

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

06/09/2015

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

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

SPECIAL PRESENTATION:  
Clarkstown Police Department Youth Police Academy Graduation

The following graduates of the Clarkstown Police Department Youth Academy were recognized and congratulated for their achievements:

Nicolas Brautigam	Alexis Guillermo	Dillon Mahaffey
Alyssa Burgos	Michael Healy	Erica McKivergan
Brendan Cioffi	Mikayla Healy	Alma Nino
Alanna Dammacco	Matthew Hyland	Brianna Pena
Joseph Damiani	Besthijanah Joseph	Margo Poleway
Kyle Downes	William Kearney	Steven Rizutto
Kyle Francis	Jordan Landsman	Andrew Samori

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

Joe Tarangelo, New City  
He is opposed to the Ward System and the additional expenses it will cause.

James O'Flynn, Congers  
Complained about a sex offender who lives next door to him and would like a resolution against allowing sex offenders in the community.

George Rumelt, New City  
Spoke against the Ward System as he feels it will be divisive.

Ira Rothchild, New City  
He spoke in favor of the Ward System as a protection against one group taking over and controlling the entire Town.

Scott Goldman, Suffern  
He has been involved with the Ward System in Ramapo where it was proposed for political reasons. He stated most Ward systems fail; they only work for one election cycle and he advised Clarkstown to hold off and watch what happens in Ramapo.

Pat Godfrey, New City  
He is in favor of the Ward System and feels the people should be able to vote on this in November.

Matthew Watson, Upper Nyack  
Regarding the Ward System he said we are not making a decision tonight but rather just asking to have it put on the ballot.

Matthew Brennan, New City  
Supports Ward System.

Michael Hirsch, New City  
He is in favor of putting the Ward System on the ballot.

Jim Flynn, Nanuet  
The Ward System is a vote by districts and he feels this makes sense for a Town of 86,000 people.

Peter Bradley, Congers  
Stated this resolution regarding the Ward System is just to have this put on the ballot.

Steven Levine, Congers  
Feels we should have a public hearing first before putting the Ward System on the ballot. Why are we moving so quickly? What are the districts going to be, shouldn't we know this before we vote on this.

Marge Hook, New City  
Spoke about additional costs of adding 2 more council people and stated this would restrict who could run for vacant council positions.

Frank Grandel, New City  
Thanked the Board for trusting the public on making this decision about Ward System. He asked for clarification on Items 6a, b and c, Amending Resolutions, and Item 8, DePaulis Certiorari.

The Town Attorney explained that Item 6a was correcting a typo, Item 6b was correcting an incorrect account number and Item 6c deals with an amended agreement with Hi Tor Animal Care Center. Regarding Item 8, she explained that she would have to add all the amounts up but pointed out that they are all in the resolution.

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RESOLUTION NO. (176-2015)  
Co. Hausner offered and Co. Hoehmann seconded

RESOLVED, that the Town Board Minutes of May 5, 2015 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. (177-2015)  
Co. Lasker offered and Co Borelli seconded

WHEREAS, the Zoning Map Committee, consisting of the Town Attorney, Building Inspector and Town Planner, was established by Town Board Resolution No. 431-2011 adopted on August 2, 2011, and

WHEREAS, the Town Attorney, Building Inspector and Town Planner have investigated zoning map transcription errors which apparently occurred in 1999 as a result of Town Board initiated zone changes made in connection with the implementation of the Town of Clarkstown Comprehensive Plan adopted September 28, 1999, which, upon investigation by the Committee, has disclosed that the following properties located in Nanuet and West Nyack, New York, were erroneously included in said zone changes, and were depicted on the December 26, 1999 revised Zoning Map in the wrong districts:

MAP NO: 63.16-3-4.1 (274 S. Middletown Road, Nanuet) - mistakenly placed in the R-15 District, but should be in the PO District;

MAP NO: 64.10-2-5 (104 Rose Road, West Nyack) - mistakenly placed in the R-15 District, but should be in the LIO District;  
RESOLUTION NO. (177-2015) continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes and directs that the errors on the Zoning Map be corrected to depict the following properties: 63.16-3-4.1 – PO District and 64.10-2-5 – LIO District as being in their correct Districts, and be it

FURTHER RESOLVED, that the GIS Coordinator is hereby authorized and directed to make the necessary adjustments to the Zoning Map and that the affected property owners be notified by mail that the map has been corrected.

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. (178-2015)  
Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, New York State Technology Law Section 208 establishes procedures to be followed to notify affected individuals in the event of a breach of a computer security system and requires municipalities to adopt a notification policy or local law consistent with these procedures;

NOW, THEREFORE, BE IT RESOLVED, that the attached “Town of Clarkstown Computer System Security Breach Notification Policy” is hereby approved and adopted as Town’s official policy; and be it

FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to take such actions as may be necessary to implement the Policy; and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

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. (179-2015)  
Co. Lasker offered and Co Borelli seconded

WHEREAS, GLW Developers, LLC obtained approval for the subdivision known as "Davies Farm LLC, Phase II" and as a condition of subdivision approval GLW Developers, LLC., as developer and obligor, provided the Town of Clarkstown with a Letter of Credit No. 2318 from Provident Bank in the principal amount of \$581,884.25, together with its Developer's Performance Bond, to secure completion of the public and other required improvements, and WHEREAS, Sterling National Bank, as successor in interest to Provident Bank, amended said Letter of Credit on March 27, 2015 to reflect a firm expiration date of July 1, 2015, and WHEREAS, the First Deputy Director of the Department of Environmental Control has advised that the developer has failed to faithfully complete its obligations during the two (2) year time period pursuant to the terms of the Developer’s Performance Bond or anytime thereafter through the date of this resolution, and that the letter of credit is still required to secure completion of said obligations, and

RESOLUTION NO. (179-2015) continued

WHEREAS, the First Deputy Director of the Department of Environmental Control has recommended that the developer be declared in default of its Developer's Performance Bond and that all reasonable steps be taken to secure completion of the improvements by drawing against Letter of Credit No. 2318 in the full amount of \$581,884.25 to be held pending completion of the remaining items by the developer or, if necessary, by the Town's contractors in the discretion of the Town Department of Environmental Control;

NOW, THEREFORE, be it

RESOLVED, that unless GLW Developers, LLC provides a renewal of Letter of Credit No. 2318 by July 1, 2015 which includes language making said letter of credit automatically renewable consistent with the original Letter of Credit No. 2318, GLW Developers, LLC, as developer and obligor, is hereby declared in default of its Developer's Performance Bond to complete the public and other required improvements in the Davies Farm LLC, Phase II Subdivision, and the Town Attorney and/or Comptroller of the Town of Clarkstown is hereby authorized and directed to take all necessary steps to obtain funds deemed necessary to complete the required public improvements by drawing against Letter of Credit No. 2318 in the principal amount of \$581,884.25, and be it

FURTHER RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to prepare plans and specifications for completion of the required work and, if necessary, to obtain a contractor or contractors in accordance with all requirements of law to complete the required improvements.

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. (180-2015)

Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, the Board of Fire Commissioners of the West Nyack Fire District has requested that the Town Board of the Town of Clarkstown approve the final map of the boundary lines of the West Nyack Fire District, and

WHEREAS, said map was created by the Rockland County Geographical Information Systems and accepted and approved by the Board of Fire Commissioners of the West Nyack Fire District;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on July 7, 2015 at 8:00 P.M., or as soon thereafter as possible, pursuant to Town Law, to consider approving the proposed final map of the boundary lines of the West Nyack Fire District, and be it

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (181-2015)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, by Resolution No. 165-2015, adopted May 5, 2015, the Town of Clarkstown authorized the issuance of Certificates of Sewer Registrations, and WHEREAS, there was a typographical error regarding the numbering of the Certificates of Registrations;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 165-2015 to correct the numbering of the Certificates of Registrations in the first RESOLVED clause to read

15-30 PRO CUT LAWNS, LANDSCAPING & CONTRACTING, INC.

15-31 SDM INDUSTRIES, 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. (182-2015)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, by Resolution No. 406-2014, adopted September 9, 2014, the Town Board of the Town of Clarkstown authorized the Supervisor to enter into an agreement with Public Sector HR Consultants LLC to perform a Highway Department Assessment, and

WHEREAS, the account number where the fee for said services was to be taken was incorrect;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 406-2014 is hereby amended to correct the account number in the last FURTHER RESOLVED clause to read as follows "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

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RESOLUTION NO. (183-2015)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, by Resolution No. 76-2015, adopted on February 3, 2015, the Town Board authorized the Supervisor to enter into a renewal agreement with Hi-Tor Animal Care Center, Inc., as required by Section 115 of the New York State Agriculture and Markets Law, and WHEREAS, said resolution authorized a sum of \$21,000.00 per year to be paid in quarterly installments for the shelter and care of all animals delivered to its shelter in accordance with the contract with the Town, and

WHEREAS, Hi-Tor Animal Care Center, Inc. had inadvertently submitted its contract for an incorrect yearly amount, and

WHEREAS, the Town and Hi-Tor Animal Care Center have also negotiated an amended agreement which includes new terms,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to enter into an amended agreement with Hi-Tor Animal Care Center for the shelter and care of all animals delivered to the shelter, and be it

RESOLUTION NO. (183-2015) continued

FURTHER RESOLVED, that the fee for said services shall be \$33,000.00 per year and shall constitute a proper charge to Account A 3510-409-0.

On roll call the vote was as follows:

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

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RESOLUTION NO. (184-2015)

Co. Lasker offered and Co. Hausner seconded

WHEREAS, the Town of Clarkstown has established a Deferred Compensation Plan for its employees; and

WHEREAS, the Rules and Regulations of the New York State Deferred Compensation Board require the Town’s Deferred Compensation Plan to be audited annually by Certified Public Accountants; and

WHEREAS, the Town’s Deferred Compensation Committee (DCC), has solicited Requests for Proposals to provide annual financial audit services for the Town’s Deferred Compensation Plan; and

WHEREAS, the CPA firm of O’Connor Davies, LLP (hereafter “O’Connor Davies”), has submitted a proposal to perform the auditing services for the five (5) year period December 31, 2014 through December 31, 2018;

NOW, THEREFORE, BE IT

RESOLVED, that the Deferred Compensation Committee recommends that the Town Board engage the services of O’Connor Davies, LLP to perform an audit of the Town’s Deferred Compensation Plan for the following calendar years ending: December 31, 2014 at a cost not to exceed \$16,500; December 31, 2015 at a cost not to exceed \$17,000; December 31, 2016 at a cost not to exceed \$17,500; December 31, 2017 at a cost not to exceed \$18,000; and December 31, 2018 at a cost not to exceed \$18,500; and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement with O’Connor Davies, in a form acceptable to the Town Attorney, and the Town’s Deferred Compensation Committee; and be it

FURTHER RESOLVED, that the fee for these services shall be charged to Account No. A9000-409-0.

On roll call the vote was as follows:

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

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RESOLUTION NO. (185-2015)  
Co. Lasker offered and Co. Hausner seconded

WHEREAS, ADP, LLC has submitted a proposal dated May 28, 2015 to provide the Town with human resources software, support and training for the Personnel Department, and  
WHEREAS, the Town Attorney has reviewed the proposal and finds it reasonable in both scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with ADP, LLC, in a form approved by the Town Attorney, to provide the Town with human resources software, support and training for the Personnel Department for the years, 2015, 2016 and 2017, and be it

FURTHER RESOLVED, that the fee for such services shall be \$12,648.75 for the year 2015 (which includes implementation and the last three (3) months of 2015) and the fees for 2016 and 2017 shall be included in the operating budget for the Personnel Department, which fees shall be charged to Account No. A-1430-424, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to June 5, 2015.

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. (186-2015)  
Co. Lasker offered and Co. Hausner seconded

WHEREAS, a School Resource Officer Program has been proposed for Rockland BOCES and,  
WHEREAS, the Board of Education of Rockland BOCES and the Clarkstown Police Department desire to provide law enforcement services of one (1) police officer to be assigned to Rockland BOCES on a full time basis as the School Resource Officer;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of Rockland BOCES, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of one (1) police officer to Rockland BOCES on a full time basis, for the period September 1, 2015 through June 30, 2016, and be it

FURTHER RESOLVED, that the agreement shall provide, along with other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it

FURTHER RESOLVED, that this resolution is subject to the financial contribution of Rockland BOCES to the Town of Clarkstown in the amount of \$120,000.00 for the School Resource Officer.

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. (187-2015)

Co. Lasker offered and Co. Hausner seconded

WHEREAS, the County of Rockland wishes to reimburse the Town of Clarkstown Police Department for 9-1-1 dispatcher training required by local Public Safety Answering Point (PSAP) in an amount not to exceed FIFTY THOUSAND DOLLARS AND NO CENTS (\$50,000.00),

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 reimbursement for 9-1-1 dispatcher training for the Town of Clarkstown Police Department in the amount not to exceed FIFTY THOUSAND DOLLARS AND NO CENTS (\$50,000.00) for the period January 1, 2015 through December 31, 2020.

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. (188-2015)

Co. Lasker offered and Co. Hausner seconded

WHEREAS, the County of Rockland wishes to assist the Town of Clarkstown in its law enforcement and make a disbursement of funds to the Town, for law enforcement purposes only, to support the Intelligence Led Policing and Prosecution Center’s computer software and

WHEREAS, the Legislature of Rockland County has provided funds for this agreement in the 2015 Budget (Resolution 513 of 2014) and in Resolution 207 of 2015 for the professional services of the Town of Clarkstown for the period hereinafter stated;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to accept a sum not to exceed THIRTY THOUSAND AND 00/100 (\$30,000.00) DOLLARS to be used solely and exclusively for the purpose of law enforcement to support the Intelligence Led Policing and Prosecution Center’s computer software for the period April 1, 2015 and terminating December 31, 2015.

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. (189-2015)

Co. Lasker offered and Co. Hausner seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, DePaulis Enterprises V Ltd. v. the Town of Clarkstown, its Assessor and Board of Assessment Review of the Town of Clarkstown, Index No(s). 6390/09; 6737/10; 4968/11; 033526/12; 033408/13 and 032905/14, affecting parcel(s) designated as Tax Map No(s):. 35.19-2-15; 35.19-2-17; 35.19-2-18; 35.19-2-19; 35.19-2-20; 44.07-2-10; 44.07-2-10.1 and 44.07-2-10.2, and more commonly known as 19 Meola Road, Congers, NY; 23 Meola Road, Congers, NY; 25 Meola Road, Congers, NY; 16 Meola Road, Congers, NY; 1 Old Orchard Lane, Congers, NY;

## RESOLUTION NO. (189-2015) continued

27 Meola Road, Congers, NY; 255 N. Route 303, Congers, NY and 29 Meola Road, Congers, NY, respectively, 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 No. 35.19-2-15 be reduced for the year(s) 2009/10, 2010/11 and 2011/12 from \$27,500 to \$24,700 at a total cost to the Town of \$197.31;
2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-15 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from \$27,500 to \$25,100 at a total cost to the Town of \$212.25;
3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-17 be reduced for the year(s) 2009/10, 2010/11 and 2011/12 from \$14,700 to \$5,200 at a total cost to the Town of \$561.62;
4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-17 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from \$14,700 to \$6,600 at a total cost to the Town of \$527.10;
5. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-18 be reduced for the year(s) 2009/10, 2010/11 and 2011/12 from \$14,700 to \$5,600 at a total cost to the Town of \$537.97;
6. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-18 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from \$14,700 to \$7,000 at a total cost to the Town of \$501.07;
7. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-19 be reduced for the year(s) 2009/10, 2010/11 and 2011/12 from \$105,000 to \$43,200 at a total cost to the Town of \$3,653.52;
8. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-19 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from \$105,000 to \$52,700 at a total cost to the Town of \$3,403.35;
9. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-20 for the year(s) 2009/10, 2010/11 and 2011/12 from \$539,000 to \$171,800 at a total cost to the Town of \$21,708.26 ;
10. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-20 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from \$539,000 to \$228,000 at a total cost to the Town of \$20,237.85;
11. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 44.07-2-10 for the year(s) 2009/10, 2010/11 and 2011/12 from \$599,900 to \$202,200 at a total cost to the Town of \$23,511.36 ;
12. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 44.07-2-10 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from \$599,900 to \$263,000 at a total cost to the Town of \$21,923.26;
13. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 44.07-2-10.1 for the year(s) 2009/10, 2010/11 and 2011/12 from \$201,600 to \$76,500 at a total cost to the Town of \$8,815.49;
14. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 44.07-2-10.1 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from \$201,600 to \$95,600 at a total cost to the Town of \$9,374.17;
15. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No 44.07-2-10.2 for the year(s) 2009/10, 2010/11 and 2011/12 from \$621,600 to \$172,200 at a total cost to the Town of \$26,567.78;
16. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 44.07-2-10.2 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from \$621,600 to \$241,000 at a total cost to the Town of \$24,766.97;
17. The Special District Taxes for the period shall be refunded to in accordance with the aforementioned assessments for a total of \$26,977.56;

RESOLUTION NO. (189-2015) continued

18. 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). 35.19-2-15; 35.19-2-17; 35.19-2-18; 35.19-2-19; 35.19-2-20; 44.07-2-10; 44.07-2-10.1 and 44.07-2-10.2, 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;

19. 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. (190-2015)

Co. Hoehmann offered and Co. Lasker seconded

*WHEREAS*, a resident of South Route 303, Congers, NY 10920 in the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community; and

*WHEREAS*, a physical survey of the surrounding property directly affected by this proposed lighting was conducted by the Department of Environmental Control; and

*WHEREAS*, the Department of Environmental Control has requested and has received a proposal from Orange and Rockland Utilities indicating the cost involved to provide electric facilities on pole #60878/41419;

*NOW, THEREFORE BE IT RESOLVED*, that the Town of Clarkstown hereby accepts the proposal from Orange and Rockland Utilities, Inc. for street lighting at the following location:

Install one 5,800 lumen 70 watt sodium vapor streetlight on Pole #60878/41419 located between house #151 S. Route 303, Congers & house #30 Ridge Road, Congers.

*AND BE IT FURTHER RESOLVED*, that the installation of this municipal street light shall be at no cost to the Town of Clarkstown, and that an annual charge for basic fuel delivery, which charge shall include maintenance of this street lighting equipment, will be at \$14.56 per month (\$174.72 per year) for each sodium vapor fixture, plus market supply and fuel adjustment charge, which shall be charged to Acct. #SL 5182 461.

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. (191-2015)  
Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, a resident of Courtney Drive, New City, NY 10956 in the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community; and

WHEREAS, a physical survey of the surrounding property directly affected by this proposed lighting was conducted by the Department of Environmental Control; and

WHEREAS, a meeting was held on May 19, 2015 at 6 p.m. at Town Hall, 10 Maple Avenue, New City, NY 10956 with the residents affected by the installation of this street light at which meeting the majority of residents were in favor of the installation of one street light between houses 18 and 20 Courtney Drive; and

WHEREAS, the Department of Environmental Control has requested and has received a proposal from Orange and Rockland Utilities indicating the cost involved to provide electric facilities on pole #59752/41623;

NOW, THEREFORE BE IT RESOLVED, that the Town of Clarkstown hereby accepts the proposal from Orange and Rockland Utilities, Inc. for street lighting at the following location:

Install one 5,800 lumen 70 watt sodium vapor streetlight on Pole #59752/41623 located between house #18 & # 20 Courtney Drive, New City, NY 10956

AND BE IT FURTHER RESOLVED, that the installation of this municipal street light shall be at no cost to the Town of Clarkstown, and that an annual charge for basic fuel delivery, which charge shall include maintenance of this street lighting equipment, will be at \$14.56 per month (\$174.72 per year) for each sodium vapor fixture, plus market supply and fuel adjustment charge, which shall be charged to Acct. #SL 5182 461.

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. (192-2015)  
Co. Lasker offered and Co. Hausner seconded

WHEREAS, a portion of roadway between Western Highway and Green Road in West Nyack, New York is known as both Tompkins Avenue and Tomkins Avenue, and

WHEREAS, the Rockland County Office of Emergency Services has requested that the aforementioned avenue have only one name in order to avoid confusion;

NOW, THEREFORE, be it

RESOLVED, that this avenue shall be known as Tompkins Avenue, and be it

FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to notify the Clarkstown Highway Department to correct all existing signage, if necessary, and shall within ten days from the date thereof cause a copy of this resolution to be forwarded to the Communication Coordinator of the Clarkstown Police Department, the Director of Environmental Control, the Planning Board, the GIS Coordinator, the Assessor, the Rockland County Highway Department, the Clarkstown Central School District, the West Nyack Post Office, the West Nyack Fire Department, the West Nyack Ambulance Corps, and that a certified copy of this resolution be filed with the Rockland County Clerk, the Rockland County Engineer, and the Rockland County Director of Emergency Services, and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

RESOLUTION NO. (192-2015) continued

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. (193-2015)

Co. Lasker offered and Co Borelli seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,  
 NEW YORK, ADOPTED JUNE 9, 2015, AUTHORIZING THE  
 ACQUISITION OF EQUIPMENT FOR USE BY THE  
 HIGHWAY DEPARTMENT, STATING THE ESTIMATED  
 MAXIMUM COST THEREOF IS \$190,000, APPROPRIATING  
 SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING  
 THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT  
 OF \$190,000 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 equipment for use by the Highway Department. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$190,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$190,000 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. Bonds of the Town in the principal amount of \$190,000 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 Section 11.00 a. 28 of the Law, is fifteen (15) years.

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

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

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

## RESOLUTION NO. (193-2015) continued

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 June 9, 2015, 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 June 9, 2015, authorizing the acquisition of equipment for use by the Highway Department, stating the estimated maximum cost thereof is \$190,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$190,000 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 acquire equipment for use by the Highway Department; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$190,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of \$190,000 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 \$190,000 pursuant to the Local Finance Law of the State of New York to finance said appropriation;

RESOLUTION NO. (193-2015) continued

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 and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

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

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

DATED: June 9, 2015

Justin Sweet  
Town Clerk

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

\* \* \*

On roll call the vote was as follows:

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

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RESOLUTION NO. (194-2015)  
Co. Lasker offered and Co. Hausner seconded

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

BID#17-2015 – MAINTENANCE AND REPAIR OF TRAFFIC SIGNALS AND PEDESTRIAN CONTROL DEVICES

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.

RESOLUTION NO. (194-2015) continued

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. (195-2015)

Co. Lasker offered and Co. Hausner seconded

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

BID#18-2015 – REPAIRS TO TOWN OF CLARKSTOWN TENNIS COURTS AND BASKETBALL COURTS

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. (196-2015)

Co. Lasker offered and Co. Hausner seconded

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

BID#19-2015 – TENNYSON PARK PLAYGROUND EQUIPMENT AND INSTALLATION OF SAFETY SURFACE AND PLAYGROUND EQUIPMENT

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. (197-2015)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Rockland County Industrial Development Agency (“RCIDA”) has induced a project consisting of the construction of a new Holiday Inn Express and Suites at 67 E. Route 59, Spring Valley, New York (the “Project”), and

WHEREAS, Ugell Hospitality Corp. is the contract vendee of the above referenced property; and

WHEREAS, it is anticipated that the RCIDA will authorize the Project; and

WHEREAS, in the event the Project is authorized, the Town Board intends to authorize the Supervisor to enter into a “payment in lieu of taxes agreement” (a PILOT Agreement) to be executed by all parties;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby expresses its intent to authorize a PILOT agreement with UGELL HOSPITALITY CORP., THE EAST RAMAPO SCHOOL DISTRICT, THE COUNTY OF ROCKLAND, AND THE COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT AGENCY with respect to payment in lieu of taxes for property known on the Clarkstown Tax Map as 57.65-1-6 and located at 67 E. Route 59, Spring Valley, New York; and be it

FURTHER RESOLVED, that the terms of the PILOT agreement shall be based on Section 485-b of the Real Property Tax Law, which provides for a reduced assessment of 50% of the building value in year one, with annual increases of 5% over ten (10) years.

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. (198-2015)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Brian Wagner, 45 Normandy Village, Apt. #13, Nanuet, New York, is hereby appointed to the position of (Provisional) Zoning Enforcement Officer & Community Liaison – Building Department – at the current annual salary of \$84,414, effective and retroactive to May 20, 2015.

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. (199-2015)

Co. Hausner offered and Co. Lasker seconded

WHEREAS, the Rockland County Personnel Office has certified on May 6, 2015 that ten (10) positions of Security Aide (part-time) – can be created,

NOW, therefore, be it

RESOLVED, that the ten (10) positions of (part-time) Security Aide – Recreation and Parks – are hereby created – effective and retroactive to May 18, 2015.

RESOLUTION NO. (199-2015) continued

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. (200-2015)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Mark Fries, 15 Brentwood Drive, New City, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – at the 2015 rate of \$19.74 per hour effective June 19, 2015.

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. (201-2015)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Anthony Morena, 7 Marion Court, New City, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – pending the successful completion of the Security Guard Training course - at the 2015 rate of \$19.74 per hour effective June 19, 2015.

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. (202-2015)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Check M. Young, 151 Scotland Hill Road, Nanuet, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – pending the successful completion of the Security Guard Training course - at the 2015 rate of \$19.74 per hour effective June 19, 2015.

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. (203-2015)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that George Clapp, 20 Smith Street, Nanuet, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – pending the successful completion of the Security Guard Training course - at the 2015 rate of \$19.74 per hour effective June 19, 2015.

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. (204-2015)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Ivens Saint-Vil, 520 Mountainview Ave, Valley Cottage, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – at the 2015 rate of \$19.74 per hour effective June 19, 2015.

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. (205-2015)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Michael Carriere, 4 Roseland Court, New City, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – pending the successful completion of the Security Guard Training course - at the 2015 rate of \$19.74 per hour effective June 19, 2015.

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. (206-2015)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Raymond Francis, 2 Gable Road, New City, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – pending the successful completion of the Security Guard Training course - at the 2015 rate of \$19.74 per hour effective June 19, 2015.

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. (207-2015)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Ronald Vaccaro , 7 Garret Avenue, Congers, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – pending the successful completion of the Security Guard Training course - at the 2015 rate of \$19.74 per hour effective June 19, 2015.

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. (208-2015)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Antoinette White, 35 Laurel Road, Central Nyack, New York – is hereby appointed to the position of Security Aide (PT) –Parks and Recreation – pending the successful completion of the Security Guard Training course – at the 2015 rate of \$19.74 per hour effective June 19, 2015.

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. (209-2015)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Thomas Krasinski , 20 Smith Street, Nanuet, New York – is hereby appointed to the position of Security Aide (PT) –Parks and Recreation – pending the successful completion of the Security Guard Training course - at the 2015 rate of \$19.74 per hour effective June 19, 2015.

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. (210-2015)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Paul P. Greenblath, 56 Newport Drive, Nanuet, New York – Crossing Guard (substitute) – is hereby appointed to the position of Crossing Guard (full time) – Police Department at the current 2015 rate of \$19.81 per crossing – effective and retroactive to April 29, 2015.

RESOLUTION NO. (210-2015) continued

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. (211-2015)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that Pieranna D’Ambrosio, 19 S. Grant Avenue, Congers, New York – is hereby appointed to the position of Crossing Guard (substitute) – Police Department – at the current 2015 rate of \$19.81 per crossing – effective and retroactive to May 27, 2015.

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. (212-2015)

Co. Hausner offered and Co. Lasker 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., Lawrence Berkowitz, 4 Brisman Road, Thiells, New York – Computer Network Specialist – Parks and Recreation Department is hereby granted a Sick Leave of Absence at one-half pay effective and retroactive May 26, 2015 thru July 27, 2015.

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. (213-2015)

Co. Hausner offered and Co. Lasker seconded

RESOLVED, that the resignation of Dolores Avaras, 145 South Little Tor Road, New City, New York – Member –Assessment Review Board – is hereby accepted-effective June 9, 2015.

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. (214-2015)

Co. Borelli offered and Co. Hoehmann seconded

WHEREAS, the Town Board of the Town of Clarkstown hereby proposes this resolution in accordance with and authorized by Sections 81 and 85 of Town Law, and

WHEREAS, as a Town of the "first-class" as defined by Town Law §§ 81 and 85 the Town may, upon vote of the Town Board, submit a proposition to the voters for establishing the ward system of government for the election of Town Board members, and

WHEREAS, Town Law §85 provides that a Town may choose to have four (4) or six (6) wards, and

WHEREAS, upon approval of the referendum by a majority of voters, the ward system is deemed established upon the date a map of the Town showing each ward and its district boundaries is filed, and

WHEREAS, in accordance with New York State Law, after the ward system is established, the term of office of every Town councilman shall terminate on the thirty-first day of December next succeeding the first biennial Town election held not less than 120 days after the establishment of a ward system; and at such biennial Town election, and every biennial Town election thereafter, one resident elector of each ward shall be elected as councilman for a term of two years beginning on the January 1st next succeeding such election;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown, on its own motion, submits the following propositions to be placed on the ballot on November 3, 2015:

PROPOSITION #1: "Should the Town of Clarkstown change from its current "at large" system of government, whereby every registered voter elects all four members of the Town Board to serve staggered four year terms, to a ward system of government, whereby voters would vote for only one councilperson in their respective ward every two years? If the ward system is established, the County Board of Elections would draw the district boundaries after this proposition is approved."

PROPOSITION #2: "Whether the Town Board of the Town of Clarkstown should be increased from four (4) members to six (6) members?"

and, be it

FURTHER RESOLVED, that the Town Attorney is hereby directed to submit the above propositions to the Rockland County Board of Elections in accordance with applicable law.

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. (215-2015)

RESOLVED, that Mark Fries, 15 Brentwood Drive, New City, New York – is hereby appointed to the position of Member – Traffic and Traffic Fire Safety Advisory Board – at the 2015 salary of \$2,856.00 per year effective June 10, 2015.

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. (216-2015)

Co. Hoehmann offered and Co. Hausner seconded

WHEREAS, the Town has received \$18,660.67 from the Rockland County Sewer District #1,

NOW, THEREFORE BE IT, RESOLVED, to increase Revenue Account H-15-9-2770-0 (Capital-Misc Revenue) and Expense Account H-8760-409-0-84-60 (Capital-Sewer Pump Station & Collection System Upgrade) by \$18,660.67 and

WHEREAS, various Expense accounts require additional funding,

NOW, THEREFORE BE IT, RESOLVED, to decrease A-1990-505-0 (Contingency-Other Costs) and increase A-1950-503-0 (Taxes & Assessments) by \$1,486

FURTHER RESOLVED, to decrease Account A-3120-404-0 (Police-Travel & Meals) and increase Account A-3260-404-0 (Special Investigation-Travel & Meals) by \$1,000 and be it

FURTHER RESOLVED, to decrease Account A-3120-414-0 (Police-Conferences & Schools) and increase Account A-3260-414-0 (Special Investigation-Conferences & Schools) by \$11,000 and be it

FURTHER RESOLVED, to decrease Account A-3120-409-0 (Police-Fees for Services) and increase A-3260-409-0 (Special Investigation-Fees for Services) by \$1,000 and be it

FURTHER RESOLVED, to decrease Account B-8020-414-0 (Planning-Conferences & Schools) and increase B-8020-114-0 (Planning-Part Time Salaries) by \$3,000.

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. (217-2015)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, the Building Inspector performs routine Town-wide inspections of the vacant, foreclosed, and/or abandoned properties in Clarkstown, and

WHEREAS, the owners or responsible parties of the following properties have failed to perform required lawn and landscape maintenance pursuant to Town of Clarkstown Town Code Chapter 216-4, (Property Maintenance, Landscaping Maintenance), and

WHEREAS, appropriate diligence by Code Officials including, but not limited to, appropriate notice and posting, has been performed as required pursuant to Chapter 216-9(A), and

WHEREAS, the properties currently in violation are identified as follows:

- 5 Pigeon Hill Rd, Nanuet (58.13-2-51 fka 15-E-43)
- 1 Brook Road, New City (33.16-2-37 fka 171-A-2)
- 2 Waverly Court, New City (34.9-2-22- fka 24-A-6.8)
- 960 Tilton Road, Valley Cottage (52.11-3-32 fka 125-B-12.8)
- 18 Phillips Lane, West Nyack (64.8-2-27 fka 89-C-3.30)
- 17 Flower Lane, Valley Cottage (52.14-3-3.6 fka 110-A-14.6)
- 179 S. Harrison Avenue, Congers (52.7-2-40 fka 125-B-15.13/1)
- 70 Old Route 304, New City (34.19-2-20 fka 60-A-14.1)
- 1 Beaver Court, New City (34.20-3-11 fka 80-B-37.1)
- 111 Brewery Road, New City (51.8-2-14 fka 76-A-16)
- 5 Linden Court, New City (34.15-2-24 fka 80-A-18.16);

RESOLUTION NO. (217-2015) continued

NOW, THEREFORE, be it

RESOLVED, that subject to a reasonable grace period and final re-inspection, the Town Board hereby authorizes the Building Inspector, retroactive to May 1, 2015, to arrange for the appropriate property maintenance through the tasking of available Town forces, subcontractors or agents to perform the required trimming of grass, weeds, trees and shrubs, as well as other property maintenance issues, on the above properties along with any and/or all associated debris removal, throughout the 2015 mowing and growing season, after which a bill of costs will be submitted to said office for the purpose of levying said costs incurred by the Town as a property tax lien on the property by the Town Assessor.

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. (218-2015)

Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, an investigation by the Traffic and Traffic Fire Safety Advisory Board resulted in the recommendation that two (2) S1-1 signs be installed at the crosswalk on the corner of Shetland Drive and Ivy Lane, northbound and southbound corners;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install two (2) S1-1 signs as indicated above, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded by the Town Clerk to the Chief of Police for enforcement purposes and the Traffic and Traffic Fire Safety Advisory Board for file and information.

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. (219-2015)

Co. Hoehmann offered and Co. Lasker seconded

WHEREAS, an investigation by the Traffic and Traffic Fire Safety Advisory Board resulted in the recommendation that one (1) "No Parking Here to Corner" sign be installed on the east side of Sherman Avenue (about 30-50 feet from the intersection of Lakeward Avenue);

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install a "No Parking Here to Corner" sign as indicated above, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded by the Town Clerk to the Chief of Police for enforcement purposes and the Traffic and Traffic Fire Safety Advisory Board for file and information.

RESOLUTION NO. (219-2015) continued

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. (220-2015)

Co. Lasker offered and Co. Hoehmann seconded

WHEREAS, Makan Land Development (Makan) deposited escrow for certain incomplete work at Tax Lot 58.19-01-01 under the provisions of Town Code Section 5-4D(1), and

WHEREAS, by letters dated May 1, 2015 and June 4, 2015, the Department of Environmental Control notified Makan that said work was to have been completed by May 1, 2015 in accordance with Section 5-4D(1), and

WHEREAS, said letters also notified Makan that failure to complete said work would result in the defaulting of escrow deposits, and

WHEREAS, to date Makan has failed to complete the work;

NOW THEREFORE BE IT RESOLVED, that the Town of Clarkstown hereby declares Makan to be in default of his escrow agreement and Town Code Section 5-4D(1), and

BE IT FURTHER RESOLVED, that the sum of \$3,000.00 deposited by Makan shall be released to the Department of Environmental Control to arrange for the performance of the incomplete work.

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. (221-2015)

Co. Lasker offered and Co. Hoehmann 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 Landau Estates subdivision (tax map 52.15-1-16), Jason Ruffo has provided two (2) stormwater control facility maintenance agreements to the Town, and

WHEREAS, the First Deputy Director of the Department of Environmental Control has recommended acceptance of said conveyances; and the Town Attorney has advised that the documents are in proper legal form;

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the stormwater control facility maintenance agreements from Jason Ruffo in connection with the Landau Estates subdivision and orders them recorded in the Rockland County Clerk's Office, subject to the receipt of recording fees.

RESOLUTION NO. (221-2015) continued

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. (222-2015)

Co. Borelli offered and Co. Hoehmann seconded

WHEREAS, the Chief of Police of the Clarkstown Police Department wishes to enter into a Memorandum of Understanding with the United States Drug Enforcement Administration to allow for the sharing of information for law enforcement purposes at no cost to the Town; NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Chief of Police, the Town Board hereby authorizes the Chief of Police of the Town of Clarkstown to execute the Memorandum of Understanding with the United States Drug Enforcement Administration authorizing and agreeing to the mutual exchange of License Plate Reader (LPR) data; and be it

FURTHER RESOLVED, that the Chief of Police is hereby further authorized to execute any future law enforcement mutual aid agreements on behalf of the Town of Clarkstown and the Clarkstown Police Department, provided that there is no cost to the Town; and be it

FURTHER RESOLVED, that the Chief of Police is authorized to sign *nunc pro tunc* on behalf of the Town of Clarkstown and the Clarkstown Police Department all previously executed law enforcement mutual aid agreements.

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. (223-2015)

Co. Hoehmann offered and Co. Lasker seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JUNE 9, 2015, AUTHORIZING THE ACQUISITION OF CERTAIN OVERHEAD STREET LIGHTING EQUIPMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$700,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$700,000 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 certain overhead street lighting equipment. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$700,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount

## RESOLUTION NO. (223-2015) continued

of \$700,000 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. Bonds of the Town in the principal amount of \$700,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance a part of said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) years.

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

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

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

RESOLUTION NO. (223-2015) continued

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Journal-News," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

On roll call the vote was as follows:

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

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The Supervisor opened the meeting for general public comments.

Steven Levine, Congers  
Spoke about issues regarding clean up of the former Goldberg property on Massachusetts Avenue.

Joe Tarangelo, New City  
Feels the Highway Superintendent should still have control of the Town Garage.

Marty Shupak, Valley Cottage  
Spoke about issues with commercial vehicles in his neighborhood

Patrick Rocco, Congers  
He inquired about status of soil testing on Massachusetts Avenue.

Richard Sena, Bardonia  
He had a question about political fund raisers.

Marge Hook, New City  
Feels the Town should get reimbursement for money paid to an absent Traffic and Traffic Fire Safety member.

James O'Flynn,  
Inquired about having a local law regarding sex offenders.

Scott Goldman, Suffern  
Clarified earlier speaker's statement about foil response time requirements.

Peter Bradley, Conger  
Thanked the Board for passing the Ward System resolution.

John Noto, New City  
Thanked the Board for passing the Ward System resolution.

Regarding questions on Massachusetts Avenue, the Town Attorney stated that there is a lien on the property in question and the final engineering report should be on file for inspection and review in the next few days. Regarding a proposed local law about sex offenders, she explained that legislating residency requirements for sex offenders is exclusively in the purview of the State and any local law on the issue would be invalid. The Supervisor stated they would get an update on attendance at the Traffic Board meetings. He also stated that steps will be taken to reinforce the messages given to Mr. Shupak's neighbors regarding the commercial vehicles.

Regarding the Town Garage consolidation, he said it has helped reduce some costs. He clarified the question asked regarding golf fund raisers that he has had.

There being no one further wishing to be heard, on motion of Co. Hoehmann seconded by Co. Borelli the Town Board went into Executive Session to discuss some personnel items, time: 9:05 p.m.

On motion of Co. Hausner seconded by Co. Borelli the Town Board came out of Executive Session, time: 9:58 p.m.

On motion of Co. Hausner seconded by Co. Borelli the Town Board meeting was adjourned, time: 9:59 p.m.

Respectfully submitted,

Justin Sweet  
Town Clerk