

TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING

Room 301

01/19/16

7:30 PM

Present: Supervisor George Hoehmann
Council Members Frank Borelli, Stephanie Hausner,
John Noto & Valerie Moldow
Lino Sciarretta , Town Attorney
Justin Sweet, Town Clerk

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

On motion of Co. Borelli seconded by Co. Noto the Public Hearing re: Proposed Local Law entitled: “ Local Law establishing the residency of the Town Attorney and Deputies” was opened, time: 8:17 pm closed: 8:25 pm.

The Supervisor opened the meeting for public comments on the agenda.

Marge Hook, New City
Asked for clarification on Item 3, Amending budget; Item 4, Amending Resolution – Community Block Grant; Item 6b, Amending Resolution- Retirement Date; Item 7, Fireworks Display; Item 8, equipment purchase and Item 9, Agreement with Law Office.

The Acting Comptroller explained the budget adjustments in Item 3 and stated Item 4 was amended to include ARC of Rockland for grant funding. The Supervisor explained that Item 6b amended a clerical error, the Parks and Recreation Superintendent explained that Item 7 was a resolution granting permission for fireworks as required by NYS law; the Highway Superintendent explained the equipment purchases referenced in Item 8 and regarding Item 9, the Town Attorney explained that Mr. Toomey was being hired as an independent contractor specializing in labor.

RESOLUTION NO. (57-2016)
Co. Borelli offered and Co. Noto seconded

WHEREAS, a proposed local law entitled,
"A LOCAL LAW ESTABLISHING THE RESIDENCY OF THE TOWN
ATTORNEY AND DEPUTIES"

was introduced by Councilperson Borelli at a Town Board meeting held on January 4, 2016, and
WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on
January 4, 2016, directed that a public hearing be held on January 19, 2016, immediately
following the Workshop meeting scheduled for 7:30 p.m., relative to such proposed local law,
and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News
on January 8, 2016, and

WHEREAS, a copy of the proposed local law was placed on the desks of the Supervisor
and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New
City, New York, on January 8, 2016;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. – 2016 entitled:

"A LOCAL LAW ESTABLISHING THE RESIDENCY OF THE TOWN
ATTORNEY AND DEPUTIES"

RESOLUTION NO. (57-2016) continued

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

On roll call the vote was as follows:

- Co. Borelli Yes
- Co. Hausner No
- Co. Noto. Yes
- Supervisor Hoehmann. . . . 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.

Supervisor Hoehmann introduced Valerie Moldow as his choice for filling the vacant Town Board seat and gave a synopsis of her qualifications.

RESOLUTION NO. (58-2016)
Co. Borelli offered and Co. Noto seconded

NOW, THEREFORE, BE IT RESOLVED, that Valerie Moldow, is hereby appointed to the Town Board to fill the council seat left vacant by former Town Councilman, George Hoehmann, at an annual salary of \$41,000 per year.

On roll call the vote was as follows:

- Co. Borelli Yes
- Co. Hausner Yes
- Co. Noto. Yes
- Supervisor Hoehmann. . . . Yes

Valerie Moldow was sworn in as Councilwomen by the Hon. Judge Craig Johns with her husband, Shawn, holding the Bible, along with their children.

Co. Moldow thanked the Board, and her family and friends for their support and she looks forward to serving the community in her new position. A five minute recess was called in order to congratulate Co. Moldow on her appointment.

RESOLUTION NO. (59-2016)
Co. Borelli offered and Co. Hausner seconded

RESOLVED, that the Town Board Minutes of November 17, 2015, December 17, 2015 and January 4, 2016 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

- Co. Borelli Yes
- Co. Hausner Yes
- Co. Moldow Yes
- Co. Noto. Yes
- Supervisor Hoehmann. . . . Yes

RESOLUTION NO. (60-2016)
Co. Hausner offered and Co. Noto seconded

WHEREAS, the Town Attorney’s staff has been reduced and certain functions will now be handled by outside Council requiring the need for the Town Attorney’s budget for “Fees for Services” to be amended,

NOW, THEREFORE, BE TI, RESOLVED, to decrease Expense Account A-1420-110-0 (Town Attorney-Salaries) and increase Expense Account A-1420-409-0 (Town Attorney-Fees for Services) by \$300,000.

On roll call the vote was as follows:

- Co. Borelli Yes
- Co. Hausner Yes
- Co. Moldow Yes
- Co. Noto. Yes
- Supervisor Hoehmann. Yes

RESOLUTION NO. (61-2016)
Co. Hausner offered and Co. Noto seconded

WHEREAS, by Resolution No. 475-2015 adopted on December 17, 2015, the Town Board requested that the Rockland County Consortium consider several projects for Community Development Block Grant Funding for 2016, and

WHEREAS, a support group for seniors was inadvertently omitted from the request;

NOW, THEREFORE, be it

RESOLVED, that the 2nd Priority in the RESOLVED clause in Resolution No. 475-2105 is hereby amended to read as follows:

“2nd Priority: ARC of Rockland – equipment and manpower related to the expansion of their recycling program; and

Jeevan Jyoti Inc. – free programming for seniors including seminars on health, finances, safety and arts and crafts;”

On roll call the vote was as follows:

- Co. Borelli Yes
- Co. Hausner Yes
- Co. Moldow Yes
- Co. Noto. Yes
- Supervisor Hoehmann. Yes

RESOLUTION NO. (62-2016)
Co. Borelli offered and Co. Noto seconded

WHEREAS, the following have applied for a Certificate of Registration pursuant to Section 236-48 of the Town Code of the Town of Clarkstown:

BOYCE EXCAVATING CO., INC.
2817 US ROUTE 6,
P.O. BOX 367
SLATE HILL, NY 10973
GARRY BOYCE, PRESIDENT

BELLEVILLE LANDSCAPING, INC.
84 North Route 9W, Suite D
Congers, NY 10920
James Miele, President

RESOLUTION NO. (62-2016) continued

TRAVCON, INC.
375 Kings Highway
Valley Cottage, NY 10989
Vincent Travaglini, President

CAL MART ENTERPRISES, INC.
4 Burt's Road
Congers, NY 10920
Martin C. Wortendyke, Vice President

DUTRA EXCAVATING & SEWER INC.
10 Stone Hollow Rd.
Montvale, NJ 07645
Michael Dutra, President

KEVIN STOKES EXCAVATING INC.
52 Grotke Rd.
Chestnut Ridge, NY 10977
Kevin Stokes, President

KABOD PROPERTIES, LLC d/b/a CROSSROADS PLUMBING & HEATING INC.
14 Spring Ave.
Bergenfield, NJ 07621
Ralph Fiorelli, President

COPPOLA SERVICES, INC.
28 Executive Parkway
Ringwood, NY 07456
Ralph Coppola, President

MCGANNON EXCAVATING LLC
85A North Central Highway
Garnerville, NY 10923
Robert McGannon, President

RONALD J. TARIGO
5 Crosscreek Lane
Stony Point, NY 10980
Ronald J. Tarigo, President

DANNY CLAPP LANDSCAPING INC.
P.O. Box 222
West Nyack, NY 10994
Melissa Clapp, Secretary

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the issuance of a Certificate of Registration to:

- 16-17 - BOYCE EXCAVATING CO., INC.
- 16-19 - BELLEVILLE LANDSCAPING, INC.
- 16-20 - TRAVCON, INC.
- 16-21 - CAL MART ENTERPRISES, INC.
- 16-22 - DUTRA EXCAVATING & SEWER INC.
- 16-23 - KEVIN STOKES EXCAVATING INC.
- 16-24 - KABOD PROPERTIES, LLC d/b/a CROSSROADS PLUMBING & HEATING INC.

RESOLUTION NO. (62-2016) continued

- 16-25 - COPPOLA SERVICES, INC.
- 16-26 - MCGANNON EXCAVATING LLC
- 16-27 - RONALD J. TARIGO
- 16-28 - DANNY CLAPP LANDSCAPING INC.

On roll call the vote was as follows:

- Co. Borelli Yes
- Co. Hausner Yes
- Co. Moldow Yes
- Co. Noto. Yes
- Supervisor Hoehmann. . . . Yes

RESOLUTION NO. (63-2016)
 Co. Borelli offered and Co. Hausner seconded

RESOLVED, that Doris Quinones, 49 Leonard Street, Haverstraw, New York – Police Radio Dispatcher (CAD) Spanish Speaking – Police Records – is hereby granted, As per her request, a leave without pay, pursuant to the Family and Medical Leave Act – effective January 19, 2016.

On roll call the vote was as follows:

- Co. Borelli Yes
- Co. Hausner Yes
- Co. Moldow Yes
- Co. Noto. Yes
- Supervisor Hoehmann. . . . Yes

RESOLUTION NO. (64-2016)
 Co. Borelli offered and Co. Hausner seconded

WHEREAS, by Resolution No. 442-2015, the Town Board accepted the resignation (by retirement) of Cathy Conklin, as Assessor – Assessor’s Office, and
 WHEREAS, there was a typographical error regarding the effective date;
 NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 442-2015 to correct the date of the effective date to read “January 23, 2016”.

On roll call the vote was as follows:

- Co. Borelli Yes
- Co. Hausner Yes
- Co. Moldow Yes
- Co. Noto. Yes
- Supervisor Hoehmann. . . . Yes

RESOLUTION NO. (65-2016)
 Co. Borelli offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has certified on January 8, 2016 that the position of Clerk-Typist #500871 – Police Records Department can be reclassified to the position of Clerk-Typist (PT),

RESOLUTION NO. (65-2016) continued

Now, therefore, be it

RESOLVED, that the position of Clerk-Typist – Police Records Department – is hereby abolished and reclassified to the position of Clerk-Typist (PT) – Police Records Department – effective January 8, 2016, and be it,

FURTHER RESOLVED, that Kylie G. Armstrong, 21 West Street, West Nyack, New York – is hereby appointed to the position of Clerk Typist (PT) – Police Records Department at the current 2016 Rate of \$21.01 – effective January 19, 2016.

On roll call the vote was as follows:

- Co. Borelli Yes
- Co. Hausner Yes
- Co. Moldow Yes
- Co. Noto. Yes
- Supervisor Hoehmann. Yes

RESOLUTION NO. (66-2016)

Co. Borelli offered and Co. Hausner seconded

RESOLVED, that Lino Sciarretta is hereby appointed as Town Attorney for a two year term – at the 2016 annual salary of \$170,000 – effective upon the filing of the Local Law Establishing the Residency of the Town Attorney and Deputy Town Attorneys with the Secretary of State.

On roll call the vote was as follows:

- Co. Borelli Yes
- Co. Hausner Yes
- Co. Moldow Yes
- Co. Noto. Yes
- Supervisor Hoehmann. Yes

RESOLUTION NO. (67-2016)

Co. Borelli offered and Co. Noto seconded

NOW, THEREFORE BE IT RESOLVED, that Tom Morr is hereby appointed as Town Comptroller, effective February 1, 2016 through December 31, 2017, at an annual salary of \$140,000 per year.

On roll call the vote was as follows:

- Co. Borelli Yes
- Co. Hausner No
- Co. Moldow Yes
- Co. Noto. Yes
- Supervisor Hoehmann. Yes

RESOLUTION NO. (68-2016)

Co. Moldow offered and Co. Noto seconded

RESOLVED, that permission is hereby granted for a fireworks display to be conducted by the Clarkstown Parks Board and Recreation Commission at the Nanuet Senior High School at approximately 9:30pm on Thursday, June 30, 2016 with a rain date of Friday, July 1, 2016 pursuant to Section 405 of the Penal Law.

RESOLUTION NO. (68-2016) continued

On roll call the vote was as follows:

Co. Borelli Yes
 Co. Hausner Yes
 Co. Moldow Yes
 Co. Noto. Yes
 Supervisor Hoehmann. . . . Yes

RESOLUTION NO. (69-2016)

Co. Noto offered and Co. Moldow seconded

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

<u>Quantity</u>	<u>Vehicle</u>	<u>Estimated Unit Cost</u>	<u>Estimated Total Cost</u>
5	Deputy Vehicles (Pickup Trucks with Warning Lights and Scanner)	\$44,117.37	\$220,586.85
1	Backhoe and Claw with 4-in-1 Bucket	\$116,500.00	\$116,500.00
4	Leaf Vacuums	\$32,741.00	\$130,964.00
2	Jumping Jacks	\$3,299.98	\$6,599.98
3	Tailgate Rollers	\$11,021.27	\$33,063.80
1	Plow Truck with Spreader	\$250,000.00	\$250,000.00
1	Bombardier	\$170,609.00	\$170,609.00
			\$928,322.83

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 purchased with the use of NYS OGS Contracts, County Contracts or other permitted competitively bid purchasing contracts, and be it

FURTHER RESOLVED, that the purchase of said equipment, in an amount not to exceed \$928,322.83 in the aggregate, shall be charged to Account No. H-8769-409-0-92-1.

On roll call the vote was as follows:

Co. Borelli Yes
 Co. Hausner Yes
 Co. Moldow Yes
 Co. Noto. Yes
 Supervisor Hoehmann. . . . Yes

RESOLUTION NO. (70-2016)

Co. Borelli offered and Co. Noto seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, to retain the law office of Vincent Toomey, Esq., 3000 Marcus Avenue, Lake Success, NY 11042 to handle all labor and employment matters on behalf of the Town for the year 2016 for an annual retainer of \$152,500.00 without benefits or healthcare coverage, which retainer shall be remitted on a monthly basis, retroactive to January 4, 2016.

On roll call the vote was as follows:

- Co. Borelli Yes
- Co. Hausner Yes
- Co. Moldow Yes
- Co. Noto. Yes
- Supervisor Hoehmann. Yes

The Supervisor opened the meeting for general public comments.

Mark Adelson, New City

Commented on various Board appointments and mentioned several people holding multiple positions.

Marge Hook, New City

Spoke about various issues regarding Boards and Commissions and suggested they should be consolidated. She submitted a report that she prepared. (on file in Town Clerk’s office)

Megan Furkick, New City

She asked if any candidates from the east side of Lake DeForest had been considered for the Town Board position.

Supervisor Hoehmann stated that most of the committee appointments were reappointments and that many of the people holding more than one position have done so for a number of years under previous Town Boards. Regarding some of the new Board and Commission members, he explained the reasons for those appointments. Regarding the Town Board position he defended the appointment of Ms. Moldow and stated that in 2017, the Ward system will be in place and there will be participation from all parts of the Town.

There being no one further wishing to speak, on motion of Co Borelli seconded by Co. Noto the Town Board went into Executive Session to discuss litigation and personnel matters.

On motion of Co. Borelli seconded by Co. Moldow the Town Board returned from Executive Session, time: 10:20 pm.

On motion of Co. Noto seconded by Co. Hausner, the Town Board meeting was adjourned, time 10:20 pm.

Respectfully submitted,

Justin Sweet
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Room 301

01/19/2016

8: 17 pm

Present: Supervisor George Hoehmann
Council Members Frank Borelli, Stephanie Hausner,
John Noto, Valerie Moldow
Lino Sciarretta, Town Attorney
Justin Sweet, Town Clerk

RE: Proposed Local Law entitled: "A Local Law Establishing the Residency of the Town Attorney and Deputies"

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

The Town Attorney gave a synopsis of the Local Law and explained that this law allows him to be the Town Attorney as long as he is a resident of the County.

The Supervisor asked if there was anyone wishing to speak on this matter.

George Rumelt, New City
He asked why the Board could not find a Town Attorney from Clarkstown.

The Supervisor responded that this is the way it is in most towns and that this allowed us to bring in someone who is eminently qualified.

Co. Hausner stated that she is opposed to making a local law to accommodate one person so she will vote no.

There being no one further wishing to be heard, the Public Hearing was closed, time: 8:25p.m.

(RESOLUTION NO. 57-2016 ADOPTED)

Respectfully submitted,

Justin Sweet
Town Clerk