

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

11/05/2014

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

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

On motion of Co. Borelli, seconded by Co. Hoehmann the public hearing re: Proposed Town of Clarkstown Budget for 2015 was opened, time: 7:03 pm, closed 10:55 pm

(RESOLUTION NO. 453-2014 ADOPTED)

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On motion of Co. Hoehmann, seconded by Co. Hausner the public hearing re: Proposed Local Law entitled: "Amendment to Chapter 18 (Code of Ethics) of the Code of the Town of Clarkstown" was opened, time: 10:55 pm, closed, 11:01 pm

(RESOLUTION NO. 454-2014 ADOPTED)

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RESOLUTION NO. (453-2014)  
Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, a public hearing, pursuant to Town Law Section 108, to consider the Town of Clarkstown Preliminary Budget for the year 2015, was duly scheduled and noticed for November 5, 2014 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 1<sup>st</sup> day of January, 2015, 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. (453-2014) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (454-2014)

Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, a proposed local law entitled,

"AMENDMENT TO CHAPTER 18 (CODE OF ETHICS) OF THE CODE OF THE TOWN OF CLARKSTOWN"

was introduced by Councilperson Lasker at a Town Board meeting held on September 30, 2014, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on September 30, 2014, directed that a public hearing be held on November 5, 2014 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, 2014, 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 23, 2014, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on November 5, 2014;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. – 2014 entitled:

" AMENDMENT TO CHAPTER 18 (CODE OF ETHICS) OF THE CODE OF THE TOWN OF CLARKSTOWN "

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

On roll call the vote was as follows:

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

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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. (455-2014)

Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of September 30, 2014 are hereby accepted as submitted by the Town Clerk.

RESOLUTION NO. (455-2014) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (456-2014)

Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, the Town Board has received a request for reallocation for the grade title Police Radio Dispatcher CAD & CAD Spanish Speaking in the Town of Clarkstown, and

WHEREAS, the Town Board has hired a firm to do a comprehensive review of all grade titles within the Town of Clarkstown, and

WHEREAS, it has been determined by the Town Board to deny, without prejudice, this pending application for reallocation at this time, subject to completion of said review;

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby denies the reallocation request for the grade title Police Radio Dispatcher CAD & CAD Spanish Speaking in the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Town Board shall take the recommendations of the firm under advisement upon completion of said review.

On roll call the vote was as follows:

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

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RESOLUTION NO. (456-2014)

Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Project Engineer that

BID # 16A-2014 – SEWER REHABILITATION – GRAVITY SEWERS FOR  
 NYS ROUTE 303, WEST NYACK; WATERS EDGE, CONGERS;  
 PINEVIEW AVENUE EASEMENT, BARDONIA;  
 ABERDEEN DRIVE, WEST NYACK

is hereby awarded as follows:

EN-TECH CORP.  
 91 RUCKMAN ROAD  
 CLOSTER, NJ 07624  
 PRINCIPAL: NADA E. CAMALI, PRESIDENT

as per their proposed total bid price not to exceed \$365,904.75 plus a 10% contingency and be it

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

RESOLUTION NO. (457-2014) continued

- 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 be under the supervision of the Clarkstown Department of Environmental Control and the Project Engineer, and be it

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8760-400-409-0-84-9, and be it

FURTHER RESOLVED, that this project shall be funded through proceeds from an inter-municipal agreement with the Rockland County Sewer District #1.

On roll call the vote was as follows:

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

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RESOLUTION NO. (458-2014)

Co. Hoehmann offered and Co. Hausner seconded

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

BID # 28-2014 – LIEBERT ENVIRONMENTAL CONTROL SYSTEM

is hereby awarded to: CLARKSTOWN HEATING & AIR CONDITIONING  
 95 SOUTH PEARL STREET  
 PEARL RIVER, NY 10965

PRINCIPAL: GUY PASTORE  
 THOMAS J. PASTORE  
 LAWRENCE PALUMBO JR.

as per their proposed total project cost not to exceed \$39,800.00 plus a 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,

RESOLUTION NO. (458-2014) continued

- 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-8767-400-409-0-90-18, 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

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RESOLUTION NO. (459-2014)  
Co. Hoehmann offered and Co. Hausner seconded

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

**BID#1-2015 – 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.

On roll call the vote was as follows:

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

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RESOLUTION NO. (460-2014)  
Co. Hoehmann offered and Co. Hausner seconded

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

**BID#2-2015 – FIREWORKS DISPLAY**

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New

RESOLUTION NO. (460-2014) continued

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  
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RESOLUTION NO. (461-2014)

Co. Hoehmann offered and Co. Hausner seconded

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

BID#3-2015 – 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  
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RESOLUTION NO. (462-2014)

Co. Hoehmann offered and Co. Hausner seconded

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

BID#4-2015 – 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  
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RESOLUTION NO. (463-2014)

Co. Hoehmann offered and Co. Hausner seconded

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

BID#5-2015 – 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

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RESOLUTION NO. (464-2014)

Co. Hoehmann offered and Co. Hausner seconded

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

BID#6-2015 – 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

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

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RESOLUTION NO. (465-2014)

Co. Hoehmann offered and Co. Hausner seconded

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

RFP#7-2015 – 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

RESOLUTION NO. (465-2014) 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

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RESOLUTION NO. (466-2014)

Co. Hoehmann offered and Co. Hausner seconded

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

BID#8-2015 – 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

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RESOLUTION NO. (467-2014)

Co. Hoehmann offered and Co. Hausner seconded

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

BID#9-2015 – 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

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RESOLUTION NO. (468-2014)  
Co. Hoehmann offered and Co. Hausner seconded

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

BID#10-2015 – BUS TRANSPORTATION – SENIOR AND YOUTH TRIPS

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

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RESOLUTION NO. (469-2014)  
Co. Lasker offered and Co Borelli seconded

WHEREAS, an adverse drainage condition exists on Old Haverstraw Road, Congers; and

WHEREAS, the Department of Environmental Control has prepared a plan to ameliorate the adverse drainage condition; and

WHEREAS, the Department of Environmental Control has solicited proposals from four (4) qualified contractors to perform the work in accordance with the plan; and

WHEREAS, the Department of Environmental Control has received one (1) proposal in response to its solicitation; and

WHEREAS, Department of Environmental Control staff has reviewed the low proposal submitted by Victor P. Zugibe, Inc., and has found it to be acceptable; and

WHEREAS, the Director of the Department of Environmental Control recommends that the work be awarded to Victor P. Zugibe, Inc., for their low proposal of \$22,500.00;

NOW, THEREFORE, BE IT RESOLVED that the Director of the Department of Environmental Control is hereby authorized to retain the services of:

Victor P. Zugibe, Inc.  
66 West Railroad Avenue  
Garnerville, N.Y. 10923

to perform this work in accordance with their proposal for an amount not to exceed \$22,500.00; and be it

FURTHER RESOLVED that this amount shall be a proper charge to account number H-8767-409-8615.

RESOLUTION NO. (469-2014) continued

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
 Co. Borelli . . . . . Yes  
 Co. Hoehmann . . . . . Yes  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (470-2014)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, based upon the recommendation of the Department of Environmental Control and as a condition to the approval of the final map by the Planning Board with regard to the Jehovah’s Witnesses site plan (tax map 64.06-2-40), Jehovah’s Witnesses has provided a stormwater control facility maintenance agreement to the Town, and

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

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

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

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
 Co. Borelli . . . . . Yes  
 Co. Hoehmann . . . . . Yes  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (471-2014)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, Resolution No. 366-2014 was adopted by the Town Board on August 5, 2014 for the purpose of installing No Parking Here to Corner signage on the east side of Park Terrace, New City, and

WHEREAS, a follow up inspection and investigation by the Clarkstown Highway Department and the Code & Zoning Enforcement Officer revealed that the restriction cannot be installed due to driveway proximity and road width;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby rescinds Resolution No. 366-2014 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  
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RESOLUTION NO. (472-2014)  
Co. Hoehmann offered and Co. Borelli seconded

**WHEREAS**, Resolution No. 366-2014 was adopted by the Town Board on August 5, 2014 for the purpose of installing No Parking Here to Corner signage on the east side of Park Terrace, New City, and

**WHEREAS**, a follow up inspection and investigation by the Clarkstown Highway Department and the Code & Zoning Enforcement Officer revealed that the restriction cannot be installed due to driveway proximity and road width;

**NOW, THEREFORE**, be it **RESOLVED**, that the Town Board hereby rescinds Resolution No. 366-2014 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  
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RESOLUTION NO. (473-2014)  
Co. Hoehmann offered and Co. Borelli seconded

**WHEREAS**, an investigation by the Traffic & Traffic Fire Safety Advisory Board resulted in the recommendation that a Stop Sign and Stop Line be installed on the north side of Wesel Road, Nanuet where it intersects as a "T" intersection into Fulton Street, and

**WHEREAS**, a follow up inspection of the area was performed by the Code & Zoning Enforcement Officer//Traffic Advisory Liaison to determine the exact location and it was determined that such Stop Sign and associated Stop Line is warranted due to traffic intensity and speeding on Wesel Road;

**NOW, THEREFORE**, be it **RESOLVED**, that the Town Board hereby authorizes the Superintendent of Highways to install a Stop Sign and Stop Line on the north side of Wesel Road's terminus at Fulton Street, Nanuet, at the corner property, 18 Wesel Road (58.5-1-2) and be it

**FURTHER RESOLVED**, that a copy of this resolution be forwarded by the Town Clerk to the Chief of Police for enforcement purposes and the Traffic and Traffic Fire Safety Advisory Board for file and information.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
Co. Borelli . . . . . Yes  
Co. Hoehmann . . . . . Yes  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (474-2014)  
Co. Hoehmann offered and Co. Hausner seconded

**WHEREAS**, Richard Vasquez has requested a refund of Building Permit Fee (#14-1097) paid in the amount of \$402.00 for property located at 12 South Lane, New City, New York, more particularly described as Tax Map No. 51.15-1-11, because the application is being withdrawn, and

**WHEREAS**, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$120.00;

**NOW, THEREFORE**, be it

**RESOLVED**, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund in the amount of \$282.00 to Richard Vasquez to be charged to Account No. B-02-6-2555-0.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
Co. Borelli . . . . . Yes  
Co. Hoehmann . . . . . Yes  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (475-2014)  
Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, in accordance with the recommendation of the First Deputy Director of the Department of Environmental Control and the Superintendent of Highways, the Town of Clarkstown wishes to accept and record an easement for general municipal purposes from Tilcon New York, Inc., in a form approved by the Town Attorney, on property located along Landmark Drive (FKA Long Clove Road), New City, New York (Tax Map: 35.10-2-1 & 2);

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept said Easement for general municipal purposes from Tilcon New York, Inc. and orders said easement to be recorded in the Rockland County Clerk's Office at the expense of the Town.

On roll call the vote was as follows:

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

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RESOLUTION NO. (476-2014)  
Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, an application has been made by Tilcon New York, Inc. that the Town Board and the Superintendent of Highways of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law and Section 273 of Town Law to declare the portion of Landmark Drive (FKA Long Clove Road), New City, New York, east of Burts Road to NYS Route 9W, more particularly described on the attached Schedule "A", be abandoned upon the grounds that same has never been used by the public, and

WHEREAS, said street currently appears on the Official Map of the Town of Clarkstown, and said applicant has further requested that such allegedly abandoned road be deleted from same, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider the determination of abandonment pursuant to Section 205 of the Highway Law, or alternately, deletion from the Official Map of the Town of Clarkstown, pursuant to Section 273 of the Town Law of said portion as described above;

NOW, THEREFORE, BE IT RESOLVED, that a copy of the Resolution be referred to the Rockland County Commissioner of Planning and the Clarkstown Planning Board for their review, report and recommendation, 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 First Deputy Director of the Department of Environmental Control, Dennis Letson, P.E., 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 Superintendent of Highways is hereby requested to render his report and recommendation to the Town Board pursuant to Highway Law Section 205 on or before December 4, 2014, and be it

FURTHER RESOLVED, that a public hearing shall be held in the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, on December 18, 2014, at 12:00 P.M. (noon), or as soon thereafter as possible, pursuant to Section 273 of Town Law, to consider said certification of abandonment pursuant to Section 205 of Highway Law and/or deletion of same from the Official Map pursuant to Section 273 of Town Law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and provide such notice to other municipalities as may be required by General Municipal Law, and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk, and be it

FURTHER RESOLVED, that the applicant shall fulfill the additional requirements of Section 290-33(C) of the Zoning Local Law of the Town of Clarkstown regarding the posting of additional notice of said public hearing and mailing of notice to property owners of record within five hundred feet of the affected property, and filing of its affidavit of compliance with the Town Clerk on or before December 11, 2014.

RESOLUTION NO. (476-2014) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (477-2014)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, heavy snowfall and other inclement weather may create hazardous conditions which may pose an increased danger to life and property in the event of fire, sickness, lack of food and medical assistance to persons house bound on unplowed or otherwise impassable streets;

NOW, THEREFORE, be it

RESOLVED, that in addition to the authority granted under Executive Law, Sections 24 and 25, the Supervisor of the Town of Clarkstown is hereby authorized to use and direct any and all facilities, equipment, supplies, personnel under his control and direction and other resources of the Town of Clarkstown in such a manner as may be necessary or appropriate to cope with any urgent situation, crisis, natural emergency disaster or extraordinary condition created by any snow fall or other weather condition, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes and directs the Superintendent of Highways to seek the cooperation of the developers/owners of undedicated streets to properly plow and sand during inclement weather and to use personnel and equipment to plow undedicated streets in the Town of Clarkstown at such time when necessary to prevent imminent hazard to life and property, and be it

FURTHER RESOLVED, that the Superintendent of Highways is hereby authorized and directed to seek recovery of the reasonable costs for such services from the developers of undedicated subdivision roads or any responsible party, and where appropriate, to assess such costs, if unpaid, on the responsible property owner’s next Town tax bill, or otherwise seek recovery by any available legal remedy.

On roll call the vote was as follows:

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

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RESOLUTION NO. (478-2014)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12020 Principal Clerk Typist – which contains the name of Denise Cummings,

NOW, THEREFORE, BE IT RESOLVED, that Denise Cummings, 20 Preakness Lane, New City, New York – is hereby appointed to the position of (Promotional) (Permanent) Principal Clerk Typist – Parks and Recreation Department – at the 2014 annual salary of \$53,166., effective November 06, 2014.

RESOLUTION NO. (478-2014) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (479-2014)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has certified on October 15, 2014 that the position of Registry Clerk-Typist – Town Clerk, can be established,

NOW, THEREFORE, BE IT RESOLVED, that the position of Registry Clerk-Typist – Town Clerk – is hereby established October 15, 2014, and

FURTHER RESOLVED, that Maureen Landro, 6 Viohl Way, Garnerville, New York – is hereby appointed (promotional) (provisional) to the position of Registry Clerk-Typist – Town Clerk – at the annual salary of \$77,956 effective November 5, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (480-2014)

Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that Jeanette A. McCormack, 9 Beacon Street, Congers, New York – is hereby appointed to the position of Clerk (P/T) – Parks and Recreation – at the 2014 salary – \$19.42 per hour - effective and retroactive to October 15, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (481-2014)

Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that Karen Amatuzzo, 200 Long Clove Road, New City, New York – is hereby appointed to the position of Clerk (P/T) – Parks and Recreation - at the 2014 salary \$19.42 per hour - effective and retroactive to October 20, 2014.

RESOLUTION NO. (481-2014) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (482-2014)

Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that Karen Amatuzzo, 200 Long Clove Road, New City, New York – is hereby appointed to the position of Clerk (P/T) – Parks and Recreation - at the 2014 salary \$19.42 per hour - effective and retroactive to October 20, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (483-2014)

Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that Stephen A. Jamieson, 30 Short Hill Road, New City, New York – is hereby appointed to the position of Crossing Guard (substitute) – Police Department – at the current 2014 rate of \$19.42 per crossing effective November 17, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (484-2014)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, certain work needs to be done at various parks/ballfields in the Town of Clarkstown, and

WHEREAS, the Superintendent of Recreation and Parks has solicited proposals from various vendors to perform said work, and

WHEREAS, the Zukor Park Ballfield needs work done on the safety netting and poles on field #4, and

WHEREAS, Yaboo Fence submitted a low estimate in the amount of \$7,250.00 to install #36 knotted netting onto the Back Stop including Trapezoid Sides at the Zukor Park Ballfield, and

WHEREAS, Caputo Painting submitted a low estimate in the amount of \$6,495.00 for painting six (6) poles at the Zukor Park Ballfield, and

WHEREAS, park signs need to be replaced at Kings Park, Zukor Park, Tennyson Park and Congers Park, and

RESOLUTION NO. (484-2014) continued

WHEREAS, American Woodcarving submitted a low estimate in the amount of \$8,822.00 to replace four (4) park signs at the aforementioned parks, and

WHEREAS, fencing needs to be extended eighty (80) feet at Lake Nanuet, and

WHEREAS, Yaboo Fence submitted a low estimate in the amount of \$3,500.00 to extend the fence eighty (80) feet, and

WHEREAS, the estimates provided by the above companies have been reviewed by the Superintendent of Recreation and Parks, who has deemed them acceptable in terms of scope and price and recommends hiring said companies;

NOW, THEREFORE, BE IT RESOLVED, that, based upon the recommendation of the Superintendent of Recreation and Parks, the Town Board hereby authorizes that the work be performed at the various parks and ballfields by Yaboo Fence in an amount not to exceed \$10,750.00 (\$7,250 plus \$3,500), by Caputo Painting in an amount not to exceed \$6,495.00 and by American Woodcarving in an amount not to exceed \$8,822.00, as outlined in their estimates, and be it

FURTHER RESOLVED, that said amounts shall be a proper charge to Account No. H-8767-409-90-19, and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund these improvements through 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  
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RESOLUTION NO. (485-2014)

Co. Lasker offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, OM Realty Associates, LLC v. Cathy Conklin, Tax Assessor of the Town of Clarkstown, Board of Assessment Review of The Town of Clarkstown, Town of Clarkstown and Clarkstown Central School District #1, Index No(s). 034267/12, 034223/13 and 033530/14, affecting parcel designated as Tax Map No. 35.20-1-5 and more commonly known as 45 Hemlock Drive, Congers, New York for the year(s) 2012/13, 2013/14 and 2014/15, 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 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. 35.20-1-5 be reduced for the year(s) 2012/13 and 2013/14 and 2014/15 from \$1,525,300 to \$1,381,000 at a total cost to the Town of \$8,201.61;
2. Reimbursement for the year(s) 2012/13 and 2013/14 on the parcel(s) described as Tax Map No. 35.20-1-5, 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;
3. It is anticipated that for the year(s) 2014/15, the aforesaid adjustment will occur prior to January 2015 tax bills and no refund will be required;
4. 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.

RESOLUTION NO. (485-2014) continued

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
 Co. Borelli . . . . . Yes  
 Co. Hoehmann . . . . . Yes  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (486-2014)

Co. Lasker offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Davanne Realty Co. against The Assessor, The Board of Assessors and The Board of Assessment Review of the town of Clarkstown and The Town of Clarkstown, Index No(s). 34072/13 and 33133/14, affecting parcel designated as Tax Map 59.18-1-10 and more commonly known as 260 N. Route 303, West Nyack, New York for the year(s) 2013/14 and 2014/15, 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 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. 59.18-1-10 be reduced for the year(s) 2013/14 and 2014/15 from \$330,200 to \$272,000 at a cost to the Town of \$1,780.77;
2. Reimbursement for the year(s) 2013/14 on the parcel(s) described as Tax Map No. 59.18-1-10, as stated above, be made within ninety (90) 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;
3. It is anticipated that for the year(s) 2014/15, the aforesaid adjustment will occur prior to January 2015 tax bills and no refund will be required;
4. 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  
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RESOLUTION NO. (487-2014)

Co. Lasker offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, College Avenue, Inc. v. The Assessor, The Board of Assessors and The Board of Assessment Review of The Town of Clarkstown and The Town of Clarkstown, Index No(s). 031206/11, 033737/12, 034070/13 and 033138/14, affecting parcel designated as Tax Map 64.5-2-21 and more commonly known as 85 E. Route 59, Nanuet, New York for the year(s) 2011/12, 2012/13, 2013/14 and 2014/15, and

RESOLUTION NO. (487-2014) continued

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. 64.5-2-21 be reduced for the year(s) 2011/12 and 2012/13, from \$200,000 to \$162,000 at a total cost to the Town of \$1,932.07;

2 Reimbursement for the year(s) 2011/12 and 2012/13 on the parcel(s) described as Tax Map No. 64.5-2-21, as stated above, be made within ninety (90) 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;

3. There will be no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 64.5-2-21 for the year(s) 2013/14 and 2014/15 and the assessed value will be \$200,000; and

4. The proceedings shall be discontinued for the years 2013/14 and 2014/15 at no cost to the Town;

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

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RESOLUTION NO. (488-2014)

Co. Lasker offered and Co. Hausner seconded

WHEREAS, the Town of Ramapo referred to the Town of Clarkstown a proposed local law amending their Zoning Map and Comprehensive Plan associated with the proposed Pascack Ridge subdivision, and

WHEREAS, said local law proposes amending the 2004 Ramapo Comprehensive Plan to take an area of 28.5 acres bounded by the Village of Spring Valley and Ewing Avenue to the west, Ewing Avenue to the north, Pascack Road to the east and the Town of Clarkstown to the south, which was originally “proposed to retain its current zoning designation” of R-15 (medium density residential, 2.9 units/acre) and rezone in to the MR-12 zone (multifamily residential, 12 units/acre), and

WHEREAS, the build-out utilizing this proposed zoning, entitled the Pascack Ridge subdivision, shows the potential to develop 210 housing units and 290 parking spaces, and will require a number of variances to comply with the MR-12 zoning district, and

WHEREAS, the area proposed for rezoning is located on the western boundary of the Town of Clarkstown, adjacent to an area of Clarkstown zoned R-15 and developed with single-family dwellings, and

RESOLUTION NO. (488-2014) continued

WHEREAS, the proposed Pascack Ridge subdivision connects to Spring Brook Road, a local road in the Town of Clarkstown, and

WHEREAS, the development of this property at the proposed density will create additional traffic through local residential streets within the Town of Clarkstown to an extent which will undermine the residential character of the this neighborhood, and

WHEREAS, the development of this property at the proposed density will place additional burden on the East Ramapo School District, which is also attended by Clarkstown residents, and

WHEREAS, the development of this property at the proposed density will place additional burden on water resources, and

WHEREAS, the subject property is physically constrained with steep slopes, wetlands, a high tension overhead power line, and the Pascack Brook, a critical County environmental feature, and source of flooding in the Town of Clarkstown, and

WHEREAS, no New York State Environmental Quality Review Act (SEQRA) documentation was provided to analyze the potential environmental impacts of this project, and

WHEREAS, the Planning Board reviewed said local law at their regular meeting of October 22, 2014 and, for the aforementioned reasons, recommended that the Town Board oppose the proposed Comprehensive Plan amendment and associated rezoning;

NOW THEREFORE BE IT RESOLVED, that the Town Board does hereby recommend against the amendment of the Town of Ramapo Zoning Map and Comprehensive Plan for the proposed development of the Pascack Ridge subdivision on the grounds that the proposed development of this land at a density of 12 units/acre of multifamily would result in overdevelopment, be out of character with the surrounding area, and have the potential to adversely impact the street network, school system, water resources, and natural environment all shared with residents of the Town of Clarkstown, and

BE IT FURTHER RESOLVED, that if the Town of Ramapo continues to pursue this Comprehensive Plan and Zoning amendment the Town of Clarkstown recommends that the Town of Ramapo Town Board issue a Positive Declaration pursuant to the New York State Environmental Quality Review Act and require the preparation of an Environmental Impact Statement, a copy of which should be forwarded to the Town of Clarkstown for review and comment.

On roll call the vote was as follows:

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

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RESOLUTION NO. (489-2014)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #13041 Police Sergeant Clarkstown Police Department – which contains the name of John M. Fredericks,

NOW, THEREFORE, BE IT RESOLVED, that John M. Fredericks, 21 Reservoir Drive, New City, New York – is hereby appointed to the position of (Permanent) Police Sergeant – Police Department – at the current 2014 annual salary of \$154,636., - effective and retroactive to October 13, 2014.

RESOLUTION NO. (489-2014) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (490-2014)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #13041 Police Sergeant Clarkstown Police Department – which contains the name of Earl F. Lorence II,

NOW, THEREFORE, BE IT RESOLVED, that Earl F. Lorence II, 19 Glenside Drive, New City, New York – is hereby appointed to the position of (Permanent) Police Sergeant – Police Department – at the current 2014 annual salary of \$154,636., - effective and retroactive to October 13, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (491-2014)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #13041 Police Sergeant Clarkstown Police Department – which contains the name of Daniel M. Burke,

NOW, THEREFORE, BE IT RESOLVED, that Daniel M. Burke, 2 Elrod Drive, West Nyack, New York – is hereby appointed to the position of (Permanent) Police Sergeant – Police Department – at the current 2014 annual salary of \$154,636., - effective and retroactive to October 13, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (492-2014)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #13053 Police Lieutenant Clarkstown Police Department – which contains the name of Kenneth A. Smith,

RESOLUTION NO. (492-2014) continued

NOW, therefore, be it

RESOLVED, that Kenneth A. Smith, 37 Pine Lane, New City, New York – is hereby appointed to the position of (Permanent) Police Lieutenant – Police Department – at the current 2014 annual salary of \$180,510., - effective and retroactive to October 13, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (493-2014)

Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, 19 Old Nyack Turnpike Corp. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Tax Map No. 57.19-1-16, and more commonly known as 19 Old Nyack Turnpike, Nanuet, New York, for the year(s) 2010/11, 2011/12, 2012/13, 2013/14 and 2014/15; and

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

NOW, THEREFORE, BE IT RESOLVED, that Valuation Plus, Inc. be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$4,000; and such fee shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows:

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

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RESOLUTION NO. (494-2014)

Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, Sharon Wong has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Tax Map No. 52.8-1-3, and more commonly known as 97 S. Route 303, Congers, New York, for the year(s) 2012/13, 2013/14 and 2014/15; and

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

NOW, THEREFORE, BE IT RESOLVED, that Valuation Plus, Inc. be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$4,000; and such fee shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows:

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

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RESOLUTION NO. (495-2014)

Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, the Town has received \$76,978.00 from Rockland County Sewer District #1 and \$2,632.95 from Seized Property

NOW THEREFORE BE IT,RESOLVED, to increase Revenue Account H-15-9-2770-0 (Capital-Misc Local Revenue) and Expense Account H-8760-409-0-84-9 (Capital Projects-Sewer Pump Stations) by \$76,978.00 and

FURTHER RESOLVED, to increase Revenue Account A-01-11-4320-0 (General-Seized Property) and Expense Account A-3120-307-0 (Police-Uniforms) by \$2,632.95 and

WHEREAS, certain accounts require additional funding,

NOW THEREFORE BE IT, RESOLVED, to decrease Expense Account A-7140-407-0 (Parks & Playgrounds-Equipment Repairs) by \$2,791 and increase Expense Accounts A-7140-306-0 (Parks & Playgrounds-Maintenance Supplies) by \$2,235 and A-7140-380-0 (Parks & Playgrounds-Paint Supplies) by \$556 and be it

FURTHER RESOLVED, to decrease Expense Account A-7141-409-0 (Community Rec Centers-Fees for Services) by \$500 and increase Expense Account A-7141-306-0 (Community Rec Centers-Maintenance Supplies) by \$500 and be it

FURTHER RESOLVED, to decrease Expense Account A-1621-408-0 (Warehouse-Building Repairs) by \$110 and increase Expense Account A-1621-312-0 (Warehouse-Auto Maintenance Supplies) by \$110.

On roll call the vote was as follows:

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

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RESOLUTION NO. (496-2014)

Co. Lasker offered and Co Borelli seconded

WHEREAS, pursuant to Section 115 of the Town Law, the Comptroller is hereby authorized to amend the 2014 budget for the purpose of transferring unexpended balances of appropriation accounts among various accounts, and by increasing and decreasing revenue accounts for the purpose of balancing all funds,

NOW THEREFORE BE IT RESOLVED, that the 2014 budget is hereby amended.

On roll call the vote was as follows:

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

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RESOLUTION NO. (497-2014)  
Co. Hausner offered and Co. Borelli seconded

WHEREAS by Resolution No. 181-2014, adopted on April 8, 2014, the Town Board authorized the Supervisor to enter into an agreement with Behan Planning and Design to provide planning, design and engineering services for the West Nyack Hamlet Center Revitalization Project, and

WHEREAS, said resolution mentioned the specific amounts to be paid to Behan’s subcontractors, and

WHEREAS, Behan has advised that the amounts due to its subcontractors are subject to change based upon their agreements with their subcontractors and, therefore, has requested that the reference to specific dollar amounts due to subcontractors be removed from the resolution;

NOW, THEREFORE, BE IT RESOLVED, that the Resolution no. 181-2014 is hereby amended as follows:

Second RESOLVED clause to read:

“FURTHER RESOLVED, that the fees for these services shall not exceed \$2,040,000.00, 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

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RESOLUTION NO. (498-2014)  
Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, the Town Clerk, Justin Sweet, has submitted an application to New York State for a Local Government Records Management Improvement Fund grant, and

WHEREAS, the New York State Education Department has advised the Town that an award of \$10, 107.00 has been granted subject to conditions referred to in its letter dated August 19, 2014, and project work being completed and all funds to be expended no later than June 30, 2015, and

WHEREAS, the Town Clerk has recommended that the Town accept said grant;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the New York State Department of Education, in a form approved by the Town Attorney, accepting the grant in the amount of \$10,107.00 for Local Government Records Management, for the period terminating on June 30, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (499-2014)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Town has been awarded a Grant from the New York State Education Department for digitization of payroll records for the Town of Clarkstown, and

WHEREAS, Hudson Archival, formerly Hudson Microimaging, Inc., has previously satisfactorily completed microfilm projects for the records collections in the Clarkstown Justice Court, Town Clerk’s Office and Personnel Department, and

WHEREAS, Hudson Archival has made a proposal dated January 21, 2014 for the digitization of payroll records of the Town of Clarkstown,

NOW, THEREFORE, BE IT RESOLVED, that, based on the recommendation of the Clarkstown Town Clerk, the Supervisor is hereby authorized to enter into an agreement with Hudson Archival, as per their total project cost not to exceed the amount of \$9,961.75, and be it

FURTHER RESOLVED, that this shall constitute a proper charge to Account Number H-8758409-0-82-37, and shall be reimbursed from the proceeds of the Local Government Records Management Grant.

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. (500-2014)

Co. Borelli offered and Co. Hausner seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED NOVEMBER 5, 2014, AUTHORIZING THE ACQUISITION OF A PARCEL OF LAND PURSUANT TO EMINENT DOMAIN PROCEEDINGS DULY HELD BY THE TOWN BOARD, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$105,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$105,000 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 acquire a parcel of land, consisting of approximately 114,544.45 square feet or approximately 2.63 acres, located at 23 Sickletown Road, West Nyack, New York, and designated on the Clarkstown Tax Map as 64.08-3-30, for the purpose of drainage and storm water management improvements in connection with the West Nyack Downtown Revitalization Project, pursuant to eminent domain proceedings duly held by the Town Board. The estimated maximum cost thereof, including the acquisition cost of \$100,000 and preliminary and incidental costs of \$5,000, including legal, title and other costs related to the acquisition, and other costs incidental to the financing, is \$105,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$105,000 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.

## RESOLUTION NO. (500-2014) continued

Section 2. Bonds of the Town in the principal amount of \$105,000 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. 21 of the Law, is thirty (30) 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 of the Law 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 a 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:

RESOLUTION NO. (500-2014) continued

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on November 5, 2014, 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 5, 2014, authorizing the acquisition of a parcel of land pursuant to eminent domain proceedings duly held by the Town Board, stating the estimated maximum cost thereof is \$105,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$105,000 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 acquire a parcel of land, consisting of approximately 114,544.45 square feet or approximately 2.63 acres, located at 23 Sickletown Road, West Nyack, New York, and designated on the Clarkstown Tax Map as 64.08-3-30, for the purpose of drainage and storm water management improvements in connection with the West Nyack Downtown Revitalization Project, pursuant to eminent domain proceedings duly held by the Town Board; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$105,000, including the acquisition cost of \$100,000 and preliminary and incidental costs of \$5,000, including legal, title and other costs related to the acquisition and other costs incidental to the financing; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of \$105,000 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 in the principal amount of \$105,000 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 serial bonds are authorized to be issued is thirty (30) 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.

DATED: November 5, 2014

Justin Sweet  
Town Clerk

RESOLUTION NO. (500-2014) continued

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

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RESOLUTION NO. (501-2014)

Co. Borelli offered and Co. Hausner seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED NOVEMBER 5, 2014, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE COMPUTER ROOM AIR CONDITIONING SYSTEM AT TOWN HALL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$47,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$47,000 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 improvements to the computer room air conditioning system at Town Hall. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$47,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$47,000 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 \$47,000 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. 13 of the Law, is ten (10) 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.

## RESOLUTION NO. (501-2014) continued

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 of the Law 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 a 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 5, 2014, 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 5, 2014, authorizing the construction of improvements to the computer room air conditioning system at Town Hall, stating the estimated maximum cost thereof is \$47,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$47,000 to finance said appropriation,"

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

RESOLUTION NO. (501-2014) continued

FIRST: AUTHORIZING said Town to construct improvements to the computer room air conditioning system at Town Hall; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$47,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of \$47,000 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 in the principal amount of \$47,000 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 ten (10) 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.

DATED: November 5, 2014

Justin Sweet  
Town Clerk

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

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## RESOLUTION NO. (502-2014)

Co. Borelli offered and Co. Hausner seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED NOVEMBER 5, 2014, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE DRAINAGE SYSTEM ON LAKEWOOD DRIVE, CONGERS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$19,500, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$19,500 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 improvements to the drainage system on Lakewood Drive, Congers. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$19,500 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$19,500 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 \$19,500 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 of the Law 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. (502-2014) 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 a 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 5, 2014, 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 5, 2014, authorizing the construction of improvements to the drainage system on Lakewood Drive, Congers, stating the estimated maximum cost thereof is \$19,500, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$19,500 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 authorize the construction of improvements to the drainage system on Lakewood Drive, Congers; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$19,500; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of \$19,500 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 in the principal amount of \$19,500 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 serial 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. (502-2014) 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.

DATED: November 5, 2014

Justin Sweet  
Town Clerk

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

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RESOLUTION NO. (503-2014)

Co. Borelli offered and Co. Hausner seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED NOVEMBER 5, 2014, AUTHORIZING THE PREPARATION OF PLANS AND SPECIFICATIONS IN CONNECTION WITH THE PROPOSED IMPROVEMENTS TO THE GERMONDS PARK POOL FACILITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$154,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$154,000 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 improvements to the Germonds Park Pool Facility. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$154,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$154,000 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 \$154,000 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. (503-2014) 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 of the Law 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.

On roll call the vote was as follows:

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

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## RESOLUTION NO. (504-2014)

Co. Borelli offered and Co. Hausner seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED NOVEMBER 5, 2014, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS IN CONNECTION WITH THE WEST NYACK DOWNTOWN REVITALIZATION PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$6,710,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$6,710,000 TO FINANCE SAID APPROPRIATION, AND AUTHORIZING THE EXPENDITURE OF GRANT FUNDS EXPECTED TO BE RECEIVED IN THE AMOUNT OF \$1,250,000 TO PAY A PART OF THE COST OF THE PROJECT, OR REDEMPTION OF BONDS OR NOTES ISSUED TO FINANCE THE PROJECT, OR AS AN OFFSET TO THE TAXES TO BE COLLECTED FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON SAID BONDS OR NOTES

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 improvements in connection with the West Nyack Downtown Revitalization project, including road improvements, stormwater management improvements, drainage improvements, streetscape improvements, playground and recreational improvements, ancillary lighting and site improvements and other related improvements, and engineering and planning in connection with all of the foregoing. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,710,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$6,710,000 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. Grant funds are expected to be received in the amount of \$1,250,000 in connection with the project and any such funds received are hereby authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued to finance the project, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the Town in the principal amount of \$6,710,000 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 Sections 11.00 a. 4, 19, 20 and 91 of the Law, is fifteen (15) 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

## RESOLUTION NO. (504-2014) continued

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 of the Law 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 a 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 5, 2014, 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 5, 2014, authorizing the construction of improvements in connection with the West Nyack downtown revitalization project, stating the estimated maximum cost thereof is \$6,710,000, appropriating said amount for such purpose, authorizing the issuance of bonds in the principal amount of \$6,710,000 to finance said appropriation, and authorizing the expenditure of grant funds expected to be received in the amount of \$1,250,000 to pay a part of the cost of the project, or redemption of bonds or notes issued to finance the project, or as an offset to the taxes to be collected for the payment of principal and interest on said bonds or notes,"

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

FIRST: AUTHORIZING said Town to construct improvements in connection with the West Nyack Downtown Revitalization project, including road improvements, stormwater management improvements, drainage improvements, streetscape improvements, playground and recreational improvements, ancillary lighting and site improvements and other

RESOLUTION NO. (504-2014) continued

related improvements, and engineering and planning in connection with all of the foregoing; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$6,710,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of \$6,710,000 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; and STATING that grant funds are expected to be received in the amount of \$1,250,000 in connection with the project and any such funds received are authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued to finance the project, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$6,710,000 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 serial bonds are authorized to be issued is fifteen (15) 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  
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There being no one further wishing to speak on motion of Co. Hoehmann seconded by Co. Hausner the Town Board Meeting was closed, time: 11:15 pm.

Respectfully submitted,

Justin Sweet  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING # 1

Town Hall

11/05/2014

7:03 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 2015

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

Supervisor Gromack explained the process of putting together the budget and he explained some of the adjustments and recommendations that have been incorporated into the preliminary budget. He stated that the budget is going to be under the State cap and he outlined some suggestions that have been offered.

He spoke about suggestions to reduce overtime across the board, cuts in the operational budget, reduction of outside fees and services, salary freezes for certain town officials and board and commissions members, hiring freezes, retirements, consolidations, delayed hiring, reduced number of Town vehicles, surplus vehicle auctions and equipment grants. He explained that money from a possible sale of a cell tower -- possibly \$1 million - will go into surplus. Also the County's Board of Election charge of about \$313,000 has not yet been eliminated so we had to make various adjustments to bring those numbers back into the budget.

Co. Borelli stated that he and Co. Hoehmann both support a budget that is under the cap. He disagrees with taking \$500,000 out of the surplus fund to balance the budget. He stated that an overtime reduction of 15% is reasonable. The Police Department has the largest portion, so maybe more should be taken out of other departments so we do not jeopardize public safety. He highlighted departments that have a lot of overtime.

Co. Hoehmann stated that much of the overtime cannot be justified in non emergency departments.

Co. Hoehmann talked about the need to address deficit spending so the Town's bond rating is not downgraded and spoke about other ideas toward balancing the budget without using any surplus.

The Supervisor stated that the good news for our residents is that we are still talking about a budget which is under the cap and there is no guarantee of whether we will or will not have to use the money in the tax stabilization account. We can adopt this and it doesn't mean that we can't save during the year.

Co. Hoehmann stated he did not think it unreasonable to find a savings of \$600,000 in a \$140,000,000 budget and suggested that Town cars are an area where we can cut.

Co. Hausner expressed surprise that Co. Hoehmann was shocked about the Town Clerk's overtime since, as that department's liaison, he would have been in on that budget meeting. She asked him to please indicate what particular line that he felt should be cut because to just talk and talk doesn't do anyone any good. We all agree taxes are high and it is difficult to live but we need to spend the time to find the appropriate cuts.

Co. Borelli questioned the \$500,000. in personnel cuts in the police department.

The Supervisor opened the meeting for public comment.

George Remult, New City

Asked Co. Hoehmann about the possibility of contracting out Saturday work at the Town Garage rather than paying overtime to a high-earning employee. He also suggested those Board Members who have full-time jobs work for \$1 a year instead of pontificating.

Brian Wagner, President CSEA

Spoke about workforce reductions and the resultant overtime necessary in order to continue to provide the taxpayers with the same level of service. He stated that a budget with a zero percent increase to taxpayers due to staying under the tax cap could be adopted rather than an alternative budget which seeks a 15% overtime cut. On behalf of CSEA members he implored the Board not to adopt a budget with extreme and unnecessary cuts which will provide no additional tax savings and will result in loss of services.

Marge Hook, New City

Spoke about the Alarm User's Review Board, Historical Review Board and Traffic Advisory Board and complained about the costs in terms of salaries and poor attendance. She inquired as to why cuts to these jobs are not being considered in order to reduce the budget and she questioned giving a vision plan to some part time employees.

Regarding the Alarm User's Review Board, Chief Sullivan explained the need for due process and stated they are looking at some of her suggestions and the Deputy Comptroller explained that the vision plan is part of the crossing guards' contract.

Jeff Gillies, resident

He is against using the sale of a cell tower and surplus money to come in below the budget. He shared a list of complaints including a high budget for the police department and pools, roads and schools in disrepair. He expressed concerns about the Town's bond rating.

Carol Jigarjian, New City

She expressed support for the Town saying they are doing much better than the County and pointed out that we are under the tax cap and live in one of the safest, most desirable places to live.

Pat Godfrey, New City

He complained about the high taxes and stated that the budget should be cut more.

Mike Hirsch, New City

He stated that the cuts made in the police department over the years were due to his calling for it. He supports the decreases Co. Hoehmann and Co. Borelli are calling for feels the Board is afraid of the PBA.

Tom Nimick, New City

Talked about what a deficit budget means and feels it is bad business practice to spend our future. He suggested the Special Bargaining Unit contract as a place to cut.

Dan Caprara, New City

Spoke against overtime cut proposals and related an incident in which the police came to his aid during a robbery. He doesn't want to see such Town services jeopardized.

Ralph Sabatini, New City

He does not support the Town using reserve funds and suggested a 10% decrease in overtime.

Steven Levine, Congers

He feels we can't continue with deficit spending and need to look at cuts, however, he questioned why the Town Clerk and Comptroller were singled out as he thinks there are greater places to save money. He suggested increasing ZBA fees, appointing an ombudsman to oversee costs on town hall and community facilities renovations, reduction in cars and cell phones and cuts in the special bargaining unit contract.

Lynn Hillowitz, Upper Nyack

She feels the Town Board is working well together and they all have the interest of residents at heart. She feels the budget is a work in progress and should be cut without impairing services; it should be done in steps as opposed to blindly cutting across the Board.

David Asher, New City

He stated that this budget nets a zero increase because it is staying below the cap, and it doesn't sacrifice the services we have come to appreciate as Clarkstown residents.

Ray Bleshett, President PBA

He supports a fiscally sound budget that will not hinder police services and public safety in the Town of Clarkstown. A drastic reduction in police overtime would be detrimental to their mission goal.

Michael Hull, New City

He spoke about the reserve fund.

Rachel Tanmenquen, New City

She moved to New City because of the services and amenities and understands that it costs money for those amenities and to keep property values up. She thanked the Board for taking the time to come up with a well thought out plan. Regarding overtime cuts, when there is a consolidation of work force in an attempt to save money for the residents, it is simply implausible to expect the remaining workers to absorb the work that was done by more people without incurring additional costs in overtime.

Frank Grandel, New City

He doesn't feel this deficit budget is acceptable. He spoke about overtime and pension padding and suggested a forensic audit be done in each department.

Chris Martone, New City

He disagreed with a former speaker that the Town Board has done nothing to reduce costs and cited the consolidation of the Town Clerk's office with the Receiver of Taxes office and stated that Clarkstown is the only town that has done this. He is proud of the fact that Clarkstown is the 7<sup>th</sup> best town according to Money Magazine, and stated that as a small business owner he knows you have to go gradually. If you are not fiscally responsible in reducing the budget we could go from being one of the best towns to one of the worst towns.

Steven Pappas, Valley Cottage

He thanked the Board for working together on this budget. He loves the services that are here and wants to keep them because he knows that this level of service is not available everywhere. He agreed it is expensive to live here, but the workers should get equal pay for what they are doing because they are providing great services. He took issue with people saying that young people can come in with lower pay.

Jim Flynn, Nanuet

Feels we should start out without a deficit budget.

Co. Lasker stated it's a good process for us to talk about our differences and air them publically and come to agreement and compromise; that is what democracy is all about. She was concerned about public safety with a 15% reduction in overtime in one year. She felt it was a little disingenuous that Co. Hoehmann and Co. Borelli have voted unanimously all these years and to use the deficit that we have. We are coming under the Governor's cap and residents will have zero percent increase for 2015. Over the course of the year the committee will review and make some more cuts, and if we can find the \$500,000 over the year we will do it. We have done things over the years to cut costs such as the consolidation of the Receiver's office into the Town Clerk's office, 15% reduction of workforce over the last 8 years, trying not to add personnel when someone retires, generally having people do more with less. Sometimes doing that results in more overtime but you have to look at the big picture. We just cut the operating budget and we looked at every budget line and asked every dept to give a little, we have gotten 72 million in grant money, and spoke of other things little things that could add up and help reduce costs for residents but we have to do it in a fair way that won't deteriorate the Town and hurt the residents.

Co. Borelli stated he wanted a balanced budget and stated comments about how he has voted to take money out of surplus in the past are unfair because he has objected to it several times. He would like to find \$500,000 and commit to it right now. He does not want to cut service, he just wants to be more efficient.

Co. Hoehmann stated that he has made it clear at past budget hearings that he wouldn't vote for a budget that didn't have meaningful cuts. He expressed concerns about a negative outlook the Town received from Standard and Poor's in July. We are only looking at a \$500,000 deficit and he feels we can come to some kind of compromise. We are talking about tightening it up so we can protect bond rating and insure that we are not going into our reserve fund. He doesn't want to end up like the County. He asked that we go a little higher than 5% on overtime cuts, reevaluate the cars, look at the special bargaining contract and cut back in advertising slightly, maybe one or 2 less mailings so posting and advertising lines can be reduced,

Co. Hausner stated that we have all been talking about deficit reduction for the last few year and we would like to be lower than \$500,000. She stated she is happy to work together but right now she is only hearing about \$55,000 in cuts and maybe some cars.

In response to Mr. Grandel's comments, Chief Sullivan stated that his department did go through a long and difficult audit a few years ago and controls have been implemented. The 4 hour overtime is contractual and cannot just be disregarded because we don't like it. He denied any pension padding going on in his department and stated this was proven in our audit and the State audit. He gave a general breakdown of where the overtime is going and stated that a 5% decrease is probably a more realistic goal.

Supervisor Gromack thanked all those in attendance. He gave a history of his experience working on budgets in the County legislature, the State assembly and in the Town. The Town Board always felt the surplus fund should be used judiciously. There were years we used more than we liked but there was sound reason; it wasn't due to mismanagement and there were years where we had a zero budget. Then the County went into debt and hit the five towns resulting in additional expenses and cuts in reimbursements. This caused us to use more reserves than we wanted to. In an effort to use less of the surplus fund, he suggested the following: removing a \$100,000 comprehensive plan line from the Planning Department that could possibly be funded with a State grant, an overtime reduction compromise of 7%, a \$75,0000 reduction in gas consumption, a reduction of \$10,000 for postage, \$15,000 in advertising and an addition of \$50,000 from surplus auctions.

On motion of Co. Hoehmann seconded by Co. Lasker the Town Board took a recess. On motion of Co. Hoehmann seconded by Co. Borelli the Town Board reconvened.

On motion of Co. Hoehmann seconded by Co. Borelli the Public Hearing was closed, 2015 Budget adopted as amended, time: 10:55 PM.

Respectfully submitted,

Justin Sweet  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING # 2

Town Hall

11/05/2014

10:55 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 entitled: Amendment to Chapter 18 (Code of Ethics) of the Code of the Town of Clarkstown

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

Town Attorney, Jeff Millman, presented the proposed local law . The purpose of this law is to promote good government by making it a violation of our Ethics Code for any Town employee, elected official and covered person to video and/or audio record any meeting or conversation involving Town business without consent of each individual being recorded.

The Supervisor opened the public hearing for comments.

Steven Levine, Congers

Where is the fine line between which recordings actually fit into a definition of a violation. Code provision could be interpreted arbitrarily.

Marge Hook, New City

She is against this as it eliminates a means of documenting harassment on the job.

There being no one further wishing to speak, the public hearing was closed, time: 11:01 pm.

Respectfully submitted,

Justin Sweet  
Town Clerk