

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING  
JUNE 28, 2016

Town Hall

7:15 PM

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

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

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On motion of Co. Noto seconded by Co. Borelli the Public Hearing Re: Proposed Local Law entitled: "A Local Law abolishing the Architecture and Landscape Commission and Historic Review Board" was opened, 7:29 pm, closed 7:35 pm.

RESOLUTION NO. 301-2016 ADOPTED

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

Marge Hook, New City  
Asked for clarification on the position of confidential Assistant to the Supervisor.

The Supervisor stated this will serve a need within the office.

RESOLUTION NO. (301-2016)  
Co. Borelli offered and Co. Noto seconded

WHEREAS, a proposed local law entitled,

"A LOCAL LAW ABOLISHING THE ARCHITECTURE AND LANDSCAPE COMMISSION AND HISTORIC REVIEW BOARD AND CREATING THE ARCHITECTURAL HISTORIC REVIEW BOARD OF THE TOWN OF CLARKSTOWN"

was introduced by Councilperson Borelli at a Town Board meeting held on May 17, 2016, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on May 17, 2016, directed that a public hearing be held on June 21, 2016, immediately following the 7:30 p.m. Workshop meeting, relative to such proposed local law, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on June 13, 2016, and

WHEREAS, a copy of the proposed local law was hand delivered to the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on June 21, 2016;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 8 – 2016 entitled:

"A LOCAL LAW ABOLISHING THE ARCHITECTURE AND LANDSCAPE COMMISSION AND HISTORIC REVIEW BOARD AND CREATING THE ARCHITECTURAL HISTORIC REVIEW BOARD OF THE TOWN OF CLARKSTOWN"

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

RESOLUTION NO. (301-2016) continued

On roll call the vote was as follows:

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

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

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RESOLUTION NO. (302-2016)  
Co. Borelli offered and Co. Noto seconded

WHEREAS, Councilperson \_\_\_\_\_, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

“A LOCAL LAW AMENDING CHAPTER 157 (HOUSING STANDARDS APPLICABLE TO RESIDENTIAL PREMISES) AND CHAPTER 290 (ZONING) OF THE CODE OF THE TOWN OF CLARKSTOWN”

and

WHEREAS, this proposed local law is intended to amend the definitions of “Senior Citizen Housing”, “Senior Citizen Congregate Housing” and “Assisted Care Living Quarters” in the Zoning Code and the definition of “Family” in the Zoning and Housing Code, and to allow for the creation of a rental registry for all rental units within the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the portion of the proposed local law amending Chapter 290 (Zoning) be referred to the Clarkstown Planning Board for report pursuant to Section 290-33 of the Zoning Local Law of the Town of Clarkstown and to the Rockland County Commissioner of Planning pursuant to Sections 239-1 and 239-m of the General Municipal Law for report, and be it

FURTHER RESOLVED, that 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, Town Planner, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review of the amendment to Chapter 290 (Zoning), and be it

FURTHER RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on August 9, 2016 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (303-2016)

Co. Borelli offered and Co. Hausner seconded

RESOLVED, that Susan Resnick, is hereby appointed to the position of Confidential Assistant to the Supervisor – Supervisor’s Office – at the annual salary of \$55,000, effective July 05, 2016.

On roll call the vote was as follows:

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

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RESOLUTION NO. (304-2016)

Co. Borelli offered and Co. Hausner seconded

RESOLVED, that the Town Board hereby accepts the resignation by retirement of Peter Beary, Building Inspector, effective July 7, 2016.

On roll call the vote was as follows:

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

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RESOLUTION NO. (305-2016)

Co. Borelli offered and Co. Hausner seconded

RESOLVED, that Erik Asheim is hereby appointed Acting Building Inspector- Building Department effective, July 7, 2016.

On roll call the vote was as follows:

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

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RESOLUTION NO. (306-2016)

Co. Noto offered and Co. Carey seconded

WHEREAS various accounts require additional funding,  
NOW THEREFORE BE IT,

RESOLVED, to decrease Expense Account A-3120-326-0 (Police-Law Enforcement Supplies) and increase Expense Account A-3140-326-0 (Police Canine-Law Enforcement Supplies) by \$409.63 and be it,

FURTHER RESOLVED, to decrease Expense Account A-3120-409-0 (Police-Fees for Services) and increase Expense Account A-3260-409-0 (Special Investigations-Fees for Services) by \$84.60 and be it,

RESOLUTION NO. (306-2016) continued

FURTHER RESOLVED, to decrease Expense Account DA-5130-408-0 (Highway/Machinery-Building Repairs) and increase DA-5140-380-0 (Highway/Snow-Paint Supplies) by \$500.

On roll call the vote was as follows:

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

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RESOLUTION NO. (307-2016)  
Co. Noto offered and Co. Borelli seconded

WHEREAS, a resident of Central Avenue, 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 #60620/42405;

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:

1. Install one 5,800 lumen 70 watt sodium vapor streetlight on Pole # 60620/42405 located between house #1 and house #3 Central Avenue, 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 \$14.07 per month (\$168.84 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. Borelli . . . . . Yes
- Co. Hausner . . . . . Yes
- Co. Noto. . . . . Yes
- Co. Carey . . . . . Yes
- Supervisor Hoehmann. . . . . Yes

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RESOLUTION NO. (308-2016)  
Co. Carey offered and Co. Hausner seconded

WHEREAS, Kid's Kingdom, by Stacie Scollo, President, has petitioned the Town Board of the Town of Clarkstown for a Special Permit, pursuant to Sections 290-15 and 290-17Z of the Zoning Local Law, to conduct a Child Day Care Center on a portion of premises known as Tax Map 64.6-1-4, for property located at 121 West Nyack Road, Nanuet, New York, and

WHEREAS, said petitioner has duly applied to the Clarkstown Planning Board for site plan approval;

RESOLUTION NO. (308-2016) continued

NOW, THEREFORE, BE IT RESOLVED, that a public hearing, pursuant to Section 290-17Z of the Zoning Local Law, shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on August 9, 2016, at 8:00 p.m., or as soon thereafter as possible, to consider the application of Kid’s Kingdom relative to said Special Permit, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk, and be it

FURTHER RESOLVED, that on or before said public hearing the petitioner shall file with the Town of Clarkstown, the following:

1. An affidavit executed by the officer of the corporation stating that the corporation is licensed by the New York State Department of Social Services to operate the type of facility sought or, in the alternative, that the corporation shall be able to meet all requirements to obtain said license.

and be it

FURTHER RESOLVED, that 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 petition is hereby referred to the Rockland County Commissioner of Planning pursuant to Sections 239-L and 239-M of the General Municipal Law for report, the Clarkstown Planning Board, and to the following agencies for comment or study and report as soon as possible:

1. Clarkstown Department of Environmental Control
2. Clarkstown Building Inspector
3. Rockland County Health Department

On roll call the vote was as follows:

Co. Borelli . . . . . Yes  
 Co. Hausner . . . . . Yes  
 Co. Noto. . . . . Yes  
 Co. Carey . . . . . Yes  
 Supervisor Hoehmann. . . . .Yes  
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The Supervisor opened the meeting for general public comments.

George Rumelt, New City  
He had questions on financial losses in the Mini-trans Department.

Regarding Mini-trans the Supervisor stated we can take a look at outsourcing.

There being no one further wishing to be heard on motion of Co. Borelli, seconded by Co. Noto the Town Board went into Executive Session, time: 9:10 pm.

On motion of Co. Hausner seconded by Co. Carey the Town Board came out of Executive Session, time: 10:15 pm

On motion of Co. Hausner seconded by Co. Carey the Town Board meeting was adjourned, time: 10:15 pm.

Respectfully submitted,

Justin Sweet  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

June 28, 2016

7:29 pm

Present:

Supervisor George Hoehmann  
Council Members Frank Borelli, Stephanie Hausner,  
John Noto & Adrienne Carey  
Lino Sciarretta, Town Attorney  
Justin Sweet, Town Clerk

RE: CONTINUATION - Proposed Local Law entitled: "A Local Law Abolishing the Architecture and Landscape Commission and Historic Review Board"

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

The Town Attorney explained that this law was consolidating the Architecture and Landscape Commission and the Historical Review Board into one Board.

The Supervisor stated this would save about \$26,000 a year for the Town.

He asked if anyone wanted to speak on this matter.

Marge Hook, New City  
She asked about the attendance policies for this Board.

The Supervisor stated that we are reinforcing the attendance policies for all Boards.

There being no one further wishing to speak, on motion of Co .Noto seconded by Co. Borelli the public hearing was closed, time: 7:35 pm.

Respectfully submitted,

Justin Sweet  
Town Clerk

RESOLUTION NO. (301-2016) ADOPTED