

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

09/09/14

8:00 PM

Present:

Supervisor Alexander J. Gromack  
Council Members Shirley Lasker, Frank Borelli,  
George Hoehmann & Stephanie Hausner  
Amy Mele, Town Attorney  
Justin Sweet, Town Clerk

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

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On motion of Co. Hausner seconded by Co. Lasker the Public Hearing Re: Designating the Traphagen Property and Houses as a Historical Site was opened, time 8:05 P.m., closed 8:18 pm

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On motion of the entire Town Board the Public Hearing Re: “Term Limits – Chapter 263 of the Code of the Town of Clarkstown” was opened, time 8:19 p.m., closed 8:33 pm.

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

Elaine Appfelbaum, President CSEA

Regarding Item 21, denying reallocation request, she asked for clarification of the process that will be used by the company listed on tonight’s agenda. She would like someone from CSEA to be on this committee, asked that this company speak with all employees who submitted reallocation requests, requested a meeting between the Town Board and CSEA prior to this report going public and would like this completed before new contract negotiations begin.

Tom Nimick, New City

He asked for clarification of Item 5, Highway Equipment bid award, and asked if Item 14G, creation of Police sergeant position; was an addition to the roster.

Pat Godfrey, New City

He asked for clarification of Item 16, lease agreement.

Rob Berdy, Purchasing Agent, explained that Item 5 was authorizing a bid advertisement to rent certain equipment to be used in emergency situations.

Chief Sullivan, explained that 14D, is a new position however it is in relation to ongoing litigation regarding a supervisor who has been out of work and is no longer on the payroll, so it is economically neutral.

The Town Attorney explained Item 16 is regarding a condo which, as a community benefit, the Town leases to first responders at low cost. Regarding Item 21, she stated the consultant firm is very familiar with reallocations. They will first do an internal analysis where all positions are looked at to determine any internal inequities and then they will go and see what the outside market is paying. She is not sure whether there will be a committee but sees no problem inviting the CSEA to hear preliminary findings and expects this to be complete within 90 days. She would leave it up to the Town Board to see if there will be a meeting between the Town Board, CSEA and this company.

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RESOLUTION NO. (370-2014)

Co. Hausner offered and Co. Lasker seconded

WHEREAS, it has been proposed by the Historic Review Board that the property and houses known as the Traphagen property and Traphagen and Vanderbilt Budke Houses, located at 131 Germonds Road, West Nyack, New York, which is designated on the Clarkstown Tax Map as Map 58.7-1-86, currently owned by the Town of Clarkstown, be designated as an historical site pursuant to Chapter 25-3(C) of the Town Code of the Town of Clarkstown, and

WHEREAS, notice of said public hearing was duly published and posted as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW, THEREFORE, be it

RESOLVED, that the property and houses known as the Traphagen property and Traphagen and Vanderbilt Budke Houses, 131 Germonds Road, West Nyack, New York, Clarkstown Tax Map 58.7-1-86 be designated as an historical site pursuant to Chapter 25-3(C) of the Town Code of the Town of Clarkstown, and be it

FURTHER RESOLVED, that said historical site be so indicated on the Official Map of the Town of Clarkstown.

On roll call the vote was as follows:

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

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RESOLUTION NO. (371-2014)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, a proposed local law entitled,

"TERM LIMITS - CHAPTER 263 OF THE CODE OF THE TOWN OF CLARKSTOWN"

was introduced by Supervisor Gromack at a Town Board meeting held on August 5, 2014, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on August 5, 2014, directed that a public hearing be held on September 9, 2014 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 September 2, 2014, and

WHEREAS, a copy of the proposed local law was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on August 28, 2014, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on September 9, 2014;

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. – 2014 entitled: "TERM LIMITS - CHAPTER 263 OF THE CODE OF THE TOWN OF CLARKSTOWN"

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

On roll call the vote was as follows:

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

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

RESOLUTION NO. (372-2014)

Co. Hoehmann offered and Co. Borelli seconded

RESOLVED, that the Town Board Minutes of August 5, 2014 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

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RESOLUTION NO. (373-2014)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Town has received \$235,542.91 from Rockland County Sewer District #1 and \$3,731.23 from DARE donations

NOW THEREFORE BE IT, RESOLVED, to increase Revenue Account H-15-9-2770-0 (Capital-Misc Local Revenue) and Expense Account H-8760-409-0-84-9 (Capital Projects-Sewer Pump Stations) by \$235,542.91 and be it

FURTHER RESOLVED, to increase Revenue Account A-01-9-2705-0 (General-Gifts & Donations) and Expense Account A-3230-319-0 (DARE-Misc Supplies) by \$3,731.23 and

WHEREAS, certain accounts require additional funding,

NOW THEREFORE BE IT,RESOLVED, to decrease Account A-1670-204-0 (Mail & Copy-Office Machines) and increase Account A-1670-111-0 (Mail & Copy-Overtime) by \$410 and be it,

FURTHER RESOLVED, to decrease Account A-3020-319-0 (Central Communications-Misc Supplies) and increase Account A-3020-230-0 (Central Communications-Communication Equipment) by \$270 and be it,

FURTHER RESOLVED, to decrease Account A-3989-417-0 (Emergency Operations-In Service Training) and increase Account A-3989-225-0 (Emergency Operations-Computer Hardware) by \$5,710 and be it

FURTHER RESOLVED, to decrease Account A-7210-407-0 (Refreshment Stands-Equipment Repair) and increase Account A-7620-409-0 (Adult Activities-Fees for Services) by \$19.

On roll call the vote was as follows:

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

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RESOLUTION NO. (374-2014)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, the Parks and Recreation Department has requested three pickup trucks to replace vehicles that have been removed from service.

RESOLVED, that total vehicle purchases shall not exceed \$110,000.00 without further authorization of the Board, and be it

RESOLUTION NO. (374-2014) continued

FURTHER RESOLVED, that all such vehicles shall be purchased from New York State Contracts and/or appropriate County Contracts and shall constitute a Proper charge to Account No. H-8767-409-90-16 and be it

FURTHER RESOLVED, that it is the Town Board’s intent to fund such purchases through the issuance of serial bonds.

On roll call the vote was as follows:

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

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RESOLUTION NO. (375-2014)

Co. Hausner offered and Co. Hoehmann seconded

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

RFQ#6-2014 – REMOVAL OF SLUDGE AND CLEANING OF OIL/WATER SEPARATOR AT CLARKSTOWN HIGHWAY DEPARTMENT

is hereby awarded to: CASTLTON ENVIRONMENTAL CONTRACTORS, LLC  
 80 WEST NYACK ROAD  
 NANUET, NY 10954  
 PRINCIPALS: WILLIAM JACOBSEN

as per the item/price schedule

- 1 – Vacuum out water and oil and properly dispose of \$ .80 per gallon
- 2 – Vacuum truck rate \$ 145.00 per hour
- 3 – Pressure wash and removal of sludge and disposal (includes one 55 gallon drum) \$ 5000.00 flat rate
- 4 – Removal of sludge and disposal in 55 gallon drums in addition to drum noted above \$ 175.00 per drum
- 5 – Removal and disposal of oil stained absorbent pads and sock absorbent pad removal from center floor drain and stored in NYS DOT approved 55 gallon drums \$ 175.00 per drum
- 6 – Transportation \$ 650.00

On roll call the vote was as follows:

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

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RESOLUTION NO. (376-2014)

Co. Lasker offered and Co. Hoehmann seconded

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

BID#26-2014 – HIGHWAY DEPARTMENT – EQUIPMENT AND LABOR FOR EMERGENCY SITUATION(S)

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

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

On roll call the vote was as follows:

- Co. Lasker . . . . . Yes
  - Co. Borelli . . . . . Yes
  - Co. Hoehmann . . . . . Yes
  - Co. Hausner. . . . . Yes
  - Supervisor Gromack . . . . . Yes
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RESOLUTION NO. (377-2014)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, Harry Soffer, Managing Member of HMS Bard, LLC, has requested a refund of Building Permit Fee (#13-720) paid in the amount of \$820.00 for property located at 753 Route 9W, Valley Cottage, New York, more particularly described as Tax Map No. 53.13-2-30, because the application is being withdrawn, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$300.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund in the amount of \$520.00 to HMS Bard, LLC to be charged to Account No. B-02-6-2555-0.

On roll call the vote was as follows:

- Co. Lasker . . . . . Yes
  - Co. Borelli . . . . . Yes
  - Co. Hoehmann . . . . . Yes
  - Co. Hausner. . . . . Yes
  - Supervisor Gromack . . . . . Yes
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RESOLUTION NO. (378-2014)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, Koenig Management LTD has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Tax Map No.(s) 43.15-1-19, and more commonly known as 120 North Main Street, New City, New York, for the year(s) 2010/11, 2011/12, 2012/13, 2013/14 and 2014/15; and

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

NOW, THEREFORE, BE IT RESOLVED, that Valuation Plus, Inc. be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$3,400; and such fee shall be charged to Account No. A 1420-439-1.

RESOLUTION NO. (378-2014) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (379-2014)

Co. Hoehmann offered and Co. Hausner seconded

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 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, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to April 3, 2014.

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. (380-2014)

Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with NYACK HOSPITAL for an Employee Assistance Program covering all employees and members of their immediate families, for the twenty-four (24) month period commencing October 1, 2014 and terminating on September 30, 2016, in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the agreement shall provide, among other provisions required by the Town Attorney, for contract indemnification of the Town, proof of professional liability insurance, and other general liability insurance with the Town of Clarkstown named as an additional insured, and be it

FURTHER RESOLVED, that the fee of \$20,461.00 per year for such services shall be charged to Account No. A-9000-809-0, and be it

FURTHER RESOLVED, that either party may terminate the agreement on thirty (30) days written notice.

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. (381-2014)

Co. Hoehmann offered and Co. Hausner seconded

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

WHEREAS, the Town of Clarkstown desires to be one of the sites designated by the Nanuet Union Free School District to provide the Universal Pre-Kindergarten Program;

RESOLUTION NO. (381-2014) continued

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the Nanuet Union Free School District, in a form approved by the Town Attorney, to provide the Universal Pre-Kindergarten Program at the Town of Clarkstown Street Community Center, New City, New York, during the 2014-2015 school year, and be it

FURTHER RESOLVED, that the Nanuet Union Free School District shall pay \$2,400 for each child duly enrolled in the Universal Pre-Kindergarten Program.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
Co. Borelli . . . . . Yes  
Co. Hoehmann . . . . . Yes  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (382-2014)

Co. Hoehmann offered and Co. Lasker 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 Valley Rise Subdivision (52.20-1-29.4 & 20), Phoenix Homes, Inc. has provided a conservation easement to the Town, and

WHEREAS, the First Deputy Director of the Department of Environmental Control recommends acceptance of the conveyance, subject to review and approval of the Department of Environmental Control and the Town Attorney;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the conservation easement from Phoenix Homes, Inc. in connection with the Valley Rise Subdivision, subject to approval of the Department of Environmental Control and the Town Attorney, and upon approval, orders it recorded in the Rockland County Clerk's Office, subject to the receipt of the recording fee.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
Co. Borelli . . . . . Yes  
Co. Hoehmann . . . . . Yes  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (383-2014)

Co. Lasker offered and Co. Borelli seconded

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as Valley Rise (52.20-1-29.4 & 20), the Planning Board of the Town of Clarkstown requested a deed for Lot 16 to be used as parkland, and

WHEREAS, Phoenix Homes, Inc. has provided a deed for Lot 16 to be gratuitously dedicated to the Town for park & recreation purposes, and

WHEREAS, the First Deputy Director of the Department of Environmental Control recommends acceptance of the conveyance, subject to review and approval of the Department of Environmental Control and the Town Attorney;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the deed from Phoenix Homes, Inc., gratuitously conveying Lot 16 to the Town of Clarkstown for park and recreation purposes in regard to the Valley Rise Subdivision, subject to approval of the Department of Environmental Control and the Town Attorney; and upon filing of the final map, orders said deed recorded in the Rockland County Clerk's Office at the expense of the grantor.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
Co. Borelli . . . . . Yes  
Co. Hoehmann . . . . . Yes  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (384-2014)  
Co. Lasker offered and Co. Hausner 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:

S.H.F. CORPORATION, INC.  
23 Briarwood Drive  
New City, New York 10956  
Shawn H. Failing, President

NOW, THEREFORE, be it  
RESOLVED, that the Town Board hereby authorizes the issuance of a Certificate of Registration to:

14-34 S.H.F. CORPORATION, INC.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
Co. Borelli . . . . . Yes  
Co. Hoehmann . . . . . Yes  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (385-2014)  
Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, by Resolution No. 429-2013, adopted November 7, 2013, the Town Board set the Town Board Meeting and Workshop Meeting schedule for the year 2014, and

WHEREAS, the Town Board wishes to move the scheduled November 6, 2014 Town Board and Workshop meetings to November 5, 2014;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 429-2013 by moving the November 6<sup>th</sup> Town Board and Workshop meetings to Wednesday, November 5, 2014 at 7 p.m. for the Town Board meeting and 7:30 p.m. for the Workshop meeting.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
Co. Borelli . . . . . Yes  
Co. Hoehmann . . . . . Yes  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (386-2014)  
Co. Hausner offered and Co. Lasker seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, John Olori and Ronald Olori v. The Assessor, The Board of Assessors and The Board of Assessment Review of The Town of Clarkstown and The Town of Clarkstown, Index No(s). 6957/09, 7584/10, 31179/11, 33714/12, 34062/13, 33176/14, affecting parcel designated as Tax Map 58.17-1-36 and more commonly known as, 11 Seeger Lane, Nanuet. New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13, 2013/14 and 2014/15, and

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

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

NOW, THEREFORE, be it

RESOLVED, that:

RESOLUTION NO. (386-2014) continued

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.17-1-36 be reduced for the year(s) 2009/10 from \$719,250 to \$647,300 at a cost to the Town of \$1,602.86;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.17-1-36 be reduced for the year(s) 2010/11, 2011/12 and 2012/13 from \$719,250 to \$676,100 at a total cost to the Town of \$3,211.64;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.17-1-36 be reduced for the year(s) 2013/14 and 2014/15 from \$719,250 to \$690,500 at a total cost to the Town of \$879.68;

4. Reimbursement for the year(s), 2009/10, 2010/11, 2011/12, 2012/13, 2013/14 and 2014/15 on the parcel(s) described as Tax Map No.(s) 58.17-1-36, 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;

5. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (387-2014)

Co. Hausner offered and Co. Lasker seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, JPMORGANCHASE v. The Board of Assessors and/or The Assessor of The Town of Clarkstown and The Board of Assessment Review, Index No(s). 007343/09, 006986/10, 030730/11, 033887/12, 033598/13 and 033034/14, affecting parcel designated as Tax Map 44.15-3-23 and 44.15-3-24, and more commonly known as 56 Lake Road Congers, New York, and 60 Lake Road, Congers, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13, 2013/14 and 2014/15, and

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

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

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 44.15-3-23 be reduced for the year(s) 2010/11 from \$181,900 to \$167,750 at a cost to the Town of \$333.74;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 44.15-3-23 be reduced for the year(s) 2011/12 from \$181,900 to \$177,400 at a cost to the Town of \$110.72;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 44.15-3-23 be reduced for the year(s) 2012/13 from \$181,900 to \$178,750 at a cost to the Town of \$82.66;

RESOLUTION NO. (387-2014) continued

4. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 44.15-3-23 for the year(s)

5. Reimbursement for the year(s) 2010/11, 2011/12 and 2012/13 on the parcel(s) described as Tax Map No.(s) 44.15-3-23, 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;

6. The proceedings commenced by the petitioner(s) respecting Tax Map 44.15-3-24 be discontinued for the years 2009/10 through 2014/15 at no cost to the Town;

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

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RESOLUTION NO. (388-2014)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Mandel Family Realty Corp. v. The Board of Assessors and/or The Assessor of The Town of Clarkstown and The Board of Assessment Review, Index No(s). 4973/11, 033536/12, 033414/13 and 032911/14, affecting parcel designated as Tax Map 52.15-1-6 and more commonly known as, 210 Route 303, Valley Cottage, New York for the year(s) 2011/12, 2012/13, 2013/14 and 2014/15, and

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

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

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.15-1-6 be reduced for the year(s) 2011/12 from \$617,300 to \$524,700 at a cost to the Town of \$2,278.35;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.15-1-6 be reduced for the year(s) 2012/13 from \$617,300 to \$493,800 at a cost to the Town of \$3,240.60;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.15-1-6 be reduced for the year(s) 2013/14 and 2014/15 from \$617,300 to \$509,300 at a cost to the Town of \$3,304.53;

4. Reimbursement for the year(s), 2011/12, 2012/13 and 2013/14 on the parcel(s) described as Tax Map No.(s) 52.15-1-6, as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

RESOLUTION NO. (388-2014) continued

5 All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (389-2014)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #14020(Prom) Administrative Aide (Planning) which contains the name of Diane Papenmeyer,

NOW, therefore, be it

RESOLVED, that Diane Papenmeyer, 221 Strawtown Road, West Nyack, New York – is hereby appointed to the position of (promotional)(permanent)Administrative Aide (Planning) – Planning Department – at the current annual salary of \$92,081., - effective and retroactive to August 8, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (390-2014)

Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that Catherine T. Cirrone, 157 So. Little Tor Road, New City, New York - is hereby appointed to the position of (Permanent) Administrative Secretary – Planning Department, at the current 2014 annual salary of \$60,677., - effective and retroactive to August 8, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (391-2014)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has certified on July 10, 2014 that the position of Principal Clerk-Typist – Planning Department – can be established,

NOW, THEREFORE BE IT RESOLVED, that the position Principal Clerk-Typist – Planning Department – is hereby established on August 25, 2014.

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12010 Principal Clerk-Typist which contains the name of Stacey L. Lakis,

NOW, therefore, be it

FURTHER RESOLVED, that Stacey L. Lakis, 10 Tuxedo Lane, Congers, New York – is hereby appointed to the position of Principal Clerk-Typist (Perm)(Prom) – Planning Department – at the current annual salary of \$66,217., - effective September 9, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (392-2014)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #14022(Prom) Assessing Clerk I which contains the name of Elizabeth McDonald,

NOW, THEREFORE BE IT RESOLVED, that Elizabeth McDonald, 187 Old Rte 304, New City, New York – is hereby appointed to the position of

(promotional)(permanent)Assessing Clerk I – Assessor’s Office – at the current annual salary of \$53,166., - effective and retroactive to August 8, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (393-2014)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #14033(Prom) Fleet Manager (Towns) which contains the name of Dennis Malone,

NOW, THEREFORE BE IT RESOLVED, that Dennis Malone, 15 Pine Avenue, Congers, New York – is hereby appointed to the position of (promotional)(permanent)Fleet

Manager (Towns) – Department of Municipal Transportation – at the current annual salary of \$109,078., - effective and retroactive to August 15, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (394-2014)

Co. Hoehmann offered and Co. Hausner seconded

RESOLVED, that Joanne Trainor, 233 South Harrison Avenue, Congers, New York - is hereby reappointed to the position of Member – Assessment and Review Board – term effective October 1, 2014 and to expire on September 30, 2019 – at the per diem rate of \$175., per day, when the Board is in session.

On roll call the vote was as follows:

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

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RESOLUTION NO. (395-2014)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has Certified on September 9, 2014 that the position of Police Sergeant, can be created,  
NOW, therefore, be it

RESOLVED, that the position of Police Sergeant -Clarkstown Police Department – is hereby created – effective September 9, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (396-2014)

Co Hoehmann offered and Co. Hausner seconded

RESOLVED, that Gregory Barra,42 Thompson Drive, Washingtonville, New York – Auto Mechanic & Body Repairer – Town Garage – is hereby granted a leave of absence without pay effective and retroactive to August 19, 2014 thru September 30, 2014.

On roll call the vote was as follows:

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

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RESOLUTION NO. (397-2014)

Co. Hoehmann offered and Co. Hausner 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., Lawrence Berkowitz, 4 Brisman Drive, P.O.B. 304, Thiells, New York – Computer Network Specialist – Recreation Department is hereby granted a Sick Leave of Absence at one-half pay effective and retroactive to September 5, 2014 thru October 5, 2014.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (398-2014)

Co. Hoehmann offered and Co. Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPTEMBER 9, 2014, AUTHORIZING THE ACQUISITION OF THREE PICK-UP TRUCKS FOR USE BY THE PARKS AND RECREATION DEPARTMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$110,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$110,000 TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the “Town”), is hereby authorized to acquire three pick-up trucks for use by the Parks and Recreation Department. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$110,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$110,000 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 \$110,000 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.

## RESOLUTION NO. (398-2014) continued

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

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

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

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

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

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

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

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on September 9, 2014, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted September 9, 2014, authorizing the acquisition of three pick-up trucks for use by the Parks and Recreation Department, stating the estimated maximum cost thereof is \$110,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$110,000 to finance said appropriation,"

RESOLUTION NO. (398-2014) continued

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

FIRST: AUTHORIZING said Town to acquire three pick-up trucks for use by the Parks and Recreation Department; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$110,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$110,000 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 \$110,000 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 \$110,000 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

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RESOLUTION NO. (399-2014)

Co. Hausner offered and Co. Hoehmann seconded

WHEREAS, pursuant to Resolution No. 433-2010 adopted by the Town Board on August 24, 2010, the Normandy Village Company gratuitously conveyed Unit 8 in Building 20 in Normandy Village Section II to the Town of Clarkstown for rental of the unit to an emergency services volunteer, and

WHEREAS, pursuant to Resolution No. 155-2012 adopted by the Town Board on March 20, 2012, the Town Board authorized the Supervisor to enter into an agreement with the Rockland Housing Action Coalition, Inc. (RHAC), to market and assist with rental of the unit, and

WHEREAS, RHAC has informed the Town Attorney that Craig Simon, a volunteer with the Nanuet Fire Engine Company, has met the criteria established for rental of the unit;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a lease agreement, in a form approved by the Town Attorney, for Unit 8 in Building 20 at Normandy Village Section II with Craig Simon for a period of one (1) year with an additional year option in an amount of \$664.00 per month, plus any increase in common charges or any special assessments, for the first year as well as the additional option year, along with a security deposit equal to one (1) month's rent.

On roll call the vote was as follows:

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

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RESOLUTION NO. (400-2014)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, the Town Attorney's Office was contacted by the heir to Reunited Realty, Inc., owner of property located at 108 S. Route 303, Congers, New York and designated on the Clarkstown Tax Map as 52.7-2-61, and

WHEREAS, the corporation has been dissolved and the widow of the late corporate officer is desirous of donating the parcel to the Town of Clarkstown;

NOW, THEREFORE be it, RESOLVED, that the Town Board hereby authorizes the Town Attorney to perform the appropriate deed and title research regarding said property ownership, and pursue and perfect the appropriate mechanism and paperwork for the Town Board to accept the donation.

On roll call the vote was as follows:

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

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RESOLUTION NO. (401-2014)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, parking near the intersection of Lake Road on Lenox Avenue, Congers by commercial occupants can cause a hazard to drivers pulling into Lenox Avenue, and

WHEREAS, the Traffic & Traffic Fire Safety Advisory Board has recommended that a “No Parking Here to Corner” sign be installed, and

WHEREAS, the Town Board wishes to improve traffic safety at this intersection and in Clarkstown in general;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install a “NO PARKING HERE TO CORNER” sign on the west side of Lenox Avenue, Congers at a distance of thirty-five (35) feet from the intersection of Lake Road with a North facing arrow, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to the Superintendent of Highways, the Chief of Police and the Traffic & Traffic Fire Safety Advisory Board for implementation, enforcement, and information, respectively.

On roll call the vote was as follows:

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

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RESOLUTION NO. (402-2014)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, parking along the south side of Schriever Lane, New City, where the building at the corner of South Main Street is in close proximity to the Town’s Right of Way, can cause a restriction in the width of the traffic lane, particularly with commercial truck deliveries, and

WHEREAS, existing signage has been ineffective and constantly damaged or removed, and

WHEREAS, the Traffic and Traffic Fire Safety Advisory Board, along with the Clarkstown Police Liaison, have recommended that pavement painting will be more effective, visible and enforceable at this location rather than signs;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to utilize white paint cross-hatching and NO PARKING along the south side of Schriever Lane on the pavement against the closely located building approximately thirty-five (35) feet west of the intersection of South Main Street, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to the Superintendent of Highways, the Chief of Police and the Traffic & Traffic Fire Safety Advisory Board for implementation, enforcement, and information, respectively.

On roll call the vote was as follows:

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

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RESOLUTION NO. (403-2014)  
Co. Hoehmann and Co. Hausner

WHEREAS, Section 93-3 of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to any person, company or organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown, and

WHEREAS, the Defiant Brewing Company wishes to obtain a permit from the Town Board to dispense alcohol at the Italian Festival sponsored by the Congers-Valley Cottage Rotary Club to be held on Town property, the Congers Train Station, 20 Burnside Avenue, Congers, New York, on September 28, 2014 with a rain date of October 5, 2014;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission for the Defiant Brewing Company to dispense alcoholic beverages at 20 Burnside Avenue, Congers, New York, in accordance with and subject to Section 93-3 of the Town Code of the Town of Clarkstown, and be it

FURTHER RESOLVED, that this Resolution shall constitute the permit.

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
Co. Borelli . . . . . Yes  
Co. Hoehmann . . . . . Yes  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (404-2014)  
Co. Hoehmann offered and Co. Hausner

WHEREAS, the Town Board has received numerous requests for reallocation of certain grade titles in the Town of Clarkstown, and

WHEREAS, the Town Board has decided to hire a firm to do a comprehensive review of all grade titles within the Town of Clarkstown, which shall be completed within ninety (90) days of this date, and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby denies the reallocation requests for the following grade titles:

- Office Services Aide
- Paralegal Specialist I
- Paralegal Specialist II
- Legal Stenographer
- Environmental Control Technician
- Environmental Resource Specialist
- Engineer II
- Environmental Control Supervisor, Survey & Design
- Personnel Assistant
- Information Services Specialist I (Police)
- Fire Safety Inspector
- Senior Recreation Supervisor
- Account Keeping Supervisor
- Principal Account Clerk
- Senior Account Clerk Typist
- Senior Payroll Clerk,

RESOLUTION NO. (404-2014) continued

and be it

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

On roll call the vote was as follows:

Co. Lasker . . . . . Yes  
 Co. Borelli . . . . . Yes  
 Co. Hoehmann . . . . . Yes  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . . Yes  
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RESOLUTION NO. (405-2014)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, Public Sector HR Consultants LLC is a professional services provider, working exclusively with public sector employers in New York State, that serves as a human resource management advisor for municipalities, and

WHEREAS, Public Sector HR Consultants LLC has submitted a proposal to conduct a job evaluation of the current job titles listed in Appendix "H" of the CSEA Collective Bargaining Agreement, and

WHEREAS, the results of this job evaluation will be used to recommend and justify the grade allocation for these job titles, and

WHEREAS, the Town Board wishes to avail the Town of Clarkstown of such services, NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Public Sector HR Consultants LLC, 14 Knollwood Drive, Glenville, New York, in a form approved by the Town Attorney, to perform a job evaluation of the current job titles listed in Appendix "H" of the CSEA Collective Bargaining Agreement, and be it

FURTHER RESOLVED, that the fee for said work shall not exceed \$41,250.00 plus travel expenses related to the provision of such services not to exceed \$2,500.00 and shall constitute a proper charge to Account No. A-1420-409.

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. (406-2014)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, Public Sector HR Consultants LLC is a professional services provider, working exclusively with public sector employers in New York State, that serves as a human resource management advisor for municipalities, and

WHEREAS, Public Sector HR Consultants LLC has submitted a proposal to perform an organizational assessment of the Town of Clarkstown Highway Department, with a focus on HR best practices, union contractual provisions, and civil service rules and regulations, and

RESOLUTION NO. (406-2014) continued

WHEREAS, the objective of this assessment will be to help the Town determine if personnel practices and procedures are being applied fairly and consistently, and to provide specific recommendations for improvement, if necessary, and

WHEREAS, the Town Board wishes to avail the Town of Clarkstown of such services,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Public Sector HR Consultants LLC, 14 Knollwood Drive, Glenville, New York, in a form approved by the Town Attorney, to perform professional consulting services related to an organizational assessment of the Town of Clarkstown Highway Department, and be it

FURTHER RESOLVED, that the fee for said work shall not exceed \$24,750.00 plus travel expenses related to the provision of such services not to exceed \$2,500.00 and shall constitute a proper charge to Account No. DB-5110-409.

On roll call the vote was as follows:

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

Regarding Item 23, Co. Lasker stated that she found another firm that could do it for 30% less. Supervisor Gromack stated he was comfortable with using this firm.

The Supervisor opened the meeting for general public comments.

Tom Nimick, New City

Regarding the upcoming workshop he asked whether there would be a continued review of the 5 year capital budget with the Parks and Recreation capital requirements added in.

The Supervisor confirmed that it would be on the agenda.

Marge Hook, New City

Feels Item 23 is a witch hunt in the highway department. She asked that since the Board is imposing term limits how about including all the boards and commissions members.. She asked why when someone is dismissed from a job due to unethical behavior do they still go out with retirement benefits.

George Rumelt, New City

Regarding Item 23, he feels this is just to pick on somebody they don't like. He inquired as to how much we are spending on the flower pots around Town.

Frank Grandel, New City

Spoke about lack of transparency where last minute agenda items are added. He asked why, if Co. Lasker had time to research other firms, it was not added to the agenda until the last minute.

Supervisor Gromack stated that the Board needed to go into Executive Session regarding a personnel matter with a pending disciplinary issue. On motion of Co. Hoehmann seconded by Co. Hausner the Town Board went into Executive Session, time: 8:59 p.m. On motion of Co. Hoehmann seconded by Co. Lasker the Town Board returned from Executive Session.

On motion of Co. Hoehmann seconded by Co. Lasker the Town Board meeting was adjourned, time: 9:10 p.m.

Respectfully submitted,

Justin Sweet  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

09/09/2014

8:05 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: Designating the Traphagen Property and Houses as a Historical Site

\*\*\*\*\*

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

The Town Attorney explained that the entire parcel known as the Traphagen Property would be included in this designation.

Bert Dam, president Heritage of West Nyack.  
He explained that the Heritage of West Nyack organization was formed to promote the interest of the hamlet of West Nyack and to preserve and protect our historical heritage. He explained that this designation will assist them in obtaining renovation funding and he asked the Board to support this resolution.

Bob Knight, Historical Review Board Chairman  
He gave a brief synopsis of the Vanderbilt House. It is in pretty bad shape and finding the money for remediation work has been a problem. He spoke of plans for rebuilding and stated that this designation will help them qualify for funding.

Frank Grandel, New City  
He stated he needed more information before he would support this resolution.

Co. Hausner explained that this has been discussed publicly several times.

Co. Lasker expressed support as it would be beneficial to the community.

There being no one further wishing to speak, on motion of Co. Hausner seconded by Co. Lasker, the public hearing was closed, time: 8:18 p.m.

Respectfully submitted,

Justin Sweet  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

09/09/2014

8:19 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, "Term Limits – Chapter 263 of the Code of The Town of Clarkstown"

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Town Clerk, Justin Sweet, read the notice of public hearing. On motion of Co. Hausner seconded by Co. Lasker the public hearing was opened. On motion of the entire Town Board the Public Hearing was opened.

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

George Rumelt, New City

He feels this proposal is a travesty and stated that our Town Clerk and Highway Superintendent should absolutely not be part of this because their jobs require certain knowledge and responsibility.

Pat Godfrey, New City

Spoke in favor of this legislation.

Tom Nimick, New City

Stated it was worth reconsidering applying this legislation to functional positions like the Highway Superintendent and the Town Clerk; other than that he strongly supports the legislation.

Orrin Getz, New City

Spoke in favor of this legislation and commended the Town for it.

Paul Murray, New City

He is opposed to term limits and feels this is a political ploy by people with an agenda. The People make term limits every time they vote; and they should have the choice to decide who stays in office and who goes.

Marge Hook, New City

Stated the Town Clerk and Highway Superintendent should be exempt from term limits and spoke about the negative effects on the office and staff every time you turn those positions over to someone new. She asked the Board members to commit right now to not seek re-election if they have served 8 years at the end of their current term. Also feels a provision should be in this resolution requiring current office holders to resign if they are going to run for another office.

Co. Hoehmann spoke in favor of term limits because he feels it is hard for people to break into politics right now, especially if there is someone in office that is doing a good job. In reference to arguments that the Town Clerk and the Superintendent of Highways should be exempt because they are not policy making positions, he stated that if term limits are good enough for the President of the United States, they are good enough for Clarkstown.

There being no one further wishing to be heard, on motion of Co. Borelli seconded by Co. Hoehmann, the Public Hearing was closed, time: 8:33 pm.

Respectfully submitted,

Justin Sweet  
Town Clerk