue to the Town as we generate the majority of sales tax revenue in the County. He explained that Homestead vs. Non-Homestead was adopted many years ago primarily to give more of a tax break to residential as opposed to commercial property. He explained that union contract negotiations involve very able attorneys, the comptroller, some department heads as well as himself. It is primarily a function of the Town Board through our agents and a labor attorney. Regarding a question about getting the best prices, we do participate in competitive bidding projects. We have also received several million dollars in grants and from other sources which have reduced capital expenditures. Additionally, we participate in State and County purchasing power contracts which have saved us millions of dollars. In response to questions about the surplus, he explained we have used some of our surplus in the past; we are only using \$500,000 this year and will have about \$15 million left. Regarding audits, we participate and welcome outside audits; we have audits every year by an outside, independent firm and some years by the NYS Comptroller. Regarding senior citizens and veterans, we give the fullest tax exemptions allowable under State law and we are looking to create more affordable senior housing in the Town. He reminded the audience of a change in the STAR program and the need to reapply with the State in order to maintain benefits.

Co. Borelli addressed a question about an audit of expenditures relating to the Highway Department and spoke of a letter he sent to the NYS Attorney General requesting an investigation. Regarding the budget, he spoke of a 5 year plan for bonding and the Board's commitment to see that trend go down.

Co. Hoehmann spoke about the need for more cuts in the budget.

Co. Lasker stated that considering that 90% of costs are fixed, the Board has done a great job; they have cut a lot and will continue to do more.

Co. Hausner agreed we are up against a lot of fixed costs and that we need to look at our bonding and reverse the trend.

In answer to additional questions, the Supervisor explained the meaning of constituent service representative. He also confirmed that the elected officials' salaries were published in the newspaper prior to the elections.

There being no one further wishing to be heard, on motion of Co. Hoehmann seconded by Co. Hausner, the public hearing was closed, time: 8:40 p.m.

Respectfully submitted,

Justin Sweet
Town Clerk

RESOLUTION NO. (396-2013) ADOPTED
(Subject to a reduction Town Clerk's part-time budget line.)