

TOWN OF CLARKSTOWN
TOWN BOARD MEETING
JULY 19, 2016

Town Hall

8:00 PM

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

Absent: Stephanie Hausner

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

SPECIAL PRESENTATION:

50th Anniversary - Congers/Valley Cottage Ambulance Corps

The Town Board recognized the Congers/Valley Ambulance Corp who celebrated their 50th anniversary this year. The Supervisor thanked the members of the Corp for the various community services they provide and the sense of security and comfort they provide to the community. He read the following proclamation:

**Congers-Valley Cottage Volunteer Ambulance Corps., Inc.
November 1966 – July 2016
50th Anniversary**

WHEREAS, The Congers-Valley Cottage Volunteer Ambulance Corps was chartered in May 1965, with the ambulance going into service on November 1, 1966, to provide emergency medical ambulance service to the Hamlets of Congers and Valley Cottage, Rockland County, New York and is now celebrating its 50th year of Community Service; and

WHEREAS, Its members have banded together in a humanitarian spirit to respond to the emergency needs of the sick and injured on a twenty-four hour, seven day coverage; and

WHEREAS, The Corps offers CPR courses to the community, initiates Blood Drives and provides medical coverage at many local events; and

WHEREAS, In its regard and perception of life, the Corps has exercised professional care in its utmost, providing families with a sense of security and comfort in time of medical emergencies; and

WHEREAS, Through its long and sustained commitment to Congers and Valley Cottage residents, the Congers-Valley Cottage Volunteer Ambulance Corps has demonstrated its compassion, concern and dedicated service to all who reside in the Hamlets and all those who are transient and pass through it; and

WHEREAS, The Corps' ideals, training and community involvement gives evidence of its membership's absolute willingness to serve as Good Samaritans;

NOW THEREFORE, be it

RESOLVED, That I, George Hoehmann, Supervisor of the Town of Clarkstown, on behalf of the Town Board, do hereby acknowledge and congratulate the members of the Congers-Valley Cottage Volunteer Ambulance Corps on the occasion of their 50th Anniversary.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND CAUSE THE SEAL OF THE TOWN OF CLARKSTOWN TO BE AFFIXED THIS 19TH DAY OF JULY, 2016.

**George Hoehmann
Supervisor, Town of Clarkstown**

On motion of Co. Borelli seconded by Co. Noto the Public Hearing Re: Instituting Chapter 216 of the Town Code 159 Massachusetts Avenue was opened, 8:16 pm, closed 8:18 pm.

RESOLUTION NO. 309-2016 ADOPTED

On motion of Co. Noto seconded by Co. Borelli the Public Hearing Re: Application of Benim Scholastic Academy for a Special Permit to conduct a Child Day Care Center was opened, 8:19 pm, closed 8:21 pm, TO BE CONTINUED on 8/9/16.

RESOLUTION NO. 310-2016 ADOPTED

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

She asked for clarification on Items 9, 10, 13, 14 e through j, 15 and 16.

Regarding Item 9, Costs for Hearing Officer, the Town Attorney stated that there is no maximum amount allocated for the hearing officer; it is dependent on how long the hearing will go. Regarding Item 10, Consultant to the Town Assessor, the Supervisor spoke about the qualifications and costs of FJ Rella Consultants. Regarding Items 14 e through j, Architectural Historic Review Board member appointments, the Supervisor explained that stipends were significantly reduced and the secretary to the Board will be doing the minutes on overtime rather than receiving a stipend. Regarding Item 15, Grant Application for the police department review, he stated this just one of several grants we are expecting. Item 16, Provisional Building Inspector, the Town Attorney explained what the term “provisional” means. Regarding Item 13, Advertising a Public Notice, the Supervisor explained that this is a requirement in relation to the Cranford Drive drainage project.

RESOLUTION NO. (309-2016)

Co. Borelli offered and Co. Noto seconded

WHEREAS, by Resolution No. 284-2016, dated June 13, 2016, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 216 of the Code of the Town of Clarkstown affecting property located at 159 Massachusetts Avenue, Congers, New York (Tax Map designation 52.8-3-59 f/k/a 139-A-19.4), to remove debris consisting of, but not limited to, refuse, litter and uncut and dead grass from the premises which have created a serious nuisance and hazard and is a threat to the health and welfare of the community, and

WHEREAS, a public hearing was scheduled and duly held on the 19th day of July 2016, after notice and opportunity to be heard at said hearing was provided to the property owners and all interested parties of record, as provided by law;

NOW, THEREFORE, be it

RESOLUTION NO. (309-2016) continued

RESOLVED, that the Town Board of the Town of Clarkstown hereby determines that the conditions complained of in the Orders and Notices, pursuant to Chapter 216 of the Code of the Town of Clarkstown, dated June 10, 2015 and June 23, 2015, as reported by the Code Enforcement Officers in their previous reports which are part of the record, and the updated report dated July 18, 2016 from the Acting Building Inspector have not been corrected, and be it

FURTHER RESOLVED, the Superintendent of Highways or other designee, or the Building Inspector are hereby authorized and directed to enter the subject property and to take all actions, which may be reasonably necessary to remove the conditions set forth herein and to remediate the premises in a safe manner in the event the violations are not removed, and be it

FURTHER RESOLVED, that the expenses incurred by the Superintendent of Highways or other designee, or the Building Inspector and the Town Attorney with respect to such corrective measures, including the removal of litter and debris and providing landscaping maintenance and any other necessary measures to alleviate any open hazard or nuisance at the subject property, be assessed as a lien against the property, and be it

FURTHER RESOLVED, that the Assessor is hereby directed to assess said sum against the premises set forth above which sum shall be levied and collected in the same manner as provided in Article 15 of Town Law for the levy and collection of a special ad valorem levy, as provided in Section 216-8 of the Town Code, and be it

FURTHER RESOLVED, that the Town Board hereby retains jurisdiction of this matter on further notice to all interested parties to make whatever further corrective orders as may become necessary to protect the public interest.

On roll call the vote was as follows:

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

RESOLUTION NO. (310-2016)
Co. Noto offered and Co. Borelli seconded

WHEREAS, Benim Scholastic Academy, by Dr. Lana Benim, school psychologist/owner, has petitioned the Town Board of the Town of Clarkstown for a Special Permit, pursuant to Section 290-17Z of the Zoning Local Law, to conduct a Child Day Care Center on a portion of premises known as Tax Map 43.19-2-76, for property located at 114-118 S. Main Street, New City, New York, and

WHEREAS, on July 19, 2016, a public hearing was held to consider such application, and at such time it was determined by the Town Board that the hearing be continued on August 9, 2016;

NOW, THEREFORE, be it

RESOLVED, that the continuation of the public hearing, pursuant to Section 290-17Z of the Zoning Local Law, shall 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 said petition, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause the 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 Absent
- Co. Noto. Yes
- Co. Carey Yes
- Supervisor Hoehmann. Yes

RESOLUTION NO. (311-2016)

Co. Carey offered and Co. Borelli seconded

RESOLVED, that the Town Board Minutes of June 7, 2016, June 13, 2016, June 21, 2016 and June 28, 2016 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (312-2016)

Co. Carey offered and Co. Borelli seconded

WHEREAS, a resident of Roseland Road, Upper Nyack, NY 10960 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 #61207/40425;

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 #61207/40425 located at the south west corner of Christian Herald Road and Roseland Road, Upper Nyack

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 Absent
 Co. Noto. Yes
 Co. Carey Yes
 Supervisor Hoehmann. . . . Yes

RESOLUTION NO. (313-2016)

Co. Carey offered and Co. Borelli seconded

WHEREAS, a resident of Hilltop Road, 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 #60942/42055;

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:

RESOLUTION NO. (313-2016) continued

- 1. Install one 5,800 lumen 70 watt sodium vapor streetlight on Pole # 60942/42055 located in front of house #15 Hilltop 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 \$14.07 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 Absent
 Co. Noto. Yes
 Co. Carey Yes
 Supervisor Hoehmann. Yes

RESOLUTION NO. (314-2016)

Co. Noto offered and Co. Borelli 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 262 (TAXATION) OF THE CODE OF THE TOWN OF CLARKSTOWN REGARDING SENIOR CITIZEN TAX EXEMPTIONS"

and

WHEREAS, this proposed local law is intended to amend Chapter 262, Article I (Senior Citizens Exemption) to authorize the Town Assessor to accept late filing of applications for senior citizen tax exemptions;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held in the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York on 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 Absent
 Co. Noto. Yes
 Co. Carey Yes
 Supervisor Hoehmann. Yes

RESOLUTION NO. (315-2016)

Co. Borelli offered and Co. Carey seconded

WHEREAS, the Town has received \$39,967.79 from Selective Insurance and \$53,535 from Rockland County Sewer District #1,

RESOLUTION NO. (315-2016) continued

NOW THEREFORE BE IT,

RESOLVED, to increase Revenue Account DB-041-8-2680-0 (Highway-Insurance Recoveries) and Expense Account DB-5110-409-0 (Highway-Fees for Services) by \$39,967.79 and be it

FURTHER RESOLVED, to increase Revenue Account H-15-9-2770-0 (Capital-Misc Revenue) and Expense Account H-8760-409-0-84-9 (Capital Projects-Sewer Pump Station Improvement Project) by \$53,535 and

WHEREAS, various accounts require additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease Expense Account A-1345-204-0 (Purchasing-Office Machines) and increase Expense Account A-1345-438-0 (Purchasing-Maintenance Agreements) by \$360 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 (Police/Special Investigations-Fees for Services) by \$1,174.30 and be it,

FURTHER RESOLVED, to decrease Expense Account A-7140-424-0 (Parks & Playgrounds-Contractual Expenses) and increase Expense Account A-7140-323-0 (Parks & Playgrounds-Chemicals) by \$2,000.

On roll call the vote was as follows:

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

RESOLUTION NO. (316-2016)

Co. Borelli offered and Co. Carey seconded

RESOLVED, that the Town Board of the Town of Clarkstown, in accordance with the provisions of Section 1903 of the Real Property Tax Law, hereby establishes the base percentages, current percentages and current base proportions for the levy of taxes on the 2016 Assessment Roll for the Town of Clarkstown, and be it

FURTHER RESOLVED, that said figures for percentages and proportions are attached. (on file in Town Clerk's Office)

On roll call the vote was as follows:

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

RESOLUTION NO. (317-2016)

Co. Noto offered and Co. Borelli seconded

RESOLVED, that the Town Board of the Town of Clarkstown, in accordance with the provisions of Section 1903 of the Real Property Tax Law, hereby establishes the adjusted base proportions for the levy of taxes on the 2016 Assessment Roll for the Town of Clarkstown, and be it

FURTHER RESOLVED, that said figures for such proportions are attached. (On file in Town Clerk's Office)

RESOLUTION NO. (317-2016) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (318-2016)
 Co. Borelli offered and Co. Carey seconded

WHEREAS, in accordance with the recommendations of the Director of the Department of Environmental Control of the Town of Clarkstown and H2M Group, engineering consultant for the Town of Clarkstown, the Town wishes to accept and record easements deemed necessary to allow for ingress and egress and for construction and maintenance of pump stations and other sanitary sewer purposes in connection with the Sewer Pump Station Upgrade Project in the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept an easement from the Green Inn Motel, Inc. to further the completion of said Project and directs the Town Attorney to record said easement, in a form acceptable to the Town Attorney, in the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that the fee for recording this easement shall be a proper charge to Account No. H 8760-409-0-84-9, which fee shall be reimbursed to the Town of Clarkstown by the Rockland County Sewer District No. 1.

On roll call the vote was as follows:

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

RESOLUTION NO. (319-2016)
 Co. Noto offered and Co. Cary seconded

RESOLVED, that the Town Board hereby schedules a Special Town Board Meeting for September 27, 2016 at 7:30 p.m. in Room 301 of the Clarkstown Town Hall at 10 Maple Avenue, New City, New York. The purpose of said meeting is to accept the tentative budget for 2017 from the Town Clerk and any other matter that the Town Board may wish to consider.

On roll call the vote was as follows:

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

RESOLUTION NO. (320-2016)

Co. Borelli offered and Co. Carey seconded

WHEREAS, Rodney Picott is employed by the Town as a police officer; and
WHEREAS, Officer Picott was served with disciplinary charges by the Town; and
WHEREAS, Officer Picott has denied the charges and requested a hearing to contest the charges; and

WHEREAS, the Town Board is permitted to designate a hearing officer to conduct this hearing and submit findings and recommendations to the Town Board;

NOW, THEREFORE, be it

RESOLVED, that Robert Ponzini Esq., is appointed as the hearing officer in this case and shall conduct a disciplinary hearing and upon conclusion of said hearing shall submit his findings and recommendations to the Town Board; and be it

FURTHER RESOLVED, that Mr. Ponzini shall be compensated at the rate of \$300 per hour plus reasonable expenses incurred for services rendered in this matter.

On roll call the vote was as follows:

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

RESOLUTION NO. (321-2016)

Co. Borelli offered and Co. Carey seconded

WHEREAS, F.J. Rella and Company, LLC has submitted a proposal to provide professional consulting services to the Town Assessor for a period not to exceed one year commencing on July 1, 2016 and ending June 30, 2017, unless terminated earlier, and

WHEREAS, the services to be provided include implementation of software, preparation of documentation to support property assessments, assisting at hearings, and other duties as required by the Town Assessor, and

WHEREAS, the cost of said services is fifty (\$50.00) per hour as necessary, and

WHEREAS, Scott Shedler, Town Assessor, has reviewed the proposal and finds it reasonable in scope and price,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with F. J. Rella and Company, LLC, in a form approved by the Town Attorney, to provide said services as proposed, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to July 1, 2016.

On roll call the vote was as follows:

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

RESOLUTION NO. (322-2016)

Co. Borelli offered and Co. Carey seconded

WHEREAS, HDR Engineering, Inc. currently provides environmental operation and maintenance services at the Clarkstown Sanitary Landfill; and

WHEREAS, the current contract between HDR Engineering, Inc. and the Town of Clarkstown expires on July 31, 2016; and

RESOLUTION NO. (322-2016) continued

WHEREAS, The Department of Environmental Control has solicited proposals from five (5) qualified contractors to perform Operation and Maintenance services at the Clarkstown Sanitary Landfill for a five (5) year period beginning on August 1, 2016; and
 WHEREAS, The Department of Environmental Control has received three (3) proposals in response to its solicitation;
 WHEREAS, The Department of Environmental Control has reviewed the low proposal submitted by HDR Engineering, Inc. and has found it to be acceptable; and
 NOW, THEREFORE, BE IT RESOLVED, that based upon the recommendation of the Deputy Director of Operations, Department of Environmental Control, that the current contract between HDR Engineering, Inc. and the Town of Clarkstown be extended to July 31, 2021, and
 BE IT FURTHER RESOLVED, that the total cost for operation and maintenance services shall be as follows and shall be a proper charge to SR 8160 409.

8/1/2016 through 7/31/2017	\$60,000.00
8/1/2017 through 7/31/2018	\$61,800.00
8/1/2018 through 7/31/2019	\$63,660.00
8/1/2019 through 7/31/2020	\$65,568.00
8/1/2019 through 7/31/2021	\$67,536.00

On roll call the vote was as follows:

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

RESOLUTION NO. (323-2016)
 Co. Carey offered and Co. Noto seconded

WHEREAS, an investigation by the Traffic and Traffic Fire Safety Advisory Board resulted in the following recommendations:

- 1.) To install Stop Signage on the west side of Waldron Avenue at the intersection of Upper Depew Avenue, Central Nyack

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install such sign, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (324-2016)
Co. Carey offered and Co. Noto seconded

WHEREAS, an investigation by the Traffic and Traffic Fire Safety Advisory Board resulted in the following recommendations:

1.) R2-1 30 MPH Advisory Speed Limit Signage be installed along Buena Vista Road in New City.

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install such signs, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (325-2016)
Co. Carey offered and Co. Noto seconded

WHEREAS, an investigation by the Traffic and Traffic Fire Safety Advisory Board resulted in the following recommendations:

1.) To relocate the existing “No Parking Anytime” with right arrow sign further north on South Grant Avenue. Relocation shall be to the south side of the driveway at house #58, #60 located on the west side of South Grant Avenue, Congers

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to relocate such sign, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (326-2016)
Co. Carey offered and Co. Noto seconded

WHEREAS, an investigation by the Traffic & Traffic Fire and Safety Advisory Board resulted in the following recommendations:

RESOLUTION NO. (326-2016) continued

1.) One (1) Turn Right advisory sign (W1-1R) be removed on eastbound Birch Lane and install a (W1-R3) Reverse Turn Right sign in its place. Install a W1-3R Reverse Turn Right sign on westbound Birch Lane off of Red Hill Road in advance of the first curve in the road.

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install such signs, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (327-2016)
Co. Borelli offered and Co. Noto seconded

RESOLVED, that the Director of Environmental Control is hereby authorized to advertise a public notice for:

REVIEW OF NEW YORK RISING COMMUNITY RECONSTRUCTION APPLICATION FOR THE CRANFORD DRIVE DRAINAGE IMPROVEMENT PROJECT

On roll call the vote was as follows:

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

RESOLUTION NO. (328-2016)
Co. Borelli offered and Co. Carey seconded

WHEREAS, the Rockland County Personnel Office has certified on July 7, 2016 that the position of Zoning Enforcement Officer and Community Liaison (Perm), can be created,

NOW, therefore, be it

RESOLVED, that the position of Zoning Enforcement Officer and Community Liaison (Perm) – Town Attorney’s Office – is hereby created – effective July 12, 2016.

FURTHER RESOLVED, that the position of Zoning Enforcement Officer and Community Liaison – Building Department – is hereby abolished – effective July 12, 2016.

On roll call the vote was as follows:

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

RESOLUTION NO. (329-2016)
Co. Borelli offered and Co. Carey seconded

RESOLVED, that Ian Smith is hereby appointed (Prov) Zoning Enforcement Officer & Community Liaison – Town Attorney’s Office at the current 2016 annual salary of \$77,177., effective August 1, 2016.

On roll call the vote was as follows:

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

RESOLUTION NO. (330-2016)
Co. Borelli offered and Co. Carey seconded

RESOLVED, that James J. Molinaro, Jr – Assessor’s Office – is hereby appointed (Prov) Supervising Real Property Appraiser at the current 2016 annual salary of \$97,890, effective July 20, 2016.

On roll call the vote was as follows:

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

RESOLUTION NO. (331-2016)
Co. Borelli offered and Co. Carey seconded

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

On roll call the vote was as follows:

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

RESOLUTION NO. (332-2016)
Co. Borelli offered and Co. Carey seconded

RESOLVED, that Joseph Jacobs - is hereby appointed to the position of Member – Architectural Historic Review Board - term effective July 20, 2016 and to expire on December 31, 2016 – at the annual salary of \$2,600.

RESOLUTION NO. (322-2016) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (333-2016)

Co. Borelli offered and Co. Carey seconded

RESOLVED, that Robert Knight - is hereby appointed to the position of Town Historian and advisor to the Architectural Historic Review Board - term effective July 20, 2016 and to expire on December 31, 2016 – at the annual salary of \$2,040.

On roll call the vote was as follows:

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

RESOLUTION NO. (334-2016)

Co. Borelli offered and Co. Carey seconded

RESOLVED, that Steven Kunis - is hereby appointed to the position of Member – Architectural Historic Review Board - term effective July 20, 2016 and to expire on December 31, 2016 – at the annual salary of \$2,600.

On roll call the vote was as follows:

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

RESOLUTION NO. (335-2016)

Co. Borelli offered and Co. Carey seconded

RESOLVED, that Steven Kunis, is hereby appointed to the position of Chairman – Architectural and Historic Review Board – at the annual salary of \$600.00 - term effective July 20, 2016, and to expire on December 31, 2016.

On roll call the vote was as follows:

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

RESOLUTION NO. (336-2016)
Co. Borelli offered and Co. Carey seconded

RESOLVED, that Robert Milone - is hereby appointed to the position of Member – Architectural Historic Review Board - term effective July 20, 2016 and to expire on December 31, 2016 – at the annual salary of \$2,600.

On roll call the vote was as follows:

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

RESOLUTION NO. (337-2016)
Co. Borelli offered and Co. Carey seconded

RESOLVED, that James Palmer - is hereby appointed to the position of Member – Architectural Historic Review Board - term effective July 20, 2016 and to expire on December 31, 2016 – at the annual salary of \$2,600.

On roll call the vote was as follows:

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

RESOLUTION NO. (338-2016)
Co. Noto offered and Co. Cary seconded

Whereas, the Town of Clarkstown has initiated a review of the Clarkstown Police Department and has engaged a consultant to conduct this review of operations, current regulations, standard operating procedures and general orders in order to assist the Town to deliver high quality, resident oriented public safety services at an efficient cost consistent with the Town's needs, budget and budget projections; and

Whereas, the Town of Clarkstown intends to complete all components of the review of the Clarkstown Police Department that will provide identification of options for efficiency improvements and the development of recommendations for achieving management improvements and operational savings, including analysis and recommendations concerning the Town's current collective bargaining agreement with the local PBA, which expires on December 31, 2017; and

Whereas, the State of New York, Department of State provides financial assistance to municipalities studying the potential for efficiency and cost-savings in government operations through the Local Government Efficiency Grant Program, and the Clarkstown Police Department review meets the eligibility criteria of the LGE program; and

Whereas, the Town of Clarkstown intends to submit an application to the NYS DOS LGE program for funding in the amount of \$12,500 to underwrite a portion of the Clarkstown Police Department review, and hereby authorizes the Supervisor, George Hoehmann, to submit the application;

RESOLUTION NO. (338-2016) continued

NOW, THEREFORE, BE IT RESOLVED BY the Board of the Town of Clarkstown:

- 1. That George Hoehmann, as Supervisor, is hereby authorized to file an application for funding to NYS DOS Local Government Efficiency Grant Program by means of the Consolidated Funding Application process;
- 2. That the Town of Clarkstown agrees that it will fund at least 50% of the cost of the Project and that funds will be available upon execution of the contract with the Department of State.

On roll call the vote was as follows:

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

RESOLUTION NO. (339-2016)
Co. Borelli offered and Co. Noto seconded

The following resolution was offered by Councilperson _____, seconded by Councilperson _____, and adopted:

WHEREAS, Erik Asheim is employed by the Town as a deputy building inspector; and
 WHEREAS, Peter Beary retired as the Town’s building inspector on July 7, 2016; and
 WHEREAS, Erik Asheim has been appointed, on a provisional basis, as the Town’s building inspector; and

WHEREAS, the building inspector is an unrepresented title in the Town; and
 WHEREAS the Town is developing a management policy to establish terms and conditions of employment for certain non-represented titles; and

WHEREAS, pending promulgation of that policy, the Town wishes to set forth the terms and conditions of Mr. Asheim’s employment;

NOW, THEREFORE, be it

RESOLVED that retroactive to July 8, 2016 Mr. Asheim’s salary shall be \$150,000 per year; and be it

FURTHER RESOLVED that other financial, insurance and leave benefits currently available to Mr. Asheim under the CSEA agreement applicable to the title of deputy building inspector shall remain in effect pending promulgation of a management benefits policy or further action of the Town Board.

On roll call the vote was as follows:

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

RESOLUTION NO. (340-2016)
Co. Noto offered and Co. Cary seconded

WHEREAS, by Resolution No. 416-2009, adopted August 4, 2009, and as amended by Resolution No. 75-2013, adopted February 5, 2013, the Town Board authorized the Supervisor to enter into an Intermunicipal Agreement with the County of Rockland, through the Rockland County Sewer District No. 1, for the Pump Station and Collection Upgrade Project, and

RESOLUTION NO. (340-2016) continued

WHEREAS, by Resolution No. 241-2014, adopted May 6, 2014, the Town Board authorized the Supervisor to sign an additional amendment to the Intermunicipal Agreement for an additional amount of \$2,500,000.00 to cover design and construction of an Emergency Storage Facility,

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 241-2014 is hereby rescinded, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to sign a new amendment to the Agreement between the County of Rockland, through the Rockland County Sewer District No. 1, and the Town of Clarkstown, in a form approved by the Town Attorney, for an amount of \$1,500,000.00 to cover the costs of overages to the pump station upgrades and the Emergency Storage Facility.

On roll call the vote was as follows:

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

The Supervisor opened the meeting for general public comments.

Ralph Riverso, Valley Cottage
Spoke about problems with his application for tax exemption.

The Supervisor suggested he call and set up a meeting to discuss further.

Marge Hook, New City
Made comments on the Police Department review and submitted supporting documentation marked "Exhibit A" (on file in Town Clerk's office).

George Rumelt, New City
Questioned whether we are still paying for a 19A examiner to work on Saturdays in the Mini-trans Department.

Regarding the Police Department review, the Supervisor stated that the Bonadio Group was vetted through the Town Attorney's office and he defended Commissioner Longworth as an impeccable professional within the law enforcement arena. He stated his office will get back to Mr. Rumelt regarding his question.

The Supervisor called for a brief moment of silence in memory of Harry Waitzman, a longtime resident, former judge, and former poet laureate to the Town who recently passed away, and also in memory of the officers who have lost their lives recently.

There being no one further wishing to be heard on motion of Co. Borelli seconded by Co. Noto, the Town Board meeting was adjourned, time: 9:19 pm.

Respectfully submitted,

Justin Sweet
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

July 19, 2016

8:16 pm

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

Absent: Stephanie Hausner

RE: Instituting Chapter 216 of the Town Code 159 Massachusetts Avenue

On motion of Co. Noto seconded by Co. Borelli the public hearing was opened.

The Town Attorney explained that this allows the Town to address property maintenance issues associated with this property.

The Supervisor asked if anyone wanted to speak on this matter.

Theo Simone, Congers
He is adjacent to the referenced property and is grateful for this action.

There being no one further wishing to speak, on motion of Co .Noto seconded by Co. Borelli the public hearing was closed, time: 8:18 pm.

Respectfully submitted,

Justin Sweet
Town Clerk

RESOLUTION NO. (309-2016) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

July 19, 2016

8:19 pm

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

Absent: Stephanie Hausner

RE: Application of Benim Scholastic Academy for a Special Permit to conduct a Child Day Care Center

On motion of Co. Borelli seconded by Co. Noto the public hearing was opened.

The Town Attorney explained that the Benim Scholastic Academy wants to use two classrooms in the former St. Augustine’s Elementary School for a child day care center. He stated that this public hearing will be adjourned to August 9 because of notice issues.

The Supervisor asked if anyone wanted to speak on this matter.

Tom O’Connor, New City

Asked for clarification about this academy. What are Ms. Benim’s qualifications? Is this a legitimate business? Do they have sufficient liability insurance?

The Town Attorney suggested these questions be tabled until this is continued on August 9.

There being no one further wishing to speak, on motion of Co .Noto seconded by Co. Borelli the public hearing was closed, time: 8:21 pm.

Respectfully submitted,

Justin Sweet
Town Clerk

RESOLUTION NO. (310-2016) ADOPTED