TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Auditorium 05/03/16 8:00 PM

Present: Supervisor George Hoehmann
Council Members Frank Borelli,
Stephanie Hausner & John Noto
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.

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SPECIAL PRESENTATION:
Sgt. Liz Gessel, Veteran of the Year

Sgt. Gessel, a long time Clarkstown resident who was recently honored by Rockland County as Veteran of the Year, was presented with a certificate from the Town Board in recognition of her service.

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The Supervisor read through the agenda items and a brief synopsis of each was given. He asked if there was anyone wishing to speak on the agenda items.

Dan Caprara, Congers
Spoke on Item 17, Ward System, questioned why the Town would draw district boundary lines rather than the County Board of Elections as was stated in Proposition 1 last November.

Steven Levine, Congers
Applauded Item #9, Traphagen House reconstruction. He asked for more details on Item 13c, Constituent Services Assistant. He suggested businesses share the cost of Item 14, Clarkstown Executive Blvd resurfacing, and regarding Item 17 , Ward System, he agreed boundaries should be drawn by County Board of Elections as stated in the proposition.

Marge Hook, New City
She submitted a copy of the Propositions that were voted on in November and stated she takes great exception to what is being done with regard to Ward System; she asked why were we overriding what was voted on by the people. She asked about the costs for Item 13d, Code Enforcement position and Item 13g, part-time Assessor.

Jim Flynn, Nanuet
Spoke about last year's CSEA contract approval and alleged meetings held by the former Town Board.

Darcy Castelerio, Upper Nyack
Questioned the process of appointment of the new councilmember.

Tom Martens, New City
Asked why the Town wanted to draw the district boundary lines for the Ward System.

The Supervisor explained that the constituent services assistant in Item13c replaces the full time position of a recently vacated person in his office. Regarding Executive Blvd. resurfacing he said it is not possible to bill the businesses as this was accepted as a Town road over 20 years ago. He explained that in Item 13d the Code Enforcer was reinstated in the Building Department instead of the Town Attorney's office. He explained that Item13e was the appointment of a school crossing guard substitute. He outlined the process involved in selecting the new councilmember.

Regarding the Ward system Co. Borelli stated we are setting the public hearing in order to obtain input from the residents as the Board of Elections has become too political.

Co. Noto stated the Town Board is elected to represent the residents.

Co. Hausner stated the voters voted to have Wards drawn by Board of Elections. Changing that wish seems to be disingenuous, and she has concerns about changing the referendum and law after it was voted on .

The Town Attorney stated that it is legal for the Town Board to enact a local law to allow the Town to draw the boundaries.

Co. Hausner responded to Mr. Flynn, that the previous Democratic Town Board members had the right to have caucus meetings.

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RESOLUTION NO. (191-2016)
Co. Borelli offered and Co. Noto seconded

WHEREAS, based upon the recommendation of the Department of Environmental Control and as a condition to the approval of the final map by the Planning Board with regard to the New City Gardens site plan (tax map 43.11-2-35), Rem Associates Realty LLC has provided a stormwater control facility maintenance agreement to the Town, and

WHEREAS, the First Deputy Director of the Department of Environmental Control has recommended acceptance of the conveyance, in a form satisfactory to the Department of Environmental Control and the Town Attorney;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to execute the stormwater control facility maintenance agreement, pending review and approval by the Department of Environmental Control and the Town Attorney, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the approved stormwater control facility maintenance agreement from Rem Associates Realty LLC in connection with the New City Gardens 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. Borelli . . . . . Yes
Co. Hausner . . . . . Yes
Co. Noto. . . . . Yes
Supervisor Hoehmann. . . . . Yes

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RESOLUTION NO. (192-2016)
Co. Noto offered and Co. Hausner seconded

WHEREAS, the Town of Clarkstown is committed to the health and wellness of its residents, and

WHEREAS, the Rockland County Department of Health has received a grant from the New York State Department of Health to work with the Town of Clarkstown to implement the community component of the grant "Creating Healthy Schools and Communities" to reach portions of the town that are a part of the East Ramapo Central School District, and

WHEREAS, the purpose of the grant is to fund a coordinated, multi-sector effort to increase demand for and access to healthy food and opportunities for physical activity to reduce the risk of obesity. The specific focus will address Complete Streets, food standards, and healthy food retail for 5-years from October 1, 2015 - September 30, 2020, and

RESOLUTION NO. (192-2016) continued

WHEREAS, the goals of this program support the goals and objectives of the Town of Clarkstown's Comprehensive Plan, and

WHEREAS, the Town of Clarkstown will work under contract with the County under a grant in the amount of $12,000 from October 1, 2015- September 30, 2016, and

WHEREAS, the Town Board of the Town of Clarkstown approved the acceptance of a Creating Healthy Schools and Communities grant in the amount of $12,000 from Rockland County Department of Health, a contractor which received a grant from the New York State Department of Health (NYS DOH) for the period from October 1, 2015 through September 30, 2016 by Resolution #78-2016 on February 9, 2016, and

WHEREAS, Rockland County and the Town of Clarkstown are in a unique position to move forward with Complete Streets policies and pilot projects, which promote safer streets and better mobility options, and

WHEREAS, the Tri-State Transportation Campaign is offering training workshops and a walking audit report on Complete Streets;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clarkstown will utilize a portion of the $12,000 New York State Department of Health's Creating Healthy Schools and Communities grant to pay up to $7,000 to the Tri-State Transportation Campaign to hold two training workshops on Complete Streets, for Rockland local leaders, stakeholders and the public, and a walking audit report, and be it

FURTHER RESOLVED, that the Supervisor, upon execution of the contract with the Rockland County Department of Health, be authorized to enter into a contract with the Tri-State Transportation Campaign.

On roll call the vote was as follows:

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

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RESOLUTION NO. (193-2016)
Co. Hausner offered and Co. Borelli seconded

WHEREAS, the West Nyack Fire engine Co. #1 Inc. has requested permission to have a licensed fireworks display on May 22, 2016 and hold a carnival from May 19, 2016 through May 22, 2016 at Germonds Park, West Nyack, NY, and

WHEREAS, Police Chief Michael Sullivan, Clarkstown Police Department, James McCormick, Emergency Management Coordinator, and Stephen Ungerleider, Chief Fire Safety Inspector, have advised that the proposed fireworks display shall be in compliance with the National Fire Protection Assoc. Standards and New York State Penal Law Section 405 and have recommended permission be granted for such fireworks display subject to certain conditions;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to West Nyack Fire Engine Co. # 1 to sponsor a fireworks display at Germonds Park on May 22, 2016 subject to the following conditions:

1. Compliance with New York State Penal Law §405 and the National Fire Protection Assoc. Standards;

RESOLUTION NO. (193-2016) continued

2. A Certificate of Insurance for an indemnity insurance policy with liability coverage and indemnity protection naming the Town of Clarkstown as an additional insured with coverage not less than $5,000,000, each occurrence, 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. Compliance with the Rockland County Planning Department's recommendations, as set forth in the Commissioner's March 23, 2016 memo; and

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

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RESOLUTION NO. (194-2016)
Co. Borelli offered and Co. Noto seconded

WHEREAS, the Town of Clarkstown and Clarkstown Police Department desire to enter into an Agreement with Tilcon New York permitting the Clarkstown Police Department to conduct sniper training at Tilcon New York's Tomkins Cove Facility, and

WHEREAS, Tilcon New York has agreed to permit such training at its facility at no cost to the Town,

NOW, THEREFORE, be it

RESOLVED that, at the recommendation of Chief Michael Sullivan of the Clarkstown Police Department, the Town Board hereby authorizes the Supervisor to enter into an agreement with Tilcon New York, in a form approved by the Town Attorney, to permit the Clarkstown Police Department to use Tilcon New York's Tomkins Cove Facility to conduct sniper training at various mutually agreed upon times during the period May 1, 2016 to April 30, 2017.

On roll call the vote was as follows:

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

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RESOLUTION NO. (195-2016)
Co. Noto offered and Co. Borelli 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:

SDM INDUSTRIES, INC.
21 S. Park Terrace
Congers, NY 10920
Sal Multari, Owner

RESOLUTION NO. (195-2016) continued

NOW, THEREFORE, be it

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

16-33 SDM INDUSTRIES INC.

On roll call the vote was as follows:

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

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RESOLUTION NO. (196-2016)
Co. Noto offered and Co. Borelli seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Superintendent of Highways that

BID #13-2016 – ONE (1) PRINOTH MUNICIPAL VEHICLE
- MODEL SW 4S

is hereby awarded to the lowest responsible bidder:

TRIUS, INC.
458 JOHNSON AVENUE
P.O. BOX 158
BOHEMIA, NY 11716-0158
PRINCIPALS: GARY CERVELLI
FRANCES CERVELLI

as per their low bid proposal of $178,828.00 for one (1) Prinoth – Model SW 4S in full accordance with Town of Clarkstown's specifications and be it

FURTHER RESOLVED, that said award shall constitute a proper charge to account #H-8769-400-409-0-92-1 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. Borelli . . . . . Yes
Co. Hausner . . . . . Yes
Co. Noto. . . . . Yes
Supervisor Hoehmann. . . . . Yes

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RESOLUTION NO. (197-2016)
Co. Hausner offered and Co. Borelli seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Clarkstown Superintendent of Highway that

RESOLUTION NO. (197-2016) continued

BID # 14-2016 – ASPHALT SIDEWALK CONSTRUCTION AT VARIOUS LOCATIONS THROUGHOUT CLARKSTOWN

is hereby awarded to: TILCON NEW YORK, INC.
162 OLD MILL ROAD
WEST NYACK, NY 10994
PRINCIPAL: JOHN T. COONEY JR.

as per their proposed total project cost of $66,239.00 plus an 18% contingency and be it

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

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

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

FURTHUR RESOLVED, that this project shall be under the supervision of the Clarkstown Highway Department

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8769-400-409-0-92-4, 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. Borelli . . . . . Yes
Co. Hausner . . . . . Yes
Co. Noto. . . . . Yes
Supervisor Hoehmann. . . . . Yes

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RESOLUTION NO. (198-2016)
Co. Hausner offered and Co. Borelli seconded

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

BID #6-2016– FIRST AID/SAFETY SUPPLIES

is hereby awarded to: MEDCO SUPPLY COMPANY
500 FILLMORE AVENUE
TONAWANDA, NY 14150
PRINCIPALS: A PUBLIC COMPANY

RESOLUTION NO. (198-2016) continued

HENRY SCHEIN MATRIX, INC.
P.O. BOX 3227
IRMO, SC 29063
PRINCIPALS: A PUBLIC CORPORATION

MOORE MEDICAL, LLC
1690 NEW BRITAIN AVENUE
FARMINGTON, CT 06032
PRINCIPALS: A PUBLIC COMPANY

BOUND TREE MEDICAL, LLC
5000 TUTTLE CROSSING BLVD
DUBLIN, OH 43016
PRINCIPALS: A PUBLIC COMPANY

as per the item/price schedule on file in the Purchasing Department

On roll call the vote was as follows:

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

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RESOLUTION NO. (199-2016)
Co. Hausner offered and Co. Borelli seconded

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

BID#8-2016 – WORK CLOTHING AND SAFETY ACCESSORY ITEMS

is hereby awarded to:

ARAMARK UNIFORM SERVICES
DIV. OF ARAMARK UNIFORM & CAREER APPAREL, INC.
115 NORTH FIRST STREET
BURBANK, CA 91502
PRINCIPALS: A PUBLIC CORPORATION

STAUFFER GLOVE AND SAFETY
361 E. SIXTH STREET
P.O. BOX 45
RED HILL, PA 18076
PRINCIPALS: W. RANDELL STAUFFER
JEFFREY STAUFFER
REBEKAH STAUFFER PUTERA

MAG & SON CLOTHING
171 PASCONE PLACE
NEWINGTON, CT 06111
PRINCIPALS: NATHAN MAG
HENRY MAG

as per the attached price/item list

RESOLUTION NO. (199-2016) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (200-2016)
Co. Hausner offered and Co. Borelli seconded

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

BID #9-2016– HIGHWAY SIGNING AND ROAD MAINTENANCE SUPPLIES

is hereby awarded to: CHEMUNG SUPPLY CORP.
P.O. BOX 527
ELMIRA, NY 14902
PRINCIPAL: MYRA S. STEMERMAN
MARC P. STEMERMAN

GARDEN STATE HIGHWAY PRODUCTS, INC.
1740 E. OAK ROAD
VINELAND, NJ 08361
PRINCIPAL: SHARON L.GREEN
ROBERT A. GREEN

VULCAN SIGNS
P.O. BOX 1850
FOLEY, AL 36536
PRINCIPAL: AN EMPLOYEE OWNED CO.

AMERICAN TRAFFIC SAFETY MATERIALS, INC.
P.O. BOX 1449
ORANGE PARK, FL 32067-1449
PRINCIPAL: A PUBLIC CORPORATION

TRAFFIC LANE CLOSURES, LLC
1214 ROUTE 52
CARMEL, NY 10512
PRINCIPAL: TERESA ROSENFELD

as per attached item/price schedule on file in the Purchasing Department.

On roll call the vote was as follows:

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

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RESOLUTION NO. (201-2016)
Co. Noto offered and Co. Hausner seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 3, 2016, AUTHORIZING ASPHALT SIDEWALKS RECONSTRUCTION AT VARIOUS LOCATIONS THROUGHOUT CLARKSTOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $78,165, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $78,165 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 undertake asphalt sidewalks reconstruction at various locations throughout Clarkstown, including resurfacing of various arterial and school zone asphalt sidewalks. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $78,165 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of $78,165 and any bond anticipation notes issued in anticipation of the sale of said 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 and interest on said bonds and notes.

Section 2. Serial bonds of the Town in the principal amount of $78,165 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 class of objects or purposes for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 24 of the Law, is ten (10) years; however it is hereby determined that the maximum term of such bonds will not exceed five (5) years.

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

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

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

RESOLUTION NO. (201-2016) continued

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 enhancement, 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. Borelli . . . . . Yes
Co. Hausner . . . . . Yes
Co. Noto. . . . . Yes
Supervisor Hoehmann. . . . . Yes

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RESOLUTION NO. (202-2016)
Co. Hausner offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 3, 2016, AUTHORIZING PARTIAL RECONSTRUCTION OF THE TRAPHAGEN HOUSE LOCATED IN WEST NYACK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $100,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $100,000 TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to undertake partial reconstruction of the Traphagen House located at 131 Germonds Road in West Nyack, including but not limited to asbestos removal. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $100,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount

RESOLUTION NO. (202-2016) continued

of $100,000 and any bond anticipation notes issued in anticipation of the sale of said 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 and interest on said bonds and notes.

Section 2. Serial bonds of the Town in the principal amount of $100,000 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 existing building is of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 12.(a)(2) of the Law, is fifteen (15) years; however it is hereby determined that the maximum term of such bonds will not exceed five (5) years.

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

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

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancement, 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. (202-2016) continued

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. Borelli . . . . . Yes
Co. Hausner . . . . . Yes
Co. Noto. . . . . Yes
Supervisor Hoehmann. . . . . Yes
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RESOLUTION NO. (203-2016)
Co. Noto offered and Co. Hausner seconded

WHEREAS, by Resolution No. 276-2014, adopted June 10, 2014, the Town Board authorized the Supervisor to file an application for funding through the Consolidated Funding Application process for the New York State Energy Research and Development Authority (NYSERDA) Cleaner Greener Communities Program, Phase II, Category 2, and

WHEREAS, NYSERDA awarded a $150,000.00 grant for a transit oriented development (TOD) plan for the Hamlet of Nanuet, and

WHEREAS, by Resolution No. 333-2015, adopted September 29, 2015, the Town Board authorized the Supervisor to enter into agreements with NYSERDA, Behan Planning and Design, and Cambridge Systematics, who were included in the grant application, to effectuate the TOD plan, and

WHEREAS, the fees for these services were not to exceed $200,000.00 (consisting of $104,000.00 for Behan Planning and Design, and $96,000.00 for Cambridge Systematics), reimbursed in part up to $150,000.00 from the NYSERDA grant with the balance being funded by the Town, and

WHEREAS, the Town has subsequently terminated its agreement with Behan Planning and Design, and

WHEREAS, the Town has compensated Behan Planning and Design, pursuant to the Town's agreement with Behan Planning and Design, for services rendered up to and including the date of termination, and

WHEREAS, Cambridge Systematics, which was included in the grant application, has submitted a proposal to provide the professional services detailed in the TOD plan for the Hamlet of Nanuet in its entirety, in lieu of Behan Planning and Design, and

WHEREAS, the Town Planner has reviewed the proposal submitted by Cambridge Systematics and finds it acceptable in terms of scope and price,

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes the Supervisor, upon NYSERDA's express consent, in writing, to this change of subcontractor responsibilities pursuant to the Town's agreement with NYSERDA, to enter into an amendment to the agreement with Cambridge Systematics to provide the professional services to develop the transit oriented plan for the Hamlet of Nanuet, and be it

FURTHER RESOLVED, that the fees for these services shall not exceed $196,000.00, including the $96,000.00 previously authorized for Cambridge Systematics, and be it

FURTHER RESOLVED, that said fees shall be a proper charge to Account No. A-8021-409.0.

On roll call the vote was as follows:

Co. Borelli . . . . . Yes
Co. Hausner . . . . . Yes
Co. Noto. . . . . Yes
Supervisor Hoehmann. . . . . Yes
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RESOLUTION NO. (204-2016)
Co. Hausner offered and Co. Noto seconded

WHEREAS, the Town of Clarkstown has joined the Municipal Consortium in Support of Reasonable Water Rates in connection with Suez Water New York's 2016 Rate Case 16-W-0130 before the Public Service Commission, and

WHEREAS, Daniel P. Duthie, Esq. has submitted a proposal dated April 27, 2016 to represent and provide legal services to the Town of Clarkstown as part of its share in connection with the case before the Public Service Commission, and

WHEREAS, the Town Attorney finds said proposal to be reasonable in terms of scope and price, and recommends the hiring of Daniel P. Duthie, Esq.;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Daniel P. Duthie, Esq., in a form approved by the Town Attorney, to provide legal services pursuant to his proposal dated April 27, 2016, and be it

FURTHER RESOLVED, that the fee for said work shall not exceed $13,505.00 for the Town of Clarkstown's share of the fee, and said fee will be charged to Account No. A 1420-409.

On roll call the vote was as follows:

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

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RESOLUTION NO. (205-2016)
Co. Borelli offered and Co. Noto seconded

RESOLVED, that the Town Board hereby schedules a Special Town Board Meeting for May 17, 2016 immediately following the Workshop meeting scheduled for 7:30 p.m., in the Room 301 of the Clarkstown Town Hall, at 10 Maple Avenue, New City, New York. The purpose of said meeting is to establish public hearings for June 7, 2016 and any such other matter that the Town Board may wish to consider.

On roll call the vote was as follows:

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

****

RESOLUTION NO. (206-2016)
Co. Borelli offered and Co. Noto seconded

RESOLVED, that the resignation (by retirement) of Rita Maklin – Administrative Secretary – Department of Environmental Control – is hereby accepted effective and retroactive to April 30, 2016.

On roll call the vote was as follows:

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

****

RESOLUTION NO. (207-2016)
Co. Borelli offered and Co. Noto seconded

RESOLVED, that the resignation (by retirement) of Martin Farrell – Police Officer – Police Department– is hereby accepted effective and retroactive to April 30, 2016.

On roll call the vote was as follows:

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

****

RESOLUTION NO. (208-2016)
Co. Borelli offered and Co. Noto seconded

RESOLVED, that Scott Waters – is hereby appointed to the position of Constituent Services Assistant (Town) – Office of the Town Supervisor – at the current 2016 annual salary of $42,000– effective May 2, 2016.

On roll call the vote was as follows:

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

****

RESOLUTION NO. (209-2016)
Co. Borelli offered and Co. Noto seconded

WHEREAS, by Resolution No. 138-2016, the Town Board accepted the creation of the position Code Enforcement Officer I - Building Department, and

WHEREAS, there was an error regarding the abolishment of the position Code Enforcement Officer I – Town Attorney's Office;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 138-2016 to state the following:

WHEREAS, the Rockland County Personnel Office has certified on March 11, 2016, that the position of Code Enforcement Officer I, can be created,

NOW, therefore, be it

RESOLVED, that the position of Code Enforcement Officer I – Building Department – is hereby created – effective March 22, 2016.

On roll call the vote was as follows:

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

****

RESOLUTION NO. (210-2016)
Co. Borelli offered and Co. Noto seconded

RESOLVED, that July Young – is hereby appointed to the position of Crossing Guard (substitute) – Police Department – at the current 2016 rate of $20.20 per crossing effective May 4, 2016.

On roll call the vote was as follows:

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

RESOLUTION NO. (211-2016)
Co. Borelli offered and Co. Noto seconded

RESOLVED, that the resignation of Rabbi David Fass – Member – Board of Ethics – is hereby accepted effective and retroactive to April 22, 2016.

On roll call the vote was as follows:

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

RESOLUTION NO. (212-2016)
Co. Borelli offered and Co. Noto seconded

RESOLVED, that the extension of the part-time reinstatement of Cathy Conklin as acting Assessor is hereby accepted effective and retroactive to May 2, 2016, for an additional 30 days.

On roll call the vote was as follows:

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

RESOLUTION NO. (213-2016)
Co. Borelli offered and Co. Noto seconded

RESOLVED, that the resignation of Joanne Trainor,- Member – Board of Assessment Review – is hereby accepted effective May 2, 2016, and be it,

FURTHER RESOLVED that Linda DeFillippo - is hereby appointed to the position of Member – Board of Assessment Review – (to fill the unexpired term of Joanne Trainor) term effective May 3, 2016 and to expire on September 30, 2019 – at the per diem rate of $175., per attendance, when the board is in session.

On roll call the vote was as follows:

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

RESOLUTION NO. (214-2016)
Co. Borelli offered and Co. Noto seconded

RESOLVED, that the resignation of Mary Healy,- Member – Board of Assessment Review – is hereby accepted effective May 2, 2016, and be it,

FURTHER RESOLVED that James Coyle - is hereby appointed to the position of Member – Board of Assessment Review – (to fill the unexpired term of) term effective May 3, 2016 and to expire on September 30, 2017 – at the per diem rate of $175., per attendance, when the board is in session.

On roll call the vote was as follows:

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

****

RESOLUTION NO. (215-2016)
Co. Borelli offered and Co. Noto seconded

RESOLVED, that the resignation of Valerie Moldow, – Councilwoman – Town Council – is hereby accepted effective and retroactive to May 2, 2016.

On roll call the vote was as follows:

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

****

RESOLUTION NO. (216-2016)
Co. Hausner offered and Co. Borelli seconded

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

BID#15-2016 – CLARKSTOWN EXECUTIVE BLVD ROADWAY RESURFACING

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

****

RESOLUTION NO. (217-2016)
Co. Borelli offered and Co. Noto seconded

WHEREAS the Town has received $1,000 from the Rockland County Kennel Club and $1,000 from the Wallkill Kennel Club,

NOW THEREFORE BE IT,

Resolved to increase Revenue Account A-01-9-2705-0 (General Fund-Gifts and Donations) and Expense Account A-3120-293-0 (Police-Law Enforcement Equipment) by $2,000 and

WHEREAS various accounts require additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease Expense B-3620-111-0 (Building-Overtime) and increase B-3620-438-0 (Building-Maintenance Agreements) by $9,325.

On roll call the vote was as follows:

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

****

RESOLUTION NO. (218-2016)
Co. Borelli offered and Co. Noto seconded

WHEREAS, the Town of Clarkstown proposes to conduct a traffic study at the intersection of Germonds and Little Tor Roads to evaluate the current intersection operation and to examine potential modifications in the intersection operation, and

WHEREAS, Maser Consulting P.A. has submitted a proposal, dated April 5, 2016, to provide professional services to conduct the study, and

WHEREAS, the Superintendent of Highways has reviewed the proposal and finds it reasonable in scope and price, and

WHEREAS, the County of Rockland and the Town of Clarkstown desire to enter into an agreement for the County to reimburse the Town for a portion of the cost of such services in connection with the intersection evaluation and the County has agreed to reimburse the Town for said costs at the rate of fifty percent (50%) of such costs paid to the contractor not to exceed THIRTEEN THOUSAND EIGHT HUNDRED ($13,800.00) DOLLARS;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into agreements with the County of Rockland and Maser Consulting, P.A. in connection with the Little Tor/Germonds Roads intersection evaluation project, in a form approved by the Town Attorney, and for the County of Rockland to pay for fifty percent (50%) of the aforementioned costs not to exceed THIRTEEN THOUSAND EIGHT HUNDRED ($13,800.00) DOLLARS, and be it

FURTHER RESOLVED that said fees should be a proper charge to Account No. H 8769 400 409 0 92 5.

On roll call the vote was as follows:

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

****

RESOLUTION NO. (219-2016)
Co. Borelli offered and Co. Noto seconded

WHEREAS, Councilperson , a member of the Town Board of the Town of Clarkstown, has introduced a proposed Ward Local Law, and

WHEREAS, this proposed local law is intended to give the Town Board the power to establish the boundary lines for ward districts;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held in the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York on June 7, 2016 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. Borelli . . . . . Yes
Co. Hausner . . . . . .No
Co. Noto. . . . . Yes
Supervisor Hoehmann. . . . . Yes

****

RESOLUTION NO. (220-2016)
Co. Borelli offered and Co. Noto seconded

WHEREAS, The Patterns for Progress has submitted a proposal dated April 15, 2016 to provide a review of Clarkstown Departments of Recreation and Parks, Environmental Control and Justice Court by serving as Municipal Government Consultants on behalf of the Town of Clarkstown, and

WHEREAS, the Town Attorney finds said proposal to be reasonable in terms of scope and price and recommends the hiring of this firm;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Patterns for Progress, in a form approved by the Town Attorney, to provide aforementioned services pursuant to its proposal dated April 15, 2016 commencing upon closure of the agreement between the Supervisor and Patterns for Progress, and be it

FUTHER RESOLVED, that the fee for said work shall not exceed $ 22,000.00 and will be charged to Account No. A 1420-409.

On roll call the vote was as follows:

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

****

RESOLUTION NO. (221-2016)
Co. Borelli offered and Co. Noto seconded

RESOLVED, that Adrienne Carey – is hereby appointed to the position of Councilwoman – Town Council – at the current 2016 annual salary of $41,000 – (to fill the unexpired term of Valerie Moldow) - effective May 3, 2016.

RESOLUTION NO. (221-2016) continued

On roll call the vote was as follows:

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

****

Co. Carey was sworn in by family friend, Suffern Village Justice Vincent Alfieri.

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The Supervisor opened the meeting for general public comments.

Kristen Stavisky
Defended the process and integrity of the Board of Elections. She stated that the Board of Elections has checks and balances and was acceptable to the Board members last year when they wrote the referendum.

Orin Getz, New City
Complained about pot holes and lack of response from the Town after he complained about them.

Steven Levine, Congers
Congratulated new Co. Carey on her appointment and asked about status of police department review.

Michael Hull, Orangetown
Asked for clarification about open meetings law.

Marge Hook, New City
Asked about the costs of 13d how much it was and spoke about the Police Department review.

Mark Adelson, New City
Asked if Town Attorney was obligated to respond to Mr. Hull's question considering he is not a Clarkstown residence.

John Whatley, Congers
Inquired about status of work on Merriweather Trail subdivision.

The Supervisor told him to call his office regarding this.

James Flynn, Nanuet
Regarding the Ward System, he is not concerned about who draws up the boundaries; feels it is simple.

Regarding costs of Item 13d, the Supervisor stated this merely creates a position; the cost for this will be based on the salary of the person who fills it. Regarding Mr. Hull he said anyone has the right to have a question answered, even if they are not from Clarkstown.

There being no one further wishing to speak on Co. Borelli seconded by Co. Noto, the Town Board went into Executive Session, time; 9:55pm

Respectfully submitted,

Justin Sweet
Town Clerk