

**TOWN OF CLARKSTOWN
TOWN BOARD MEETING
Town Hall Auditorium
December 19, 2013, 12:00 Noon
AGENDA**

SALUTE TO THE FLAG

CLERK CALLS THE ROLL

OATH OF OFFICE:

*Hon. Scott Ugell, Town Justice
with his children Rebecca & Sari holding the Bible*

Oath of Office administered by Judge Victor Alfieri

PUBLIC HEARINGS:

PH-1: Adoption of the Official Map of the Town of Clarkstown

PH-2: Approving the Final Map of the Central Nyack Fire District.

PUBLIC COMMENTS REGARDING AGENDA ITEMS:

(Limited to 3 minutes per person)

RESOLUTIONS:

1. Accepting Minutes of November 7, 2013, as submitted by the Town Clerk
2. Approving the Salary Schedule for 2014
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 & Conditions of Employment for Candyce Draper
6. 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.
7. Authorizing the Supervisor to enter into an Agreement with Partners in Safety, Inc. concerning the Drug and Alcohol Testing Program.
8. Authorizing an Agreement with Korn Rosenbaum, LLP for Auditing Services for the Years 2014 and 2015.
9. Authorizing Removal of Snow on Undedicated Streets in Clarkstown.
10. Authorizing the Supervisor to enter an Agreement with the Nanuet Union Free School District concerning Universal Pre-Kindergarten Program.
11. Confirming and Readopting the Town of Clarkstown Police Department Rules & Regulations.
12. Adopting Fee Schedules for 2014 Recommended by Various Departments and Boards within the Town of Clarkstown.

13. Authorizing the following Personnel Changes:
 - a) Resignation (Retirement): Eileen Malloy, Police Detective, Clarkstown Police Dept.
 - b) Resignation (Retirement): Joseph Reiter, Police Sergeant, Clarkstown Police Dept.
 - c) Resignation (Retirement): Michael Bartolotta, Police Officer, Clarkstown Police Dept.
 - d) Resignation (Retirement): Bernard Cummings, Police Sergeant, Clarkstown Police Dept.
 - e) Resignation: Kevin Campbell, Court Attendant (P/T), Town Justice
 - f) Resignation: Josefina Pouget, Court Attendant (P/T), Town Justice
 - g) Appointment: Raj Malhotra, Court Attendant (P/T), Town Justice
 - h) Appointment: Michael Bartolotta, Court Attendant (P/T), Town Justice
 - i) Appointment: Lucille Kelly, Court Attendant (P/T), Town Justice
 - j) Resignation: Eileen C. Gray, Secretary, Parks Board & Recreation Commission
 - k) Appointment: Jean Anne Tiesler, Secretary, Parks Board & Recreation Commission
 - l) Sick Leave of Absence: Louis Presta, Maintenance Mechanic II, Parks & Recreation
 - m) Resignation (Retirement): Louis Presta, Maintenance Mechanic II, Parks & Recreation
 - n) Resignation (Retirement): Loretta Raimone, Receiver of Taxes
 - o) Resignation (Retirement): Dolores Daubitz, Deputy Receiver of Taxes
14. Terminating Probationary Employment per Rockland County Civil Service Rules.
15. Authorizing the Supervisor to Execute General Release (Leonard Jackson and Leonard Jackson Associates.)
16. Authorizing the Supervisor to Apply for a Grant from the Hudson River Valley Greenway Communities Council on behalf of the Rockland Farm Alliance.
17. Extending Agreement with H2M Group to Provide Engineering Services concerning the Clarkstown Transfer Station.
18. Amending Stormwater Maintenance Agreement – Eden Park Homes Subdivision/Site Plan
19. Accepting Permanent Drainage Easement concerning Denver Drive Culvert Replacement and Drainage Improvement Project in New City, N.Y.
20. Authorizing Additional Payment for Additional Work: Denver Drive Drainage Improvements.
21. Authorizing the Supervisor to enter into a “Renewal” Agreement concerning “Adopt-a-Road” Program – Clarkstown Sunrise Rotary Club.
22. Authorizing the Installation of a Street Light at the Corner of 4 Northlyn Court, Bardonia
23. Setting a Public Hearing for February 4, 2014 – Approving Final Map of Boundary Lines of the New City Fire District.
24. Granting the following Certificates of Registration:
 - 14-1 Pearl River Plumbing Heating & Electric, Inc. d/b/a Bertussi’s
 - 14-2 Michael Sasso Plumbing Corp.
 - 14-3 Paul Bitts Co., Inc.
 - 14-4 Ronald J. Tarigo
 - 14-5 Ronald Filera Landscape Contractors, LLC.
 - 14-6 Rino Paving & Construction
 - 14-7 RR Plumbing Services Corp.
 - 14-8 JGC Heating, Inc.
 - 14-9 Victor Zugibe, Inc.
25. Authorizing the Installation of a “Stop” Sign and “Stop” Line - Westlyn Drive and Pineview Avenue, Bardonia.
26. Authorizing Accepting Funds and Amending Budget.
27. Authorizing the Comptroller to Amend the 2013 Budget.
28. Authorizing the Supervisor to Enter into an Agreement with Sylvia A. Welch, Ph.D. to Provide Research for Funding Sources for Several Projects.
29. Authorizing the Chief of Police to Execute a Renewal Agreement with Jay Lorah D.O. as Police Surgeon.

30. Authorizing the Supervisor to Enter into an Agreement with Rev. David Lothrop to serve as Police Chaplain.
31. Authorizing Installation of a Fire Hydrant at the intersection of No. Little Tor Road and So. Mountain Road.
32. Authorizing the Supervisor to Enter into a Claims-Administration Agreement with PMA Management Corporation (January 1, 2014 -- December 31, 2014).
33. Setting a Public Hearing and Referring a Proposed Local Law for February 14, 2014 -- "A Local Law for Flood Damage Prevention as Authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36 to the Clarkstown Planning Board and the Rockland County Department of Planning.
34. Authorizing the Supervisor to Enter into an Agreement with H2M for Professional Engineering Services to Assist the Town with an Alternate Design for South Mountain Road Drainage Improvements.
35. Authorizing Settlement of Tax Certiorari regarding Tax Map No. 26.17-2-10.
36. Awarding the following Bids:
 - a) Bid No. 19-2013 -- One (1) Boom Truck (2014 Purchase)
 - b) Bid No. 22-2013: Furnish and Install Synthetic Rubber Flooring in Congers Community Center Gymnasium.
37. Authorizing Funds for Bid No. 22-2013 -- Installation of Synthetic Rubber Flooring in Congers Community Center Gymnasium.
38. Authorizing the Supervisor to Enter into an Agreement with the Town of Ramapo for use of Police Range.
39. Setting a Public Hearing for February 4, 2013 -- Request of Cherry Valley Builders, Inc. for Use of Town Law 280-a(4), Open Development Area, to Obtain Access to Property (Tax Map 64.18-3-2)
40. Authorizing the Town Clerk to Enter into an Agreement with Value Payment Systems.
41. Setting Hourly Rates for Student Office Workers and Summer Recreation Positions.
42. Authorizing an Agreement with Mediastar-SG with Respect to the Town TV Studio
43. Authorizing Funds for the Acquisition of Bid No. 19-2013 -- Boom Truck.
44. Authorizing an Agreement with Henningson, Durham and Richardson Architecture & Engineering, P.C. for an Updated Evaluation of Certain Property Located at 139/141 Massachusetts Avenue, Congers, New York

ADDITIONAL TENTATIVE RESOLUTIONS:

45. Requesting the Rockland County Consortium to Consider Several Projects for Community Development Block Grant Funding.
46. Authorizing Execution and Acceptance of Maintenance Agreement regarding Palisades Plaza Site Plan (Tax Map 59.18-1-23,24,25)
47. Authorizing Emergency Repairs to the Long Clove Road and North Greenbush Road Sanitary Sewer Pump Stations
48. Authorizing Change Order #6, Contract "G" General Construction, Project No. CLKT 11-12, Pump Station Upgrade, North Greenbush Road, Vandoren Court and Long Clove Road.
49. Granting Certificates of Registration to the following:
 - 14-10 -- W. Harrison & Sons, Inc.
 - 14-11 -- Cal Mart Enterprises, Inc.
 - 14-12 -- Angel Landscaping, Inc.
 - 14-13 -- Vito's Plumbing & Heating d/b/a Mr. Plumber.
 - 14-14 -- Belleville Landscaping, Inc.

50. Authorizing Execution and Acceptance of a Rental Preference Agreement and Covenant regarding Congers Overlay District (44.15-3-10)
51. Authorizing Execution and Acceptance of Maintenance Agreement regarding Bertolino/Graziano
52. Accepting and Adopting the Findings of Fact and Recommendations of the Hearing Officer in the Matter of the Termination of Statutory Benefits Pursuant to General Municipal Law §207-c

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*****

PH-1
Amended

**RESOLUTION ADOPTING THE OFFICIAL MAP
OF THE TOWN OF CLARKSTOWN**

WHEREAS, the Town Board of the Town of Clarkstown, by Resolution adopted on November 7, 2013, provided for a public hearing to be held on December 19, 2013 at 12:00 p.m., or as soon thereafter as possible, to consider adoption of an updated Official Map of the Town of Clarkstown, pursuant to §273 of Town Law, and

WHEREAS, by Resolution adopted on November 7, 2013, the Town Board directed that the matter be referred to the Rockland County Commissioner of Planning and the Clarkstown Planning Board for report and recommendation, which recommendations have been received and which the Town Board has considered in making their decision herein, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, and said public hearing was duly held at the time and place specified in said notice, and

WHEREAS, the Clarkstown Planning Board considered the matter at its regularly scheduled meeting on December 11, 2013 and, by memo dated December 11, 2013, recommended adoption of the updated Official Map of the Town of Clarkstown, and

WHEREAS, the Rockland County Department of Planning recommended approval of amending the Official Map, by letter dated December 10, 2013, subject to the following modifications:

1. Due to scaling, the names of certain small street segments do not appear on the print version of the map, however these names appear in the digitized version and accompanying table;
2. Consider demapping three segments shown as rights-of-way along Grant and Morton Avenues, which the Town shall take under advisement;
3. Identify existing or paper street road segments proposed to be abandoned;
4. Consider requiring removal of obstacles from rights-of-way;
5. Consider preserving some segments or paper streets for recreational areas, such as trails or pocket parks;
6. This error has been corrected; and

WHEREAS, the Town has, and will continue to consider, the County's comments in future map amendments, and

WHEREAS, the Town Board of the Town of Clarkstown has received a report dated December 12, 2013, pursuant to SEQRA, from Jose Simoes, Principal Town Planner, which states that this matter is a Type II action under Part 617 of the SEQRA regulations which will not have a significant impact on the environment and no further review is necessary, which the Board considered in making their decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Jose Simoes, Principal Town Planner, dated December 12, 2013, acting as staff

to the Town Board as lead agency, the Town hereby determines that this is a Type II action under Part 617 of the SEQRA regulations and shall not have any significant impact on the environment, and be it

FURTHER RESOLVED, that pursuant to Town Law Section 273, the proposed amended Official Map of the Town of Clarkstown is hereby adopted, and be it

FURTHER RESOLVED, that the GIS Coordinator for the Town of Clarkstown is hereby authorized and directed to amend the Official Map as set forth herein.

Dated: December 19, 2013

TB 12-19 TA RES Adopt Official Map-pm

awm

PH-2

RESOLUTION APPROVING THE FINAL MAP OF THE
CENTRAL NYACK FIRE DISTRICT
RESOLUTION NO. _____-2013 OF THE TOWN OF CLARKSTOWN

WHEREAS, Town Law § 176(5) requires fire districts to prepare a map showing the exact boundaries of the fire district, and

WHEREAS, the Central Nyack Fire District has complied with the provisions of Town Law § 176(5), and

WHEREAS, the Central Nyack Fire District has provided the Town Board of the Town of Clarkstown, New York with the proposed map and legal description as well as proof of service upon adjacent fire districts of the proposed map and description, and

WHEREAS, the Town Board has been advised and believes that no objections to the proposed map and description have been filed, and

WHEREAS, notice of public hearing was duly published and posted as required by law, and said public hearing was duly held at the time and place specified in said notice at which hearing no objections to the boundaries were heard;

NOW, THEREFORE, be it

RESOLVED, as follows:

1. That the proposed map and legal description of the Central Nyack Fire District is hereby approved.
2. The Town Clerk, pursuant to Town Law § 176(5) is directed to notify the adjacent fire districts of the filing and approval of said map.
3. That the Town Clerk is further directed to file a certified copy of the map in the Office of the Rockland County Clerk as well as to publish a notice of the filing of said map in the official newspaper of the Town of Clarkstown.

Dated: December 19, 2013



RESOLVED, that the Town Board Minutes of November 7, 2013 are hereby accepted, as submitted by the Town Clerk.

DATED: December 19, 2013

**RESOLUTION REGARDING SALARIES OF ALL
TOWN OFFICIALS AND EMPLOYEES - 2014**

RESOLVED, that the salaries of all Town Officials and employees be fixed as per the attached Town of Clarkstown 2014 Salary Schedule, in accordance with the Budget adopted for the Year 2014, 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, 2014, the first payroll to be paid **on** January 2, 2014, and be it

FURTHER RESOLVED, that all Town employees shall be paid on a biweekly basis to commence January 1, 2014 to include the remainder of year 2013, and the first full payroll for the year 2014 to be paid on January 16, 2014, 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 19, 2013

TB 12-19 TA RES Payroll-pm

awm

**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 19, 2013
TB 12-19 TA RES Vehicle rate for mileage-pm

awm

**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, 2014 and ending December 31, 2014 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;

- (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 19, 2013

TB 12-19 TA RES Vehicles-Comptroller to Credit Additional Income-pm

awm

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 2014 as applied for 2013, except that her annual salary shall be at the 2014 annual salary as set forth in the 2014 adopted salary schedule.

Dated: December 19, 2013

TB 12-19 TA RES Draper 2014 Salary-pm

Alum

RESOLUTION AUTHORIZING TOWN TO RETAIN THE LAW FIRM OF WILSON, ELSEER, 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 22, 2013 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 22, 2013, commencing on January 5, 2014 until January 4, 2015, 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 19, 2013

TB 12-19 TA RES Wilson Elser Agree-pm

AWM

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN
AGREEMENT WITH PARTNERS IN SAFETY, INC.
CONCERNING THE DRUG AND ALCOHOL TESTING PROGRAM

WHEREAS, PARTNERS IN SAFETY, INC. has submitted a proposal for the renewal of an agreement with the Town of Clarkstown, to provide alcohol and drug testing of safety-sensitive employees, including transportation employees and those holding commercial driver's licenses, and

WHEREAS, John W. Coyle, Safety Manager, has recommended acceptance of said proposal;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a renewal agreement, in a form satisfactory to the Town Attorney, with Partners in Safety, Inc., 800 Route 17M, Middletown, New York, for the period commencing January 1, 2014 and terminating on December 31, 2014, to provide alcohol and drug testing of safety-sensitive employees, including transportation employees and those holding commercial driver's licenses, and be it

FURTHER RESOLVED, that the agreement shall provide for contract indemnification and professional and other liability insurance coverage, as required by the Town Attorney, and be it

FURTHER RESOLVED, that the fee for the year 2014 for such services shall be \$3,798.50, with additional hourly fees in accordance with said proposal dated November 25, 2013, which fees shall be charged to Account No. A 9000-409.

Dated: December 19, 2013

TB 12-19-13 TA RES-Partners in Safety-Drug & Alcohol Testing-kh



RESOLUTION AUTHORIZING AN AGEEMENT WITH KORN ROSENBAUM LLP
FOR AUDITING SERVICES FOR THE YEARS 2014 and 2015

WHEREAS, a proposal has been received from Korn Rosenbaum LLP, Certified Public Accountants, dated November 25, 2013, to continue providing auditing services to the Town of Clarkstown, and

WHEREAS, Edward J. Duer, Town Comptroller, has advised that past experience with this firm has proven satisfactory;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form satisfactory to the Town Attorney, with Korn Rosenbaum LLP, Certified Public Accountants, with offices at 26 Firemen's Memorial Drive, Suite 110, Pomona, New York, for auditing services for the years ending December 31, 2014 and December 31, 2015, and be it

FURTHER RESOLVED, that the fee for such services shall not exceed the amount of \$57,650.00 for the years ending December 31, 2014 and December 31, 2015, which cost shall be charged to Account No. A 1320-409, and be it

FURTHER RESOLVED, that said agreement shall provide, among other provisions requested by the Town Attorney, for contract indemnification of the Town, and professional and other liability insurance coverage with the Town of Clarkstown named as an additional insured.

Dated: December 19, 2013

TB 12-19-13 TA RES Korn Rosenbaum Audit-kh



RESOLUTION FOR REMOVAL OF SNOW ON
UNDEDICATED STREETS IN CLARKSTOWN

WHEREAS, heavy snowfall and other inclement weather may create hazardous conditions which may pose an increased danger to life and property in the event of fire, sickness, lack of food and medical assistance to persons house bound on unplowed or otherwise impassable streets;

NOW, THEREFORE, be it

RESOLVED, that in addition to the authority granted under Executive Law, Sections 24 and 25, the Supervisor of the Town of Clarkstown is hereby authorized to use and direct any and all facilities, equipment, supplies, personnel under his control and direction and other resources of the Town of Clarkstown in such a manner as may be necessary or appropriate to cope with any urgent situation, crisis, natural emergency disaster or extraordinary condition created by any snow fall or other weather condition, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes and directs the Superintendent of Highways to seek the cooperation of the developers/owners of undedicated streets to properly plow and sand during inclement

weather and to use personnel and equipment to plow undedicated streets in the Town of Clarkstown at such time when necessary to prevent imminent hazard to life and property, and be it

FURTHER RESOLVED, that the Superintendent of Highways is hereby authorized and directed to seek recovery of the reasonable costs for such services from the developers of undedicated subdivision roads or any responsible party, and where appropriate, to assess such costs, if unpaid, on the responsible property owner's next Town tax bill, or otherwise seek recovery by any available legal remedy.

Dated: December 19, 2013

TB 12-19 TA RES Snow Removal-pm

A handwritten signature in black ink, appearing to be 'AWM', is located in the lower right quadrant of the page.

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE NANUET UNION FREE SCHOOL DISTRICT CONCERNING UNIVERSAL PRE-KINDERGARTEN PROGRAM

WHEREAS, the Education Law makes provision for local School Districts to provide Universal Pre-Kindergarten Programs, and

WHEREAS, the Town of Clarkstown desires to be one of the sites designated by the Nanuet Union Free School District to provide the Universal Pre-Kindergarten Program;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the Nanuet Union Free School District, in a form approved by the Town Attorney, to provide the Universal Pre-Kindergarten Program at the Town of Clarkstown Street Community Center, New City, New York, during the 2013-2014 school year, and be it

FURTHER RESOLVED, that the Nanuet Union Free District shall pay \$2,400 for each child duly enrolled in the Universal Pre-Kindergarten Program.

Dated: December 19, 2013

awm

11

**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 December 20, 2012 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 19, 2013

TB 12-19 TA RES PD Rules & Regs-pm

awm

RESOLUTION ADOPTING FEE SCHEDULES FOR 2014
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
- Police Department
- 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 2014 for the above referenced departments and/or boards, which are attached as Exhibit "A."

Dated: December 19, 2013

awm

EXHIBIT "A"
2014 FEES

DEPARTMENT	SERVICE	2014 ADOPTED FEES
ASSESSOR	Photocopy	\$.25 per page
	Perimeter Search	\$100
TOWN ATTORNEY	Filming Permit Fee	\$500
	Parking/ Storage-Filming	\$250 per hr (min 2 hrs) or \$1,500 per day
	Security Deposit for Filming	\$1,000 (returned after film completion)
	License Agreement	\$250 + recording fee(s)
BUILDING	New construction or alteration to existing buildings or structures, accessory buildings, and swimming pools	\$150 for the first \$1,000 of construction cost, plus \$18 for each additional \$1,000 of estimated construction cost or fraction thereof
	Use, or change in use or occupancy requiring issuance of a Certificate of Occupancy (no new construction)	\$150
	Demolition Permit (small) Pools, garages, sheds etc. Bldgs. Less than 500sq.ft.	\$100
	Demolition Permit (large) Bldgs. 500 to 20,000sq.ft. Bldgs. 20,000sq.ft and up	\$100 + \$10 per 100 sq ft \$100 + \$8 per 100 sq ft
	Record search request for existence of violations and Certificate of Occupancy	\$165

DEPARTMENT	SERVICE	2014 ADOPTED FEES
BUILDING (Continued)	Flammable Liquid	\$75
	Garage & Service Stations	\$75
	Hazardous Chemical	\$75
	Junk Yard	\$75
	Liquefied 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) 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	

DEPARTMENT	SERVICE	2014 ADOPTED FEES	
BUILDING (Continued)	2) Bldgs. which contain more than one tenant without common areas in building: (each Tenant)	\$40	
	3(A) Bldgs. which contain more than one tenant with common areas in building: (each Tenant)	\$40	
	Landlord for common areas	\$40	
	(B) Mercantile Bldgs. which are classified as a mall: (each tenant)	\$40	
	Landlord for common areas	\$100	
	CLERK	Amusement Devices	\$50 per machine
		Bell Jar License	\$25 per year
	BINGO License	\$18.75 per occasion	
	Birth Transcripts	\$10 per transcript	
	Blasting Permits	\$50 per site	
	Bus Tickets	\$11 per sheet	
	Certification	\$1 per certification	
	Color Copy	\$2 per copy	
	Copy of CD	\$2 per copy	
	Postage for CD	.50 per envelope	
	Collateral Loan Broker's Permit	\$250 per year	
	Death Transcripts	\$10 per transcript	
	Fingerprints (for police)	\$75 per print	
	Game of Chance	\$25 per occasion	
	Genealogy	\$22 per search (1-3 years)	
		\$42 per search (4-10 years)	
		\$62 per search (11-20 years)	
		\$82 per search (21-30 years)	
		\$102 per search (31-40 years)	

DEPARTMENT	SERVICE	2014 ADOPTED FEES
ENVIRONMENTAL	Distribution of Environmental Assessment Form under the provisions of SEQRA	\$300
	Application for Building Permit, Pool Permit, Tree Removal, Land Clearing, Filling or Excavation of land for individual lot	\$250
	Floodplain Development Permit Application	\$100
	Review Fee Schedule for Stormwater Pollution Prevention Plans for Construction Activities as follows:	
	<i>a) Residential Subdivision Application</i>	\$100/lot
	<i>b) Residential Site plan:</i>	
	up to 1/2 acre	\$250
	1/2 to 2 acres	\$500
	2 to 5 acres	\$700 + \$75/acre
	over 5 acres	\$1,000 + \$75/acre
	<i>c) All Non-Residential Development with any Land Disturbance:</i>	
	up to 10,000 SF	\$250
10,001 SF to 2 acres	\$500	
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

Adopted December 19, 2013

EXHIBIT "A"
2014 FEES

7
Amesbury
#12-
P.1

DEPARTMENT	SERVICE	2014 ADOPTED FEES
ENVIRONMENTAL (Continued)	Annual Registration for Sewer Contractor	\$250
	New Application for License to engage in Solid Waste Collection Business in the Town of Clarkstown	\$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 Clarkstown	\$100 per truck
	Municipal Tree Bank Fund	\$475 per tree
HIGHWAY	Permit Fee and First Inspection	\$175
	Additional Permit Inspections	\$100
PLANNING	Appearance before Technical Advisory Committee	\$200 per appearance
	Site Plan (preliminary)	\$500 per appearance + \$125 per public notice + \$125 per 1,000 SF commercial construction or part thereof, per application

DEPARTMENT	SERVICE	2014 ADOPTED FEES
PLANNING (Continued)	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 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
	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

DEPARTMENT	SERVICE	2014 ADOPTED FEES
PLANNING (Continued)	Informal Appearance/Review- Site Plan/Subdivision	\$500 per appearance + \$125 per public notice
	All other Special Permits	\$250
	Wireless Telecommunication Facilities Special Permit	Category A & B Sites \$500; Category C Sites \$1,000; Category D Sites \$1,500
	Appearance before Antenna Advisory Review Board	\$500 per appearance
	Other	\$500 per appearance + \$125 per public notice + Planning Board to determine additional fee required.
POLICE	Alarm Permit	\$50
	Civilian Fingerprints: (Resident) (Non-Resident)	\$10 per card \$20 per card
	Contract Policing	\$125 per hour
	On-Line Accident Reports	\$7
	Photographs-CD	\$50
	Police Reports	\$.25 per page
	Videos-DVD	\$75
RECREATION & PARKS	PLEASE SEE ATTACHED FEE SCHEDULES	

SCHEDULE "A" (Continued)

RECREATION PROGRAMS
SCHEDULE OF FEES

2014

CAMP PROGRAMS/TENNIS LESSONS

TENNIS LESSONS.....	100.00
PRE-SCHOOL (per day).....	27.00
CAMP CLARKSTOWN- Strawtown(8:30 AM - 5:30 PM).....	1075.00 (Trips not inc)
Register after 6/9/14.	1225.00 (Trips not inc)
CAMP CLARKSTOWN-Laurel Plains 8:30 AM - 5:30 PM).....	1075.00 (Trips not inc)
Register after 6/9/14	1225.00 (Trips not inc)
CAMP CLARKSTOWN- George Miller 8:30AM-5:30PM).....	1075.00 (Trips not inc)
Register after 6/19/14.	1225.00 (Trips not inc)
FELIX FESTA MIDDLE SCHOOL CAMP (8:30 AM - 5:30 PM).....	1300.00 (Trips included)
Register after 6/9/14	1450.00 (Trips included)
PLAYGROUNDS	190.00
Register after 6/9/14.....	265.00
PASCACK PLAYGROUND.....	210.00
Register after 6/9/14.....	285.00
EXTENDED SUMMER PLAYGROUND.....	90.00
Register after 7/21/14.....	125.00
EXTENDED SUMMER FULL DAY CAMP.....	420.00
Register after 7/21/14.....	470.00
CIT PROGRAM.....	625.00

SWIMMING

Pre-school Instruction	165.00
Children's Instruction	165.00
Private Instruction	200.00
Lifeguard Training	370.00
Competitive Swimming	180.00
Pre-Competitive Swimming	180.00
Swim Birthday Party.....	235.00
Spray Park Birthday Party.....	195.00
Lap Swimming (mornings).....	100.00
Aqua Aerobics.....	165.00

INSTRUCTIONAL PROGRAMS

Arts & Crafts	102.50
T-Ball/Baseball.....	120.00
Basketball Clinic.....	105.00
Basketball.....	125.00
Birthday Party	205.00
Ceramics.....	112.50

INSTRUCTIONAL PROGRAMS (continued)

Crafty Kids.....	97.50
Creative Claywork.....	112.50
Fairy Tales.....	70.00
Fun with Clay (Pre-school).....	102.50
Golf Lessons.....	95.00
Fun w/Clay (6 week session)	78.00
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.....)	110.00
(additional child).....	80.00
Puff Sports.....	90.00
Spec. Fingers (Pre-school).....	97.50
Yoga, Adult Fitness Classes(per class)	13.00
Lego Building.....	115.00
Film Makers Group.....	115.00
Kid's Yoga	95.00
Burr Bear.....	97.50

Pool Fees

I.D. Cards.....	7.00
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DAILY RATES

	<u>By 5/31</u>	<u>After 6/1</u>
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 CitizenCard	
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 Parks

**2014 - 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 \$140.00

- \$155.00 security deposit is required for damage/additional cleanup of all Community Centers & facilities.
- This deposit will be refunded to the resident if the facility has been left in the proper condition. Our staff will make that final determination

GROUPS FACILITYTIME CHARGES

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	\$205.00
	Auditorium or Gymnasium	Non-Operating Hours	\$220.00
	Kitchen	All Times	No charge

2. Civic or other non-profit organizations in Clarkstown	Meeting Rooms	Operating Hours	No charge
	Auditorium	Operating Hours	No charge
	Meeting Rooms	Non-Operating Hours	\$205.00
	Auditorium or Gymnasium	Non-Operating Hours	\$220.00
	Kitchen	All Times	No charge

3. Other groups in Clarkstown and groups with at least 60% Clarkstown Residents	Meeting Rooms	Operating Hours	\$185.00
	Meeting Rooms	Operating Hours (1 Hr.)	\$ 70.00
	Auditorium	Operating Hours	\$200.00
	Gymnasium	Non-Operating Hours (1 Hr.) (designated hours)	\$ 50.00
	Meeting Rooms	Non-Operating Hours	\$210.00
	Auditorium	Non-Operating Hours	\$225.00
	Kitchen	All Times	\$170.00
		Plus Deposit	\$190.00

4. All groups not falling into any of the above categories	Fees to be determined by Superintendent of Recreation and Parks
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If a fee is required, please make payment at the Administration Office - ZukorPark, 31 Zukor Road, New City, N.Y., according to the following registration schedule, two weeks prior to approved date.

Monday through Friday 9:30 P.M. - 4:00 P.M.
 Tuesday & Friday evenings 7:00 P.M. - 9:00 P.M.
 Saturday mornings 10:00 A.M. - 12:00 Noon

TELEPHONE NUMBER: 639-6200

**ALL FEES ARE SUBJECT TO REFUND POLICY
PLEASE MAKE CHECKS PAYABLE TO: CLARKSTOWN P.B.R.C.**

CLARKSTOWN PARKS BOARD & RECREATION COMMISSION HOUSING POLICY
VARIOUS HOUSING CATEGORIES

1. Category A - LakeNanuet: 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 - CongersLake: 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).

2014 PICNIC PERMIT

SCHEDULE OF FEES

GROUPS

FACILITY TIME CHARGES

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)

2014-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
<hr/>	
2. Youth Groups/Leagues co-sponsored by the Clarkstown Parks Board and Recreation Commission	Without Lights - No Charge With Lights - \$60.00 per approved date, per field
*Effective October 1st – 4:00PM & 5:30 P.M. games at LakeNanuet, Germonds&ZukorPark.	*With Lights - \$35.00
<hr/>	
3. Civic or other non-profit organizations in Clarkstown (except organized leagues)	Without Lights - No Charge With Lights - \$60.00 per approved date, per field
<hr/>	
4. Adult Leagues and all other Groups in Clarkstown with at least 60% Clarkstown residents	Without Lights - \$50.00 per approved date, per field
	field With Lights - \$85.00 per approved date, per field
*Effective October 1st – 4:00PM & 5:30 P.M. games at LakeNanuet, Germonds&ZukorPark.	*With Lights - \$70.00

Germonds, Zukor&LakeNanuetBallfield Available Time Frames

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

<u>G1 & Z4</u> <u>Baseball</u>	<u>Z3 Soccer</u> <u>G2Baseball/</u> <u>Softball</u>	<u>G3 & Z5 Softball</u>	<u>LN Softball/</u> <u>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.
1 PM- 3:30 PM	1 PM- 3:30 PM	12:30 PM- 2:30 PM	12:30 PM- 2:30 PM
*4 PM- 6:30 PM	*4 PM- 6:30 PM	3:00 PM- 5:00 PM	3:00 PM- 5:00 PM
7 PM- 9:30 PM	7 PM- 9:30 PM	*5:30 PM- 7:30 PM	*5:30 PM- 7:30 PM
		8:00 PM-10:00 PM	8:00 PM-10:00 PM
		7:00 PM – 9:00 PM	*5:00 PM- 7:00 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-ZukorPark, 31 Zukor Road, New City, N.Y., according to the following registration schedule, two weeks prior to approved date.

Monday through Friday 9:30 A.M.- 4:00 P.M.
 Tuesday & Friday evenings 7:00 P.M. - 9:00 P.M.
 Saturday mornings 10:00 A.M. - 12:00 Noon

THERE ARE NO REFUNDS, MAKE UPS WILL BE PROVIDED, IF POSSIBLE, BASED ON AVAILABILITY

PLEASE MAKE CHECKS PAYABLE TO: CLARKSTOWN P.B.R.C.

2014 SCHEDULE OF FEES

USE OF SHOWMOBILE

All fees are minimum charges for up to five (5) hours use. For each additional hour, there will be a charge of \$160.00.

GROUPS	TIME	2014
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/>		

13A

RESOLUTION ACCEPTING RESIGNATION

RESOLVED, that the resignation (by retirement) of Eileen Malloy, 14 Park Terrace, New City, New York – Police Detective, Clarkstown Police Department – is hereby accepted effective January 2, 2014.

Dated: December 19, 2013

TB 12-19 TA RES Malloy Resignation-pm

awm

RESOLUTION ACCEPTING RESIGNATION

RESOLVED, that the resignation (by retirement) of Joseph Reiter, 20 Old Brick Road, New City, New York – Police Sergeant, Clarkstown Police Department – is hereby accepted effective January 2, 2014.

Dated: December 19, 2013

TB 12-19 TA RES Reiter Resignation-pm

awm

RESOLVED, that the resignation (by retirement) of Michael Bartolotta, 16 Rose Road, West Nyack, New York - Police Officer - Police Department - is hereby accepted - effective and retroactive to December 17, 2013.

DATED: December 19, 2013
P

13D

RESOLVED, that the resignation (by retirement) of Bernard Cummings, 663 Andover Road, Valley Cottage, New York - Police Sergeant - Police Department - is hereby accepted - effective January 4, 2014.

DATED: December 19, 2013
P

RESOLVED, that the resignation of Kevin Campbell,
12 Hudson Street, Garnerville, New York - Court Attendant
(PT) - Town Justice - is hereby accepted - effective
December 31, 2013.

DATED: December 19, 2013

P

RESOLVED, that the resignation of Josefina Pouget,
48 Poplar Street, Nanuet, New York - Court Attendant (PT)
- Town Justice - is hereby accepted - effective
December 31, 2013.

DATED: December 19, 2013
P

RESOLVED, that Raj Malhotra, 33 Yale Drive, New City,
New York - is hereby appointed to the position of Court
Attendant PT - Department of the Town Justice - at the
current 2014 annual salary of \$19.35 per hour, effective
January 6, 2013.

DATED: December 19, 2013

P

RESOLVED, that Michael Bartolotta, 16 Rose Road, West Nyack, New York - is hereby appointed to the position of Court Attendant PT - Department of the Town Justice - at the current 2014 annual salary of \$19.35 per hour, effective January 6, 2013.

DATED: December 19, 2013
P

RESOLVED, that Lucille Kelly, 5 Birchwood Terrace,
Nanuet, New York - is hereby appointed to the position of
Court Attendant PT - Department of the Town Justice - at
the current 2014 annual salary of \$19.35 per hour,
effective January 6, 2013.

DATED: December 19, 2013

P

RESOLVED, that the resignation of Eileen C. Gray,
42 Capral Lane, New City, New York - Secretary - Parks
Board and Recreation Commission - is hereby accepted -
effective December 31, 2013.

DATED: December 19, 2013

P

13K

RESOLVED, that JeanAnne Tiesler, 43 Mark Lane, New City, New York - is hereby appointed to the position of Secretary - Parks Board and Recreation Commission - at the current 2014 annual salary of \$3,468., effective January 1, 2014.

DATED: December 19, 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., Louis
Presta, 53 Ridge Road, Valley Cottage, New York -
Maintenance Mechanic II - Parks and Recreation Department
is hereby granted a Sick Leave of Absence at one-half pay
effective and retroactive November 14, 2013 thru
December 17, 2013.

DATED: December 19, 2013

P

13M

RESOLVED, that the resignation (by retirement) of
Louis Presta, 53 Ridge Road, Valley Cottage, New York -
Maintenance Mechanic II - Parks and Recreation Department
is hereby accepted effective and retroactive to
December 18, 2013.

DATED: December 19, 2013

P

RESOLVED, that the resignation (by retirement) of
Loretta Raimone, 11 Glen Drive, Bardonia, New York -
Receiver of Taxes - Office of the Receiver of Taxes - is
hereby accepted - effective January 1, 2014.

DATED: December 19, 2013

P

RESOLVED, that the resignation (by retirement) of Dolores Daubitz, 23 Sunrise Drive, Stony Point, New York - Deputy Receiver of Taxes - Office of the Receiver of Taxes - is hereby accepted - effective January 1, 2014.

DATED: December 19, 2013

P

14

RESOLUTION TERMINATING EMPLOYMENT

RESOLVED, that the probationary employment of Steven E. Quinones, 76 Western Highway, West Nyack, New York is hereby terminated effective December 20, 2013 in accordance with the Rockland County Civil Service Rules.

Dated: December 19, 2013

TB 12-19 TA RES Quinones Termination-pm

awm

RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE GENERAL RELEASE
(LEONARD JACKSON AND LEONARD JACKSON ASSOCIATES)

WHEREAS, the Director of Environmental Control retained the services of Leonard Jackson and Leonard Jackson Associates to perform work on the municipal project known as the Elks Drive Drainage Project under the authority of Resolution 534-2003. and

WHEREAS, Leonard Jackson and Leonard Jackson Associates have performed the work on the contract, to the satisfaction of the Director of Environmental Control and the Town Attorney,

NOW, THEREFORE, be it

RESOLVED that the Supervisor of the Town of Clarkstown is hereby authorized to execute a General Release, in a form approved by the Town Attorney, in favor of Leonard Jackson and Leonard Jackson Associates for the Elks Drive Drainage Project.

DATED: December 19, 2013

TB 12-19-13 TA RES Leonard Jackson General Release-kh



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: December 19, 2013

awm

RESOLUTION EXTENDING AGREEMENT WITH H2M GROUP TO PROVIDE ENGINEERING SERVICES CONCERNING THE CLARKSTOWN TRANSFER STATION

17

WHEREAS, as part of the sale of the Clarkstown Transfer Facility to the Rockland County Solid Waste Management Authority, a Host Community Agreement was negotiated and one of the provisions allowed the Town to conduct an oversight program of the RCSWMA operation at three facilities (the West Nyack Landfill Transfer Station, Compost Site and Concrete Crushing Operations), and

WHEREAS, by Resolution Nos. 634-2009, 655-2010, 676-2011, and 590-2012, the Town Board authorized Holzmacher, McLendon & Murrell, P.C. (H2M) to perform said services for the years 2010, 2011, 2012, and 2013, and

WHEREAS, H2M has submitted a proposal, dated December 9, 2013, to continue to perform oversight services at the three facilities for the year 2014, and

WHEREAS, the Director of the Department of Environmental Control has reviewed the proposal and finds it reasonable in both scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an extension agreement with H2M, in a form approved by the Town Attorney, to perform professional engineering services regarding the oversight program of the RCSWMA operation at three facilities for the year 2014, and be it

FURTHER RESOLVED, that the cost of said services shall not exceed \$70,000.00 for the year 2014, and shall constitute a proper charge to Account No. SR 8160-409-0, and be it

FURTHER RESOLVED, that pursuant to the Host Community Agreement, the Rockland County Solid Waste Management Authority shall reimburse the Town of Clarkstown for H2M's services.

Dated: December 19, 2013

TB 12-19-13 TA RES H2M landfill oversight agreement-kh



RESOLUTION AMENDING STORMWATER MAINTENANCE AGREEMENT
EDEN PARK HOMES SUBDIVISION/SITE PLAN
(64.07-1-8)

WHEREAS, by Resolution No. 64-2010 dated January 19, 2010, Eden Park Homes, LLC entered into a Stormwater Control Facility Maintenance Agreement with the Town of Clarkstown for a period of five (5) years with regard to a subdivision/site plan known as Eden Park (64.07-1-8), and

WHEREAS, the security Eden Park Homes, LLC originally posted as escrow for the Stormwater Control Facility Maintenance Agreement was in the amount of \$26,760.00, which is significantly higher than the customary amount now required by the Department of Environmental Control, and

WHEREAS, since Eden Park Homes, LLC has provided all inspections as called for in said Agreement to date, the First Deputy Director of the Department of Environmental Control has recommended that the security being held should be reduced to \$2,500.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the First Deputy Director of the Department of Environmental Control of the Town of Clarkstown, the Town Board hereby authorizes a reduction in the amount of the security required for the Stormwater Control Facility Maintenance Agreement to \$2,500.00, and be it

FURTHER RESOLVED, that the excess amount of \$24,260.00, which is being held by the Town, is hereby released to Eden Park Homes, LLC.

Dated: December 19, 2013



RESOLUTION ACCEPTING PERMANENT DRAINAGE EASEMENT
CONCERNING DENVER DRIVE CULVERT REPLACEMENT AND DRAINAGE
IMPROVEMENT PROJECT IN NEW CITY, NEW YORK

WHEREAS, in accordance with the recommendation of the Department of Environmental Control, the Town of Clarkstown wishes to accept and record a permanent drainage easement, in a form approved by the Town Attorney, on property located at 18 Denver Drive, New City, New York (Tax Map: 34.5-1-49), in connection with the Denver Drive Culvert Replacement and Drainage Improvement Project;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept said Drainage Easement from Tammy Amiel at 18 Denver Drive, New City, New York and execute any ancillary documents to effectuate such conveyance on behalf of the Town of Clarkstown, and orders said easement to be recorded in the Rockland County Clerk's Office at the expense of the Town, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to November 18, 2013.

Dated: December 19, 2013

TB 12-19 TA RES Amiel Easement-Denver Dr-pm

awm

**RESOLUTION AUTHORIZING PAYMENT FOR ADDITIONAL WORK:
DENVER DRIVE DRAINAGE IMPROVEMENTS**

WHEREAS, the Town Board authorized the awarding of Bid #16-2013 via Resolution # 196-2013 of May 7, 2013 for the Denver Drive Drainage Improvements, and

WHEREAS, the Contractor was unable to perform certain necessary work that arose during the project and was required to be performed to complete the project, and

WHEREAS, the additional funds are within the budget of the project and additional funding authorization is not required,

NOW THEREFORE be it RESOLVED, that the Town Board authorizes the payment of \$5500.00 to JS Katt Paving Co. for the work performed, and be it

FURTHER RESOLVED, that this payment constitutes a proper charge to Account Number H-8762-409-0-86-7.

Dated: December 19, 2013
TB 12-19 TA Res Denver Drive DEC---jje

awm

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 September 1, 2013 to September 1, 2015, as follows:

Sponsor: Clarkstown Sunrise Rotary Club
P.O. Box 9292
Bardonia, NY 10954

Road: 0.6 mile segment of West Nyack Road,
from Route 304 to the west end of St. Anthony's Church
Nanuet, NY 10954

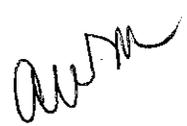
and

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 September 1, 2013 to September 1, 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: December 19, 2013



WHEREAS, a resident of Northlyn Court, Bardonia, in the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community; and

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

WHEREAS, the Department of Environmental Control has requested and has received a proposal from Orange and Rockland Utilities indicating the cost involved to provide electric facilities on pole #59265/40789;

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

Pole #59265/40789: located at the corner of house #4 Northlyn Court, Bardonia
(Install one (1) each - 5,800 lumen 70 watt sodium vapor street light)

AND BE IT FURTHER RESOLVED, that the installation of this municipal street light shall be at no cost to the Town of Clarkstown, and that an annual charge for basic fuel delivery, which charge shall include maintenance of this street lighting equipment will be at \$13.91 per month for each sodium vapor fixture, plus market supply charge and fuel adjustment charge. In addition, a one-time contribution in the amount of \$1,134.00 will be required to extend overhead facilities to the pole to accommodate the streetlight, which shall be charged to Acct. #SL 5182 461.

Dated: December 19, 2013



RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER APPROVING
THE FINAL MAP OF BOUNDARY LINES OF THE
NEW CITY FIRE DISTRICT

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

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on February 4, 2014 at 8:00 P.M., or as soon thereafter as possible, pursuant to Town Law, to consider approving the proposed final map of the boundary lines of the New City Fire District, and be it

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

Dated: December 19, 2013

awm

**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:

PEARL RIVER PLUMBING, HEATING & ELECTRIC, INC. d/b/a
BERTUSSI'S
60-70 Dexter Plaza
Pearl River, NY 10965
Louis Bertussi, Vice President

SASSO PLUMBING CORP.
P.O. Box 507
New City, New York 10956
Michael A. Sasso, President

PAUL BITTS CO.
9 Germonds Road
New City, NY 10956
Paul Bitts, President

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

RONALD FILERA LANDSCAPE CONTRACTORS LLC.
520 S. Pascack Rd.
Chestnut Ridge, NY 10977
Ronald Filera, Sole Member

RINO PAVING & CONSTRUCTION
20 Viola Rd.
Suffern, NY 10901
Robert Rino, President

RR PLUMBING SERVICES CO. d/b/a Roto-Rooter
525 Waverly Avenue
Mamaroneck, NY 10543
Terence R. O'Shea, Master Plumber

JGC HEATING INC.
8 Fairmont Terrace
West Nyack, NY 10994
Gerard Campitiello, President

VICTOR ZUGIBE INC.
66 Railroad Avenue
Garnerville, NY 10923
Victor P. Zugibe, Jr., President

NOW, THEREFORE, be it
RESOLVED, that the Town Board hereby authorizes the issuance of a Certificate

of Registration to:

- 14-1 PEARL RIVER PLUMBING HEATING & ELECTRIC INC. d/b/a Bertussi's
- 14-2 MICHAEL SASSO PLUMBING CORP.
- 14-3 PAUL BITTS CO., INC
- 14-4 RONALD J. TARIGO
- 14-5 RONALD FILERA LANDSCAPE CONTRACTORS LLC.
- 14-6 RINO PAVING & CONSTRUCTION
- 14-7 RR PLUMBING SERVICES CORP.
- 14-8 JGC HEATING INC.
- 14-9 VICTOR ZUGIBE INC.

DATED: DECEMBER 19, 2013

TB 12-19-13 TA RES Certificate of Registration Sewers-sk

awm

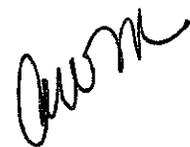
**RESOLUTION AUTHORIZING THE INSTALLATION OF A STOP SIGN:
WESTLYN DRIVE & PINEVIEW AVENUE, BARDONIA**

WHEREAS, the Traffic and Traffic Fire Safety Advisory Board, after an investigation, recommends that a Stop Sign be placed on Westlyn Drive, Bardonia where it intersects with Pineview Avenue,

NOW, THEREFORE, be it **RESOLVED**, that the Town Board hereby authorizes the Superintendent of Highways to install a STOP Sign (MUTCD R1-1) and STOP Line on the north side of Westlyn Drive, Bardonia where Westlyn ends and intersects into Pineview Avenue, in front of the corner lot at 1 Westlyn Drive (58.6-1-70), and be it

FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to the Superintendent of Highways for implementation and the Chief of Police for enforcement purposes.

DATED: December 19, 2013
TB 12-19 TA Res Stop Sign Westlyn Dr--jje



RESOLUTION AUTHORIZING ACCEPTING FUNDS & AMENDING BUDGET

WHEREAS, the Town has received \$811,344.97 from Rockland County Sewer District #1, \$60,000 from Cablevision, \$9,428.75 from NYS Commissioner of Taxation & Finance, \$7,000 from the Downtown New City Group and \$9,047.68 from DARE donations,

NOW THEREFORE BE IT,

FURTHER 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 \$811,344.97 and be it

FURTHER RESOLVED, to increase Revenue Account H-15-9-2705-0 (Capital-Gifts & Donations) and Expense Account H-8757-409-0-81-34 (Capital Projects-PEG Grant) by \$60,000 and be it

FURTHER RESOLVED, to increase Revenue Account H-15-10-3989-0 (Capital-State Aid) and Expense Account H-8760-409-0-84-25 (Capital-Congers/VC Ambulance Corp Bldg.) by \$9,428.75 and be it

FURTHER RESOLVED, to increase Revenue Account H-15-9-2770-0 (Capital-Misc Local Revenue) and Expense Account H-5111-409-0-4-16 (Capital-Downtown New City Revitalization) by \$7,000 and be it

FURTHER RESOLVED, to increase Revenue Account A-01-9-2770-0 (General-Misc Local Revenue) by \$9,047.68 and increase Expense Accounts A-3230-319-0 (DARE-Misc Supplies) by \$7,496.60 and A-3230-404-0 (DARE-Travel/Meals) by \$1,551.08 and

WHEREAS, certain accounts need additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease Expense Account A-1110-301-0 (Justice Ct-Food) and increase Expense Account A-1110-462-0 (Justice Ct.-Water) by \$200 and be it

FURTHER RESOLVED, to decrease Expense Account A-1345-111-0 (Purchasing-Overtime) and increase A-1345-404-0 (Purchasing-Travel/Meals) by \$872 and be it

FURTHER RESOLVED, to decrease Expense Account A-1355-370-0 (Assessor-Data Processing Supplies) and increase A-1355-211-0 (Assessor-Law Books) by \$212 and be it

FURTHER RESOLVED, to decrease Expense Accounts A-1410-111-0 (Town Clerk-Overtime) by \$500, A-1410-114-0 (Town Clerk-Part Time) by \$728,

A-1410-314-0 (Town Clerk-Computer Supplies) by \$150, A-1410-407-0 (Town Clerk-Equipment Repair) by \$200, A-1410-409-0 (Town Clerk-Fees for Services) by \$340, A-1410-414-0 (Town Clerk-Conferences & Schools) by \$840, A-1410-328-0 by \$400 and increase Expense Account A-1410-328-0 by \$3,158 and be it

FURTHER RESOLVED, to decrease Expense Accounts A-1430-407-0 (Personnel-Equipment Repairs) by \$500 and A-1430-438-0 (Personnel-Maintenance Agreements) by \$398.76 and increase Expense Accounts A-1430-201-0 (Personnel-Furniture & Fixtures) by \$703, A-1430-204-0 (Personnel-Office Machines) by \$68.65, A-1430-319-0 (Personnel-Miscellaneous Supplies) by \$12.62, A-1430-199 (Personnel-Vacation Buybacks) by \$.91 and A-1430-328-0 (Personnel-Books & Publications) by \$113.58 and be it

FURTHER RESOLVED, to decrease Expense Account A-1670-438-0 (Mail & Copy-Maint. Agreements) and increase Expense Account A-1670-204-0 (Mail & Copy-Office Machines) by \$2,000 and be it

FURTHER RESOLVED, to decrease Expense Account A-1680-460.5 (Data Processing-Digital Service) by \$16,400 and increase Expense Accounts A-1680-225.2 (Data Processing-Computer Hardware/TH) by \$7,500, A-1680-201-0 (Data Processing-Furniture/Fixtures) by \$3,500 and A-1680-319-0 (Data Processing-Misc Equipment) by \$5,400 and be it

FURTHER RESOLVED, to decrease Expense Account A-7180-114-0 (Swimming Facilities-Part-Time) and Increase Expense Account A-7180-201-0 (Swimming Facilities-Furniture & Fixtures) by \$2,000 and be it

FURTHER RESOLVED, to decrease A-7180-410-0 (Swimming Facilities-Photo ID Cards) and increase A-7180-231-0 (Swimming Facilities-Photo Equipment) by \$531.90 and be it

FURTHER RESOLVED, to decrease Expense Account A-8730-409-0 (Environmental Control-Fees for Services) and increase Expense Account A-8730-226-0 (Environmental Control-Computer Software) by \$2,400 and be it

FURTHER RESOLVED, to decrease Expense Account B-3620-114-0 (Building Department-Part Time) and increase Expense Account B-3620-201-0 (Building Department) by \$2,000 and be it

FURTHER RESOLVED, to decrease Expense Account B-3620-414-0 (Building-Part-Time) and increase Expense Account B-3620-313-0 (Building-Office Supplies & Printing) by \$1,000.

WHEREAS, pursuant to Section 115 of the Town Law, the Comptroller is hereby authorized to amend the 2013 budget for the purpose of transferring unexpended balances of appropriation accounts among various accounts, and by increasing and decreasing revenue accounts for the purpose of balancing all funds,

NOW THEREFORE, BE IT

RESOLVED, that the 2013 budget is hereby amended.

Dated: December 19, 2013

L: TB 12-19 COM RES Section 115 Town Law

RESOLUTION 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 20, 2012;

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, 2014 to December 31, 2014, and 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.

Dated: December 19, 2013

TB 12-19-13 TA RES Welch renewal agreement-kh

awm

RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO EXECUTE
A RENEWAL AGREEMENT WITH JAY LORAH D.O. AS POLICE SURGEON

WHEREAS, by Resolution No. 483-2012, the Town Board of the Town of Clarkstown authorized the Chief of Police to enter into an agreement with Jay Lorah D.O. to provide services to the Clarkstown Police Department as the Police Surgeon for a period beginning September 1, 2012 through December 31, 2013, upon the terms and conditions set forth therein; and

WHEREAS, Chief of Police Michael Sullivan has recommended that the Town renew its agreement with Jay Lorah D.O. for these services for a one (1) year period beginning January 1, 2014 through December 31, 2014;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes an agreement with Jay Lorah D.O., as referred to herein, to provide services to the Clarkstown Police Department as the Police Surgeon for the period January 1, 2014 through December 31, 2014 upon the terms and conditions set forth therein; and be it

FURTHER RESOLVED, that, per the agreement, the Police Surgeon is an independent contractor and compensation for said services shall be at the rate of Fifteen Hundred Dollars (\$1,500.00) per month for services as the Police Surgeon, which services shall be charged to Account No. A 3120-409.

DATED: December 19, 2013

TB 12-19-13 TA RES Lorah Police Surgeon-kh



RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH REV. DAVID LOTHROP TO SERVE AS POLICE CHAPLAIN

WHEREAS, Chief of Police Michael Sullivan has recommended renewing an agreement with Rev. David Lothrop, to provide services to the Clarkstown Police Department as Police Chaplain for the calendar year 2014;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to enter into an agreement with Rev. David Lothrop, in a form satisfactory to the Town Attorney, for the period January 1, 2014 to December 31, 2014, and be it

FURTHER RESOLVED, that compensation for said services shall be \$15,000 per year, and compensation for mileage at the approved rate for the calendar year 2014, all of which shall be charged to Account No. A 3120-409.

Dated: December 19, 2013

TB 12-19-13 TA RES Police-Rev. Lothrop--kh

aurm

RESOLVED, that based upon the recommendation of the Director of Environmental Control, United Water New York is hereby authorized to install the following hydrant in conjunction with Hydrant Investigation No. 13051,

Hydrant #1 - X11850 – intersection of N. Little Tor Rd &
South Mountain Rd.

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Vincent Narciso, Chief Fire Safety Inspector.

awm

RESOLUTION OBTAINING INSURANCE COVERAGE FROM
CLG INSURANCE

RESOLVED, that at the recommendation of Robert S. Berdy, Insurance and Claims Manager, the Supervisor is hereby authorized to purchase through CLG Insurance, insurance coverage including Commercial General and Automobile Liability, Excess Liability, Property, and Excess Workers Compensation, for a period of one year, commencing on January 1, 2014 and expiring December 31, 2014, and be it

FURTHER RESOLVED, that the cost of insurance policies shall not exceed \$1,351,419 and be it

FURTHER RESOLVED, that at the recommendation of Robert S. Berdy, Insurance and Claims Manager, the Supervisor is hereby authorized to enter into a claims-administration agreement with PMA Management Corporation, for a period of one year, commencing on January 1, 2014 and expiring December 31, 2014, and be it

FURTHER RESOLVED, that the cost of said agreement shall not exceed \$73,375.

Dated: December 19, 2013

awm

RESOLUTION SETTING A PUBLIC HEARING AND REFERRING A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW FOR FLOOD DAMAGE PREVENTION AS AUTHORIZED BY THE NEW YORK STATE CONSTITUTION, ARTICLE IX, SECTION 2, AND ENVIRONMENTAL CONSERVATION LAW, ARTICLE 36" TO THE CLARKSTOWN PLANNING BOARD AND THE ROCKLAND COUNTY DEPARTMENT OF PLANNING

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

"A LOCAL LAW FOR FLOOD DAMAGE PREVENTION AS AUTHORIZED BY THE NEW YORK STATE CONSTITUTION, ARTICLE IX, SECTION 2, AND ENVIRONMENTAL CONSERVATION LAW, ARTICLE 36"

and

WHEREAS, this proposed local law is intended to replace the current Chapter 146 (Flood Damage Prevention) of the Town Code of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the proposed local law be referred to the Clarkstown Planning Board for its review and recommendations and to the Rockland County Commissioner of Planning pursuant to Sections 239-l and 239-m of the General Municipal Law for report, and be it

FURTHER RESOLVED, that for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Dennis M. Letson, First Deputy Director of the Department of Environmental Control, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on February 4, 2014 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

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

Dated: December 19, 2013

TB 12-19 TA RES Local Law P.H.-Flood Damage-pm

awm

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH H2M FOR PROFESSIONAL ENGINEERING SERVICES TO ASSIST THE TOWN WITH AN ALTERNATE DESIGN FOR SOUTH MOUNTAIN ROAD DRAINAGE IMPROVEMENTS

WHEREAS, by Resolution No. 205-2013, adopted May 7, 2013, the Town authorized the Supervisor to enter into an Agreement with H2M for professional engineering services to assist the Town in pursuing alternate designs for drainage improvements to alleviate the recurring flooding problems on the south side of South Mountain Road in the vicinity of Tobi Lane in New City during storm events when storm water runs off High Tor Mountain through residential properties on the north side of South Mountain Road just east of Tobi Lane and continues across South Mountain Road, resulting in damage to the front yards of some residential properties on the south side of South Mountain Road, and

WHEREAS, the Town had asked for alternate designs to the design plans and specifications, dated August 2011 and entitled South Mountain Road Drainage Improvements, which the Town Department of Environmental Control (DEC) had previously prepared, because the Town Highway Department had requested an alternate design be considered to relocate the drainage chambers to outside the roadway pavement limits, and the Town wished to pursue a possible alternate design to address this concern, and

WHEREAS, H2M has completed the drainage system evaluation and prepared a preliminary design concept alternative plan to be considered by the Town, and

WHEREAS, H2M has submitted a proposal, dated November 7, 2013, to continue to assist the Town in this effort by performing engineering services to include preparing sketches and drawings of the stormwater detention basin, which is included in the preliminary design concept plan, and of the stormwater chambers; preparing survey documents; and providing

detailed plans to incorporate the changes in the project scope, and the Director of Environmental Control has reviewed the proposal and finds it acceptable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with H2M, in a form approved by the Town Attorney, to perform the proposed engineering services regarding the South Mountain Road Drainage Improvements, New City, New York, and be it

FURTHER RESOLVED, that the fee for said work shall not exceed \$25,000.00 and will be charged to Account No. H8762 409 0 8616.

DATED: December 19, 2013

TB 12-19-13 TA RES H2M South Mountain Road Drainage Improvement Engineering Services-kh

awm

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING
TAX MAP NO(S): 26.17-2-10**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Raymond Ahmadi v. Town of Clarkstown, its Assessor and Board of Assessment Review, Index No(s). 7979/2009, affecting parcel designated as Tax Map 26.17-2-10 and more commonly known as 227 South Mountain Road, New City, New York for the year(s) 2009/10, and

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

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

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 26.17-2-10 be reduced for the year(s) 2009/10 from \$164,400 to \$138,425 at a cost to the Town of \$512.97;

2. Reimbursement for the year(s) 2009/10 on the parcel described as Tax Map 26.17-2-10, as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted

by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

3. 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: December 19, 2013

TB 12-19-13 TA RES Ahmadi Settlement-dt

awm

36A

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

BID #19-2013 – ONE (1) BOOM TRUCK (2014 PURCHASE)

is hereby awarded to the lowest responsible bidder:

PRINCIPALS:	ALTEC INDUSTRIE, INC. 1550 AERIAL AVENUE CREEDMOOR, NC 27522 LEE J. STYSLINGER III JON STYSLINGER MARK STYSLINGER
-------------	--

as per their low bid proposal of \$208,691.00 for one (1) Altec Model LR7-60E70RM Boom Truck on a 2015 International 4400 SBA 4 X 2 (MA035) Chassis in accordance with Town of Clarkstown's specifications and be it

FURTHER RESOLVED, that said award shall constitute a proper charge to account #H-8766-400-409-0-89-15 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: December 19, 2013

awm

36B

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent that

BID # 22-2013 – FURNISH AND INSTALL SYNTHETIC RUBBER FLOORING
IN CONGERS COMMUNITY CENTER GYMNASIUM

is hereby awarded to: ADVANTAGE SPORT USA, INC.
 1 TIGAN STREET
 WINOOSKI, VT 05404
PRINCIPAL: MAURICE A. GUARIGLIA, PRESIDENT

as per their low bid proposal of \$34,980.00 plus 10% contingency for Tarkett Omnisports 3.5 Resilient Vinyl Sport Flooring, 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-8759-400-409-0-83-24, 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: December 19, 2013

awm

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
 NEW YORK, ADOPTED DECEMBER 19, 2013,
 AUTHORIZING THE ACQUISITION AND INSTALLATION
 OF SYNTHETIC RUBBER FLOORING IN CONGERS
 COMMUNITY CENTER GYMNASIUM, STATING THE
 ESTIMATED MAXIMUM COST THEREOF IS \$38,500,
 APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
 AND AUTHORIZING THE ISSUANCE OF BONDS IN THE
 PRINCIPAL AMOUNT OF \$38,500 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 and install synthetic rubber
 flooring in Congers Community Center gymnasium. The estimated maximum cost thereof,
 including preliminary costs and costs incidental thereto and the financing thereof, is \$38,500 and
 said amount is hereby appropriated for such purpose. The plan of financing includes the
 issuance of \$38,500 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 \$38,500 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance a part of said appropriation.

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

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

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

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

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 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 black ink, appearing to be 'awm', is located in the lower right quadrant of the page.

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. 2013-616, 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 2014;

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 2014.

Dated: December 19, 2013

TB 12-19-13 TA RES Police-Town of Ramapo Firing Range-kh

awm



OFFICE OF THE SUPERVISOR
TOWN OF RAMAPO
237 Route 59
Suffern, New York 10901
(845) 357-5100 Fax: (845) 357-3877

CHRISTOPHER P. ST. LAWRENCE
Supervisor

Town Board:
Yitzchok Ullman
Patrick J. Withers
Daniel Friedman
Brendel Charles

December 16, 2013

Supervisor Alexander J. Gromack
Town of Clarkstown
20 Maple Avenue
New City, New York 10956

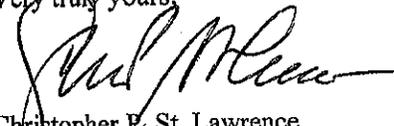
RE: License Agreement for Use of the Town of Ramapo Police Firing Range

Dear Supervisor Gromack:

I am pleased to advise that, pursuant to Town Board Resolution No. 2013-616, I am authorized to enter into this letter agreement for use of the Town of Ramapo Police Firing Range for calendar year 2014.

Kindly confirm your acceptance of this agreement by signing and returning one (1) original of this letter, together with an updated **certificate of insurance naming the Town as an additional insured**, to the Office of the Town Attorney, Attention: Judy Canetti, Paralegal. **Please note that the insurance must be primary to the Town of Ramapo.**

Very truly yours,



Christopher P. St. Lawrence
Town Supervisor

TERMS AGREED AND ACCEPTED:
TOWN OF CLARKSTOWN

BY: _____
Supervisor Alexander J. Gromack

cc: Sergeant Eichner
Sergeant Matos

RESOLUTION SCHEDULING A PUBLIC HEARING CONCERNING REQUEST OF CHERRY VALLEY BUILDERS, INC. FOR USE OF TOWN LAW 280-a(4), OPEN DEVELOPMENT AREA, TO OBTAIN ACCESS TO PROPERTY - TAX MAP 64.18-3-2

WHEREAS, CHERRY VALLEY BUILDERS, INC. has requested permission from the Town Board to apply Town Law 280-a(4) to create an Open Development Area so as to obtain access to premises located at 124 Blauvelt Road, Nanuet, New York, approximately 800 feet north of the intersection of Townline Road, designated as Clarkstown Tax Map 64.18-3-2, for subdivision approval without use of planned Town roads, and

WHEREAS, the Town Board desires to obtain public participation and comment prior to making a determination, and

WHEREAS, the Town Board has determined to schedule a public hearing on notice to adjacent property owners;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby schedules a public hearing for February 4, 2014 at 8:00 p.m., or as soon thereafter as possible, at the Town Hall Auditorium, 10 Maple Avenue, New City, New York, with respect to the application by Cherry Valley Builders, Inc. for creation of an Open Development Area for a proposed subdivision and for permission to obtain access to premises located at 124 Blauvelt Road, Nanuet, New York, approximately 800 feet north of the intersection of Townline Road, designated as Clarkstown Tax Map 64.18-3-2, by right-of-way/easement, pursuant to §280-a(4) of the Town Law of the State of New York, and be it

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

FURTHER RESOLVED, that the applicant shall adhere to the notice requirements pursuant to Section 290-33 (C) of the Zoning Local Law of the Town Code, and provide proof of mailing said notice to property owners within five hundred (500) feet of said affected property on or before the date of the public hearing, and be it

FURTHER RESOLVED, that the petition is hereby referred to the Rockland County Commissioner of Planning, the Clarkstown Planning Board, the Clarkstown Director of Environmental Control and the Clarkstown Building Inspector for review and recommendation, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Jose Simoes, Principal Town Planner, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

awm

Dated: December 19, 2013

TB 12-19 TA RES Cherry Valley 280-a(4) Shields-pm

RESOLUTION AUTHORIZING TOWN CLERK TO ENTER INTO AN AGREEMENT WITH VALUE PAYMENT SYSTEMS

WHEREAS, the Town of Clarkstown Town Board has previously determined that it is in the public interest for the Town Clerk to provide taxpayers the option and opportunity to pay real property tax payments electronically, and

WHEREAS, Value Payment Systems has submitted a proposal dated November 19, 2013 (the "Proposal"), to provide internet and phone based electronic payment services for the 2014 calendar year;

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk is hereby authorized to enter into an agreement with Value Payment Systems to provide internet and phone based electronic payment services for the payment of real property tax payments; and be it

FURTHER RESOLVED, that the Town Clerk is authorized to charge taxpayers, who opt to make payment of real property tax payments electronically through this service, a "convenience fee," which shall be used to directly offset the Town's cost in providing this service and shall not in any way constitute revenue to the Town; and be it

FURTHER RESOLVED, that this authorization shall be retroactive to November 27, 2013.

Dated: December 19, 2013

TB 12-19-13 TA RES Value Payment Systems-kh

awm

41

**RESOLUTION SETTING HOURLY RATES FOR STUDENT
OFFICE WORKERS AND SUMMER RECREATION POSITIONS**

WHEREAS, the attached 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 attached 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 2014, and be it

FURTHER RESOLVED, that returning workers in the titles set forth in Exhibit A shall receive a \$.50 raise over their previous year's salary.

DATED: December 19, 2013

awm

TB 12-19 TA RES Part-time Salary Sched-pm

EXHIBIT A

Part-Time Starting Salaries 2014

TITLES

Office Workers (Student)	\$8.00
Rec Aides/Rec Asst.	\$8.00
Rec Activity Specialist	\$10.50
Laborer Students (min. age 18)	\$8.50
Seasonal Laborers	\$10.50
Seasonal Groundswoker	\$10.50
Seasonal Lifeguards	\$10.50
Seasonal Head Lifeguard	\$13.50
Water Safety Instructor	\$12.50

42

RESOLUTION AUTHORIZING AN AGREEMENT WITH MEDIASTAR-SG
WITH RESPECT TO THE TOWN TV STUDIO

WHEREAS, the Town is preparing to equip and operate a TV Studio at the Clarkstown Town Hall,
and

WHEREAS, Mediastar-SG has submitted a proposal to provide additional professional
engineering and consulting services to the Town regarding the operation and training, and

WHEREAS, the Public Information Specialist and Authorized Purchasing Agent have reviewed
the proposal and finds it reasonable in terms of scope and price;

NOW, THEREFORE, be it

FURTHER RESOLVED, that the cost of said services shall not exceed \$20,000.00 without further
authorization from the Town Board and shall constitute a proper charge to Account No. H-
8757-409-0-81-34.

Dated: December 19, 2013

awm

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
 NEW YORK, ADOPTED DECEMBER 19, 2013,
 AUTHORIZING THE ACQUISITION OF A BOOM TRUCK,
 STATING THE ESTIMATED MAXIMUM COST THEREOF IS
 \$210,000, APPROPRIATING SAID AMOUNT FOR SUCH
 PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS
 IN THE PRINCIPAL AMOUNT OF \$210,000 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 boom truck. The estimated
 maximum cost thereof, including preliminary costs and costs incidental thereto and the financing
 thereof, is \$210,000 and said amount is hereby appropriated for such purpose. The plan of
 financing includes the issuance of \$210,000 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 \$210,000 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 December 19, 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 December 19, 2013, authorizing the acquisition of a boom truck, stating the estimated maximum cost thereof is \$210,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$210,000 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 boom truck; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$210,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$210,000 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 \$210,000 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 \$210,000 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 19, 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.

* * *

awm

RESOLUTION AUTHORIZING AN AGREEMENT WITH HENNINGSON, DURHAM & RICHARDSON ARCHITECTURE & ENGINEERING, P.C. FOR AN UPDATED EVALUATION OF CERTAIN PROPERTY LOCATED AT 139/141 MASSACHUSETTS AVENUE, CONGERS, NEW YORK

WHEREAS, in 2001 Lawler, Matusky & Skelly Engineers studied fill placed on certain property located at 139 Massachusetts Avenue, Congers, New York (52.8-3-53.1), and recommended that the entire fill be removed; and

WHEREAS, the Town was recently granted Court permission to enter upon 141 and 139 Massachusetts Avenue to evaluate existing conditions and to prepare an updated remediation plan; and

WHEREAS, Henningson, Durham & Richardson Architecture Engineering, P.C. (hereinafter "HDR"), successor to Lawler, Matusky & Skelly Engineers, has submitted a proposal, dated December 16, 2013, to conduct said evaluation and update the remediation plan, and

WHEREAS, the Director of Environmental Control has reviewed the proposal and finds it acceptable in terms of scope and price,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized the enter into an agreement with HDR, in a form approved by the Town Attorney, to provide services related to fill issues on certain property located at 139 and 141 Massachusetts Avenue, Congers, New York, and be it

FURTHER RESOLVED, that the fee for these services shall not exceed the sum of \$8,000.00, and shall be a proper charge to Account No. H 8751-409-0-75-34.

awm

RESOLUTION REQUESTING THE ROCKLAND COUNTY CONSORTIUM CONSIDER SEVERAL
PROJECTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

WHEREAS, the Town Board of the Town of Clarkstown wishes to request that the Rockland County Consortium consider several projects for Community Development Block Grant Funding, and

WHEREAS, the Town Board of the Town of Clarkstown supports each of these applications in their request for funding;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby requests that the Rockland County Consortium consider Community Development funding for the following purposes:

1st Priority: Transport vehicle to assist in the transport of senior citizens from and to various locations within the Town

2nd Priority: Town of Clarkstown – Construction of new sidewalk on Cavalry Drive in New City

3rd Priority: Town of Clarkstown – Accessible Pedestrian Signals and Detectors; Tactile Arrows and Locator Tones in Central Nyack

and be it

FURTHER RESOLVED, that the Town Board hereby requests that from this list, the Consortium prioritize the applications in the same order they are listed in this resolution when considering each of these projects submitted by the Town of Clarkstown.

Dated: December 19, 2013

awm

RESOLUTION AUTHORIZING EXECUTION AND ACCEPTANCE OF
MAINTENANCE AGREEMENT REGARDING
PALISADES PLAZA SITE PLAN (TAX MAP 59.18-1-23, 24, 25)

WHEREAS, based upon the recommendation of the Department of Environmental Control and as a condition to the approval of the final map by the Planning Board with regard to the Palisades Plaza site plan (tax map 59.18-1-23, 24, 25), The Harry Adler Testamentary Unified Credit Trust has provided a stormwater control facility maintenance agreement to the Town, and

WHEREAS, the First Deputy Director of the Department of Environmental Control and First Deputy Town Attorney have recommended acceptance of said conveyance, subject to approval as to form by the First Deputy Town Attorney;

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the stormwater control facility maintenance agreement from The Harry Adler Testamentary Unified Credit Trust in connection with the Palisades Plaza site plan and orders it recorded in the Rockland County Clerk's Office, subject to the receipt of recording fees.

Dated: December 19, 2013

TB 12-19TA RES Palisades Plaza Stormwater Agree-pm

awm

(47)

RESOLUTION AUTHORIZING EMERGENCY REPAIRS TO THE LONG CLOVE ROAD AND NORTH GREENBUSH ROAD SANITARY SEWER PUMP STATIONS

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

WHEREAS, in the course of construction the new pump stations, emergency repairs to the existing pump station were required in order to keep the existing pump stations in operation, and

WHEREAS, the Town retained the services of Rapid Pump and Meter Service Co., Inc., 285 Straight Street, Paterson, New Jersey 07501 to perform the required emergency work.

NOW, THEREFORE, BE IT

RESOLVED, that Sewer Department is hereby authorized to the retain the services of Rapid Pump and Meter Service Co., Inc., 285 Straight Street, Paterson, New Jersey 07501 to perform the required emergency work to the Long Clove Road and North Greenbush Road Sewer Pump Stations, and

BE IT FURTHER RESOLVED, that the total cost for the emergency work shall not exceed \$26,361.03 and

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

Dated: December 19, 2013

TB 12 19 13 Sewer Pump Station Emergency Repairs

awm

48

RESOLUTION AUTHORIZING CHANGE ORDER #6, 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. #6 – Revisions / additions to the fencing at the Van Doren Ct. Pump Station and additional costs associated with the paving and curb to curb pavement restoration at the North Greenbush Rd. Pump Station, 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 \$74,243.75.

NOW, THEREFORE, BE IT

RESOLVED, that Change Orders #6, for Contract "G" General Construction, for Project CLKT 11-12 is approved for the additional cost of \$74,243.75, and

BE IT FURTHER RESOLVED, that the total cost for Contract "G" General Construction shall not exceed \$1,211,980.94, and

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

Dated: December 19, 2013

TB-12 19 13 Pump Station Upgrades CLKT 11-12 Change Order 6

awm

**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:

W. HARRISON & SONS INC.
37 W. Washington Ave.
Pearl River, NY 10965
Tim Harris, President

CAL MART ENTERPRISES, INC.
4 Burt's Road
Congers, NY 10920
Martin C. Wortendyke, Vice President

ANGEL LANDSCAPING INC.
50 Rennert Lane
Bardonia, NY 10954
Miguel Arias, Owner

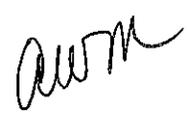
VITO'S PLUMBING & HEATING d/b/a Mr. Plumber
39 South Main Street
New City, NY 10956
Vito Martorana, President

BELLEVILLE LANDSCAPING, INC.
84 North Route 9W, Suite D
Congers, NY 10920
Isidore Castiglia, Vice-President

NOW, THEREFORE, be it
RESOLVED, that the Town Board hereby authorizes the issuance of a Certificate of Registration to:

- 14-10 W. HARRISON & SONS INC.
- 14-11 CAL MART ENTERPRISES, INC.
- 14-12 ANGEL LANDSCAPING INC.
- 14-13 VITO'S PLUMBING & HEATING d/b/a Mr. Plumber
- 14-14 BELLEVILLE LANDSCAPING, INC.

DATED: DECEMBER 19, 2013



RESOLUTION AUTHORIZING EXECUTION AND ACCEPTANCE OF A RENTAL PREFERENCE AGREEMENT AND COVENANT REGARDING CONGERS OVERLAY DISTRICT (44.15-3-10)

WHEREAS, as a condition to the granting of a special permit, RO-DYL Realty, LLC has provided a rental preference agreement and covenant for the Congers Overlay District with respect to property located at 44-46 Lake Road, Congers, New York 10920 (tax map 44.15-3-10), and

WHEREAS, the Town Attorney has recommended acceptance of said conveyance and advised that the documents are in proper legal form;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to execute the rental preference agreement and covenant provided by RO-DYL Realty, LLC, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the rental preference agreement and covenant from RO-DYL Realty, LLC in connection with the Congers Overlay District and orders it recorded in the Rockland County Clerk's Office, subject to the receipt of recording fees.

Dated: December 19, 2013

TB 12-19 TA RES Congers Overlay-Ro-Dyl Rental Agree-pm

awm

RESOLUTION AUTHORIZING EXECUTION AND ACCEPTANCE OF
MAINTENANCE AGREEMENT REGARDING
BERTOLINO/GRAZIANO SITE PLAN (TAX MAP 44.15-3-10)

WHEREAS, based upon the recommendation of the Department of Environmental Control and as a condition to the approval of the final map by the Planning Board with regard to the Bertolino/Graziano site plan (tax map 44.15-3-10), Ro-Dyl Realty, LLC has provided a stormwater control facility maintenance agreement to the Town, and

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

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the stormwater control facility maintenance agreement from Ro-Dyl Realty, LLC in connection with the Bertolino/Graziano site plan and orders it recorded in the Rockland County Clerk's Office, subject to the receipt of recording fees.

Dated: December 19, 2013

TB 12-19 TA RES Bertolino-Graziano Stormwater Agree-pm



RESOLUTION ACCEPTING AND ADOPTING THE FINDINGS OF FACT AND RECOMMENDATIONS OF THE HEARING OFFICER IN THE MATTER OF THE TERMINATION OF STATUTORY BENEFITS PURSUANT TO GENERAL MUNICIPAL LAW § 207-c

WHEREAS, pursuant to notice dated November 20, 2012, an administrative hearing was held at 20 Maple Avenue, New City, New York on January 31, February 28, May 1, May 28, June 24, July 16 and July 18, 2013, before Joel M. Douglas, Ph.D., as Hearing Officer, to conduct such hearing and to make findings and recommendations as to whether the regular salary or wages paid to a member of the Town's police department pursuant to General Municipal Law § 207-c should terminate or discontinue; and

WHEREAS, following a full evidentiary hearing at which both parties were represented by counsel and the submission of counsels' arguments and post-hearing briefs to Dr. Douglas, the Hearing Officer has forwarded to the Town Board his Findings of Fact and Recommendation dated November 15, 2013, together with the hearing record; and

WHEREAS, in accordance with Article XXII, ¶ 7, of the collective bargaining agreement between the Town and the Rockland County Patrolmen's Benevolent Association, the Town Board has rendered its Final Determination in executive session;

NOW, THEREFORE, upon reading the Findings of Fact and Recommendation of Joel M. Douglas, Ph.D., dated November 15, 2013, it is

RESOLVED, that the Town Board hereby accepts and adopts the Hearing Officer's Findings and Recommendation as set forth in the Board's Final Determination; and it is hereby further

RESOLVED, that the member's General Municipal Law § 207-c salary benefits are hereby discontinued; and it is

RESOLVED, that the Town Attorney will provide copies of the Town Board's Determination to the member and the member's legal counsel and to the Chief of Police.

Dated: December 19, 2013

awm