

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

04/18/16

7:15 PM

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

Absent: Council Member, Stephanie Hausner

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

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.

Steven Levine, Congers

Spoke about Item 8, debris removal on Massachusetts Avenue and his concerns for remediation of this site.

The Supervisor suggested Mr. Levine call him to set up a meeting.

Marge Hook, New City

Asked for clarification on Item #1, Federal Legislative Representation.

The Supervisor explained that we were bringing on a lobbyist to help seeking out federal grants and to represent the Town before Federal agencies.

RESOLUTION NO. (176-2016)

Co. Borelli offered and Co. Noto seconded

WHEREAS, Park Strategies has submitted a proposal dated March 22, 2016 to provide federal legislative representation by serving as Federal Affairs Consultants in Washington, DC 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 Park Strategies, in a form approved by the Town Attorney, to provide federal affairs consulting pursuant to its proposal dated March 22, 2016, commencing on April 19, 2016 until December 31, 2016, and be it

FUTHER RESOLVED, that the fee for said work shall not exceed \$ 45,000.00, and will be charged to Account No. A 1420-409.

On roll call the vote was as follows:

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

RESOLUTION NO. (177-2016)
Co. Moldow offered and Co. Borelli seconded

RESOLVED, that the resignation (by retirement) of Frank Romano – Police Officer (Detective) – Police Department – is hereby accepted effective and retroactive to March 30, 2016.

On roll call the vote was as follows:

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

RESOLUTION NO. (178-2016)
Co. Moldow offered and Co. Borelli seconded

RESOLVED, that the resignation of Charles Caselli, – Member – Fire Board of Appeals – is hereby accepted effective and retroactive to April 4, 2016, and be it,

FURTHER RESOLVED, that Jason DiSalvo, is hereby appointed to the position of – Member – Fire Board of Appeals – at the 2016 annual salary of \$1,122., - (to fill the unexpired term of Charles Caselli) – effective April 19, 2016 and to expire on March 11, 2017.

On roll call the vote was as follows:

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

RESOLUTION NO. (179-2016)
Co. Borelli offered and Co. Noto 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 C.S.E.A., Mariann Kilduff – Municipal Bus Driver – Mini Trans - is hereby granted a Sick Leave of Absence at one-half pay effective April 26, 2016.

On roll call the vote was as follows:

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

RESOLUTION NO. (180-2016)
Co. Borelli offered and Co. Noto seconded

WHEREAS, the County of Rockland wishes to reimburse the Town of Clarkstown Police Department for overtime costs incurred in connection with law enforcement counter-terrorism training not to exceed NINETY-THREE THOUSAND TWO HUNDRED FIFTY DOLLARS AND NO CENTS (\$93,250.00),

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 obtain overtime reimbursement to the Town of Clarkstown Police Department in the amount not to exceed NINETY-THREE THOUSAND TWO HUNDRED FIFTY DOLLARS AND NO CENTS (\$93,250.00), for the term September 1, 2014 through August 31, 2015.

On roll call the vote was as follows:

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

RESOLUTION NO. (181-2016)
Co. Moldow offered and Co. Borelli seconded

WHEREAS, Gen Harris of Rezzonator Services, representative for Mystery Room West Nyack LLC, dba Mystery Room, has advised the Town by letter dated March 25, 2016 that Mystery Room has applied for an on-premises liquor license at Palisades Center Mall, 3681 Palisades Center Drive, Third Floor, West Nyack, New York, 10994, and

WHEREAS, to expedite processing said corporation’s license application, Gen Harris, representative of Mystery Room, has requested that the Town Board waive the thirty day notice period provided by law, and

WHEREAS, the Town Board does not intend to comment upon such application;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby waives the thirty day notice requirement contained in Section 110-b of the Alcoholic Beverage Control Law, and states that it does not intend to offer any comments regarding the application of Mystery Room for a license at premises located at Palisades Center Mall, 3681 Palisades Center Drive, Third Floor, West Nyack, New York, 10994.

On roll call the vote was as follows:

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

RESOLUTION NO. (182-2016)
Co. Borelli offered and Co. Noto seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 18, 2016, AUTHORIZING RECREATIONAL AREA IMPROVEMENTS TO GILCHREST PARK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$125,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$125,000 TO FINANCE SAID APPROPRIATION

RESOLUTION NO. (182-2016) continued

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct recreational area improvements to Gilchrest Park, including asphalt resurfacing on internal roadways and parking areas. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$125,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$125,000 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. Bonds of the Town in the principal amount of \$125,000 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 specific object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years.

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

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

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. 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

RESOLUTION NO. (182-2016) continued

- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

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

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on April 18, 2016, 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 April 18, 2016, authorizing construction of recreational area improvements to Gilchrest Park, stating the estimated maximum cost thereof is \$125,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$125,000 to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to construct recreational area improvements to Gilchrest Park, including asphalt resurfacing on internal roadways and parking areas; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$125,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$125,000 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 bonds in the principal amount of \$125,000 pursuant to the Local Finance Law of the State of New York to finance said additional appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said 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 bonds will exceed five (5) years;

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

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

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

RESOLUTION NO. (182-2016) continued

Justin Sweet
Town Clerk

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

* * *

On roll call the vote was as follows:

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

RESOLUTION NO. (183-2016)
Co. Borelli offered and Co. Noto seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 18, 2016, AUTHORIZING RESURFACING OF VARIOUS TOWN ROADS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,900,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$1,900,000 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 resurface various Town roads. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,900,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$1,900,000 and any bond anticipation notes issued in anticipation of the sale of said bonds 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. Bonds of the Town in the principal amount of \$1,900,000 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 class of objects or purposes for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20(c) of the Law, is fifteen (15) years.

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

RESOLUTION NO. (183-2016) 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 April 18, 2016, 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 April 18, 2016, authorizing resurfacing of various Town roads, stating the estimated maximum cost thereof is \$1,900,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$1,900,000 to finance said appropriation,"

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

RESOLUTION NO. (183-2016) continued

FIRST: AUTHORIZING said Town to resurface various Town roads; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$1,900,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$1,900,000 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 bonds in the principal amount of \$1,900,000 pursuant to the Local Finance Law of the State of New York to finance said additional appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said 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 bonds will exceed five (5) years;

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

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

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

DATED: April 18, 2016

Justin Sweet
Town Clerk

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

* * *

On roll call the vote was as follows:

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

RESOLUTION NO. (184-2016)
Co. Noto offered and Co. Borelli seconded

WHEREAS, the Town requires technical review services related to wireless telecommunications facilities in the Town of Clarkstown, and

WHEREAS, Henningson Durham & Richardson Architecture and Engineering, P.C. has submitted a proposal, dated March 11, 2016, to provide such services, and

WHEREAS, the Town Attorney has reviewed the proposal and recommends acceptance of the proposal,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form acceptable to the Town Attorney, with Henningson Durham & Richardson Architecture and Engineering, PC, to perform those services set forth in its March 11, 2016 proposal; and be it

FURTHER RESOLVED, that the fee for said services shall not exceed \$38, 300.00 without further authorization from the Board.

On roll call the vote was as follows:

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

RESOLUTION NO. (185-2016)
Co. Borelli offered and Co. Moldow seconded

WHEREAS, the Town Board by resolution 334-2014, dated August 5, 2014, the Town Board authorized an agreement with HDR Engineering PC to perform Consulting Engineering services related to fill removal and remediation of properties at 139-141 Massachusetts Ave, Congers NY in the amount of \$29,000.00, and

WHEREAS, additional work was required of HDR to properly address the conditions at this site which was not contemplated in the original agreement, and

WHEREAS, HDR has requested a change to the scope of work contained in the prior agreement consisting of additional fees for work not contemplated and a credit for work included but not required, and

WHEREAS, the requested change has been reviewed by the Director of Environmental Control and found to be necessary and reasonable,

NOW THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes an increase in the contract amount with HDR Engineering PC, in the amount of \$7,807.00, to a total amount of \$36,807.00, and

BE IT FURTHER RESOLVED that the fees authorized above shall be charged to Account No. H 8751-409-0-75-34.

On roll call the vote was as follows:

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

RESOLUTION NO. (186-2016)
Co. Noto offered and Co. Borelli seconded

WHEREAS, 9W Valley Cottage LLC, as owner, has petitioned the Town Board for permission to apply Town Law 280-a(2) to obtain access to proposed subdivision lots, for premises known as Tax Map No. 53.13-2-26 and located at 741 Route 9W, Valley Cottage, New York, consisting of approximately 2.9 acres of land situated in the MF-1 zoning district, by utilizing a mapped undeveloped street shown on the Official Map of the Town of Clarkstown as "PROPOSED ROAD" without having any obligation to improve said access as a public street;
NOW, THEREFORE, be it

RESOLVED, that the petition is hereby referred to the Rockland County Commissioner of Planning, the Clarkstown Planning Board, the Clarkstown Director of Environmental Control and the Clarkstown Building Inspector for their review and recommendation, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (187-2016)
Co. Borelli offered and Co. Noto seconded

WHEREAS, as a condition to the approval of the final map by the Planning Board of the Town of Clarkstown regarding the Stop & Shop Supermarket Company LLC site plan, Ahold USA Inc., on behalf of the Stop & Shop Supermarket Company LLC, furnished to the Town of Clarkstown Letter of Credit No. 68054241 in the amount of \$270,000.00 as security for an Intersection Monitoring Agreement, and

WHEREAS, the Planning Department and Town Planner, with the concurrence of the Town Attorney, have advised that the Stop & Shop Supermarket Company LLC has complied with all the terms and obligations of the agreement and the security may now be released;
NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Planning Department and Town Attorney, the Town Board hereby authorizes release of Letter of Credit No. 68054241 in the amount of \$270,000.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (188-2016)
Co. Noto offered and Co. Borelli seconded

WHEREAS, an application has been made by 9W Valley Cottage, LLC that the Town Board and the Superintendent of Highways of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law and Section 273 of Town Law to declare the portion of Atchison Street, Valley Cottage, New York, located perpendicular to and intersecting U.S. Route 9W, more particularly described on the attached Schedule "A" (the "Street"), be abandoned upon the grounds that same has never been used by the public, and

RESOLUTION NO. (188-2016) continued

WHEREAS, the Street currently appears on the Official Map of the Town of Clarkstown, and said applicant has further requested that such allegedly abandoned road be deleted from same, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider the determination of abandonment pursuant to Section 205 of the Highway Law, or alternately, deletion from the Official Map of the Town of Clarkstown, pursuant to Section 273 of the Town Law of said portion as described above;

NOW, THEREFORE, be it

RESOLVED, that a copy of this Resolution be referred to the Rockland County Commissioner of Planning and the Clarkstown Planning Board for their report and recommendation, and be it

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

FURTHER RESOLVED, that the Superintendent of Highways is hereby requested to render his report and recommendation to the Town Board pursuant to Highway Law Section 205.

On roll call the vote was as follows:

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

RESOLUTION NO. (189-2016)

Co. Borelli offered and Co. Noto seconded

WHEREAS various accounts require additional funding,

NOW THEREFORE BE IT, RESOLVED, to decrease Expense A-1345-204-0 (Purchasing-Office Machines) and increase Expense Account A-1345-438-0 (Purchasing-Maintenance Agreements) by \$255 and be it,

FURTHER RESOLVED, to decrease Expense A-1430-319-0 (Personnel-Misc Supplies) and increase Expense Account A-1430-199-0 (Personnel-Vacation Buybacks) by \$782.56 and be it,

FURTHER RESOLVED, to decrease Expense Account A-3120-110-0 (Police-Salaries) and increase Expense Account (Police-Rent/Leases) by \$6,589.16.

On roll call the vote was as follows:

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

RESOLUTION NO. (190-2016)
Co. Noto offered and Co. Moldow seconded

WHEREAS, OM REALTY ASSOCIATES LLC (hereinafter “OM Realty”) has submitted a Petition to the Town of Clarkstown (“Clarkstown”) for the modification of an existing Conservation Easement located at 45 Hemlock Drive, Congers, New York (the “Petition”); and

WHEREAS, the Petition is attached hereto, along with the existing Conservation Easement, and a drawing depicting the Revised Conservation Easement, as described in the Petition; and

WHEREAS, OM Realty has submitted a request for an amended site plan which will be reviewed by the Planning Board for Clarkstown; and

WHEREAS, the Town Board desires that the Planning Board for Clarkstown review the proposed Petition, the existing Conservation Easement and the proposed Revised Conservation Easement and provide its comments and recommendations with the respect to the Petition and the proposed modification of the Conservation Easement.

NOW THEREFORE, the Town Board of Clarkstown hereby refers to the Planning Board for Clarkstown the proposed Petition and the request for the modification of the Conservation Easement and that the Planning Board provide its comments, and recommendations with respect to the Petition, and the proposed modification of the Conservation Easement, as described and depicted in the Petition.

On roll call the vote was as follows:

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

The Supervisor asked if anyone had any general public comments.

Steven Levine, Congers

He inquired about various Town projects, status of solar field, LED lighting, status of police equipment facility storage solutions

The Supervisor stated that the solar field is up and running and saving the Town money, he gave a synopsis of the acquisition of street lights and he explained that due to issues with the funding for the police equipment facility storage, it will have to be discussed at the workshop meeting on the capital plan.

George Rumelt, New City

He asked the Town Attorney to look into the DMV’s description of a 19A certified examiner.

The Supervisor stated that this issue had been ameliorated last year.

There being no one further wishing to be heard, on motion of Co. Moldow seconded by Co. Noto the Town Board moved into Executive Session to discuss litigation and personnel matters, time: 8:00 pm.

On motion of Co. Noto seconded by Co. Borelli the Town Board moved out of Executive Session, and the Town Board meeting was adjourned, time: 9:56 p.m.

Respectfully submitted,

Justin Sweet
Town Clerk