

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

5/17/11

8:00 P.M.

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.
The Town Clerk read the roll call.

SPECIAL PRESENTATION: The Town Board made a special presentation to the members of the St. Augustine's 3rd Grade Girls CYO Basketball County Champs. Certificates were presented to the following girls:

Laura Botto	Alex Gamez	Olivia Woods
Kelly O'Sullivan	Gabriella Cipriano	Samantha Waletsky
Mia Vincini	Jenna StaCruz	

CLARKSTOWN YOUTH ACADEMY GRADUATION: The Clarkstown Police Department honored the graduates of the Youth Academy class. The Academy has been in existence for 11 years and it gives the students an opportunity to understand the job of a police officer as well as exposes them to other areas of the criminal justice system. The following students were congratulated by the Town Board and received certificates in recognition of their graduation:

Clarkstown High School South

Antonio Figueroa	Andrew Giga	Erin Riley
Jessica Masciovecchio	Michael Masullo	Victoria Benedetto

Clarkstown High School North

Kurt Lauen	Justin Selsky	Amanda Lugo
Michael Weinstein	Roman Grudinin	Thomas Lawrence
Korey Johnson	Stephen Gobah	Andrew Seid
David Krouskoff	Daniel Hughes	

Nanuet High School

James McTigue	Nicholas DiBenedetto	Andrew Freeman
Brian McTigue	Sergio Ventura	

CLARKSTOWN ENVIRONMENTAL SUMMIT VOLUNTEERS: Co. Shirley Lasker explained that the Environmental Summit held on March 5th was an amazing success and the Town Board wanted to recognize and honor the many volunteers who worked so hard to make it happen. She introduced a brief video highlighting the events of that day. Tommy Stella, a student from Clarkstown South High School, spoke about his experiences that day and thanked the Town Board for sponsoring the event and inviting the students to participate. Joanne Pederson, Superintendent of Parks and Recreation, spoke about the Clarkstown Eco-Mini Camp and synopsised the activities and events that took place that day. She thanked all the volunteers as well as her staff for their participation. Program Chair, Laurie Peek, spoke about the summit and thanked all of the

people involved. Law professor, Karl Coplan, thanked Co. Lasker for putting this all together and stated that much was learned about sustainability and how we can leave to our children the wonderful lifestyle that we now enjoy. Co. Lasker recognized Jesse Malowitz, representing State Senator David Carlucci, and she thanked Senator Carlucci for attending the summit. She stated she was overwhelmed by the response from the community in terms of volunteers, sponsors, and exhibitors. Everyone worked together with dedication and commitment toward a common goal of improving and preserving our quality of life in Clarkstown. She spoke about what the Town has already accomplished such as the Mayor's Climate Agreement, the Town-wide Energy Audit and the Open Space program. She spoke about the Climate Smart Communities Resolution and plans to create a committee that will work to reduce emissions by 20% by the year 2020. She recognized Supervisor Gromack, the Town Board, Clarkstown Central School District, Clarkstown High School South staff, Rockland Boces Career & Technical Center, George Potanovic Photography, Cablevision, IBEW, the Clarkstown Auxillary, Paula Tobin, Jose Simoes, Ericka Moschetti and Joanne Pederson. She also thanked all of the participants, sponsors and food vendors who participated. Supervisor Gromack thanked Co. Lasker as well as the other Town Board members. Each of the Town Board members thanked the volunteers and all of the participants in the Summit. Joe Simoes, the Town Planner, gave a brief description of what the adoption of a Climate Smart Community resolution means. The Town Board then presented certificates to the volunteers.

On motion of Co. Hoehmann seconded by Co. Hausner, the Public Hearing to consider the adoption of a Proposed Local Law entitled "A Local Law Amending Chapter 146 (Flood Damage Prevention)" was opened, time 9:22 P.M.

On motion of Co. Hausner seconded by Co. Lasker the Public Hearing was closed, time: 9:24 P.M. RESOLUTION NO. (237-2011) ADOPTED

The Supervisor opened the meeting for public comments on the Town Board agenda items.

Jim Finn, West Nyack

He thanked the Town Board, Parks and Recreation Department and Safety Department. He thanked the Clarkstown Police Department and the PBA for their donation of a defibrillator, in memory of Caitlyn Powers, to the West Nyack Senior club.

Steven Levine, Congers

He asked about Item 2; he supports consolidation but feels we must protect our dedicated civil servants who work in these departments. Regarding Item 4, Public Hearing to abolish position of elected Superintendent of Highways to an appointed position, he objects because he believes that this is an important job and by making it an appointed position it takes away direct accountability to the public.

Roberta Bangs, Nanuet

Regarding Item 4, she is in favor of changing the position of Superintendent of Highways to an appointed position.

Guy Gervasi, West Nyack

Regarding Item 15d & 15c, he asked if "d" was replacing "c" or were they two separate things.

Mike Hirsch, New City

He asked for clarification of Item #2, consolidation of Receiver and Town Clerk's office.

Amy Durbin, Congers

She asked if the starting part time salaries were going to be higher or lower than they are now.

Supervisor Gromack stated that, regarding Item 2, originally it was thought to make sense to combine the Office of the Receiver with the Office of the Assessor. However, the Assessor explained that the first few months in the year, when the tax collections were coming in, were also the busiest months for her office because of all the tax certioraris and challenges. Additionally, other research from around the State showed that in the majority of offices where this was done, they did combine the Receiver’s Office with the Office of the Town Clerk. In light of these factors, it makes sense to merge it into the Office of the Town Clerk.

Chief Sullivan explained the personnel changes in Items 15 c & d. There is no change in the number of supervisors in the Police Department. When the detective sergeant in charge of DARE & SRO retired, they asked the Juvenile Aide Sgt. to take over the DARE program. The department is down several supervisors and it was felt that a sergeant in patrol was needed more than in the detective bureau because of summer approaching and resultant overtime concerns. Because the detective sergeant is willing and able to take over the DARE program, we can now promote a sergeant, put him in patrol and this will hopefully help cut down on overtime.

Regarding Item 15, part-time salaries, the Supervisor explained this was actually a savings for the Town because we brought down higher part-time seasonal salaries to the lower ones and that most people that come on now will get less because of this schedule. With reference to Item 4, a local law to abolish the position of an elected Superintendent of Highways, he stated the Town Board did this for a number of reasons, including the ability to establish minimum standards regarding professional credentials. The ultimate decision will be on November 8 when the people will decide if they want to move in this direction.

RESOLUTION NO. (236-2011)
Co. Lasker offered and Co. Hausner seconded

WHEREAS, the Town of Clarkstown (hereinafter "local government") believes that climate change poses a real and increasing threat to our local and global environments which is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

IT IS HEREBY RESOLVED that Town of Clarkstown, in order to reduce greenhouse gas emissions and adapt to a changing climate will

1. Pledge to Combat Climate Change by Becoming a Climate Smart Community

Set goals to reduce GHG emissions and adapt to predicted climatic changes. Establish a task force of local officials and community members to review the issues and propose a plan of action. Designate a point person who will oversee climate change initiatives and publicly report on progress. Work cooperatively with similar task forces in neighboring

RESOLUTION NO. (236-2011) continued

communities to ensure that efforts complement and reinforce one another. As an official signal of commitment and for access to technical resources, sign on to a widespread climate campaign such as ICLEI Local Governments for Sustainability - Climate Protection campaign.

2. Set Goals, Inventory Emissions, Move to Action

Gather data, inventory GHG gas emissions, and establish baselines for local government operations and community sectors. Develop quantifiable interim GHG emission targets consistent with emission reduction goals and propose a schedule and financing strategy to meet them. Encourage stakeholder and public input and develop an action plan. Report emissions to The Climate Registry (TCR), which has developed a standardized method for reporting emissions inventories; use ICLEI and TCR's tools to track and evaluate progress.

3. Decrease Energy Demand for Local Government Operations

Adopt a goal of reducing electricity use by 15 percent from projected levels no later than 2015.

Existing Public Facilities. Inventory current building electricity usage and identify opportunities for conservation and efficiency retrofits. Obtain energy assessments from the New York State Energy Research and Development Authority (NYSERDA), the New York Power Authority, the Long Island Power Authority or other professionals. Consider actions such as purchasing energy efficient equipment and appliances, such as ENERGY STAR®; improving lighting, heating, and cooling efficiency; setting thermostats for maximum energy conservation; decreasing plug load from office equipment; and increasing pump efficiency in water and wastewater systems.

New Public Buildings. Achieve at least minimum U.S. Green Building Council Leadership in Energy and Environmental Design standards (LEED Silver) for all new local government buildings.

Infrastructure. Incorporate energy efficient technologies and operations and maintenance practices into municipal street lighting, traffic signals, and water and wastewater treatment facilities.

Vehicle Fleet and Commuting. Improve the average fuel efficiency of local government fleet vehicles. Discourage vehicle idling and encourage bicycling, car-pooling and public transit for employees. Consider reducing the number of vehicles; converting fleet vehicles to sustainable alternative fuels; and using electric vehicles where possible.

4. Encourage Renewable Energy for Local Government Operations

Supply as much of the local government's power, heat and hot water needs as possible from solar, wind, and small hydro through purchase or direct generation.

5. Realize Benefits of Recycling and Other Climate Smart Solid Waste Management Practices

Expand the "reduce, reuse and recycle" approach to waste management in local government operations and in the whole community. Reduce the amount of solid waste generated -- promote backyard composting, implement volume-based pricing and educate residents on how to prevent waste. Promote reuse by organizing community-wide yard sales, and providing a space for drop-off or trade of reusable goods. Provide recycling receptacles in local government buildings and outdoor spaces, require duplex printing in government offices, compost food scraps and green waste, and adopt a comprehensive green purchasing program.

6. Promote Climate Protection through Community Land Use Planning

Combat climate change by encouraging low-emissions development that is resilient to climatic changes. When updating land use policies, building codes or community plans, include provisions to combat climate change; reduce sprawl; preserve and protect open space, biodiversity, and water supplies; promote compact, transit-oriented, bikeable and walkable communities; promote infill development; minimize new development in

RESOLUTION NO. (236-2011) continued

floodplains; maintain or establish healthy community forests; and promote best forest management practices and encourage tree planting, especially along waterways, to increase shading and to absorb carbon dioxide.

7. Plan for Adaptation to Unavoidable Climate Change

Evaluate risks from unavoidable climate change, set adaptation goals and plan for adaptation. Identify climate change impacts (such as flooding, drought, and extreme temperatures) that could affect the community. Identify areas such as water supply and sewer infrastructure that may be at risk due to sea-level rise and future changes in climate. Factor risks into long-term investments and decision-making. Execute climate change adaptation and preparedness measures through local government planning, development and operations, giving priority to the highest risk areas.

8. Support a Green Innovation Economy

Identify opportunities to incorporate climate protection, sustainability and environmental goods and service industries into economic development plans. Encourage workforce development training and school curricula that support the emerging green collar job sector, including renewable energy and energy efficiency, as well as climate smart solid waste management practices. Procure climate smart goods and services for local government operations and support modernizing of local and national electricity grids.

9. Inform and Inspire the Public

Lead by example. Highlight local government commitment to reducing energy use, saving tax dollars, and adapting to changing conditions. Demonstrate the benefits of energy savings, energy efficiency, and renewable energy projects by hosting open houses; distributing fliers; holding local meetings; working with school districts, colleges, and universities to develop climate change curricula and programs; engaging faith-based communities in climate protection; and regularly communicating community climate protection goals and progress to constituents.

10. Commit to an Evolving Process

Acknowledge that research and policy on climate protection are constantly improving and evolving. Be willing to consider new ideas and commit to update plans and policies as needed. Compare successes, cooperate and collaborate with neighboring communities to redirect less-effective actions and amplify positive results.

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. (237-2011)

Co. Hoehmann offered and Co. Hausner seconded

RESOLUTION OF THE TOWN BOARD
ADOPTING LOCAL LAW NO. 2 – 2011

WHEREAS, a proposed local law entitled,
“A LOCAL LAW AMENDING CHAPTER 146–FLOOD DAMAGE
PREVENTION OF THE CODE OF THE TOWN OF CLARKSTOWN,”

was introduced by Councilman George A. Hoehmann, at a Town Board meeting held on April 12, 2011, and

RESOLUTION NO. (237-2011) continued

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on April 12, 2011, directed that a public hearing be held on May 17, 2011, at 8:00 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 May 10, 2011, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on May 5, 2011;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 2 – 2011 entitled:

“A LOCAL LAW AMENDING CHAPTER 146–FLOOD DAMAGE PREVENTION 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:

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

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

RESOLUTION NO. (238-2011)

Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that the Town Board Minutes of April 12, 2011 and the Special Town Board Minutes of April 26, 2011 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (239-2011)

Co. Lasker offered and Co. Hausner seconded

RESOLUTION RE-OPENING A PUBLIC HEARING TO AMEND ADOPTION OF A LOCAL LAW ENTITLED, “A LOCAL LAW TO ABOLISH THE OFFICE OF THE RECEIVER OF TAXES AND CONSOLIDATE THE DUTIES WITH THE OFFICE OF THE ASSESSOR OF THE TOWN OF CLARKSTOWN” TO A LOCAL LAW ENTITLED, “A LOCAL LAW TO ABOLISH THE OFFICE OF THE RECEIVER OF TAXES AND CONSOLIDATE THE DUTIES WITH THE OFFICE OF THE TOWN CLERK OF THE TOWN OF CLARKSTOWN”

RESOLUTION NO. (239-2011) continued

WHEREAS, a public hearing was duly held and closed on February 8, 2011 with respect to submitting a proposition abolishing the Office of the Receiver of Taxes and consolidating the duties of the Receiver of Taxes with the Office of the Assessor, and

WHEREAS, by Resolution No. 68-2011, dated February 8, 2011, the Town Board adopted a local law entitled, "A Local Law to Abolish the Office of the Receiver of Taxes and Consolidate the Duties with the Office of the Assessor of the Town of Clarkstown", and

WHEREAS, the Town Board now wishes to amend the language contained in this local law to allow for consolidation of the duties of the Receiver of Taxes with another office, and

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

"A LOCAL LAW TO ABOLISH THE OFFICE OF THE RECEIVER OF TAXES AND CONSOLIDATE THE DUTIES WITH THE OFFICE OF THE TOWN CLERK OF THE TOWN OF CLARKSTOWN"

and

WHEREAS, this amended local law is intended to abolish the Office of the Receiver of Taxes and consolidate the duties of the Receiver of Taxes with the Office of the Town Clerk by ballot at the 2011 November General Election;

NOW, THEREFORE, be it

RESOLVED, that the public hearing be re-opened, 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 June 14, 2011 at 8:00 p.m., or as soon thereafter as possible, relative to amending Resolution No. 68-2011 and adopting the amended proposed local law, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (240-2011)

Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF GERKE AVENUE, NEW CITY TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Gerke Avenue, New City determined to be a capital improvement, and

WHEREAS, Gerke Avenue, New City is in such disrepair that it requires reconstruction and installation of new piping and catch basins, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

RESOLUTION NO. (240-2011) continued

Paving:	450 tons @ \$82.00	=	\$ 36,900.00
Pipe:	250 linear ft. @ \$22.50	=	\$ 5,625.00
New Catch Basins:	1 unit @ \$910.00	=	\$ 910.00
Milling:	1,890 sq. yds. @ \$3.65	=	\$ 6,898.50
Iron Raises:	15 @ \$265.00	=	\$ <u>3,975.00</u>
			\$ 54,308.50

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing and Clarkstown Highway Department yard inventory from Bid #43-2002.

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the cost of \$54,308.50 is hereby determined to be a proper charge to capital account # H 8762-409-0-86-10 and it is the intent of the Town Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (241-2011)
Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF BRENNER DRIVE, CONGERS TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Brenner Drive, Congers to be a capital improvement, and

WHEREAS, Brenner Drive, Congers is in such disrepair that it requires reconstruction and installation of new piping, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Paving:	1,050 tons @ \$82.00	=	\$ 86,100.00
Iron Raises:	20 @ \$265.00	=	\$ 5,300.00
Miscellaneous asphalt & sub-base repairs (prior to overlay):	Approx. 40' x 300' areas	=	\$ <u>13,600.00</u>
			\$105,000.00

RESOLUTION NO. (241-2011) continued

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing and Clarkstown Highway Department yard inventory from Bid #43-2002.

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the cost of \$105,000.00 is hereby determined to be a proper charge to capital account # H 8762-409-0-86-10 and it is the intent of the Town Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (242-2011)
Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF BRIARWOOD DRIVE, NEW CITY TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Briarwood Drive, New City determined to be a capital improvement, and

WHEREAS, Briarwood Drive, New City is in such disrepair that it requires reconstruction and installation of new piping, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Paving:	590 tons @ \$82.00	=	\$ 48,380.00
Pipe:	250 linear ft. @ \$22.50	=	\$ 5,625.00
Milling:	2,060 sq. yds. @ \$3.65	=	\$ 7,519.00
Iron Raises:	10 @ \$265.00	=	<u>\$ 2,650.00</u>
			\$ 64,174.00

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing and Clarkstown Highway Department yard inventory from Bid #43-2002.

NOW THEREFORE, be it

RESOLUTION NO. (242-2011) continued

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

FURTHER RESOLVED, that the cost of \$64,174.00 is hereby determined to be a proper charge to capital account # H 8762-409-0-86-10 and it is the intent of the Town Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (243-2011)
Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF DEMAREST AVENUE, NANUET TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Demarest Avenue, Nanuet determined to be a capital improvement, and

WHEREAS, Demarest Avenue, Nanuet is in such disrepair that it requires reconstruction and installation of new piping and catch basins, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Paving:	327 tons @ \$82.00	=	\$ 26,814.00
Pipe:	250 linear feet @ \$22.50	=	\$ 5,625.00
New Catch Basins:	4 units @ \$910.00	=	\$ 3,640.00
Milling Curb Line:	1,280 linear feet @ \$3.65	=	\$ 4,672.00
Iron Raises:	7 @ \$265.00	=	\$ 1,855.00
			<u>\$ 42,606.00</u>

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing and Clarkstown Highway Department yard inventory from Bid #43-2002.

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the cost of \$42,606.00 is hereby determined to be a proper charge to capital account # H 8762-409-0-86-10 and it is the intent of the Town Board that this is to be funded by serial bonds.

RESOLUTION NO. (243-2011)

On roll call the vote was as follows:

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

RESOLUTION NO. (244-2011)

Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF ELDOR AVENUE, NEW CITY TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Eldor Avenue, New City to be a capital improvement, and

WHEREAS, Eldor Avenue, New City is in such disrepair that it requires reconstruction and installation of new piping and catch basins, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Paving:	775 tons @ \$82.00	=	\$ 63,550.00
Pipe:	675 linear feet @ \$22.50	=	\$ 15,187.50
New Catch Basins:	4 units @ \$910.00	=	\$ 3,640.00
Iron Raises:	14 @ \$265.00	=	<u>\$ 3,710.00</u>
			\$ 86,087.50

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing and Clarkstown Highway Department yard inventory from Bid #43-2002.

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the cost of \$86,087.50 is hereby determined to be a proper charge to capital account # H 8762-409-0-86-10 and it is the intent of the Town Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (245-2011)
Co. Hausner offered and Co. Lasker seconded

**RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF
FAWN HOLLOW DRIVE, NEW CITY TO BE TREATED AS A CAPITAL
PROJECT**

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Fawn Hollow Drive, New City determined to be a capital improvement, and

WHEREAS, Fawn Hollow Drive, New City is in such disrepair that it requires reconstruction and installation of new piping and catch basins, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Paving:	285 tons @ \$82.00	=	\$ 23,370.00
Pipe:	60 linear feet @ \$22.50	=	\$ 1,350.00
New Catch Basins:	2 units @ \$910.00	=	\$ 1,820.00
Iron Raises:	7 @ \$265.00	=	\$ 1,855.00
			<u>\$ 28,395.00</u>

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing and Clarkstown Highway Department yard inventory from Bid #43-2002.

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the cost of \$28,395.00 is hereby determined to be a proper charge to capital account # H 8762-409-0-86-10 and it is the intent of the Town Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (246-2011)
Co. Hausner offered and Co. Lasker seconded

**RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF
FERNWOOD DRIVE, NEW CITY TO BE TREATED AS A CAPITAL PROJECT**

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Fernwood Drive, New City determined to be a capital improvement, and

RESOLUTION NO. (246-2011) continued

WHEREAS, Fernwood Drive, New City is in such disrepair that it requires reconstruction and installation of new piping and catch basins, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Paving:	520 tons @ \$82.00	=	\$ 42,640.00
Pipe:	200 linear ft. @ \$22.50	=	\$ 4,500.00
New Catch Basins:	2 units @ \$910.00	=	\$ 1,820.00
Milling:	1,945 sq. yds. @ \$3.65	=	\$ 7,099.25
Iron Raises:	9 @ \$265.00	=	\$ 2,385.00
			<u>\$ 58,444.25</u>

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing and Clarkstown Highway Department yard inventory from Bid #43-2002.

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the cost of \$58,444.25 is hereby determined to be a proper charge to capital account # H 8762-409-0-86-10 and it is the intent of the Town Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (247-2011)

Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF FOXBURN STREET, NEW CITY TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Foxburn Street, New City determined to be a capital improvement, and

WHEREAS, Foxburn Street, New City is in such disrepair that it requires reconstruction and installation of new piping and catch basins, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Paving:	575 tons @ \$82.00	=	\$ 47,150.00
Iron Raises:	13 @ \$265.00	=	\$ 3,445.00
Replace concrete curb:	950' @ \$23.50	=	\$ 22,325.00
with 4" underdrain, north side:	950' @ \$26.50	=	\$ 25,175.00
			<u>\$ 98,095.00</u>

RESOLUTION NO. (247-2011) continued

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing and Clarkstown Highway Department yard inventory from Bid #43-2002.

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the cost of \$98,095.00 is hereby determined to be a proper charge to capital account # H 8762-409-0-86-10 and it is the intent of the Town Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (248-2011)

Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF NORTH HIGHVIEW AVENUE, NANUET TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on North Highview Avenue, Nanuet determined to be a capital improvement, and

WHEREAS, North Highview Avenue, Nanuet is in such disrepair that it requires reconstruction and installation of new piping and catch basins, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Paving:	245 tons @ \$82.00	=	\$ 20,090.00
Pipe:	200 linear feet @ \$22.50	=	\$ 4,500.00
New Catch Basins:	2 units @ \$910.00	=	\$ 1,820.00
Full Mill:	1,467 linear feet @ \$3.65	=	<u>\$ 5,354.55</u>
			\$ 31,764.55

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing and Clarkstown Highway Department yard inventory from Bid #43-2002.

NOW THEREFORE, be it

RESOLUTION NO. (248-2011) continued

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

FURTHER RESOLVED, that the cost of \$31,764.55 is hereby determined to be a proper charge to capital account # H 8762-409-0-86-10 and it is the intent of the Town Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (249-2011)
Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF ORCHARD STREET, NANUET TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Orchard Street, Nanuet determined to be a capital improvement, and

WHEREAS, Orchard Street, Nanuet is in such disrepair that it requires reconstruction and installation of new piping and catch basins, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Paving:	475 tons @ \$82.00	=	\$ 38,950.00
Pipe:	650 linear feet @ \$22.50	=	\$ 14,625.00
New Catch Basins:	2 units @ \$910.00	=	\$ 1,820.00
Full Mill:	3,170 linear feet @ \$3.65	=	\$ 11,570.50
Iron Raises:	13 @ \$265.00	=	\$ 3,445.00
			\$ 70,410.50

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing and Clarkstown Highway Department yard inventory from Bid #43-2002.

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the cost of \$70,410.50 is hereby determined to be a proper charge to capital account # H 8762-409-0-86-10 and it is the intent of the Town Board that this is to be funded by serial bonds.

RESOLUTION NO. (249-2011) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (250-2011)

Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF RENNERT LANE, BARDONIA TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Rennert Lane, Bardonia to be a capital improvement, and

WHEREAS, Rennert Lane, Bardonia is in such disrepair that it requires reconstruction and installation of new piping and catch basins, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Paving:	895 tons @ \$82.00	=	\$ 73,390.00
Pipe:	675 linear feet @ \$22.50	=	\$ 15,187.50
New Catch Basins:	4 units @ \$910.00	=	\$ 3,640.00
Iron Raises:	20 @ \$265.00	=	<u>\$ 5,300.00</u>
			\$ 97,517.50

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing and Clarkstown Highway Department yard inventory from Bid #43-2002.

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the cost of \$97,517.50 is hereby determined to be a proper charge to capital account # H 8762-409-0-86-10 and it is the intent of the Town Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (251-2011)
Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF SANDSTONE TRAIL, NEW CITY TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Sandstone Trail, New City to be a capital improvement, and

WHEREAS, Sandstone Trail, New City is in such disrepair that it requires reconstruction and installation of new piping and catch basins, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Paving:	850 tons @ \$82.00	=	\$ 69,700.00
Milling:	2,987 sq. yds. @ \$3.65	=	\$ 10,902.55
Iron Raises:	12 @ \$265.00	=	\$ 3,180.00
Road Repair/Reconstruction – 2 sections: 12’x50’ & 15’x30’		=	\$ 8,500.00
			<u>\$ 92,282.55</u>

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing and Clarkstown Highway Department yard inventory from Bid #43-2002.

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the cost of \$92,282.55 is hereby determined to be a proper charge to capital account # H 8762-409-0-86-10 and it is the intent of the Town Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (252-2011)
Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF DEER TRACK LANE, VALLEY COTTAGE TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Deer Track Lane, Valley Cottage to be a capital improvement, and

WHEREAS, Deer Track Lane, Valley Cottage is in such disrepair that it requires reconstruction and installation of new piping and catch basins, so that the project may be considered a capital project, and

RESOLUTION NO. (252-2011) continued

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Paving:	700 tons @ \$82.00	=	\$ 57,400.00
Milling:	2,547 sq. yds. @ \$3.65	=	\$ 9,296.55
Pipe:	75 linear feet @ \$22.50	=	\$ 1,687.50
New Catch Basins:	2 units @ \$910.00	=	\$ 1,820.00
Iron Raises:	18 @ \$265.00	=	\$ 4,770.00
			<u>\$ 74,974.05</u>

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing and Clarkstown Highway Department yard inventory from Bid #43-2002.

NOW THEREFORE, be it

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

FURTHER RESOLVED, that the cost of \$74,974.05 is hereby determined to be a proper charge to capital account # H 8762-409-0-86-10 and it is the intent of the Town Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (253-2011)
Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF STRATHMORE DRIVE, NEW CITY TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Strathmore Drive, New City to be a capital improvement, and

WHEREAS, Strathmore Drive, New City is in such disrepair that it requires reconstruction and installation of new piping and catch basins, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Paving:	825 tons @ \$82.00	=	\$ 67,650.00
Milling:	3,210 sq. yds. @ \$3.65	=	\$ 11,716.50
Pipe:	60 linear feet @ \$22.50	=	\$ 1,350.00
New Catch Basins:	2 units @ \$910.00	=	\$ 1,820.00
Iron Raises:	20 @ \$265.00	=	\$ 5,830.00
			<u>\$ 88,366.50</u>

and

RESOLUTION NO. (253-2011) continued

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces, materials from the following bids, NYS Bid 02866 Corrugated Polyethylene Pipe and Underdrain Tubing and Clarkstown Highway Department yard inventory from Bid #43-2002.

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

FURTHER RESOLVED, that the cost of \$88,366.50 is hereby determined to be a proper charge to capital account # H 8762-409-0-86-10 and it is the intent of the Town Board that this is to be funded by serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (254-2011)
Co. Borelli offered and Co. Hoehmann seconded

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW TO ABOLISH THE POSITION OF AN ELECTED SUPERINTENDENT OF HIGHWAYS AND REPLACE IT WITH AN APPOINTED SUPERINTENDENT OF HIGHWAYS IN THE TOWN OF CLARKSTOWN"

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

"A LOCAL LAW TO ABOLISH THE POSITION OF AN ELECTED SUPERINTENDENT OF HIGHWAYS AND REPLACE IT WITH AN APPOINTED SUPERINTENDENT OF HIGHWAYS IN THE TOWN OF CLARKSTOWN"

and

WHEREAS, this proposed local law is intended to abolish the position of an elected Superintendent of Highways and replace it with an appointed Superintendent of Highways subject to approval by mandatory referendum ballot at the 2011 November General Election;

NOW, THEREFORE, be it

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 June 14, 2011 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (255-2011)
Co. Lasker offered and Co. Hausner seconded

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

BID#23-2011 – PAPER AND PLASTICS SUPPLIES

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at _____ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Purchasing Department.

On roll call the vote was as follows:

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

RESOLUTION NO. (256-2011)
Co. Hausner offered and Co. Borelli seconded

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

BID # 19-2011 – SHARON DRIVE DRAINAGE IMPROVEMENTS

is hereby awarded to: BELLEVILLE LANDSCAPING INC.
84 NORTH ROUTE 9W
CONGERS, NY 10920

PRINCIPAL: ISIDORE CASTIGLIA
JAMES MIELE

as per their proposed total project cost not to exceed \$97,650.00 plus 15% contingency and be it

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

- a) Signed Contract Documents – four sets
- b) Performance Bond - 100% of project cost
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of Contractor's Liability and Property Damage Coverage, including a Save Harmless Agreement
- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker's Compensation insurance coverage
- g) Certificate of Worker's Disability Insurance coverage

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

FURTHER RESOLVED, that this project shall be under the supervision of the Public Works Administrator, and be it

RESOLUTION NO. (256-2011) continued

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8762-400-409-0-86-6 , 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. LaskerYes
Co. Borelli Yes
Co. Hoehmann Yes
Co. Hausner Yes
Supervisor Gromack Yes

RESOLUTION NO. (257-2011)
Co. Hoehmann offered and Co. Borelli seconded

RESOLUTION AUTHORIZING CHANGE ORDER #2, PLAYGROUND EQUIPMENT AT ZUKOR PARK, ZUKOR ROAD, NEW CITY, NEW YORK

WHEREAS, the playground at Zukor Park, New City, New York is currently undergoing renovations, and

WHEREAS, in the course of performing it was determined that a fence was required, and

WHEREAS, Yaboo Fence Company, Inc. has submitted the proposal for fencing, and

WHEREAS, the cost of the additional work is \$9,850;

NOW, THEREFORE, BE IT RESOLVED, that Change Order #2, Playground Equipment, for Bid #27-2010 is approved for the additional cost of \$9,850.00, and

BE IT FURTHER RESOLVED, that the total cost for the Playground Equipment shall not exceed \$185,829.00, and

BE IT FURTHER RESOLVED, that said additional cost shall be a proper charge to Account No. H8761-409-85-10.

On roll call the vote was as follows:

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

RESOLUTION NO. (258-2011)
Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A RENEWAL AGREEMENT CONCERNING TOWN OF CLARKSTOWN "ADOPT-A-ROAD" PROGRAM

RESOLUTION NO. (258-2011) continued

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

WHEREAS, the following group wishes to continue to adopt the below segment of town road for an additional period of two (2) years, continuing from May 31, 2011 to May 31, 2013, as follows:

Sponsor: Blue Sky Lawn Care & Landscape, Inc.
505 Kings Highway, Valley Cottage, NY 10989

Roads: 1.14 mile segment on Lake Road from Kings Highway
to Route 9W, Valley Cottage,

and

.75 mile segment from the Railroad Tracks in Valley
Cottage to Crusher Road on Kings Highway, Valley Cottage

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Blue Sky Lawn Care & Landscape, Inc. will continue to perform a public service in removing trash from above roadways that would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of two (2) years continuing from May 31, 2011 to May 31, 2013, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segments, and to provide and coordinate services by Blue Sky Lawn Care & Landscape, Inc. to remove trash from the roadways.

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. (259-2011)

Co. Lasker offered and Co. Hausner seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND CONCERNING THE "SUPER SAVER" DISCOUNT PROGRAM FOR THE CLARKSTOWN MINI TRANS

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

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

NOW, THEREFORE, be it

RESOLUTION NO. (259-2011) continued

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

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. (260-2011)

Co. Lasker offered and Co. Hausner seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A PILOT AGREEMENT WITH DER SPECIALTY PRODUCTS, LLC, D & E REALTY CO., THE CLARKSTOWN CENTRAL SCHOOL DISTRICT, THE COUNTY OF ROCKLAND, AND THE COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT AGENCY WITH RESPECT TO PAYMENT IN LIEU OF TAXES FOR PROPERTY KNOWN ON THE CLARKSTOWN TAX MAP AS 59.18-1-12

WHEREAS, the Rockland County Industrial Development Agency (“RCIDA”) is authorized to acquire, construct, lease, improve and maintain projects for the purpose of promoting development and encouraging commercial facilities thereby advancing job opportunities, general prosperity and economic welfare of the people of Rockland County, and

WHEREAS, the “RCIDA” has undertaken a project consisting of the renovation of an existing building and the acquisition and installation thereto of certain machinery and equipment related thereto, all to be used for a manufacturing, warehousing, and distribution facility and administrative offices located at 200 North Route 303, West Nyack, New York, and

WHEREAS, D & E REALTY CO., the owner of the property has leased the property to DER SPECIALTY PRODUCTS, LLC, and concurrently leased the property to the “RCIDA” and they desire to enter into a PILOT agreement, and

WHEREAS, the proposed agreement provides for payments in lieu of taxes equal to the tax which would be imposed on the land and the improvements thereon were the same not rendered tax exempt by transfer of ownership to the Agency, less a 40% abatement in the first three (3) years, reducing to 30% in the next two (2) years, and 25% in the next year, and reducing in 5% increments thereafter until 5% in 2020, whereafter the Agreement expires and there is no further abatement; and

WHEREAS, the Town Board hereby authorizes the Supervisor to enter into a “payment in lieu of taxes agreement” (a PILOT agreement) to be executed by all parties;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with DER SPECIALITY PRODUCTS, LLC, D & E REALTY CO., THE CLARKSTOWN CENTRAL SCHOOL DISTRICT, THE COUNTY OF ROCKLAND, AND THE COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT AGENCY with respect to payment in lieu of taxes for property known on the Clarkstown Tax Map as 59.18-1-12, and located at 200 North Route 303, West Nyack, New York.

RESOLUTION NO. (260-2011) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (261-2011)

Co. Hoehmann offered and Co. Borelli seconded

RESOLUTION RE-ESTABLISHING A COMMITTEE TO RECOGNIZE
 COMMERCIAL PROPERTY OWNERS, OR OPERATORS, WHO MAINTAIN
 EXEMPLARY PROPERTIES

WHEREAS, the Town Board of the Town of Clarkstown adopted Resolution No. 456 on July 25, 2006, creating a committee to recognize commercial property owners, or operators, who have taken extraordinary steps maintaining their properties. This program is known as the "Pride of Clarkstown," and is also intended to act as an incentive for all commercial property to be improved, and

WHEREAS, the Committee consists of the following persons:

- George Hoehmann, Town Board Liaison
- Scott Milich, Chairman
- David Kaminski
- Dorie McMaster
- Donald Ritch
- Irene Ryan
- Shirley Washington
- and

WHEREAS, the Town Board wishes to re-establish the Committee for the year 2011;

NOW, therefore, be it

RESOLVED, that the Town Board hereby re-establishes the committee referred to herein, and be it

FURTHER RESOLVED, that the Town Board hereby endorses the contest for the best maintained commercial property, and shall appropriate \$2,000.00 to the committee to conduct the contest, prepare award certificates and for incidental expenses, which shall be a proper charge to Account No. A-1010-409.

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. (262-2011)
Co. Hoehmann offered and Co. Borelli seconded

RESOLUTION AMENDING TOWN BOARD RESOLUTION 518-2010 FOR BID #20-2008; NANUET HAMLET SIDEWALK EXTENSION

WHEREAS, Town Board Resolution 518-2010 awarded bid #20-2008; Old Middletown Road Sidewalk Extension Project to Pinebrook Industries, Inc. for the amount of \$55,600.00; and

WHEREAS, additional work items were required to complete the construction of the proposed sidewalk; and

WHEREAS, Pinebrook Industries, Inc. submitted a proposal for the additional work to be reviewed by the Department of Environmental Control; and

WHEREAS, change order #1 has been reviewed by the Department of Environmental Control and found acceptable as follows:

- a. Provide and install (2) two 2x2 catch basins and 20 lf of 15” HDPE \$6,000.00
- b. Repair damaged areas of existing stone wall \$1,450.00
- c. Raise existing catch basin frame and grate flush w/ new sidewalk \$500.00
- d. Provide credit for 721 lf of 4” PVC underdrain @ \$6/lf (\$4,326.00)

Total Change Order Amount	\$3,624.00
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NOW, THEREFORE, BE IT RESOLVED that the allowance for this project be increased from the current amount of \$55,600.00 to \$59,224.00 to reflect the additional cost of the change order; and

BE IT FURTHER RESOLVED that this shall continue to be a proper charge to account # H 8753 400 409 0 77 4

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. (263-2011)
Co. Hoehmann offered and Co. Lasker seconded

RESOLUTION AMENDING TOWN BOARD RESOLUTION 383-2009 FOR BID #14-2009; DORE COURT LOW FLOW CHANNEL

WHEREAS, Town Board Resolution 383-2009 awarded bid #14-2009; Dore Court Low Flow Channel to Pinebrook Industries, Inc. for the amount of \$39,450.00; and

WHEREAS, additional trees had to be removed in order to install the proposed drainage improvements; and

RESOLUTION NO. (263-2011) continued

WHEREAS, Pinebrook Industries, Inc. provided the Department of Environmental Control with a price of \$1,650.00 for the removal of the additional trees; and

WHEREAS, change order #2 has been reviewed by the Department of Environmental Control and found acceptable as follows:

- a. Remove and dispose of (2) two 8"-10" trees \$1,650.00
- Total Change Order Amount \$1,650.00

NOW, THEREFORE, BE IT RESOLVED that the allowance for this project be increased from the current amount of \$43,300.00 to \$44,950 to reflect the additional cost of the change order; and

BE IT FURTHER RESOLVED that this shall continue to be a proper charge to account # H 8760 400 409 0 84 17

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. (264-2011)
Co. Hoehmann offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE PUBLIC WORKS ADMINISTRATOR TO
RETAIN THE SERVICES OF A CONTRACTOR TO MAINTAIN PUBLIC
IMPROVEMENTS ON MAIN STREET DURING THE COMING SEASON

WHEREAS, the Town Board wishes to have the public improvements maintained on Main Street, New City for the coming season, and

WHEREAS, the Purchasing Agent solicited proposals, and

WHEREAS, the Public Works Administrator has reviewed the low proposal submitted by Steve Botto Landscaping and found it to be reasonable in scope and price and recommends that the work be awarded to Steve Botto Landscaping for their low proposal of \$33,850.00;

NOW, THEREFORE, be it

RESOLVED, that the Public Works Administrator is hereby authorized to retain the services of Steve Botto Landscaping, 19 Short Hill Road, New City, New York to perform this work in accordance with their proposal for an amount not to exceed \$33,850.00, and be it

FURTHER RESOLVED, that this amount shall be a proper charge to Account No. A-1620-409-0.

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. (265-2011)
Co. Hausner offered and Co. Borelli seconded

RESOLUTION AUTHORIZING THE PURCHASE OF OFFICE FURNITURE FOR RENOVATED FIRE INSPECTOR/PERSONNEL OFFICE SPACE IN TOWN HALL

WHEREAS, the majority of furniture which has heretofore been in the Fire Inspector’s Office and file room for the Personnel Office of the Town of Clarkstown has exhausted its useful life span and has been removed in connection with the renovations to said office space, and

WHEREAS, it is necessary that for the proper functioning of the Fire Inspector and Personnel Offices, that certain furniture be in the offices, and

WHEREAS, it is the intent to purchase said furniture with the use of New York State OGS contracts for the procurement of office furniture;

NOW THEREFORE, be it

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to furnish said offices of the Town of Clarkstown with desks, cubicle walls, seating, file cabinets, and other accouterments, at a cost not to exceed the sum of \$65,000.00, and be it

FURTHER RESOLVED, that this project shall constitute a proper charge to Account No. H-8758-400-409-0-82-8, and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this purchase with the issuance of serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (266-2011)
Co. Hoehmann offered and Co. Lasker seconded

RESOLUTION REFERRING PETITION OF CHARLES ELIN FOR ABANDONMENT AND DEMAPPING OF A PORTION OF COLUMBUS AVENUE, CONGERS, NEW YORK, TO THE ROCKLAND COUNTY COMMISSIONER OF PLANNING AND THE CLARKSTOWN PLANNING BOARD

WHEREAS, an application has been made by Charles Elin that the Town Board and the Superintendent of Highways of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law to declare that a certain portion of a right-of-way as described in the metes and bounds description attached as Schedule “A,” for the unimproved portion of Columbus Avenue, Congers, New York, upon the grounds that same has never been used by the public and therefore the portion of said road may be deemed abandoned, and

WHEREAS, said road 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, and 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 this Resolution be referred to the Rockland County Commissioner of Planning and the Clarkstown Planning Board for their report and recommendation, and be it

RESOLUTION NO. (266-2011) continued

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 the Planning Board 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 investigate the allegations contained in the petition of Charles Elin and to render his report to the Town Board pursuant to Highway Law Section 205 on or before June 10, 2011.

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. (267-2011)

Co. Hausner offered and Co. Hoehmann seconded

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Edward Sibbering, 49 Ridge Drive, Middletown, New York, Highway Maintenance Supervisor I – Highway Department is hereby granted an extension of his Sick Leave of Absence at one-half pay – effective May 16, 2011 thru June 16, 2011.

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. (268-2011)

Co. Hausner offered and Co. Hoehmann seconded

RESOLVED, that the resignation of Loraine A. Peek, 98 Demarest Mill Road, West Nyack, New York – Member – Historical Review Board - is hereby accepted – effective and retroactive to May 11, 2011.

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. (269-2011)

Co. Hausner offered and Co. Hoehmann seconded

RESOLVED, that the resignation by (retirement) of Timothy O’Neill, 21 Jackson Drive, Stony Point, New York – Police Sergeant (Detective) – is hereby accepted and retroactive to May 12, 2011.

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. (270-2011)
Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #09066 Police Sergeant which contains the name of Joseph C. Donnary, NOW, therefore, be it

RESOLVED, that Joseph C. Donnary, 234 South Conger Avenue, Congers, New York – is hereby appointed to the position of (promotional) (permanent) Police Sergeant – Clarkstown Police Department – at the current annual salary of \$126,906., - effective May 20, 2011.

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. (271-2011)
Co. Hausner offered and Co. Hoehmann seconded

RESOLVED, that Michael I. DeMaio, 40 Pittsford Way, Nanuet, New York – is hereby appointed (promotional) to the position of Senior Groundswoker – Maintenance Department at the annual 2011 salary of \$52,375., - effective and retroactive to May 16, 2011.

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. (272-2011)
Co. Hauser offered and Co. Hoehmann seconded

RESOLVED, that the attached document in exhibit A reflects the starting salaries for the (part-time) titles in the Town of Clarkstown, NOW, therefore, be it

RESOLVED, that the Town Board adopts the following Exhibit A starting salary schedule for the (part-time) titles, and be it,

FURTHER RESOLVED, that the pay rate increases of \$.50 for the (part time) titles in exhibit A are effective for the fiscal year 2011.

RESOLUTION NO. (272-2011) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (273-2011)

Co. Borelli offered and Co. Hoehmann seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 17, 2011, AUTHORIZING THE ACQUISITION OF A HOT ASPHALT RECYCLER, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$50,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$50,000 SERIAL BONDS OF SAID TOWN 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 hot asphalt recycler. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$50,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$50,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$50,000 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. 28 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 without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds

RESOLUTION NO. (273-2011) continued

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

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

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "THE JOURNAL-NEWS," a newspaper having 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 May 17, 2011, 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 May 17, 2011, authorizing the acquisition of a hot asphalt recycler, stating the estimated maximum cost thereof is \$50,000, appropriating said amount for such purpose, and authorizing the issuance of \$50,000 serial bonds of said Town 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 hot asphalt recycler; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$50,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$50,000 serial bonds of the Town 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;

RESOLUTION NO. (273-2011) continued

SECOND: AUTHORIZING the issuance of \$50,000 serial bonds of the Town 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 \$50,000 serial 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: May 17, 2011

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

RESOLUTION NO. (274-2011)
Co. Borelli offered and Co. Hoehmann seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 17, 2011, AUTHORIZING THE INSTALLATION OF PAVING STONES AT CONGERS PARK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$30,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$30,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

RESOLUTION NO. (274-2011) continued

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 install paving stones at Congers Park. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$30,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$30,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$30,000 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. 19 (c) 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 without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

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

RESOLUTION NO. (274-2011) continued

- (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 May 17, 2011, 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 May 17, 2011, authorizing the installation of paving stones at Congers Park, stating the estimated maximum cost thereof is \$30,000, appropriating said amount for such purpose, and authorizing the issuance of \$30,000 serial bonds of said Town 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 install paving stones at Congers Park; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$30,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of \$30,000 serial bonds of the Town 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 \$30,000 serial bonds of the Town 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 \$30,000 serial 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. (274-2011) 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: May 17, 2011

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

RESOLUTION NO. (275-2011)
Co. Borelli offered and Co. Hoehmann seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 17, 2011, AUTHORIZING THE CONSTRUCTION OF AN EXTENSION TO CONGERS ROAD IN CONNECTION WITH THE NEW CITY DOWNTOWN REVITALIZATION PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,680,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF \$2,680,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION, AND AUTHORIZING THE EXPENDITURE OF FUNDS RECEIVED FROM GRANTS AND/OR OTHER SOURCES FOR SAID PURPOSE

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 an extension to Congers Road in connection with the New City Downtown Revitalization Project. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,680,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$2,680,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any funds received from grants and/or other

RESOLUTION NO. (275-2011) continued

sources are hereby authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued therefor, 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. Serial bonds of the Town in the principal amount of \$2,680,000 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. 20 (c) 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 without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

RESOLUTION NO. (275-2011) continued

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "THE JOURNAL-NEWS," a newspaper having 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 May 17, 2011, 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 May 17, 2011, authorizing the construction of an extension to Congers Road in connection with the New City Downtown Revitalization Project, stating the estimated maximum cost thereof is \$2,680,000, appropriating said amount for such purpose, authorizing the issuance of \$2,680,000 serial bonds of said Town to finance said appropriation, and authorizing the expenditure of funds received from grants and/or other sources for said purpose,"

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

FIRST: AUTHORIZING said Town to construct an extension to Congers Road in connection with the New City Downtown Revitalization Project; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$2,680,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$2,680,000 serial bonds of the Town 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 funds received from grants and/or other sources are authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued therefor, 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 \$2,680,000 serial bonds of the Town 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 \$2,680,000 serial 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. (273-2011) continued

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

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

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

* * *

On roll call the vote was as follows:

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

RESOLUTION NO. (276-2011)

Co. Borelli offered and Co. Hoehmann seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 17, 2011, AUTHORIZING THE CONSTRUCTION OF VARIOUS DRAINAGE IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$270,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$270,000 SERIAL BONDS OF SAID TOWN 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 various drainage improvements. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$270,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$270,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$270,000 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 of the Law, is forty (40) years.

RESOLUTION NO. (276-2011) continued

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

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

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "THE JOURNAL-NEWS," a newspaper having 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 May 17, 2011, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

RESOLUTION NO. (276-2011) continued

“Bond Resolution of the Town of Clarkstown, New York, adopted May 17, 2011, authorizing the construction of various drainage improvements, stating the estimated maximum cost thereof is \$270,000, appropriating said amount for such purpose, and authorizing the issuance of \$270,000 serial bonds of said Town to finance said appropriation,”

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

FIRST: AUTHORIZING said Town to construct various drainage improvements; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$270,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$270,000 serial bonds of the Town 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 \$270,000 serial bonds of the Town 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 \$270,000 serial 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.

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

RESOLUTION NO. (277-2011)

Co. Borelli offered and Co. Hoehmann seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 17, 2011, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE SEWER DEPARTMENT WAREHOUSE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$60,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$60,000 SERIAL BONDS OF SAID TOWN 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 Sewer Department warehouse. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$60,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$60,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$60,000 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. 11(c) 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.

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 without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and

RESOLUTION NO. (276-2011) continued

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 May 17, 2011, 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 May 17, 2011, authorizing the construction of improvements to the Sewer Department warehouse, stating the estimated maximum cost thereof is \$60,000, appropriating said amount for such purpose, and authorizing the issuance of \$60,000 serial bonds of said Town to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to construct improvements to the Sewer Department warehouse; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$60,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$60,000 serial bonds of the Town 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 \$60,000 serial bonds of the Town 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 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

RESOLUTION NO. (277-2011) continued

made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$60,000 serial 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: May 17, 2011

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

RESOLUTION NO. (278-2011)
Co. Borelli offered and Co. Hoehmann seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 17, 2011, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE CONGERS LAKE NORTH END BOARDWALK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$155,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$155,000 SERIAL BONDS OF SAID TOWN 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 Congers Lake North End boardwalk. The estimated maximum cost thereof, including

RESOLUTION NO. (278-2011) continued

preliminary costs and costs incidental thereto and the financing thereof, is \$155,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$155,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$155,000 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. 19 (c) 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 without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

RESOLUTION NO. (278-2011) continued

- (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 May 17, 2011, 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 May 17, 2011, authorizing the construction of improvements to the Congers Lake North End boardwalk, stating the estimated maximum cost thereof is \$155,000, appropriating said amount for such purpose, and authorizing the issuance of \$155,000 serial bonds of said Town to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to construct improvements to the Congers Lake North End boardwalk; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$155,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$155,000 serial bonds of the Town 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 \$155,000 serial bonds of the Town 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 \$155,000 serial 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.

RESOLUTION NO. (278-2011) 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. LaskerYes
Co. Borelli Yes
Co. Hoehmann Yes
Co. Hausner Yes
Supervisor Gromack Yes

RESOLUTION NO. (279-2011)

Co. Borelli offered and Co. Hoehmann seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 17, 2011, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE CONGERS LAKE DAM AND GILCHRIST ROAD DIKE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$120,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$120,000 SERIAL BONDS OF SAID TOWN 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 Congers Lake Dam and Gilchrist Road Dike. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$120,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$120,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$120,000 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. 3 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

RESOLUTION NO. (279-2011) continued

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 without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "THE JOURNAL-NEWS," a newspaper having 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 May 17, 2011, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

RESOLUTION NO. (279-2011) continued

“Bond Resolution of the Town of Clarkstown, New York, adopted May 17, 2011, authorizing the construction of improvements to the Congers Lake Dam and Gilchrist Road Dike, stating the estimated maximum cost thereof is \$120,000, appropriating said amount for such purpose, and authorizing the issuance of \$120,000 serial bonds of said Town to finance said appropriation,”

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

FIRST: AUTHORIZING said Town to construct improvements to the Congers Lake Dam and Gilchrist Road Dike; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$120,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$120,000 serial bonds of the Town 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 \$120,000 serial bonds of the Town 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 \$120,000 serial bonds will exceed five (5) years;

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

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

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

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

* * *

On roll call the vote was as follows:

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

RESOLUTION NO. (280-2011)

Co. Borelli offered and Co. Hoehmann seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 17, 2011, AUTHORIZING THE PREPARATION OF PLANS IN CONNECTION WITH THE WEST NYACK REVITALIZATION PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$245,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$245,000 SERIAL BONDS OF SAID TOWN 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 in connection with the West Nyack revitalization project. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$245,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$245,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$245,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance a part of said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 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 without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board

RESOLUTION NO. (280-2011) continued

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

RESOLUTION NO. (281-2011)

Co. Borelli offered and Co. Hoehmann seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 17, 2011, AUTHORIZING THE INSTALLATION OF TRAFFIC SIGNALS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$195,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF \$195,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION, AND AUTHORIZING THE EXPENDITURE OF FUNDS RECEIVED FROM GRANTS AND/OR OTHER SOURCES FOR SAID PURPOSE

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 install traffic signals. The

RESOLUTION NO. (281-2011) continued

estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$195,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$195,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any funds received from grants and/or other sources are hereby authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued therefor, 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. Serial bonds of the Town in the principal amount of \$195,000 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. 72 (a) of the Law, is twenty (20) 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 without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

RESOLUTION NO. (281-2011) continued

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 May 17, 2011, 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 May 17, 2011, authorizing the installation of traffic signals, stating the estimated maximum cost thereof is \$195,000, appropriating said amount for such purpose, authorizing the issuance of \$195,000 serial bonds of said Town to finance said appropriation, and authorizing the expenditure of funds received from grants and/or other sources for said purpose,"

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

FIRST: AUTHORIZING said Town to install traffic signals; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$195,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$195,000 serial bonds of the Town 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 funds received from grants and/or other sources are authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued therefor, 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 \$195,000 serial bonds of the Town 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 twenty (20) 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 \$195,000 serial 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. (281-2011) continued

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

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

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

* * *

On roll call the vote was as follows:

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

RESOLUTION NO. (282-2011)
Co. Hoehmann offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 17, 2011, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS ROADS IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$995,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF \$995,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION, AND AUTHORIZING THE EXPENDITURE OF FUNDS RECEIVED FROM GRANTS AND/OR OTHER SOURCES FOR SAID PURPOSE

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 various roads in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$995,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$995,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any funds received from grants and/or other sources are hereby authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued therefor, 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. Serial bonds of the Town in the principal amount of \$995,000 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.

RESOLUTION NO. (282-2011) 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 Sections 11.00 a. 20 (c) 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 without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "THE JOURNAL-NEWS," a newspaper having 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. (282-2011) continued

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on May 17, 2011, 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 May 17, 2011, authorizing the construction of improvements to various roads in the Town, stating the estimated maximum cost thereof is \$995,000, appropriating said amount for such purpose, authorizing the issuance of \$995,000 serial bonds of said Town to finance said appropriation, and authorizing the expenditure of funds received from grants and/or other sources for said purpose”

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

FIRST: AUTHORIZING said Town to construct improvements to various roads in the Town; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$995,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$995,000 serial bonds of the Town 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 funds received from grants and/or other sources are authorized to be applied toward the cost of said project or redemption of the Town’s bonds or notes issued therefor, 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 \$995,000 serial bonds of the Town 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 \$995,000 serial 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. LaskerYes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner Yes
- Supervisor Gromack Yes

RESOLUTION NO. (283-2011)
Co. Hoehmann Offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 17, 2011, AUTHORIZING THE ACQUISITION OF HIGHWAY EQUIPMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$500,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$500,000 SERIAL BONDS OF SAID TOWN 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 highway equipment. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$500,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$500,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$500,000 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. 28 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 without limitation of rate or amount. 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

RESOLUTION NO. (283-2011) continued

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

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

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "THE JOURNAL-NEWS," a newspaper having 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 May 17, 2011, 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 May 17, 2011, authorizing the acquisition of highway equipment, stating the estimated maximum cost thereof is \$500,000, appropriating said amount for such purpose, and authorizing the issuance of \$500,000 serial bonds of said Town 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 highway equipment; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$500,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$500,000 serial bonds of the Town 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;

RESOLUTION NO. (283-2011) continued

SECOND: AUTHORIZING the issuance of \$500,000 serial bonds of the Town 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 \$500,000 serial 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. LaskerYes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner Yes
- Supervisor Gromack Yes

RESOLUTION NO. (284-2011)

Co. Hoehmann offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 17, 2011, AUTHORIZING THE ACQUISITION OF OFFICE FURNITURE FOR THE FIRE INSPECTOR AND PERSONNEL OFFICES IN TOWN HALL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$65,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$65,000 SERIAL BONDS OF SAID TOWN 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:

RESOLUTION NO. (284-2011) continued

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to acquire office furniture for the Fire Inspector and Personnel offices in Town Hall. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$65,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$65,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$65,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance a part of said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 32 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 without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

RESOLUTION NO. (284-2011) continued

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

RESOLUTION NO. (285-2011)

Co. Hoehmann offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 17, 2011, AUTHORIZING THE CONSTRUCTION OF DRAINAGE IMPROVEMENTS IN CONNECTION WITH THE QUASPECK PARK DRAINAGE IMPROVEMENTS PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,440,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$3,440,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct drainage improvements in connection with the Quaspeck Park drainage improvements project, including installation of storm drainage lines, culverts and catch basins and other related work. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,440,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$3,440,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$3,440,000 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 of the Law, is forty (40) years.

RESOLUTION NO. (285-2011) continued

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

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

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "THE JOURNAL-NEWS," a newspaper having 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 May 17, 2011, 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 May 17, 2011, authorizing the construction of drainage improvements in connection

RESOLUTION NO. (285-2011) continued

with the Quaspeck Park drainage improvements project, stating the estimated maximum cost thereof is \$3,440,000, appropriating said amount for such purpose, and authorizing the issuance of \$3,440,000 serial bonds of said Town to finance said appropriation,”

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

FIRST: AUTHORIZING said Town to construct drainage improvements in connection with the Quaspeck Park drainage improvements project including installation of storm drainage lines, culverts and catch basins and other related work; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$3,440,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$3,440,000 serial bonds of the Town 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 \$3,440,000 serial bonds of the Town 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 \$3,440,000 serial bonds will exceed five (5) years;

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

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

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

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

On roll call the vote was as follows:

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

RESOLUTION NO. (286-2011)

Co. Hoehmann offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 17, 2011, AUTHORIZING THE CONSTRUCTION OF ROAD IMPROVEMENTS IN CONNECTION WITH THE QUASPECK PARK DRAINAGE IMPROVEMENTS PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,220,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$1,220,000 SERIAL BONDS OF SAID TOWN 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 road improvements in connection with the Quaspeck Park drainage improvements project, including curbing and other ancillary or related work. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,220,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$1,220,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$1,220,000 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. 20(c) 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 without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the

RESOLUTION NO. (286-2011) continued

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 May 17, 2011, 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 May 17, 2011, authorizing the construction of road improvements in connection with the Quaspeck Park drainage improvements project, stating the estimated maximum cost thereof is \$1,220,000, appropriating said amount for such purpose, and authorizing the issuance of \$1,220,000 serial bonds of said Town to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to construct road improvements in connection with the Quaspeck Park drainage improvements project including curbing and other ancillary or related work; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$1,220,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$1,220,000 serial bonds of the Town 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 \$1,220,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York to finance said appropriation;

RESOLUTION NO. (286-2011) continued

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 \$1,220,000 serial 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. LaskerYes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner Yes
- Supervisor Gromack Yes

RESOLUTION NO. (287-2011)
Co. Lasker offered and Co. Hausner seconded

RESOLUTION GRANTING PERMISSION TO ALERT HOOK, LADDER AND ENGINE COMPANY NO. 1, TO HAVE A CARNIVAL AND LICENSED FIREWORKS DISPLAY AT 65/66 LAKE ROAD, CONGERS, NEW YORK

WHEREAS, the Alert Hook, Ladder and Engine Company No. 1 of Congers, New York, has requested permission to have a licensed fireworks display at 65/66 Lake Road, Congers, New York, on June 26, 2011, and hold a carnival on June 23, 2011 through June 26, 2011, and

WHEREAS, Police Chief Peter Noonan, Clarkstown Police Department, Keith Garrabrant, Emergency Management Coordinator, and Vincent Narciso, Fire Safety Inspector, have reviewed the proposal and have advised that the proposed fireworks display shall be in compliance with the National Fire Protection Act and New York State Penal Law Section 405 and that adequate police personnel will be available, and have recommended permission be granted for such fireworks display subject to certain conditions and compliance with all necessary public safety measures provided the display is held on June 26, 2011;

RESOLUTION NO. (287-2011) continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to Alert Hook, Ladder and Engine Company. No. 1 to sponsor a fireworks display at 65/66 Lake Road, Congers, on June 26, 2011, at approximately 9:00 p.m., subject to the following conditions:

1. Compliance with New York State Penal Law §405 and the National Fire Protection Assoc. Standards;
2. A Certificate of Insurance naming the Town of Clarkstown as an additional insured with coverage not less than \$3,000,000 and evidence of NYS Workers' Compensation and Disability Benefits coverage;
3. An on-site inspection by the Town of Clarkstown Fire Inspector prior to the fireworks display;
4. Provide a bond to the Town of Clarkstown in an amount not less than \$5,000 as provided by §405.00(4) Penal Law;
5. Compliance with the Rockland County Planning Department's recommendations, as set forth in the Commissioner's May 11, 2011 memo; and
6. Provide an Emergency Action Plan/Incident Action Plan to the Emergency Management Coordinator of the Town.

On roll call the vote was as follows:

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

RESOLUTION NO. (288-2011)
Co. Hoehmann offered and Co. Lasker seconded

RESOLUTION REFERRING THE PETITION OF RO-DYLL REALTY LLC FOR A SPECIAL PERMIT TO ALLOW THREE APARTMENTS OVER RETAIL SPACE IN THE CONGERS OVERLAY DISTRICT TO THE ROCKLAND COUNTY COMMISSIONER OF PLANNING AND THE CLARKSTOWN PLANNING BOARD

WHEREAS, RO-DYLL Realty LLC has submitted a petition to the Town Board of the Town of Clarkstown for a Special Permit, pursuant to Section 151 of the Town Code of the Town of Clarkstown, to grant a Special Permit to allow three one-bedroom apartments above retail space. The property is located at 44-46 Lake Road, Congers, New York, and is located within the Congers Overlay District. The property is designated on the Clarkstown Tax Map as 44.15-3-10;
NOW, THEREFORE, be it

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

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

RESOLUTION NO. (288-2011) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (289-2011)

Co. Hausner offered and Co. Borelli seconded

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

BID #24-2011 – QUASPECK PARK DRAINAGE IMPROVEMENTS PROJECT

Bids to be returnable to the office of the Authorized Purchasing Agent , 10 Maple Avenue, New City, New York by _____A.M.) (P.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 Clarkstown Purchasing Department.

On roll call the vote was as follows:

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

RESOLUTION NO. (290-2011)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, Dreamland Amusements provided a security deposit in the amount of \$2,000 to the Building Department for Circus/Carnival Permit #11-1, pursuant to Section 117-6 of the Town Code of the Town of Clarkstown, and

WHEREAS, the Building Inspector has recommended a partial refund of the security deposit with retention of \$200 for sign removal costs;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of the security deposit posted by Dreamland Amusements in the amount of \$1,800 with the remaining \$200 to be retained by the Town to cover sign removal costs.

On roll call the vote was as follows:

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

RESOLUTION NO. (291-2011)
 Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that Erika A. Moschetti, 23 Kenwood Lane, New City, New York – Public Information Specialist – Office of the Town Supervisor – is hereby granted, as per her request, a leave without pay, pursuant to the Family and Medical Leave Act – effective May 16, 2011 thru May 31, 2011.

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. (292-2011)
 Co. Hoehmann offered and Co. Hausner seconded

**RESOLUTION REFERRING AND SETTING A PUBLIC HEARING
 REGARDING AMENDING THE OFFICIAL MAP BY REMOVING PAPER
 STREETS IN THE TOWN OF CLARKSTOWN ON THE TOWN’S OWN MOTION**

WHEREAS, the Town Board, on its own motion, wishes to consider removing certain paper streets which are more fully described on the attached Schedule “A” from the Town’s Official Map, pursuant to §273 of Town Law;

NOW, THEREFORE, be it

RESOLVED, that a copy of this resolution be referred to the Rockland County Commissioner of Planning and the Clarkstown Planning Board for their 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 the Planning Board is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, 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 July 19, 2011, at 8:00 P.M., or as soon thereafter as possible, pursuant to Section 273 of the Town Law, to consider deletion of those paper streets described in Schedule “A” from the Official Map, pursuant to Section 273 of the Town Law, and be it

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

SCHEDULE A

STREET	DESCRIPTION
CEMETERY LANE, WEST NYACK	CENTERLINE BEGINNING AT THE NORTHEAST CORNER OF TAX LOT 65.05-2-4 AND RUNNING NORTHEASTERLY FROM PALISADES CENTER DR FOR A DISTANCE OF 119.55 FEET AND ENDING WITHIN TAX LOT 65.06-1-2
EAST PHILLIPS HILL RD, NEW CITY	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING APPROXIMATELY AT THE INTERSECTION OF PHILLIPS HILL RD AND WALNUT CT AND EXTENDING EASTWARD FOR APPROXIMATELY 2284.7 FEET AND ENDING AT CRANFORD DRIVE

BAUMAN LANE, NANUET	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING APPROXIMATELY 275.8 FEET NORTH OF THE INTERSECTION OF WEST NYACK RD AND STATE ROUTE 304 AND EXTENDING EASTWARD FOR APPROXIMATELY 237.8 FEET FROM STATE ROUTE 304, TRAVERSING TAX LOTS 58.18-1-23 AND 58.18-1-19
STANLEY ROAD, NEW CITY	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING APPROXIMATELY AT INTERSECTION OF LOUIS RD AND RHEINLANDER LN AND EXTENDING EASTWARD FOR APPROXIMATELY 540.3 FEET FROM INTERSECTION, ALONG SOUTHERN BOUNDARIES OF TAX LOTS 42.16-3-21 AND 42.16-3-22
UNNAMED ROAD 11, CONGERS	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING APPROXIMATELY AT INTERSECTION OF WELLS AV AND BRENNER DR AND EXTENDING NORTHWARD FOR APPROXIMATELY 1149.3 FEET FROM INTERSECTION, TRAVERSING TAX LOTS 44.07-2-12 AND 44.07-2-11
UNNAMED ROAD 12, CONGERS	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING APPROXIMATELY AT INTERSECTION OF LAMBORD AV AND SHERWOOD RD AND EXTENDING NORTHWESTERLY FOR APPROXIMATELY 365.6 FEET FROM INTERSECTION, TRAVERSING TAX LOT 44.11-3-81
UNNAMED ROAD 14, CONGERS	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING APPROXIMATELY 120.9 FEET EAST OF THE INTERSECTION OF LAKEWARD AV AND N ROUTE 303 AND EXTENDING SOUTH FOR APPROXIMATELY 413.6 FEET FROM LAKEWARD AV, TRAVERSING THE ROW FOR N ROUTE 303
UNNAMED ROAD 15, CONGERS	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING APPROXIMATELY 59.5 FEET SOUTHEAST OF THE INTERSECTION OF FRIEND ST AND LAKE RD AND EXTENDING SOUTHWESTERLY FOR APPROXIMATELY 194.4 FEET FROM LAKE RD, TRAVERSING TAX LOT 44.15-3-45
UNNAMED ROAD 26, CONGERS	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING APPROXIMATELY AT INTERSECTION OF DORAL CT AND ZUKOR RD AND EXTENDING NORTH THEN NORTHWEST THEN NORTH THEN WEST FOR APPROXIMATELY 2433.3 FEET FROM INTERSECTION, WITHIN TAX LOT 34.11-1-1
UNNAMED ROAD 23, CENTRAL NYACK	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING APPROXIMATELY AT NORTHEAST CORNER OF TAX LOT 65.11-1-25 AND EXTENDING SOUTHWESTERLY THEN SOUTH FOR APPROXIMATELY 947.8 FEET FROM , ENDING WITHIN TAX LOT 65.11-1-41
UNNAMED ROAD 21, CENTRAL NYACK	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING APPROXIMATELY 481.0 FEET NORTH OF THE INTERSECTION OF 4TH ST AND MOUNTAINVIEW AV AND EXTENDING WEST FOR APPROXIMATELY 537.5 FEET FROM MOUNTAINVIEW AV, TRAVERSING TAX LOTS 59.19-1-23, 59.19-1-20, 59.19-1-18, AND 59.19-1-19

UNNAMED ROAD 22, CENTRAL NYACK	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING APPROXIMATELY 561.0 FEET NORTH OF THE INTERSECTION OF 4TH ST AND MOUNTAINVIEW AV AND EXTENDING EAST THEN NORTHEAST THEN NORTH FOR APPROXIMATELY 2275.8 FEET FROM MOUNTAINVIEW AV, ENDING IN TAX LOT 59.16-1-5
UNNAMED ROAD 20, VALLEY COTTAGE	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING APPROXIMATELY 227.3 FEET WEST OF INTERSECTION OF N ROUTE 303 AND STORMS RD AND EXTENDING WEST FOR APPROXIMATELY 436.7 FEET FROM STORMS RD, TRAVERSING TAX LOTS 59.11-2-1, 59.10-1-49, AND 59.10-1-48, AND ENDING AT STORMS RD
UNNAMED ROAD 18, VALLEY COTTAGE	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING AT THE NORTH END OF GREEN AV AND EXTENDING NORTH FOR APPROXIMATELY 845.2 FEET, TRAVERSING TAX LOTS 52.19-1-39, 52.19-1-2, AND 52.19-1-1, AND ENDING AT CORPORATE WAY
UNNAMED ROAD 19, VALLEY COTTAGE	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING APPROXIMATELY 126.4 FEET NORTH OF THE INTERSECTION OF SEDGE RD AND RIDGE RD AND EXTENDING SOUTHEASTERLY FROM RIDGE RD FOR APPROXIMATELY 2014.9 FEET, TRAVERSING TAX LOTS 52.19-1-39, 52.19-1-2, AND 52.19-1-1 AND ENDING AT LAKE RD
UNNAMED ROAD 28, VALLEY COTTAGE	CENTERLINE AS SEEN ON TOWN OF CLARKSTOWN OFFICIAL MAP- DEC. 27, 1998, BEGINNING APPROXIMATELY 44.6 FEET NORTH OF THE INTERSECTION OF BLISS LN AND SEDGE RD AND EXTENDING SOUTHWESTERLY FOR APPROXIMATELY 574.2 FEET, TRAVERSING TAX LOTS 52.16-1-31, 52.16-1-32, 52.16-1-33, AND 52.15-1-35.11 AND ENDING WITHIN TAX LOT 52.15-1-35.11

On roll call the vote was as follows:

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

RESOLUTION NO. (293-2011)
 Co. Hoehmann offered and Co. Hausner seconded

RESOLUTION SETTING A PUBLIC HEARING REGARDING PETITION FROM JOSEPH MIELE TO MODIFY A SPECIAL PERMIT FOR A RECYCLING FACILITY

WHEREAS, JOSEPH MIELE has petitioned the Town Board of the Town of Clarkstown to modify a Special Permit which has been issued to operate a recycling facility pursuant to the provisions of the Zoning Local Law of the Town of Clarkstown, Section 290-IIA, M District, Table 15, Column 3, Item 9, which is subject to Sections 290-15 and 290-17R, to allow for the reduction of the buffer area required for Special Permit uses under Table 15 of the General Use Regulations §290-IIa, Column 8, Item 4, from 75 feet to 25 feet, on property designated on the Clarkstown Tax Map as 59.13-1-30 and 59.17-1-2.2, which property is located at 24 Snake Hill Road and 50 Snake Hill Road, West Nyack, New York, respectively

NOW, THEREFORE, be it

RESOLUTION NO. (293-2011) continued

RESOLVED, that a public hearing pursuant to said Zoning Local Law shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on July 19, 2011 at 8:00 P.M., to consider the application of Joseph Miele, relative to modification of said Special Permit, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (294-2011)

Co. Borelli offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING PREPARATION OF A TRIAL APPRAISAL ON A TAX CERTIORARI MATTER REGARDING CHIOS HOLDINGS CORP. (58.14-2-1)

WHEREAS, Chios Holdings Corp. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcels designated as Tax Map 58.14-2-1, and more commonly known as 295 Route 304, Bardonia, New York, for the years 2007/08, 2008/09, 2009/10 and 2010/11; and

WHEREAS, it is desirable to have a trial 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 trial appraisal, if necessary, at a fee not to exceed \$10,000.00, 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

RESOLUTION NO. (295-2011)

Co. Borelli offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING PREPARATION OF A TRIAL APPRAISAL ON A TAX CERTIORARI MATTER REGARDING CHESTNUT 750, LLC (57.65-1-8)

WHEREAS, Chestnut 750, LLC has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcels designated as Tax Map 57.65-1-8, and more commonly known as 2 Perlman Drive, Spring Valley, New York, for the years 2008/09, 2009/10 and 2010/11, and

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

RESOLUTION NO. (295-2011) continued

NOW, THEREFORE, be it

RESOLVED, that an appraiser be retained for the purpose of preparing such trial appraisal, if necessary, at a fee not to exceed \$10,000.00, and such fee shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows:

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

RESOLUTION NO. (296-2011)

Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE PURCHASE OF EQUIPMENT FOR THE CLARKSTOWN HIGHWAY DEPARTMENT

WHEREAS, the Superintendent of Highways has recommended the purchase of equipment as follows:

<u>Quantity</u>	<u>Vehicle</u>	<u>Estimated Cost per Vehicle</u>	<u>Estimated Total Cost</u>
2	2012 4x4 Heavy Duty Plow Trucks with added Dump Bodies and Pre-Wet System	\$260,000.00	\$520,000.00

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the purchase of this equipment, and be it

FURTHER RESOLVED, that said equipment shall be procured by soliciting competitive bids, and be it

FURTHER RESOLVED, that the purchase of said equipment, in an amount not to exceed \$520,000.00 in the aggregate shall be charged to Account No. H 8762-409-0-86-8, and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this purchase through the issuance of municipal serial bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (297-2011)
Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
(SEARS ROEBUCK & CO. #1414 – TAX MAP #: 63.8-3-2)

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Sears Roebuck & Co. #1414 v. The Board of Assessors and/or The Assessor of the Town of Clarkstown and The Board of Assessment Review, under Index Nos. 5117/06, 5663/07, 6928/08, 7346/09 and 6988/10, affecting parcel designated as Tax Map 63.8-3-2 and more commonly known as 85 West Route 59, Nanuet, New York for the years 2006/07, 2007/08, 2008/09, 2009/10 and 2010/11, and

WHEREAS, the attorney for the petitioner 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 described on the assessment roll as Tax Map 63.8-3-2 be reduced for the year 2006/07 from \$5,292,000.00 to \$3,530,000.00 at a cost to the Town of \$32,814.27;
2. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 63.8-3-2 be reduced for the year 2007/08 from \$5,292,000.00 to \$3,132,500.00 at a cost to the Town of \$45,392.41;
3. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 63.8-3-2 be reduced for the year 2008/09 from \$5,292,000.00 to \$3,269,900.00 at a cost to the Town of \$41,219.64;
4. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 63.8-3-2 be reduced for the year 2009/10 from \$5,292,000.00 to \$3,097,900.00 at a cost to the Town of \$48,878.85;
5. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 63.8-3-2 be reduced for the year 2010/11 from \$5,292,000.00 to \$2,859,100.00 at a cost to the Town of \$57,382.30;
6. Reimbursement for the years 2006/07, 2007/08, 2008/09, 2009/10 and 2010/11 on the parcel described as Tax Map 63.8-3-2, 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;
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 Yes
- Co. Borelli Yes
- Co. Hoehmann Yes
- Co. Hausner Yes
- Supervisor Gromack Yes

RESOLUTION NO. (298-2011)
Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING TARGET STORE #1808
(Tax Maps– 57.66-1-2.2 & 57.66-1-2.2/3))

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, TARGET STORE #1808 against THE BOARD OF ASSESSORS AND/OR THE TOWN OF CLARKSTOWN AND THE BOARD OF ASSESSMENT REVIEW AND THE NANUET UNION FREE SCHOOL DISTRICT, Index No(s). 07092/2008, 06781/2009 AND 07631/2010, affecting parcels designated as Tax Map 57.66-1-2.2 and 57.66-1-2.2/3 and more commonly known as 50 Spring Valley Market Place, Nanuet, New York for the year(s) 2008/2009, 2009/2010, 2010/2011, and

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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Nanuet School district 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 described on the assessment roll as Tax Map 57.66-1-2.2 be reduced for the year 2008/09 from \$2,941,250.00 to \$2,235.350.00 at a cost to the Town of \$10,072.63;
2. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 57.66-1-2.2 be reduced for the year 2009/10 from \$2,941,250.00 to \$2,235,350.00 at a cost to the Town of \$11,794.22.
3. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 57.66-1-2.2 be reduced for the year 2010/11 from \$2,941,250.00 to \$2,294,175.00 at a cost to the Town of \$12,209.51.
4. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 57.66-1-2.2/3 be reduced for the year 2008/09 from \$3,024,750.00 to \$2,298,810.00 at a cost to the Town of \$10,358.58.
5. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 57.66-1-2.2/3 be reduced for the year 2009/10 from \$3,024,750.00 to \$2,298,810.00 at a cost to the Town of \$12,129.04.
6. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 57.66-1-2.2/3 be reduced for the year 2010/11 from \$3,024,750.00 to \$2,359,305.00 at a cost to the Town of \$12,556.13.
7. Reimbursement for the year(s) 2008/09; 2009/10; and 2010/11 on the parcels described as Tax Map No. 57.66-1-2.2 and 57.66-1-2.2/3, 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.
8. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (299-2011)
Co. Hausner offered and Co. Lasker seconded

RESOLUTION AMENDING RESOLUTION NO. 233-2009 AUTHORIZING
THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH BEHAN
PLANNING ASSOCIATES, LLC, REGARDING THE NEW CITY DOWNTOWN
REVITALIZATION PROJECT

WHEREAS, by Resolution No. 224-2007, adopted March 27, 2007, and amended by Resolution No. 233-2009, adopted on April 21, 2009, the Town Board authorized the Supervisor to enter into an agreement with Behan Planning Associates, LLC, to provide professional services concerning planning, SEQRA review and revisions to the Town's Zoning Local Law, in connection with the New City Downtown Revitalization Project, and

WHEREAS, there is additional work required to finalize the remaining tasks with respect to the New City Zoning, and

WHEREAS, Behan Planning and Design has submitted a proposal dated May 13, 2011, to perform the additional tasks necessary to complete the final steps for New City Zoning, and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 233-2009, adopted on April 21, 2009, and authorizes the Supervisor to enter into an agreement with Behan Planning and Design, in a form approved by the Town Attorney,

to provide professional services as per their May 13, 2011 proposal, to complete New City Zoning in connection with the New City Downtown Revitalization Project, and be it

FURTHER RESOLVED, that the cost of said services shall not exceed \$42,000 and shall constitute a proper charge to Account No. H 5111-409-0-4-16.

On roll call the vote was as follows:

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

RESOLUTION NO. (300-2011)
Co. Hausner offered and Co. Lasker seconded

RESOLUTION AUTHORIZING EXECUTION AND ACCEPTANCE OF
MAINTENANCE AGREEMENT REGARDING
NORMANDY VILLAGE COMPANY SITE PLAN (64.09-1-8 & 11)

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 Normandy Village Company site plan (64.09-1-8 & 11), Normandy Village Company has provided a stormwater control facility maintenance agreement, and

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

NOW, THEREFORE, be it

RESOLUTION NO. (300-2011) continued

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

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the stormwater control facility maintenance agreement from Normandy Village Company in connection with the Normandy Village Company 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

RESOLUTION NO. (301-2011)

Co. Hoehmann offered and Co. Hausner seconded

RESOLUTION AUTHORIZING CHANGE ORDER #1, CONTRACT "G" GENERAL CONSTRUCTION, PROJECT NO. CLKT910, PUMP STATION UPGRADE PROJECT, WOODHAVEN DRIVE PUMP STATION, LAKEWOOD DRIVE PUMP STATION AND RT. 303 / LANDFILL PUMP STATION

WHEREAS, the existing Woodhaven Drive, Lakewood Drive and Rt. 303 / Landfill sanitary sewer pump stations are currently being replaced, and

WHEREAS, in the course of performing the work, it was determined that an additional unforeseen miscellaneous work was required, and

WHEREAS, the Contractor for the Town has submitted the proposal for the miscellaneous additional work, and

WHEREAS, the Town's Consultant for the project, H2M Engineers, has reviewed the proposal for the additional work and finds it acceptable, and

WHEREAS, the cost of the additional work is \$95,606.22.

NOW, THEREFORE, BE IT

RESOLVED, that Change Order #1, Contract "G" General Construction, for Project CLKT910 is approved for the additional cost of \$95,606.22, and

BE IT FURTHER RESOLVED, that the total cost for Contract "G" General Construction shall not exceed \$1,439,606.22 and shall continue to be a proper charge to H 8760 409 0 84 9, and

BE IT FURTHER RESOLVED, that the cost for the project is being reimbursed by 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

RESOLUTION NO. (302-2011)
Co. Hoehmann offered and Co. Hausner seconded

RESOLUTION AUTHORIZING CHANGE ORDER #2, CONTRACT "E"
ELECTRICAL CONSTRUCTION, PROJECT NO. CLKT910, PUMP STATION
UPGRADE PROJECT, WOODHAVEN DRIVE PUMP STATION, LAKEWOOD
DRIVE PUMP STATION AND RT. 303 / LANDFILL PUMP STATION

WHEREAS, the existing Woodhaven Drive, Lakewood Drive and Rt. 303 / Landfill
sanitary sewer pump stations are currently being replaced, and

WHEREAS, in the course of performing the work, it was determined that an additional
work for the installation of electrical enclosures was required at the Lakewood Drive and
Rt. 303 / Landfill pump stations, and

WHEREAS, the Contractor for the Town has submitted the proposal for the
miscellaneous additional work, and

WHEREAS, the Town's Consultant for the project, H2M Engineers, has reviewed the
proposal for the additional work and finds it acceptable, and

WHEREAS, the cost of the additional work is \$5,727.00.

NOW, THEREFORE, BE IT

RESOLVED, that Change Order #2, Contract "E" Electrical Construction, for Project
CLKT910 is approved for the additional cost of \$5,727.00, and

BE IT FURTHER RESOLVED, that the total cost for Contract "G" General Construction
shall not exceed \$479,727.00 and shall continue to be a proper charge to H 8760 409 0 84
9, and

BE IT FURTHER RESOLVED, that the cost for the project is being reimbursed by 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

RESOLUTION NO. (303-2011)
Co. Hoehmann offered and Co. Hausner seconded

RESOLUTION AUTHORIZING CHANGE ORDER #3, CONTRACT "E"
ELECTRICAL CONSTRUCTION, PROJECT NO. CLKT910, PUMP STATION
UPGRADE PROJECT, WOODHAVEN DRIVE PUMP STATION, LAKEWOOD
DRIVE PUMP STATION AND RT. 303 / LANDFILL PUMP STATION

WHEREAS, the existing Woodhaven Drive, Lakewood Drive and Rt. 303 / Landfill
sanitary sewer pump stations are currently being replaced, and

WHEREAS, in the course of performing the work, it was determined that miscellaneous
fill items for the generators was not required, and

RESOLUTION NO. (303-2011) continued

WHEREAS, the Contractor for the Town has submitted the proposal for the credit for the miscellaneous work, and

WHEREAS, the Town’s Consultant for the project, H2M Engineers, has reviewed the proposal for the credit and finds it acceptable, and

WHEREAS, the cost of the credit is \$3,424.00.

NOW, THEREFORE, BE IT RESOLVED, that Change Order #3, Contract “E” Electrical Construction, for Project CLKT910 is approved for the credit of \$3,424.00, and

BE IT FURTHER RESOLVED, that the total cost for Contract “G” General Construction shall not exceed \$476,303.00 and shall continue to be a proper charge to H 8760 409 0 84 9, and

BE IT FURTHER RESOLVED, that the cost for the project is being reimbursed by 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

RESOLUTION NO. (304-2011)

Co. Hoehmann offered and Co. Hausner seconded

RESOLUTION AUTHORIZING CHANGE ORDER #4, CONTRACT “E” ELECTRICAL CONSTRUCTION, PROJECT NO. CLKT910, PUMP STATION UPGRADE PROJECT, WOODHAVEN DRIVE PUMP STATION, LAKEWOOD DRIVE PUMP STATION AND RT. 303 / LANDFILL PUMP STATION

WHEREAS, the existing Woodhaven Drive, Lakewood Drive and Rt. 303 / Landfill sanitary sewer pump stations are currently being replaced, and

WHEREAS, in the course of performing the work, it was determined that miscellaneous electrical work associated with the operation of the existing pumps, and

WHEREAS, the Contractor for the Town has submitted the proposal for the additional cost for the miscellaneous work, and

WHEREAS, the Town’s Consultant for the project, H2M Engineers, has reviewed the proposal for the additional work and finds it acceptable, and

WHEREAS, the cost of the additional work is \$5,448.46.

NOW, THEREFORE, BE IT

RESOLVED, that Change Order #4, Contract “E” Electrical Construction, for Project CLKT910 is approved for the credit of \$5,448.46, and

BE IT FURTHER RESOLVED, that the total cost for Contract “E” Electrical Construction shall not exceed \$481,751.46 and shall continue to be a proper charge to H 8760 409 0 84 9, and

RESOLUTION NO. (304-2011) continued

BE IT FURTHER RESOLVED, that the cost for the project is being reimbursed by 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

RESOLUTION NO. (305-2011)
Co. Hoehmann offered and Co. Hausner seconded

RESOLUTION AUTHORIZING CHANGE ORDER #5, CONTRACT "E"
ELECTRICAL CONSTRUCTION, PROJECT NO. CLKT910, PUMP STATION
UPGRADE PROJECT, WOODHAVEN DRIVE PUMP STATION, LAKEWOOD
DRIVE PUMP STATION AND RT. 303 / LANDFILL PUMP STATION

WHEREAS, the existing Woodhaven Drive, Lakewood Drive and Rt. 303 / Landfill sanitary sewer pump stations are currently being replaced, and

WHEREAS, in the course of performing the work, it was determined that additional electrical work associated with the installation of the transfer switches, control panels, flow meters and auto dialers at the Lakewood Drive and Rt. 303 / Landfill pump stations, and

WHEREAS, the Contractor for the Town has submitted the proposal for the additional cost for the miscellaneous work, and

WHEREAS, the Town's Consultant for the project, H2M Engineers, has reviewed the proposal for the additional work and finds it acceptable, and

WHEREAS, the cost of the additional work is \$9,247.82.

NOW, THEREFORE, BE IT

RESOLVED, that Change Order #4, Contract "E" Electrical Construction, for Project CLKT910 is approved for the credit of \$9,247.82, and

BE IT FURTHER RESOLVED, that the total cost for Contract "E" Electrical Construction shall not exceed \$490,999.28 and shall continue to be a proper charge to H 8760 409 0 84 9, and

BE IT FURTHER RESOLVED, that the cost for the project is being reimbursed by 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

RESOLUTION NO. (306-2011)
Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, the Town of Clarkstown has been informed of the lack of street lights along Prospect Street, Nanuet, between Main Street and Fisher Avenue; and

WHEREAS, the Department of Environmental Control investigated and has requested and has received a proposal from Orange and Rockland Utilities indicating the cost involved for the installation and upgrade of lighting and removal of two lights in the requested area;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clarkstown hereby accepts the proposal and costs from Orange and Rockland Utilities, for installation of street lights on two (2) poles, upgrade of light on one (1) pole; and removal of two lights on two (2) poles at the following locations:

1. Install 70Watt 5,800 sodium vapor streetlights on 8-ft. arm on Pole Number 58783/39757 and on Pole Number 58763/39757, will cost the Town's municipal light account an additional \$9.10 per light per month, plus miscellaneous taxes and surcharges;
2. Upgrade light on Pole Number 58754/39757 from 100Watt mercury vapor, \$8.16 per month, to a 70Watt 5,800 sodium vapor, \$9.10 per month, for an annual additional cost difference of \$11.28;
3. Remove 100Watt mercury vapor light on Pole Number 58775/39745, \$8.16 per month, for an annual cost savings of \$97.92;
4. Remove 100Watt mercury vapor light on Pole Number 58825/39825 in front of 121 Main Street, \$8.16 per month, for an annual cost savings of \$97.92.

AND BE IT FURTHER RESOLVED, that the costs for installation and upgrade of street lights on Prospect Street, Nanuet, between Main Street and Fisher Avenue shall be charged to Account #SL 5182-461.

On roll call the vote was as follows:

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

The Supervisor opened the meeting for general public comments.

Amy Durbin, Congers

She asked about the status of the study for consolidating the three Town garages and also asked if the consolidation of the Clerk of the Works, Building Maintenance & Environmental departments is being considered. She questioned whether the Town Board had allowed an employee with a suspended license to operate Town vehicles.

Guy Gervasi, West Nyack

He had questions about retired Town employees who were rehired on a temporary basis and whether or not they had worked past the date that the Town Board had originally said they would be off the payroll.

David Mellon, Congers

Thanked and complimented the Town on a wonderful job at Congers Lake, especially the new walkway. Asked when the other side would be completed.

Mike Hirsch, New City

Complimented the Board with regard to putting a referendum on the ballot to make the Highway Superintendent an appointed position and suggested that another referendum be placed on the ballot regarding term limits.

Steve Levine, Congers,
Spoke of problems on Massachusetts Avenue having to do with improper landfill. Stated he has sent letters to the Town Board regarding this issue but has not yet received any response.

Marge Hook, New City
She thanked Supervisor Gromack for his letter regarding the animal abuse registry. She thanked the entire Town Board for their support regarding this issue.

Barry Goldberg, Goshen
Read and submitted a letter regarding soil testing relating to property at 139 and 141 Massachusetts Avenue.

Sharon Needleman, New City
She is on the board of the Hi Tor Animal Shelter and wanted to thank the Town Board for their support of the law to create an animal abuse registry here in Rockland County.

Roberta Bangs, Nanuet
She is the President of the Hi Tor Animal Shelter's board of directors and also wanted to thank the entire Board for their support for the animal abuse registry.

In response to the question about garage consolidation study, Supervisor Gromack stated there was a cursory review of the operation done to give us some ideas about potential consolidation. Based on that review, we decided it was the right move and did not feel the need to commission a full blown study. We are doing a further review internally and finding ways to consolidate those three departments. As far as consolidating the Clerk of Works, Maintenance and Environmental Conservation, we are currently focusing on consolidations in the Highway Department, Receiver's and Town Clerk's Office. In the future these other entities may be considered, but are not currently under review. He stated the Town has a contract with a company that notifies us the minute a license is suspended, and therefore, the employee in question did not drive a town vehicle after we were notified of his suspension. With reference to the retired employees who were rehired temporarily, the employees who were slated to retire by December 31, 2010 did so. Two employees in the Comptroller's Office were supposed to work through March and they did. As far as the employee in the Personnel Office, she had a resolution that could have carried her through until the end of 2011 but her retirement was moved up. The Justice Court position was never part of the temporary part time positions, it was merely reduced from a full time to a part time position.

The Town Attorney, Amy Mele, responded to Mr. Levine. She thanked him for acknowledging her telephone call to him regarding this issue and she hoped to get a detailed response and supporting documentation to him within the next week or so.

Supervisor Gromack thanked Mr. Mellon for the comments about the walking trail at Congers Lake. He congratulated Gerry Bierker for the legislation he put forward about the animal abuse registry. and stated that we are still working with the other towns to come up with a solution for Hi Tor which is in desperate need of repair and some reform.

There being no one further wishing to be heard, on motion of Co. Lasker, seconded by Co. Hausner and unanimously adopted, the Town Board meeting was closed, time: 10:08 P.M.

Respectfully submitted,

Justin Sweet
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

5/17/11

9:22 P.M.

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: "A Local Law amending Chapter 146 (Flood Damage Prevention) of the Code of the Town of Clarkstown."

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

Town Attorney, Amy Mele, explained that this is an amendment to the Flood Damage Prevention chapter of the Town Code because that section refers to the FEMA maps in reference to flood plain elevations. When FEMA issues a revision to those maps we incorporate it as a matter of course in our Local Law and that is what is before you tonight.

Supervisor opened the meeting for public comment. No one appeared.

There being no one further wishing to be heard, on motion of Co. Hausner seconded by Co. Lasker, the public hearing was closed, time: 9:24 P.M.

RESOLUTION NO. (237-2011) ADOPTED

Respectfully submitted,

Justin Sweet
Town Clerk