

TOWN OF CLARKSTOWN
TOWN BOARD MEETING
Thursday, December 20, 2012 - 12 Noon
Town Hall Auditorium
AGENDA
(Tentative)

SALUTE TO THE FLAG

CLERK CALLS THE ROLL

PUBLIC HEARING:

1. Proposed Local Law entitled: "A Local Law Amending Chapter 290 (Zoning) of the Local Laws of the Town of Clarkstown with respect to a Text Amendment in the LO Zone." (Special Permit Use.)
2. Proposed Local Law entitled: "A Local Law Creating Chapter 41 (Planning Board) and Amending Chapters 42 and 43 of the Code of the Town of Clarkstown."

PUBLIC COMMENTS REGARDING AGENDA ITEMS
(Limited to 3 minutes per person)

RESOLUTIONS:

1. Approving the Minutes of the Special Town Board Meeting of December 4, 2012, and December 11, 2012, as submitted by the Town Clerk.
2. a) Approving the Salary Schedule for 2013.
b) Approving the Part-Time Salary Schedule for 2013.
3. Establishing Mileage for Use of Personal Vehicles on Town Business.
4. Authorizing the Town Comptroller to Credit, as Additional Income, the Appropriate Taxable Fringe Benefit to Employees who use Town-Owned Vehicles Commuting to and from Work.
5. Approving Terms and Conditions of Employment for Candyce Draper.
6. Authorizing the Supervisor to enter into an Agreement with Sylvia A. Welch, Ph.D. to Provide Research for Funding Sources for Several Projects.
7. Authorizing the Town to Retain the Law Firm of Wilson, Elser, Moskowitz, Edelman & Dicker, LLP, to provide Legal and Legislative Representation for the Town of Clarkstown.
8. Authorizing the Supervisor to Enter into an Agreement with the Law Offices of Joseph J. Savino.
9. Authorizing Agreement with Town of Ramapo for Use of Police Department Firing Range.
10. Confirming and Readopting the Town of Clarkstown Police Department Rules and Regulations.
11. Authorizing the following Personnel Changes:
 - a) Reappointment: Philip Degaetano, Member, Parks Board and Recreation Commission.
 - b) Reappointment: Matthew Maraia, Member, Sanitation Commission
12. Authorizing the Town to Enter into an Agreement with the U.S. Department of Justice New York-New Jersey Region Organized Crime Drug Enforcement Task Forces with Regard to Funding for the Town of Clarkstown Police Department.
13. Authorizing the following Bid Awards:
 - a) Bid #16-2012 - Congers Lake West Trail
 - b) Bid #36-2012 - Roadway Reconstruction and Drainage Improvements - Lowerre Place/Stockton Road/CYR Court/Juniper Court.

14. Authorizing the Supervisor to enter into an Agreement with Mayo, Lynch and Associates in Connection with the Congers Lake West Trailway.
15. Granting Certificates of Registration:
 - 13-1 – RR Plumbing Services Corp. d/b/a Roto Rooter
 - 13-2 – Phoenix Excavators Corp.
 - 13-3 – Ronald J. Tarigo
 - 13-4 – Environmental Construction, Inc.
16. Transfer of Funds.
17. Scheduling a Special Town Board Meeting of the Town Board . . . January 15, 2013.
18. Setting a Public Hearing concerning the Acquisition by Condemnation of a Permanent Easement on a Portion of Property known as 59.18-1-22.
19. Authorizing Records Retention and Disposition Schedule MU-1.
20. Approving and Ratifying Memorandum of Agreement with Clarkstown PBA.
21. Authorizing Funds for the following:
 - a) Construction of the Congers Lake West Trail Boardwalk
 - b) Various Capital Improvements in and for the Town
22. Authorizing an Increase in the Allotment for Engineering Services for the Rebidding of the Central Nyack Drainage Improvements Project – Phase II
23. Adopting Fee Schedules for 2013.
24. Rescinding the Bond Resolution adopted on November 20, 2012, authorizing the Issuance of \$90,000 Bonds for the Installation of Solar Panels at the Clarkstown Landfill.

ADDITIONAL TENTATIVE RESOLUTIONS

GENERAL PUBLIC COMMENTS:
(Limited to 3 minutes per person)

*****PLEASE NOTE*****

Additional items may be added to this agenda

(To View Actual Resolutions, go to Town Clerk's Website – Legal Notices)

PH2

RESOLUTION OF THE TOWN BOARD
ADOPTING LOCAL LAW NO. - 2012

WHEREAS, a proposed local law entitled,

"A LOCAL LAW CREATING CHAPTER 41 (PLANNING BOARD) AND
AMENDING CHAPTERS 42 AND 43 OF THE CODE OF THE TOWN OF
CLARKSTOWN"

was introduced by Councilperson Frank Borelli at a Town
Board meeting held on December 4, 2012, and

WHEREAS, the Town Board of the Town of Clarkstown by
resolution adopted on December 4, 2012, directed that a
public hearing be held on December 20, 2012, at 12:00 p.m.,
or as soon thereafter as possible, relative to such
proposed local law, and

WHEREAS, notice of said hearing was duly prepared and
published in the Journal News on December 13, 2012, and

WHEREAS, a copy of the proposed local law in final
form was placed on the desks of the Supervisor and the
Councilpersons at their office at the Clarkstown Town Hall,
10 Maple Avenue, New City, New York, on December 7, 2012;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. - 2012 entitled:

"A LOCAL LAW CREATING CHAPTER 41 (PLANNING BOARD) AND
AMENDING CHAPTERS 42 AND 43 OF THE CODE OF THE TOWN OF
CLARKSTOWN"

actm

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:

Alexander J. Gromack, Supervisor . .
Shirley Lasker, Councilwoman
Frank Borelli, Councilman
George A. Hoehmann, Councilman . . .
Stephanie G. Hausner, Councilwoman . .

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.

Dated: December 20, 2012

TB 12-20 TA RES Adopt Local Law Chapters 41, 42, 43-pm

/

RESOLVED, that the Special Town Board Minutes of December 4, 2012 and
the Town Board Meeting of December 11, 2012 are hereby accepted, as submitted
by the Town Clerk.

DATED: December 20, 2012

**RESOLUTION REGARDING SALARIES OF ALL
TOWN OFFICIALS AND EMPLOYEES - 2013**

RESOLVED, that the salaries of all Town Officials and employees be fixed as per the attached Town of Clarkstown 2013 Salary Schedule, in accordance with the Budget adopted for the Year 2013, subject only to contract negotiations, and be it

FURTHER RESOLVED, that all Town elected, appointed officials, and Town employees shall be paid on a bi-weekly basis to commence January 1, 2013, the first payroll to be paid on January 3, 2013, and be it

FURTHER RESOLVED, that all Town employees shall be paid on a biweekly basis to commence January 1, 2013 to include the remainder of year 2012, and the first full payroll for the year 2013 to be paid on January 17, 2013, and be it

FURTHER RESOLVED, that the salary schedule hereby adopted as amended may be changed in accordance with law as determined to be appropriate by the Town Board.

Dated: December 20, 2012

TB 12-20 TA RES Payroll-pm

RESOLVED, that the attached document in exhibit A reflects the starting salaries for the (part-time) titles in the Town of Clarkstown,

NOW, therefore, be it

RESOLVED, that the Town Board adopts the following Exhibit A starting salary schedule for the (part-time) titles, and be it,

FURTHER RESOLVED, that the pay rate increases of \$.50 for the (part time) titles in exhibit A are effective for the fiscal year 2013.

“A”

Part Time Starting Salaries 2013

TITLES

Office Workers (Student)	\$7.50
Rec Aides/.Rec Asst.	\$7.50
Rec Activity Specialist	\$10.00
Laborer Students (min. Age 18)	\$8.00
Seasonal Laborers	\$10.00
Seasonal Groundswoker	\$10.00
Seasonal Lifeguards	\$10.00
Seasonal Head Lifeguard	\$13.00
WSI	\$12.00

**RESOLUTION ESTABLISHING MILEAGE FOR
USE OF VEHICLES ON TOWN BUSINESS**

RESOLVED, that mileage at the current reimbursable rate as per the Internal Revenue Service, be paid to designated personnel for use of their personal automobiles in performance of their official duties:

- Members of the Town Board
- Deputy Supervisor
- Town Clerk and Deputies
- Superintendent of Highways
- Receiver of Taxes
- Building Inspector and Assistants
- Assessor and Assistants
- Town Attorney and Deputy Town Attorneys
- Zoning Enforcement Officer/Community Liaison
- Paralegal Specialists
- Legal Stenographer
- Members of the Parks Board and Recreation Comm.
- Director of Environmental Control and Aides
- Town Comptroller
- Deputy Comptroller
- Administrative Assistant I, Comptroller's Office
- Building Maintenance Mechanic
- Members of the Planning Board
- Members of the Zoning Board of Appeals
- Confidential Assistant
- Safety Manager
- Town Courier
- Director of Automated Systems
- Computer Network Specialist
- Insurance and Claims Manager

Dated: December 20, 2012
TB 12-20 TA RES Vehicle rate for mileage-pm

**RESOLUTION AUTHORIZING THE TOWN COMPTROLLER TO CREDIT, AS
ADDITIONAL INCOME, THE APPROPRIATE TAXABLE FRINGE BENEFIT TO
EMPLOYEES WHO USE TOWN OWNED VEHICLES COMMUTING TO AND FROM WORK**

WHEREAS, Regulations of the Internal Revenue Service have been promulgated which require employers, including municipal employers, to include for personal income tax purposes, the value of employer owned vehicles used for private purposes or for commuting to and from work;

NOW, THEREFORE, be it

RESOLVED, that the Town Comptroller is hereby authorized and directed for the period commencing January 1, 2013 and ending December 31, 2013 to credit as additional income the appropriate taxable fringe benefit, as per the Internal Revenue Service regulations, to those employees who have the use of Town owned vehicles for commuting to and from work, and be it

FURTHER RESOLVED, that the employer provided vehicles as set forth below shall be excluded from the taxable fringe benefit calculation:

- (a) Clearly marked police and fire vehicles;
- (b) Delivery trucks with seating only for the driver, or only for the driver plus a folding jump seat;
- (c) Flatbed trucks;
- (d) Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds;

AA

- (e) Passenger buses used as such with a capacity of at least twenty (20) passengers;
- (f) Ambulances used as such or hearses used as such;
- (g) Bucket trucks (cherry pickers);
- (h) Cranes and derricks;
- (i) Forklifts;
- (j) Cement Mixers;
- (k) Dump trucks (including garbage trucks);
- (l) Refrigerated trucks;
- (m) Tractors;
- (n) Combines;
- (o) School buses used as such;
- (p) Qualified moving vans;
- (q) Qualified specialized utility repair trucks;
- (r) Officially authorized use of unmarked vehicles by law enforcement officers.

Dated: December 20, 2012

TB 12-20 TA RES Vehicles-Comptroller to Credit Additional Income-pm

RESOLUTION APPROVING TERMS AND CONDITIONS OF EMPLOYMENT
FOR CANDYCE DRAPER

RESOLVED, that the Town Board of the Town of Clarkstown hereby extends the same terms and conditions of employment for Candyce Draper, as Justice Court Clerk, for the year 2013 as applied for 2012, except that her annual salary shall be at the current 2013 annual salary as set forth in the 2013 adopted salary schedule.

Dated: December 20, 2012

TB 12-20 TA RES Draper 2013 Salary-pm

awm

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN
AGREEMENT WITH SYLVIA A. WELCH, Ph.D.,
TO PROVIDE RESEARCH FOR FUNDING SOURCES FOR SEVERAL PROJECTS

WHEREAS, Sylvia A. Welch, Ph.D., 170 Hudson Terrace, Piermont, New York, has provided research and grant application services with respect to identifying potential funding sources for various Town sponsored programs, capital projects, and other grant opportunities, and to assist in the preparation of grant applications as requested by the Town, and

WHEREAS, Sylvia A. Welch, Ph.D. has continued to render said services since the last authorization of the Town Board by Resolution dated December 29, 2011;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Sylvia A. Welch, Ph.D., in a form approved by the Town Attorney, to provide research and grant application services for the period January 1, 2013 to December 31, 2013, and provided further, that said agreement shall require that she report directly to and work under the supervision of Sabrina Greco, Director of Operations for the Supervisor, and be it

FURTHER RESOLVED, that the payment for such services shall be at the rate of \$55.00 per hour, not to exceed \$20,000.00 during the contract term without further authorization of the Town Board, which shall be charged to Account No. A 1310-409.

Date: December 20, 2012

awm

RESOLUTION AUTHORIZING TOWN TO RETAIN THE LAW FIRM OF WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP TO PROVIDE LEGAL AND LEGISLATIVE REPRESENTATION FOR THE TOWN OF CLARKSTOWN

WHEREAS, Wilson, Elser, Moskowitz, Edelman & Dicker LLP has submitted a proposal dated November 27, 2012 to provide legal and legislative representation by serving as Government Affairs Counsel in New York State on behalf of the Town of Clarkstown, and

WHEREAS, the Town Attorney finds said proposal to be reasonable in terms of scope and price, and recommends the hiring of this firm;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Wilson, Elser, Moskowitz, Edelman & Dicker LLP, in a form approved by the Town Attorney, to provide legal services pursuant to its proposal dated November 27, 2012, commencing on January 5, 2013 until January 4, 2014, and be it

FURTHER RESOLVED, that the fee for said work shall not exceed \$58,500, and will be charged to Account No. A 1420-409.

Dated: December 20, 2012

TB 12-20 TA RES Wilson Elser Agree-pm

awm

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE LAW OFFICE OF JOSEPH J. SAVINO TO HANDLE TAX CERTIORARI MATTERS

WHEREAS, the Town Board, in its continuing effort to reduce costs, has explored whether it would be more cost effective to retain the services of an outside firm to handle tax certiorari matters; and

WHEREAS, the Town Attorney has researched and interviewed law firms with experience in such matters and has requested rates and proposals from said firms; and

WHEREAS, the Town Attorney has received a proposal from the law office of Joseph J. Savino to provide said services for an annual retainer of \$88,740, which proposal is the most competitive of those received; and

WHEREAS, the Town Attorney recommends acceptance of said proposal;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, to retain the Law Office of Joseph J. Savino, 399 Knollwood Road, White Plains, New York 10603, to handle all tax certiorari matters on behalf of the Town for the year 2013 for an annual retainer of \$88,740, which retainer shall be remitted on a monthly basis.

Dated: December 20, 2012

TB 12-20 TA RES Savino Agreement-Tax Certs-pm

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE TOWN OF RAMAPO FOR USE OF POLICE RANGE

WHEREAS, Clarkstown Chief of Police, Michael Sullivan, advised that the Town of Ramapo has authorized its Supervisor, pursuant to Resolution No. 2012-670, to extend a license agreement pursuant to the same terms and conditions for another year, with the Town of Clarkstown for use of the Town of Ramapo Firing Range Facility by the Clarkstown Police Department, and

WHEREAS, the Clarkstown Police Department wishes to extend the license agreement for the calendar year 2013;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a license agreement with the Town of Ramapo, in a form approved by the Town Attorney, for use of the Town of Ramapo's Police Range Facility by the Clarkstown Police Department for the calendar year 2013.

Quinn

Dated: December 20, 2012

RESOLUTION CONFIRMING AND READOPTING THE TOWN OF CLARKSTOWN POLICE DEPARTMENT RULES AND REGULATIONS

WHEREAS, the Town Board of the Town of Clarkstown, pursuant to Town Law and the Rockland County Police Act has governance and control of the Clarkstown Police Department, and by this resolution intends to confirm and readopt the existing Town of Clarkstown Police Department Rules and Regulations;

NOW, THEREFORE, be it

RESOLVED, that such Rules and Regulations as may have been amended by administrative act of the Police Chief since January 6, 2009 are hereby ratified and re-adopted and such Rules and Regulations, as amended, shall remain in full force and effect until such time as the Town Board may modify or rescind same by further resolution.

Dated: December 20, 2012

awm

TB 12-20 TA RES PD Rules & Regs-pm

11A

RESOLVED, that Philip Degaetano, 36 Sharon Drive,
New City, New York - is hereby reappointed to the position
of Member - Parks Board and Recreation Commission - at
the current 2012 annual salary of \$3,300., term effective
and retroactive to December 18, 2012 and to expire on
December 17, 2019.

DATED: December 20, 2012

P

RESOLVED, that Matthew Maraia, 12 Randy Lane,
New City, New York is hereby reappointed to the position of
Member - Sanitation Commission - at the current 2013 annual
salary of \$3,400., term effective and retroactive to
December 18, 2012 and to expire on December 17, 2017.

RESOLUTION AUTHORIZING THE TOWN TO ENTER INTO AN AGREEMENT WITH THE
U.S. DEPARTMENT OF JUSTICE NEW YORK-NEW JERSEY REGION ORGANIZED
CRIME DRUG ENFORCEMENT TASK FORCES WITH REGARD TO FUNDING FOR THE
TOWN OF CLARKSTOWN POLICE DEPARTMENT

WHEREAS, the U. S. Department of Justice New York-New Jersey
Region Organized Crime Drug Enforcement Task Forces (OCDETF) has
approved an agreement with the Town of Clarkstown Police Department
for fiscal year 2013 (OCDETF Case # NY-NYS-0829) for the purpose of
reimbursement for officers assigned to assist and participate in the
Organized Crime Drug Enforcement Task Forces, and

WHEREAS, said agreement shall cover the period October 1, 2012
through September 30, 2013;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Chief of
Police to enter into an agreement with the Organized Crime Drug
Enforcement Task Forces (OCDETF), in a form approved by the Town
Attorney, to accept funds in the amount of \$17,000.00, for the
purpose of reimbursing the Town for officers assigned to the OCDETF
for the period covering October 1, 2012 through September 30, 2013,
and be it

FURTHER RESOLVED, that this resolution shall be retroactive to
October 1, 2012.

Dated: December 20, 2012

allm

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

BID # 16-2012 – CONGERS LAKE WEST TRAIL

is hereby awarded to: CAL MART ENTERPRISES
4 BURTS ROAD
CONGERS, NY 10920
PRINCIPAL: CARL V. WORTENDYKE
MARTIN C. WORTENDYKE

as per their proposed total project cost not to exceed \$4,144,414.00 plus 10% contingency and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Purchasing Department of the following:

- a) Signed Contract Documents – four sets
- b) Performance Bond - 100% of project cost
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of Contractor's Liability and Property Damage Coverage, including a Save Harmless Agreement
- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker's Compensation insurance coverage
- g) Certificate of Worker's Disability Insurance coverage
- h) Evidence that all Contractors/Sub-contractors have entered into an Apprenticeship Agreement which has been registered with and approved by the NYS Commissioner of Labor in accordance with Article 23 of the New York Labor Law.

The Town of Clarkstown must be named as additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that this emergency project shall be under the supervision of the Superintendent of Recreation and Parks, and be it

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8765-400-409-0-88-23, and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds which will be offset by any grant awards.

DATED: December 20, 2012



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

BID # 36-2012 – ROADWAY RECONSTRUCTION AND DRAINAGE IMPROVEMENTS
LOWERRE PLACE/STOCKTON ROAD/CYR COURT/JUNIPER COURT

is hereby awarded to: TILCON NEW YORK INC.
 162 OLD MILL ROAD
 WEST NYACK, NY 10994
PRINCIPAL: JOHN T. COONEY, JR., VICE PRESIDENT

as per their proposed total project cost not to exceed \$137,781.00 plus 10% contingency and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Purchasing Department of the following:

- a) Signed Contract Documents – four sets
- b) Performance Bond - 100% of project cost
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of Contractor's Liability and Property Damage Coverage, including a Save Harmless Agreement
- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker's Compensation insurance coverage
- g) Certificate of Worker's Disability Insurance coverage

The Town of Clarkstown must be named as additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8764-400-409-0-87-1, and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with FEMA reimbursement money

DATED: December 20, 2012

AWM

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH MAYO, LYNCH AND ASSOCIATES IN CONNECTION WITH THE CONGERS LAKE WEST TRAILWAY

WHEREAS, by Resolution No. 588-2011, the Town of Clarkstown entered into an agreement with Mayo, Lynch and Associates to provide professional engineering services associated with design and Contract Document preparation with regard to the Congers Lake West Trailway, and

WHEREAS, Mayo, Lynch and Associates has submitted a proposal, dated October 8, 2012, to provide continued professional services for construction administration and construction observation services for the Congers Lake West Trailway, and the Superintendent of Recreation and Parks has reviewed the proposal and finds it reasonable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Mayo, Lynch and Associates, in a form approved by the Town Attorney, to provide professional consulting engineering services in connection with the Congers Lake West Trailway pursuant to their proposal, and be it

FURTHER RESOLVED, that the fee for said services shall not exceed \$98,000.00 and shall be a proper charge to Account No. H 8765-400-409-0-88-23.

Dated: December 20, 2012

TB 12-20 TA RES Mayo Lynch Agree-Congers Lake West Trailway-pm

**RESOLUTION GRANTING CERTIFICATES OF REGISTRATION
PURSUANT TO SECTION 236-48 OF THE TOWN CODE**

WHEREAS, the following have applied for a Certificate of Registration pursuant to Section 236-48 of the Town Code of the Town of Clarkstown:

RR PLUMBING SERVICES CORP.
d/b/a ROTO-ROOTER
525 Waverly Avenue
Mamaroneck, New York 10543
Terence R. O'Shea, Master Plumber

PHOENIX EXCAVATORS CORP.
3 Ruhe Lane
West Nyack, New York 10994
Michael Mouacdie, President

RONALD J. TARIGO
5 Crosscreek Lane
Stony Point, New York 10980
Ronald J. Tarigo, President

ENVIRONMENTAL CONSTRUCTION, INC.
21 Holt Drive - P.O. Box 563
Stony Point, New York 10980
Susan Oelkers-Ramos, President

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the issuance of a Certificate of Registration to:

- 13-1 RR PLUMBING SERVICES CORP. d/b/a ROTO-ROOTER
- 13-2 PHOENIX EXCAVATORS CORP.
- 13-3 RONALD J. TARIGO
- 13-4 ENVIRONMENTAL CONSTRUCTION, INC.

DATED: December 20, 2012



WHEREAS, the Town has received \$852,400 from the Rockland County Sewer District #1,

NOW THEREFORE BE IT,

RESOLVED, to increase Revenue Account H-15-9-2770-0 (Capital-Misc Local Revenue) and Expense Account H-8760-409-0-84-9 (Capital-Sewer Pump Station & Collection System Upgrade) by \$852,400.

RESOLUTION SCHEDULING A SPECIAL MEETING
OF THE TOWN BOARD

RESOLVED, that the Town Board hereby schedules a Special Town Board Meeting for January 15, 2013 immediately following the workshop meeting scheduled for 7:30 p.m. on said day in Room 301 of the Clarkstown Town Hall, at 10 Maple Avenue, New City, New York. The purpose of said meeting is as follows:

To hold a public hearing concerning acquisition by condemnation of a permanent easement on a portion of property known as 59.18-1-22,

and any such other matter that the Town Board may wish to consider.

Dated: December 20, 2012

awm

RESOLUTION SETTING A PUBLIC HEARING CONCERNING THE ACQUISITION BY CONDEMNATION OF A PERMANENT EASEMENT ON A PORTION OF PROPERTY KNOWN AS 59.18-1-22

RESOLVED, that the Town Board of the Town of Clarkstown shall hold a public hearing pursuant to the Eminent Domain Procedure Law to consider the proposed acquisition by condemnation of a permanent easement for municipal purposes to upgrade the sewer system in the area. The property is located at 160 N. Route 303, West Nyack, Town of Clarkstown, County of Rockland New York, and consists of +/- 3, 827.58 square feet located at the northeasterly end of a parcel of land consisting of 4.2 acres, designated on Clarkstown Tax Map as a portion of 59.18-1-22. The premises are more particularly described on Schedule "A", attached hereto. Said public hearing shall be held on January 15, 2012 at 8:30 p.m., in the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to prepare and serve notice of such statutory hearing and that the Town Clerk cause the same to be published on at least five consecutive days in the official newspaper of the Town as aforesaid and file proof thereof in the Office of the Town Clerk.

DATED: December 20, 2012

awm

RECORDS RETENTION and DISPOSITION SCHEDULE MU-1

RESOLVED, by the Town Board of the Town of Clarkstown, New City, NY, that *Records Retention and Disposition Schedule MU-1*, issued pursuant to Article 57-A of the Arts & Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

- a.) Only those records will be disposed of that are described in *Records Retention and Disposition Schedule MU-1* after they have met the minimum retention periods described therein;
- b.) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Dated: December 20, 2012

TB 12-20-12 TA Records Retention and Disposition Schedule MU-1-dt

awm

RESOLUTION APPROVING AND RATIFYING MEMORANDUM OF AGREEMENT WITH CLARKSTOWN PBA

WHEREAS, negotiations have been ongoing between the Bargaining Team for the Town of Clarkstown and the Bargaining Team for the Rockland County Patrolmen's Benevolent Association, Inc. to conform the current collective bargaining agreement with the current state of the law with respect to Discipline and Bill of Rights, and

WHEREAS, those negotiations have resulted in a tentative agreement contained in a Memorandum of Agreement dated December 20, 2012, and

WHEREAS, it is anticipated that the membership of the Rockland County Patrolmen's Benevolent Association, Inc. will ratify the terms of the Memorandum of Agreement, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the terms of the Memorandum of Agreement and finds that a settlement consistent with the terms contained therein is in the best interest of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves and ratifies the terms of the aforesaid Memorandum of Agreement and hereby authorizes the Town Supervisor to execute said Agreement consistent with the terms thereof.

Dated: December 20, 2012

TB 12-20 TA RES PBA MOA-pm

awm

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED DECEMBER 20, 2012,
AUTHORIZING THE CONSTRUCTION OF THE CONGERS
LAKE WEST TRAIL BOARDWALK, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$4,560,000,
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED
\$4,560,000 SERIAL BONDS OF SAID TOWN TO FINANCE
SAID APPROPRIATION, AND AUTHORIZING THE
EXPENDITURE OF FUNDS RECEIVED FROM GRANTS
AND/OR OTHER SOURCES FOR SAID PURPOSE

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York
(herein called the "Town"), is hereby authorized to construct the Congers Lake West Trail
boardwalk. The estimated maximum cost thereof, including preliminary costs and costs
incidental thereto and the financing thereof, is \$4,560,000 and said amount is hereby
appropriated for such purpose. The plan of financing includes the issuance of not to exceed
\$4,560,000 serial bonds of the Town to finance said appropriation, and the levy and collection of
taxes on all the taxable real property in the Town to pay the principal of said bonds and the
interest thereon as the same shall become due and payable. Any funds received from grants
and/or other sources are hereby authorized to be applied toward the cost of said project or

redemption of the Town's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Serial bonds of the Town in the principal amount of not to exceed \$4,560,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Sections 11.00 a. 19(c) of the Law, is fifteen (15) years.

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

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

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

credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 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 December 20, 2012, 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 December 20, 2012, authorizing the construction of the Congers Lake West Trail boardwalk, stating the estimated maximum cost thereof is \$4,560,000, appropriating said amount for such purpose, and authorizing the issuance of not to exceed \$4,560,000 serial bonds of said Town to finance said appropriation, and authorizing the expenditure of funds received from grants and/or other sources for said purpose”

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

FIRST: AUTHORIZING said Town to construct the Congers Lake West Trail boardwalk; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$4,560,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of not to exceed \$4,560,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon; and STATING that funds received from grants and/or other sources are authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes;

SECOND: AUTHORIZING the issuance of \$4,560,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$4,560,000 serial bonds will exceed five (5) years;

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

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

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

DATED: December 20, 2012

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.

* * *

awm

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED DECEMBER 20, 2012,
AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN
AND FOR THE TOWN, STATING THE ESTIMATED TOTAL
COST THEREOF IS \$320,000, APPROPRIATING SAID
AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE
ISSUANCE OF \$320,000 SERIAL BONDS OF SAID TOWN 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: (a) acquire various vehicles for use by the
Town, at the estimated maximum cost of \$255,000 and (b) acquire office equipment, at the
estimated maximum cost of \$65,000. The estimated total cost thereof, including preliminary
costs and costs incidental thereto and the financing thereof, is \$320,000 and said amount is
hereby appropriated for such purpose. The plan of financing includes the issuance of \$320,000
serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all
the taxable real property in the Town to pay the principal of said bonds and the interest thereon
as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$320,000 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 \$255,000 of the serial bonds are authorized to be issued is three (3) years.

(b) The period of probable usefulness applicable to the object or purpose for which said \$65,000 of the serial bonds are authorized to be issued is five years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than three (3) years after the date of original issuance of said bonds or notes.

(c) 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 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 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.

* * *

awm

**RESOLUTION AUTHORIZING AN INCREASE IN THE ALLOTMENT FOR
ENGINEERING SERVICES FOR THE REBIDDING OF THE CENTRAL NYACK
DRAINAGE IMPROVEMENTS PROJECT - PHASE II**

Whereas, the bids for Bid # 29-2012 - Central Nyack Drainage Improvements Project - Phase II were opened on September 13, 2011; and

Whereas, due to an irregularity in the proposal submitted by the apparent low bidder, the Town Board of the Town of Clarkstown, via resolution, decided to reject all bids and to re-bid this project; and

Whereas, at the direction of the Town of Clarkstown, McLaren Engineering Group, the design consultant for this project, was instructed to make certain design revisions resulting in a change in the scope of work for the project; and

Whereas, the Town of Clarkstown requested that McLaren Engineering Group submit a detailed proposal for the additional professional design services relating to the revised design and re-bidding of the project; and

Whereas, McLaren Engineering Group (MEG) submitted a proposal listing the additional fee for McLaren Engineering Group as \$38,000.00, the additional fee for Behan Planning Associates, LLC (streetscape and landscape sub-contractor) as \$35,000.00 and reimbursable expenses as \$2,500.00 for a total of \$75,500.00; and

Whereas, the Department of Environmental Control has reviewed said proposal and finds it to be acceptable;

Now, Therefore, Be It Resolved, that the Town Board of the Town of Clarkstown authorizes an increase in the allotment for engineering services for the Central Nyack Drainage Improvements Project - Phase II in accordance with the proposal submitted by McLaren Engineering Group for an amount not to exceed **\$75,500.00** without further Town Board resolution; and

Be It Further Resolved that this shall be a proper charge to account # **H 8755 - 409 - 79 - 7**.

Dated: **December 20, 2012**

ALUM

RESOLUTION ADOPTING FEE SCHEDULES FOR 2013
RECOMMENDED BY VARIOUS DEPARTMENTS AND BOARDS
WITHIN TOWN OF CLARKSTOWN

WHEREAS, the following departments and/or boards within the Town of Clarkstown charge fees for various permits, rentals and/or applications to cover the costs of processing and approving said permits, rentals and/or applications:

- Assessor
- Town Attorney
- Building Department
- Town Clerk
- Department of Environmental Control
- Highway Department
- Planning Department/Board
- Parks Board & Recreation Commission,

and

WHEREAS, the above referenced departments and/or boards recommend adopting the fees outlined in the attached Exhibit "A" for their respective departments and/or boards;

NOW, THEREFORE, be it

RESOLVED, the Town Board hereby establishes and adopts the fee schedules for 2013 for the above referenced departments and/or boards, which are attached as Exhibit "A."

Dated: December 20, 2012

awm

<u>DEPARTMENT</u>	<u>SERVICE</u>	<u>2013 Proposed Fees</u>	
ASSESSOR	Photocopy	.25(page)	
	Perimeter Search	100	
TOWN ATTORNEY	Film Permit Fee	250	
	Parking/ Storage-Filming	\$250.00 per hr(min 2 hrs) or \$750.00 per day	
	Security Deposit for Filming	\$1,000.00 (returned after film completion)	
BUILDING	Building Permit	\$140 first thousand \$17 ea. Add'l. thousand	
	Change in use (no construction)	\$140	
	Demolition Permit	small demolition \$100 large demolition \$100 plus \$8-\$10 per 100 sq ft	
	Cert.of Occupancy	Residential	\$50
		Commercial	\$100
	Municipal Report	\$165	
	Copy of Records	25¢	
	Chapter 117 Circuses & Carnivals	\$200	
	Chapter 136 Explosives	\$200	
	Chapter 243 Signs	\$150	
	Chapter 244 Sign Contractors	\$250	
	Zoning Board of Appeals	Residential	\$250
		Commercial	\$400
	Architecture and Landscape	New Bldg.	\$300
Alteration		\$100	

<u>DEPARTMENT</u>	<u>SERVICE</u>	<u>2013 Proposed Fees</u>
BUILDING (continued)	Bowling alleys, pin	
	Refinishing & alley	
	resurfacing	100
	Dry Cleaning	60
	Explosives	75
	Flammable Liquid	75
	Garage & Service	
	Stations	75
	Hazardous Chemical	75
	Junk Yard	75
	Liquified Petroleum	
	Gas	75
	Lumber Yard	75
	Multiple Residence:	
	All including	
	condominium	
	ownership (with	
	common Areas) 3 to 6	
	units	50
	Multiple Residence:	
	Each additional units	5
	Place of Assembly	
	(Public Assembly)	
	pursuant to the	
	following table:	
	capacity in persons	
	0 to 100	50
101 to 300	125	
301 to 600	175	
601 to 1000	225	
1001 to 2000	275	
over 2000	325	
Storage of Readily		
Combustible		
Materials	75	
Welding or Cutting	75	
Business:		
Mercantile:		
Industrial: Storage:		
1) Bldgs. which		
contain only one		
tenant or occupant	60	

<u>DEPARTMENT</u>	<u>SERVICE</u>	<u>2013 Proposed Fees</u>
BUILDING (continued)	2) Bldgs. which contain more than one tenant without common areas in building: (each Tenant)	40
	3A) Bldgs. which contain more than one tenant with common areas in building: (each Tenant) Landlord for common areas	40
	Mercantile Bldgs. which are classified as a mall: (each tenant) Landlord for common areas	40 100
CLERK	Amusement Devices	50.00 per machine
	Bell Jar License	25.00 per year
	BINGO License	18.75 per occasion
	Birth Transcripts	10.00 per transcript
	Blasting Permits	50.00 per site
	Bus Tickets	11.00 per sheet
	Certification	1.00 per certification
	Copy of CD	2.00 per copy
	Postage for CD	.50 per envelope
	Collateral Loan	
	Broker's Permit	250.00 per year
	Death Transcripts	10.00 per transcript
	Fingerprints (for police)	75.00 per print
	Game of Chance	25.00 per occasion
	Geneolgy	22.00 per search (1-3 years)
		42.00 per search (4-10 years)
		62.00 per search (11-20 years)
82.00 per search (21-30 years)		
102.00 per search (31-40 years)		
Going out of Business	500.00 per occasion	
Going out of Business Renewal	50.00 (maximum – one	

<u>DEPARTMENT</u>	<u>SERVICE</u>	<u>2013 Proposed Fees</u>
CLERK (continued)	Junk Permits	3.00 per sticker per bag
	Marriage License	40.00 per license
	Marriage Transcript	10.00 per transcript
	Peddler Badge	10.00 per person
	Peddler License	100.00 for initial license
	Peddler Renewal Fee	50.00 per renewal
	Raffle License	25.00 per year
	Service Charge for Check	20.00 per return check
	Special Permit	75.00 per application
	Water Extension	150.00 per application
	XEROX Copies	.25 per copy
	Zone Change	500.00 per application
	Unneutered Dogs	13
	Neutered Dogs	5
	Replacement Dog Tags	3
	Purebred Dog License	(1-10 Dogs) \$30 (11-25 Dogs) \$55
		additional \$1 per Neutered dog or \$3 per Unneutered dog
	Boarding Fees	20.00 per day
	First dog impound	\$10.00 per day
	Second Impound	\$20.00 per day
Third Impound	\$30.00 per day	
ENVIRONMENTAL	Distribution of Environmental Assessment Form under the provisions of SEQRA	300
	Application for Tree Removal, Land Clearing, Filling or Excavation of land Floodplain	150
	Development Permit Application	100

**Review Fee Schedule
for erosion Control
and Water Quality
Management Plans
for All Land
Disturbance from
Construction
Activities as follows:**

as follows:

<u>DEPARTMENT</u>	<u>SERVICE</u>	<u>2013 Proposed Fees</u>
ENVIRONMENTAL (continued)	<i>Residential Subdivision Application Fee:</i>	\$75.00/lot
	<i>Residential Site plan and other Residential Land Disturbance:</i>	
	up to 1/2 acre	250
	1/2 to 2 acres	500
	2 to 5 acres	\$700 + \$75./acre
	over 5 acres	\$1000 + \$75./acre
	<i>All Non-Residential Development with any Land Disturbance:</i>	
	up to 10,000 SF	200
	10,001 SF to 2 acres	450
	2 to 5 acres	\$600 + \$60/acre
	5 to 15 acres	\$800 + \$60/acre
	over 15 acres	\$1,000 + \$60/acre
	Application for Building Sewer Permit	\$250
	Annual Registration for Sewer Permit New Application for License to Engage in Solid Waste Collection Business in the Town of Clarkstown	250
	500	
	Renewal Application for License to Engage in Solid Waste Collection Business in the Town of Clarkstown	100
	Annual registration for solid waste collection in the Town of Clarkstwon	\$100 per truck
Municipal Tree Bank Fund	\$475/per tree	
HIGHWAY	Permit Fee and First Inspection	175
	Additional Permit Inspections	100

<u>DEPARTMENT</u>	<u>SERVICE</u>	<u>2013 Proposed Fees</u>
PLANNING	Environmental Quality Review (SEQRA Requirements) Appearance before Technical Advisory Committee	\$300 EAF Review and Lead Agency Distribution
	Site Plan (preliminary)	\$200 per appearance \$500 per appearance + \$125 per public notice + \$125 per 1,000 SF commercial construction or part thereof, per application
	Site Plan (final)	\$500 per appearance + \$125 per public notice + \$125 per 1,000 SF commercial construction or part thereof, per application
	Site Plan Revision/Resubmission/ Amendment	\$500 per appearance + \$125 per public notice + \$25 per parking space added, removed or relocated, per application+ \$125 per 1,000 SF of building added, removed or relocated or part thereof, per application
	Subdivision (preliminary)	\$500 per appearance + \$125 per public notice + \$125 per per lot, per application
	Subdivision (final)	\$500 per appearance + \$125 per public notice + \$125 per lot, per application
	Subdivision Revision/Resubmission/ Amendment	\$500 per appearance + \$125 per public notice + \$125 per lot added or removed, per application + \$125 per lot line altered, per application
	Multi/Family AAR Site Plan (Preliminary)	\$500 per appearance + \$125 per public notice + \$125 per 1,000 SF total habitable space or part thereof, per application

<u>DEPARTMENT</u>	<u>SERVICE</u>	<u>2013 Proposed Fees</u>	
PLANNING (CONTINUED)	Multi/Family AAR Site Plan (Final)	\$500 per appearance + \$125 per public notice + \$125 per 1,000 SF total habitable space or part thereof, per application	
	Informal Appearance/Review-Site Plan/Subdivision	\$500 per appearance + \$125 per public notice + \$500 per appearance + \$125 per public notice + Planning Board to determine additional fee required.	
	Other Money in Lieu of Land*		
	Subdivision	\$7250 per lot	
	Site Plan	\$4,000	
		\$5,000	
		Per one-bedroom unit Per two-bedroom unit Per three-bedroom unit approved as part of a site plan for multi-family developments	\$6,000
		Per unit for active adult communities that limit occupancy to adult residents over a particular age (usually 55 or 65)	\$4,000
		*Pursuant to Section 277 of NYS Town Law, the Planning Board may require the applicant to provide monies in lieu of land when they cannot provide for parks, playgrounds or other recreational uses within a proposed subdivision plat or site plan.	
	RECREATION & PARKS	PLEASE SEE ATTACHED 2013 FEE SCHEDULES	

EXHIBIT "A" (Continued)

2013 - SCHEDULE OF FEES

USE OF RECREATION FIELDS

All fees are minimum charges for up to 2 hours use per approved date, per field, except for **Field #1 at Germonds and Zukor #3 & 4** which is for 2 1/2 hours use. Rain out dates will be provided where possible. Payment in full at time of permit approval.

<u>GROUPS</u>	<u>FEE</u>
1. Youth Groups and Leagues sponsored by the Clarkstown Parks Board and Recreation Commission	No Charge
2. Youth Groups/Leagues co-sponsored by the Clarkstown Parks Board and Recreation Commission	Without Lights - No Charge With Lights - \$55.00/\$55.00 per approved date, per field
3. Civic or other non-profit organizations in Clarkstown (except organized leagues)	Without Lights - No Charge With Lights - \$55.00/\$55.00 per approved date, per field
4. Adult Leagues and all other Groups in Clarkstown with at least 60% Clarkstown residents	Without Lights - \$45.00/\$45.00 per approved date, per field With Lights - \$80.00/\$80.00 per approved date, per field
*Effective October 1st – 4:00PM & 5:30 P.M. games at Lake Nanuet, Germonds & Zukor Park.	*With Lights - \$65.00/\$65.00

Germonds, Zukor & Lake Nanuet Ballfield Available Time Frames

There is an additional \$5.00 charge per game for use of P.A. System and Scoreboards on Zukor Ballfields #4 & #5.

<u>G1 & Z4 Baseball</u>	<u>Z3 Soccer</u>	<u>G2Baseball/ Softball</u>	<u>G3 & Z5 Softball</u>	<u>LN Softball/ Youth Baseball</u>
10 AM-12:30 PM	10 AM-12:30 PM	10:00 AM-12:00 N.	10:00 AM-12:00 N.	9:00 AM-11:00 AM
1 PM- 3:30 PM	1 PM- 3:30 PM	12:30 PM- 2:30 PM	12:30 PM- 2:30 PM	11:00 AM- 1:00 PM
*4 PM- 6:30 PM	*4 PM- 6:30 PM	3:00 PM- 5:00 PM	3:00 PM- 5:00 PM	1:00 PM- 3:00 PM
7 PM- 9:30 PM	7 PM- 9:30 PM	*5:30 PM- 7:30 PM	*5:30 PM- 7:30 PM	3:00 PM- 5:00 PM
		8:00 PM-10:00 PM	8:00 PM-10:00 PM	*5:00 PM- 7:00 PM
				7:00 PM – 9:00 PM

Kings Park Ballfields #1, #2, #3, Congers Lake Ballfields #1 and #2, and Tennyson Park, are scheduled in 2 hour intervals beginning at 9:00 AM.

If a fee is required, please make payment at the Administration Building-Zukor Park, 31 Zukor Road, New City, N.Y., according to the following registration schedule, two weeks prior to approved date.

**2013 - SCHEDULE OF FEES
USE OF COMMUNITY CENTERS/FACILITIES**

All fees are minimum charges for up to three (3) hours use. For each additional hour, there will be a charge of \$135.00

<u>GROUPS</u>	<u>FACILITY</u>	<u>TIME</u>	<u>CHARGES</u>
1. Group Sponsored or co-sponsored by Clarkstown Parks Board & Recreation Commission	Meeting Rooms	Operating Hours	No charge
	Auditorium	Operating Hours	No charge
	Meeting Rooms	Non-Operating Hours	\$200.00
	Auditorium or Gymnasium	Non-Operating Hours	\$215.00
	Kitchen	All Times	No charge
2. Civic or other non-profit organizations in Clarkstown	Meeting Rooms	Operating Hours	No charge
	Auditorium	Operating Hours	\$180.00
	Meeting Rooms	Non-Operating Hours	\$200.00
	Auditorium or Gymnasium	Non-Operating Hours	\$215.00
	Kitchen	All Times	No charge
3. Other groups in Clarkstown and groups with at least 60% Clarkstown Residents	Meeting Rooms	Operating Hours	\$180.00
	Meeting Rooms	Operating Hours (1 Hr.)	\$ 65.00
	Auditorium	Operating Hours	\$195.00
	Meeting Rooms	Non-Operating Hours	\$205.00
	Auditorium	Non-Operating Hours	\$220.00
	Gymnasium	Non Operating Hours (1 Hr (designated hours)	\$ 40.00
	Kitchen	All Times Plus Deposit	\$165.00 \$185.00
4. All groups not falling into any of the above categories.	Fees to be determined by Superintendent of Recreation and Parks		

2013 Housing Categories

1. **Category A - Lake Nanuet: Full-time Personnel**
 - A. Rent - \$1,350 per month
Utilities - pay own
Repairs - minor paid by tenant, major paid by Town
 - B. Hours - supervision at nights and weekends
 - C. Additional responsibilities - Park or facility supervision as required.
 - D. See Guide for Conditions of Rental of CPBRC buildings for Living Accommodations (attached).

2. **Category B - Congers Lake: Full-time Personnel**
 - A. Rent - \$1,325.00 per month
Utilities - pay own
Repairs - minor paid by tenant, major paid by Town
 - B. Additional responsibilities - Park or facility supervision as required.
 - C. See Guide for Conditions of Rental of CPBRC buildings for Living Accommodations (attached).

3. **Category D - Caretaker only - (Not on full-time payroll of CPBRC)**
 - A. Rent: Category A - Lake Nanuet-\$1800/month (See No. 1 above)

Category B - Congers Lake-\$1785/month (See No. 2 above)

Utilities - pay own
Repairs - minor paid by tenant, major paid by Town
 - B. Hours - supervision at nights and weekends
 - C. Additional responsibilities - Park or facility supervision as required.
 - D. See Guide for Conditions of Rental of CPBRC buildings for Living Accommodations (attached).

2012/2013 PICNIC PERMIT

SCHEDULE OF FEES

<u>GROUPS</u>	<u>FACILITY</u>	<u>TIME</u>	<u>CHARGES</u>
1. Groups sponsored or co-sponsored by Clarkstown Parks Board & Recreation Commission	Picnic Area	9:00 AM - 7:00 PM	No Charge
2. Civic or other non-profit organizations in Clarkstown	Picnic Area	9:00 AM - 7:00 PM	No Charge
3. Other groups in Clarkstown and groups with at least 60% Clarkstown residents	Picnic Area	9:00 AM - 7:00 PM	No Charge
4. All Groups	Congers Lake Picnic Shelter (Area C)	9:00 AM - 7:00 PM	Area C \$120 (up to 150 people)
	Germonds Picnic Shelter (Area S)	9:00 AM - 7:00 PM	Area S \$120.up to 100 people)

RECREATION PROGRAMS
SCHEDULE OF FEES

2013

CAMP PROGRAMS/TENNIS LESSONS

TENNIS LESSONS.....	100.00	
PRE-SCHOOL (per day).....	26.00	
CAMP CLARKSTOWN- Strawtown(8:30 AM - 5:30 PM).....	1050.00	(Trips not inc.)
Register after 6/10/13.	1150.00	(Trips not inc.)
CAMP CLARKSTOWN- Laurel Plains 8:30 AM - 5:30 PM).....	1050.00	(Trips not inc.)
Register after 6/10/13.	1150.00	(Trips not inc.)
CAMP CLARKSTOWN- George Miller 8:30AM-5:30PM).....	1050.00	(Trips not inc.)
Register after 6/10/13.	1150.00	(Trips not inc.)
FELIX FESTA MIDDLE SCHOOL CAMP (8:30 AM - 5:30 PM).....	1275.00	(Trips included)
Register after 6/10/13	1375.00	(Trips included)
PLAYGROUNDS	185.00	
Register after 6/10/13	235.00	
PASCACK PLAYGROUND.....	205.00	
Register after 6/10/13	255.00	
EXTENDED SUMMER PLAYGROUND.....	85.00	
Register after 7/26/13	110.00	
EXTENDED SUMMER FULL DAY CAMP.....	395.00	
Register after 7/26/13	420.00	
CIT PROGRAM.....	600.00	

SWIMMING

Pre-school Instruction	160.00
Children's Instruction	160.00
Private Instruction	195.00
Adult Instruction	155.00
Lifeguard Training	365.00
Competitive Swimming	175.00
Pre-Competitive Swimming	175.00
Swim Birthday Party.....	230.00
Spray Park Birthday Party.....	190.00
Lap Swimming (mornings)	95.00

INSTRUCTIONAL PROGRAMS

Arts & Crafts	100.00
T-Ball/Baseball.....	115.00
Basketball Clinic.....	100.00
Basketball.....	120.00
Birthday Party	200.00
Ceramics.....	110.00

Crafty Kids.....	95.00	
Creative Claywork.....		110.00
Fun with Clay (Pre-school).....		100.00
Golf Lessons.....		95.00
Fun w/Clay (6 week session)		75.50
Gymnastics.....	95.00	
High Five	85.00	
Mini Golf	4.00	
Special Events.....	150.00	
Pre-schooler & Parent Drop In Gym Program		
(one parent/one child.....)	105.00	
(additional child)	75.00	
Puff Sports.....		90.00
Spec. Fingers (Pre-school).....		95.00
Yoga, Adult Fitness Classes(per class)	12.00	
Lego Building.....		110.00
Ice Hockey.....		110.00
Canning.....		70.00
Into the Garden.....	4 weeks ...	70.00
	6 weeks.....	90.00

Pool Fees

I.D. Cards.....	7.00
-----------------	------

DAILY RATES

By 5/31

After 6/1

Entering between 12Noon - 4PM

Youths 2 - 17	7.00
---------------	------

Adults 18-59	9.00
--------------	------

Senior Citizens 60 and over No cost with Town of Clarkstown Senior Citizen Card

Monday - Friday 4PM-Closing

Youths 2 - 17	4.00
---------------	------

Adults 18-59	5.00
--------------	------

Senior Citizen 60 and over No cost with Town of Clarkstown Senior Citizen Card

INDIVIDUAL RATE - SEASONAL

Youths 2 - 17	\$100.00	\$125.00
---------------	----------	----------

Adults 18-59	140.00	165.00
--------------	--------	--------

Senior Citizens 60 and over No cost with Town of Clarkstown Senior Citizen Card

WEEKNIGHT/WEEKEND RATE SEASONAL

Youths 2-17	\$ 85.00	100.00
-------------	----------	--------

Adults 18-59	105.00	125.00
--------------	--------	--------

Senior Citizens 60 and over No cost with Town of Clarkstown Senior Citizen Card

GUEST RATES

Youth 2-17	\$ 9.00
------------	---------

Adults 18-59	\$ 11.00
--------------	----------

Senior Citizens 60 & over	\$ 5.00
---------------------------	---------

(no fee with proof of residency)

DAY TRIPS, NEW PROGRAMS AND SPECIAL EVENTS To be determined by
Supt. of Recreation
and Park

2013 SCHEDULE OF FEES
USE OF SHOWMOBILE

GROUPS	TIME	2013
1. Groups sponsored or co-sponsored by Town of Clarkstown	Working Hours	\$195.
" "	Non-Working Hours	\$650.
<hr/>		
2. Non-profit organization in Town of Clarkstown	Working Hours	\$250.
" "	Non-working Hours	\$805.
<hr/>		
3. Other groups in Clarkstown and groups with minimum of 60% Clarkstown residents	Working Hours	\$630.
" "	Non-working Hours	\$845.
<hr/>		
4. All groups not falling into any of above categories	Fees to be determined by the Superintendent -of Recreation & Parks	
<hr/>		

RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK,
ADOPTED DECEMBER 20, 2012 RESCINDING THE BOND RESOLUTION
ADOPTED ON NOVEMBER 20, 2012, WHICH AUTHORIZED THE
ISSUANCE OF \$90,000 BONDS FOR THE INSTALLATION OF SOLAR
PANELS AT THE CLARKSTOWN LANDFILL

Recitals

WHEREAS, on November 20, 2012 the Town Board of the Town of Clarkstown,
in the County of Rockland, New York (the "Town") has adopted a bond resolution authorizing
the issuance of \$90,000 bonds to finance the installation of solar panels at the Clarkstown
Landfill; and

WHEREAS, it has now been determined that sufficient grant funds shall be
received by the Town to fund the cost of such project and it will therefore not be necessary to
issue bonds to finance such cost;

NOW, THEREFORE,

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY
OF ROCKLAND, NEW YORK, HEREBY RESOLVES, AS FOLLOWS:

Section 1. The resolution heretofore duly adopted by the Town Board of the
Town of Clarkstown, in the County of Rockland, New York (the "Town"), entitled:

"Bond Resolution of the Town of Clarkstown, New York,
adopted November 20, 2012, authorizing the installation of
solar panels at the Clarkstown landfill, stating the estimated
maximum cost thereof is \$90,000, appropriating said amount
for such purpose, and authorizing the issuance of \$90,000
serial bonds of said Town to finance said appropriation,"

is hereby rescinded, no bonds or bond anticipation notes having been heretofore issued pursuant
thereto.

Section 2. This resolution shall take effect immediately.

awm