

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

10/01/13

8:00 PM

Present: Supervisor Alexander J. Gromack
Council Members Shirley Lasker (arrived 8:15) Frank Borelli
& Stephanie Hausner
Amy Mele, Town Attorney
Justin Sweet, Town Clerk

Absent: Council Member George Hoehmann

SPECIAL PRESENTATION: - Strawtown Elementary Girl Scout Troop 40167

Co. Stephanie Hausner introduced the Strawtown Elementary School's 5th Grade Girl Scout Troop 40167. The girls read the following proclaiming October 11, 2013 "National Day of the Girl" to raise awareness of gender inequality and inspire others to use their voices to advocate for change in order to benefit girls everywhere.

"Girl Day" in the Town

October 11, 2013

WHEREAS, equality and universal access to education for every girl and boy are among the United Nations' Millennium Development Goals supported by 189 countries including the United States; and

WHEREAS, the United Nations established October 11 as the annual international Day of the Girl supported and co-sponsored by the United States and 97 other countries; and

WHEREAS, The "Day of the Girl" campaign calls on communities across the globe to recognize that girls worldwide face many injustices such as discrimination, gender stereotypes, child marriage and lack of education; and empowers girls to fight for their rights; and

WHEREAS, the Town of Clarkstown joins Girl Scout Troop 40167 and other organizations, and supports increasing girls' participation in sports, science and math-related activities, high school graduation rate, and providing equal opportunities for all girls by speaking out against gender-based injustices, celebrating all girls' potential, and encouraging all girls to pursue their dreams; and

NOW THEREFORE, be it

RESOLVED, That I, ALEXANDER J. GROMACK, Supervisor of the Town of Clarkstown and STEPHANIE HAUSNER, Councilwoman of the Town of Clarkstown, on behalf of the Town Board, hereby proclaim October 11, 2013 as the day of the Girl in the Town of Clarkstown.

IN WITNESS WHEREOF, I HEREUNTO SET
MY HAND AND CAUSE THE SEAL OF THE
TOWN OF CLARKSTOWN TO BE AFFIXED THIS 1st DAY
OF OCTOBER 2013.

ALEXANDER J. GROMACK
Town Supervisor

STEPHANIE HAUSNER
Town Councilmember

The following troop members were presented with certificates and congratulated by the Town Board:

Isabella Abellonio	Alina Karrasik	Katie Ricciardi
Sofia Alvir	Kristina Kearney	Lanna Teitel
Emma Coyle	Lilith Kelly	Fanuola Triantafyllopoulos
Sabrina Feteira	Grace Nunes	Fiona Ventry
Jessica Hampson	Erin Prior	
Eleanor Harnisch	Anusha Raihan	

PRESENTATION: ETHICS BOARD REPORT

Jeffrey Millman, the Deputy Town Attorney assigned to the Board of Ethics, stated that the Town is in full compliance; everyone who is required to file a financial disclosure form has done so. He introduced the current Board of Ethics chairman, Rabbi Abraham. He also stated that the status of any pending investigation that may or may not be before the Ethics Board is confidential and, therefore, there is no further report to make at this time.

The Town Clerk read the following letters:

- From residents, Irene and Bill Ryan – complimenting Town lifeguards, Emily Hunt and Lindsay Carroll, for their response to an injury incurred by their grandson at Lake Nanuet.
- From Hector Cusumano thanking Joel Epstein for getting the pavement extended on to Brook Road.
- From Linda Moskowitz thanking the Supervisor and the Town Board for the beautiful paving and landscaping job done in the Dells.
- From Jim Campolo, Dan Price, Tom and Patty Schunke thanking the Supervisor and the Board for their support of the Annual Stickball Home Run Derby Tournament which was held in support of our local first responders.

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

Frank Grandel, New City

He asked for clarification of Item 7, Bonding for the Solar Power project.

The Supervisor explained that we anticipate receiving funds from grants and from the solar project and, therefore, there will be reimbursement to offset this bonding.

RESOLUTION NO. (361-2013)

Co. Borelli offered and Co. Hausner seconded

RESOLVED, that the Special Town Board Minutes of August 20, 2013 are hereby accepted, as submitted by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (362-2013)
Co. Hausner offered and Co. Borelli seconded

WHEREAS, PAUL MUNI REALTY INC., has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Tax Map 43.19-1-18, and more commonly known as 169 S. Main Street, New City, New York, for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14,

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 an appraiser be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,700; and such fee shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows:

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

RESOLUTION NO. (363-2013)
Co. Borelli offered and Co. Hausner seconded

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

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

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

RESOLUTION NO. (364-2013)
Co. Borelli offered and Co. Hausner seconded

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

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

RESOLUTION NO. (364-2013) continued

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

RESOLUTION NO. (365-2013)

Co. Borelli offered and Co. Hausner seconded

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

BID#25-2013 – CARLTON COURT DRAINAGE IMPROVEMENTS

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

RESOLUTION NO. (366-2013)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, in accordance with the recommendation of the Department of Environmental Control, the property owners of the following properties have agreed to gratuitously convey Drainage Easements affecting their properties to the Town of Clarkstown:

Harold and Maureen Schweitzer
5 Woodvue Court
Valley Cottage, New York 10989
52.19-2-65 (123F5.3)

Clarito and Luzviminda Casapao
7 Woodvue Court
Valley Cottage, New York 10989
52.19-2-66 (123F5.4)

and

WHEREAS, the Town Attorney has found the documents in proper form and recommends acceptance of said conveyances;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept Drainage Easements on behalf of the Town of Clarkstown from Harold and Maureen Schweitzer and Clarito and Luzviminda Casapao, and be it

RESOLUTION NO. (366-2013) continued

FURTHER RESOLVED, that said Drainage Easements are hereby ordered to be recorded in the Rockland County Clerk’s Office at the Town’s expense, and be it FURTHER RESOLVED, that this resolution is retroactive to September 12, 2013.

On roll call the vote was as follows:

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

RESOLUTION NO. (367-2013)
Co. Borelli offered and Co. Hausner seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into “Adopt a Municipal Park, Shoreline or Roadway Programs” with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to adopt a specified Town location for an additional two year period beginning October 20, 2013 to October 20, 2015, as follows:

Sponsor: Mr. Landscape, Inc.
P.O. Box 974
New City, NY 10956

Location: Both sides of Blue Heron Road @ South Pascack Road
Nanuet, NY 10954

and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement with the entity referred to herein, for a period of two (2) years beginning October 20, 2013 to October 20, 2015, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt the above location, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the location.

On roll call the vote was as follows:

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

RESOLUTION NO. (368-2013)
Co. Hausner offered and Co. Borelli seconded

WHEREAS, Makan Land Development Two LLC submitted a payment of \$6,600.00 for a Building Permit Fee (No. 12-1270) for property located at 122A Demarest Mill Road, West Nyack, New York, more particularly described as Tax Map No. 58.19-1-1, and

WHEREAS, the Building Inspector has advised that the fees for review, processing and inspection for the above permit are \$6,086.00 and has recommended a refund of the amount of overpayment of \$514.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a refund of the overpayment in the amount of \$514.00 to Makan Land Development Two LLC, P.O. Box 979, Harriman, NY 10926 to be charged to Account No. B 02-6-2555-0.

On roll call the vote was as follows:

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

RESOLUTION NO. (369-2013)
Co. Hausner offered and Co. Borelli 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 CVS Pharmacy site plan (58.10-3-22, 23, 24 & 25), Route 304 and Bardonia Road, LLC and CVS Albany, LLC d/b/a CVS Pharmacy have provided a stormwater control facility maintenance agreement and an intersection monitoring agreement, and

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

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the aforementioned documents from Route 304 and Bardonia Road, LLC and CVS Albany, LLC d/b/a CVS Pharmacy in connection with the CVS Pharmacy site plan and orders them 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 Absent
Co. Borelli Yes
Co. Hoehmann Absent
Co. Hausner. Yes
Supervisor Gromack Yes

RESOLUTION NO. (370-2013)
Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #13041 Police Sergeant which contains the name of Thomas E. Ronan,

NOW, therefore, be it

RESOLUTION NO. (370-2013) continued

RESOLVED, that Thomas E. Ronan, 33 Arbor Court, Warwick, New York – is hereby appointed to the position of (permanent)Police Sergeant – Clarkstown Police Department – at the current annual salary of \$150,864., - effective and retroactive to September 23, 2013.

On roll call the vote was as follows:

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

RESOLUTION NO. (371-2013)
Co. Hausner offered and Co. Borelli seconded

RESOLVED, that Anthony J. Pagliuca, 173 Massachusetts Avenue, Congers, New York – Groundskeeper – Parks and Recreation Department – is hereby granted, as per his request, a leave pursuant to the Family and Medical Leave Act – effective and retroactive to September 25, 2013.

On roll call the vote was as follows:

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

RESOLUTION NO. (372-2013)
Co. Hausner offered and Co. Borelli seconded

RESOLVED, that Christopher Martone, 5 Briarcliff Road, New City, New York – is hereby appointed to the position of Chairman – Traffic & Traffic Fire Safety Advisory Board – to cover the unexpired term of Norman Peachey) at the current 2013 annual salary of \$775., effective October 1, 2013 and to expire on December 31, 2013.

On roll call the vote was as follows:

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

RESOLUTION NO. (373-2013)
Co. Hausner offered and Co. Borelli seconded

RESOLVED, that the resignation of Lavarne Pound, 11 Stratford Place, New City, New York – Secretary – Traffic & Traffic Fire Safety Advisory Board – is hereby accepted – effective and retroactive to September 30, 2013.

RESOLUTION NO. (373-2013) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (374-2013)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Town Clerk has received the Tentative Budget from the Town Comptroller and presented same to the Town Board in accordance with the provisions of Town Law §106, and

WHEREAS, pursuant to Resolution No. 510-2012, adopted by the Town Board on November 8, 2012, the Town Board scheduled a Town Board meeting for November 7, 2013, at 7:00 p.m., in the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and

WHEREAS, the Town Board of the Town of Clarkstown has proposed a local law to override the limit on the amount of real property taxes that may be levied by the Town of Clarkstown pursuant to General Municipal Law §3-c and to allow the Town of Clarkstown to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c;

NOW, THEREFORE, be it

RESOLVED, that the Tentative Budget, as received by the Town Clerk, is hereby designated the Preliminary Budget and the Town Clerk is directed to prepare 25 copies of the Budget for public distribution, pursuant to Town Law §106, and be it

FURTHER RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on November 7, 2013 at 7:00 p.m., or as soon thereafter as possible, relative to said proposed local law, and be it

FURTHER RESOLVED, that the Town Board hereby schedules a public hearing for November 7, 2013, at 7:00 p.m., or as soon thereafter as possible, at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, pursuant to Town Law §108 concerning the Clarkstown Preliminary Budget for 2014, and be it

FURTHER RESOLVED, that the Town Attorney prepare notices of such statutory hearings 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.

On roll call the vote was as follows:

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

RESOLUTION NO. (375-2013)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, by Resolution No. 141-1987, the Town Board authorized the Supervisor to enter into contracts with the four Ambulance Corps to provide emergency ambulance and Advanced Life Support (ALS) services within the Town of Clarkstown, and

WHEREAS, by Resolution No. 642-1987, the Town Board amended Resolution No 141-1987 to lower the level of funding to the Nyack Ambulance Corps because only 40.5% of its service area is in the Town of Clarkstown, and

RESOLUTION NO. (375-2013) continued

WHEREAS, based upon updated service call data, the Town Board wishes to amend its contract with the Nyack Ambulance Corps again;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 642-1987 and authorizes the Supervisor to enter into a new contract with the Nyack Ambulance Corps, in a form approved by the Town Attorney, to provide emergency ambulance and Advanced Life Support services (ALS) to the Town of Clarkstown by changing the formula of payment from 60/40% to 50/50% by allowing a percentage increase each year as follows:

2014 – 42%

2015 – 46%

2016 – 50%

On roll call the vote was as follows:

Co. Lasker Absent

Co. Borelli Yes

Co. Hoehmann Absent

Co. Hausner. Yes

Supervisor Gromack Yes

RESOLUTION NO. (376-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, by Resolution No. 505-2009, as amended by Resolution No. 374-2012, the Town Board authorized the Supervisor to award Bid No. 53-2009 to, and to enter into an agreement with, Lorencin Contracting for the Police Department Communications Room Project, and

WHEREAS, additional work, including additional air conditioning and heating wiring and duct work, was required to be performed during the project totaling \$69,600, which change order has been reviewed by the Public Works Administrator and has been found reasonable in terms of scope and price, and

WHEREAS, it is necessary to amend the contract with Lorencin Contracting to reflect this change order;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an amended agreement with Lorencin Contracting, in a form approved by the Town Attorney, to reflect said change order in the amount of \$69,600, and be it

FURTHER RESOLVED, that said fees shall be a proper charge to Account No. H 8759-409-0-83-19.

On roll call the vote was as follows:

Co. Lasker Absent

Co. Borelli Yes

Co. Hoehmann Absent

Co. Hausner. Yes

Supervisor Gromack Yes

RESOLUTION NO. (377-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, the Town Board of the Town of Clarkstown (“Town”) has previously authorized the Supervisor of the Town to enter into an agreement with Shore Group, Inc., 460 West 35th Street, New York, N.Y. 10001 to provide the Town with a remote monitoring service called “Shore Patrol,” which would proactively monitor the Town’s critical network components and applications, and

RESOLUTION NO. (377-2013) continued

WHEREAS, Robert Stritmater, Director of Automated Systems, has recommended that the Town renew its agreement with Shore Group, Inc. for this service;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor of the Town to enter into an agreement with Shore Group, Inc. for a one year period, in a form approved by the Town Attorney, to provide a remote monitoring service called "Shore Patrol," which would proactively monitor the Town's critical network components and applications, and be it

FURTHER RESOLVED, that payment for such services shall not exceed \$43,000.00, which 50% of said fee shall be paid January 1, 2014 and the balance shall be due six months thereafter upon receipt of invoice from the provider, and be it

FURTHER RESOLVED, that the said purchase shall constitute a proper charge to account number # A-1680-409.

On roll call the vote was as follows:

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

RESOLUTION NO. (378-2013)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Education Law makes provision for local School Districts to provide Universal Pre-Kindergarten Programs, and

WHEREAS, the Town of Clarkstown desires to be one of the sites designated by the North Rockland Central School District to provide the Universal Pre-Kindergarten Program;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the North Rockland Central School District, in a form approved by the Town Attorney, to provide the Universal Pre-Kindergarten Program at the Town of Clarkstown Street Community Center, New City, New York, during the 2013-2014 school year, and be it

FURTHER RESOLVED, that the North Rockland Central School District shall pay \$2,300 for each child duly enrolled in the Universal Pre-Kindergarten Program.

On roll call the vote was as follows:

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

RESOLUTION NO. (379-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Jorge Lopez v. The Town of Clarkstown, its Assessor and Board of Assessment Review, Index Nos. 1699/13 (16192/09 (w)), 2006/12 (16836/10 (w)), 31104/11, 33973/12 and 33879/13, affecting parcel designated as Tax Map 43.7-1-18./2710 and more commonly known as 224-226 N. Main Street, New City, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the 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 43.7-1-18./2710 be reduced for the year(s) 2009/10 from \$102,550 to \$75,000 at a cost to the Town of \$613.74;
2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2710 be reduced for the year(s) 2010/11 from \$102,550 to \$75,000 at a cost to the Town of \$649.79;
3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2710 be reduced for the year(s) 2011/12 from \$102,550 to \$78,000 at a cost to the Town of \$604.03;
4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2710 be reduced for the year(s) 2012/13 from \$102,550 to \$78,000 at a cost to the Town of \$644.18;
5. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2710 for the year(s) 2013/14;
6. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13, on the parcel described as Tax Map 43.7-1-18./2710, 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;
7. 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	Absent
Co. Borelli	Yes
Co. Hoehmann	Absent
Co. Hausner.	Yes
Supervisor Gromack	Yes

RESOLUTION NO. (380-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Yellow Pages Holdings v. The Town of Clarkstown, its Assessor and Board of Assessment Review, Index Nos. 1706/13 (16191/09 (w)), 2003/12

RESOLUTION NO. (380-2013) continued

(16834/10 (w)), 31153/11, 33972/12 and 33866/13, affecting parcel designated as Tax Map 43.7-1-18./2700 and more commonly known as 222 N. Main Street, New City, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the 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 43.7-1-18./2700 be reduced for the year(s) 2009/10 from \$102,550 to \$75,000 at a cost to the Town of \$613.74;
2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2700 be reduced for the year(s) 2010/11 from \$102,550 to \$75,000 at a cost to the Town of \$649.79;
3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2700 be reduced for the year(s) 2011/12 from \$102,550 to \$78,000 at a cost to the Town of \$604.03;
4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2700 be reduced for the year(s) 2012/13 from \$102,550 to \$78,000 at a cost to the Town of \$644.18;
5. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2700 for the year(s) 2013/14;
6. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13, on the parcel described as Tax Map 43.7-1-18./2700, 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;
7. 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 Absent
 Co. Borelli Yes
 Co. Hoehmann Absent
 Co. Hausner. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (381-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Yarmus Engineering v. The Town of Clarkstown, its Assessor and Board of Assessment Review, Index Nos. 1707/13 (16193/09 (w)), 2000/12 (16821/10 (w)), 31123/11, 33970/12 and 33871/13, affecting parcel designated as Tax Map 43.7-1-18./2730 and more commonly known as 230 N. Main Street, New City, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

RESOLUTION NO. (381-2013) continued

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

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2730 be reduced for the year(s) 2009/10 from \$102,550 to \$75,000 at a cost to the Town of \$613.74;
2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2730 be reduced for the year(s) 2010/11 from \$102,550 to \$75,000 at a cost to the Town of \$649.79;
3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2730 be reduced for the year(s) 2011/12 from \$102,550 to \$78,000 at a cost to the Town of \$604.03;
4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2730 be reduced for the year(s) 2012/13 from \$102,550 to \$78,000 at a cost to the Town of \$644.18;
5. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2730 for the year(s) 2013/14;
6. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13, on the parcel described as Tax Map 43.7-1-18./2730, 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;
7. 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 Absent
 Co. Borelli Yes
 Co. Hoehmann Absent
 Co. Hausner. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (382-2013)
Co. Borelli offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Sisters By Business v. The Town of Clarkstown, its Assessor and Board of Assessment Review, Index Nos. 1700/13 (16194/09 (w)), 2009/12 (16829/10 (w)), 31098/11, 33969/12 and 33872/13, affecting parcel designated as Tax Map 43.7-1-18./2750 and more commonly known as 234 N. Main Street, New City, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

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

RESOLUTION NO. (382-2013) continued

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 43.7-1-18./2750 be reduced for the year(s) 2009/10 from \$102,550 to \$75,000 at a cost to the Town of \$613.74;
- 2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2750 be reduced for the year(s) 2010/11 from \$102,550 to \$75,000 at a cost to the Town of \$649.79;
- 3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2750 be reduced for the year(s) 2011/12 from \$102,550 to \$78,000 at a cost to the Town of \$604.03;
- 4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2750 be reduced for the year(s) 2012/13 from \$102,550 to \$78,000 at a cost to the Town of \$644.18;
- 5. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2750 for the year(s) 2013/14;
- 6. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13, on the parcel described as Tax Map 43.7-1-18./2750, 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;
- 7. 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 Absent
 Co. Borelli Yes
 Co. Hoehmann Absent
 Co. Hausner. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (383-2013)
Co. Borelli offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Sisters By Business v. The Town of Clarkstown, its Assessor and Board of Assessment Review, Index Nos. 1700/13 (16195/09 (w)), 2002/12 (16832/10 (w)), 31092/11, 33968/12 and 33873/13, affecting parcel designated as Tax Map 43.7-1-18./2740 and more commonly known as 232 N. Main Street, New City, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the 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 43.7-1-18./2740 be reduced for the year(s) 2009/10 from \$102,550 to \$75,000 at a cost to the Town of \$613.74;

RESOLUTION NO. (383-2013) continued

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2740 be reduced for the year(s) 2010/11 from \$102,550 to \$75,000 at a cost to the Town of \$649.79;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2740 be reduced for the year(s) 2011/12 from \$102,550 to \$78,000 at a cost to the Town of \$604.03;

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2740 be reduced for the year(s) 2012/13 from \$102,550 to \$78,000 at a cost to the Town of \$644.18;

5. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2740 for the year(s) 2013/14;

6. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13, on the parcel described as Tax Map 43.7-1-18./2740, 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;

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

RESOLUTION NO. (384-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Samuel Press, MD v. The Town of Clarkstown, its Assessor and Board of Assessment Review, Index Nos. 1698/13 (16231/09 (w)), 1999/12 (16820/10 (w)), 31100/11, 3971/12 and 33869/13, affecting parcel designated as Tax Map 43.7-1-18./2720 and more commonly known as 228 N. Main Street, New City, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the 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 43.7-1-18./2720 be reduced for the year(s) 2009/10 from \$102,550 to \$75,000 at a cost to the Town of \$613.74;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2720 be reduced for the year(s) 2010/11 from \$102,550 to \$75,000 at a cost to the Town of \$649.79;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2720 be reduced for the year(s) 2011/12 from \$102,550 to \$78,000 at a cost to the Town of \$604.03;

RESOLUTION NO. (384-2013) continued

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2720 be reduced for the year(s) 2012/13 from \$102,550 to \$78,000 at a cost to the Town of \$644.18;

5. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2720 for the year(s) 2013/14;

6. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13, on the parcel described as Tax Map 43.7-1-18./2720, 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;

7. 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 Absent
- Co. Borelli Yes
- Co. Hoehmann Absent
- Co. Hausner. Yes
- Supervisor Gromack Yes

RESOLUTION NO. (385-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Roventini Realty Corp. v. The Town of Clarkstown, its Assessor and Board of Assessment Review, Index Nos. 1702/13 (16199/09 (w)), 2004/12 (16835/10 (w)), 31115/11, 33976/12 and 33874/13, affecting parcel designated as Tax Map 43.7-1-18./2810 and more commonly known as 246 N. Main Street, New City, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the 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 43.7-1-18./2810 be reduced for the year(s) 2009/10 from \$102,550 to \$75,000 at a cost to the Town of \$613.74;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2810 be reduced for the year(s) 2010/11 from \$102,550 to \$75,000 at a cost to the Town of \$649.79;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2810 be reduced for the year(s) 2011/12 from \$102,550 to \$78,000 at a cost to the Town of \$604.03;

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2810 be reduced for the year(s) 2012/13 from \$102,550 to \$78,000 at a cost to the Town of \$644.18;

5. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2810 for the year(s) 2013/14;

Resolution no. (385-2013) continued

6. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13, on the parcel described as Tax Map 43.7-1-18./2810, 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;

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

RESOLUTION NO. (386-2013)
Co. Borelli offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Rockland Pediatric Dental Center v. The Town of Clarkstown, its Assessor and Board of Assessment Review, Index Nos. 1705/13 (16197/09 (w)), 2005/12 (16835/10 (w)), 31112/11, 33974/12 and 33878/13, affecting parcel designated as Tax Map 43.7-1-18./2770 and more commonly known as 238 N. Main Street, New City, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the 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 43.7-1-18./2770 be reduced for the year(s) 2009/10 from \$102,550 to \$75,000 at a cost to the Town of \$613.74;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2770 be reduced for the year(s) 2010/11 from \$102,550 to \$75,000 at a cost to the Town of \$649.79;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2770 be reduced for the year(s) 2011/12 from \$102,550 to \$78,000 at a cost to the Town of \$604.03;

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2770 be reduced for the year(s) 2012/13 from \$102,550 to \$78,000 at a cost to the Town of \$644.18;

5. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2770 for the year(s) 2013/14;

6. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13, on the parcel described as Tax Map 43.7-1-18./2770, 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;

RESOLUTION NO. (386-2013) continued

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

RESOLUTION NO. (387-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Lemar Investments Company v. The Town of Clarkstown, its Assessor and Board of Assessment Review, Index Nos. 1697/13 (16196/09 (w)), 2008/12 (16837/10 (w)), 31090/11, 33977/12 and 33875/13, affecting parcel designated as Tax Map 43.7-1-18./2760 and more commonly known as 236 N. Main Street, New City, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the 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 43.7-1-18./2760 be reduced for the year(s) 2009/10 from \$102,550 to \$75,000 at a cost to the Town of \$613.74;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2760 be reduced for the year(s) 2010/11 from \$102,550 to \$75,000 at a cost to the Town of \$649.79;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2760 be reduced for the year(s) 2011/12 from \$102,550 to \$78,000 at a cost to the Town of \$604.03;

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2760 be reduced for the year(s) 2012/13 from \$102,550 to \$78,000 at a cost to the Town of \$644.18;

5. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2760 for the year(s) 2013/14;

6. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13 on the parcel described as Tax Map 43.7-1-18./2760, 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;

7. 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. (387-2013) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (388-2013)
 Co. Borelli offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, HLB Associates, LLC v. The Town of Clarkstown, its Assessor and Board of Assessment Review, Index Nos. 1704/13 (16198/09 (w)), 2007/12 (16828/10 (w)), 31114/11, 33975/12 and 33877/13, affecting parcel designated as Tax Map 43.7-1-18./2800 and more commonly known as 244 N. Main Street, New City, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the 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 43.7-1-18./2800 be reduced for the year(s) 2009/10 from \$102,550 to \$75,000 at a cost to the Town of \$613.74;
2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2800 be reduced for the year(s) 2010/11 from \$102,550 to \$75,000 at a cost to the Town of \$649.79;
3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2800 be reduced for the year(s) 2011/12 from \$102,550 to \$78,000 at a cost to the Town of \$604.03;
4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2800 be reduced for the year(s) 2012/13 from \$102,550 to \$78,000 at a cost to the Town of \$644.18;
5. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2800 for the year(s) 2013/14;
6. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12 and 2012/13 on the parcel described as Tax Map 43.7-1-18./2800, 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;
7. 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 Absent
 Co. Borelli Yes
 Co. Hoehmann Absent
 Co. Hausner. Yes
 Supervisor Gromack Yes

RESOLUTION NO. (389-2013)
Co. Borelli offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, JULMYR, LLC v. The Town of Clarkstown, its Assessor and Board of Assessment Review, Index Nos. 1703/13 (16200/09 (w)), 2001/12 (16830/10 (w)), 31105/11, 33967/12 and 33876/13, affecting parcel designated as Tax Map 43.7-1-18./2790 and more commonly known as 242 N. Main Street, New City, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the 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. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18./2790 for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14;

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

RESOLUTION NO. (390-2013)
Co. Hausner offered and Co. Borelli seconded

WHEREAS, Cornell Cooperative Extension of Rockland County (CCERC) has presented a plan to the Town Board for a joint agreement between CCERC, the Board of Cooperative Educational Services (BOCES) and the Town of Clarkstown for the sponsorship of classes, and

WHEREAS, the focus of the program is the historic 1729 Vanderbilt/Budke House located on the Town-owned Traphagen Estate at 131 Germonds Road, West Nyack, and

WHEREAS, CCERC has identified the project as one with tremendous significance both for educational purposes and for historic preservation and horticultural education, and

WHEREAS, CCERC has proposed two classes for this fall, one for historic preservation work for a BOCES carpentry class to restore certain aspects of the Vanderbilt/Budke House and one for a horticultural class to explore and restore native landscape and plantings, and

WHEREAS, CCERC has committed to fund the program Twelve Thousand Dollars (\$12,000) provided that the Town of Clarkstown commits to the same amount;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into an Agreement with CCERC, subject to the review and approval of the Town Attorney, to effect the aforementioned program.

RESOLUTION NO. (390-2013) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (391-2013)

Co. Borelli offered and Co. Hausner seconded

RESOLVED, that Paul Murray, 71 Hall Avenue, New City, New York – is hereby re-appointed to the position of Member Architecture and Landscape Commission – term effective October 14, 2013 and to expire on October 13, 2020.

On roll call the vote was as follows:

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

RESOLUTION NO. (392-2013)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, by Local Law No. 3-2011, affirmed by a vote of the majority of the qualified electors voting in the General Election of November 8, 2011, and effective on January 1, 2014, the Town of Clarkstown is consolidating the powers and duties of the Office of the Receiver of Taxes with the Office of the Town Clerk, and

WHEREAS, DCAK-MSA Architecture has submitted a proposal, dated September 26, 2013, for a Feasibility Study for the realignment of the Town departments and corresponding office areas, to include a space allocation study to determine optimum location of the combined departments; one or more proposed floor plan layouts to be reviewed by the Public Works Administrator and other parties designated by the Town; and, after the selection of a preferred plan, the preparation of an order of magnitude budget estimate for the interior renovation, and

WHEREAS, the Public Works Administrator has reviewed the proposal and finds it reasonable in both scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with DCAK-MSA, 53 Hudson Avenue, Nyack, NY 10960, in a form approved by the Town Attorney, to perform the proposed Feasibility Study, and be it

FURTHER RESOLVED, that the cost of said services shall not exceed \$12,800.00 and shall constitute a proper charge to Account No. H-8766-409-0-89-8.

On roll call the vote was as follows:

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

RESOLUTION NO. (393-2013)
Co. Hausner offered and Co. Borelli seconded

Authorizing the Supervisor to make application to the NYS Department of Environmental Conservation for a Water Quality Improvement project at the Town Garage
Municipal Resolution
Water Quality improvement Projects and
Nonagricultural Nonpoint Source Projects
Municipal Resolution

Resolution authorizing the items listed below pursuant to the Bond Acts enacted in 1965, 1972 and 1996 and the Environmental Protection Fund, as well as federal grant awards available for such projects.

WHEREAS, the Town of Clarkstown herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY the Town Board of the Town of Clarkstown

1. That Alexander J. Gromack, Supervisor of the Town of Clarkstown or such person's successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation.
4. That this Resolution take effect immediately.

On roll call the vote was as follows:

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

RESOLUTION NO. (394-2013)
Co. Hausner offered and Co. Borelli seconded

WHEREAS, in July 2013 the Town of Clarkstown (Town) submitted eleven (11) Letters of Intent (LOI) to the New York State Division of Homeland Security and Emergency Services (DHSES) for funding consideration under the Hazard Mitigation Grant Program (HMGP); and

WHEREAS, based on the review of the Town's LOI, DHSES has invited the Town to submit an HMGP application for each of the eleven (11) LOI, more fully describing the problem to be addressed; and

RESOLUTION NO. (394-2013) continued

WHEREAS, the Town confirms that it will provide the 25% required non-Federal funding share of the final project cost, or greater, upon receipt of a grant award; and

THEREFORE BE IT RESOLVED, that Alexander Gromack, as Supervisor of the Town of Clarkstown, is hereby authorized and directed to file eleven (11) applications to the New York State Division of Homeland Security and Emergency Services for funds under the Hazard Mitigation Grant Program #4085 to mitigate storm-related damages.

On roll call the vote was as follows:

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

The Supervisor opened the meeting for general public comment.

Tom Nimick, New City
Read and submitted a statement regarding the attorney for the Ethics Board.
(Statement on file in the Town Clerk’s office)

Michael Hull, Bardonia
Read and submitted a statement regarding the Constituent Services position in the Highway Department. (Statement on file in the Town Clerk’s Office)

Marge Hook, New City
Spoke about hiring practices in the Highway Department and the Town Garage.

Kevin Hobbs, New City
He inquired about letters read at the beginning of the meeting, about the Ethics investigation and about the Town’s debt service.

Mary Ann Brennan, Nanuet
She spoke about a lawsuit related to the Town Garage and Highway Department consolidation.

Laura Doherty, Nanuet
Complimented Mr. Malone on his Town Garage report and expressed concerns regarding overspending at the Highway Department.

Pete Bradley, Congers
Spoke about savings at the Town Garage and parts purchasing issues.

George Rumelt, New City
Spoke about costs associated with parts purchased.

Joe Schliemer, New City
He asked about the West Nyack overlay district project.

Ralph Sabatini, New City
He spoke about parts purchased and recommended investigation thereof.

Highway Superintendent, Wayne Ballard, explained the duties of the Constituent Services Representative. He stated he was in favor of the Town Garage/Highway consolidation but felt it should occur under the Highway Superintendent. He spoke of his frustration due to snow removal equipment not being ready and expressed concerns over whether the leaf pickup equipment would be ready on time.

Dennis Malone, Fleet Manager, responded that the leaf equipment was ready right now and stated he had plenty of extra parts in stock.

Regarding the West Nyack overlay district project, Co. Hausner stated that a drainage project is being designed right now and should be ready soon.

There being no one further wishing to be heard on motion of Co. Lasker seconded by Co. Hausner the Town Board meeting was adjourned, time: 8:50 pm.

Respectfully submitted,

Justin Sweet
Town Clerk