

TOWN OF CLARKSTOWN
TOWN BOARD MEETING
June 10, 2014 – 8:00 pm
Town Hall Auditorium
AGENDA
(Tentative)

SALUTE TO THE FLAG

Shavonne Davis,
2013 Nanuet High School Class President

STAR-SPANGLED BANNER

Nanuet Concert Choir

SPECIAL PRESENTATIONS

- Clarkstown PD Youth Police Academy
- Anne Byrne, President of the National School Board Association

MUSICAL PERFORMANCE

Nanuet Concert Choir

PUBLIC HEARINGS:

1. Proposed Local Law entitled: "A Local Law Amending Chapter 243 (Signs) of the Local Laws of the Town of Clarkstown with Respect to the Neighborhood Shopping Zoning District"
2. Proposed Local Law entitled: "A Local Law Amending Chapter 290-7.5 (New City Hamlet Zoning) of the Local Laws of the Town of Clarkstown"
3. Application of Rockland Jewish Community Center Corporation for a Special Permit to Conduct a Child Day Care Center.
4. *Continuation:* Proposed Local Law to Amend Chapter 290 to August 5, 2014.
5. *Continuation:* Proposed Local Law entitled: "Amending to the Town Zoning Map of the Town of Clarkstown with Respect to Major Regional Shopping, Regional Shopping, Community Shopping and Planned Economic Development in the Vicinity of Route 59 west of the Palisades Interstate Parkway"

CLERK CALLS THE ROLL

PUBLIC COMMENTS REGARDING AGENDA ITEMS:

(Limited to 3 minutes per person)

RESOLUTIONS:

1. Accepting the Minutes of the Town Board Meeting of May 6, 2014, as submitted by the Town Clerk.
2. Authorizing the Purchasing Agent to Advertise for
- Bid #22-2014 – Stream Channel Improvements – 201 Bardonia Road
3. Authorizing Orange & Rockland to Install Two Street Lights on Loraine Drive, New City
4. Amending Resolutions
 - a. No. 429-2013 (Town Board Meeting/Workshop Meeting Schedule)
 - b. No. 232-2014 (Bank Depository for Town funds)
5. Authorizing Stormwater Maintenance Agreement - Charles Elin Subdivision
6. Adopting the MassMutual proposal dated March 10, 2014 to be the financial organization and Administrative Agency to Town's Deferred Compensation Plan and Reliance Trust Company to act as trustee of said plan
7. Authorizing the Supervisor to enter into an agreement with Cornell Cooperative Extension with respect to the 2014 Stormwater II Education Program
8. Authorizing Settlement of Tax Certiorari regarding Tax Map No. 52.19-1-9.1 & 52.19-1-9.1/1

9. Referring and setting a public hearing on a proposed Local Law entitled, "A Local Law Amending Chapter 290 (Zoning) of the Town Code with respect to maximum building height for senior housing and AAR Zoning Districts" (Aug 5, 2014)
10. Setting a Public Hearing and Referring to the Rockland County Commissioner of Planning and the Clarkstown Planning Board the Application of St. John's Episcopal Church, for a Special Permit to Conduct a Child Day Care Center.
11. Amending Bond Resolution adopted on March 4, 2014 for the Purpose of Acquiring Highway Equipment.
12. Amending Resolution No.116, adopted on March 5, 2013 – Special Board
13. Authorizing the following Personnel Changes:
 - a) Appointment (Permanent): Maureen Shine, Data Entry Operator I, Dept. of Town Justice
 - b) Creation: Senior Clerk-Typist, Town Clerk's Office
 - c) Appointment (Promotion/Permanent): Kimberly Lillo, Senior Clerk Typist, Town Clerk's Office
 - d) ~Withdrawn~
 - e) Resignation (retirement): Stanley Young, Police Officer, Clarkstown Police Dept.
 - f) Resignation (retirement): Alan Fehsal, Police Officer, Clarkstown Police Dept.
 - g) Appointment (Contingent/Permanent): Stephen J. Cole-Hatchard, Police Sergeant, Clarkstown Police Dept.
 - h) Sick Leave of Absence: Kristy Miranda, Police Radio Dispatcher, Clarkstown Police Dept.
 - i) Reallocation: Information Services Specialist I from Grade 27 to Grade 31;
Appointment: Christopher Alvarado, Information Services Specialist I
14. Authorizing Accepting Funds and Amending Budget
15. Authorizing the Installation of Signs in the Vicinity of the Central Nyack Firehouse
16. Authorizing the following Bid Award:
Bid #18-2014 – Demarest Road Emergency Access Road Culvert Replacement
17. Granting Certificate of Registration:
14-33 – Kabod Properties, LLC d/b/a Crossroads Plumbing & Heating, Inc.
18. Authorizing Settlement of Tax Certiorari regarding Bessie Culoso Trust (Tax Map No. 58.17-1-39)

ADDITIONAL TENTATIVE RESOLUTIONS:

19. Authorizing the Execution and Filing of the MS4 Annual Report on Stormwater Discharges in the Town of Clarkstown with the New York State Department of Environmental Conservation.
20. Authorizing funds for the Replacement of a Culvert on Demarest Road.
21. Authorizing the Supervisor to Submit an Application through the Consolidated Funding Application Process to the NYSERDA Cleaner Greener Communities Program for the Planning of a Transit Oriented Project in the Hamlet of Nanuet.
22. Authorizing the Supervisor to Enter into an Agreement with the County of Rockland for Disbursing of Forfeiture Funds from the Shared Law Enforcement Forfeiture Account.
23. Amending Resolutions Nos. 416-2009, 75-2013 and 241-2014 Authorizing the Supervisor to Enter into an Intermunicipal Agreement with the County of Rockland, through the Rockland County Sewer District, Concerning Pump Station and Collection System Upgrade Project.

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

RESOLUTION OF THE TOWN BOARD
ADOPTING LOCAL LAW NO. - 2014

WHEREAS, a proposed local law entitled,

"A LOCAL LAW AMENDING CHAPTER 243 (SIGNS) OF THE LOCAL LAWS OF THE TOWN OF CLARKSTOWN WITH RESPECT TO THE NEIGHBORHOOD SHOPPING ZONING DISTRICT"

was introduced by Councilperson Hoehmann at a Town Board meeting held on May 6, 2014, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on May 6, 2014, directed that a public hearing be held on June 10, 2014, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on June 10, 2014, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on June 2, 2014, and

WHEREAS, by resolution adopted May 6, 2014, the Town Board referred the proposed local law to the Clarkstown Planning Board for their comment, pursuant to §290-33 of the Zoning Local Law of the Town of Clarkstown, and to the Rockland County Commissioner of Planning, pursuant to General Municipal Law §§239-1 & m, and

WHEREAS, a copy of the proposed local law was placed on the desks of the Supervisor and the Councilpersons at their office

at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on May 30, 2014, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the Environmental Assessment Form and proposed Negative Declaration, prepared by the Jose Simoes, Principal Town Planner, as agent for the Town Board, pursuant to SEQRA, and which the Board has discussed and considered in making its decision herein, and

WHEREAS, the Rockland County Planning Department provided their written report on June 6, 2014 and found the proposed local law will have no adverse impact on any County-wide interests and, therefore, remanded this matter for local determination, and

WHEREAS, by resolution dated May 28, 2014, the Town of Clarkstown Planning Board found that the proposed local law is consistent with the aims and principles embodied in Chapter 290 and the Comprehensive Plan, and the Board recommends in favor of the proposed local law;

NOW, THEREFORE, be it

RESOLVED, that based upon the EAF prepared by Jose Simoes, Principal Town Planner, acting as agent to the Town Board as lead agency, it is hereby determined that (1) the proposed action is an Unlisted action under SEQRA, and (2) the proposed action will not have a significant impact on the environment as a result of this zone change and impacts upon historic sites and

aesthetic resources will be analyzed on a per site basis and additional studies may be mandated by the Architecture and Landscape Commission, and be it

FURTHER RESOLVED, that the Town Board has reviewed and hereby accepts the attached Negative Declaration, and directs that same be filed, distributed and published pursuant to 6 NYCRR Part 617.7(b), and be it

FURTHER RESOLVED, that Local Law No. - 2014 entitled:

"A LOCAL LAW AMENDING CHAPTER 243 (SIGNS) OF THE LOCAL LAWS OF THE TOWN OF CLARKSTOWN WITH RESPECT TO THE NEIGHBORHOOD SHOPPING ZONING DISTRICT"

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

The Clerk of the Town of Clarkstown is directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

Dated: June 10, 2014

TB 06-10 TA RES Adopt LL-Amend Chap 243-NS District Signs-pm

ALM

**STATE ENVIRONMENTAL QUALITY REVIEW
NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

Lead Agency: Town Board
Town of Clarkstown
10 Maple Avenue
New City, NY 10956

Project: Town Code Amendment – Neighborhood Shopping District Sign Regulations

Date: May 29, 2014

This notice is issued pursuant to part 617 of the implementing regulation pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Clarkstown, as lead agency, has determined that the proposed action described below will not have a significant impact on the environment, and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Neighborhood Shopping District Sign Regulations

Location: NS zoning districts – Congers & New City, NY

SEQRA Status: Unlisted

Description of Proposed Action: Amendment to Chapter 243 (Signs) to establish signage regulations for the Neighborhood Shopping (NS) zoning district, which will be the same as the Local Shopping (LS) district.

Intent of Proposed Action: This amendment will establish signage regulations for the NS zoning district that will complement the small commercial and mixed-use “hamlet center support” setting desired by this zoning.

Potential Impacts and Support of Determination: There will be no impact on community growth as an immediate result of this zone change. Impacts upon historic sites and aesthetic resources will be analyzed on a per site basis and additional studies may be mandated by the Architecture and Landscape Commission.

Contact Person: Jose Simoes
Town Planner
10 Maple Avenue
New City, NY 10956
(845-639-2070)

PH-2

RESOLUTION OF THE TOWN BOARD
ADOPTING LOCAL LAW NO. - 2014

WHEREAS, a proposed local law entitled,

"A LOCAL LAW AMENDING CHAPTER 290-7.5 (NEW CITY HAMLET ZONING) OF THE LOCAL LAWS OF THE TOWN OF CLARKSTOWN"

was introduced by Councilperson Hoehmann at a Town Board meeting held on May 6, 2014, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on May 6, 2014, directed that a public hearing be held on June 10, 2014, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on June 10, 2014, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on June 2, 2014, and

WHEREAS, by resolution adopted May 6, 2014, the Town Board referred the proposed local law to the Clarkstown Planning Board for their comment, pursuant to §290-33 of the Zoning Local Law of the Town of Clarkstown, and to the Rockland County Commissioner of Planning, pursuant to General Municipal Law §§239-1 & m, and

WHEREAS, a copy of the proposed local law was placed on the desks of the Supervisor and the Councilpersons at their office

at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on May 30, 2014, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the Environmental Assessment Form and proposed Negative Declaration, prepared by the Jose Simoes, Principal Town Planner, as agent for the Town Board, pursuant to SEQRA, and which the Board has discussed and considered in making its decision herein, and

WHEREAS, the Rockland County Planning Department provided their written report on June 6, 2014 which pointed out that the term "below grade" should be removed to avoid confusion, and

WHEREAS, the local law has been corrected to address this concern, and

WHEREAS, by resolution dated May 28, 2014, the Town of Clarkstown Planning Board found that the proposed local law is consistent with the aims and principles embodied in Chapter 290 and the Comprehensive Plan, and the Board recommends in favor of the proposed local law;

NOW, THEREFORE, be it

RESOLVED, that based upon the EAF prepared by Jose Simoes, Principal Town Planner, acting as agent to the Town Board as lead agency, it is hereby determined that (1) the proposed action is an Unlisted action under SEQRA, and (2) the proposed action will not have a significant impact on the environment as

a result of this zone change and impacts upon traffic, drainage, water and wastewater facilities, natural and environmental resources, historic site and aesthetic resources will be analyzed on a per site basis and additional studies will be mandated by the Planning Board as required under the provisions of SEQRA, and be it

FURTHER RESOLVED, that the Town Board has reviewed and hereby accepts the attached Negative Declaration, and directs that same be filed, distributed and published pursuant to 6 NYCRR Part 617.7(b), and be it

FURTHER RESOLVED, that Local Law No. - 2014 entitled:

"A LOCAL LAW AMENDING CHAPTER 290-7.5 (NEW CITY HAMLET ZONING) OF THE LOCAL LAWS OF THE TOWN OF CLARKSTOWN"

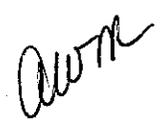
is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

The Clerk of the Town of Clarkstown is directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

Dated: June 10, 2014

TB 06-10 TA RES Adopt LL-Amend Chap 290-7.5-Parking Regs-pm

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

**STATE ENVIRONMENTAL QUALITY REVIEW
NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

Lead Agency: Town Board
Town of Clarkstown
10 Maple Avenue
New City, NY 10956

Project: Town Code Amendment – New City Hamlet Center Parking

Date: May 28, 2014

This notice is issued pursuant to part 617 of the implementing regulation pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Clarkstown, as lead agency, has determined that the proposed action described below will not have a significant impact on the environment, and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Town Code Amendment – New City Hamlet Center Parking

Location: New City, NY

SEQRA Status: Unlisted

Description of Proposed Action: Amendment of Chapter 290-7.5 (New City Hamlet Zoning) of the Town Code of the Town of Clarkstown to regulate parking so that no at-grade parking areas may directly abut or be adjacent to public sidewalk areas of Main Street, and must be separated from Main Street by an enclosed commercial space.

Intent of Proposed Action: This amendment is to allow for a more contiguous façade and pedestrian environment within the New City Hamlet Center.

Potential Impacts and Support of Determination: There will be no impact on community growth as an immediate result of this zone change. Impacts upon traffic, drainage, water and wastewater facilities, natural and environmental resources, historic sites and aesthetic resources will be analyzed on a per site basis and additional studies will be mandated by the Planning Board as required under the provisions of SEQRA.

Contact Person: Jose Simoes
Town Planner
10 Maple Avenue
New City, NY 10956
(845-639-2070)

RESOLUTION AND SPECIAL FINDINGS GRANTING A SPECIAL PERMIT TO CONDUCT A CHILD DAY CARE CENTER TO THE ROCKLAND JEWISH COMMUNITY CENTER CORPORATION (TAX MAP 58.19-1-11)

WHEREAS, the Rockland Jewish Community Center Corporation, by William Ebner, Facilities Director, has petitioned the Town Board of the Town of Clarkstown for a Special Permit, pursuant to Section 290-17Z of the Zoning Local Law, to conduct a Child Day Care Center on a portion of premises known as Tax Map 58.19-1-11, for property located at 450 West Nyack Road, West Nyack, New York, and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board of the Town of Clarkstown on June 10, 2014, at 8:00 P.M., or as soon thereafter as possible, to consider such application, and

WHEREAS, the Town Board of the Town of Clarkstown has received a report pursuant to SEQRA, from Principal Town Planner, Jose Simoes, which states that the project is an unlisted action that does not present the potential for significant environmental impact. The proposal is for the use of existing interior space for daycare and contemplates minor alteration of the site outside of the building, and

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

WHEREAS, the Rockland County Planning Department recommended approval with certain modifications by letter dated June 10, 2014, and

WHEREAS, the Town of Clarkstown Planning Board, by memo dated May 7, 2014, recommended approval of the proposed special permit, which the Board has considered in making its determination herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Jose Simoes dated June 2, 2014, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the Special Permit for the Rockland Jewish Community Center Corporation shall not have any significant impact on the environment and no further processing pursuant to SEQRA is required, and be it

FURTHER RESOLVED, that the Planning Board concurs with the Rockland County Planning Board's recommendations 1 - 5 and the Town Board hereby directs that said modifications be incorporated into the applicant's final site plan approval, and be it

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

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

1. Will be properly located with respect to transportation, water supply, waster disposal, fire and police protection and other public facilities;
2. Will not cause undue traffic congestion or create a traffic hazard;
3. Will not create at any point of determination any more dangerous and objectionable elements than is characteristic of the uses expressly permitted as of right in the same district;
4. Will not adversely affect the character of/or property values in the area;

5. Will not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town;

6. Will comply with all other regulations applicable to such use;

NOW, THEREFORE, be it

RESOLVED, that a Special Permit to conduct a Child Day Care Center on the above described property owned by the Rockland Jewish Community Center Corporation is hereby GRANTED to the petitioner subject to the following conditions:

1. Petitioner must comply with Section 290-11(C) and Section 290-17(Z) of the Zoning Ordinance of the Town of Clarkstown;

2. The approval is further subject to final site plan approval by the Town of Clarkstown Planning Board, and be it

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

TOWN BOARD
TOWN OF CLARKSTOWN

Dated: June 10, 2014

By: _____
Alexander J. Gromack
Supervisor

TB 06-10 TA RES RJCCC Grant Special Permit-pm



PH-4

RESOLUTION AUTHORIZING THE CONTINUATION OF A PUBLIC HEARING ON
A PROPOSED LOCAL LAW ENTITLED, "AMENDMENT TO CHAPTER 290
(ZONING) OF THE CODE OF THE TOWN OF CLARKSTOWN AND THE TOWN
ZONING MAP WITH RESPECT TO COMMERCIAL OFFICE AND COMMERCIAL
OFFICE SUPPORT"

WHEREAS, a proposed local law entitled, "Amendment to Chapter 290 (Zoning) of the Code of the Town of Clarkstown and the Town Zoning Map with Respect to Commercial Office and Commercial Office Support" was introduced by Councilperson Hausner at a Town Board meeting held on February 4, 2014, and

WHEREAS, a public hearing was held on May 6, 2014 and continued on June 10, 2014 to consider said local law, and at such time it was determined by the Town Board that the hearing be continued again on August 5, 2014 to allow for further SEQRA review;

NOW, THEREFORE, be it

RESOLVED, that the continuation of the public hearing, pursuant to §20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on August 5, 2014, at 8:00p.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 continuation of said hearing, and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk, and be it

FURTHER RESOLVED, that the Town Planner is hereby directed to prepare an Environmental Assessment Form pursuant to the provisions of SEQRA and forward same to the Rockland County Department of Planning for their review and comment.

Dated: June 10, 2014

TB 06-10 TA RES Continue Public Hearing-LL Amend Chap 290 & Map-CO & COS-pm

awm

PH-5

RESOLUTION AUTHORIZING THE CONTINUATION OF A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "AMENDMENT TO THE TOWN ZONING MAP OF THE TOWN OF CLARKSTOWN WITH RESPECT TO MAJOR REGIONAL SHOPPING, REGIONAL SHOPPING, COMMUNITY SHOPPING AND PLANNED ECONOMIC DEVELOPMENT IN THE VICINITY OF ROUTE 59 WEST OF THE PALISADES INTERSTATE PARKWAY"

WHEREAS, a proposed local law entitled, "AMENDMENT TO THE TOWN ZONING MAP OF THE TOWN OF CLARKSTOWN WITH RESPECT TO MAJOR REGIONAL SHOPPING, REGIONAL SHOPPING, COMMUNITY SHOPPING AND PLANNED ECONOMIC DEVELOPMENT IN THE VICINITY OF ROUTE 59 WEST OF THE PALISADES INTERSTATE PARKWAY" was introduced by Councilperson Hoehmann at a Town Board meeting held on April 8, 2014, and

WHEREAS, on June 10, 2014, a public hearing was duly held to consider said local law, and at such time it was determined by the Town Board that the hearing be continued at a future date and time to allow for further review by the Clarkstown Planning Board;

NOW, THEREFORE, be it

RESOLVED, that the continuation of the public hearing relative to said proposed local law, pursuant to §20 of the Municipal Home Rule Law, be had at a future date and time as will be determined by the Town Board, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of continuation of said hearing when such future date and time is determined, and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

Dated: June 10, 2014

allm

1

RESOLVED, that the Town Board Minutes of May 6, 2014
are hereby accepted, as submitted by the Town Clerk.

DATED: June 10, 2014

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

BID#22-2014 – STREAM CHANNEL IMPROVEMENTS
201 BARDONIA ROAD

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: June 10, 2014

awm

WHEREAS, a resident of Loraine Drive, 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 #59158/42149 and pole #59231/42145;

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

- 1. Pole #59158/42149 located at the intersection of Susan Drive & Loraine Drive at the southwest corner of lot #20 Susan Drive, New City.
Install one 5,800 lumen 70 watt sodium vapor streetlight
- 2. Pole #59231/42145 located at the northwest corner of lot #27 Loraine Drive, 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: June 10, 2014



4a.

RESOLUTION AMENDING RESOLUTION NO. 429-2013
(TOWN BOARD MEETING/WORKSHOP MEETING SCHEDULE FOR 2014)

WHEREAS, by Resolution No. 429-2013, adopted November 7, 2013, the Town Board set the Town Board Meeting and Workshop Meeting schedule for the year 2014, and

WHEREAS, the Town Board wishes to move the scheduled July 1, 2014 Town Board meeting to July 2, 2014;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 429-2013 by moving the July 1st Town Board meeting to Wednesday, July 2, 2014 at 8 p.m.

Dated: June 10, 2014

TB 06-10 TA RES Amend TB meeting 2014 Sched-pm

awm

RESOLUTION AMENDING RESOLUTION NO. 232-2014
(BANK DEPOSITORY FOR TOWN FUNDS)

WHEREAS, by Resolution No. 232-2014, adopted May 6, 2014, the Town of Clarkstown designated an additional bank depository for Town funds, and

WHEREAS, the name of the bank was incorrect in said resolution;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 232-2014 is hereby amended to read that the name of the bank should be "PCSB Commercial Bank."

DATED: June 10, 2014

TB 06-10 TA RES Amend Res 232-2014 Bank Depository-pm

awm

RESOLUTION AUTHORIZING EXECUTION OF STORMWATER MAINTENANCE AGREEMENT AND ACCEPTANCE OF STORMWATER MAINTENANCE AGREEMENT AND DECLARATION OF COVENANTS REGARDING CHARLES ELIN SUBDIVISION (TAX MAP 52.07-2-58)

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 Charles Elin subdivision (tax map 52.07-2-58), Charles Elin has provided a Stormwater Control Facility Maintenance Agreement and a Declaration of Covenants for road maintenance, dated January 29, 2014, in a form approved by the Town Attorney, and

WHEREAS, the First Deputy Director of the Department of Environmental Control has recommended acceptance of said Stormwater Maintenance Agreement, and the Town Attorney has recommended acceptance of said Declaration of Covenants, and

WHEREAS, the Town Attorney has advised that the documents are in proper legal form for recording;

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, subject to the applicant reapplying to the Planning Board for subdivision approval, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the Stormwater Control Facility Maintenance Agreement and the Declaration of Covenants for road maintenance from Charles Elin regarding the Charles Elin subdivision and orders same recorded in the Rockland County Clerk's Office, subject to the applicant reapplying to the Planning Board for subdivision approval and receipt of the recording fees.

Dated: June 10, 2014

TB 06-10 TA RES Elin Subd-pm



RESOLUTION ADOPTING THE MASSMUTUAL PROPOSAL DATED MARCH 10, 2014 TO BE THE FINANCIAL ORGANIZATION AND ADMINISTRATIVE AGENCY TO TOWN'S DEFERRED COMPENSATION PLAN AND RELIANCE TRUST COMPANY TO ACT AS TRUSTEE OF SAID PLAN

WHEREAS, the Town of Clarkstown did establish a Deferred Compensation Plan for employees, and

WHEREAS, the Town currently has a contract with MassMutual, 1298 State Street, Springfield, MA 01111, successor in interest to The Hartford Life Insurance Company, to act as the administrative services agency and financial organization for the Town's deferred compensation plan and the Reliance Trust Company as the trustee of the aforesaid plan, which is due to expire on August 4, 2014, and

WHEREAS, MassMutual has offered to extend their contract with the Town for a period of one (1) year from August 4, 2014 to August 3, 2015, and

WHEREAS, the Deferred Compensation Committee has reviewed MassMutual's one year extension offer and has recommended that the Town accept this offer;

NOW, THEREFORE, be it

RESOLVED, that the one (1) year extension period for a Deferred Compensation Plan, at no cost to the Town of Clarkstown, is to be awarded to MassMutual and Reliance Trust Company, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form acceptable to the Town Attorney and the Town's Deferred Compensation Committee, with MassMutual and Reliance Trust Company.

Dated: June 10, 2014



RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION WITH RESPECT TO THE 2014 STORM WATER II EDUCATION PROGRAM

WHEREAS, by Resolution No. 149-2003, the Town of Clarkstown has agreed to comply with Part II of the SPDES General Permit for discharge of storm water, and

WHEREAS, Luke Kalarickal, Director of Environmental Control, has recommended that the Town enter into an agreement with Cornell Cooperative Extension to provide services consisting of an educational program for storm water management in the Town of Clarkstown in order to comply with the regulations for such program;

NOW, THEREFORE, be it

RESOLVED, that Supervisor Alexander J. Gromack is hereby authorized to enter into an agreement with Cornell Cooperative Extension, in a form approved by the Town Attorney, to provide an educational and outreach program for storm water management within the Town, which shall comply with applicable regulations, and be it

FURTHER RESOLVED, that the Town of Clarkstown representative for the 2014 Storm Water II Education Program shall be Luke Kalarickal, P.E., Director of the Department of Environmental Control, and the alternate representative shall be Dennis Letson, P.E. Deputy Director of DEC, and be it

FURTHER RESOLVED, that the cost of said services shall be five thousand four hundred forty dollars (\$5,440.00) per year and shall be charged to Account No. A-8730-409.

DATED: June 10, 2014

AWM

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING GBR VALLEY COTTAGE LIMITED LIABILITY COMPANY
TAX MAP NO(S): 52.19-1-9, 52.19-1-9.1 and 52.19-1-9.1/1**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, GBR Valley Cottage Limited Liability Company v. The Assessor, The Board of Assessors and The Board of Assessment Review of The Town of Clarkstown and The Town of Clarkstown, Index No(s). 6959/2009, affecting parcel designated as Tax Map No(s). 52.19-1-9, and more commonly known as 131-133 Route 303, Valley Cottage, New York, and Tax Map No(s). 52.19-1-9.1 and 52.19-1-9.1/1, and more commonly known as 1-15 Lake Ridge Plaza, Valley Cottage, 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 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 Nyack Union Free School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.19-1-9 be reduced for the year(s) 2009/10 from \$729,300 to \$692,835 at a cost to the Town of \$812.35;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.19-1-9.1 be reduced for the year(s) 2009/10 from \$136,800 to \$129,960 at a cost to the Town of \$152.38;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.19-1-9.1/1 be reduced for the year(s) 2009/10 from \$1,571,400 to \$1,492,830 at a cost to the Town of \$1,750.34;

4. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No(s). 52.19-1-9, 52.19-1-9.1 and 52.19-1-9.1/1, for the year(s) 2010/11, 2011/12 and 2012/13;

5. Reimbursement for the year(s) 2009/10 on the parcel described as Tax Map No(s). 52.19-1-9, 52.19-1-9.1 and 52.19-1-9.1/1, as stated above, be made within ninety (90) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

6. 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: June 10, 2014

TB 06-10-14 TA RES GBR Valley Cottage LLC Settlement-dt



RESOLUTION REFERRING AND SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING CHAPTER 290 (ZONING) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN WITH RESPECT TO MAXIMUM BUILDING HEIGHT FOR SENIOR HOUSING AND AAR ZONING DISTRICTS"

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

"A LOCAL LAW AMENDING CHAPTER 290 (ZONING) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN WITH RESPECT TO MAXIMUM BUILDING HEIGHT FOR SENIOR HOUSING AND AAR ZONING DISTRICTS"

and

WHEREAS, the proposed local law is to amend Section 290 (Zoning) by amending Chapters 290-17, 290-20 and 290-7.1 of the Town Code to amend maximum building height requirements for senior housing, projects within hamlet centers and AAR zoning districts. Additionally, eligibility for the application of the AAR floating zone will be updated with regard to new zoning districts added since the adoption of the AAR floating zone, and for clarity of interpretation;

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 August 5, 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: June 10, 2014

TB 06-10 TA RES Refer-Public Hearing Local Law Amend Chap 290-AAR-Sr Housing-pm

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

RESOLUTION SETTING A PUBLIC HEARING AND REFERRING TO THE ROCKLAND COUNTY COMMISSIONER OF PLANNING AND THE CLARKSTOWN PLANNING BOARD THE APPLICATION OF ST. JOHN'S EPISCOPAL CHURCH, FOR A SPECIAL PERMIT TO CONDUCT A CHILD DAY CARE CENTER

WHEREAS, St. John's Episcopal Church, by Gary McCorry, Senior Warden of the Church, has petitioned the Town Board of the Town of Clarkstown for a Special Permit, pursuant to Section 290-17Z of the Zoning Local Law, to conduct a Child Day Care Center on a portion of premises known as Tax Map 52.13-1-33, for property located at 365 Strawtown Road, New City, New York, and

WHEREAS, said petitioner has duly applied to the Clarkstown Planning Board for site plan approval, and was granted preliminary site plan approval on April 9, 2014;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to Section 290-17Z of the Zoning Local Law, shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on August 5, 2014, at 8:00 p.m., or as soon thereafter as possible, to consider the application of St. John's Episcopal Church relative to said Special Permit, 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 posted in the manner provided by law and file proof thereof in the Office of the Town Clerk, and be it

FURTHER RESOLVED, that on or before said public hearing the petitioner shall file with the Town of Clarkstown, the following:

1. An affidavit executed by the officer of the corporation stating that the corporation is licensed by the New York State Department of Social Services to operate the type of facility sought or, in the alternative, that the corporation shall be able to meet all requirements to obtain said license.

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 Town Planner, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that the petition is hereby referred to the Rockland County Commissioner of Planning pursuant to Sections 239-L and 239-M of the General Municipal Law for report, the Clarkstown Planning Board, and to the following agencies for comment or study and report as soon as possible:

1. Clarkstown Department of Environmental Control
2. Clarkstown Building Inspector
3. Rockland County Health Department

Dated: June 10, 2014

TB 06-10 TA RES special permit pub hearing-referral-St Johns-pm



11
Amended

RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JUNE 10, 2014, AMENDING THE BOND RESOLUTION ADOPTED MARCH 4, 2014

Recitals

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized the acquisition of highway equipment, at the estimated cost of \$195,000, which amount was appropriated for such purpose pursuant to the bond resolution adopted by the Town Board on March 4, 2014; and

WHEREAS, the Town Board, by resolution adopted March 4, 2014, also authorized the purchase of additional equipment in the amount of \$1,005,000.00, for a total not to exceed \$1,200,000.00, which, due to a drafting error, was not included in the original bond resolution; and

WHEREAS, the Town Board of the Town wishes to amend such bond resolution to include the additional equipment which had been previously authorized by the Board;

Now , therefore, be it

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

Section (A) The Bond Resolution of said Town adopted by the Town Board on March 4, 2014, entitled:

“Bond Resolution of the Town of Clarkstown, New York, adopted March 4, 2014, authorizing the acquisition of highway equipment, stating the estimated maximum cost thereof is \$195,000, appropriating said amount for such purpose, and authorizing the

issuance of bonds in the principal amount of \$195,000 to finance said appropriation,”

is hereby amended to read as follows:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MARCH 4, 2014 AND AMENDED JUNE 10, 2014, AUTHORIZING THE ACQUISITION OF HIGHWAY EQUIPMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,200,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$1,200,000 TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the “Town”), is hereby authorized to acquire highway equipment. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,200,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$1,200,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$1,200,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Sections 11.00 a. 28 of the Law, is fifteen (15) years.

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

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

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law 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 June 10, 2014 the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a resolution amending the bond resolution adopted by said Town Board on March 4, 2014, which bond resolution, as amended, is entitled:

“Bond Resolution of the Town of Clarkstown, New York, adopted March 4, 2014 and amended June 10, 2014, authorizing the acquisition of highway equipment, stating the estimated maximum cost thereof is \$1,200,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$1,200,000 to finance said appropriation.”

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

FIRST: AUTHORIZING said Town to acquire highway equipment; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$1,200,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$1,200,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$1,200,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$1,200,000 serial bonds will exceed five (5) years;

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

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

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

DATED: June 10, 2014

Justin Sweet
Town Clerk

Section (B) The amendment of the bond resolution set forth in Section (A) of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution as originally adopted, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Section (C) Said bond resolution, as herein amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution, as amended, and requesting that it be submitted to the electors of said Town for their approval or disapproval, is filed and the Proposition submitted therefor is defeated, the validity of the bond resolution adopted March 4, 2014, shall not be in any way affected and shall remain in full force and effect.

Section (D) After said bond resolution, as herein amended, shall take effect, the Town Clerk is hereby directed to cause said bond resolution as herein amended, to be published, in summary, in the newspaper hereinabove referred to in Section 7 thereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section (E) This resolution shall take effect immediately.

* * *

A handwritten signature in cursive script, appearing to read "A. W. M.", is located in the bottom right corner of the page.

RESOLUTION AMENDING RESOLUTION NO. 116-2013

WHEREAS, the Town Board of the Town of Clarkstown adopted Resolution No. 598-2009 on December 15, 2009 to reconstitute the composition of the Special Board to carry out the objectives of the Comprehensive Plan, as amended by Resolution Nos. 273-2010, 316-201, and 116-2013, adopted on May 18, 2010, July 10, 2012 and March 5, 2013, respectively, and

WHEREAS, the Town Board wishes to remove Shirley Lasker and Wayne Ballard as voting members of the Comprehensive Plan Implementation Special Board, and the late Rudy Damonti; and

WHEREAS, the Town Board wishes to remove Nancy Willen as an associate and non-voting member of the Comprehensive Plan Implementation Special Board; and

WHEREAS, the Town Board wishes to add Shirley Lasker and Wayne Ballard as associate and non-voting members of the Comprehensive Plan Implementation Special Board;

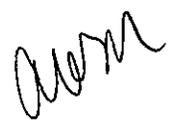
NOW, THEREFORE, be it

RESOLVED, that Shirley Lasker and Wayne Ballard, who are currently voting members of the Comprehensive Plan Implementation Special Board, and the late Rudy Damonti, are hereby removed as members of said Board; and be it

FURTHER RESOLVED, that Nancy Willen be removed as an associate and non-voting member of the Comprehensive Plan Implementation Special Board; and be it

FURTHER RESOLVED, that Shirley Lasker and Wayne Ballard be added as associate and non-voting members of the Comprehensive Plan Implementation Special Board.

Dated: June 10, 2014



13A

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #11116 Data Entry Operator I - which contains the name of Maureen Shine,

NOW, therefore, be it

RESOLVED, that Maureen Shine, 6 Settlers Court, New City, New York - is hereby appointed to the position of Data Entry Operator I (Perm) - Department of the Town Justice - at the current 2014 annual salary of \$38,563 - effective June 16, 2014.

DATED: June 10, 2014

P

WHEREAS, the Rockland County Personnel Office
has certified on May 13, 2014 that the position of
Senior Clerk-Typist - Town Clerk, can be established,

NOW, therefore, be it

RESOLVED, that the position Senior Clerk-Typist - Town
Clerk - is hereby established May 13, 2014

DATED: June 10, 2014

P

(130

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12069 Senior Clerk Typist (Promotional) - which contains the name of Kimberly Lillo,

NOW, therefore, be it

RESOLVED, that Kimberly Lillo, 15 Bontecou Road, Stony Point, New York - is hereby appointed to the position of Senior Clerk Typist (Perm) - Office of the Town Clerk - at the current 2014 annual salary of \$55,581 - effective and retroactive to June 9, 2014.

DATED: June 10, 2014

P

BD

Withdrawn

13E

RESOLVED, that the resignation (by retirement) of Stanley Young, 312 Fulle Drive, Valley Cottage, New York - Police Officer - Police Department - is hereby accepted - effective and retroactive to May 31, 2014.

DATED: June 10, 2014

P

13F

RESOLVED, that the resignation (by retirement) of
Alan Fehsal, 76 Mott Farm Road, Tomkins Cove, New York -
Police Officer - Police Department - is hereby accepted -
effective and retroactive to May 30, 2014.

DATED: June 10, 2014
P

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #13041 Police Sergeant Clarkstown Police Department - which contains the name of Stephen J. Cole-Hatchard,

NOW, therefore, be it

RESOLVED, that Stephen J. Cole-Hatchard, 315 Route 210, Stony Point, New York - is hereby appointed to the position Of (Contingent) (Permanent) Police Sergeant - Clarkstown Police Department - at the current 2014 annual salary of \$159,506., - effective and retroactive to June 9, 2014.

DATED: June 10, 2014

P

13H

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., Kristy Miranda, 8 Nancy Drive, New City, New York - Police Radio Dispatcher (CAD) - Police Department is hereby granted a Sick Leave of Absence at one-half pay effective and retroactive May 21, 2014 thru June 20, 2014.

DATED: June 10, 2014
P

WHEREAS, in accordance with Article VIII, Section (5) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., has received a request from Mr. Robert Stritmater, Director of Automated Services, for a reallocation of the title Information Services Specialist I (Networked System), that is currently a grade 27 to be reallocated to a grade 31.

NOW, therefore, be it

RESOLVED, that the Town Board has reviewed the request and has determined that the title of Information Services Specialist I (Networked System) - Data Processing Department - should be reallocated to a grade 31.

FURTHER RESOLVED, that Christopher Alvarado, 12 Omley Place, Valley Cottage, New York - who presently encumbers the position of Information Services Specialist I (Networked System) - Data Processing Department - is now appointed to a grade 31 and his salary will reflect the 2014 current annual salary of \$98,992., effective June 10, 2014.

DATED: June 10, 2014
P

RESOLUTION AUTHORIZING ACCEPTING FUNDS & AMENDING BUDGET

WHEREAS, the Town has received \$62,301.06 from Rockland County Sewer District #1,

NOW THEREFORE BE IT,

RESOLVED , to increase Revenue Account H-15-9-2770-0 (Capital-Misc Local Revenue) and Expense Account H-8760-409-0-84-9 (Capital Projects-Sewer Pump Stations) by \$62,301.06 and

WHEREAS, certain accounts require additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease A-3120-409-0 (Police-Fees for Services) and increase A-3120-225-0 (Police-Computer Hardware) by \$7,041.36 and be it

FURTHER RESOLVED, to decrease A-1680-460.5 (Data Processing-Digital Service) by \$8,118.68 and increase A-1680-225.0 (Data (Processing-Computer Hardware) by \$7,264.83, A-1680-225.1 (Data Processing-Computer Hardware –Police) by \$494.31, A-1680-226-0 (Data Processing-Computer Software) by \$353.22 and A-1680-307-0 (Date Processing-Uniforms) by \$6.32.

**RESOLUTION AUTHORIZING THE INSTALLATION OF SIGNS
IN VICINITY OF CENTRAL NYACK FIREHOUSE**

WHEREAS, the Chief of the Central Nyack Fire Department has requested that the Town Board authorize the installation of signage in the vicinity of the Central Nyack Firehouse to help alleviate an unsafe condition for personnel and apparatus pulling out and backing into the firehouse at the intersection of Waldron Avenue and West Broadway and to create four (4) new parking spaces and reserve said spaces on the east side of West Broadway for firefighters only who are responding to fire calls, and

WHEREAS, the Director of the Department of Environmental Control recommends installation of said signage to alleviate the safety issues in front of the firehouse and to accommodate firefighters responding to emergencies with designated parking spaces;

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes the installation of the following signage:

“NO RIGHT ON RED” signs on all sides of the intersection of Waldron Avenue and West Broadway, Central Nyack, and

Two **“NO PARKING FIREFIGHTER ONLY”** signs at the north and south ends of the four (4) new parking spaces created on the east side of West Broadway, Central Nyack, and be it

FURTHER RESOLVED, that the cost of the installation of said signs shall be a proper charge to the Central Nyack Drainage Improvement Project – Phase II, Account No. H 8755-400-409-0-79-7.

DATED: June 10, 2014
TB 06-10 TA RES Signs Central Nyack Firehouse-pm

awm

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Director of Environmental Control that

BID # 18-2014 -- DEMAREST ROAD EMERGENCY ACCESS ROAD
CULVERT REPLACEMENT

is hereby awarded to: GIRLS GONE GREEN, LLC
 617 N. BROADWAY
 UPPER NYACK, NY 10960
PRINCIPAL: JENNIFER CHAITIN

as per their proposed project cost not to exceed \$102,234.00 plus an Add Alternate of \$20,000.00, for a total of \$122,234.00 plus a 15% contingency and be it

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

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

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

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8767-400-409-0-90-6, 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: June 10, 2014

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:

Kabod Properties, LLC d/b/a Crossroads Plumbing & Heating Inc.
14 Spring Ave.
Bergenfield, NJ 07621
Ralph Fiorelli, President

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

14-33 KABOD PROPERTIES, LLC d/b/a CROSSROADS PLUMBING & HEATING INC.

DATED: June 10, 2014

TB 06-10-14 TA RES Certificate of Registration Sewers-sk

awm

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING BESSIE CULOSO TRUST
TAX MAP NO(S): 58.17-1-39**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Bessie Culoso Trust v. Cathy Conklin, Tax Assessor of The Town of Clarkstown, Board of Assessment Review of The Town of Clarkstown, Town of Clarkstown and Nanuet School District, Index No(s). 10233/10, 031012/11, 034265/12 and 034131/13, affecting parcel designated as Tax Map 58.17-1-39 and more commonly known as 36-40 North Middletown Road, Nanuet, New York, for the year(s) 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 Nanuet Union Free School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.17-1-39 be reduced for the year(s) 2010/11 from \$352,400 to \$198,250 at a cost to the Town of \$3,635.78;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.17-1-39 be reduced for the year(s) 2011/12 from \$352,400 to \$201,600 at a cost to the Town of \$3,710.32;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.17-1-39 be reduced for the year(s) 2012/13 from \$352,400 to \$203,100 at a cost to the Town of \$3,917.59;

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.17-1-39 be reduced for the year(s) 2013/14 from \$352,400 to \$207,400 at a cost to the Town of \$4,436.64;

5. Reimbursement for the year(s) 2010/11, 2011/12, 2012/13 and 2013/14 on the parcel described as Tax Map 58.17-1-39, 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;

6. 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: June 10, 2014

TB 06-10-14 TA RES B. Culoso Trust Settlement-dt

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RESOLUTION AUTHORIZING THE EXECUTION AND FILING OF THE MS4 ANNUAL REPORT ON STORMWATER DISCHARGES IN THE TOWN OF CLARKSTOWN WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WHEREAS, the Department of Environmental Control of the Town of Clarkstown has prepared the MS4 Annual Report for the New York State Department of Environmental Conservation concerning the Phase II SPDES Program for Stormwater Discharges from Municipal Separate Storm Sewer Systems (GP-0-10-002), and

WHEREAS, the report was published on the Town's website at www.clarkstown.ny.us, and

WHEREAS, copies of the report were available for inspection and comment at the Town Board's June 10, 2014 regularly scheduled meeting, and

WHEREAS, no comments were received;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute the report and the Director of the Department of Environmental Control to file the MS4 Annual Report concerning the Phase II SPDES Program for Stormwater Discharges from Municipal Separate Storm Sewer Systems with the New York State Department of Environmental Conservation.

Dated: June 10, 2014

TB 06-10 TA RES NYSDEC MS4 Stormwater Report-pm

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BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED JUNE 10, 2014, AUTHORIZING THE
REPLACEMENT OF A CULVERT ON DEMAREST ROAD,
STATING THE ESTIMATED MAXIMUM COST THEREOF IS
\$141,000, APPROPRIATING SAID AMOUNT FOR SUCH
PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS
IN THE PRINCIPAL AMOUNT OF \$141,000 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 replace a culvert on Demarest Road. The
estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the
financing thereof, is \$141,000 and said amount is hereby appropriated for such purpose. The
plan of financing includes the issuance of \$141,000 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. Bonds of the Town in the principal amount of \$141,000 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. 4 of the Law, is forty (40) years.

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

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

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law 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 June 10, 2014, 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 June 10, 2014, authorizing the replacement of a culvert on Demarest Road, stating the estimated maximum cost thereof is \$141,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$141,000 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 replace a culvert on Demarest Road; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$141,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$141,000 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 \$141,000 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 bonds are authorized to be issued is forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$141,000 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: June 10, 2014

Justin Sweet
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

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AUTHORIZING THE SUPERVISOR TO SUBMIT AN APPLICATION THROUGH THE CONSOLIDATED FUNDING APPLICATION PROCESS TO THE NYSEDA CLEANER GREENER COMMUNITIES PROGRAM FOR THE PLANNING OF A TRANSIT ORIENTED PROJECT IN THE HAMLET OF NANUET

Whereas: The Town of Clarkstown – a *Climate Smart Community* - supports the vision and implementation strategies of the Mid-Hudson Region Sustainability Plan prepared for the Cleaner Greener Communities Program of the New York State Energy Research and Development; and

Whereas: The Town of Clarkstown supports the Strategic Priorities of the Mid-Hudson Regional Economic Development Council to foster economic development utilizing smart growth strategies that will result in growth that is sustainable, cost-effective, climate friendly and energy- and natural resource-conserving; and

Whereas: The Town of Clarkstown is cognizant of the need to lay the groundwork for sustainable economic development and maximize the opportunities offered by existing transit centers in the Town by establishing a “visioning” program with stakeholders in these centers to work together to plan for appropriate transit-oriented development, which will spur economic growth while creating livable, desirable communities, and to this end initiated a visioning program to plan for the future with stakeholders in the Hamlet of Nanuet in 2013, a key transit center in Clarkstown and regionally; and

Whereas: The Town of Clarkstown intends to complete the visioning program for the “New Nanuet” by developing a transit-oriented plan for the hamlet that will provide the basis for appropriate, sustainable, “smart” development, and insure that the unique character of Nanuet is preserved and enhanced; and

Whereas: The Town funded the planning work of Cambridge Systematics in developing their study of the Route 59 West Corridor and Nanuet Hamlet Center as a part of the implementation of the Comprehensive Plan adopted in 2009; and

Whereas: The Town conducted multiple public workshops throughout 2013 to get input from the public that identified the need and potential to develop transit oriented mixed use development; and

Whereas: The Town established an Infrastructure Task Force comprised of:
Honorable Edwin Day, Rockland County Executive
Honorable Alden Wolfe, Chairman, Rockland County Legislature
Honorable Nita Lowey, Congresswoman
Honorable David Carlucci, Senator
Honorable Kenneth Zebrowski, New York State Assemblyman
Paul Adler, Esq. - Regional Manager, Rand Commercial Services
Carl Wortendyke, Principal Cal-Mart Construction; Board Member, MTA
Randolph Glucksman - Chair, Permanent Citizens Advisory Committee to the MTA (PCAC);
Member, Metro North Railroad Community Council (MNRCC)

Orrin Getz, Rockland Representative for New Jersey Association of Railroad Passengers (NJ-ARP)
Matt Rand, Owner, Rand Commercial Services; and

Whereas: The Task Force has started to work with the MTA and NJ Transit in developing a plan to redevelop the train station; and

Whereas: The public supports the Town's to develop policies and recommendations to insure that future growth is appropriate, sustainable and climate-friendly, and has made its support known; and

Whereas: There exists a need to secure financial assistance in order for the Town of Clarkstown to develop a transit-oriented development plan with Nanuet stakeholders, and the Cleaner Greener Communities Program of the New York State Energy Research and Development Authority, Phase II Implementation Grants, Category 2 Planning Initiatives provides such financial assistance; and

Whereas: The Town of Clarkstown deems it to be in the public interest and benefit to authorize and direct Alexander J. Gromack, as Supervisor of the Town of Clarkstown, New York, to file an application for funds to the NYSERDA Cleaner Greener Communities Program, Phase II, Category 2.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE TOWN COUNCIL:

1. That Alexander J. Gromack, as Supervisor, is hereby authorized to file an application for funding through the Consolidated Funding Application process to the NYSERDA Cleaner Greener Communities Program, Phase II, Category 2 Planning Initiatives;
2. That the Town of Clarkstown agrees that it will fund its portion of the cost of the Project and funds will be available to initiate the Project's work upon execution of a contract with NYSERDA.

TB 06-10-14 SUP RES NYSERDA GRANT

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RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND FOR DISBURSING OF FORFEITURE FUNDS FROM THE SHARED LAW ENFORCEMENT FORFEITURE ACCOUNT

WHEREAS, the County of Rockland wishes to assist the Town of Clarkstown in its law enforcement by disbursing forfeiture funds from the shared law enforcement forfeiture account for law enforcement purposes only, and

WHEREAS, the Legislature of Rockland County has provided funds for this agreement in the 2014 Budget (Resolution 612 of 2013) and in Resolution 448 of 2014 for the professional services of the Town of Clarkstown for the period hereinafter stated;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to accept a sum not to exceed FOUR HUNDRED THOUSAND AND 00/100 (\$400,000.00) DOLLARS to be used solely and exclusively for the purpose of law enforcement for the period January 1, 2014 and terminating December 31, 2014.

DATED: June 10, 2014

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RESOLUTION AMENDING RESOLUTIONS NOS. 416-2009, 75-2013 AND 241-2014
AUTHORIZING THE SUPERVISOR TO ENTER INTO AN INTERMUNICIPAL
AGREEMENT WITH THE COUNTY OF ROCKLAND, THROUGH THE ROCKLAND
COUNTY SEWER DISTRICT, CONCERNING PUMP STATION AND COLLECTION
SYSTEM UPGRADE PROJECT

WHEREAS, by Resolution No. 416-2009, adopted August 4, 2009, the Town Board authorized the Supervisor to enter into an Intermunicipal Agreement with the County of Rockland ("County"), through the Rockland County Sewer District No. 1 (RCSD #1), to cooperate in the upgrade of certain pump stations and sewer lines located within the Town of Clarkstown (the "Pump Station and Collection Upgrade Project") whereby the Town of Clarkstown ("Town") would operate pump stations and oversee the engineering, design, and construction of the Pump Station and Collection Upgrade Project, and that the County of Rockland would reimburse the Town of Clarkstown for construction and engineering costs of the Project in an amount not to exceed \$10,000,000.00 and will lease the pump stations and sewer lines from the Town for a period of thirty years, and

WHEREAS, by Resolution No. 75-2013, adopted February 5, 2013, the Town Board authorized the Supervisor to sign a First Amendment to said Agreement for an additional amount of \$1,000,000.00, for a total not to exceed \$11,000,000.00, for the Pump Station and Collection Upgrade Project, and

WHEREAS, by Resolution No. 241-2014 the Town Board authorized the Supervisor to sign a Second Amendment to the Agreement between the County of Rockland, through the Rockland County Sewer District No. 1, and the Town of Clarkstown, in a form approved by the Town Attorney, for an additional amount of \$2,500,000.00, for a total not to exceed \$13,500,000.00, for the construction of an

emergency storage facility in connection with the Pump Station and Collection Upgrade Project, and

WHEREAS, on June 5, 2014, the Rockland County Sewer District No. 1 authorized the appropriation of \$60,000 per year for 5 years (for a total of \$300,000) for a maintenance contract to service emergency generators which supply back up power to the Town and the sewer pump stations, and

WHEREAS, the Town wishes to authorize an additional amendment to the Intermunicipal Agreement to include the cost of the maintenance contract;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to enter into a Third Amendment to the Intermunicipal Agreement between the Town of Clarkstown and the Rockland County Sewer District #1, in a form approved by the Town Attorney, to authorize an additional expenditure not to exceed \$300,000 for a five (5) year maintenance contract to service emergency generators which supply backup power to the Town and the sewer pump stations, and be it

FURTHER RESOLVED, that said \$300,000 expenditure shall be reimbursed to the Town from the RCSD#1's operating funds, and shall not be considered a capital expense in connection with the Pump Station and Collection Upgrade Project.

DATED: June 10, 2014

TB 06-10 TA RES RCDS Intermunicipal Agree-3rd Amend-pm

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