

TOWN OF CLARKSTOWN
TOWN BOARD MEETING
Town Hall Auditorium
February 4, 2014, 8:00 PM
AGENDA
(Tentative)

SALUTE TO THE FLAG

SPECIAL PRESENTATIONS

- Youth Court Academy Graduation
- Pride of Clarkstown Awards

CLERK CALLS THE ROLL

PUBLIC HEARINGS:

- PH-1.** 2014 Community Development Block Grant Funds Program
- PH-2.** Approving Final Map of Boundary Lines of the New City Fire District
- PH-3.** Proposed Local Law – Amend Chapter 146 – Flood Damage Prevention
- PH-4.** Request of Cherry Valley Builders, Inc. for Use of Town Law 280-a (4), Open Development Area, to Obtain Access to Property for Tax Map 64.18-3-2)

PUBLIC COMMENTS REGARDING AGENDA ITEMS:

(Limited to 3 minutes per person)

RESOLUTIONS:

1. Accepting the Minutes of December 19, 2013 and January 2, 2014, as submitted by the Town Clerk.
2. Referring and Setting a Public Hearing on a Proposed Local Law entitled: "A Local Law Amending the Zoning Map of the Town of Clarkstown, Congers Multifamily Zoning"
3. Referring and Setting a Public Hearing on a Proposed Local Law entitled: "A Local Law Amending the Zoning Map of the Town of Clarkstown, Rose Road Area, West Nyack"
4. Authorizing Change Orders #4 and #5, Contract "G" General Construction, Project No. CLKT 11-12, Pump Station Upgrade, North Greenbush Road, Vandoren Court and Long Clove Road.
5. Authorizing the Installation of a "STOP" Sign – Tamarac Avenue @ Long Meadow Drive, New City
6. Authorizing the Supervisor to Enter into the following "Adopt-a-Road" *Renewal* Agreements:
 - a) Head Start of Rockland – Second Ave between Lawrence St & One Head Start Circle, Nanuet
 - b) New City Volunteer Ambulance Youth Corps – Goebel Rd from Congers Rd to Route 304, New City
7. Authorizing Renewal of an Agreement with Hi-Tor Animal Care Center, Iric
8. Bid Award: Bid No. 1-2014 – Athletic & Recreation Supplies
9. Authorizing the Purchasing Agent to advertise for the following:
- Bid #12-2014 – Town Hall 2nd Floor Renovations
10. Authorizing the Supervisor to Enter into an Agreement for Implementing a Town Program that will Promote Control of the Canadian Geese Population
11. Amending Resolution No. 512-2013
12. Authorizing Preparation of a Trial Appraisal on a Tax Certiorari Matter regarding DePaulis Enterprises V, Ltd (Tax Map #s 44.7-2-10, 44.7-2-10.1, 10.2, 15, 17 and 35.19-2-18, 19, 20)
13. Accepting Deed and Declaration and Authorizing Execution and Acceptance of Maintenance Agreement and Intersection Monitoring Agreement regarding Route 303 Temporary State Police and New York State Thruway Authority Maintenance Facility Site Plan (59.18-1-22)

14. Authorizing the Supervisor to Sign an Agreement with the State of New York Governor's Traffic Safety Committee of the Department of Motor Vehicles to Accept a Grant to participate in the Statewide Police Traffic Services Program.
15. Authorizing Settlement of the following Tax Certiorari Matters:
 - a) Paul Muni Realty, Inc. (Tax Map No. 43.19-1-18)
 - b) Milton B. Shapiro & Sonya Shapiro (Tax Map No. 43.7-18/2780)
16. Waiving the Notice Agreement in §64 of the New York State ABC Law with Respect to a Liquor License for 303 Restaurant, LLC (60 Route 303, Valley Cottage.)
17. Authorizing Installation of Street Lighting in front of #252 New Hempstead Road, New City
18. Authorizing the Re-Funding of Certain Outstanding Serial Bonds
19. Setting a Public Hearing concerning the Acquisition by Condemnation of a Portion of Property known as Tax Map 64.08-3-30 (West Nyack Downtown Revitalization Project)
20. Authorizing Repairs to Woodhaven Sewer Pump Station
21. Granting Certificates of Registration:
 - 14-15 – McGannon Excavating LLC
 - 14-16 - Environmental Construction Inc.
 - 14-17 - American Minuteman Sewer & Drain Service, Inc.
 - 14-18 - Rooter Plumbing Hudson Valley, Inc.
 - 14-19 - Bravo Builders of Rockland, Inc.
 - 14-20 - Richard Orsini, Inc. d/b/a Green Horizons Construction
 - 14-21 - Travcon, Inc.
22. Authorizing the following Personnel Changes:
 - a) Appointment: Matthew Downen, Police Officer (temporary), Clarkstown Police Department
 - b) Appointment: Jason Gioseffi, Police Officer (temporary), Clarkstown Police Department
 - c) Appointment: Gregory Suarez, Police Officer (temporary), Clarkstown Police Department
 - d) Appointment: Patrick Tobin, Police Officer (temporary), Clarkstown Police Department
 - e) Appointment: Christopher Robinson, Police Officer (temporary), Clarkstown Police Dept.
 - f) Appointment: Anthony Culianos, Police Officer (temporary), Clarkstown Police Department
 - g) Appointment: Michelle Tierney, Police Officer (temporary), Clarkstown Police Department
 - h) Appointment: Victor Caraballo, Police Officer (permanent), Clarkstown Police Department
 - i) Appointment: Kevin Quinn, Police Sergeant (Promotional/Permanent), Clarkstown Police Department
 - j) Appointment: Richard Von Ronn, Police Sergeant (Promotional/Permanent), Clarkstown Police Department.
 - k) Reappointment: Rudolph Yacyshyn, Vice-Chairman, Planning Board
 - l) Leave of Absence (FMLA): Pam McQuade, Principal Clerk Stenographer, Parks and Recreation
 - m) Creation: Clerk Typist (Part Time), Data Processing and
Appointment: Jacqueline Kelly, Clerk Typist (Part Time), Data Processing
23. Authorizing the Supervisor to Execute a First Amendment to the Host Community Agreement between the Rockland County Solid Waste Management Authority and the Town of Clarkstown
24. Setting a Public Hearing on a Proposed Local Law entitled: "A Local Law Amending Chapter 290 (Zoning) of the Local Laws of the Town of Clarkstown with Respect to Senior Citizen Congregate Housing and Assisted Care"
25. Amending Resolution No. 392-2013 to Authorize the Supervisor to enter into an Agreement with DCAK-MSA Architecture & Engineering for Preparation of Plans and Specifications to Town Hall – Second Floor.

ADDITIONAL TENTATIVE RESOLUTIONS:

GENERAL PUBLIC COMMENTS:

(Limited to 3 minutes per person)

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

Additional items may be added to this agenda.

*****To View Actual Resolutions, go to Town Clerk's Website, Click on Legal Matters*****

PH-2

RESOLUTION APPROVING THE FINAL MAP OF THE
NEW CITY FIRE DISTRICT
RESOLUTION NO. _____-2014 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 New City Fire District has complied with the provisions of Town Law § 176(5), and

WHEREAS, the New City 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 New City 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: February 4, 2014



RESOLVED, that the Town Board Minutes of December 19, 2013 and
January 2, 2014 are hereby accepted, as submitted by the Town Clerk.

DATED: February 4, 2014

RESOLUTION REFERRING AND SETTING A PUBLIC HEARING ON
A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING
THE ZONING MAP OF THE TOWN OF CLARKSTOWN,
CONGERS MULTIFAMILY ZONING"

WHEREAS, the Special Board has recommended a zone line
modification which affects two (2) zoning districts in the
vicinity of Lake Road in Congers to keep retail along the
street and housing behind retail and along Congers Lake, and

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

"A LOCAL LAW AMENDING THE ZONING MAP OF THE TOWN
OF CLARKSTOWN, CONGERS MULTIFAMILY ZONING"

and

WHEREAS, the proposed local law is to amend the Zoning
Map of the Town of Clarkstown by altering the zoning line
and changing a zoning district from Light Industrial Office
(LIO) to Multifamily-3 (MF-3) affecting Lake Road between
Green Street and Hemenway Avenue;

NOW, THEREFORE, be it

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

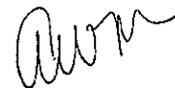
FURTHER RESOLVED, that for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Jose Simoes, Principal Planner for the Town of Clarkstown, is hereby authorized and directed to act as agent for the Town Board with respect 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 April 8, 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: February 4, 2014

TB 02-24 TA RES Refer-Public Hearing LL Amend Zoning Map-Congers Multifamily-pm

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

RESOLUTION REFERRING AND SETTING A PUBLIC HEARING ON
A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING
THE ZONING MAP OF THE TOWN OF CLARKSTOWN,
ROSE ROAD AREA, WEST NYACK"

WHEREAS, the Special Board has recommended a zone line modification between two (2) zoning districts in the vicinity of Rose Road and Route 59 in West Nyack to reflect the realignment of the Rose Road and Route 59 intersection, and

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

"A LOCAL LAW AMENDING THE ZONING MAP OF THE TOWN OF CLARKSTOWN, ROSE ROAD AREA, WEST NYACK"

and

WHEREAS, the proposed local law is to amend the Zoning Map of the Town of Clarkstown by shifting the zone line running through tax lot #64-2-40 to run along the western lot line of this parcel and beyond to points of intersection along Rose Road and Route 59 to reflect realignment of said intersection;

NOW, THEREFORE, be it

RESOLVED, that the proposed local law be referred to the Clarkstown Planning Board for report pursuant to Section 290-33 of the Zoning Local Law of the Town of Clarkstown and to the Rockland County Commissioner of Planning pursuant to

Sections 239-1 and 239-m of the General Municipal Law for report, and be it

FURTHER RESOLVED, that for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Jose Simoes, Principal Planner for the Town of Clarkstown, 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 April 8, 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: February 4, 2014

TB 02-24 TA RES Refer-Public Hearing LL Amend Zoning Map-Rose Rd-pm

AWM

**RESOLUTION AUTHORIZING CHANGE ORDERS #4 AND #5, 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. #4 - Additional labor and equipment associated with the removal of unsuitable soil at the Van Doren Court Pump Station for a total cost of \$8,760.24, and
2. C.O. #4 - Change from a 6 ft. high to an 8 ft. high perimeter fence at the Long Clove Road Pump Station for a total cost of \$18,055.00, and

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

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

WHEREAS, the cost of the additional work is \$26,815.24.

NOW, THEREFORE, BE IT

RESOLVED, that Change Orders #4 and #5 for Contract "G" General Construction, for Project CLKT 11-12 is approved for the additional cost of \$26,815.24, 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: February 4, 2014

TB 2-4-14 Pump Station Upgrades CLKT 11-12 Change Orders 4 and 5

AWM

**RESOLUTION AUTHORIZING THE INSTALLATION OF STOP SIGN,
TAMARAC AVENUE @ LONG MEADOW DRIVE, NEW CITY**

WHEREAS, the western terminus of Tamarac Avenue, New City where it intersects with Long Meadow Drive has experienced drivers rolling through the "T" intersection causing potential hazards to through traffic on Long Meadow Drive, and

WHEREAS, an investigation by the Town Board's Liaison to the Traffic & Traffic Fire Safety Advisory Board in consultation with the Clarkstown Police Traffic Enforcement Unit has revealed that the matter is substantiated, and

WHEREAS, there is currently no regulating signage to indicate that this is a "T" intersection and that traffic must stop prior to entering the straightaway Long Meadow Drive;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install a STOP sign and STOP line at the westerly end of Tamarac Avenue, where it intersects with Long Meadow Drive, and be it

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

DATED: February 4, 2014
TB 02-04 TA RES Signage Tamarac Ave--jje



6A

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 adopt a segment of various town roads for a period of two (2) years, beginning February 14, 2014 to February 14, 2016, as follows:

**Sponsor: Head Start of Rockland
117 Route 9W; Haverstraw, NY 10927**

**Roads: 0.5 mile segment of Second Avenue between
Lawrence Street and One Head Start Circle in
Nanuet, NY 10954**

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that the **Head Start of Rockland** organization will perform a public service in removing trash from above roadway which 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 February 14, 2014 to February 14, 2016, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segment, and to provide and coordinate services by the above named organization, to remove trash from the roadway.

Dated: February 04, 2014



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

6B

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 adopt a segment of a town road for a period of two (2) years, beginning January 24, 2014 to January 24, 2016, as follows:

Sponsor: **New City Volunteer Ambulance Youth Corps
P.O.Box 33, 200 Congers Road
New City, NY 10956**

Road: **0.38 segment of Goebel Road from Congers Road to Route 304,
New City, NY**

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that the above organization will perform a public service in removing trash from above roadway which 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 an agreement, for a period of two (2) years beginning January 24, 2014 to January 24, 2016, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segment, and to provide and coordinate services by the above named organization, to remove trash from the roadway.

Dated: February 04, 2014

TB 02-04-14 TA RES-AdoptARoad Renewal NC Volunteer Ambulance Youth Corps-kh

AWM

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH
HI-TOR ANIMAL CARE CENTER, INC.

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a renewal agreement with the Hi-Tor Animal Care Center, Inc., as required by Section 115 of the New York State Agriculture and Markets Law, in a form approved by the Town Attorney, to utilize said facilities as an animal shelter and pound for the Town of Clarkstown for the period commencing January 1, 2014 and terminating on December 31, 2014, provided that Hi-Tor Animal Care Center, Inc. submits appropriate insurance coverage to the Town, and be it

FURTHER RESOLVED, that the Town shall pay to Hi-Tor Animal Care Center, Inc. the sum of \$33,000.00 for year to be paid quarterly upon presentation of a statement, for the shelter and care of all animals delivered to its shelter in accordance with the contract with the Town, and be it

FURTHER RESOLVED, that the agreement shall provide, among other provisions required 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: February 4, 2014

awm

Resolved, based upon the recommendation of the Authorized Purchasing Agent and in concurrence with Recreation and Parks, that the bid furnishing athletic and recreation supplies is hereby awarded to the following low bidders who have met the specifications:

Bid#1-2014 Athletic and Recreation Supplies

Kenmar Shirts, Inc., 1578 White Plains Road, Bronx, NY 10462 for item # 100, 101, 102, 104, 105 & 109 as per specifications at a net bid price of \$10,127.04.

The Lifeguard Store, 2012 W. College Avenue, Normal, IL 61761 for items # 49, 50 and 99 as per specifications at a net bid price of \$951.40.

Passon's Sports (Sports Supply Group) P.O. Box 49, Jenkintown, PA, 19046 for items # 3, 4, 5, 8, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 34, 35, 36, 39, 40, 51, 55, 57, 58, 59, 60, 62, 63, 64, 66, 67, 71, 72, 73, 74, 75, 76, 81, 116, 117 and 120 as per specifications at a net bid price of \$7,401.61.

S&S Worldwide, 75 Mill Street, Colchester, CT 06415 for items # 2, 10, 16, 33, 37, 41, 42, 43, 44, 45, 46, 47, 52, 53, 54, 65, 68, 69, 70, 77, 78, 79, 80, 82, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97 and 98 as per specifications at a net bid price of \$2,024.01.

Riddell/All American, 669 Sugar Lane, Elyria, OH, 44035-6309, for items # 6, 7, 9, 15, 103, 106, 107 and 112 as per specifications at a net bid price of \$2,020.04.

Gross total for all items: \$22,524.10

Further resolved, that this amount \$22,524.10 be charged against accounts:

7140-222	\$	2,589.86
7140-307		279.25
7141-222		67.00
7141-307		1,144.52
7141-329		2,730.84
7180-307		1,734.00
7180-329		994.18
7180-219		-0-
7310-222		-0-
7310-307		7,661.04
7310-329		5,296.05
7610-329		27.36
TOTAL:		\$22,524.10

awm

DATED: February 4, 2014

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:

BID#12-2014 – TOWN HALL 2ND FLOOR RENOVATIONS

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at _____ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Purchasing Department.

DATE: February 4, 2014

Awm

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR IMPLEMENTING A TOWN PROGRAM THAT WILL PROMOTE CONTROL OF THE CANADIAN GEESE POPULATION

WHEREAS, the Town has previously contracted with wildlife control specialist Thomas J. Maglaras of Nuisance Wildlife Control Agents to implement a program to egg addle Canadian Geese sites throughout the Town under a License granted to the Town by the USDA Wildlife Services in order to promote control of the Canadian Geese population, and

WHEREAS, the Town has received a proposal for a 2014 Canadian Geese Program from Nuisance Wildlife Control Agents, and its past programs have been most successful, and the proposed fee is found to be reasonable along past years' proposals.

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with wildlife control specialist Thomas J. Maglaras, satisfactory to the Town Attorney, to implement a Town program for the control of the Canadian Geese Population during 2014, including a License Agreement with United Water New York, Inc., to enter upon its property during implementation of the program, and to take all steps necessary for the Town of Clarkstown to comply with all applicable State and Federal regulations; and be it

FURTHER RESOLVED, that all reasonable expenses in connection with the use of a wildlife control specialist to carry out the Town of Clarkstown program shall not exceed \$10,200.00 and shall be charged to Account No. A-8090-409-0.

Dated: February 04, 2014

TB 02-04-14 TA RES Maglaras Agreement-kh



(11

RESOLUTION AMENDING RESOLUTION NO. 512-2013

WHEREAS, by Resolution No. 512-2013, adopted December 19, 2013, the Town Board authorized 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, and

WHEREAS, the fee for said work was based on a proposal, dated November 7, 2013, submitted by H2M, and

WHEREAS, a typographical error was made in copying the amount of the proposed budget wherein the amount stated in Resolution No. 512-2013 was not to exceed \$25,000.00 instead of \$15,000.00 as stated in the proposal,

NOW THEREFORE, be it

RESOLVED, that the typographical error is corrected so that the amount designated to be expended shall not exceed \$15,000.00.

DATED: February 4, 2014

TB 02-04-2014 TA RES-amend Res. 512-2013—H2M So. Mountain Rd. Drainage-kh

awm

RESOLUTION AUTHORIZING TO PREPARE A TRIAL APPRAISAL ON A TAX CERTIORARI MATTER REGARDING DEPAULIS ENTERPRISES V, LTD. TAX MAP #s: 44.7-2-10, 44.7-2-10.1, 10.2, 15, 17 and 35.19-2-18, 19, 20

WHEREAS, DePaulis Enterprises V, LTD has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcels designated as Tax Map No.(s) 44.7-2-10, 44.7-2-10.1, 10.2, 15, 17 and 35.19-2-18, 19, 20, and more commonly known as, 27 Meola Road, 29 Meola Road, 85 Brenner Drive, 148 Old Haverstraw Road, and 25 Meola Road; 16 Meola Road, 1 Old Orchard Lane, and 255 N. Route 303, respectively, all properties being located in Congers, New York, for the year(s) 2008/09, 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

WHEREAS, it is desirable to have a trial appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Valuation Plus, Inc. be retained for the purpose of preparing such trial appraisal, if necessary, at a fee not to exceed \$10,000.00, and such fee shall be charged to Account No. A 1420-439-1.

Dated: February 4, 2014

awm

RESOLUTION ACCEPTING DEED AND DECLARATION AND AUTHORIZING EXECUTION AND ACCEPTANCE OF MAINTENANCE AGREEMENT AND INTERSECTION MONITORING AGREEMENT REGARDING ROUTE 303 TEMPORARY STATE POLICE & NYS TRUWAY AUTHORITY MAINTENANCE FACILITY SITE PLAN (59.18-1-22)

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 Route 303 Temporary State Police & NYS Thruway Authority Maintenance Facility site plan (59.18-1-22), Hauser Bros. Holdings, LLC has provided a deed for road widening, a declaration of covenant for emergency access, a stormwater control facility maintenance agreement and an intersection monitoring agreement to the Town, and

WHEREAS, the First Deputy Director of the Department of Environmental Control has recommended acceptance of said conveyances; and the Town Attorney has 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 stormwater control facility maintenance agreement and the intersection monitoring agreement, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the stormwater control facility maintenance agreement, the intersection monitoring agreement, the deed for road widening and the declaration of covenant for emergency access from Hauser Bros. Holdings, LLC in connection with the Route 303 Temporary State Police & NYS Thruway Authority Maintenance Facility site plan and orders them recorded in the Rockland County Clerk's Office, subject to the receipt of recording fees.

Dated: February 4, 2012

awm

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN AN AGREEMENT WITH THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE OF THE DEPARTMENT OF MOTOR VEHICLES TO ACCEPT A GRANT TO PARTICIPATE IN THE STATEWIDE POLICE TRAFFIC SERVICES PROGRAM

WHEREAS, Clarkstown Police Lieutenant Steve Morgan has advised that the State of New York Governor's Traffic Safety Committee of the Department of Motor Vehicles has awarded a grant to the Town of Clarkstown Police Department for the purpose of participating in the "Police Traffic Services Program," which has a goal of increasing seat belt usage and reducing aggressive, speeding, distracted and other dangerous driving behaviors in an effort to reduce serious injury and death from traffic crashes, with an effective date of October 1, 2013, and

WHEREAS, THE State shall provide \$18,200.00 to the Town of Clarkstown for said purposes;

NOW, THEREFORE, be it

RESOLVED, that, on the recommendation of Clarkstown Police Lieutenant Steve Morgan, the Town Board hereby authorizes the Supervisor to enter into an agreement with the State of New York, Governor's Traffic Safety Committee, Department of Motor Vehicles, in a form approved by the Town Attorney, to accept a grant award of \$18,200.00 for the purpose of participating in the "Police Traffic Services Program" by the Town of Clarkstown Police Department.

DATED: February 4, 2014

awm

15-A

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING PAUL MUNI REALTY INC.
TAX MAP NO.: 43.19-1-18**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Paul Muni Realty Inc. against the Town of Clarkstown, its Assessor and Board of Assessment Review of the Town of Clarkstown, Index No(s). 6379/09, 6721/10, 4975/11, 033538/12 and 033416/13, affecting parcel designated as Tax Map 43.19-1-18 and more commonly known as 169 S. Main Street, New City, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown 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 43.19-1-18 be reduced for the year(s) 2009/10 from \$219,000 to \$162,400 at a cost to the Town of \$1,260.90;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.19-1-18 be reduced for the year(s) 2010/11 from \$219,000 to \$155,600 at a cost to the Town of \$1,495.35;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.19-1-18 be reduced for the year(s) 2011/12 from \$219,000 to \$164,500 at a cost to the Town of \$1,340.93;

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.19-1-18 be reduced for the year(s) 2012/13 from \$219,000 to \$165,800 at a cost to the Town of \$1,395.95;

5. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.19-1-18 be reduced for the year(s) 2013/14 from \$219,000 to \$176,800 at a cost to the Town of \$1,291.21;

6. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14 on the parcel described as Tax Map 43.19-1-18, 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;

7. 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: February 4, 2014

TB 02-04-14 TA RES Paul Muni Realty Settlement-dt

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

15B

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING MILTON B. SHAPIRO and SONYA SHAPIRO
TAX MAP NO.: 43.7-18/2780**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Milton B. Shapiro and Sonya Shapiro v. Town of Clarkstown, its Assessor and Board of Assessment Review, Index No(s). 8715/08, 7980/09, 10385/10, 30785/11, 34388/12 and 33960/13, affecting parcel designated as Tax Map No. 43.7-1-18/2780 and more commonly known as 240 N. Main Street, New City, New York for the year(s) 2008/09, 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown 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 No. 43.7-1-18/2780 be reduced for the year(s) 2009/10 and 2010/11 from \$102,550 to \$75,000 at a total cost to the Town of \$1,263.53;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 43.7-1-18/2780 be reduced for the year(s) 2011/12, 2012/13 and 2013/14 from \$102,550 to \$78,000 at a total cost to the Town of \$1,999.38;

3. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 43.7-1-18/2780 for the year(s) 2008/09;

4. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14 on the parcel described as Tax Map No. 43.7-1-18/2780, 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;

5. 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: February 4, 2014

TB 02-04-14 TA RES Shapiro M&S Settlement-dt

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

16

RESOLUTION WAIVING THE NOTICE REQUIREMENT IN SECTION 64
OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A
LIQUOR LICENSE FOR 303 RESTAURANT LLC
(60 ROUTE 303, VALLEY COTTAGE)

WHEREAS, Daniel S. Szalkiewicz, Esq., attorney for 303
Restaurant LLC, has advised the Town by letter dated
January 17, 2014, pursuant to Section 64-2(a) of the
Alcoholic Beverage Control Law, that 303 Restaurant LLC has
applied for an on-premises liquor license at 60 Route 303,
Valley Cottage, New York, and

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby waives the thirty
day notice requirement contained in Section 64 of the
Alcoholic Beverage Control Law, and states that it does not
intend to offer any comments regarding the application of
303 Restaurant LLC for a license at premises located at 60
Route 303, Valley Cottage, New York.

Dated: February 4, 2014
TB 02-04 TA RES Waive Liquor Notice-303 Rest-pm

awm

WHEREAS, a resident of New Hempstead Road, New City, 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 # 58835/41850;

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 #58835/41850: located in front of house #252 New Hempstead Road, New City (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 and fuel adjustment charge, which shall be charged to Acct. #SL 5182 461.

Dated: February 04, 2014



REFUNDING BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED FEBRUARY 4, 2014, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID TOWN, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$12,750,000 FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF REFUNDING BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$12,750,000 TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS RELATIVE THERETO

Recitals

WHEREAS, the Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), has heretofore issued on July 26, 2005, its \$12,114,380 Public Improvement Serial Bonds-2005 (the "2005 Bonds"), which are currently outstanding in the principal amount of \$4,650,000 (the "Outstanding 2005 Bonds"), which shall mature on May 15 in each of the years and in the principal amounts and bear interest payable semiannually on May 15 and November 15 in each year to maturity, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2014	\$1,000,000	3.50%
2015	650,000	3-5/8
2016	600,000	4.00
2017	600,000	4.00

(19

RESOLUTION SETTING A PUBLIC HEARING CONCERNING THE
ACQUISITION BY CONDEMNATION OF A PORTION OF PROPERTY
KNOWN AS TAX MAP 64.08-3-30
(WEST NYACK DOWNTOWN REVITALIZATION PROJECT)

WHEREAS, the Town has identified a portion of a certain parcel for potential acquisition which may be of value for drainage and storm water management improvements in connection with the West Nyack Downtown Revitalization Project, and

WHEREAS, the owner of said certain parcel located at 23 Sickletown Road, West Nyack, New York, designated on Clarkstown Tax Map as 64.08-3-30, has not indicated a willingness to negotiate a sale of a portion of said parcel, consisting of $\pm 114,544.45$ square feet or ± 2.63 acres, and

WHEREAS, all attempts to acquire the parcel have been unsuccessful and the Town Board has determined that the acquisition of a portion of the parcel is a necessary municipal purpose;

NOW, THEREFORE, be it

RESOLVED, that pursuant to NYS Eminent Domain Procedure Law, the Town Board shall hold a public hearing to consider the proposed acquisition by condemnation of a portion of the parcel (Clarkstown Tax Map 64.08-3-30) more particularly described on Schedule "A," attached hereto, on March 4, 2014 at 8:00 p.m., or as soon thereafter as possible, in the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and be it

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

FURTHER RESOLVED, that all expenses pursuant to this resolution shall be a proper charge to Account No. H 8755-409-0-79-21.

DATED: February 4, 2014

TB 02-04-14 TA RES Acquisition by Condemnation-Owens Prop-pm

awm

SCHEDULE "A"

September 13, 2013

**Description of Taking of Part of
Property of J. Owens Building CO. INC.
West Nyack Hamlet Revitalization of
Drainage and Storm Water
Management Improvements
Rockland County Tax Map; Section 64.08, Block 03, Part of Lot
30**

All that certain plot, piece or parcel of land, situate, lying and being at West Nyack, Town of Clarkstown, County of Rockland and State of New York, Section 64.08, Block 03, part of lot 30. Property to be acquired for drainage and storm water management improvements over property now or formerly of J. Owens Building Company, INC. shown on a map prepared by H2M Group, last dated September 12, 2013, as project number BPAS 1301, said property being more particularly bounded and described as follows:

Beginning at the southwesterly most corner of the property to be acquired. The point of beginning being further described as being the following two (2) courses from a NYS concrete monument set on the easterly side of Sickletown Road.

1. Northerly North 06 degrees, 18 minutes, 32 seconds west, 22.00 feet.
2. Easterly along the division line between land now or formerly of J. Owens Building Company, INC. and the northerly side of West Nyack Road, NYS Route 59, North 80 degrees, 07 minutes, 29 seconds, East, 310.00 feet to the point or place of beginning.

Thence northerly through land now or formerly of J. Owens Building Company, INC. North 02 degrees, 07 minutes, 59 seconds west, 156.77 feet to land now of Farouk S. Shehada and Tersea R. Shehada, formerly land of Gibbons,

Thence easterly the following two (2) courses along the division line between land now or formerly of J. Owens Building Company, INC. and land now of Farouk S. Shehada and Tersea R. Shehada, formerly land of Gibbons,

1. North 79 degrees, 12 minutes, 36 seconds east, 35.00 feet
2. North 05 degrees, 12 minutes, 41 seconds west, 38.70 feet to land now or formerly of the Town of Clarkstown.

Thence easterly along the division line between land now or formerly of J. Owens Building Company, INC. and land now or formerly of Town of Clarkstown, North 82 degrees, 12 minutes, 11 seconds east, 536.79 feet to land now or formerly of Yaboo Fence company, INC.

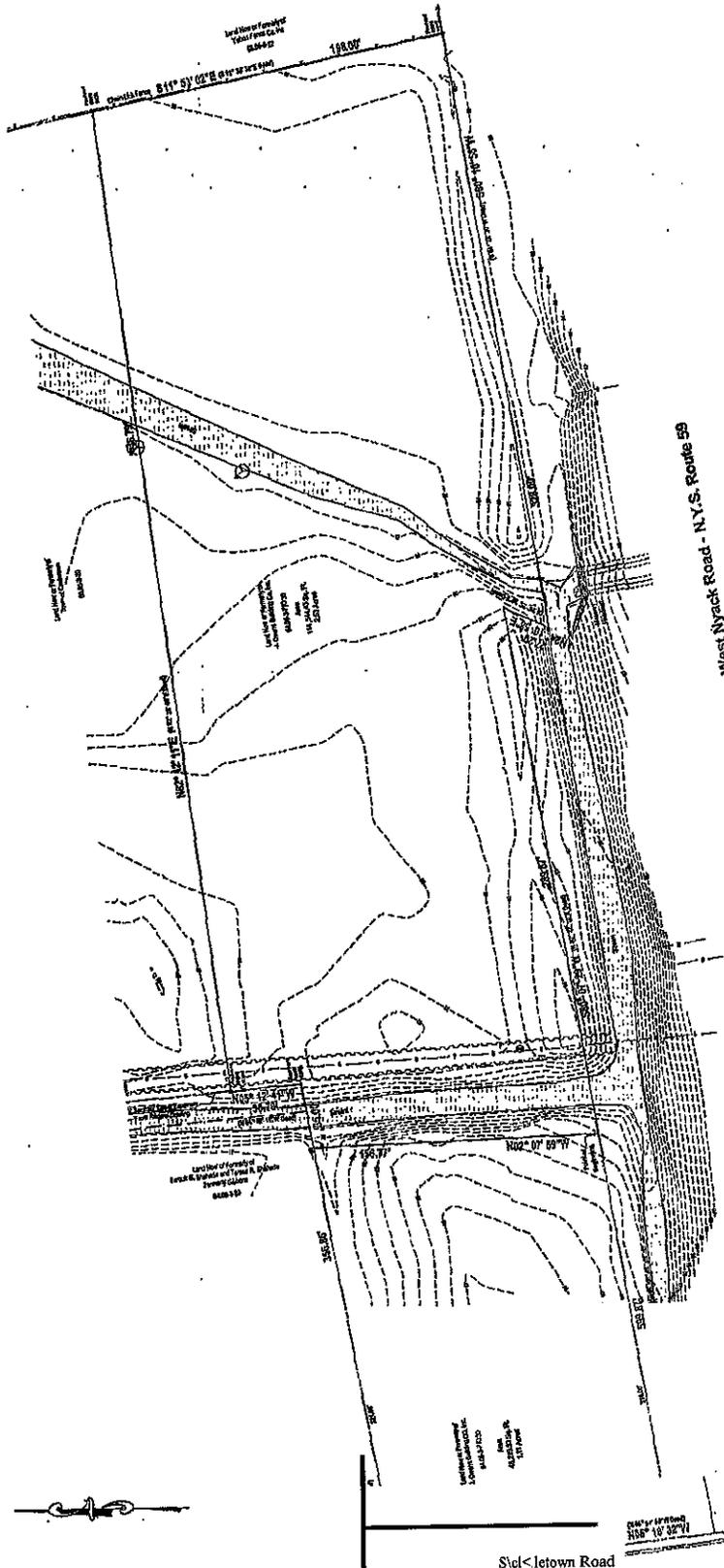
Thence southerly along land now or formerly of Yaboo Fence Company, INC., South 11 degrees, 53 minutes, 02 seconds east, 198.00 feet to the northerly side of West Nyack Road, NYS Route 59.

Thence westerly along the northerly side of West Nyack Road, NYS Route 59 the following three (3) courses,

1. South 80 degrees, 10 minutes, 58 seconds west 328.00 feet.
2. North 24 degrees, 10 minutes, 58 seconds east, 27.20 feet.
3. South 80 degrees, 07 minutes, 29 seconds west, 289.87 feet and the point or place of beginning.

Containing within said bounds 114,544.45 Sq. Ft. or 2.63 Acres.

SCHEDULE "A" (Cont'd)



H 2 M	Title J. Owens Building Co. Inc. License No. 123456789 State of New York	Date 10/15/2023	Scale 1" = 40'	Project West Nyack Hamlet Revitalization Drainage and Storm Water Management
	Author J. Owens Building Co. Inc.	Check J. Owens Building Co. Inc.	Date 10/15/2023	Project West Nyack Hamlet Revitalization Drainage and Storm Water Management

- LEGEND**
- BENCHMARK
 - BUILDING
 - CIRCULAR MANHOLE
 - CONCRETE MANHOLE
 - CAST IRON MANHOLE
 - METAL MANHOLE
 - CONCRETE PIPE
 - CAST IRON PIPE
 - METAL PIPE
 - FENCE
 - POWER POLE
 - TELEPHONE POLE
 - SAND



GENERAL NOTES

1. EXISTING CONDITIONS SHALL BE MAINTAINED.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NEW YORK STATE ENGINEERING CONSTRUCTION CODES AND ALL APPLICABLE LOCAL ORDINANCES AND REGULATIONS.
3. THE OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

West Nyack Road - N.Y.S. Route 59

RESOLUTION AUTHORIZING REPAIRS TO WOODHAVEN SEWER PUMP STATION

WHEREAS, remediation work was necessary at the Woodhaven Sewer Pump Station, Woodhaven Drive, New City for the protection and screening of the station which is located in the Right of Way of Woodhaven Drive, and

WHEREAS, the work entailed replacement and repairs to fence sections and posts to protect the equipment therein, and

WHEREAS, the Deputy Director for Operations of the Department of Environmental Control has deemed the work necessary,

NOW, THEREFORE be it RESOLVED, that the Town Board hereby authorizes the work to be performed by Yaboo Fence Company, Inc. for the amount of \$8150.00, whose proposal was the most reasonable of those solicited, and be it

FURTHER RESOLVED, that the cost is an authorized charge to Account H-8760-400-409-84-9 which cost is being reimbursed by the Rockland County Sewer District #1.

Dated: February 4, 2014
TB 02-04 TA RES Woodhaven Pump Stn ---jje



**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:

MCGANNON EXCAVATING LLC
85A North Central Highway
Garnerville, NY 10923
Robert McGannon, President

ENVIRONMENTAL CONSTRUCTION INC.
21 Holt Drive
P.O. Box 563
Stony Point, NY 10980
Susan Oakers, President

AMERICAN MINUTEMAN SEWER & DRAIN SERVICE INC.
307 South Main Street
New City, NY 10956
Joseph Simonetti, President

ROOTER PLUMBING HUDSON VALLEY INC.
d/b/a Mr. Rooter Plumbing
75 West Road
Pleasant Valley, NY 12569
Clinton C. Kershaw, President

BRAVO BUILDERS OF ROCKLAND, INC.
2 South Street
Suffern, NY 10901
Anthony Bruno, President

RICHARD ORSINI INC.
d/b/a Green Horizons Construction
133 West Clarkstown Road
New City, NY 10956
Richard Orsini

TRAVCON INC.
375 Kings Highway
Valley Cottage, NY 10989
Vincent Travaglino

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

14-15 MCGANNON EXCAVATING LLC

- 14-16 ENVIRONMENTAL CONSTRUCTION INC.
- 14-17 AMERICAN MINUTEMAN SEWER & DRAIN SERVICE INC.
- 14-18 ROOTER PLUMBING HUDSON VALLEY INC.
- 14-19 BRAVO BUILDERS OF ROCKLAND, INC.
- 14-20 RICHARD ORSINI INC. d/b/a Green Horizons Construction
- 14-21 TRAVCON INC.

FURTHER RESOLVED, that this Resolution is hereby made retroactive to January 7, 2014.

DATED: FEBRUARY 4, 2014

TB 02-04-14 TA RES Certificate of Registration Sewers-sk

awm

22A

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12100 Police Officer which contains the name of Matthew Downen,

NOW, therefore, be it

RESOLVED, that Matthew Downen, 64 Radcliff Drive, New City, New York, is hereby appointed to the position of (temporary) Police Officer - Clarkstown Police Department (while attending the Police Academy) - at the current 2014 annual salary \$60,883., - effective and retroactive to February 3, 2014.

DATED: February 4, 2014
P

22B

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12100 Police Officer which contains the name of Jason Gioseffi,

NOW, therefore, be it

RESOLVED, that Jason Gioseffi, 1 Waters Edge, Congers, New York, is hereby appointed to the position of (temporary) Police Officer - Clarkstown Police Department (while attending the Police Academy) - at the current 2014 annual salary \$60,883., - effective and retroactive to February 3, 2014.

DATED: February 4, 2014
P

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12100 Police Officer which contains the name of Gregory Suarez,

NOW, therefore, be it

RESOLVED, that Gregory Suarez, 24 Argow Pl., Nanuet, New York, is hereby appointed to the position of (temporary) Police Officer - Clarkstown Police Department (while attending the Police Academy) - at the current 2014 annual salary \$60,883., - effective and retroactive to February 3, 2014.

(22)

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12100 Police Officer which contains the name of Patrick Tobin,

NOW, therefore, be it

RESOLVED, that Patrick Tobin, 31 Benson Avenue, West Nyack, New York, is hereby appointed to the position of (temporary) Police Officer - Clarkstown Police Department (while attending the Police Academy) - at the current 2014 annual salary \$60,883., - effective and retroactive to February 3, 2014.

DATED: February 4, 2014
P

22E

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12100 Police Officer which contains the name of Christopher Robinson,

NOW, therefore, be it

RESOLVED, that Christopher Robinson, 148 Sleepy Hollow Lane, Congers, New York, is hereby appointed to the position of (temporary) Police Officer - Clarkstown Police Department (while attending the Police Academy) - at the current 2014 annual salary \$60,883., - effective and retroactive to February 3, 2014.

DATED: February 4, 2014
P

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12100 Police Officer which contains the name of Anthony Culianos,

NOW, therefore, be it

RESOLVED, that Anthony Culianos, 114 Lakewood Drive, Congers, New York, is hereby appointed to the position of (temporary) Police Officer - Clarkstown Police Department (while attending the Police Academy) - at the current 2014 annual salary \$60,883., - effective and retroactive to February 3, 2014.

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12100 Police Officer which contains the name of Michelle Tierney,

NOW, therefore, be it

RESOLVED, that Michelle Tierney, 47 Highway Avenue, Congers, New York, is hereby appointed to the position of (temporary) Police Officer - Clarkstown Police Department (while attending the Police Academy) - at the current 2014 annual salary \$60,883., - effective and retroactive to February 3, 2014.

2211

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12100 Police Officer which contains the name of Victor Caraballo,

NOW, therefore, be it

RESOLVED, that Victor Caraballo, 2 Collingswood Road, New City, New York, is hereby appointed to the position of (permanent) Police Officer - Clarkstown Police Department (while attending the Police Academy) - at the current 2014 annual salary \$60,883., - effective and retroactive to February 3, 2014.

DATED: February 4, 2014
P

221

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #13041 Police Sergeant Clarkstown Police Department - which contains the name of Kevin Quinn,

NOW, therefore, be it

RESOLVED, that Kevin Quinn, 9 Continental Drive, New Windsor, New York - is hereby appointed to the position Of (Promotional) (Permanent) Police Sergeant - Clarkstown Police Department - at the current 2014 annual salary of \$149,766., - effective and retroactive to January 13, 2014.

DATED: February 4, 2014
P

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #13041 Police Sergeant Clarkstown Police Department - which contains the name of Richard Von Ronn,

NOW, therefore, be it

RESOLVED, that Richard Von Ronn, 161 S. Congers, Congers, New York - is hereby appointed to the position Of (Promotional) (Permanent) Police Sergeant - Clarkstown Police Department - at the current 2014 annual salary of \$144,896., - effective and retroactive to January 13, 2014.

DATED: February 4, 2014
P

(22k)

RESOLVED, that Rudolph Yacyshyn, 48 Washington Circle,
New City, New York - is hereby reappointed to the position
of Vice Chairman - Planning Board - term effective and
retroactive to January 8, 2014 and to expire on January 8,
2015 - at the current 2014 annual salary of \$3,570.

DATED: February 4, 2014
P

RSOLVED, that Pamela McQuade, 3 Jeffrey Court,
West Nyack, New York -Principal Clerk Stenographer -
Parks and Recreation - is hereby granted, as per her
request, a leave pursuant to the Family and Medical
Leave Act - effective February 4, 2014.

DATED: February 4, 2014
P

22M

WHEREAS, the Rockland County Personnel Office has certified on January 22, 2014 that the position of Clerk Typist Part-Time - Data Processing, can be established,

NOW, therefore, be it

RESOLVED, that the position of Clerk Typist Part-Time - Data Processing - is hereby established February 4, 2014 - and be it,

FURTHER RESOLVED, that Jacqueline Kelly, 23 Carriage Lane, Nanuet, New York - is hereby appointed to the position of Clerk Typist Part-Time - Data Processing - at the current 2014 annual salary of \$20.25 per hour, effective February 4, 2014.

DATED: February 4, 2014
P

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A FIRST AMENDMENT TO THE HOST COMMUNITY AGREEMENT BETWEEN THE ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY AND THE TOWN OF CLARKSTOWN

WHEREAS, by Resolution No. 159-2009, adopted March 24, 2009, the Town Board authorized the Supervisor to enter into a Host Community Agreement, dated October 7, 2009, for an initial term of thirty (30) years, with the Rockland County Solid Waste Management Authority ("RCSWMA") which specified the respective rights and obligations of the parties upon the Authority's acquisition of the Clarkstown Solid Waste Facilities and use of the French Farms Facility and specified the respective rights and obligations of the parties relating to the delivery and processing of municipal solid waste and recyclables for transfer to the ultimate disposal or processing facility, and for payment of host community fees to the Town for each ton of solid waste, construction and demolition materials and yard waste delivered to the Clarkstown Transfer Station and/or the French Farms location; and

WHEREAS, Section 5.1(B) of the Host Community Agreement required the Authority to pay to the Town the following per ton fees: \$6.50 per ton for each Ton of Solid Waste and Construction and Demolition Debris delivered to the Transfer Station; \$3.00 per ton for each Ton of Yard Waste delivered to the Yard Waste Facility, including the French Farms Facility as set forth in the French Farms License, so long as the French Farms License remains in effect; \$2.00 per ton for each Ton of Asphalt Pavement, Brick and Uncontaminated Concrete delivered to the Concrete Crushing Facility, and

WHEREAS, on May 24, 2012, the Authority adopted Resolution No. 25 of 2012, authorizing an increase in the Host Community Fees paid by the Authority to the Towns that host the Authority's facilities, by two dollars (\$2.00) per ton for all its waste streams; and

WHEREAS, on October 24, 2013, the Authority adopted Resolution No. 31 of 2013, authorizing an increase in the Host Community Fees paid by the Authority to the Towns that host the Authority's facilities by one dollar (\$1.00) per ton, and

WHEREAS, the Rockland County Solid Waste Management Authority has prepared Amendment No. 1 to the Host Community Agreement, effective January 1, 2014, to amend Section 5.1(B) of the Agreement to reflect these changes in per ton fees, which will require the the Authority to pay to the Town: \$9.50 per ton for each Ton of Solid Waste and Construction and Demolition Debris delivered to the Transfer Station; \$6.00 per ton for each Ton of Yard Waste delivered to the Yard Waste Facility, including the French Farms Facility as set forth in the French Farms License, so long as the French Farms License remains in effect; \$5.00 per ton for each Ton of Asphalt Pavement, Brick and Uncontaminated Concrete delivered to the Concrete Crushing Facility;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to sign a First Amendment to the Host Community Agreement between the Rockland County Solid Waste Management Authority and the Town of Clarkstown, in a form approved by the Town Attorney.

DATED: February 4, 2014

TB 02-04-14 TA RES-RCSWMA Host Community Agreement-Amendment #1-kh

A handwritten signature in black ink, appearing to read "Aum", is located in the lower right quadrant of the page.

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING CHAPTER 290 (ZONING) OF THE LOCAL LAWS OF THE TOWN OF CLARKSTOWN WITH RESPECT TO SENIOR CITIZEN CONGREGATE HOUSING AND ASSISTED CARE"

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

"A LOCAL LAW AMENDING CHAPTER 290 (ZONING) OF THE LOCAL LAWS OF THE TOWN OF CLARKSTOWN WITH RESPECT TO SENIOR CITIZEN CONGREGATE HOUSING AND ASSISTED CARE"

and

WHEREAS, the proposed local law is to amend Section 290 of the Town of Clarkstown Zoning Code to allow for a text amendment to Sections 290-3 and 290-17-O with respect to senior citizen congregate housing and assisted care living quarters;

NOW, THEREFORE, be it

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 March 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 said Clerk.

Dated: February 4, 2014

TB 02-04 TA RES Public Hearing Local Law-Amend Chap 290-Sr Cong Housing-Asst Care-pm

awm

RESOLUTION AMENDING RESOLUTION NO. 392-2013 TO
AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH DCAK-MSA
ARCHITECTURE & ENGINEERING FOR PREPARATION OF PLANS AND
SPECIFICATIONS TO TOWN HALL – SECOND FLOOR

WHEREAS, by Local Law No. 3-2011, affirmed by a vote of the majority of the qualified electors voting in the General Election of November 8, 2011, and effective on January 1, 2014, the Town of Clarkstown is consolidating the powers and duties of the Office of the Receiver of Taxes with the Office of the Town Clerk, and

WHEREAS, by Resolution No. 392-2013, the Town Board authorized the Supervisor to enter into an Agreement with DCAK-MSA Architecture & Engineering to perform a Feasibility Study, based on the proposal DCAK-MSA submitted, dated September 26, 2013, for the realignment of Town departments and corresponding office, and

WHEREAS, the Feasibility Study is now complete and DCAK-MSA has submitted a proposal, dated January 29, 2014, for Architectural and Engineering Design Services necessary for the implementation of the project, including surveying the existing building areas, preparing base plans, selecting materials and finishes, preparing working drawings, preparing bidding packages, and performing site observations, and

WHEREAS, the Public Works Administrator has reviewed the proposal and finds it reasonable in both scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 392-2013 to authorize the Supervisor to enter into an amendment to the agreement with DCAK-MSA, 53 Hudson Avenue, Nyack, NY 10960, in a form approved by the Town Attorney, to perform the Architectural and Engineering Design Services outlined in the Feasibility Study to realign Town departments and corresponding office areas, and be it

FURTHER RESOLVED, that the cost of said services shall not exceed \$34,500.00 and shall be reimbursed to the Town through funding from the Local Government Efficiency Grant program of the State Department of New York State to reduce local expenses and increase efficiencies.

Dated: February 4, 2014

TB 02-04-14 TA RES DCAK-MSA Architectural & Engineering Services-Realignment of Departments-kh

Awm