

TOWN OF CLARKSTOWN
TOWN BOARD MEETING
Town Hall Auditorium
September 10, 2013, 8:00 PM
AGENDA
(Tentative)

SALUTE TO THE FLAG

SPECIAL PRESENTATIONS

- **Nanuet Girls 10-11 All-Star Softball - NYS Champions**
- **New City Generals Boys' U-8 Baseball - NYS Champions**

CLERK CALLS THE ROLL

PUBLIC HEARINGS:

- *Continuation* – Application of Rockland Jewish Community Center Corporation for a Special Permit for Outdoor Recreation.

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

RESOLUTIONS:

1. Accepting the Minutes of the Special Town Board Meeting of July 29, 2013, as submitted by the Town Clerk.
2. Authorizing the following Personnel Changes:
 - Appointment (Provisional): Margarita A. Sandoval, Senior Records Clerk Typist (Law Enforcement – Police Department.
3. Authorizing the following Bid Awards:
 - a) Bid #10-2013 – Maple Road Drainage Improvements
 - b) Purchase of One (1) Street Sweeper
4. Waiving the Notice Requirement in §64 of the NYS ABC Law with Respect to a Liquor License for The Burger Loft (391 S. Main Street, New City)
5. Authorizing the Director of Environmental Control to Retain the Services of a Contractor to Construct a Diversion Berm on the Braemar Condominium Property
6. Authorizing the Installation of Fire Lane Designations at Cedar Grove Corners Condos
7. Authorizing Funds for the following:
 - a) Preparation of Plans and Specifications in Connection with the West Nyack Stormwater Management Project.
 - b) Construction of Drainage Improvements on Maple Road
 - c) Acquisition of a Street Sweeper.
8. Authorizing Accepting Funds and Amending Budget

ADDITIONAL TENTATIVE RESOLUTIONS:

9. Amending Town Board Resolution 384-2012 for Bid#30-2012; Windgate Drive/Paramount C.C. Drainage Improvements
10. Authorizing the Supervisor to enter into a Renewal Agreement concerning Town of Clarkstown "Adopt-A-Road" program with Housecraft Inc. for .5 mile segment of Cairnsmuir Lane from Congers Road to Strawtown Road in New City
11. Authorizing Installation of Trench Drain, 182 West Mary Lane in Valley Cottage

12. Authorizing Change Orders for the following:
 - a) Change Order #1 and #2, Project No. CLKT 1203, Lake Nanuet Park Sewer Relocation
 - b) Change Order #1, #2, #3 and #4, Contract "G" General Construction, Project No. CLKT 11-12, Pump Station Upgrade, North Greenbush Road, Vandoren Court and Long Clove Road

13. Authorizing the following Personnel Changes:
 - a) Reclassification: Senior Clerk Typist to Recreation Information Clerk -- Parks & Recreation.
 - b) Reappointment: Karen M. McCombs, Member, Assessment and Review Board
 - c) Sick Leave of Absence: Anthony J. Pagliuca, Groundskeeper, Parks & Recreation
 - d) Reassignment: Demeurant Louisthelmy, from Part Time to Full Time Municipal Bus Driver, Clarkstown Mini Trans
 - e) Resignation: Edward Bertolino, Member, Traffic & Traffic Fire Safety Advisory Board
 - f) Appointment: Edward Bertolino, Member, Parks Board & Recreation Commission.
 - g) Resignation: Norman Peachey, Chairman & Member, Traffic & Traffic Fire Safety Advisory Board
 - h) Appointment: Andrew Kaye, Member, Traffic & Traffic Fire Safety Advisory Board.

14. Authorizing the Supervisor to enter into a License Agreement

15. Authorizing Settlement of Tax Certiorari regarding Double H-NGW (Tax Map 65.35-1-1)

16. Authorizing Change Orders #1, #2, #3, #4 and #5, Contract "S" Sewer Construction, Project No. CLKT 11-12, Force Mains and Gravity Sewers Project.

17. Authorizing the Supervisor to Apply for a Grant from the Hudson River Valley Greenway Communities Council on behalf of the Rockland Farm Alliance.

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, Click on Legal Matters*****

RESOLVED, that Special Town Board Minutes of July 29, 2013 are hereby
accepted, as submitted by the Town Clerk.

DATED: September 10, 2013

RESOLVED, that Margarita A. Sandoval, 5 North Fairview,
Nanuet, New York - is hereby appointed (provisional)
(promotional) to the position of Senior Records Clerk Typist
(Law Enforcement) - Police Department - at the current 2013
salary of \$64,974 - effective September 10, 2013.

DATED: September 10, 2013
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RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Director of the Department of Environmental Control that

BID # 10-2013 – MAPLE ROAD DRAINAGE IMPROVEMENTS

is hereby awarded to: MARINI BROS. CONSTRUCTION CO., INC.
9 LAFAYETTE STREET
HACKENSACK, NJ 07601
PRINCIPAL: MIKE DANIELE, PRESIDENT

as per their proposed total project cost not to exceed \$57,455.55 plus 15% 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-8766-400-409-0-89-2, and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds.

DATED: September 10, 2013

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

BID #17-2013 – PURCHASE OF ONE (1) STREET SWEEPER

is hereby awarded to the lowest responsible bidder:

TRIUS, INC.
458 JOHNSON AVENUE
P.O. BOX 158
BOHEMIA, NY 11716-0158
GARY CERVELLI

PRINCIPALS:

as per their low bid proposal of \$198,987.00 for one (1) Tymco Model 600 Sweeper on a 2014 International 4300-M7 Chassis in full accordance with Town of Clarkstown's specifications, and be it

FURTHER RESOLVED, that said award shall constitute a proper charge to account #H-8766-400-409-0-89-5, and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds.

DATED: September 10, 2013

awm

RESOLUTION WAIVING THE NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR AN ENTITY IN WHICH DIMITRI THEOFANIDES IS A PRINCIPAL D/B/A THE BURGER LOFT (391 S. MAIN STREET, NEW CITY)

WHEREAS, Warren B. Pesetsky, Esq., attorney for An Entity in which Dimitri Theofanides is a principal D/B/A The Burger Loft, has advised the Town by letter dated August 21, 2013, pursuant to Section 64-2(a) of the Alcoholic Beverage Control Law, that An Entity in which Dimitri Theofanides is a principal D/B/A The Burger Loft has applied for an on-premises liquor license at 391 S. Main Street, New City, New York, and

WHEREAS, to expedite processing said corporation's license application, Mr. Pesetsky has requested that the Town Board waive the thirty day waiting period provided by law, and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby waives the thirty day notice requirement contained in Section 64 of the Alcoholic Beverage Control Law, and states that it does not intend to offer any comments regarding the application of An Entity in which Dimitri Theofanides is a principal D/B/A The Burger Loft for a license at premises located at 391 S. Main Street, New City, New York.

Dated: September 10, 2013

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RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL CONTROL TO RETAIN THE SERVICES OF A CONTRACTOR TO CONSTRUCT A DIVERSION BERM ON THE BRAEMAR CONDOMINIUM PROPERTY

WHEREAS, certain units of the Braemar condominium complex experience flooding as a result of runoff from Virginia Street and Carolina Drive, and

WHEREAS, the Department of Environmental Control has prepared a plan for the construction of a diversion berm along the westerly property line of the condo complex to divert the runoff; and

WHEREAS, the Department of Environmental Control has solicited proposals from four (4) qualified contractors to construct the berm, and

WHEREAS, the Department of Environmental Control has received four (4) proposals in response to its solicitation, and

WHEREAS, Department of Environmental Control staff has reviewed the low proposal submitted by Danny Clapp Landscaping, Inc. and has found it to be acceptable, and

WHEREAS, the Director of the Department of Environmental Control recommends that the work be awarded to Danny Clapp Landscaping, Inc. for their low proposal of **\$8,795.00**;

NOW, THEREFORE, BE IT RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to retain the services of Danny Clapp Landscaping Inc., to perform this work in accordance with their proposal for an amount not to exceed **\$8,795.00**, and be it

FURTHER RESOLVED, that this amount shall be a proper charge to **Account No. H 8766 409 0 89 6**.

DATED: September 10, 2013



6

**RESOLUTION # ADOPTED BY TOWN BOARD
RESOLUTION AUTHORIZING FIRE LANE DESIGNATIONS AT**

Cedar Grove Corners

WHEREAS, the Chief Fire Safety Inspector of the Town of Clarkstown recommends implementing certain provisions of Local Law No. 9-1971, as amended, known as the **VEHICLE AND TRAFFIC LOCAL LAW**, more particularly designated as Chapter 278 Sec. 13, of the Code of the Town of Clarkstown, at

Cedar Grove Corners Condos
46 Corners Rd.
Congers NY 10920
129-A-42.10
35.15-1-11

By the installation of fire lane designations, and

WHEREAS, Jerry W. Perry, **President, H.O.A.**, has requested that the Town of Clarkstown designate said fire lanes:

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Chief Fire Safety Inspector with regard to the installation of conforming fire lane designations be installed by and at the expense of the owner of such property upon the review and approval of the Traffic and Traffic Fire Safety Advisory board of the Town of Clarkstown.

DATED: September 10, 2013

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BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED SEPTEMBER 10, 2013,
AUTHORIZING THE PREPARATION OF PLANS AND
SPECIFICATIONS IN CONNECTION WITH THE WEST
NYACK STORMWATER MANAGEMENT PROJECT,
STATING THE ESTIMATED MAXIMUM COST THEREOF IS
\$450,000, APPROPRIATING SAID AMOUNT FOR SUCH
PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS
IN THE PRINCIPAL AMOUNT OF \$450,000 TO FINANCE
SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York
(herein called the "Town"), is hereby authorized to prepare plans and specifications in
connection the West Nyack Stormwater Management Project. The estimated maximum cost
thereof, including preliminary costs and costs incidental thereto and the financing thereof, is
\$450,000 and said amount is hereby appropriated for such purpose. The plan of financing
includes the issuance of \$450,000 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 \$450,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance a part of said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years.

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

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

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

provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 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.

* * *

A handwritten signature in cursive script, appearing to read "A. M. M.", is located in the lower right quadrant of the page.

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED SEPTEMBER 10, 2013,
AUTHORIZING THE CONSTRUCTION OF DRAINAGE
IMPROVEMENTS ON MAPLE ROAD, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$66,000,
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
AND AUTHORIZING THE ISSUANCE OF BONDS IN THE
PRINCIPAL AMOUNT OF \$66,000 TO FINANCE SAID
APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York
(herein called the "Town"), is hereby authorized to construct drainage improvements on Maple
Road. The estimated maximum cost thereof, including preliminary costs and costs incidental
thereto and the financing thereof, is \$66,000 and said amount is hereby appropriated for such
purpose. The plan of financing includes the issuance of bonds of the Town in the principal
amount of \$66,000 to finance said appropriation, and the levy and collection of taxes on all the
taxable real property in the Town to pay the principal of said bonds and the interest thereon as
the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$66,000 are hereby
authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter

33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) 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 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 September 10, 2013, 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 September 10, 2013, authorizing the construction of drainage improvements on Maple Road, stating the estimated maximum cost thereof is \$66,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$66,000 to finance said appropriation,”

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

FIRST: AUTHORIZING said Town to construct drainage improvements on Maple Road; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$66,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds of the Town in the principal amount of \$66,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds of the Town in the principal amount of \$66,000 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 bonds are authorized to be issued is forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

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

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

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

DATED: September 10, 2013

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.

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BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED SEPTEMBER 10, 2013,
AUTHORIZING THE ACQUISITION OF A STREET
SWEEPER, STATING THE ESTIMATED MAXIMUM COST
THEREOF IS \$200,000, APPROPRIATING SAID AMOUNT
FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE
OF BONDS IN THE PRINCIPAL AMOUNT OF \$200,000 TO
FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York
(herein called the "Town"), is hereby authorized to acquire a street sweeper. The estimated
maximum cost thereof, including preliminary costs and costs incidental thereto and the financing
thereof, is \$200,000 and said amount is hereby appropriated for such purpose. The plan of
financing includes the issuance of \$200,000 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 \$200,000 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. 28 of the Law, is fifteen (15) years.

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

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

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and 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 September 10, 2013, 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 September 10, 2013, authorizing the acquisition of a street sweeper, stating the estimated maximum cost thereof is \$200,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$200,000 to finance said appropriation,”

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

FIRST: AUTHORIZING said Town to acquire a street sweeper; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$200,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$200,000 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;

SECOND: AUTHORIZING the issuance of \$200,000 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 \$200,000 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: September 10, 2013

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.

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RESOLUTION AUTHORIZING ACCEPTING FUNDS & AMENDING BUDGET

WHEREAS, the Town has received \$3,845.75 from seized property and \$2,510.54 from Simon Properties

NOW THEREFORE BE IT,

FURTHER RESOLVED, to increase Revenue Account A-01-11-4320-0 (General-Seized Property) and increase Expense Account A-3120-307-0 (Police-Uniforms) by \$3,845.75 and be it

FURTHER RESOLVED, to increase Revenue Account A-01-9-2705-0 (General-Gifts & Donations) and increase Expense Account A-3120-293-0 by \$2,510.54 and

WHEREAS, certain accounts need additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease Expense Account A-1990-505-0 (Contingency-Other Costs) and increase Expense Account A-8511-319-0 (Community Beautification-Misc Supplies) by \$10,000.

RESOLUTION AMENDING TOWN BOARD RESOLUTION 384-2012 FOR BID #30-2012; WINDGATE DRIVE/PARAMOUNT C.C. DRAINAGE IMPROVEMENTS

WHEREAS, Town Board Resolution 384-2012 awarded bid #30-2012; Windgate Drive/Paramount C.C. Drainage Improvements to Victor P. Zugibe, Inc.; and

WHEREAS, The Country Club and adjacent property owners raised concerns about the aesthetic impact of an earthen berm which was to be constructed as part of the project; and

WHEREAS, The Department of Environmental Control has revised the plan to lower the proposed berm elevation and create a detention pond on the country club property; and

WHEREAS, a change order request for the additional work was submitted by Victor P. Zugibe, Inc. for the following:

Strip, stockpile and re-spread topsoil in location of proposed detention pond:	\$6,700.00
Excavation and disposal of ±4,000 cubic yards for the construction of a detention pond on country club property:	\$59,100.00
Underdrain pipe to be installed in new detention pond:	<u>\$5,650.00</u>
Total Change Order Cost:	\$71,450.00

WHEREAS, the change order has been reviewed by the Department of Environmental Control and found acceptable; and

NOW, THEREFORE, BE IT RESOLVED that the allowance for this project be increased from **\$80,155.00** to **\$151,605.00** to reflect the additional cost of the change order; and

BE IT FURTHER RESOLVED that this shall continue to be a proper charge to account # **H-8765-400-409-0-88-17**

DATED: September 10, 2013

awm

10

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A
RENEWAL AGREEMENT CONCERNING TOWN OF CLARKSTOWN
"ADOPT-A-ROAD" PROGRAM

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to continue to adopt the below segment of a town road for an additional period of two (2) years, beginning August 14, 2013 to August 14, 2015, as follows:

Sponsor: **Housecraft Inc.**
 60 South Main Street, Suite 8
 New City, NY 10956

Road: **0.5 mile segment of Cairnsmuir Lane**
 from Congers Road to Strawtown Road,
 New City, NY 10956

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in removing trash from the above roadway that would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of two (2) years beginning August 14, 2013 to August 14, 2015, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt the above segment, and to provide and coordinate services by the above named, to remove trash from the roadways.

Dated: September 10, 2013

TB 09-10-2013 TA RES-Adopt-A-Road-Housecraft-kh

awm

**RESOLUTION AUTHORIZING INSTALLATION OF TRENCH DRAIN
182 WEST MARY LN, VALLEY COTTAGE, NEW YORK**

WHEREAS, complaint was recorded from the Owner at the subject parcel, and

WHEREAS, installation of trench drain at the affected parcel has been determined to be the solution to said complaint, and

WHEREAS, the Department of Environmental Control has solicited proposals from qualified contractors to perform said installation of trench drain, and

WHEREAS, the lowest priced proposal was received from Cal Mart Enterprises Inc. in the amount of \$13,831.00,

NOW THEREFORE, BE IT RESOLVED that the Town Board awards the work for INSTALLATION OF TRENCH DRAIN, 182 WEST MARY LN, VALLEY COTTAGE, NEW YORK to Cal Mart Enterprises Inc. for their proposal price of \$13,831.00, and

BE IT FURTHER RESOLVED that the for such installation shall be a proper charge to Account No. H 8755-400-409-0-79-1.

Dated: September 10, 2013



12a

RESOLUTION AUTHORIZING CHANGE ORDERS #1 AND #2, PROJECT NO. CLKT 1203, LAKE NANUET PARK SEWER RELOCATION

WHEREAS, the existing sanitary sewer main in Lake Nanuet Park is currently being replaced, and

WHEREAS, in the course of performing the work, additional labor and associated work was required in connection with the required work as follows:

- 1. C.O. #1 - Additional labor, equipment and materials associated with the extension of the proposed storm drainage system "A" for a total cost of \$9,574.56
- 2. C.O. #2 - Additional labor, equipment and materials associated with the installation of a new access driveway from the parking lot to the new siphon chamber adjacent to the Nauraushaun Brook required for routing maintenance for a total cost of \$27,100.56

WHEREAS, the Contractor for the Town has submitted the proposals for the miscellaneous additional work, and

WHEREAS, the Town's Consultant for the project, H2M Engineers, has reviewed the proposal for the additional work and finds it acceptable, and

WHEREAS, the cost of the additional work is \$36,675.12.

NOW, THEREFORE, BE IT

RESOLVED, that Change Orders #1 and #2 for Project CLKT 1203 is approved for the additional cost of \$36,675.12, and

BE IT FURTHER RESOLVED, that the total cost for Contract "G" General Construction shall not exceed \$535,173.12, and

BE IT FURTHER RESOLVED, that the cost for the project is being reimbursed by the Rockland County Sewer District #1.

Dated: September 10, 2013

TB 9 10 13 Lake Nanuet Park CLKT 1201 Change Orders

awm

RESOLUTION AUTHORIZING CHANGE ORDERS #1, #2, #3 AND #4, CONTRACT "G" GENERAL CONSTRUCTION, PROJECT NO. CLKT 11-12, PUMP STATION UPGRADE, NORTH GREENBUSH ROAD, VANDOREN COURT AND LONG CLOVE ROAD

WHEREAS, the existing North Greenbush Road, Van Doren Court and Long Clove Road Pump Stations are currently being replaced, and

WHEREAS, in the course of performing the work, additional labor and associated work was required in connection with the required work as follows:

1. C.O. #1 - Additional labor and equipment associated with the relocation of an existing storm drainage culvert adjacent to the Van Doren Court Pump Station for a total cost of \$45,621.42
2. C.O. #2 - Additional mobilization and equipment rental costs in connection with construction of the North Greenbush Road Pump Station for a cost of \$15,074.18
3. C.O. #3 - Additional labor and materials associated with the expansion of the area adjacent to the Long Clove Road Pump Station for a total cost of \$3,970.10
4. C.O. #4 - Additional labor and equipment associated with the removal of unsuitable soil at the Van Doren Court Pump Station for a total cost of \$7,617.60, and

WHEREAS, the Contractor for the Town has submitted the proposals for the miscellaneous additional work, and

WHEREAS, the Town's Consultant for the project, H2M Engineers, has reviewed the proposal for the additional work and finds it acceptable, and

WHEREAS, the cost of the additional work is \$72,283.30.

NOW, THEREFORE, BE IT

RESOLVED, that Change Orders #1, #2, #3 and #4 for Contract "G" General Construction, for Project CLKT 11-12 is approved for the additional cost of \$72,283.30, and

BE IT FURTHER RESOLVED, that the total cost for Contract "G" General Construction shall not exceed \$1,192,783.30, and

BE IT FURTHER RESOLVED, that the cost for the project is being reimbursed by the Rockland County Sewer District #1.

Dated: September 10, 2013

TB 9 10 13 Pump Station Upgrades CLKT 11-12 Change Orders

Qum

13A

WHEREAS, the Rockland County Personnel Office has certified on August 27, 2013 that the position Senior Clerk Typist #0979 has been reclassified to Recreation Information Clerk – Parks and Recreation Department,

Now, therefore, be it

RESOLVED, that the position of Recreation Information Clerk – is hereby approved – effective to September 10, 2013 and be it,

FURTHER RESOLVED, that the position of Senior Clerk Typist #500979 is hereby abolished.

DATED: September 10, 2013
P

RESOLVE, that Karen M. McCombs, 1 Gerken Drive,
New City, New York - is hereby reappointed to the
position of Member - Assessment and Review Board - term
effective October 1, 2013 and to expire on September 30, 2018.

DATED: September 10, 2013

P

**RESOLVED, that in accordance with Article XVIII,
Section 3 (k) of the Labor Agreement between the Town of Clarkstown
and the Clarkstown Unit of C.S.E.A., Anthony J. Pagliuca,
173 Massachusetts Avenue, Congers, New York – Groundskeeper –
Parks and Recreation Department is hereby granted a Sick Leave of
Absence at one-half pay effective and retroactive August 25, 2013
thru September 25, 2013.**

**DATED: September 10, 2013
P**

**RESOLVED, that Demeurant Louisthelmy, 95 Forest Glen Court,
Nanuet, New York – is hereby reassigned from the position of (part-time)
Municipal Bus Driver to the position of (full-time) Municipal Bus Driver -
Clarkstown Mini Trans Department – effective September 10, 2013 at the
current 2013 annual salary of \$49,933.**

**DATED: September 10, 2013
P**

RESOLVED, that the resignation of Edward Bertolino,
65 Kings Highway, Congers, New York - Member - Traffic &
Traffic Fire Safety Advisory Board - is hereby accepted -
effective on September 09, 2013.

DATED: September 10, 2013

P

(13F)

RESOLVED, that Edward Bertolino, 65 Kings Highway,
Congers, New York - is hereby appointed to the position of
Member - Parks Board & Recreation Commission - to fill the
unexpired term of Rudy Damonti - at the current 2013
annual salary of \$3,300., effective September 10, 2013 and
to expire on August 15, 2014.

DATED: September 10, 2013

P

RESOLVED, that the resignation of Norman Peachey,
260 Germonds Road, West Nyack, New York - Chairman & Member
- Traffic & Traffic Fire Safety Advisory Board - is hereby
accepted - effective on September 10, 2013.

DATED: September 10, 2013

P

13H

RESOLVED, that Andrew Kaye, 14 Tarry Hill Drive, New City, New York – is hereby appointed to the position of Member – Traffic & Traffic Fire Safety Advisory Board – (to cover the unexpired term of Edward Bertolino) at the current 2013 annual salary of \$2800., effective September 10, 2013 and to expire on February 28, 2017.

DATED: September 10, 2013
P

14

**RESOLUTION AUTHORIZING THE SUPERVISOR
TO ENTER INTO A LICENSE AGREEMENT**

WHEREAS, the owner of the premises described as Tax Map 52.14-2-38, has requested to install a driveway within a Town drainage easement, and

WHEREAS, Dennis M. Letson, P.E., First Deputy Director of the Department of Environmental Control, has advised that the proposed driveway may be installed, subject to a Revocable License Agreement in a form acceptable to the Town Attorney,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a revocable license agreement with the property owner, of Tax Map 52.14-2-38, and be it

FURTHER RESOLVED, that such agreement shall also provide that the property owner shall indemnify and save harmless the Town of Clarkstown from any and all claims, or causes of action, or any liability against the Town of Clarkstown, arising out of the encroachment.

Dated: September 10, 2013

TB 09-10-13 TA RES Lic. Agreement-dt

awn

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING DOUBLE H-NGW
TAX MAP NO(S). 65.35-1-1**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Double H-NGW Inc. v. The Board of Assessors and The Board of Assessment Review of The Town of Clarkstown, Index No(s). 7370/09, 6851/10, 030684/11, 34188/12 and 33490/13, affecting parcel designated as Tax Map 65.35-1-1 and more commonly known as 55 Route 59, Central Nyack, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice pursuant to Section 727 of Real Property Tax Law of the State of New York and without costs on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown for the Town of Clarkstown and the attorneys for the Nyack Union Free School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 65.35-1-1 be reduced for the year(s) 2009/10, 2010/11, 2011/12 and 2013/14;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 65.35-1-1 be reduced for the year(s) 2012/13 from \$302,300.00 to \$279,600.00 at a cost to the Town of \$494.07;

3. Reimbursement for the year(s) 2012/13 on the parcel described as Tax Map 65.35-1-1, as stated above, be made within ninety (90) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

4. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it.

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and Tax Certiorari Counsel for the Town of Clarkstown is authorized to sign all documents necessary to effectuate such settlement.

Dated: September 10, 2013

TB 09-10-13 TA RES Double H-NGW Inc. Settlement-dt

awm

RESOLUTION AUTHORIZING CHANGE ORDERS #1, #2, #3, #4 AND #5, CONTRACT "S" SEWER CONSTRUCTION, PROJECT NO. CLKT 11-12, FORCE MAINS AND GRAVITY SEWERS PROJECT

WHEREAS, existing force mains and gravity sewers are currently being replaced at various locations throughout the Town of Clarkstown, and

WHEREAS, in the course of performing the work, additional labor and associated work was required in connection with the required work as follows:

1. C.O. #1 - Additional labor and equipment associated with the removal of an unforeseen concrete storm drainage culvert on North Greenbush Road for a total cost of \$8,176.12
2. C.O. #2 - Additional labor and equipment associated with the emergency repair of the force main on Van Doren Court for a total cost of \$12,439.33
3. C.O. #3 - Replacement of additional concrete curbing and chemical root work on New Haven Avenue for a total cost of \$2,714.00
4. C.O. #4 - Additional work associated with the repaving of disturbed roadways for a total cost of \$6,114.00
5. C.O. #5 - Additional labor and equipment associated with the replacement of the New Haven Avenue gravity sewer main caused by an unforeseen ground water condition requiring extensive dewatering necessary to complete the work for a total cost of \$60,000.00, and

WHEREAS, the Contractor for the Town has submitted the proposals for the miscellaneous additional work, and

WHEREAS, the Town's Consultant for the project, H2M Engineers, has reviewed the proposal for the additional work and finds it acceptable, and

WHEREAS, the cost of the additional work is \$89,443.45.

NOW, THEREFORE, BE IT

RESOLVED, that Change Orders #1, #2, #3, #4 and #5, Contract "S" Sewer Construction, for Project CLKT 11-12 is approved for the additional cost of \$89,443.45, and

BE IT FURTHER RESOLVED, that the total cost for Contract "S" Sewer Construction shall not exceed \$1,288,354.45, and

BE IT FURTHER RESOLVED, that the cost for the project is being reimbursed by the Rockland County Sewer District #1.

Dated: September 10, 2013

TB 9 10 13 Sewer Project CLKT 11-12 Change Orders

awm

AUTHORIZING THE SUPERVISOR TO APPLY FOR A GRANT FROM THE
HUDSON RIVER VALLEY GREENWAY COMMUNITIES COUNCIL
ON BEHALF OF THE ROCKLAND FARM ALLIANCE.

WHEREAS, the Town Of Clarkstown is applying to the Hudson River Valley Greenway for a grant under the Greenway Communities Grant Program for a project entitled The Rockland Farm Alliance Farmland Expansion Program to be located in Town Of Clarkstown; and

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located; and

NOW, THEREFORE, be it resolved that the governing board of Town Of Clarkstown hereby does approve and endorse the application for a grant under the Greenway Communities Grant Program, for a project known as The Rockland Farm Alliance Farmland Expansion Program and located within this community.

Dated: September 10, 2013

awm

PH

RESOLUTION AND SPECIAL FINDINGS GRANTING A SPECIAL PERMIT FOR
OUTDOOR RECREATION TO THE ROCKLAND JEWISH COMMUNITY CENTER
CORPORATION (TAX MAPS 58.19-1-11 and 58.19-1-9.26)

WHEREAS, Rockland Jewish Community Center Corporation, by its attorney Donald S. Tracy, has petitioned the Town Board of the Town of Clarkstown for a Special Permit, pursuant to Section 290-17T of the Zoning Local Law, to utilize additional lands known as Tax Maps 58.19-1-11 and 58.19-1-9.26 and located at 450 West Nyack Road, West Nyack, New York, which consists of the subject property and part of the adjacent property owned by the Clarkstown Central School District, for outdoor recreation, and

WHEREAS, the Clarkstown Central School District, by resolution adopted June 17, 2013, found that the application is consistent with the intent of the license agreement entered into between the parties and has no objection to the application, and

WHEREAS, after due notice was published and posted, a public hearing was held before the Town Board of the Town of Clarkstown on August 20, 2013 and continued to September 10, 2013 to consider such application, and

WHEREAS, the Town Board of the Town of Clarkstown has received a report pursuant to SEQRA, from Jose Simoes, Town Planner, which states that the proposal is an Unlisted Action that will not have the potential to adversely affect the environment, and

WHEREAS, the Town Board has discussed and considered Mr. Simoes' report in making its decision herein, and

WHEREAS, the Rockland County Planning Department recommended approval with certain modifications by letter dated July 24, 2013, and

WHEREAS, as per the Rockland County Planning Department's recommendation, the matter was referred to the New York State Thruway Authority for any required permits and the Palisades Interstate Park Commission for their comments, and

WHEREAS, the New York State Thruway Authority, by letter dated August 9, 2013, deferred this matter to the Town, and the Palisades Interstate Park Commission's comments, by letter dated August 9, 2013, have already been addressed, and

WHEREAS, the Town of Clarkstown Planning Board, by memo dated July 31, 2013, recommended approval with certain recommendations, which the Board has considered in making its determination herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Jose Simoes, Town Planner, dated August 14, 2013, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the Special Permit for the Rockland Jewish Community Center Corporation will not have a significant impact on the environment and no further processing pursuant to SEQRA is required, and be it

FURTHER RESOLVED, that the Town Board makes the following Special Findings pursuant to Section 290-15B of the Zoning Ordinance of the Town of Clarkstown:

That the proposed use as described and represented by the applicant:

1. Will be properly located with respect to transportation, water supply, waster disposal, fire and police protection and other public facilities;
2. Will not cause undue traffic congestion or create a traffic hazard;
3. Will not create at any point of determination any more dangerous and objectionable elements than is characteristic of the uses permitted as of right in the same district;
4. Will not adversely affect the character of/or property values in the area;
5. Will not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town; and
6. Will comply with all other regulations applicable to such use;

NOW, THEREFORE, be it

RESOLVED, that a Special Permit to conduct Outdoor Recreation on the above described property owned by the Rockland Jewish Community Center Corporation and the Clarkstown Central

School District is hereby GRANTED to the petitioner subject to the following conditions:

1. Petitioner must comply with Section 290-11(C) and Section 290-17(T) of the Zoning Ordinance of the Town of Clarkstown;
2. A partial site plan for the soccer field must be submitted to the Town of Clarkstown Planning Board for approval;
3. The site plan should show that there is adequate parking on the site for the proposed use along with all of the other uses on the property;
4. The Special Permit should be limited as far as the license agreement with the school. If the license agreement were to be revoked, the Special Permit shall no longer be valid, and be it

FURTHER RESOLVED, that the within Special Findings and Resolution setting forth the reasons for granting such Special Permit shall constitute a written report to be filed with the Town Clerk.

TOWN BOARD

TOWN OF CLARKSTOWN

Dated: September 10, 2013

By: _____
Alexander J. Gromack
Supervisor

awm